IMPERATIVES FOR POST-CONFLICT RECONSTRUCTION IN LIBYA

BY **IBRAHIM SHARQIEH**

Having endured for four decades, the political system of Jamahiriya[1] – or 'state of the masses' – created by Colonel Muammar al-Qaddafi, has resulted in Libya having a unique political dynamic. Its growth has been stunted in many ways, as it lacks political parties,[2] civil society organisations, trade unions, economic associations and even a unified army. When he led the coup that brought him to power in 1969, Qaddafi exploited the fact that the country had two capitals, Tripoli and Benghazi, claiming that he wanted to take power from King Idris al-Sanousi, who was accused of favouring the eastern part of Libya. Ironically, Qaddafi himself meant to marginalise that same region, particularly Benghazi,[3] hoping to centralise his power and government in Tripoli. It is not surprising, therefore, that this year's uprising began in the east, with its hub in Benghazi.

The confirmed killing of Qaddafi and his two sons Muatasim and Saif al-Arab, and the fleeing of the rest of his family, represents an end of an era of autocracy for Libya. Libyans now face new challenges – in particular, the reconstruction of a war-torn country and the building of institutions that never existed under Qaddafi's heavy-handed rule. While military force was necessary to oust Qaddafi, a successful reconstruction process requires a different set of methods, approaches and philosophies. Libyans are encouraged not to rush this process, as rebuilding the nation will be arduous and complicated, for two reasons. The first is the extent of reconstruction required, as the former regime left behind a society that requires rehabilitation in almost all areas of education, health, economics and infrastructure.

Above: Libyan people gather during celebrations for the liberation of Libya in Quiche, Benghazi on 23 October 2011.

LIBYA

TUNISIA

Az Zāwiyah
Tarābulus (Tripoli)
Al Khums
Zlīten
Al' Azīzīyah
Tarhūnah
Miṣrātah
Yafran
Gharyān
Nalut
Banī Walīd
Sīnāwīn
Al Qaryah ash Sharqīyah
NALUT
Dirj
Ghadāmis
AL JABAL AL GHARBI
Hūn
Waddān
Ḥamādat de Tinrhert
ASH SHĀṬI
Zillah
Al Fuqahā
Birāk
Adīrī
SABHĀ
Sabhā
Ṣaḥrā' Awbārī
Tmassah
Awbārī
WADI ALHAYAT
Al' Uwaynāt
Umm al Arānib
Marzūq
Ghāt
Ṣaḥrā' Marzūq
Wāw al Kabīr
Al Qaṭrūn
Madrūsah
Taḥramī
Al Wīgh
MURZŪQ
Sarīr Tibasti
Toummo

Gulf of Sidra (Khalīj Surt)
Surt (Sidra)
Wādī Zamzam
Wādī Tilal
MIṢRĀTAH
Marsa al Brega
Ajdābiyā
Banghāzī (Benghazi)
Al Marj (Barce)
Al Baydā
Sūsah (Apollonia)
Ra's al Hilāl
Darnah (Derna)
Ra's at Tīn
Khalīj al Bumbah
Tubruq (Tobruk)
Al' Adam
Libyan Plateau
SURT
Wādī al Fārigh
Sabkhat Shunayn
Wādī al Hamīm
Marādah
Awjilah
Jālū
AL WAHAT
Al Jaghbūb
AL BUTNAN
Sarīr Kalanshiyū
Tāzirbū
Zighan
Sahrā' Rabyānah
Rabyānah
Al Kufrah
Al Jawf
AL KUFRAH
Ma'ṭan as Sarra
Al Awaynat
Libyan Desert

ALGERIA

EGYPT

CHAD

SUDAN

Legend
- National capital
- Provincial capital
- Town
- Major airport
- International boundary
- Provincial boundary
- Expressway
- Main road
- Secondary road

LIBYA

Second, several competing priorities exist, and identifying the starting points for the country's rehabilitation will be challenging for Libyans and the international community alike. Beginning this process correctly is crucial. For an effective launching of a national reconstruction process, Libyans as well as the international community should take into consideration certain imperatives for rebuilding a war-torn Libya. These imperatives include ownership, legitimacy, inclusion, reconciliation and capitalising on tribalism.

Ownership

Unlike fellow protesters in Tunisia and Egypt, the Libyans were assisted by the United Nations (UN) Security Council and the North Atlantic Treaty Organization (NATO) in ousting their brutal regime. This approach raised questions about whether it was NATO's leadership or the rebels themselves who were making the decisions in the campaign against Qaddafi. Regardless of the actions during the eight-month uprising, it is crucial to keep in mind that the mandate for NATO intervention will no longer be valid when military

The confirmed death of Muammar al-Qaddafi in October 2011 marked the end of an era of autocracy for Libyans and the start of reconstruction and rebuilding of the war-torn country.

operations end in Libya. UN Security Council Resolution 1973 authorised the imposition of a no-fly zone, as well as taking "all necessary measures to protect civilians".[4] Once military operations cease, decisions about post-conflict Libya should be fully Libyan. NATO's assistance should not change the fact that the true owners of this uprising are the Libyans: they began the protests and fought for months to change their regime. Libyan ownership is necessary for successful reconstruction. Representative leadership of the Libyan people is indeed the first step in a sustainable reconstruction process. The UN Security Council authorised NATO intervention strictly on a humanitarian basis, and outside powers' involvement in Libya should be permitted only for such causes. NATO needs to strike a balance between helping the Libyans manage their own affairs and intervening in their decisions. Certainly, the objective of the Libyan uprising was never to replace a dictatorship with foreign control of the country.

Closely related to the concept of ownership is the management of the contracts that will be issued to rebuild the country. Libyans should be aware of the potential for serious conflicts of interest for those countries participating in the military intervention, as many of them likely also hope to be the ones gaining contracts to rebuild the country.

To avoid this, decisions about contract management should be entirely Libyan, and the procurement process should be transparent, competitive and open to all parties, not only to those who contributed militarily to the removal of the Qaddafi regime.

Legitimacy

Libyans should be wary of becoming the victims of their own victory. In many post-revolutionary societies, there is a tendency to confuse victory with legitimacy, while these are in fact two very different things. Victorious individuals tend to see the values of their revolution as the basis for legitimising their rule. Qaddafi himself used this tactic during his reign, deeming revolution victory day (1 September) a national holiday for Libya, which the country celebrated

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yearly beginning in 1969. This same concept of 'revolutionary legitimacy' allowed Qaddafi to sustain his power and justify the silencing of his opponents. Even more dangerous, loyalty to his revolution and its values provided open access to those who were committed to the revolutionary cause, and they were granted almost unlimited access to the positions they desired.

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Libyans today are strongly encouraged to learn from the lessons of Qaddafi's revolution, so they are not repeated. Though it carries special significance for them, 17 February (the uprising day) should not replace 1 September (Qaddafi's revolutionary day). The mix of victory and legitimacy is both unproductive and dangerous. Noman Benotman explains: "I have already heard terms like revolutionary legitimacy being said by some Libyans, referring to the current uprising."[5] While those who participated in the uprising against Qaddafi are entitled to take part in the rebuilding process, the roles they play should align with their qualifications and skills, not their connections to those in power. Matching skills with roles will help create a long-lasting meritocracy and lead to a new phase of productive construction and development in Libya.

Inclusion

Almost all segments of Libyan society contributed in some way to the removal of Qaddafi from power – including tribal forces, technocrats, members of the diaspora and a variety of political parties. However, even during the uprising, many politicians and analysts raised concerns over the inclusion of some Islamist groups with possible links to Al-Qaeda.[6] It could be dangerous for the new Libyan leaders to become tyrannical in questioning loyalties to the country. Anyone who participated in the liberation process and the removal of the regime should be given a fair chance to be part of the rebuilding process. As Benotman explained: "To manage the bumpy transition toward democracy, elements formerly close to the Qaddafi regime will also have to be included."[7] A monopoly over Libyan reconstruction should not only be rejected but also replaced by an inclusive grouping of all parties, regardless of their social and political background. An important criterion for participation, however, should be a firm commitment to non-violence in the rebuilding process. Once that sincere commitment is made, all Libyans should be allowed and encouraged to contribute to reconstruction efforts. In so doing, a broad cross-section of Libyan society will be allowed to contribute
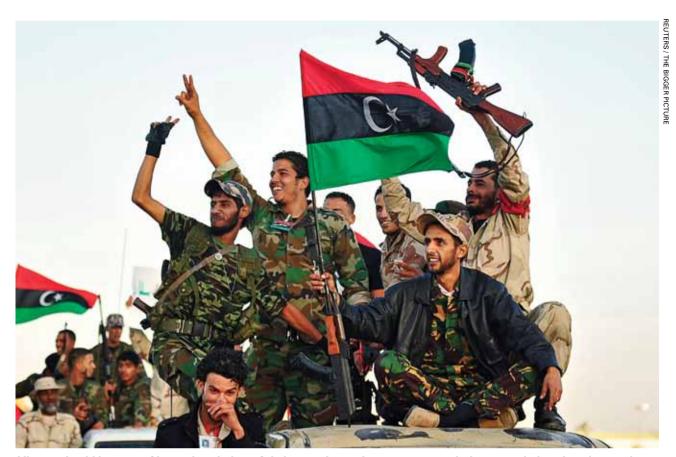
NATO Secretary-General, Anders Fogh Rasmussen, held a news conference in Tripoli where he hailed the end of the alliance's military intervention in Libya, which helped bring about the end of Muammar al-Qaddafi (31 October 2011).

to governance, which was a key goal of the revolution after over four decades of dictatorship by Qaddafi.

Reconciliation

Many crimes were committed under Qaddafi's 42-year-old regime, as well as during the eight-month uprising that ousted it. The Abu Salim prison massacre[8] and shelling of Misrata[9] are only two examples of these crimes. Because Qaddafi's repression was systematic and widespread, it affected most segments of Libyan society and, as a result, this has lead to reprisals against segments of the former regime. Other social forces who allied with the regime have been targeted for retaliation as well. These groups include, but are not limited to, the Tuareg,[10] Qaddafi's own tribe (the Qadhadfa) and other 'dark-skinned' individuals.[11] For example, in the city of Ghadames, which has a mixed population of Berber-Arabs and Tuareg, serious revenge attacks have already occurred against the Tuareg, who Qaddafi used as local enforcers of his power during the revolution.[12]

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As much as they may wish to avoid dealing with it, many Libyans, especially victims' relatives, may find themselves performing retributive acts against perpetrators of former regime abuses. While retributive justice may provide some psychological release to victims and is common in some tribal societies, Libyans must realise that this is not the type of justice that will help their country move into a new era of stability, reconstruction and development. Indeed, Libyans need to engage in a wide national reconciliation process that uses restorative, rather than retributive, tactics to repair broken relationships and heal deep wounds.[13] Restorative justice will also grant regime figures the opportunity to acknowledge the suffering of their countrymen, apologise for their past wrongdoings, and seek forgiveness. Restitution requires that regime individuals relinquish all privileges they gained due to their positions in the old Qaddafi regime. While it is certainly true that forgiveness is not easy in a society that suffered for four decades under a brutal and capricious dictatorship, Libyans must recognise that vengeance will only prolong their suffering and jeopardise the transition to a new era of peace and stability. Libyans are well equipped to forgive, as their Arab and Muslim culture encourages such values as forgiveness and reconciliation.

Capitalising on Tribalism

There are more than 140 tribes and clans in Libya,[14] though approximately 30 are believed to be more active than others. A promoter of socialist ideology, Qaddafi committed himself to eliminating tribalism in Libyan society when he first came to power. Later, when he became weaker, however, Qaddafi returned to relying on tribal support to sustain his

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Survivors of the killings at the Khalida Ferjan grave site in Tripoli, Libya, and the family members of those who perished, share their testimonies, in November 2011. The site, an agricultural warehouse in Tripoli's Salahaddin area, is where over 100 detainees are reported to have been tortured, and many summarily executed, by a military brigade of the Qaddafi regime in August 2011.

regime, emphasising the importance of family and tribe in his *Green Book*.[15]

The tribe is an important social unit that serves multiple social and political functions within the larger nation. Many warned of a civil war when the uprising began, arguing that a 'tribal society' is intrinsically prone to conflict and violence. To be sure, Qaddafi tried to use the tribal structure to bolster his regime in the wake of the uprising. His son Saif al-Islam confirmed this approach, declaring in a state television address that "unlike Egypt and Tunisia, Libya is made up of tribes, clans and alliances".[16] His father even warned that he would "arm the tribes and let Libya become red fire".[17] Several times on television, Qaddafi was seen greeting tribal leaders who came to show their loyalty. Tribalism can indeed be easily manipulated by leaders to serve their political agendas.

However, Libyans should not assume that tribes can only be used to advance certain narrow political agendas. On the contrary, a tribal structure can play either a violent or a peaceful role. This depends on many factors, including social interaction within the tribe and with its external social environment. Indeed, tribes are not monolithic entities that engage in a civil war only because their leadership asks them

to do so. For example, the one million Warfalla[18] members certainly do not move as one entity or speak with one voice. There are many variations within the tribe. While it is true that the majority of the Qadhadfa tribe supported Qaddafi, prominent tribal figures also sided with the uprising – including Qaddafi's cousin, Ahmed Qaddaf al-Dam, who was one of the first prominent figures to defect.

Libyans should capitalise on the structure of their tribal society to bring peace, as strong potential exists on this level. The Libyan tribes can be a stabilising force in the post-conflict reconstruction process. Due to their highly respected social standing, tribal leaders can use their moral power to exert influence on the members of their tribe to forgive and reconcile. Tribal leaders can also use political incentives like

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recognition to entice their followers to join and support the national reconciliation process. In addition to reconciliation, tribes in Libya can contribute to improving the security situation and filling the power vacuum, particularly when society is in transition. Tribal leaders have the ability to mobilise significant tribal forces to secure peace and maintain order in the absence of a formal security apparatus. In a vast country like Libya that lacks a strong central government, the need for these informal forces becomes even more essential throughout the nation.
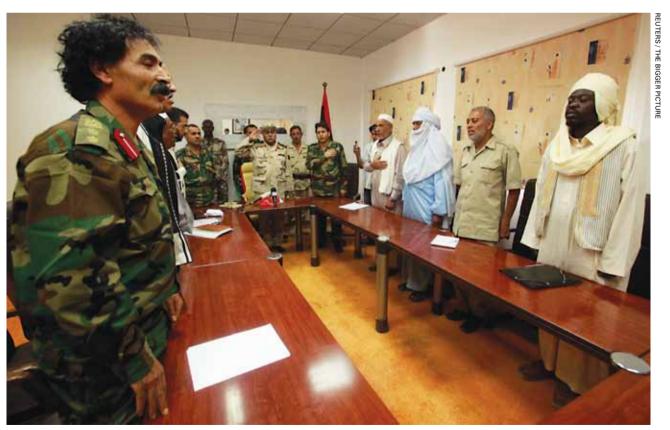
As long as Libyan society is in transition, the security situation will remain precarious and, in the absence of a strong central government, other social groups such as the tribes will be needed to preserve peace. Be it for national reconciliation or peace and security, Libyans may want to consider establishing tribal councils that involve prominent tribal figures to contribute to reconciliation, peace and security during the transitional period. Another important feature of such a council would be the opportunity it allows for the reintegration of tribal allies of the former regime. That is, to avoid deep divisions within the society in the future, Libyans should make every effort to treat tribes like the Qadhadfa and the Tuareg equally, despite their past support of the Qaddafi regime. These groups should also be given the opportunity to contribute to the reconstruction of Libya.

Treating them as regime allies will only deepen national wounds and make societal transition complicated and possibly violent. Tribal councils can help create a framework for national collaboration and the integration of various social groups.

Conclusion

Ownership, legitimacy, inclusion, reconciliation and capitalising on tribalism are only some examples of the challenges that the post-Qaddafi reconstruction process will have to manage. Certainly, others will emerge as Libya enters new phases of the difficult reconstruction process. Rebuilding Libya will be a long-term project, and Libyans must be open to dealing with these challenges as they emerge.

Loyalty to the country is not enough to ensure success. Rather, an insightful, reflective and adaptive approach to reconstruction is the only guarantor of improvement in post-conflict Libya. Rebuilding the nation will require collaborative efforts by various social and political groups. Monopoly and exclusion are likely the most serious threats to a successful reconstruction process, and should thus be replaced with inclusion and openness. Libyans should remember that the Qaddafi regime inadvertently unified a number of disparate groups that participated in the revolution, mainly because

REUTERS / THE BIGGER PICTURE

Officials of the interim National Transitional Council (NTC) and Tuareg tribesmen attend a meeting aimed at patching up differences that have led to violence (September 2011).

of the threat the Qaddafi regime posed to all of them. Now that the regime has been removed, the rebels will have to learn how to work together to achieve national goals and objectives in the absence of the unifying force of Qaddafi's reviled regime.

The diverse composition of the rebel groups should be considered a source of power rather than weakness. The reconstruction of Libya will benefit from the diversity of experiences the rebels have, as the process itself is multifaceted. While the revolution against Qaddafi lasted only eight months, the reconstruction process will take years. Critical to beginning a healthy reconstruction process will be the rebels' willingness to engage in a meaningful disarmament process, where they put aside their weapons and enter a fresh process of reintegration in the new Libyan nation. ⚑

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Endnotes

1   According to its founder, Muammar al-Qaddafi, Jamahiriya is a form of a direct democracy with no political parties, governed by its populace through local popular councils and communes. The idea is meant to have all people participate in the decision-making process. In reality, however, power remained with Qaddafi, the system's founder.

2   Technically, Libya never had formal political parties under the monarchy of Idris Al-Sanousi (1951–1969), nor since Qaddafi came to power in 1969.

3   Benghazi rebelled against Qaddafi's policies even before the Arab Spring. In 2006, the people chased out security officers for one week, and the authorities responded with bullets and further marginalisation. See also Pelham, Nicholas (2011) 'The Battle for Libya'. *The New York Review of Books*, Available at: <http://www.nybooks.com/articles/archives/2011/apr/07/battle-libya/>.

4   For the full terms of UN Security Council Resolution 1973, see Security Council SC/10200, 6498th Meeting, 17 March 2011 press release, Available at: <http://www.un.org/News/Press/docs/2011/sc10200.doc.htm>.

5   Benotman, Noman (2011) Interview and discussion with the author in May 2011. Noman Benotman was a former leader of the Libyan Islamic Fighting Group (LIFG), a jihadist organisation that fought against Qaddafi's regime in the 1990s. He resigned from the LIFG in 2002 and is currently a senior analyst at the Quilliam Foundation.

6   See, for example: Boucek, Christopher (2011) Islamist Terrorists in Libya. *Christian Science Monitor*, 21 May 2011.

7   Benotman, Noman (2011) Libyans Saving Libya. *The New York Times*, 24 May 2011.

8   Approximately 1 200 prisoners were believed to have been massacred by Qaddafi's security forces in Tripoli's Abu Salim prison in 1996. In 2004, Qaddafi admitted publicly that killings happened in Abu Salim. For the full report, see Human Rights Watch (2003) 'Libya: June 1996 Killings at Abu Salim Prison', Available at: <http://www.hrw.org/sites/default/files/reports/libya2003.pdf>.

9   Often called Libya's Stalingrad, the city of Misrata, 178 km east of the capital Tripoli, witnessed probably the most intense fighting during the nine-month revolution against Qaddafi. Misrata was besieged by Qaddafi's forces for almost three months, and came under assault and was shelled on a daily basis.

10 The Tuareg are a tribe of Berber nomads living in Libya and other neighbouring countries.

11 To quell the uprising in Libya, Qaddafi was reported to use individuals from other African countries as mercenaries – something that led to a backlash against 'dark-skinned' people in Libya, who were believed to be linked in one way or another to the mercenaries.

12 See Marozzi, Justin (2011) 'Reprisals Against Libyan Tuareg who Supported Gaddafi', BBC, 18 September 2011, Available at: <http://www.bbc.co.uk/news/magazine-14948319>.

13 See Sharqieh, Ibrahim (2011) 'Vengeance has No Place in a Libya Free of Qaddafi', *The National,* 6 October 2011, Available at: < http://www.thenational.ae/thenationalconversation/comment/vengeance-has-no-place-in-a-libya-free-of-qaddafi>._

14 Kurczy, Stephen and Hinshaw, Drew (2011) 'Libya Tribes: Who's Who?' *Christian Science Monitor*, 24 February 2011, Available at: <http://www.csmonitor.com/World/Backchannels/2011/0224/Libya-tribes-Who-s-who>.

15 Chapter Three of the *Green Book* treats the tribe as a big family. Qaddafi writes: "A tribe is a family which has grown as a result of procreation."

16 Kurczy, Stephen and Hinshaw, Drew (2011), op. cit.

17 Qaddafi's words in a speech that he delivered publicly in March 2011.

18 The Warfalla make up Libya's largest tribe, with one million members, which represents one-sixth of the nation. See Kurczy, Stephen and Hinshaw, Drew (2011), op. cit.Antony Njuguna