Institutional Factors Behind the Triggering and Protraction of the Libyan Civil War

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Introduction

Libya entered a new era on February 17, 2011. Fathi Terbal Began, the Libyan lawyer representing relatives of the victims of *Abu Salim's* imprisonment, led the victim's families in initiating a protest in Benghazi, the country's second-largest city, on 15 February. His subsequent arrest a day later triggered the emergence of a social media movement declaring a "day of rage" on 17 February 2011. A few days later, the Gaddafi regime directed security forces against protesters in Benghazi and other cities across the country. [1] These actions changed the nature of the protest—prompting its transformation into an anti-regime movement calling for the overthrow of the Gaddafi regime. Additionally, there were divisions within the Gaddafi regime, with many pillars supporting the uprising. Many Libyans, including regular troops and high-ranking officers, took up arms in response to the government's military offensive. Indeed, the dictatorship that had controlled the country with an iron grip for four decades failed to find a political or military solution to the situation. Consequently, in addition to substantial institutional disintegration, the regime lost control of Cyrenaica and certain cities in Tripolitania within just a few days. At this point, the political situation in Libya changed from a purely popular movement to a protracted civil war on an unprecedented scale. This escalation opened the way for the legitimacy of foreign intervention, notably by regional political organizations like the League of Arab States (LAS) as well as international bodies like the United Nations (UN).

The outbreak of popular uprisings against authoritarian regimes in the Arab world in general and in Libya, in particular, has highlighted the importance of studying how weak states and fragile political institutions are easily affected by internal conflicts and political instability in neighbouring countries. In fact, rulers in the region have long held power by relying on formal and informal political institutions. According to Mehran, such regimes commonly craft or shape institutions that are strong enough to maintain them in power. [2] Research on the triggers of popular uprisings and their various outcomes has demonstrated how "little attention has been paid to the role of domestic political institutions in explaining the processes of conflict contagion". [3] This study argues that in an extreme form of a personalistic regime, political institutions are likely to be weak; when the regime faces a political or military challenge, it is more likely to suffer severe fragmentation within its domestic political institutions. Given this situation, the breakout of the civil war was the most likely scenario in Libya and Syria in 2011.

Linz and Stepan argue that "in the literature on democratic transition, stateness problems must increasingly be a central concern of political activists and theorists alike". [4] For four decades, Gaddafi continued to demolish state institutions and used this anarchy to build and deploy his complicated institutional system. The progressive institutional decay that started with the declaration of the People's Revolution in 1973 and culminated with the declaration of the Jamahiriya in 1977, paved the way for

Gaddafi to transform his regime from rule by armed forces to sultanism with minimal institutionalization. Accordingly, the declaration of the People's Revolution was essentially a declaration of war against the state and its institutions in their classic form. In April 1973, Zuwara City witnessed the launch of the People's Revolution (or Culture Revolution). In a speech marking this occasion, Gaddafi outlined a five-point program. As Kemal explains:

> First, [dissolving] all current laws and replacing them with revolutionary legislation. Second, Gaddafi said that any opponent of revolutionary enactments must be expelled, and third, he launched an administrative revolution, which he claimed would expel all remnants of the bourgeoisie from Libya's political and economic institutions. People's committees must be formed and armed to defend a cultural revolution that would exclude harmful foreign influences from Libya, according to the fourth and fifth criteria.[5]

To fulfil the five goals of the People's Revolution, Gaddafi urged Libyans to form committees in all colleges, factories, schools, villages, and towns. In June 1973, 459 committees across the country were formed and took control of state institutions, including universities, hospitals, schools, farms, and factories.[6] Gaddafi also called on

Libyans to "trample under [their] feet any bureaucrat who restricted access to government offices".[7] However, it seems that the members of the Revolutionary Command Council (RCC) and armed forces became Gaddafi's main challengers.[8] Understanding that his position was in danger and seeking to strengthen his position, Gaddafi gave in and relied on officers from his tribe, the Gadhadhfa tribe. They began playing a key role in the country, upsetting members of the RCC. Already fed up with Gaddafi's behaviour, a few RCC members resigned in the following years. Meanwhile, several remaining members—including Muhayshi, Hawadi, Ali Awad Hamza, and Abdelmonem Huni—attempted military coups against Gaddafi in 1975, although these ultimately failed, forcing them to flee abroad.[9]

Gaddafi subsequently dissolved what remained of the RCC and established the Jamahiriya, with the five members of the RCC who had shown loyalty to Gaddafi since 1969 enjoying key positions in his regime until 2011.[10] For Gaddafi, 1977 was an optimal time in which to implement his unique and personal vision, namely, the Authority of the People and the State of Jamahiriya, both of which were based on his third universal theory. Until 2011, Gaddafi maintained the Jamahiriya as a political system serving as an alternative to capitalism and communism and capable of overcoming the inadequacies of traditional democratic systems. Jamahiriya was theoretically controlled directly by Libyans from all levels of society—an aspect "expressed institutionally" by the existence

of hundreds of basic people's committees and congresses throughout the country.[11]

The remainder of this paper is organized as follows. Section 2 presents the objectives of this study, while Section 3 describes the importance and significance of this study. Section 4 presents this study's methodology and hypothesis, and Section 5 details its theoretical framework. Section 6 discusses the key findings, while Section 7 provides this study's conclusions.

Theoretical Framework: Civil War and its Causes

In the context of this study, sultanism theory explains why and how the weakness of formal institutions in Libya led to civil war. According to Linz and Stepan, sultanistic regimes are characterised by a low degree of democratic opposition. Meanwhile, because of the weakness of political institutions, sultanistic dictators are characteristically overthrown by a "quick, massive movement of civil society, by assassination or by armed revolt".[12] Snyder has proposed a framework for paths out of sultanistic regimes that combines structure and voluntary nature.[13] In a sultanistic regime, transition depends on the strategic postures of soft- and hardliners within the regime, moderate-maximalist opposition, the penetration of society and state institutions, and external intervention against the regime.[14] In this respect, Table 1 summarises two case studies of sultanistic regimes in Zaire (the Democratic Republic of the Congo) and Panama. Following the outbreak of an uprising, the defections, resignations, and collapse of state institutions all closely fit the scenario of civil war as one of the paths out of the sultanistic regime in the theory developed by Snyder.

Table 1 (Appendix) indicates that civil war was the outcome of the sultanistic regimes in Zaire and Panama, that is, the political groups and state institutions lacked "sufficient autonomy to act independently of the dictator". [15] Moreover, as noted, the literature on sultanistic regimes has shown that as the rulers become sultanistic dictators, they "lose much of their initial social support and begin to rely increasingly on a mixture of fear and rewards". [16] Consequently, rulers relied on their cronies to penetrate society and tribes. In this case, the opposition's ability to play a key role against the sultanistic ruler will be very low. These vertical "patron-client linkages both co-opt elites and extend the reach of the state's surveillance and control". [17] In this context, observers like Kunysz have pointed out that even though the authority in a sultanistic regime is generally "identical to those in patrimonialism and neopatrimonialism, sultanism is distinguished from them by the extreme and universal nature of personal loyalty to the individual ruler". [18] Scholars provide another reason why civil war can be the political outcome of sultanistic regimes. According to Shain and Linz, if a regime is overthrown in "societies where minorities are particularly oppressed, a civil war may ensue with a strong drive for secession".[19]

The Gaddafi regime possessed practically all the structural traits of these sultanistic regimes in Zaire and Panama, despite their cultural variations and the disparities in their historical circumstances. As a result of these similarities and the nature and outcomes of the Gaddafi regime, this study considers the Gaddafi regime to have demonstrated obvious congruencies with the Mobutu Sese Sako regime in Zaire (1965–1990). Indeed, not only did the regime transition lead to protracted civil war in both cases, but both regimes aligned with arguments regarding sultanism. For instance, Chehabi and Linz argue that sultanistic rulers crave charisma and overcome their lack of charisma by creating trappings, such as inventing new titles, changing their names, or changing the name of the country.[20]

Following this trend, both Mobutu and Gaddafi exhibited a strong "sultanist tendency". For example, on October 27, 1971—just six years after seizing power— Mobutu's sense of ownership meant that he saw "fit to change the country's name, unilaterally", from Congo to Zaire. [21] Similarly, in 1977, Gaddafi unilaterally changed the official name of the state from the Libyan Arab Republic to the Great Socialist People's Libyan Arab Jamahiriya, with the addition of a new all-green flag. Around this time, Gaddafi officially began presenting himself as a Brother Leader of the *al-Fatah* Revolution. In their study on the Gaddafi regime, el Fathaly and Palmer note how Gaddafi began his political life without much personal charisma and *baraka* (blessing);[22] he was not like King Idris, who was upheld as a religious saint. Therefore,

Gaddafi sought to "build an aura of charisma around his person as a means of generating symbolic support for the revolution and legitimising the political institutions of the revolution".[23]

Interestingly, Chehabi and Linz state that sultanistic rulers often made their regimes look like "revolutionary movements," ones destined "to be the link between the leader and the people he guides toward new horizons". [24] In this case, both regimes created popular revolutions—namely, the Mouvement Populaire de la Revolution in Zaire [25] and the *al-Fatah* Revolution in Libya—which penetrated state institutions while balancing the power of ethnic groups and tribes to maintain their dominance over institutions and society. In terms of the usage of state resources, Gaddafi depended on oil and Mobutu relied on copper. In the eyes of Libyans, Gaddafi did not leave room for political discussions or opposition. Gaddafi continually emphasised that the basic and general congresses provided institutional channels for all Libyans to express their political opinions. He argued that there was no need to have political parties or participate in political activities outside the congress. Consequently, the uprising in 2011 turned into a civil war within days.

Findings and Discussion

In post-Gaddafi Libya, there was a struggle for power among dozens of the actors who fought against Gaddafi in 2011. This does not mean that the losers of the first wave, namely, the Gaddafists or pro-Gaddafi

groups, were absent from the second and third waves, but that they participated because of tribal polarisation. The first wave resulted in dozens of "heterogeneous" figures—including secular, liberal, Islamist, nationalist, regional, and tribal figures—based on the historic nomadic–urban divide.[26] Having been temporarily united by their opposition to Gaddafi, for which they received foreign state support, key actors re-emerged and triggered the second and third waves of the civil war. After the Gaddafi regime toppled, differences emerged between the various tribes, Islamists, regional and liberal elites, and hundreds of militia groups operating in Libya.

When reviewing Libya's modern political history, it is clear that, even though tribal and ethnic rivalries and fragmentation are historically embedded in Libya, for instance, the rivalry between the three regions between 1949 and 1951 posed the most significant challenge to the UN mission in the country during that period. In 1949, Adrian Pelt, the UN commissioner, played a significant role in persuading the tribal Shuyukh and other elites to adopt the federal system, which enabled the country to overcome local and regional interests as well as significant disparities in terms of development, resources, and population between different regions. As a result, political leaders in Libya made various concessions to advance national interests, including the establishment of a constitution-drafting assembly and other state institutions, which ultimately resulted in the merger of the three regions into a single sovereign state. Throughout history, central state institutions have acquired greater authority and autonomy, and Libya's federal system was abolished in 1963. The country changed its name to the United Kingdom of Libya and adopted a unitary government.

The relative strength of Libya's political institutions in 1969, reflects the scope of the institutional channels Gaddafi relied on to carry out a smooth political transition. In 1969, a bloodless coup, in which Gaddafi arrested several senior officials and officers, saw all state political institutions immediately incorporated into the new regime. The ease of this incorporation may also reflect that the king's patronage network had not penetrated state institutions to the extent assumed.

The political transition of 2011 was more complicated than those of 1949 and 1969. Rivalry and fragmentation in post-Gaddafi Libya were deeper and more complex. The third wave of the civil war was also more complex than the first and second waves. Overall, the civil wars between 2011 and 2020 demonstrate that history does not fully repeat itself. While the tribes and the UN were the main actors during the Libyan civil war, neither the UN mission nor tribal *Shuyukh* were able to rebuild a new Libya as in 1949–1951. Indeed, their failure is not linked to the fragility of both formal institutions and Libya's tribes. Although 82 per cent of respondents confirmed that tribalism played a significant role during the Gaddafi regime in answering Q1, 73 per cent agreed that tribalism in post-Gaddafi Libya was one of the main bases of political parties and groups in answering Q2 (Table 2 in Appendix).

As Gaddafi succeeded in atomising the traditional structure of Libyan tribes, even when the state collapsed in 2011 and the tribes regained their political and military power, their traditional system was fragile and lacked traditional tribal *Shuyukh*. Under the Jamahiriya, Gaddafi neither eliminated the tribes nor did he leave them with their traditional structure and power intact. Rather, Gaddafi succeeded in building a relationship with the tribes, with himself as a patron and the tribesmen as clients. He relied on the state's oil wealth to atomise every tribe successfully and effectively from the inside, while keeping tribalism strong enough to employ as an informal political institution. Even after the declaration of the Jamahiriya, Gaddafi relied on the tribal network as a resource for popular mobilisation. In fact, between 1969 and 1977, the structure of Libya's political system was based solely on formal political institutions with the RCC and the cabinet, and later the General Conference of the Arab Socialist Union Party (ASU, 1969–1975) as the legislative branch, even though all three of these political institutions were simultaneously headed by Gaddafi at a certain point. In contrast, in Gaddafi's Jamahiriya, the structure of the political system was functionally based on both formal and informal institutions.

Effectively, this dual political structure operated within the Libyan institutional set-up between 1977 and 2011. The administrative and legislative branches were expressed through formal state institutions in the people's congress and committee system, while revolutionary authority was exercised by several informal state institutions, all of which derived their power and legal status directly from Gaddafi. Of these informal institutions, the revolutionary committees were the most important, playing a key role in maintaining the political strength and security of the regime for more than three decades. Similarly important, the tribal network (the People's Social Leadership Committees) constituted the regime's key informal socio-political institution. In this regard, Nicholls argues that there is a strong "system of social control informally administered" under sultanism.[27] In this context, Joffé delineates tribalism as the third, informal level of power in the Jamahiriya, after the Revolutionary Committees Movement and the People's Authority.[28]

According to political science, sultanism is an authoritarian administration defined by the ruler's intense personal involvement in all aspects of governance. While the sultan may or may not choose to adhere to a certain governing philosophy, he is never bound by any rules or preconceived notions, even his own.[29] In 1978, a year after declaring the Jamahiriya system, Gaddafi officially established revolutionary committees as the last step in minimizing the power of state institutions and keeping them tightly controlled. More importantly, as Mattes notes, the revolutionary committees undermined state institutions by circumventing the "hierarchy of decision-making processes of almost all state institutions".[30] Arguably, these committees were the most awful informal political and

security institutions of the Gaddafi regime—a fact demonstrated by the main duties of the committees, as outlined by Gaddafi in a speech. As Pargeter explains, the mission of the revolutionary committees was,

> To be everywhere, secret, or public... to carry out the duty of urging the masses to revolt to seize power and to destroy any institution that stands in the way, including political parties… to act like an enormous, omnipresent enforcer, overturning anything that stood in the way of [the revolution's] supreme mission.[31]

The committees effectively served as key tools by which the regime got rid of opponents and penetrated Libyan society. Under the Gaddafi dictum of "committees everywhere" (*al-lijan fi kulli makan*), committees existed in every state institution, including the armed forces. According to Hinnebusch, while the revolutionary committees were similar to the "party fractions which operate inside the government machinery of communist systems," the committees were not "organised as a vanguard party… linked to the leader in a largely personal and sporadic fashion". [32] The revolutionary committees allowed no space for "those who wished to contest Gaddafi".[33] Indeed, elements of the committees existed throughout the country, with thousands of citizens working as informants, surveilling citizens regardless of their job or political or social position. As a result, the regime successfully sowed fear and distrust among the population.

Revolutionary committee members can be divided into three types. The first type comprised the minority of members who joined the committees early on because of their genuine zeal and belief in the *al-Fatah* revolution, as well as ideological influence and authority. The second type consisted of members of Gaddafi's tribe, who were generally the most powerful and trusted by Gaddafi, as well as members of other nomadic tribes that Gaddafi linked to his regime based on historical tribal alliances, such as the Warfalla tribe in Tripolitania, or strategic security and political reasons, as was the case with tribes in Fezzan. The third type—and the majority of members—comprised those who saw committee membership as the only guaranteed way to reach a special position within the state and Libyan society, granting them a variety of associated privileges.

In 1994, Gaddafi created social leadership committees (PSLC) comprising selected families and tribal elites. Gaddafi established this system just one year after what is known as the Warfalla military coup, as many of the coup leaders and participants came from the Warfalla tribe. The attempted tribal military coup against Gaddafi, in which putschists relied on their tribesmen within state institutions, may reflect tribal leaders' realisation of the regime's complete penetration of state institutions. Arguably, Gaddafi thus realised the importance of institutionalised tribesmen to maintain his regime. Local and permanent PSLC served as the means by which the regime controlled

and penetrate the tribes, with the committees directly used to distribute the regime's subsidies and indirectly to provide jobs in the state's formal and informal institutions. Zourbir and Rózsa argue that the leaders of PSLC were not only "empowered to reward their kinsmen for good services" but "were also made responsible for the actual deeds of the tribe".[34] Therefore, the PSLC worked to keep citizens across the country under the regime's watchful eye. For instance, every time Gaddafi visited a tribe, the tribal leaders issued *wathiqat eahid w mubayaea*—that is, documents of the pledge of allegiance—which they read in front of Gaddafi on behalf of all tribe members. Sometimes, this document was even written in blood to show the strength of the tribe's loyalty. However, this does not mean that tribal elites within the Gaddafi regime "wielded real authority," even though they "represented at least nominally the highest level of legislative and executive power in Libya."[35]

Undoubtedly, Libyan society is considered one of the most tribal in the region. In a simple comparison of the role of tribes in 1951 and during the civil war, it is apparent that a strong and united tribe could play a more positive role than a fragile tribe. This has resulted in a multitude of tribal actors within each tribe. More importantly, these tribal actors link themselves to external actors and foreign countries. In post-Gaddafi Libya, the struggle over power between the dozens of actors who fought against Gaddafi receded between 2012 and 2020. As noted, the first wave resulted in dozens of figures. In fact, the political affiliations of Libyan actors should be viewed as what Laessing calls "fluid affiliations". According to Laessing,[36] many Libyan politicians could fit into more than one of the country's widespread political identities—such as secular, liberal, Islamist, nationalist, regional, and tribal identities—based on the historic division between nomadic and urban. Most of these individuals owed their rise to power to their involvement in militias or their revolutionary legitimacy, which allowed them access to state coffers. Their power and influence were derived from the successful control of state institutions, local territory, external support, domestic cohesion, their ability to represent their tribes, cities, and regions, and their access to means of violence during and after the first wave of the civil war.[37] However, no single united force or alliance could enable their ability to control the entire country.

The failure of the transition process coupled with the fact that power conflicts became characteristic of political life in the new Libya, suggests that regionalism may have emerged as a result of the failure of the transition process. Certainly, the Cyrenaican people grew increasingly dissatisfied with the way state institutions in Tripoli, such as the Central Bank, were controlled by dozens of Tripolitanian militias and elite groups, particularly militias from Zintan and Misrata, as well as Amazigh groups. Tripoli itself combined with Islamist influences in the region. The United Nations Support Mission in Libya (UNSMIL) is a political mission in the country, not a military operation. Some of the most important aspects of its mandate, as defined by the

UN, are assisting Libyan transitional authorities in post-conflict efforts, providing mediation in the implementation of Libyan political agreements, supporting key Libyan institutions, and monitoring and reporting on human rights. In 2019, the head of UNSMIL, Ghassan Salame, stated that corruption and the struggle over state resources were the primary issues prolonging the duration of the conflict. He also accused the warring parties of looting state wealth, investing it abroad, and participating in money laundering.[38] While the "strong rivalry" between the regions also existed under the monarchy, Cyrenaica had the strongest position among the regions. As Gaddafi selected Tripoli as Libya's sole capital, the city became the headquarters of all state institutions after he seized power and ended the previous system of two capitals, Tripoli in Tripolitania, and Benghazi in Cyrenaica. Cyrenaica thus transitioned into a peripheral region.[39] By the end of 2011, when the NTC moved from Benghazi to Tripoli, "the feeling of marginalisation" among Cyrenaicans lessened somewhat due to the head of the NTC being from Cyrenaica.

Following the fall of the Gaddafi regime, national identity was strong across the country. As the euphoria over the victory against Gaddafi spread, Libyans, including Cyrenaicans, were expected to start a new era based on democracy. Accordingly, until the end of 2012, the idea of a federal political system was unacceptable to Cyrenaicans because they believed it would divide the state. Cyrenaicans demonstrated their opposition to this when they did not vote for federal-oriented candidates in the General National Congress (GNC) election. In contrast, many candidates in Cyrenaica with a federalist orientation were elected to the House of Representatives (HoR). However, as Hüsken argues, the struggle between Libyan regions failed to "construct a general cultural antagonism between Cyrenaica and Tripolitania or Fezzan".[40] Moreover, despite the fact that regionalism continued to increase, "irredentism and separatism are not seen in Libya".[41]

Interestingly, as Gaub notes, despite the end of the Gaddafi regime and his Jamahiriya, their dysfunctional patterns are still reflected in the country's new political system. According to Gaub, features of the new Libya include the literal repetition of the Jamahiriya committee culture, in which Libyans remain mired in their preference for participatory politics. In fact, most Libyans are unwilling to follow national interests over tribal and regional aims.[42] Similarly, after four decades of brutal repression, the absence of political life, political experience, political culture, civilian institutions, and political parties providing institutional channels for Libyans to express their political opinion and be able to mobilise and organise demonstrations, contributed to the outbreak of civil war. With dozens of undefined actors, the 2011 uprising was violent from the outset. Political state institutions also failed to employ certain solutions in the early phases of the crisis. Successive authorities from 2011 to 2021 faced the same challenge of "redefining and re-empowering national political institutions, not least through the

establishment of a new constitution". [43] Therefore, the triggering and protraction of the Libyan civil war must be viewed first and foremost as the natural outcome of the passive role of both informal and formal institutions since its outbreak.

Based on an analysis of UNSC documents and the outcome of the questionnaire, it is safe to argue that all the structural variables and conditions for civil war were satisfied in Libya in 2011. On the one hand, the regime's patronage network had a low rate of penetration in society. According to the questionnaire results, a large number of respondents agreed that tribalism weakened political institutions under the Gaddafi regime and that state institutions were affected by the tribal nature of Libyan society. Respondents also claimed that belonging to a particular tribe during the Gaddafi regime affected their access to privileges within state institutions. Nonetheless, tribalism did not help all Libyan citizens earn privileges and interests within state institutions. Survey results largely reflect the literature, indicating that Gaddafi's patronage network did not fully penetrate ordinary tribesmen and society. Rather, the benefits of state institutions and wealth were limited to particular tribesmen, that is, the tribal clique of the Gaddafi regime. In fact, the Jamahiriya system did not represent "resource rents," and Gaddafi used informal and formal institutions to spread fear and assign privileges to his cliques. In response to Q3 (Table 3 in Appendix), the majority of respondents claimed that they did not benefit from regime patronage networks. In other words,

while Libya has more than 140 tribes scattered across the state with numerous instances of tribal diaspora and enclaves,[44] being part of certain tribes increased an individual's chances of benefitting from Gaddafi's patronage network. Pargeter refers to these tribes as the "security triangle" comprising the Gadhadhfa, Magarha, and Warfalla—that is, "the three main tribes that shored up the regime".[45]

On the other hand, the regime's penetration of state institutions was high. This is clearly reflected by the answers of the majority of the respondents, as observed in Q4–Q11 (Table 3). As noted, the regime deeply infiltrated state institutions through its revolutionary committees and tribal networks. First, most of the respondents thought that loyalty to Gaddafi and kinship ties to his family and tribe were the most important requirements for admission to prominent posts inside state institutions. Second, even the political institutions established based on the declaration of the authority of the people were unable to influence state policy because the General People's Congress failed to carry out its primary task of selecting the secretary and members of the General People's Committee, a key component of state policy. Although theoretically responsible for making recommendations and decisions, the people's congresses did not guide the work of the General People's Committee. This could explain why from the time Gaddafi seized power until 1999, the General People's Committee comprised just 112 ministers in total.[46] For example, in 2003, Saif al-Islam Gaddafi attempted economic

and political reform and succeeded in persuading his father to appoint Shukri Ghanem as General Secretary of the General People's Committee. Although Ghanem's main task was to shift the Libyan economy away from its reliance on the public sector toward the private sector, he was unable to make any dramatic change, resulting in his removal in 2006.[47] According to Pargeter, the failure of reform was due to the presence of hardline groups inside the government that were opposed to any kind of reform that might move Libya away from the highly centralised Jamahiriya system.[48] Undoubtedly, there were significant elements, particularly among members of the Revolutionary Committees Movement, concerned that the introduction of a private sector economy would pose a serious threat to their own interests as well as the highly developed patronage networks that serve as the foundation of the existing political framework. While these individuals have "clearly created obstacles to Ghanem's plans for change", Pargeter argued that the reasons behind the lack of "progress on this front run much deeper than the resistance by a group of hardliner revolutionaries. The real roots lie in the Jamahiriya system".[49]

Third, the regime's moderates lacked strength, and with the last attempted military coup in 1993, Gaddafi successfully penetrated the army and other state institutions, including professional unions, through revolutionary committees, mitigating political ambitions. Moreover, it appears that moderates within the Gaddafi regime were eliminated, notably when he removed several members of the RCC and other senior officers who had been part of his coup but later challenged him.

Fourth, the power of the moderate opposition was relatively middling. In truth, there was no opportunity for dissent under the Gaddafi government until 2006, when Saif al-Islam actively engaged in dialogue with members of the opposition, most of whom were either imprisoned or exiled. The Muslim Brotherhood was one of these groups. In 2005, its leader, Suleiman Abdel Kader, declared that "not a single member of the organisation was still working in the nation".[50] However, from 2007, group members gradually began returning to their country. For example, at Saif's request, Ali al-Sallabi returned to Libya in 2007. Although the regime had previously prohibited all works of Sallabi's publication in Libya, in 2007, Saif gave him "more space to operate inside the country." Thereafter, al-Sallabi "was appointed to the international advisory board of Saif Gaddafi's Gaddafi International Development Foundation and became engaged within the reformist trend".[51] According to reports, imprisoned members were released individually rather than as a group, with each member required to pledge that they would refrain from engaging in any political activity outside of that sanctioned by Jamahiriya. Rather than being acquitted, they were liberated by Gaddafi as an act of compassion.[52] It is worth noting that not all opposition groups, such as the National Front for the Salvation of Libya (NFSL), accepted invitations because they did not trust the regime. These groups were not permitted to engage in any political activity

that did not meet with the Jamahiriya system, as the regime put it.[53]

Fifth, maximalist opposition was weak. Indeed, in the years before the outbreak of the civil war, this form of opposition was represented only by the Libyan Islamic Fighting Group (LIFG). In the 1990s, the Gaddafi regime "had succeeded in wiping out the LIFG".[54] However, as was the case with other Libyan opposition groups, most of the LIFG were imprisoned or exiled, notably in Afghanistan. After the outbreak of war in 2001, many of them fled to other countries, including Iran and Pakistan. Moreover, after reports "surfaced in the international media that the LIFG became part of al-Qaeda," many of them were arrested and handed over to the Libyan regime.[55] In 2009, Saif initiated the "reform and repent" program in Abu Salim prison, motivating many LIFG leaders and members to renounce violence in exchange for release. However, they were banned from travelling and remained under close surveillance.[56] As soon as the civil war broke out in 2011, the Muslim brotherhood and the LIFG turned against the regime, with al-Sallabi and Bilhajj becoming main figures in the ongoing civil war of 2011–2020.

In fact, Libyans vividly displayed their opposition to the Islamic political regime in two events: namely, the elections of the GNC and HoR, when they did not vote for Islamic-oriented candidates. Regarding the former, this may have been due to Islamist groups having lost their credibility in the eyes of many Libyans. Concerning the latter,

given the legacy of the two previous regimes, the GNC election marked the first time that Libyans experienced an election with multiple political parties. Under both the monarchy and the Gaddafi regime (1951–2011), neither the moderate and extreme political groups that returned from exile in 2011, nor the political parties and groups founded after 2011, were considered beneficial by the Libyan people. Indeed, even after the felled Gaddafi regime, Libyans remembered Gaddafi's popular slogan, "*main tahazzaba khan*" ("Whoever forms a party, betrays"), which had been widely used by revolutionary committees.

Essentially, Gaddafi succeeded in planting a bad image of political parties in the minds of many Libyans. For instance, the 2012 report stated that many citizens still felt "discomfort with political parties due to the legacy of Gaddafi's propaganda against them". Some Libyans went even further, insisting that political parties had "no place in Libya's new politics," viewing political parties as a threat to the unity of the state.[57] Moreover, polls carried out shortly before the GNC election showed that only 27 per cent of Libyans completely trusted the country's political parties.[58] However, elections in post-Gaddafi Libya demonstrated that Libyans were more uncomfortable with Islamist-oriented political parties and figures than other political parties, especially hard-line Islamists, such as the LIFG. Indeed, their party—the Homeland Party, founded by Bilhajj—received just 51,292 votes, that is 3.45 per cent of total votes, and failed to win a seat in the GNC.[59] In generals, Islamists in

Libya won relatively few seats in the first elected institutions (i.e., the GNC) compared to their counterparts in Egypt and Tunisia, where Islamists won "strong pluralities or straight majority" in the first parliamentary elections during political transition. [60] Despite Libya's *Mufti,* a few days before the election, al Ghariani issued a fatwa (an authoritative opinion on Islamic law) that considered voting for un-Islamic parties as "religiously prohibited."[61]

Finally, the Gaddafi regime's dependence on a single superpower was minimal because he relied on a system of fear and reward to maintain his regime in addition to oil and gas wealth. As such, he was not required to depend on a single superpower patron. The consequences of this manifested in 2011, when the UNSC passed Resolution 1973 against the Gaddafi regime, with none of its permanent member countries on Gaddafi's side. Later, in May 2011, the Group of Eight, which consisted of leaders of international superpowers, including Russia, stated that there was no place for Gaddafi in a democratic Libya.

Conclusion

This study provides a detailed analysis of why the civil war was the natural outcome of Gaddafi's regime from the perspective of fragile political institutions. In doing so, this study sought to explain why Libya's political institutions failed to avoid the country's slide into a protracted civil war in its first stages. During Gaddafi's forty-two years of fighting the country's traditional state institutions and tribal structure, Libya's

institutions and tribes were stripped of their capacity to play a positive role in the different waves of the country's civil war. All political parties and groups were banned from 1952 to 2012, with the exception of the ASU from 1971 to 1975. Moreover, the RCC, which was in power during this time, issued a law prohibiting political parties and launched large campaigns to arrest anyone who was associated with the former monarchy, belonged to a political party, or had participated in any political activity, including university students, religious figures, and media activists. Some political parties continued operating underground from 1952 to 1977, relatively ignored by both the monarchy and the early Gaddafi regime despite the prohibition and repressive policies. Nonetheless, the Jamahiriya system did not allow any room for opposition. Political parties were eliminated, and party members unable to escape abroad were arrested or murdered. One of the direct consequences of Gaddafi's policy was that there was no choice left for dissenters except to oppose the regime from exile, where they fell hostage to the intelligence services of countries hostile to the Gaddafi regime. With the outbreak of the civil war in 2011, these dissenters gradually returned to Libya. However, living in exile for several decades resulted in both a lack of knowledge of how Libyan society had changed and a lack of trust between Libyan citizens and returnees, with Libyans broadly viewing the returning dissenters as tools of foreign powers.

Three internal overlapping factors—namely, tribalism, regionalism, and ideology—collectively play a key role in forming

alliances between warring parties. Two of these factors, tribalism, and regionalism, are old, while ideology appeared only after 2011. In this context, Delirpoor argues that in post-Gaddafi Libya, the soaring rise of "the polarization between tribal, regional, and ideological paradigms is the reality that has happened in practice".[62] Consequently, there were no avenues of compromise or domestic formal and informal political institutions able to end the Libyan civil war. Conversely, the UN's role in rebuilding the Libyan state in the wake of its critical military intervention against the Gaddafi regime in 2011, was based on the light-footprint approach. This was marked by a lack of willingness—or at least the lack of comprehensive rebuilding strategies—to be involved in post-Gaddafi Libya and fulfil its responsibility to apply its Disarmament, Demobilisation, Reintegration (DDR) policy to militias. In fact, the fundamental element behind the UN's success in uniting the three regions and establishing the Libyan state in 1949–1951 was the carrot-and-stick approach they employed toward Libyans, and where its resolution was clear and decisive. If Libyans did not agree on a type of political system and formulated their constitution within two years, Libya would have lost its chance of independence.

This study argues that external rivalry intervention in post-Gaddafi Libya was caused by a political and security vacuum, a lack of a clear strategy within the LAS and UN to rebuild Libyan state institutions in the post-Gaddafi regime and a lack of assistance in the transitional political process. The rivalry has had a significant impact on the success of UN resolutions and mediation in Libya, particularly among Arab countries, while LAS played a passive role in member interventions. The growth of active interference in Libya by Qatar and the UAE, as well as the financing of Libya's warring parties, eventually prevented those parties from compromising, as shown in the second and third waves of the civil war. In fact, these Gulf countries do not have a good track record of intervening in countries facing political uprisings and civil wars because their inability to provide internal partners with the resources needed to win military victories has limited them to playing a subversive role tending to prolong the war, as seen in Libya, Yemen, and Syria. Tunisia and Egypt's relatively robust political institutions, particularly their military forces, were able to offset the disruptive activity of the Gulf countries.

As a result, there is no military solution. However, this study suggests that more effort is needed from the UN and the international community. First, for the UN to fulfil its responsibility to post-Gaddafi Libya, the current institutional fragmentation and constitutional drafting of the UN support mission in Libya should be replaced with a multidimensional peacekeeping mission that enforces DDR, and security sector reform (SSR), and security measures, while facilitating the political transition. Second, Libya has been subject to Chapter VII of the UN Charter since February 2011 under Resolution 1970. Based on this resolution, the UN must take a position against the recurrent phenomena of resource theft and overcome the lack of power over Libyan warring parties to ameliorate some

of the issues prolonging the Libyan civil war. Accordingly, the UN should act immediately by controlling and regulating all oil and gas revenues. Third, UN Security Council resolutions on the Libyan civil war should be forcefully implemented through enforcement measures, as in the case of the resolutions against the Gaddafi regime in 2011, in line with Chapter VII of the UN Charter. Furthermore, penalising local actors who regularly block UNSMIL's operations by freezing their assets or imposing travel restrictions does not work. UNSMIL's high-risk efforts and use of official positions to convince and obtain the necessary concessions to establish a solution by satisfying Libyan parties have also been shown to have a detrimental effect. Finally, UNSMIL and other states are pressuring Libyan warring groups and political institutions to organise presidential and parliamentary elections. However, holding elections without unifying state institutions and resolving legal, security, foreign mercenary, and militia concerns will only ensure that the election results will bring nothing new, only a fresh round of civil war.

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Notes

[1] Ali Abdullatif Ahmida, "Libya, Social Origins of Dictatorship, and the Challenge for Democracy," *The Journal of the Middle East and Africa* 3, No. 1 (2012), p. 77.

[2] Mehran Kamrava, *Fragile Politics: Weak States in the Greater Middle East* (Oxford: Oxford University Press, 2016), p. 2.

[3] Jessica Maves and Alex Braithwaite, "Autocratic Institutions and Civil Conflict Contagion," *The Journal of Politics* 75, No. 2 (April 2013), p. 480.

[4] Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe* (Baltimore, MD: The Johns Hopkins University Press, 1996), p. 366.

[5] Kemal Yildirim, *Libya's Post-Gaddafi Transition-The Nation Building Challenge: Gaddafi and Post Gaddafi Era* (Mauritius: Lap Lambert Academic Publishing, 2020), pp. 16-17.

[6] Sami G. Hajjar, "The Jamahiriya Experiment in Libya: Ghaddafi and Rousseau," *The Journal of Modern African Studies* 18, No. 2 (June 1980), p. 194.

[7] Geoff Simons, *Libya: The Struggle for Survival* (London: Macmillan Press, 1996), pp. 218–219.

[8] Alison Pargeter, *Libya: The Rise and Fall of Gaddafi* (New Haven: Yale University Press, 2012), p. 75.

[9] Ibid.

[10] Florence Gaub, "The Libyan Armed Forces between Coup-proofing and Repression," *Journal of Strategic Studies* 36, No. 2 (February 2013), pp. 7–8.

[11] Ibid., p. 7.

[12] Linz and Stepan, *Problems of Democratic Transition and Consolidation*, p. 70.

[13] Richard Snyder, "Paths Out of Sultanistic Regimes: Combining Structural and Voluntarist Perspectives." In *Sultanistic Regimes*, eds. H. E. Chehabi and J. J. Linz (Baltimore: Johns Hopkins University Press, 1998), p. 51.

[14] Jason M. Brownlee, H. E. Chehabi, Juan José Linz, Diederik Vandewalle, Michael C. Herb and Lisa Wedeen. "Low Tide After the Third Wave: Exploring Politics Under Authoritarianism," *Comparative Politics* 34 (2002), p. 482.

[15] Ibid., p. 53.

[16] H. E. Chehabi and Juan J Linz, "A Theory of Sultanism 1: A Type of Nondemocratic Rule," In *Sultanistic Regimes*, eds. H. E. Chehabi and J. J. Linz (Baltimore, MD: Johns Hopkins University Press, 1998), p. 19.

[17] Snyder, "Paths Out," pp. 55–56.

[18] Nicholas Kunysz, "From Sultanism to Neopatrimonialism? Regionalism within Turkmenistan," *Central Asian Survey* 31, No. 1 (2012), p. 2.

[19] Yossi Shain and Juan Linz. *Between States: Interim Governments and Democratic Transition* (Cambridge: Cambridge University Press, 1995), p. 29.

[20] Chehabi and Linz, "A Theory," p. 13.

[21] Georges Nzongola-Ntalaja, "From Zaire to the Democratic Republic of Congo," *Current African Issues*, No. 28 (2004), p. 7.

[22] Omar I. E. El Fathaly and Monte Palmer, *Political Development and Social Change in Libya* (Lexington: Lexington Books, 1980), p. 41.

[23] Ibid.

[24] Chehabi and Linz, "A Theory," p. 13.

[25] Ibid.

[26] Ulf Laessing, *Understanding Libya Since Gaddafi* (London: Hurst, 2020), pp. 110-111.

[27] David Nicholls, "The Duvalier Regime in Haiti." In *Sultanistic Regimes,* eds. H. E. Chehabi and Juan J. Linz (Baltimore, MD: John Hopkins University Press, 1998), p. 165.

[28] George Joffé, "Civil Activism and the Roots of the 2011 Uprisings." In *The 2011 Libyan Uprisings and the Struggle for the Post-Qadhafi Future,* ed. Jason Pack (New York: Palgrave Macmillan, 2013), pp. 23–51.

[29] Hajjar, "The Jamahiriya Experiment in Libya," p. 192.

[30] Hanspeter Mattes, "Formal and Informal Authority in Libya since 1969," In *Libya since 1969: Gaddafi's Revolution Revisited,* ed. Dirk. Vandewalle (New York: Palgrave Macmillan, 2018), pp. 66–67.

[31] Pargeter, *Libya: The Rise and Fall*, p. 97.

[32] Raymond A. Hinnebusch, "Charisma, Revolution, and State Formation: Gaddafi and Libya," *Third World Quarterly* 6, No. 1 (November 2007), p. 66.

[33] Ibid., p. 67.

[34] Yahia H. Zourbir and Erzsébet N. Rózsa, "The End of the Libyan Dictatorship: The Uncertain Transition," *Third World Quarterly* 33, No. 7 (2012), p. 1270.

[35] Dirk Vandewalle, "Political Elites in Libya since 1969." In *Libya since 1969: Gaddafi's Revolution Revisited,* ed. Dirk. Vandewalle (New York: Palgrave Macmillan, 2018), p. 113.

[36] Laessing, *Understanding Libya*, pp.110-111.

[37] Wolfram Lacher, "Libya's Local Elites and the Politics of Alliance Building," *Mediterranean Politics* 21, No. 1 (2016), p. 1.

[38] "UN Envoy Says Corruption Is at Heart of Libya's Conflict." *AP News* (March 28, 2019). 25 May 2020. Accessible online at https://apnews.com/article/6f1d2bc622eb400aa2ecf242938eaef8

[39] Thomas Hüsken, "Tribes, Revolution, and Political Culture in the Cyrenaica Region of Libya." In *Local Politics and Contemporary Transformations in the Arab World,* eds. M. Bouziane, C. Harders and A. Hoffmann (London: Palgrave Macmillan, 2013), pp. 214–231.

[40] Ibid.

[41] Parviz Delirpoor, "The Challenges of Rebuilding a Strong State in Libya: Confessionalism and Consociationalism," *Political Studies of Islamic World* 9, No. 36 (Winter 2021), p. 53.

[42] Florence Gaub, "A Libyan Recipe for Disaster," *Survival* 56, No. 1 (2014), pp. 101–120.

[43] Carmen Geha and Frederic Volpi, "Constitutionalism and Political Order in Libya 2011–2014: Three Myths About the Past and a New Constitution," *The Journal of North African Studies* 21, No. 4 (2016), p. 687.

[44] Youssef Mohammad Sawani, "Post-Gaddafi Libya: Interactive Dynamics and the Political Future," *Contemporary Arab Affairs* 5, No. 1 (2012), pp. 1–26.

[45] Pargeter, *Libya: The Rise and Fall*, p. 157.

[46] Alison Pargeter, "Libya: Reforming the Impossible?" *Review of African Political Economy* 33, No. 108 (2006), pp. 219–235.

[47] Ibid.

[48] Ibid.

[49] Ghanem held an important position in OPEC, and he was one of the Libyan technocrats who called for a free market economy. For more, see Pargeter, "Libya: Reforming," 224.

[50] "Popular Protest," *International Crisis Group*, p. 20.

[51] Ibid., p. 27.

[52] Ibid., p. 20.

[53] Ibid., p. 21.

[54] Pargeter, "Libya: Reforming the Impossible?," p. 221.

[55] "Popular Protest," *International Crisis Group*, p. 21.

[56] Ibid.

[57] Megan Doherty, "Building a New Libya: Citizen Views on Libya's Electoral and Political Processes," *National Democratic Institute for International Affairs* (May 2012), p. 13.

[58] Gaub, "A Libyan Recipe," 102.

[59] The Carter Center, *General National Congress Elections in Libya: Final Report* (Atlanta, GA: The Carter Center, 2012), pp. 99–100.

[60] Christopher S. Chivvis, Keith Crane, Peter Mandaville, and Jeffery Martini, "The Nation-Building Challenge," In *Libya's Post-Gaddafi Transition: The Nation-Building Challenge* (Santa Monica, CA: Rand Corporation, 2012), p. 9.

[61] Youssef Mohammad Sawani, "Islamist and Non-Islamist Currents and the Struggle for Post-Gaddafi Libya," *Contemporary Arab Affairs* 11, No. 1 (2018), p. 95.

[62] Delirpoor, "The Challenges of Rebuilding," p. 54.

(Appendix)

Table 1. Civil War as a Political Outcome of a Sultanistic Regime and Structural Variables

Cases	Strength of regime soft-liners	Strength of moderate opposition	Strength of maximalist opposition	Outcome
Zaire 1991, Panama before the 1989 US invasion	Absent	Medium	Low	Civil war
Cases	Penetration of state by ruler's patronage network	Penetration of society by ruler's patronage	Ruler's dependence on a single superpower	Outcome
Zaire 1991, Panama prior to the 1989 US invasion	High	Low	Low	Civil war

Source: Snyder, "Paths out," 60-61.[62]

Table 2. Role of Tribalism in the Weakness of Political Institutions under the Gaddafi Regime

Question	Strongly agree	Agree	Undecided	Disagree	Strongly disagree
1. Did tribes in Libya play a political role during the period of the Gaddafi regime?	107	122	15	14	9
2. Are parties and other political groups in post-Gaddafi Libya formed on a tribal, regional, and/or ethnic basis?	89	89	16	48	23

Table 3. Responses to Survey Questions 3–1

Questions	Strongly agree	Agree	Undecided	Disagree	Strongly disagree
3. Did you ask for assistance from your tribe elder (Sheikh) to gain privileges from a state institution?	15	65	31	38	119
4. There is a strong relationship between the policies of the successive Libyan regimes, 1952–2011, toward the political institutions and capability of that state institution. Do you agree?	66	105	35	26	34
5. The General People's Congress (parliament) exercised its authority in selecting the secretary (prime minister) and members (minister) of the General People's Committee. Do you agree?	52	55	34	38	89
6. Their qualifications were the first standard for appointing high-ranking staff members in state institutions during the Gaddafi period. Do you agree?	23	44	13	61	125
7. The absence of political parties in Libya during the Gaddafi period played a role in the lack of democratic and political culture in Libya. Do you agree?	80	90	26	26	45

8. People's basic congresses played a role in guiding the political institutions.	41	64	33	43	85
9. The political institutions founded on the basis of the declaration of the authority of the people, such as the General People's Congress and the General People's Committee, played a vital role in shaping state policy during the period of Gaddafi rule.	34	67	36	42	85
10. The security battalions and paramilitary units that were under a separate command from the military had an impact on the military establishment unit.	129	71	17	18	30
11. Political institutions were influenced by the revolutionary committees during the Gaddafi period.	145	87	11	8	16