



Africa Diary

Libya: One Step Forward, Two Steps Backwards

After two democratic elections and a Constitution Drafting Assembly investing its efforts to draft an inclusive and democratic Constitution, the country is on the brink of a civil war, writes **Jean-Louis Romanet Perroux**, who insists that Libya's fate is largely in Libyans' hands

In February 2011, for the first time in their history, Libyans mobilised collectively for a common objective: toppling a brutal dictatorial regime. Like their fellow Arabs who took to the streets in the spring of 2011, they called for a greater participation in governance and respect for dignity and human rights.

Nevertheless, unity in dissent against a common enemy hardly ever translates into unity of consent to new governance arrangements. The risk of division and violence is all the more serious; as there are fewer institutions to structure interaction and sanction violators. Unfortunately, of all the protagonists of that Arab uprising, Libya is the least well-equipped with such institutions. These are not just the formal institutions of the state, such as its bureaucracy and laws, but also the informal social and political norms of pluralism, tolerance, dialogue

and compromise that govern interactions in liberal and democratic societies.

This may explain why the newborn Libyan political arena failed to deliver governance and build institutions. The ensuing descent into instability and violence is all the more natural. Libya is now quickly moving towards a long and bloody civil war, with the eager help of foreign patrons.

Background

Libya emerged from its revolution in the fall of 2011 with no capable state institutions to speak of. Most notable of all, police and army were largely absent, leaving room for victorious revolutionary militias and newly formed ones to take over the provision of defence and security. Since each of these non-state armed groups represents particular interests, ranging from ideological to political to criminal

ones, their exercise of power over the territory under their control didn't produce defence and security.

Meanwhile, Libyans had the first real chance in their history to play the game of democratic politics. Following the roadmap laid out in the interim Constitutional Declaration of August 2011, 2.8 million Libyans out of 3.4 million eligible voters expressed their political preference. National and international organisations recognised it as a free and fair election and a resounding success.

However, casting a ballot is a crucial, albeit merely technical, element in the exercise of democracy. The substance of this game lies in the exercise of politics, and Libyan politics was a disaster. First, political leaders and elected representatives failed to communicate with their constituency and lacked transparency in the articulation and pursuit of their

agendas. If there were a single goal in the Arab uprising, it would be participation, and Libyan politics immediately violated it. This largely alienated the population and fuelled the already natural suspicion of Libyans towards public officials. Second, parties and members of Parliament were not willing or able to engage in a meaningful dialogue with their opponents. Finally, and most importantly, they failed to compromise with each other in order to articulate a common roadmap for the country.

Instead, elected officials and armed groups became the means through which cities, tribes, ethnic groups and political parties seized as much power as possible in and outside of state: Minister and Deputies' posts; domination of Parliament and government; control over ports, airports, major army barracks, city entry points, hospitals, oil fields, border crossings and all parts of the territory.

In this rush for power and control, diverse groups progressively fell into two otherwise unlikely camps: 'Islamists' versus 'liberals'. Group formation and polarisation was not the expression of any meaningful ideological, social or political affinity. Rather, they largely resulted from the failure to sort out power distribution and public administration through the exercise of politics rather than by force. The 'Islamist' camp, which now identifies with the Libya Dawn operation (*fajr* in Arabic), ranges from pragmatic Muslim Brotherhood politicians and religiously syncretic minority ethnic groups to revolutionary brigades and Islamic extremists. Likewise, the so-called 'liberal' camp, which largely supports Gen Hifter's Operation Dignity (*karama* in Arabic), unites secular elites – often former diaspora – with another set of ethnic minorities, some victorious revolutionary brigades, a few remnants of Gaddafi Army units that merged with or morphed into new militias and tribes that found themselves on the pro-Gaddafi side in 2011. As it happened during the revolution, alliances largely formed according to the principle that 'the enemy of my enemy is my friend' rather than based on a shared vision for the country.

Each of these camps pretended to embody the spirit of the revolution while either emasculating the state apparatus or ignoring it to build parallel institutions. Nowhere was it more visible than in the security and defence sectors. No real and practical efforts were made to train, equip, fund and legitimise the state's army and police. Instead, the Parliament overtly or covertly empowered and legitimised scores

of militias, revolutionary fighters, and formerly imprisoned opposition figures by handing large amounts of money and official mandates to perform core state functions. The 'Supreme Security Committee' was to provide security in the Libyan cities. 'Libya Shield' units were to secure the borders, defend the country and often put down fighting across Libya. The 'Petroleum Security Guards' were to secure oil fields and ports. The 'Libyan Revolutionary Operations Room' was to ensure the security of the Parliament, and so forth.

Granted, elected officials had no protection against well-armed, battle-hardened and excited fighters who increasingly felt that the fate of the country was in their hands. Buying time through provision of legitimacy and distribution of large amounts of money proved to be a very short-lived stabilising measure and a guaranteed political suicide. As could be expected, these armed groups nominally

fulfilled their mission while substantially furthering their interests and those of their patrons.

The major paradox here lays in the fact that both camps claim to pursue the objective of the revolution, which is transition from the Gaddafi regime to participatory governance. Yet, both sides neglected to engage with the broader population, both developed institutions parallel to the state, neither recognised the legitimacy of their opponent and both sought to seize power exclusively. This is precisely what Gaddafi did since his coup in 1969. Alas, the type of governance arrangement either camp proposes does not seem to go much farther.

To be fair, it is understandable that Libyans would internalise such a model after forty-two years of totalitarian regime. Libyan politicians certainly failed, but this was their first attempt at this new game and they were just the expression of the widespread intolerance and aversion

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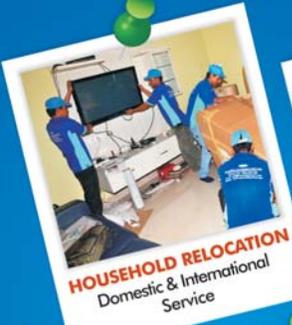
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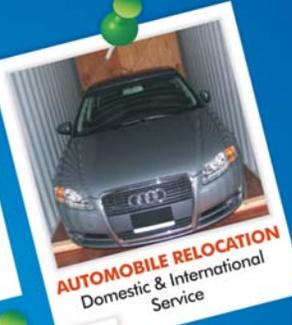
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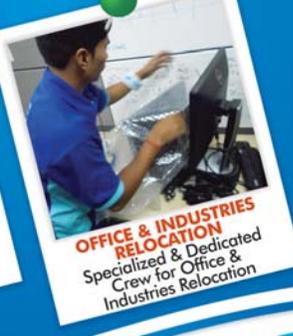
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to dialogue and compromise of their constituency.

Exclusionary Tactics Precipitate Armed Conflict

Once one group or the other had seized control over all state institutions, territory and source of income, the stage was set for either a power-sharing agreement or a confrontation. Unfortunately, the choice was again for exclusionary tactics and confrontation.

The fate was sealed first by the bullet and then by the ballot box. On May 16, rogue General Khalifa Hifter launched a crusade aimed at 'cleansing' Libya of all Islamists, equating them to terrorists. Hifter managed to rally a significant portion of the Libyan Army and Air Force to launch air and ground operations against Islamist armed groups in Benghazi. At the same time, the powerful militias from Zintan, a mountainous town 130 km southwest of Tripoli, threatened to dissolve by force the Islamist-dominated Parliament (GNC). Overtly or tacitly, the 'liberal' camp endorsed these initiatives.

The lack of distinction between moderate Islamists embracing politics and takfiri Salafi jihadists and the declared intent to eradicate them all from Libya closed all avenues for dialogue. Moreover, the threat of an attack to the GNC by the Zintani militias signaled a willingness to seize power by force, further calling for a confrontation.

In this climate, it is almost incredible that another national election was organised and held on June 25. The low turnout (630,000 people casting a ballot, or 18 percent of the 3.4 million-strong potential electorate) resulted in part from the boycott from ethnic minorities and the insecurity created by Islamic extremists. However, it also highlighted the popular disappointment and the lack of trust towards politics. Most importantly, these elections highlighted the further erosion of support for the Islamist candidates who only received about 15 percent of the votes.

Meanwhile, a few 'Islamist' militias from Misrata, a city 190 km east of Tripoli, attacked the Zintani forces controlling the Tripoli international airport. This drew into battle all Misrata militias and other groups aligned with that camp. After over a month of fighting, what remained of the airport eventually fell under their control. Because of the fighting, the newly formed House of Representatives (HoR) started running its sessions in the eastern city of Tobruk, far away from the battles and in an area considered under the control of the 'liberal'

camp. None of the newly elected 'Islamist' MPs joined the HoR. Instead, the 'pro-Islamists' declared the HoR illegitimate and endorsed the GNC.

Their low scores at the elections, the establishment of the HoR in the eastern town of Tobruk and their military gains in both Tripoli and Benghazi created incentives for the 'Islamists' to reject political solutions and to pursue the coercive seizure of power. Libya now has two parliaments, two governments and two broad camps hiding a great number and variety of divisions.

The Way Forward

The failure in the exercise of politics is probably the shortest explanation for the current situation in Libya. The peaceful and meaningful exercise of politics is also what can provide some stability and bring Libya back on the path towards democracy. Libyans will need to engage in a political dialogue and broker a negotiated roadmap to govern their country's transition. Each side will have to accept the other as a legitimate interlocutor and give it a chance to participate in a coalition government. Unfortunately, given the presence of powerful spoilers, the absence of effective national security and defence institutions, the interference of foreign powers and the minimal ability and the lack of propensity of Libyans for dialogue and compromise, these efforts may necessitate an external involvement.

Ideally, all international stakeholders, including the EU, the UN, the Arab League and Turkey, should first convene to agree on the guidelines of mediation, enforcement and peacekeeping efforts to deploy in Libya. The Arab League ought to take the lead in such efforts. Once agreed upon, this framing document should be submitted for inclusive negotiation among Libyan stakeholders under the guidance of a strong and credible mediating country and figure.

Why We Should Care?

Libyans fought their revolution with the support of the international community. Their aspiration was to enjoy participatory

governance and human rights, which makes the plight that this nation is set to suffer all the more bitter to Libyans and to those who care about them.

Besides witnessing human suffering, the international community has a lot to lose from a failed state in Libya. Given the desert-like nature and the size of its territory, equivalent to the size of all eight westernmost EU countries combined, Libya would offer the perfect breeding ground for transnational crime and terrorist activities. Despite its relatively small population, Libya is one of the largest trainer and contributor of Islamist fighters around the world. With land borders equivalent to that of Mexico and an impressive abundance of weapons, Libya is likely to destabilise the entire North and Sub-Saharan African regions. The conflict in Mali should serve as a clear reminder of this danger. Libya is also one of the largest migratory routes towards Europe and the growing number of migrants leaving its shores clearly indicates the trend resulting from the instability in the country. Finally, Libya has the largest proven oil reserves in Africa, which makes it an important commercial partner for many European countries.

The conflict in Libya has roots that extend well beyond its borders, hence the need for an agreement among international stakeholders. However, at the end of the day, Libya's fate is largely in Libyans' hands. All indicates that Libyans are venturing in a long and harsh desert walk. In this senseless hardship, they may start seeing each other as a body of people bound by history and set to share a common destiny. This may grant them the courage to compromise on their claims and grievances and share power. If they fail to do so, they are doomed to a long journey that will exact a terrible toll on their nation.

Reference:

1 Libyans did vote in a national election in 1952, under King Idris, but the vote was controversial. Following the contestation of results, parties were outlawed and the leader of the opposition was exiled.



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