

GCSP Policy Paper 2015/5 - May 2015



Can there be a viable roadmap for Libya? by Jean-Louis Romanet Perroux

Key Points

- *There is no overarching conflict in Libya; there is a constellation of localised conflicts between diverse factions largely driven by economic interests. These find a national dimension through fluid alliances of convenience confronting each other.*
- *The broad definitions of “Islamists” and “liberals” typically used to portray these two alliances are largely meaningless. In reality, these loose and diverse coalitions do not share common political platform, ideology or vision.*
- *Libyan divisions and conflicts are further fuelled by regional powers divided by competing interests and ideology. Given their capacity to spoil any domestically mediated agreement, a solution for Libya will have to include them.*
- *Libya has a fractured society both in terms of social cohesion and at the level of social norms of conduct. Tribal norms and power have eroded while no state institutions have emerged to supplant them.*
- *Libyan society is highly militarised. The easy access to deadly weapons results in a very low barrier of entry for Libyan individuals and groups to use violence and spoil any peace process.*
- *If and when a national unity government is formed, the lack of centralised power and the highly militarised nature of Libyan society will prevent the national politics and state-building efforts that have been much needed since the end of the 2011 revolution.*
- *Despite its cost and difficulty, a roadmap to restore peace and stability in Libya will have to include a peacekeeping force. This is an opportunity for regional organisations to find a new purpose, since no alternative foreign intervention is viable and inaction will be disastrous for all neighboring countries and Europe.*

Every day, Libya is sliding deeper into a civil war. De facto, the country now has two parliaments, two governments and two military factions.¹ Each coalition reunites diverse armed groups, most of which control the agenda more than the politicians they claim to be affiliated to. It seems increasingly clear that the country will not recover from its deepening civil war alone. In order to achieve some peace and stability and restore the derailed democratic transition, Libya must be able to provide some protected space for national politics, the finalisation and passing of the constitution through a general referendum and new elections to enact the chosen governance architecture. Can a viable roadmap be drafted to achieve these objectives and what would it entail? This policy paper seeks to highlight the key challenges imposed by the local and the regional context and explain how they should shape the mediation efforts and any external intervention.

Fragmented nation

International media and local actors themselves often portray the conflict in Libya as pitting two opposing camps. On the one side, the “Islamists” hold on to the General National Congress and the Parliament elected in July 2012, and its government sits in the ministries in the country’s capital, Tripoli. Its military arm is the coalition called *fajr Libya* (i.e. Libya dawn) that controls most of Western Libya under the leadership of militias from Misrata. On the other side, the “liberals” rally around the House of Representatives and the new Parliament elected in June 2014, and is installed in Tobruk, near the Egyptian border. Together with its elected government located in Bayda, they enjoy the international recognition and protection of the self-proclaimed Libyan National Army whose operation *karama* (i.e. dignity) aims at controlling Benghazi and Eastern Libya and re-conquering Tripoli.

However, the reality is much more complex than this and the characterisation of these two camps as being Islamist or liberal has hardly any meaning. The “Islamist camp” unites pragmatic Muslim Brotherhood politicians and businessmen, religiously syncretic minority ethnic groups, revolutionary brigades formed during and after the 2011 conflict, and Islamic extremists. On the opposing side are the so-called “liberals” that are individuals as diverse as secular diaspora elites and non-militant Salafists, the Tubu minority group from the south, some eastern and western tribal militias, federalists, other revolutionary brigades, parts of the Libyan Armed

Forces and tribes that found themselves fighting against revolutionary groups in 2011.

Of course each of these groups has its own identity, historical grievances and partisan interests that motivate them to join one camp rather than the other. Often, the decisive principle is “the enemy of my enemy is my friend”, rather than any common ideology or vision. This process of fragmentation and consolidation of armed groups around partisan interests has some deep roots in Libyan history but it was largely fuelled by the 2011 revolution. The international intervention certainly saved lives and helped an uprising that would probably not have receded even when faced with brutal repression. However, the unconditional support from multiple foreign patrons and the relative speed of the conflict resulting from extensive bombing and support clearly signalled to the Libyan fighters that victory was certain and that it would come by force. This meant that no systematic coordination between groups and centralised control were needed. Militias formed around geographic, ideological, tribal and even family lines and increasingly pursued a policy of “all for self and none for all”. Since the end of the 2011 revolution, all meaningful territories and installations have come under the control of a non-state armed group. Today, the reality on the ground is that Libya is currently controlled by hundreds of militias, each asserting its grip over a piece of the country. There is no overarching conflict in Libya; there is a constellation of localised conflicts largely driven by economic interests between diverse factions that join one of the two fluid alliances of convenience.

In terms of conflict analysis, which is the first step in mediation efforts, this means that there are dozens of distinct parties, each with their own interests and best alternative to a negotiated agreement. This analysis is inescapable since it determines who should be sitting at the negotiating table, whether a zone of possible agreement exists and what its contours are. In other words, mediation is very complex in the Libyan case. The multiplicity of legitimate and distinct stakeholders greatly complicates the efforts to achieve a cohesive vision and roadmap. Yet, this is still not the worst problem.

Fractured and militarised society

Libyan society is intimately fractured. In part, this is a result of the social alchemy that Gadhafi played over four decades, humiliating the old urban elites by empowering and celebrating Bedouin tribes and culture, oppressing Amazigh culture and forcing the “Arabisation” of Libyan Berbers, granting economic rent from trade or smuggling to specific tribes, and going as far as breaking up families

¹ Although a new Parliament was legitimately elected in June 2014, albeit with a very low voter turnout, some members of the old Parliament (GNC) refused to dissolve. Instead, they appointed their own government in Tripoli.

and tribes from within by empowering a member and simultaneously persecuting their next of kin. During the 2011 conflict, Gadhafi added dramatic new ethnic social fractures by using Libyan Touareg of Malian and Nigerian origins² in the most intense fighting against revolutionaries, and by inciting the black Libyan community of Tawergha to fight against its neighbouring town of Misrata.

However, fractures are also at the level of social norms and this has more to do with the nature of the 2011 conflict. Unlike what scores of pundits predicted in the international media, the 2011 revolution did not bring about a resurgence of tribalism but rather its demise. This is the result of a long process but the 2011 conflict contributed in two major ways. Firstly, the clear pursuit of a regime change by the intervening coalition, which deliberately ignored mediation attempts,³ consecrated the primacy of force over dialogue and mediation. Whether or not Gadhafi would have agreed to any mediated outcome, any such attempt would have required a pause in the conflict and political negotiations. Instead, coupled with the relatively rapid and uncoordinated combat operations, the conflict did not foster a link between political decision-makers and men-in-arms, or any serious hierarchical structuring within and among armed groups. Secondly, the abundance of weapons delivered by various foreign patrons directly to unit commanders and those seized from Gadhafi's arsenals empowered young fighters. The ability of young armed men to seize power and wealth by force, the continued external support and the lack of sanctions for crimes socialised youth to a new reality ruled by force and opportunism. It should not be a surprise that this new generation of fighters has no respect for the state and for traditional authorities.

Tribal affiliations are still important in many parts of Libya, however, tribes have lost control over the youth and tribal mechanisms have become increasingly ineffective at brokering peace. At the same time, state institutions were not able to

supplant traditional ones, leaving a vacuum at the level of authority and legitimacy. This dislocation of social norms is further aggravated by the dramatic prevalence of post-traumatic stress disorder among young fighters. Moreover, drugs are now widespread in Libya and particularly psychotropic drugs that are favoured by psychologically affected fighters.⁴ This further erodes behavioural inhibitions and the respect of any authority or social norm. Two years after the end of the 2011 revolution, Libya counted more than 250,000 registered fighters, who were often paid by the state while they fought for dozens of militias that were often unresponsive to any civilian control. Civilians themselves have coped with the lack of security and justice by tapping into the sea of weapons that flooded their country. Today, each Libyan household possesses an automatic rifle, and many have a sniper rifle, grenades or a rocket launcher and some even have a tank that they will use to block a crossroad if need be.⁵

The easy access to deadly weapons results in a very low barrier of entry for Libyan individuals and groups to use violence and spoil any peace process. Moreover, the competition for loyalty in a country that has large financial resources and lacks enforcement capacity naturally produces a political marketplace of violence⁶ in which armed groups maximise their potential to extort money by threatening security and the economy.⁷ Furthermore, the lack of internal structuring and authority within Libyan communities and armed groups poses a serious problem of legitimacy and representativeness of any party that may sit at the table of negotiations. It also questions the ability of civilian decision-makers and military commanders to actually enforce within their own group any mediated agreement that may have been reached. Without enforcement capacity, no roadmap is tenable, thus if the parties to the mediation have weak internal legitimacy and authority, there ought to be an external enforcement capacity capable at

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2 These fighters were notably part of the 32nd Mechanized Infantry Brigade, located between Tripoli and the city of Zawia and commanded by Khamis Ghadafi and the Maghawir Brigade, successively renamed Tende Brigade, based in the Southern town of Obari. For more information, read "Libya's Fractious South and Regional Instability", Wolfram Lacher, SANA Dispatch No. 3, February 2014, available at: <http://www.smallarmssurvey.org/fileadmin/docs/R-SANA/SANA-Dispatch3-Libyas-Fractus-South.pdf>

3 The most notable one was launched by the African Union in March 2011. The AU Peace and Security Council had created an ad hoc high-level committee including the presidents of Mauritania (in the chair), Republic of Congo, Mali, South Africa and Uganda. The Committee was scheduled to fly to Tripoli on March 20th, 2011 to propose a peaceful roadmap to Gadhafi. However, allied operations had started on March 19th and the AU was sent a message from the US and the UN saying that, should the Africans proceed with their flight, their security could not be guaranteed. For more information, read: "African roles in the Libyan conflict of 2011", Alex DeWaal, World Peace Foundation Blog, 14 March 2013, available at: <http://sites.tufts.edu/reinventingpeace/2013/03/14/african-roles-in-the-libyan-conflict-of-2011/>

4 To appreciate the extent of this problem, read "Lingering psychological trauma three years after Libya's uprising", IRIN news, 6 May 2014, available at: <http://www.irinnews.org/report/100042/lingering-psychological-trauma-three-years-after-libya-s-uprising> and "Libya's 'growing' drugs/HIV problem", IRIN news, 17 June 2013, available at: <http://www.irinnews.org/report/98239/libya-s-growing-drugs-hiv-problem>

5 As it happened in the Fashloum neighborhood in Tripoli during a confrontation with a militia from the neighboring Souk al Jumaa neighborhood in January 2013.

6 For more on this concept read "The Political Marketplace: Analyzing Political Entrepreneurs and Political Bargaining with a Business Lens", Alex DeWaal, Memorandum prepared for the WPF's seminar held 12 – 13 June, 2014, available at: <https://sites.tufts.edu/reinventingpeace/2014/10/17/the-political-marketplace-analyzing-political-entrepreneurs-and-political-bargaining-with-a-business-lens/>

7 The case of Ibrahim Jathran, former commander of the Petroleum Defense Guards, epitomises this racketeering threat. For more read "Ex-rebel, with militia, lays claim to oil patch", Margaret Coker, The Wall Street Journal, October 3, 2013, available at: <http://www.wsj.com/news/articles/SB10001424052702303643304579109010913025356>

least to protect the implementation of an agreed roadmap. The state typically aims at exercising this enforcement function. Unfortunately, state institutions are weak or absent in Libya.

Weak or absent state institutions

Libya is increasingly referred to as a failed state; however, this presupposes that there was a state in the first place. In reality, Libya never had strong state institutions, except for a few that became indispensable in handling its immense oil resources discovered in the late 1950s.⁸ Gadhafi further weakened the official state institutions by decoupling the substantive exercise of power from formal bureaucracy and procedures. His political alchemy theorised as the “third universal theory” in the green book, disguised his sultanistic regime⁹ behind the pretence of direct popular rule. In the Libyan *jamahiriya* (i.e. a neologism he created to capture the concept of “rule through the masses”), the state and political organisations were façade institutions. If anything, state organisations were hypertrophic public employment agencies that were used to buy the multiple local traditional loyalties. While the massive public employment sector and the culture of appropriating them for rent survived the 2011 revolution, the highly centralised and personalised substantive governance system disintegrated with the decapitation of the Gadhafi regime.

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State weakness was most visible through the virtual absence of two of the most important institutions: police and army. Instead of rebuilding these institutions from the inside-out through training, equipment, funding and laws assigning them new roles and legitimacy, rival political groups preferred to legitimise, fund and equip their own set of militias. As an example, dozens of armoured personnel carriers (APCs) delivered to the Ministry of Defence were diverted to a militia supporting the party of the Minister of Defence. A few months later, a newly appointed Minister of Interior belonging to the opposing party gave orders to move several dozen APCs destined to equip police forces, to the barracks of an affiliated militia. That minister resigned shortly thereafter but the vehicles were never recovered. Instead of re-building the national defence and security apparatus and integrating fighters while dissolving their militia of origin, decision-makers empowered militias and gave them official legitimacy and affiliation to the Ministry of

Defence and Interior, pursuing a reverse takeover of the public by the private. Of course, the partisan piecing out of what were supposed to be the public guarantors of Libya’s collective security dramatically increased the security dilemma and brought politics to a standstill.

In terms of mediation and the implementation of a roadmap, the lack of a national enforcement capacity takes away another potential guarantee that whichever agreements arrived at may be respected. Moreover, even if the political parties keep true to their agreements, without an authority able to guarantee a minimum level of non-partisan security, they are not protected from spoilers from within their own ranks or outside. However, the roots of Libya’s turmoil also extend beyond its borders.

Global narrative and regional cold war

Before any measure aiming at bringing back stability and security in Libya can be devised, and particularly if they include any foreign intervention, some careful attention must be given to the global jihadi narrative and to the ideological confrontations that fuel violence and conflicts in the region.

Radical Islam draws its strength from a rhetoric that portrays the “West” as conducting an imperialistic religious crusade against Muslims and supporting corrupt authoritarian regimes. This rhetoric finds a perfect echo in the “Global War on Terror” and in the military campaigns that took place in Afghanistan and Iraq. With hindsight, it seems that Western public opinion and decision-makers have realised how counter-productive and dangerous it is to deploy Western troops on the ground in Muslim countries penetrated by radical Islam. In light of these constraints, some authoritarian regimes in the Middle East and North Africa seize full well the interest of championing counter-terrorism efforts to receive Western support while instrumentalising this struggle to repress political Islam. General Haftar, commanding the anti-Islamist coalition, has been playing this card since he launched the *karama* operation in order to receive more military support and obtain the lifting of the UN-sanctioned arms embargo. His numerous public interviews and declarations have been trying to convince Western powers that he is fighting terrorists for them before they have to confront them at home,¹⁰ fuelling the EU’s nightmares of a penetration of Daesh in Europe.¹¹ However, Haftar’s definition of terrorists

⁸ In particular, these are the Libyan Central Bank, the National Oil Corporation and the Libyan Investment Authority.

⁹ Sultanistic regimes are authoritarian regimes in which power is highly personalised and centralised in the hands of an autocrat (sultan) and not bound by rules or ideology. This follows the regime typology developed by Max Weber (1978) and further expanded by Chehabi and Linz (1998).

¹⁰ “Haftar to Renzi: We need weapons to fight extremists before they target Italy”, Middle East Monitor 11 March 2015, available at: <https://www.middleeastmonitor.com/news/africa/17455-haftar-to-renzi-we-need-weapons-to-fight-extremists-before-they-target-italy>

¹¹ “Haftar warns of Islamic State spread to Europe if Libya gets no military aid”, AP, 19 March 2015, available at: <http://www.stripes.com>

ranges indiscriminately from Daesh (aka Islamic State) to various kinds of Islamist militias to Muslim Brotherhood politicians. Here lies a dangerous trap: supporting anti-Islamist regimes in a fight against Libyan “Islamists” fuels the very narrative that strengthens the groups that it is supposed to contain, while increasing the destruction and misery from which it draws new recruits. Moreover, major regional powers support opposite sides in Libya, depending on their own domestic interests and ideology. Besides obvious geopolitical and economic interests, these differ in the conception of the role and nature of the nation and the state and on the role of Islam in politics. While Qatar and Turkey support the “Islamists”, Egypt, the UAE and Saudi Arabia back the “liberals”. Any support to one side calls for more support from the other while the social fragmentation and the distribution of power in Libya further guarantees that no decisive victory can be achieved. However, given their direct support to Libyan factions and their ability to spoil any mediated agreement, these regional powers cannot be ignored.

What roadmap for Libya?

The bulk of current efforts led by the United Nations aim at brokering mediation between warring parties in Libya. However, in light of the interests, current interference and spoiling potential of regional powers, a viable roadmap for Libya must begin with a regional dialogue initiative. In Northern Ireland, the peace process could only start bearing fruits after the 1993 Downing Street Declaration, whereby the United Kingdom and the Republic of Ireland agreed to stop supporting the warring parties. Libya should not endure thirty years of conflict and failed mediation efforts before regional powers agree to allow a different destiny for Libya from a prolonged proxy war. Since the Middle East and North Africa is confronted with an unprecedented array of interconnected challenges, this may be the time for regional organisations to show their utility and develop their potential to bring peace and stability, starting with the Libyan conundrum. Thus, Libya’s roadmap should be crafted through double-track dialogue and mediation at the national and regional levels and the latter ought to be led by the Arab League or the African Union. The recent easing of tension between Qatar and Saudi Arabia and between Egypt and Ethiopia may open some political space in each of these organisations. Moreover, the African Union has already led a high level mediation initiative on Libya in March 2011 as noted above. A regional summit on Libya should bring together the key stakeholders, including Turkey, the UN and

the EU, to agree on a minimum set of principles such as non-interference, no territorial claims and an engagement to support a roadmap for Libyan transition, beginning with the national mediation process. This would change the structure of incentives, thereby affecting the decisions of Libyan factions.

At the national level, the first steps will have to be a cessation of hostilities and the formation of a national unity government. International efforts to that end have been ongoing for months. Although no agreement has been reached at the time of writing, the question is not whether a coalition government will ever be formed but when and under what conditions. However, all governments since the end of the Libyan revolution were coalition governments and there is no good reason to believe that a new one would be any more successful in coping with the militarised Libyan society and the lack of state institutions. Like its predecessors, a new Libyan government would fall prey to powerful militias. For the Libyan transition to stand a chance, national politics must be given some protection, time and space. Since no impartial and capable armed group exists in the country, it will have to come from abroad.

Owing to the considerations made above on the global jihadi narrative, a peacekeeping force should only come from Muslim countries and possibly from the region. Any foreign peacekeeper will be a potential target for violent Islamic groups; non-Muslim and particularly Western troops would boost the radical Islamist narrative, thereby facilitating local recruitment and support for these violent groups. Moreover, to prevent partisan interests from affecting such a mission, no peacekeeper should come from any of Libya’s neighbours or from any of the countries currently interfering in Libya. This will also protect them from the type of blowback effects that Kenya is suffering from its involvement in neighbouring Somalia.¹² This still leaves several suitable troop-contributing countries, such as Jordan, Oman and Morocco, with potential contributions from other large Muslim troop-contributing countries such as Bangladesh. To be sure, Libyans never had any appetite for the deployment of any foreign troops on their soil, however increasing fighting, misery and lack of promising perspectives have changed their attitude. Nonetheless, any troops deployed in Libya will face violent attacks. Thus a peacekeeping mission in Libya should count on some key components.

[com/news/europe/libyan-army-chief-warns-of-islamic-state-spread-to-europe-if-libya-gets-no-aid-1.335559](http://www.thenation.com/article/203561/horrifying-blowback-kenya)

¹² For more on this subject, visit: <http://www.thenation.com/article/203561/horrifying-blowback-kenya> and <http://fpif.org/kenyas-garissa-attack-wasnt-just-a-tragedy-it-was-blowback/>

Firstly, its mandate should be as simple and modest as possible. It should not aim at bringing peace to Libya, which will not come through military means, nor should it have the ambition to arbitrate between the plurality of actors composing the fragmented Libyan nation. Rather, the peacekeeping force should have the sole purpose of protecting the key political bodies of the state, airports and ports. Given that Tripoli and Benghazi, the two main Libyan cities, are each largely under the control of one of the two broad camps, putting their key installations under the control of a peacekeeping force may provide a satisfactory compromise.¹³ Secondly, the peacekeeping force should be invited by the Libyan national unity government and it should deploy only after all armed groups have agreed to withdraw from the perimeters the peacekeepers will need to defend. Finally and equally important, since no enforcement capacity exists in Libya, as highlighted earlier, and since peacekeepers' tasks should be as limited as possible to the defence of key installations and political bodies, the mission will have to count on an effective and credible deterrent against spoilers. This task can be performed through the use of close air support fighter planes, attack helicopters and surveillance drones. It is at this level and at the level of logistical support and intelligence that Western countries can play a key, but limited, supporting role.

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It would be most desirable that a peacekeeping mission in Libya be either a UN-regional organisation hybrid mission or that it may at least enjoy the endorsement of a UN Security Council (UNSC) resolution under Chapter VIII. The lack of Western troops on the ground and the need to contain the spread of Islamic terrorism may overcome the Russian veto that has blocked the UNSC since 2011 and may actually provide a way of showing willingness to collaborate. At any rate, short of a UNSC resolution, a regional peacekeeping mission could still deploy following the invitation from the legitimate country authorities, which would be the

¹³ Moreover, while Tripoli hosts the government and ministries, the new Parliament could sit in Benghazi. This would be in line with the recommendation by the "February Committee" created by the former Parliament before the last national elections of June 25th, 2014, that the newly elected Parliament sit in Benghazi to allow for a greater geographical balance in the location of the political bodies of the state.

national unity government.

Once the regional powers have agreed on the Libya roadmap, the national unity government is in place, the militias have withdrawn from the key installations in Tripoli and Benghazi, and the peacekeepers provide security to the core state bodies, the draft Libyan constitution should be finalised and put to a national referendum. Once approved, new elections should be held, paving the way to a new parliament and a new government. For some time, these would count on renewed popular legitimacy and the protection of the peacekeeping mission, both of which are necessary to build the core state institutions, starting with justice, defence and security.

This is an ambitious and difficult roadmap, however, alternatives such as national mediation without a regional agreement, the support of one side, or foreign military intervention limited to counter-terrorism and stopping migrants, would either fail or worsen the situation in Libya for the reasons highlighted above. There are several major challenges for the implementation of this roadmap. Firstly, regional powers that barely speak with each other will have to agree to stop supporting one of the parties in the Libyan conflict. Secondly, the African Union or the Arab League will have to agree to deploy a peacekeeping mission and eligible countries will have to provide enough troops. Western powers will have to agree to provide the airpower and the logistical and intelligence support. Finally, Libyan stakeholders will have to agree with this roadmap and invite external peacekeepers. On the other side, Libyans are increasingly concerned about the disintegration of their country and the increasing presence of Daesh and Al Qaeda, European countries fear terrorist attacks and are increasingly aware of the imperative to manage Libya's instability that fuels the central Mediterranean migration, and Libya's neighbours realise the dramatic threat a failed state in that country would represent for them.

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NB: This paper is solely the opinion of the author and does not necessarily reflect the official view of the GCSP.

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