

NOREF Report

Rivalries for authority in Libya

Nicolas Pelham

Executive summary

Throughout their ten-month campaign to topple Colonel Qaddafi, Libya's opposition forces struggled to reconcile two competing streams. While fighters fired with revolutionary zeal rushed off to the front, politicians tried to establish a semblance of order in the territory that these fighters had won. Since the fall of Tripoli in August 2011 tensions have escalated into a power struggle between the *thumar*, or militia forces, waving the banner of revolution, and the architects of would-be reconstruction, seeking stability to give their designs foundation. As elections approach in mid-June 2012, this rivalry is coming to a head. Both sides view the ballot as the seminal event that could break the deadlock and signal the transfer of power from centrifugal revolutionary forces to a sober central authority.

Increasingly, the government has viewed the *thumar* as an impediment to its efforts to establish a new security force. It has recruited from the pre-existing order for the bulk of security force personnel, nervous that rebellious, undisciplined *thumar* would be ill suited to promoting its plans for law and order. But its measures have only exacerbated centrifugal forces surfacing across Libya, which the government is ill placed to contain. Even if the political process survives election day unscathed, Libya's fledgling authorities should rapidly implement inclusive measures that will address the grievances arising both from decades of inequality between the capital and Libya's other cities, and the Qaddafi dictatorship's suppression of the country's regional and ethnic diversity.

Nicolas Pelham is *The Economist's* correspondent in Jerusalem and a writer on Arab affairs for the *New York Review of Books*. From 2005 to 2010 he was the Israel/Palestine senior analyst for the International Crisis Group, providing extensive coverage of the rise of the region's national-religious movements. He began working as a journalist in Cairo in 1992, then as editor of the *Middle East Times*, and subsequently joined the BBC Arabic Service as an analyst and later as the Maghreb correspondent. From 2001 to 2004 he reported for *The Economist* and the *Financial Times* in Iraq and Jordan. He is the author of *A New Muslim Order* (2008), which traces Shia resurgence in the Arab world, and co-author of *A History of the Middle East* (2010). He has worked as a consultant for the UN in Gaza and serves on the advisory board of Tida, a Gaza-based research centre.

From the first days of the February 2011 uprising in Benghazi, the relationship between the military and political arm of the revolution has been troubled. When the National Transitional Council (NTC) reached out to Qaddafi-regime stalwarts to join it as a prerequisite for a smooth handover, the revolutionaries reacted forcefully to thwart its efforts, accusing it of hijacking the country they had risked their lives to win. Within months of accepting the offer to join the rebels as commander-in-chief, Major General Abdel Fatah Younes, a former Qaddafi interior minister, was killed by *thumar* (militia forces).

Following the rebel conquest of Tripoli and western Libya in August 2011, the NTC – which won international recognition as Libya’s highest decision-making authority – and its fledgling government relied on the militias to serve as the essential stop-gap security provider to prevent pro-Qaddafi forces from launching a comeback. It devolved local security to local military councils, run by militias on the ground, and divided control of the country’s 6,000 km of borders among their forces, in many cases recognising what was already a *fait accompli*. In the absence of a criminal justice system and given the destruction of many prisons, it sanctioned the powers that militias had assumed to detain and incarcerate an estimated 8,000 detainees.

Yet as the government has sought to extend its authority and regain control over the country, the tension between the governing pragmatists and the ideological militias has intensified. Increasingly, the government has viewed the *thumar* as an impediment to its efforts to establish a new security force. It has recruited from the pre-existing order for the bulk of security force personnel, nervous that rebellious, undisciplined *thumar* would be ill suited to promoting its plans for law and order. In its drive to raise a 100,000-man army, the defence ministry has restricted recruitment of demobilised *thumar* to 25% of the force. Indeed, a British-funded government stabilisation plan that the government tried to implement following Tripoli’s fall highlighted “lessons learned from Iraq” and warned against repeating the pitfalls of deBaathification and the wholesale abolition of the exiting order, armed forces included.

Facing reaction from the *thumar*, the government increasingly views their activities as a threat to stability. It has taken visible efforts to clear the cities of *thumar* checkpoints and reclaim their largest and most lucrative holdings, particularly the ports, border terminals and airports. In mid-April, after months of painstaking negotiation and false starts, it recovered control of Tripoli’s international airport from Zintan’s militia and its inner city airport, Benita, from Souq al-Juma, the militia of a central Tripoli suburb.

The government further justifies its hands-off approach to overhauling the old order on the grounds of its own limited legitimacy as an unelected authority. “Not before the elections” has become a mantra for its deferral of demands to revamp Libya, from tenders for new housing projects to replacing the obstructionist system for issuing visas for journalists. The result is that what government there is is for the most part a relic of the old order. Ministers trying to keep the wheels of state churning admit a lack of control over their middle management.

Correctly perceiving government plans as a threat to their status and pre-eminence, the *thumar* have launched a rearguard action to regain the initiative. In their speeches, they denounce the army as a fifth column, riddled with pro-Qaddafi forces, and possibly in cahoots with Qaddafi’s sons scheming in neighbouring North African states. They have castigated the NTC’s unaccountable control over frozen former regime assets and the oil revenues that have quickly returned to pre-civil war levels. And they see the government’s retention of the old order as an impediment to their hopes of government jobs.

In some cases, the resentment has escalated into outright dissent. Some cast the government, led by former regime apparatchiks, as illegitimate. Among those singled out for repudiation are Mustafa Abdel Jalil, the chairman of the NTC, who was previously Qaddafi’s justice minister, while the NTC’s first prime minister, Mahmoud Jibril, was the economic guru of the Jamaat Seif – the coterie that surrounded Seif al-Islam Qaddafi over the course of the past decade, which proclaimed their intent to reform his father’s regime.

Feeling ostracised, the *thumar* have posited an

alternative root-and-branch reconfiguration of Libya's governing authorities and personnel, no less far-reaching than the post-Saddam Hussein deBaathification process in Iraq. In successive congresses held during spring 2012 in the *thumar*-dominated towns of Misrata and Benghazi, hundreds of militiamen have laid down demarches to the government. They have refused to hand over weapons "to those who try to kill us" (i.e. the armed forces, with their predominance of former regime commanders) and insisted that any dissolution of the militias be deferred to the end of the constitutional process, i.e. sometime in 2013 at the earliest.

Doubts about their identity persist. Despite the zeal the *thumar* exhibit elsewhere for whitewashing the obsessive green of Qaddafi's manifesto, the participants in the Benghazi congress did nothing to cover the green seats of the auditorium in which it was held or repaint the green walls. And despite the veneer of ideology in which they wrapped their demands, many were economic, focused on garnering a larger share of the spoils. As I left Benghazi, guards at the city's Central Bank vaults sought to appropriate a shipment of cash bound for Tobruk, a port to the east.

Nevertheless, their potential as spoilers and their ability to hamper the establishment of a state monopoly on the tools of force remain fearsome. Despite nominal deference to the central government, military councils act for the most part autonomously. Individual militias stage military pageants, which are tantamount to shows of force to ward off government or other attempts to challenge their authority. In February 2012 the militia of the Awlad Suleiman, an Arab tribe, marked the first anniversary of liberation by parading its war loot through the town, including 50 tanks and scores of Grad multiple rocket launchers. A month later they put their arsenal to use by pounding black Toubou shanties with tank shells.

Elsewhere, militias lacking government support have sought to carve out new lines of revenue through smuggling, particularly into Sahel countries, thus equipping the militias with an economic base. Subsidised petrol, flour and guns go out of the country; alcohol and migrants come in. Few figures are available for the flow, but if

Libya consumed all the fuel and flour it produces, its lean population would be among the world's most obese: according to government figures, each week all Libyans fill their petrol tanks twice and consume 37 loaves of bread.

For the most part, both sides are maintaining a stand-off. Despite their much-hyped construction of a prison cell, the NTC has stepped back – at least temporarily – from its demands that Zintan's militia hand over its prize catch, Qaddafi's son Seif al-Islam, for trial. Militias have formally surrendered control of many of the country's border crossings, but retained their presence by joining the new security apparatus, often as units, not individuals. Many have kept their posts, donning new uniforms and repainting their vehicles an official red and white. Similarly, government claims that it has recovered control of some 3,000 detainees are met with raised eyebrows, since observers say many militias have simply added state insignia to their detention centres. Zwara's militia continues to operate the Ras Jdir crossing to Tunisia alongside government forces and has fought border wars with rival militias to retain control of the smuggling trade.

Finding safety in numbers, the militias have also established their own composite rapid reaction forces able to reach trouble spots faster and in larger numbers than the new army, thereby projecting their influence. In Kufra, a Saharan trading post near Darfur, a composite force of seven militias, the Libyan Shield, established its own corps following an outbreak of ethnic feuding between Arabs and black clans. The commander, Wissam Ben Hamid, refused to accept orders from the army and, defying the army's calls for neutrality, shelled black Toubou districts on behalf of an Arab tribe, the Zuwayy. Even after the army had negotiated a ceasefire, Libyan Shield militiamen drove around town flying the Prophet Mohammed's black flag of jihad from their vehicles' aerals.

On occasion, the friction has spilled into anti-government violence. In Tripoli and Benghazi NTC members and the prime minister's offices have come under repeated attack. In April militiamen stormed the high court in Benghazi, where the authorities were holding General Younes's suspected assassins. The armoured car of the

widely respected UN representative, Ian Martin, came under attack as it drew up outside Interior Ministry offices in Benghazi for talks on security sector reform. On May 8th, 200 armed militiamen opened fire on the prime minister's office, killing one of his bodyguards. Fearing for their lives, ministers toy with resignation.

In an exercise in damage limitation, the government has tried to reach out to the militias. It has issued an amnesty that exempts the *thumar* from trial. It has restored handouts to fighters that it had suspended following allegations of fraud. And it has turned a blind eye to its own deadlines for the dismantling of the militias (set for April 1st 2012).

But despite these conciliatory measures, the attacks continue, possibly with growing intensity. Some argue that the more ground the government concedes, the more this empowers the militias ahead of an eventual showdown. Others trace a correlation between the attacks and the forthcoming elections, as the *thumar* fear that time is rapidly running out before their own pretensions to securing a revolutionary legitimacy will be replaced by a government with an electoral mandate backed by the popular will.

To date, the electoral process has proceeded remarkably smoothly. Registration of over 70% of an estimated 3.4 million electorate in barely three weeks exceeded government and UN expectations. But signs of unrest persist. In the Saharan town of Murzuq, the scene of particularly

violent ethnic clashes between blacks and Arabs, an Arab candidate was shot dead as tensions rise over whether blacks stripped of their citizenship under Qaddafi will be allowed to vote. In Kufra a Toubou member of the electoral commission resigned in protest at the lack of registration papers that the electoral commission should have allocated for to his community. *Thumar* commanders, too, claim to have mustered support from 50 NTC members to overturn the election law and postpone elections. "Who will respect the results, when everyone has a gun?" asked an Amazigh activist from Zwara.

Even if the political process survives election day unscathed, the demobilisation of the *thumar* will still pose a major challenge for any future government. Whether Libya steps back from the tipping point will depend on the government's ability to manage its economy, judiciary, security and constitutional process in a way that addresses the grievances arising from decades of inequality between the capital and Libya's other cities, including dealing with the regional and ethnic diversity Qaddafi's dictatorship suppressed, but which is now surfacing in the form of strident centrifugal forces. In the absence of policies meeting both these demands, *thumar* suspicions will only grow that the new regime is a mere replica, with softer edges, of the old. And future historians could yet write a postscript that in their zeal to avoid the mistakes Western powers made in Iraq, Libya's new authorities veered too far in re-establishing the old order of things.