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**Lybia: A transition Threatened
by the Jamahiriyya Legacy**

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Abstract

In post-Qadhafi Libya, the authorities are in search of a new art of governing. Despite the legitimacy accorded them by elections, they remain very weak. Without any means of coercion, they are constantly obliged to negotiate for their survival, threatened by those who were not chosen by voters but who instead draw their legitimacy from their participation in the revolution—the militias. The challenge facing the Libyan authorities is not so much to combat these forces but to harness them. Libya has not undertaken a process of “de-Qadhafication.” But for the militias, in particular the Islamists, the presence of former officials and leaders in the state apparatus is intolerable. Thus, on May 5, 2013 they pressured the parliament into passing a law excluding from politics persons who occupied positions of responsibility under the old regime. If the revolutionary brigades continue to impose their will on the government, the fall of Qadhafi’s regime will have not brought about political change in Libya but rather the continuation of former political practices under a new guise.

Libye : une transition à l’épreuve du legs de la Jamahiriyya

Résumé

Dans la Libye post-Kadhafi, les autorités libyennes sont à la recherche d’un nouvel art de gouverner. Très faibles en dépit de la légitimité que leur confère le suffrage électoral, ne disposant d’aucun moyen de coercition, elles doivent négocier en permanence leur survie, menacées par ceux qui n’ont pas été choisis par les électeurs mais par la force de leur engagement dans la révolution, les milices. Le défi qui se pose au nouveau pouvoir est de parvenir à domestiquer les milices révolutionnaires, non de les combattre. La Libye ne s’est pas « dékadhafisée ». Or, pour les milices, en particulier islamistes, le maintien des anciens responsables et dirigeants dans l’appareil d’Etat est insupportable. Aussi, le 5 mai 2013, elles ont obligé le Parlement a voté la loi sur l’exclusion de la vie politique de toute personne ayant occupé des postes à responsabilité sous l’ancien régime. Si les milices révolutionnaires continuent à imposer leur loi au gouvernement, la chute du régime de Kadhafi n’aura pas constitué une rupture dans la trajectoire des pratiques politiques en Libye, mais davantage leur continuité sous d’autres habits.



Lybia: A Transition Threatened by the Jamahiriyya Legacy

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Post-Qadhafi Libya holds the dismal record of having the highest number of road traffic deaths: 2,728 people were killed in 2012, a ratio of 49.6 per 100,000.¹ Unfettered by police control, automobile drivers, intoxicated by their newfound freedom, abide by no other rule of the road than to avoid an accident. Libya is also the theater of a brand of political violence that is perhaps less deadly but far more alarming, as it obeys certain rules and objectives. Since the collapse of the regime, local press organs regularly report armed clashes and skirmishes between militias: Libya is a source of concern because it seems incapable of restoring security. Such violence reinforces a number of theoretical assumptions. Is Libya's political transition doomed to fail? "History teaches us," writes Diane Ethier, "that civil war does not produce democracy, unless the belligerents voluntarily subscribe to rules and procedures that enable them to resolve their disputes by working out a compromise, or if such compromise is imposed on them by foreign occupation forces... with uneven success. Neither of these scenarios currently exists in Libya."² It is clear that disputes between Lybians are still not settled through negotiation, as made evident by the many assassinations of political and military officials. But such violence by no means indicates that Libya is caught up in the dynamics of civil war. Not all the Libyan rebels took up arms to install democracy; many of them did so to drive out a dictator and his criminal regime³ without having a clear idea of the political regime they wanted to establish in its stead. Having achieved their goal, some of them are demanding, rather than the construction of democratic institutions, the establishment of a government capable of meeting their social and economic demands, whereas others wish to turn Libya into an "Islamic emirate." And for many rebels, the revolution of February 17, 2011 is the key that has once again opened doors to enrichment. For instance, Benghazi, the city where it got started, aspires less to becoming the capital of the jihadists than

¹ "New statistics show Libya's roads as world's most dangerous," *Libya Herald*, January 7, 2013.

² D. Ethier, "Réflexions sur les causes et l'issue des rébellions arabes," November 22, 2011. Available at www.dandurand.uqam.ca/uploads/files/publications/rflexions/Chronique_OMAN/ReflexionOMAN_22nov2011_DEthier.pdf

³ L. Martinez, "Libye: les usages mafieux de la rente pétrolière," *Politique africaine*, no. 125, March 2012, pp. 23-42.

Libya's business capital. It could probably become capital for both if a rational division of labor is worked out. Benghazi's Islamist merchants are prepared to finance the jihadists providing that they do not commit such acts as the murder of US ambassador Christopher Stevens in Benghazi on September 11, 2012, but by fighting in Syria or in the Sahel—in any case far from Benghazi so that its business community can gain an edge over Tripoli, the capital pampered by the former regime that only belatedly joined the revolution. Admittedly, for the moment the Salafist group Ansar al-Sharia⁴ has made more noise and claimed more victims than the 700 members of the Benghazi business club who are campaigning for their city to recover its place as economic capital that it held under the Idris monarchy (1951-1969). To achieve its ends, Benghazi's elites know they will have to negotiate to obtain a constitution that institutes federalism, autonomy or decentralization. Seen from Benghazi, Tripoli is a thief that must be made to return the spoils it took and that monopolizes all the resources, an accusation echoed by Tahani Mohammad ben Ali, leader of the Benghazi Workers Union, a powerful trade union at the Arabian Gulf Oil Company: "The objection is that it is like before—everything is controlled by Tripoli; this is not what we had a revolution for."⁵ The NOC (National Oil Corporation, the Libyan state oil company founded in Benghazi in 1968) headquarters were indeed set up in Tripoli in 1970, a few months after Colonel Qadhafi came to power. Sidelined and badly treated by the old regime, what Benghazi expects most out of the revolution is to recover its importance within Libya. That means control over exploitation of the hydrocarbons sector in Cyrenaica. There is fierce debate in Libya about how the oil wealth should be distributed: its outcome will determine the country's future and its political stability.

As previously under Qadhafi, the NOC today serves as the war chest for the authorities in Tripoli: in 2012, hydrocarbon exports brought 55 billion dollars into the country, an amount liable to make the Muslim Brotherhood in Egypt and the Ennahda party in Tunisia pale with envy, as these two movements are governing states whose coffers are desperately empty. Added to that are the some 100 billion dollars in funds and assets held by the Central Bank of Libya and the Libyan Foreign Bank, unfrozen by the Security Council on December 22, 2011.⁶ Demonstrations in Libya are frequent. They are often staged to denounce the lack of security,⁷ but also to demand payment of allowances and benefits. Since the startling resumption of oil production in 2013, Libya's growth rate, after having shrunk by 60% in 2011, hit 17% according to the IMF and had reached a record rate of 120% in 2012—only Equatorial Guinea had done better, in 1997, with a growth rate of 150%. However, as of summer 2013, owing to new waves of protest, oil production dropped by 80%, plummeting from 1.5 million barrels per day to 250,000 bpd.

Under the Jamahiriyya before, and now in the State of Libya (the country's official name), the hydrocarbons sector accounts for 95% of exports, 90% of government revenue and 70%

⁴ O. Ashour, *Libyan Islamist Unpacked. Rise, Transformation, and Future*, Brookings Doha Center, May 2012.

⁵ *The Daily Star*, January 24, 2013.

⁶ The Libyan authorities also has the assets held by the Libyan Investment Authority (LIA), a sovereign wealth fund created in 2006 that according to its president, Mohsen Derregia, amounts to 50 billion dollars in financial assets and 20 billion dollars in real estate and infrastructure assets. In a recent report entitled *Libya: Technical Assistance-Public Financial Management Reform-Priorities in the New Environment*, February 2013, the IMF recommends complete transparency of this fund, which heretofore was managed with great opacity. The report is available online at www.imf.org/external/pubs/ft/scr/2013/cr1336.pdf

⁷ 2,000 people protested in Martyr Square in Tripoli on January 18, 2013 against narcotics trafficking and related violence.

of its GDP. Libya allegedly holds the largest petroleum reserves in Africa: 47.1 million barrels.⁸ For Tripoli, decentralizing the management and redistribution of the hydrocarbons sector means taking the risk of weakening the only corporation—the NOC—that helps the authorities to buy a semblance of social, regional and tribal peace after eight months of deadly clashes.⁹ Under Qadhafi's regime, stability and security were the outcome of a skillful balance between redistribution and repression: clans and areas that swore allegiance to the government were financially rewarded in proportion to their size; those who refused allegiance at worst suffered the wrath of repression, at best the Jamahiriyya's indifference to their social and economic demands.¹⁰ Post-Qadhafi Libya is in search of a new art of governing. Despite the legitimacy elections have given the new Libyan authorities, they remain very weak. Having no means of coercion, they cannot exact obedience and are constantly obliged to negotiate for their survival, threatened by those who were not chosen by voters but who instead draw their legitimacy from their participation in the revolution—the militias. The challenge facing the Libyan authorities is not so much to combat these forces but to harness them. In such a context, their rapid enrichment is certain to weaken them, because they will need a state to protect the ill-gotten goods acquired during the revolution. As Dr. Abohamra Alhadi, professor at the University of Tripoli, pointed out, "The state is virtual, it has no authority. The militias control Libya, not the government."¹¹

Actually, the problem is not so much that the militias "control Libya"—many Libyans admit that without them the country would have descended into chaos—than the fact that most of them do not place any faith in the government or in political institutions in general, while others are drifting toward a criminal organization model. The militias demonstrate the same reticence with regard to the state as Muammar Qadhafi did in his time: they behave like partisans of the former regime. Yesterday, the Qadhafi clan had exclusive control over Libya's oil resources; today, it is dozens of militias, sometimes backed by "tribes,"¹² that are seeking to take its place. In this context, unarmed political actors have trouble establishing their legitimacy: only time and their ability to materially and financially satisfy the grievances of the majority will enable them to make up for their weakness. The relative "success" of the Libyan transition is thus explained by the weakness of the new authorities, being obliged as they are to negotiate continually for their survival, and by the active participation in the transition of several cadres and officials from the previous regime. Libya did not undertake a process of "de-Qadhafication" and thereby escaped the excesses that have occurred in post-Saddam Hussein Iraq. But for the militias, especially those of the Islamist persuasion, the ongoing presence of former officials and leaders in the state apparatus is intolerable. Thus, under militia threats a law was passed on May 5, 2013 excluding from politics persons who occupied positions of responsibility

⁸ "Libya. Oil and Gas Report Q1 2013," *Business Monitor International*, January 2013, p. 9, available at www.businessmonitor.com

⁹ After a number of demonstrations before the General National Congress, the "war-wounded revolutionaries" won a pension of 2,750 dollars per month, free housing and a car.

¹⁰ M.O. El-Kikhia, *Libya's Qadhafi. The Politics of Contradiction*, Gainesville, University of Florida, 1997.

¹¹ Interview, Tripoli, November 2012.

¹² A. Bensaâd, "Changement social et contestation en Libye," *Politique africaine*, "La Libye révolutionnaire," no. 125, March 2012, pp. 5-22.

under the former regime¹³—a law which, if enforced arbitrarily, foreshadows political cleansing reminiscent of Qadhafi's revolutionary era. The revolution of 1969 purported to be a reaction to the "decadence" of the Idris monarchy, "a process of radical change of the political, economic and social structure of human society. It [was supposed to] destroy a corrupt society to build a new and just society."¹⁴ If the revolutionary brigades, the *thuwar*, continue to impose their will on the government, the fall of Qadhafi's regime will have not brought about political change in Libya but rather the continuation of former political practices under a new guise.

FROM REVOLUTIONARY COMMITTEES TO REVOLUTIONARY MILITIAS

Does militia rule prevent the emergence of government authority? On July 7, 2012, 1.6 million voters out of the 2.7 million registered freely cast their ballots to elect the 200 members of the General National Congress (Parliament). The challenge was posed from the outset: how can new political institutions be built in a context characterized by powerful militias? Between the time of Qadhafi's death and the elections, the militias had replaced the revolutionary committees, bulwarks of the *Jamahiriyya*,¹⁵ thus replicating the militia-like character of the Libyan state handed down from Qadhafi's regime. In fact, unlike in many other authoritarian regimes, the army under Qadhafi was not the central state actor. Power was actually based more on a balance among paramilitary forces skilfully constituted to foster representation and participation of the "tribes" that had sworn allegiance to the regime.¹⁶ The army was perceived as a threat to be neutralized, even if that meant weakening it from a military standpoint. Consequently, it was unable to promote its values and interests as a corps or institution, unlike other military institutions in the region, or develop an economy within society enabling it to reintegrate its personnel and form influential ties.¹⁷ Yet, Muammar Qadhafi invoked the army when he announced the revolution in the wee hours of September 1, 1969, over the Benghazi airwaves: "Your armed forces have overthrown the reactionary regime, which was corrupt and backward... Your heroic army has toppled and destroyed idols... Libya is henceforth free and sovereign... It shall become the Arab Republic of Libya." The political will to sabotage the Libyan army's development can be explained by the complex, subtle and contradictory relationship that the Libyan *Jamahiriyya* maintained with the state. In *Jamahiriyya* philosophy, the state was destined to vanish to make way for local political structures in which tribes would play a fundamental role.¹⁸ Qadhafi's revolutionary Libya was

¹³ This law pertains to former ministers, ambassadors, media heads, security officers, union leaders and university deans.

¹⁴ Explanations of *Green Book*, vol. 1, World Center for Study and Research on the *Green Book*, Tripoli, p. 274.

¹⁵ The revolutionary committees were established on November 2, 1977: "In the mind of their creator," wrote François Burgat, "the revolutionary committees had no other purpose than to accelerate implementation of the new system, in other words weakening the state. Actually, they functioned as a sort of militia," in F. Burgat and A. Lalonde, *La Libye*, PUF, "Que sais-je?" 1996, p. 74.

¹⁶ M. Ouannes, *Militaires, élites et modernisations dans la Libye contemporaine*, Paris, L'Harmattan, 2009.

¹⁷ E. Picard, "Armée et sécurité au cœur de l'autoritarisme," in O. Dabène, *Autoritarismes démocratiques. Démocraties autoritaires au XXI^e siècle*, Paris, La Découverte, 2008.

¹⁸ M. Djaziri, "Tribus et Etat dans le système politique libyen," *Outre-Terre*, no. 23, 2009/3, pp. 127-134.

based on the idea of a “just society” inspired by the “tribal” political model. For Qadhafi, the tribe is “a natural social umbrella”; “by virtue of social tribal traditions, the tribe provides for its members... social protection,” whereas the state “is an artificial political, economic and sometimes military system...” that has nothing to do with the human race. Society should thus be built on the tribe, not on the state: “A tribe is a family which has grown as a result of procreation. It follows that a tribe is an enlarged family... The nation, then, is an enlarged tribe.”¹⁹ The tribal imaginary is the product of contemporary political changes: Qadhafi’s Libya falls in with a continuum in which “the Libyan state” appears characterized since its independence in 1951 by its tribal setup. The brotherhood foundations of the Idris kingdom were deeply nourished by the tribal confederation in Cyrenaica, as historian Ali Abdullatif Ahmida has shown.²⁰ In such a perspective, the army and the state were the two obstacles to the revolution’s success. These perceptions of the state and the army can be seen to persist among today’s militiamen.

In the early years of Qadhafi’s rule, the regime’s military model was based on the principle of a “people in arms.” But this model very soon reached its limits from a military standpoint, and the regime formed an army that it subjected to regular purges. Attempted military coups between 1993 and 1995 permanently disgraced the army to the benefit of the Revolutionary Guard and paramilitary outfits in charge of defending the regime. Are today’s militias the product of Qadhafi’s revolutionary philosophy according to which Libya should remain “in a permanent state of tension”? The Jamahiriyya, committed to the theory of the “people in arms” with “every town... transformed into a barracks where the inhabitants are drilled every day,” was thus committed to maintaining this state of tension through the revolutionary committees.²¹ In 1995, in pursuit of this idea, Qadhafi declared the dissolution of the army and set up popular brigades in its place that were supposed to defend the nation against all forms of aggression. Following his fall, tens of thousands of combatants grouped into brigades associated with towns or districts occupied public places abandoned by the old regime security forces to protect the revolution.²² Empowered by the revolutionary legitimacy conferred on them by their engagement against Qadhafi’s regime, the militias now find themselves contested by those in whom political legitimacy has been vested by virtue of the July 7, 2012 elections. For the political representatives of Libya in transition, disarming them and integrating them into the national security forces is a top priority.²³ Following the elections, the Libyan authorities issued an ultimatum:

“The National Mobile Force, which comes under the central command, requests all individuals, armed groups and units currently occupying military compounds, public buildings and property belonging to members of the former regime or children of Qadhafi in Tripoli or the surrounding towns, to evacuate these sites within forty-eight hours.”²⁴

¹⁹ M. Qadhafi, *Green Book* cited by J. Davis, *Le Système libyen. Les tribus et la révolution*, Paris, PUF, 1987, p. 205.

²⁰ See A.A. Ahmida, *The Making of Modern Libya*, Albany, State University of New York Press, 1994, p. 81.

²¹ C. Monier, “Défense dans le monde. Les forces armées libyennes ou le people en armes,” *Revue de défense nationale*, no. 448, November 1984.

²² Tripoli airport remained under the control of the Zintani brigades until April 2012; the Suq al-Jum’a Brigade controls the Mitiga airport; the Zuwaran control the Ras Jdeir border post; the Misrata brigades control their own airport and seaport, etc. See “Divided We Stand: Libya’s Enduring Conflicts,” *International Crisis Group*, no. 130, September 14, 2012.

²³ P. Cole and B. McQuin (eds), *The Libyan Revolution and its Aftermath*, London, Hurst, 2013.

²⁴ JANA Communiqué, September 23, 2012.

It will certainly take the government much more than two days to be obeyed, no doubt several years, the time it takes for a security apparatus to emerge that is independent from the militias.

THE COMEBACK OF POLITICAL PARTIES

In the meantime, political actors are leading the new political stage. Their ambition is to receive the grievance of the population. In the first free election in post-Qadhafi Libya, held on July 7, 2012, 2,639 candidates took part, represented by 374 political parties, lists or independents. The candidates included many women: although invisible during the uprising against the former regime, women are playing an active role in the new “civil and political society.”²⁵ Mahmoud Jibril’s National Forces Alliance won 39 seats out of the 80 reserved for political parties; the Justice and Construction Party, an emanation of the Muslim Brotherhood, came in second with 17 seats and the National Front, an offshoot of the historic opposition party, the National Front for the Salvation of Libya founded in 1981 by Mohamed Youssef Magarief, came in third with only three seats. The Union for the Homeland and the Wadi Al-Hayat party each took two seats, the remainder of the seats being divided up among several political parties.²⁶ The other 120 seats were reserved for independents, who hold a de facto majority. The political or ideological affiliation of these independents remains to be seen, some of whom are voluntary organization leaders, such as human rights activist Juma Atiga; others, notables, represent ethnic groups such as El-Tahir Makni, elected by the Toubou in Qatrun, in Murzuq district, but also an activist in the Wasat party.²⁷

On July 9, the General National Congress elected its president for an interim term of eighteen months: Mohamed Youssef el-Magarief, a historical opposition figure, was chosen. And on August 8, during a historic ceremony for the Libyans, the president of the National Transition Council (NTC),²⁸ Moustapha Abdeljalil, authority was handed over to the General National Congress, and each of its members had to swear to uphold the objectives of the February 17 revolution.²⁹ The elections offered a snapshot of the new Libya.³⁰ The United Nations secretary

²⁵ M. Grifa, “Libya: Establishing a New Political System and the Transition to Statehood,” *Arab Reform Initiative*, September 2012, p. 3.

²⁶ Al-Watan; the Wisdom Party; Shabab al-Wasat, etc. See *The Tripoli Post*, July 7, 2012.

²⁷ See **Magharebia.com**, August 2, 2012.

²⁸ In August 2011, the NTC prepared a constitutional charter project laying down the constitutional bases for Libya pending the writing of the new Constitution by the new assembly. Article 1 stipulates that “Libya is an independent Democratic State wherein the people are the source of authorities. The city of Tripoli shall be the capital of the State. Islam is the Religion of the State and the principal source of legislation is Islamic Jurisprudence (Sharia).”

²⁹ “I swear by Almighty God to carry out my duty with honesty and loyalty, to remain faithful to the objectives of the Revolution of February 17th, to respect the constitutional declaration and the rules of procedure of the Council. I shall fully observe the interests of the Libyan people and protect the independence of Libya, its security and territorial integrity.” *The Celebration of Authority Transfer from Transitional National Council to General National Congress*, <http://www.gnc.gov.ly>

³⁰ See D. Vandewalle, “After Qadhafi: The Surprising Success of the New Libya,” *Foreign Affairs*, vol. 91, no.6 November 1, 2012. Available at <http://www.foreignaffairs.com/articles/138123/dirk-vandewalle/after-qaddafi>

general did not fail to “warmly congratulate the Libyan people for the country’s first free election in a half-century” on July 8. On September 12, 2012, following intense negotiations and against all expectations, Mustapha Abu Shaghur was appointed prime minister, beating Mahmoud Jibril by two votes although Jibril had won the ballot. Among the government’s objectives, aside from restoring security, the new authorities then outlined a precise political agenda: the drafting of a new Constitution to be approved by referendum. But hardly had he been designated, Mustapha Abu Shaghur was replaced on October 14 by Ali Zeidan, a former diplomat who had left Libya in the 1980s who had been active in the National Front for the Salvation of Libya, an opposition movement against Qadhafi’s regime.

Although at first the outcome of the July 7 poll suggested that, unlike the situation in Tunisia and Egypt, the Libyan Islamists had lost the elections, the constitutional drafting process attests to the strong influence of the Justice and Construction Party and other Islamist movements in the country. The revival of the political scene in Libya has furthermore witnessed the emergence of media and civil society actors that have spontaneously become involved in debates on the Libyan transition, such as the one surrounding plans for the new Constitution: should the commission in charge of drafting it be elected or appointed? While a consensus was reached regarding the number of its members—60 in all,³¹ 20 for each of the three regions in Libya: Tripolitania, Cyrenaica and Fezzan—, the controversy raged on until February 6, 2013, on which date the members of the General National Congress came down in favor of electing a constituent assembly to draft the Constitution by a vote of 87 out of 97 members present. This decision satisfied the Justice and Construction Party and the partisans of federalism and prompted political scientist Imneina to say that “Congress is under the control of Muslim Brotherhood.”³² Actually, the choice illustrates more than anything the desire of members of Congress to avoid a clash with proponents of federalism, for whom one of the goals of the February 17 revolution was to restore the autonomy provinces and regions had lost under Qadhafi’s regime, especially in Barqa—Cyrenaica in Arabic.

THE FEDERALISM QUESTION OR THE FUTURE OF CYRENAICA

The contemporary history of Cyrenaica is punctuated with conflicts. In the early years of the 20th century, under the leadership of Omar al-Mukhtar, the region of Jebel al-Akhdar was the center of Libyan resistance to Italian colonization.³³ During the Second World War, Cyrenaica became a vast battlefield where the Allied forces fought the Germans and Italians. The fighting that took place there resulted in the total destruction of some cities, such as Tobruk.³⁴ In 1951, following Libya’s independence and under the Idris monarchy, the area, ravaged by military offensives and counter-offensives, underwent a serious subsistence crisis,

³¹ The same number as those who had drafted the Constitution of 1951.

³² *The Libya Herald*, January 5, 2013.

³³ A.A. Ahmida, *The Making of Modern Libya. State Formation, Colonization and Resistance, 1830-1932*, State University of New York Press, 1994.

³⁴ M. Khadduri, *Modern Libya. A Study of Political Development*, Baltimore, Johns Hopkins Press, 1963.

movement being hampered by vast minefields.³⁵ The Libyan Arab Force had taken part in the battle of Dernah-Tobruk in 1942 alongside the British. The Sanusi Legion, which fought on the Allied side during the war, became one of the pillars of the Idris monarchy; Libya's Nasserists in fact obsessively dreaded that the British would revive the Sanusi Emirate in Cyrenaica on the model of Jordan. In 1969, after Colonel Qadhafi's coup, certain army units put up violent resistance against tribes that remained loyal to King Idris, while the Revolutionary Command Council promoted schemes to build farms on land belonging to religious foundations in Jebel al-Akhdar.³⁶ Colonel Qadhafi's regime never ceased hunting down the Sanusi leaders. Once the Jamahiriyya was set up, the revolutionary committees shut down the last small shops in Benghazi, thus depriving several Sanusi families of their livelihood. As of the 1990s, such tales fueled Islamist opposition to the regime, to which was appended an anti-Islamic interpretation of the Jamahiriyya, in that regard falling in line with the Muslim Brotherhood.³⁷ The question of the return to federalism today, which also raises the question as to what is meant by autonomy, separation and independence, thus crystallizes identity claims of a region that views itself as the cradle of Libya, its independence in 1951, and the revolution of February 17, 2011. The problem is that the Qadhafi interlude lasted for over forty years and it is difficult so shake off a Jamahiriyya legacy that relentlessly weakened and impoverished Cyrenaica.³⁸

Forty years after federalism was abolished in Libya, a segment of the Libyan population wants to see it restored, viewing renunciation of centralism as a means to foster a better and more equitable distribution of wealth. Particularly Cyrenaica, cradle of the revolution, is campaigning for the return of a federal state. As relations with Tripoli are strained, yesterday's rebels formed a Regional Council and Regional Security Forces, and Benghazi picks up its television programs with its own satellite. It is also trying its best to weigh in on the wording of the new Constitution. Out of the 1.6 million barrels of oil Libya produces daily, 1 million come from NOC subsidiaries operating in the region. Federalism, for Cyrenaica, means the right to control the exploitation of its hydrocarbon resources – hence the end of the NOC monopoly. In addition to threatening to cut off oil supplies, the local authorities have several other means to make their voice heard: much of the country's water supply, transported by the Great Manmade River, is found in Cyrenaica, and most water wells are located on land belonging to the Zawiya, one of the largest tribes in the region.³⁹

One of the main priorities of the Libyan revolution is to “renegotiate” the country's material and political resources.⁴⁰ The centralization process that began under the Idris monarchy was pursued by Qadhafi's regime. Between 1951 and 1963, Libya was a federal monarchy with an executive branch, the prime minister and his cabinet answering to the lower house. In

³⁵ Y. Martine, “La Libye de 1912 à 1969,” *La Libye nouvelle. Rupture et continuité*, Paris, CNRS, 1975.

³⁶ H. Bleuchot, *Chroniques et documents libyens (1969-1980)*, Paris, CNRS, 1983.

³⁷ During a 1988 debate with a sheikh who asked him to clarify whether his interpretation of Islam contradicted the Quran, Qadhafi replied, “If one of you were to say to me, for example, ‘the Green Book is against the faith’, then I would behave like Ataturk did.” Cited by M. Djaziri, *Etat et société en Libye*, Paris, L'Harmattan, 1996, p. 85.

³⁸ L. Martinez, “Libye: transformations socio-économiques et mutations politiques sous l'embargo,” *Annuaire de l'Afrique du Nord*, vol. 37, July-August 1999, pp. 205-229.

³⁹ J. Oakes, “Libya-The Zawiya Tribe,” *Berenice Stories*. See <http://libyastories.com/2013/01/06>

⁴⁰ A. Quesnay, “Renégocier l'espace politique libyen: du local au national,” *Noria*, September 2012. Available at <http://www.noria-research.com/2012/10/01/renegocier-lespace-politique-libyen-du-local-au-national/>

the upper house sat eight representatives of the three provinces (Tripolitania, Cyrenaica and Fezzan). Libya at the time was regarded as one of the poorest countries in the world. But in 1959, the first oil discoveries were promising. And soon some 40 oil companies shared the 137 concessions controlled by the government: the results were spectacular. Oil production boomed and in 1967, with 3.5 million barrels per day, Libya became the world's fourth largest oil exporter. To satisfy a demand from the oil companies, which wanted to avoid paying several different taxes, the federal system was abolished. Management of the hydrocarbons sector then became centralized: ten new provinces were created and governors placed at their head.

For the Libyan population, centralization went along with the emergence of a system of predation that benefited the Qadhafi family and its accomplices.⁴¹ Although the distribution of revenues from the sale of hydrocarbons considerably improved the population's standard of living, lack of control over this distribution and capture of the rent were the most virulent grievances against the former regime. There is great fear that the new regime will follow in the footsteps of the former one: in 2012, only 15% of the 800 million dollars allocated by the National Transition Council (NTC) to the war-wounded had reached the intended recipients, the rest of the money vanishing in the meanders of corruption, which explains the vehemence of some militias toward the NTC. Added to that is the fear that the oil windfall might foster the construction of a new security apparatus that could force opponents to adhere to the centralist vision of the state. Now as before, two contrasting visions of postcolonial Libya are in competition: one of a decentralized Libya in which the provinces would be virtually autonomous and free to do what they wish with their resources: and one of a centralized Libya with Tripoli as its capital. Among the many challenges of the post-revolutionary period, the issue of wealth redistribution fuels clashes and tensions. Favored under Qadhafi, Tripolitania is reluctant to grant Cyrenaica the status it is demanding for fear of losing it for good. But in addition to the tensions and discord inherent in the institutional models for Libya's future—and thus distribution of the oil wealth—, are armed clashes directly related to an attempt to control a lucrative economy of contraband. Tribal and militia coalitions that emerged victorious from the revolution are seeking to capture, for the channels they control, the traffic in cigarettes, migrants, drugs and arms that was previously in the hands of the old regime's revolutionary committees. The plundering of weapons stockpiles, so-called tribal clashes in Kufra⁴² and recurrent murders of security officials are all part of a vast trend to seize control by violent means of resources abandoned by criminal organizations that thrived under the protection of the Jamahiriyya during Qadhafi's rule.

In this uncertain and violent context, the construction of an open and pluralistic political scene is a perilous undertaking. Libya's new political entrepreneurs must deal not only with

⁴¹ In 2000, before the members of the General People's Congress, Qadhafi announced in a moment of anger that the "system" was abolished: "Hereafter, there is no 'government'... Henceforth, we shall work with the communes and the *Sha'abiyat*. You shall no longer be answerable to any higher authority in Tripoli, Kufra or Sirte for anything you do within the *Sha'abiyat*: planning, budgeting and finance. Power will henceforth belong to the people, the communes and the *Sha'abiyat*. Therefore there is no need to refer upwards to anyone with higher authority. Now you alone must shoulder your responsibilities. This system will endure for fifty or a hundred years, until you have grasped it." See L. Martinez, *The Violence of Petro-Dollar Regimes. Algeria – Iraq – Libya*, trans. Cynthia Schoch, London, Hurst, 2012, p. 115.

⁴² In February 2012, clashes between Toubou and Zawiya in Kufra left more than one hundred dead and hundreds of wounded.

the population's expectations, which contrast widely depending on the region, but also with a criminal legacy that is beginning to appeal to militiamen because of the symbolic and material advantages it offers. In this fragile and tense environment, the prospect of a society ruled and organized according to the principles of sharia law, promoted by the Muslim Brotherhood and its political party, Justice and Construction, is meeting with increasing success. The fact remains that for the majority of Libyans, the collapse of Qadhafi's regime remains an enigma and a surprise. Some, in the town of Bani Wallid in particular, continued to believe after Qadhafi's death that it was all a hoax and that the colonel's return was imminent. It must be said that the rebels themselves, who Qadhafi called "rats," were so convinced that the regime was solidly in place that they were the first ones to be surprised by their victory.

WHAT ROLE FOR THE VANQUISHED IN THE NEW NATIONAL NARRATIVE?

Libya today does not resemble post-Saddam Hussein Iraq: it was not international intervention that brought down Qadhafi's regime but an insurgency. The main actor in the narrative of the Libyan revolution is a population exasperated by the antics of a tyrant and his family.⁴³ NATO figures in it as an ally, not as the cornerstone. Mercenaries on one side and NATO on the other have been perceived as secondary forces in a civil war that lasted a few months. The rebels' accusation that Qadhafi's regime was using mercenaries served as justification for NATO's intervention.⁴⁴ The rebels cleverly concocted the narrative of a city under siege—Benghazi—poised to become Libya's Sarajevo if no international protection came to its aid.

The dynamics of the insurgency defined the relationship with the former regime from the start, framed as a confrontation that left the Guide no other alternative than exile or death. As Fathi Fadhli wrote, "Qadhafi, his sons and his supporters are not part of Libya anymore, they are no longer Libyans." Unlike the Tunisian and Egyptian revolutions, the Libyan revolution rapidly took a confrontational turn, leaving little room for negotiation or compromise. For many, Qadhafi made his fatal error on August 15, 2011 by calling the rebels "rats" on live television, after over six months of conflict:

⁴³ May 2011, Dr. Fathi Fadhli published an essay on the values and principles of the February 17 revolution, thus contributing to the narrative of the event: "The brutality and the oppression of the Libyan regime against the Libyan people for four decades was the fuel for the Libyan revolution; the Libyan revolution began peacefully as a simple demonstration; protesters were asking for the respect of human rights; the regime brutally crushed unarmed demonstrators; Libyans don't carry weapons to defend themselves, dozens of unarmed civilians were killed; Qadhafi, his sons and their supporters were the first to use foreign forces against the Libyan people, calling on mercenaries and foreign pilots. The Libyans welcomed NATO forces only after Qadhafi used mercenaries and foreign pilots to bomb Libyan cities and massacre civilians. It must be understood that a drop of the Libyan people's blood is more important than all the oil in Libya; Qadhafi, his sons and his supporters are not part of Libya anymore, they are no longer Libyans due to their crime against the Libyan people." <http://www.fathifadhli.com/art126.htm> [retranslated from French, site no longer online]

⁴⁴ Between March 31 and October 31, NATO flew 17,939 sorties over Libya: 17,314 of them by fighter plane, 375 by helicopter and 250 by drones. In May 2012, the Human Rights Commission report concluded, "The vast majority of NATO airstrikes did not result in civilian casualties or collateral damage to civilian objects."

“The end of the colonizer is near and the end of the rats is near. They flee from house to house while the masses hunt them down.”

For Hakim, a veterinarian in Tripoli and former member of the Suq al-Jum’a militia, this insult constituted a pivotal moment in the insurgency in the Libyan capital by galvanizing the rebels, who were determined to take revenge for the offense:

“Many people cried with rage when they saw and heard Qadhafi call them rats; some of them took this as a worse insult than being called dogs. After all the strife we had just lived through, he called us rats. I think that’s what spurred the revolutionaries on after these insults” (November 2012).

During the civil war, words could be as deadly as weapons. The population of Tawergha (35,000 inhabitants) were called slaves, negroes and animals by the revolutionaries in Misrata who accused them of taking part in the destruction of their town on the side of the loyalist forces. They were driven to take refuge in camps on the outskirts of Tripoli, and more than 1,300 of them are still in custody, missing or dead.⁴⁵ Similarly, Zintani brigades called the inhabitants of Mashshiya “Qadhafi’s dogs” for having backed the loyalists. In Jebel Nafusa, in villages near the town of Nalut, Berber revolutionary brigades also called inhabitants suspected of sympathizing with the regime “Arab dogs.”⁴⁶ An estimated 550,000 were displaced in the course of the civil war to escape the dangers and violence. In the new narrative of post-Qadhafi Libya, there is little room for truth in this regard and even less for justice, which seriously compromises any chance of reconciliation.⁴⁷ Convinced that they alone brought about the fall of Qadhafi, the revolutionaries have no doubts about the success of their insurgency. The history of the civil war remains to be written, the dominant version for the moment being that recounted by the winner.⁴⁸ In this formulation, the other—the one who did not take part or did not back the insurgency—no doubt enhances the combatants’ role. Yet, seen from Benghazi, Tripoli’s change of course was a long time coming. For the Tripolitans, the reason for their belated engagement was the massive presence of regime security forces in their city. Unlike Benghazi, Tripoli was the Qadhafi family’s place of residence, as Dr. Ahmed al-Atrash, at the University of Tripoli, points out:

“Qadhafi resided in the center of Tripoli, his men were there, the security forces as well. People here did not believe the revolutionaries would get this far and take the compounds. Most people stayed here and waited. Life in Tripoli went on as usual. We were very afraid, but we kept going. The bombings were surgical. Only the military compounds and intelligence and security facilities were destroyed. Here we could not revolt like they did in Benghazi and Ajdabiyya: Qadhafi’s forces were here because he and his family were here” (November 2012).

⁴⁵ Over 60,000 Libyans accused of close ties to the Gaddafi regime and committing abuses are internally displaced persons; half of them are Tawergha. See the Libyan Humanitarian Relief Agency (LibAid), www.irinnews.org/fr/Report/97520

⁴⁶ See the United Nations Human Rights Commission report, *Report of the International Commission of Inquiry on Libya*, March 2, 2012. Available at <http://www.refworld.org/docid/4ffd19532.html>

⁴⁷ Roughly 8,000 people are reportedly detained in centers controlled by armed groups. See Human Rights Watch, *World Report 2013 on Libya*. The report is available at <http://www.hrw.org/world-report/2013/country-chapters/libya>

⁴⁸ H. Salam Marjan, *Libya, from Dictatorship to Freedom* (in Arabic), 2012; A. Wahab Mahmoud Zintani, *The Libyan People’s Revolution* (in Arabic), 2012.

Although Tripoli had been at the center of the 1969 revolution, in 2011 it was merely the stage of a confrontation that was beyond it. Symbolically, Qadhafi was savagely executed on October 20, 2011 and then taken to Misrata by that city's revolutionary brigade.⁴⁹ His death brought an end to the regime he had instituted in the wake of his 1969 coup. After having survived countless trials in the course of his long rule, it was paradoxically at a time when Libya's influence was shining with all its strength that the regime collapsed. On the eve of the "Arab Spring," the Jamahiriyya's financial strength, estimated to be more than 160 billion dollars, had the power to intimidate. The presence of several guests at the September 2009 festivities celebrating the fortieth anniversary of the revolution illustrated the regime's return to favor. After Berlusconi tendered apologies for Italy's colonization of Libya (1911-1942), the president of the Swiss Federal Council apologized for the treatment of Muammar Qadhafi's youngest son, Hannibal, in a palace in Geneva,⁵⁰ while the Scottish courts released Ali Basset Meghari on "humanitarian" grounds, despite his conviction in the Lockerbie bombing. Lastly, in May 2010, Libya assumed the presidency of the UN Security Council for one year. Shortly before Qadhafi's unpredictable overthrow, Libya was an Eldorado wooed by lobbies in the oil, weapons and civil engineering sectors. No one could foresee the end of the regime, and everyone seemed prepared to accept the colonel's rebuffs if necessary to gain access to a market growing at a rate of about 8% per annum in the early 2000s.

Qadhafi's Libya seemed robust, solid and unshakeable: its leaders were so confident that some on the inside had even begun to advocate reform. As Qadhafi's heir apparent and second son, Seif al-Islam—still held in Zenten since November 2011, awaiting trial—claimed in 2007, "Libya will be a modern country with modern infrastructure and a high GDP. Its citizens will enjoy the best standard of living in the region. Libya will have closer relations with the rest of the world and with Africa, as well as a partnership with the European Union. It will join the WTO. Libya will be the bridge between Europe and Africa."⁵¹ The reformers saw communist China as a model, combining the legacy of the revolution and the Green Book with a market economy. On August 21, 2007, Seif al-Islam called for the end of the revolutionary era and the conversion of the revolution into a constitutional state. In 2008, he availed himself of eminent academics to help draft a new Constitution that was to institutionalize the revolution, and in September 2009, rumors were circulating in Tripoli that a Constitution would soon be announced, vindicating the reformers. But on the eve of the "Arab Spring," the guardians of the revolution, including figures such as Omar Ochkal, a cousin of Qadhafi's and governor of Sirte, and Mohamed ben Othman, head of the Revolutionary Committees Bureau in Tripoli, would have nothing to do with it.

"Liberalization" would thus take place under the watchful eye of the security apparatus. While threats from abroad remain limited, thanks to Moussa Koussa, now in exile in Doha, and Abdellah Senoussi, incarcerated in Tripoli since March 2012, domestic discontent was taken seriously since the 2006 incident in front of the Italian consulate in Benghazi: on February 17, demonstrators

⁴⁹ *Death of a Dictator*, Human Rights Watch, October 17, 2012. Available at <http://www.hrw.org/reports/2012/10/17/death-dictator>

⁵⁰ On July 15, 2008, Hannibal Qadhafi, Qadhafi's fourth son, and his wife were arrested in Geneva following complaints filed by two servants who accused the couple of beating them. After paying bail, the couple was released. In retaliation, Libya cut off its supply of oil to Switzerland, curbed trade and took two Swiss citizens hostage. To wheedle its way out of a diplomatic crisis, the president of the Swiss Federal Council "apologized" and triggered a political crisis in Switzerland, because Libya had still not forgiven it and kept the two Swiss citizens captive.

⁵¹ Interview, *Le Figaro*, December 8, 2007.

led by the revolutionary committees chanted anti-Italian slogans in protest against reports that an Italian minister had worn a T-shirt printed with one of the Danish cartoons mocking Islam. Soon anti-Qadhafi slogans were also flying and the overwhelmed police force fired into the crowd, leaving eleven dead and more than 60 wounded. Following this incident, all of the regime's leading figures went to Benghazi to calm the situation. The interior minister was dismissed for "excessive use of force," and Muslim Brothers from the Benghazi area who had been in jail since 1998 were released as a token of appeasement.

Whereas in 2007 the government had authorized the creation of private media, most of them owned by Seif al-Islam's Ghad Foundation, press liberalization was terminated in May 2009 by decree. The government nationalized the private media (the Al-Libi satellite channel, Eman al-Libi radio, the *Quryna* and *Oea* newspapers), putting an end to the brief experiment with press freedom. As a consequence of this evolution, Seif al-Islam announced his withdrawal from political activity and ceased advocating political reform in Libya. However, on December 10, 2010, just before the start of the rebellion, his foundation published a report on the human rights situation in Libya that underscored a "dangerous regression" for civil society organizations and criticized the General People's Congress. Rather than having no effect, was this short experiment with liberalization actually what Sarah Nefissa calls a "pluralist enclave"⁵² in an authoritarian political system? On February 15, 2011, human rights activist Fethi Tarbel was arrested in Benghazi. This event, not unusual in Qadhafi's Libya, sparked riots that descended into violent clashes and then a movement of armed resistance. Very quickly and unexpectedly, an insurgency spread through the cities of Al-Baida, Misrata and Zaouia. To put an end to this revolutionary atmosphere, regime hardliners called on the man they had chosen not to listen to before. On February 20, 2011, Seif al-Islam, in a televised address, warned Libyans,

"Libya is at a crossroads. If we do not agree today on reforms, we will not be mourning 84 people, but thousands of deaths, and rivers of blood will run through Libya."

The fear of a harsh military crackdown on the city of Benghazi prompted the United Nations Security Council to authorize military operations to protect civilians on March 17, 2011. It would take the rebels eight months, with NATO support, to reach Tripoli and overthrow the regime. A strange war it was, in which petroleum production facilities were virtually untouched and rapidly recovered their pre-revolution production capacity. The number of casualties, contrary to initial estimates that reported over 50,000 deaths—, was actually in the range of 4,700 deaths and 2,100 missing according to Miftah Duwadi, in charge of the Ministry of Martyrs and Missing Persons. Once the regime had been toppled, there remained the task of reorganizing daily routines, in other words of going forward from the revolutionary moment.

⁵² S. Ben Nefissa, "Révolution arabes: les angles morts de l'analyse politique des sociétés de la région," *Confluences Méditerranée*, no. 77, 2011, p. 83.

GANGSTERS AND PURITANS: GUARDIANS OF THE REVOLUTION

At nightfall, groups of children set off fireworks seized after the regime fell. The countless crates of firecrackers have been a thrill for some, but they have aroused fear in many more, as the bangs of the fireworks blend with the bursts of fire from automatic weapons, echoing the violence simmering in the capital. Gunfire can last for a few minutes or a few hours depending on the nature of the problem. The streets of Tripoli are deserted at night. Only a few cars are out, often with drivers who are drunk or high on marijuana behind the wheel. Nightlife in Libya has never been festive: under the embargo, Libyans went to Malta and Djerba for a good time. After the embargo was lifted, they spent their evenings in hotels and certain bars getting drunk, finishing the night with one of the many prostitutes imported after Libya's "liberalization." Although the revolution overthrew Qadhafi's regime, it also spread throughout the country a sense of fear that induces people to fall back on their territory or their neighborhood in the company of family and friends, counting on their solidarity to defend their property and their life if need be. In a country where state authority is lacking, nighttime has become a mirror to a certain lifestyle. And, as often happens, the situation of migrants reflects the conditions some people must live by. Ouannes, a waiter in a restaurant, arrived in Libya not long ago in the hopes of finding work, as he was unable to do so in Tunisia, his home country. He was in for a terrible shock. Not only is he less well paid than in Tunisia, but he lives in a constant state of fear:

"During the day, it's okay, I go to work and everyone is outdoors. But in the evening when I finish and I have to go home, then I'm very afraid. In my neighborhood, Ain Zara, everyone carries a gun, they drink and fire in the air. They scare me. Every night I have to give them a little money so that they let me by. It's disastrous for us Tunisians and Arabs (non-Libyans), because no one can protect us. You have to carry a gun, it's the only protection you have" (November 2012).

Nighttime crystallizes the worries and expectations of the Libyan people. The sense of fear, at home or in the street, illustrates the widespread distrust that has accompanied the success of the insurgency. People were astonished by the unexpected collapse of Qadhafi's regime. The dismantling of his security apparatus gave cause for immense joy; people were thrilled to be able to express themselves and behave freely with nothing to fear. Many an eccentric behavior can be explained by the desire to show, often in a very irresponsible manner, that no authority will now be tolerated. Freed from their fear of the revolutionary committees—which acted as the former regime's watchdogs—, Libyans are indulging in behavior that was unimaginable not long ago, such as walking down the street drunk or otherwise intoxicated. For some, those are the achievements of the revolution: to be able to drink, smoke, fire guns in the air, racketeer Tunisians, rob a house, steal a car, threaten one's landlord, etc., without being afraid that the police or the security forces will intervene. The revolution has provided many idle young Libyans with "occupations" that under the Jamahiriyya were reserved for members of the revolutionary committees: thief, gangster, criminal. The lucrative criminal economy, which under Qadhafi's regime was structured and organized around the custodians of the Jamahiriyya, is now coveted in the new Libya. Drugs, alcohol and weapons are the currency around which networks and

organizations are rebuilt, fostering the integration of thousands of young people in activities heretofore reserved for a privileged class. In their most consummate form, these organizations are set up as “criminal militias,” in other words as social organizations that use violence to secure and guarantee transactions. The Ain Zara neighborhood in Tripoli by day projects an image of a peaceful neighborhood, but at night turns into an area run by militias jealously protecting their territories, where the drug economy generates income that constantly boosts their power and influence. Its residents have looted the arsenals of the abandoned military compound. For some, the neighborhood has become synonymous with a sanctuary for dealers. It allegedly harbors dozens of former common law prisoners and is a hub of the drug and arms trade. Kalashnikovs were selling for 500 dollars, attracting buyers from the entire Mediterranean area. For while the arsenals of the Saharan towns have profited AQIM (Al Qaeda in the Islamic Maghreb) and Tuareg movements in the Sahel, those along the coast supply criminal outfits around the Mediterranean.

The takeover of various criminal channels, previously under the control of the revolutionary committees, is one explanation for the violence that pervades in post-Qadhafi Libya, where no “criminal militia” has yet managed to impose its rule over a single given channel.⁵³ However, many know that once state authority has been restored, these fast tracks to wealth are bound to lead nowhere, because they will shift into the hands of those with the means to retaliate. For the time being, Libya seems like the Wild West which is regulated, beneath the appearance of wholesale chaos, by non-institutionalized actors that nevertheless have definite authority. No amount of exasperation on behalf of the population can change this: demonstration after demonstration is staged to denounce their excesses, and the public authorities are incapable of satisfying the citizens’ demands. For the majority of Libyans, the revolution was not fought for “drunks” and “dopeheads”! And although for some it means total liberation from the control of any authority whatsoever, for many it conveyed true revolutionary values.

On top of the criminal economy is a more general debate about the values of the “New Libya.” If the old regime’s practices are perpetuated for the benefit of new parvenus, the revolution will have changed nothing other than to bring in new faces. Many Libyans were exasperated by the former regime, accusing it of allowing a lucrative criminal economy to thrive under the flamboyant disguise of the Jamahiriyya, controlled by its clans. The fear that “criminal militias”—in other words, those that were formed after the fall of the regime not to defend democracy but to capture markets in the criminal economy—will triumph over the “good militias” reflects the difficulty of changing the way things are done in Libya.

Hakim, a veterinarian residing in the Suq al-Jum’a neighborhood of Tripoli, joined the revolutionaries like many others with the deep conviction that Libyans did not deserve to continue living under Qadhafi’s regime. Once it was toppled, he returned to work and thanked the “good militias”—the Islamists—for protecting Libya and its revolution:

“There are bad militias, they are criminal. The good militias fight them, the good militias are the bearded men, he says jokingly: they’re the best. They protect people if they are attacked. But people don’t want violence or war, they want to live in peace. For instance, if a group of armed men

⁵³ Throughout 2013, attempts by various groups to control the drug trade in area of Mizdah is one of the factors explaining the so-called tribal clashes in Mizdah among Mashashia, Zintanis and Qantrar.

live in a neighborhood and in the evening they drink, smoke hashish and shoot off their guns, the army or the police aren't going to come, it's the good militia in the neighborhood that will come. In the evening, they'll surround the house and fire warning shots at it. But they'll come because the committee of wise men has asked them to intervene. The committee of wise men represents the neighborhood" (November 2012).

Not without humor, Hakim explains that the "bearded ones," are the good guys, the true revolutionaries, those who want Libya to become a stable and developed country and are against the "criminals," those who are taking advantage of the revolution and are only trying to take over for the "criminals of the former regime." The Islamist militias ensure security, which at present the state is unable to do:

"I'm sure that in a few years things will work out. The militias are a good thing; without them it would be chaos. They replace the police and the army until the army and the police are able to function. Today the militias are the ones capable of the job. But they are highly organized: each militia has a commander, they are gathered together in a camp and a militia is not allowed to leave its territory. The Nawasi militia covers Suq al-Jum'a, it's not going to go into another neighborhood. Each militiaman is registered with the Interior Ministry. They are paid by the Ministry of the Interior or Defense. They are well paid, and that's why they want to stay in the militia. They get paid between 1,000 and 1,500 dinars, the salary of a university professor" (November 2012).

The vocation to join a militia is extremely widespread in Libya: over 250,000 people claim to have taken part in the revolution and are demanding the attendant advantages, such as integration in the army or the police.⁵⁴ In truth, a number of them never took up arms against the former regime, but the material advantages associated with militiaman status are so great that they attract thousands of youths. These latecomers to the militias arouse mockery, sometimes anger, from those who define themselves as "true revolutionaries"—meaning those who took the risk of defying the old regime right from the start of the uprising. The new Libya is the result of their courage, and they are prepared to use their weapons to make the "criminal militias" and "last-minute militiamen" pay for their misdeeds. It just so happens that the Islamist militias are the ones to define themselves as the "true revolutionaries." In this transition period, the militias are seeking to form the backbone of post-Qadhafi Libya. Many of those who support them, either because they fought alongside them or because they recognize the merit of their having worked for the "good" of Libya, still hope that eventually the state's security forces will take over for them. The narrative of patriotic Islamic militiamen struggling to keep Libya going while waiting for the return of the state in fact nourishes the hopes of many Libyans. Yet, such a narrative does not reflect reality. For if Tripoli is hoping for the return of the state in order to impose its authority over the entire territory from Cyrenaica to Fezzan, this Tripolitan view is hardly shared by all. In Benghazi, in particular, the hope is for autonomy, not the return of the state. Its militias have no desire to be replaced by national security forces; they aspire to become regional security forces and insist on answering to regional authorities. According to Hakim, if life in Tripoli goes back to normal, the rest of Libya will follow suit. He believes the return of the

⁵⁴ F. Gaub, "Libye: le rêve de Kadhafi devient-il réalité?", *Politique étrangère*, no. 3, Fall 2012, p. 652.

state in Tripoli will convince the provinces tempted by autonomy that it is in their best interest to remain under the authority of the capital. Thus, surprisingly, he didn't hesitate to affirm,

"The state is functioning well, its administration is very efficient. Employees are paid every 20th of the month. Before, under Qadhafi, the state was two or three months behind on paying salaries, sometimes more. Qadhafi's regime collapsed, but not the state or the administration. Luckily for us, this isn't Iraq. That's why economic and social life has returned: schools, banks, etc. The only thing that isn't working yet is the police and the army. There's a problem: some people don't want those who worked in the police and the army under Qadhafi to hold state jobs now, others say they were forced but that they backed the revolution and they should be integrated. It's a thorny issue. Gradually an army and a police force will come together" (November 2012).

Reconstruction of a security apparatus is without a doubt the priority of post-Qadhafi Libya. Day after day, in fact, Ali Zeidan's government weighs up the extent to which discharging the responsibility for law and order on militias has reached its limits. In March 2013, the interior minister reminded the militias and armed groups that they must vacate the "villas, houses and buildings in Tripoli [they occupy] in the next few days—or we will take action. We will not allow our cities all over Libya to be hijacked. The state must impose its will and I call on the public for their support."⁵⁵ For many Libyans, the militias' excesses are intolerable; they are often considered sources of debauchery, lawlessness and terror encouraging attacks, robberies and kidnappings. While at first the NTC resigned itself to their presence, even encouraged them to hold on to their weapons out of fear of the return of Qadhafi supporters,⁵⁶ the government that emerged from the July 7, 2012 elections seems determined to redouble its efforts to disarm, demobilize and reintegrate their members.⁵⁷

Estimates vary, but approximately 1,700 groups, organized into 300 militias, are believed to have taken part in the uprising, and about 125,000 Libyans were considered to be armed in 2012. In the view of the authorities, although the militias made it possible to keep order to a certain extent after the regime collapsed, they should eventually either disarm or be absorbed by the new Libyan army or security forces under the Interior Ministry. But military officials believe that the Libyan army that paraded on February 9, 2013 in Tripoli in its new NIMR II and Mitsubishi L200 vehicles should comprise 70% of recruits outside the militias to ensure its independence. Its new format is estimated to be about 100,000 men, and its philosophy, according to Defense Ministry spokesman Adel Othman, should be one of an "intelligent army." In the meantime, the army is using auxiliary forces (Libyan Shield Forces) made up of militias acting under the command of the Supreme Security Committee and revolutionary coalitions. And some officers who served under the former regime but who resigned before it fell or refused to fight against the rebels are involved in training the new army.⁵⁸ Unlike Iraq, the Libyan authorities did not, even if they

⁵⁵ *Libya Herald*, March 3, 2013.

⁵⁶ On August 23, 2012, the Libyan authorities seized about one hundred tanks and missile-launchers from a barracks in Souk al-Ahad, east of Tripoli. The arsenal belonged to a pro-Qadhafi militia (Brigade of the Faithful or the Muammar Qadhafi Martyrs).

⁵⁷ In the east, the militias are grouped into the following brigades: the February 17 Martyrs Brigade, the Abu Salim Martyrs Brigade, the Rafallah Shahabi Martyrs Brigade; in the west, in the Zintan Military Council of Revolutionaries (23 militias), the Al-Suwayli Brigade, the Al-Sawaiq Brigade, the Al-Qaqa Brigade, the Tripoli Military Council, etc.

⁵⁸ *Libya Herald*, March 7, 2012.

were tempted to, disbar and exclude all those connected with the former regime. Quite on the contrary. Thus the interior minister, Ashur Shuwail, revealed that his ministry included 120,000 police officers and about 40,000 administrators (many of which have admittedly stayed home for the past four or five years although still collecting pay).⁵⁹ In fact, in 2012, law no. 47 had placed the assets and properties of only 234 people and six companies under public administration: those concerned by the law were Qadhafi, all the members of his family and regime dignitaries.⁶⁰ The task remains of analyzing the consequences of the May 5, 2013 law banning certain persons from politics or the functioning of state institutions.

Libyan civil servants continued to occupy their posts and do their jobs after the fall of the regime, thereby ensuring the transition. In fact, Libya had inherited a long-standing administrative system that was constantly reinforced with each successive political regime.⁶¹ From Italian colonization to the Libyan Jamahiriyya, government administrations took in the thousands of graduates that came out of the Libyan universities. For many of them, these jobs were the only ones available; civil servants were thus far from all being supporters of the regime. It was thus perfectly natural for them to pursue their activities after the regime was toppled. In truth, the workload under the Jamahiriyya was very light: civil service jobs offered basic pay in return for virtually no work, and most civil servants spent their time managing much more lucrative affairs, such as small businesses.

According to Ahmed, a retired civil servant and café owner in Tripoli, the problem is not the government workers but young people:

“Under Qadhafi, we worked, but today young people don't want to work. They want to drink, take drugs and fight with each other. We were clean, now they're all dirty!”

Although he was glad to see the end of Qadhafi's regime, he feels that the takeover by “young people” is dangerous if no one can manage to control them. And like many Tripolitans, he is anxious for the return of state authority so that Libya's appeal is restored.

“DEMOCRATIC” LIBYA LESS ATTRACTIVE THAN QADHAFI'S LIBYA

The February 17, 2011 revolution brought a sudden end to Libya's economic attractiveness. Throughout the 2000s, the country had been viewed as an oil Eldorado in the Mediterranean.⁶² In September 2006, the government of Baghdadi al-Mahmoudi, now incarcerated in Tripoli,⁶³

⁵⁹ *Ibid.*, March 3, 2013.

⁶⁰ See the list in *Libya Herald*, 6 December 2012.

⁶¹ M. Ouannes, *Militaires, élites et modernisation dans la Libye contemporaine*, Paris, L'Harmattan, 2009.

⁶² Only 25% of the natural gas and oil reserves were exploited. Interview with Tarek Hassan, chief of planning for the Libyan NOC, *New York Times*, July 23, 2004.

⁶³ Prime minister of Libya from 2006 to 2011, he left Tripoli in September 2011 for Tunisia. In June 2012, the Ennahda government in Tunis handed him over to the Libyan authorities. His attorney, Mabrouk Kourchid, believes he is in critical condition and was subjected to torture.

issued its third international invitation to tender: twelve offshore permits and twenty-nine onshore permits were put up for auction in the oil-rich Sirte and Ghadames basins as well as in the exploration basins of Murzuk, Kufra and Cyrenaica. Prior to that, in September 2004, the government of Ghanem Shukri, found drowned in the Danube in Vienna on January 5, 2012,⁶⁴ had put fifteen offshore and onshore areas up for auction, a procedure for choosing foreign partners that was deemed the most transparent. But although the oil sector was the government's priority, it also focused attention on civil infrastructure, which had fallen into disrepair during the embargo (1992-2003). A meeting of government officials and investors was held in late September 2007 in Geneva under the auspices of Phoenicia Group Libya Llc. At stake was an ambitious development plan to build airports, highways, housing units, schools, hospitals and a 4,800-kilometer regional (trans-Africa) railway network linking Tunisia and Egypt as well as the cities of Sebha and Sirte, and extending to Chad and Mali.

Revenue from the oil rent enabled Libya to pursue a sustained investment policy. The air transport industry took the opportunity to renew its fleet: it purchased twelve Airbus (eight with an option) for Afriqiyah Airways and two business jets sold by Bombardier Inc. More important still were the agreements signed between EADS and the Libya Africa Portfolio for Investment led by Beshir Saleh to build a training and maintenance center, an Air Academy and a meteorological station. The government wanted to make Libya a regional hub for Africa and the Middle East. Another of its ambitions was to create a trading area from Zuwarah to Bukamash. During a press conference, Qadhafi's third son, Saadi, claimed that such a project (called "The Road to the Future") would turn the Libyan coast into an area comparable to "New York, Monte Carlo and Hong Kong." Other projects were also lined up: the Socialist Port Authority, in charge of managing seven commercial ports, planned to enlarge the Port of Misrata to bring its capacity up to six million tons of merchandise per year. The Railway Executive Board planned a railway construction program for lines from Sirte to Benghazi (600 km), and Benghazi to Tobruk (470 km), as well as an underground railway system in Tripoli.

These projects were naturally entrusted to companies managed by the Qadhafi family or his close associates: economic liberalization made fortunes for the "Jamahiriyya revolutionaries," for whom, as mentioned above, the Chinese model of "communist capitalism" was the safest way to ensure the regime's survival. It was also the product of the "new economic strategy" promoted by Harvard professor Michael Porter. In the preface to a report for the Libyan Planning Council in 2006, which he helped to draft as consultant for the Monitor Group consulting firm he co-founded, he portrayed Libya as having such huge potential that it would be highly influential in the future.⁶⁵ But, in 2011, against all expectations, the "Libya of the future" collapsed and with it all her grandiose projects.

The February 17 revolution has badly tarnished the image of a Mediterranean Eldorado. The needs in post-Qadhafi Libya are enormous: the cost of reconstruction is estimated at 200 billion dollars. What is the economic vision for Libya in transition? In other words, what is the government's "new economic strategy"? Three areas have been declared priority:

⁶⁴ Ghanem Shoukri, former president of the NOC, prime minister from 2003 to 2006 and the Hydrocarbons minister, had left Libya a few months after the civil war broke out.

⁶⁵ General Planning Council of Libya, *Libya at the Dawn of a New Era: Improving Competitiveness in the Global Economy*, Tripoli, February 2006.

infrastructure, health care, and education. Investment for the 2013-2020 period is estimated at 150 billion dollars. Until the July 2012 elections, the Libyan authorities refused to discuss questions regarding property rights, business law, foreign investment, and so on. After the elections, on the strength of political legitimacy that the NTC had lacked, the government has had certain decrees passed (decree 103, decree 207) that define the new legal framework in which companies can invest. Decree 207 in particular conditions foreign investment on better technology transfer and the hiring of Libyan labor.

For foreign companies, “democratic” Libya is less attractive than the Jamahiriyya. Over ten thousand contracts will be examined with a fine-tooth comb by the new authorities to limit the risks of reproducing the corruption that characterized the old regime as well as to ensure that the projects indeed match the country’s needs. The security situation is a further deterrent. Libyans are disappointed. They believed that the countries that backed the rebellion would invest in Libya and make their country a strategic business partner. In fact, since the September 11, 2012 murder of the United States ambassador, Libya is once again perceived as a dangerous country by the American administration. Even France, although in the front lines of the fight against Qadhafi’s regime, does not seem to have reaped the benefits of its image, as illustrates the April 23, 2013 attack on its embassy. According to Shoukri, a self-taught Francophile in his forties:

“France helped to free us and then left. There’s a lot of disappointment about France here. Why aren’t the French more present? We don’t understand. We don’t know what they are afraid of here. Al Qaeda? The Libyans are against Al Qaeda, too. After the attack on the consulate in Benghazi, people were really angry with the terrorists; for forty years, Qadhafi humiliated us; he gave Libya a ridiculous image. All Arabs made fun of us. We’re not going to let Al Qaeda give us a terrible image. We’re against what they did in Benghazi, but you can’t flee Libya because there are terrorists. You should help us build up a police force and an army to fight them” (November 2012).

The security argument is all the more difficult to accept as Libya has huge economic needs. Despite the country’s oil wealth, living conditions are very tough for a number of Libyans who face unemployment and poverty.⁶⁶ Foreign investment is thus vital to reconfigure the Libyan economy, which structurally remains a rentier economy that creates few jobs. International companies see Libya as a country where they can make money, not a place to invest in, according to Alex Warren.⁶⁷ In post-Qadhafi Libya, only the oil companies have returned to the oil fields. After production plummeted to 160,000 barrels per day in 2011, oil production recovered its pre-revolution level of 1.6 million barrels per day. But for the oil companies, the February 17 revolution had a cost: ENI, the Italian giant and largest partner of the NOC, was producing 280,000 barrels per day in Libya; the civil war caused its profits to drop by 10% in 2011.⁶⁸ In 2012, however, with the swift comeback of oil production, the major groups operating

⁶⁶ Prior to the February 17 revolution, 2011, the unemployment rate was estimated at 20.7% of the population. See *Libya 2012*, www.africaeconomicoutlook.org

⁶⁷ *Middle East Economic Digest*, vol. 57, no. 5, February 1, 2013.

⁶⁸ In 2010, Italy was the largest importer of Libyan oil (27%), ahead of France (16%), China (11%), Germany (10%), Greece (5%), the United Kingdom (4%) and the United States (3%), the remaining 14% being shared among other countries. See *Libya. Country Analysis Briefs*, June 2012, www.eia.doe.gov

in Libya (ENI, Total, Repsol, BASF-Wintershall, OMV, Oasis) partly met their profit forecasts. And in June 2012, Abdurahman Benyezza, oil and gas minister, announced that Libya was going to invest ten billion dollars in production and twenty billion in exploration over the next ten years, specifying that production-sharing agreements would take priority: "We are not in a process to change (existing) agreements at this time," he said. "But in the future existing terms will be evaluated, not to create inequality of contracts."⁶⁹

Somewhat anxious about the lack of attractiveness of its economy outside of hydrocarbons, the Libyan authorities have pursued the same relations with oil companies as under the former government. The oil companies accused of backing Qadhafi's regime will not be prosecuted, dashing the hopes of some rebels. Minister of International Cooperation Mohamed Abdel Aziz, eager to reassure business, stated that the Libyan authorities had decided to invite all the foreign companies present in Libya for many years to continue with the projects undertaken, while welcoming new companies arriving in Libya for the first time.⁷⁰ The oil companies are indeed more worried about the new organization of hydrocarbon exploitation in Libya than the legal framework in which they will be operating. In 2013, after much discussion, the NOC, despite demonstrations staged by its employees in Tripoli, took the initiative of starting a subsidiary in Benghazi, a gesture toward the advocates of the decentralization of hydrocarbon management and exploitation. Even if the NOC stays in Tripoli, the new company (National Co. for Oil Refining and Petrochemicals) has its own budget (30 million dollars) and enjoys relative autonomy in hiring practices and oil infrastructure in the east. This concession from Tripoli to the demands of the Benghazi elites reassures those who feared the oil infrastructure in Cyrenaica would be held hostage for lack of a compromise: Libya's largest oil refinery, Ras Lanuf (220,000 bpd), lies in the east of the country along with two oil terminals, Es-Sider and Marsa el-Brega. It also helps to ward off the specter of Gulf monarchy investment in Cyrenaica. Qatar and Doha alike have boasted of projects in the region, raising considerable concern among opponents to the "Qatari agenda" in Cyrenaica—in other words the funding of Islamist parties and organizations, as one University of Tripoli professor denounces:

"The Gulf countries have an agenda in Libya: they are financing those who do not want to see democracy in Libya but rather the institution of an Islamic state. Libya is not sovereign: certain militias in the east are paid directly by Qatar" (November 2012).

In fact, the Libyan authorities are operating in an economic environment that is very unfavorable to them. Far from working to their advantage, the transition to democracy is turning out to be a serious handicap for them. Under Qadhafi's regime, decisions were opaque and no administrative or political institution was authorized to partake in the transactions; under the new regime, not only do commissions evaluate the relevance and the conformity of contracts, but regional structures and organizations also demand a right of oversight when the contracts involved impact their territory. In addition to this new interference of political

⁶⁹ *The Tripoli Post*, June 19, 2012; see also "Libya. Oil and Gas Report, Q1 2013," available at www.businessmonitor.com

⁷⁰ See *Middle East Economic Digest*, vol. 57, no.1, January 4, 2013.

institutions in the country's economic activities is instability in the south of Libya, a problem since AQIM established its headquarters there and the war in Mali. For some companies, such as BP and Statoil, the attack on the In Amenas gas facility in Algeria on January 16, 2013 bodes ill for the future of hydrocarbon exploitation in Libya.⁷¹ Italian giant ENI seems to be the hardest hit by the political transition: on March 2, 2013, the natural gas production facility in Mellitah, near Tripoli, inaugurated in 2004 at a cost of 9 billion dollars was partly destroyed in the course of clashes between the Zintan and Zuwara militias which both claim a monopoly over its protection and payment for this service. These local clashes between militias made Italy tremble: 12% of the natural gas imported by Italy comes from this facility. On March 4, 2013, the Libyan army brokered a ceasefire between the two militias, and it is now the army that is in charge of security for the gas production facility.

This is a far cry from the enthusiastic words spoken at the inauguration of the Greenstream pipeline linking Libya to Italy on October 7, 2004, as part of the West Jamahiriyya Gas Project symbolizing Libya's new relationship with Europe:

"We declare before the world that Italy and Libya have decided to create in the Mediterranean a sea of peace. The Mediterranean will be a sea of trade and tourism, a sea under which oil and gas pipelines will pass through Libya and Italy to link Africa and Europe."⁷²

Built in the 1990s and 2000s, these oil and natural gas infrastructures strengthened Qadhafi's authoritarian regime at a time when it was waging a battle against the Libyan Islamic Fighting Group (LIFG-Al-Islamiyya al-Muqatila bi-Libya). Anywhere from 5,000 to 7,000 LIFG combatants are said to be represented within the Tripoli Military Council (TMC), in conflict with the Tripoli Revolutionary Coalition (TRC), made up of combatants from various regions (Misrata, Zintan) who fear that former LIFG members will take control of the revolution. For the latter, in fact, who failed to topple Qadhafi's regime in the 1990s, the February 17 revolution is a fabulous revenge.

THE REVENGE OF LIBYAN JIHADISTS

In March 2013, in a letter addressed to British Prime Minister David Cameron thanking him for his support to the rebels, Abdul Hakim Belhaj, former TMC leader, demanded apologies from the United Kingdom as well as six dinars for damages: in 2004, the co-founder of the LIFG was kidnapped by Her Majesty's services in Bangkok and handed over to the CIA in conjunction with the global war on terror waged by the Bush administration. The LIFG leader was extradited to Libya, where he remained incarcerated for four years in Abu Salim prison. In 2009, he forswore violence and in a document entitled "Corrective Studies," declared that

⁷¹ "BP Reviews Plans to Drill for Oil in Libya," *The Wall Street Journal*, January 28, 2013.

⁷² Jamahiriyya News Agency, October 7, 2004.

the jihad against M. Qadhafi was illegitimate, which got him released on March 23, 2010. One year later, he led the protest against the regime and with a group of rebels from the east he had trained along with former LIFG combatants—including Abdel Hakim al-Hasidi, leader for the Darnah section—, reached Tripoli on August 22, 2011. In 1995, the year he founded the LIFG with Shaykh Abu Yahyia, Anas al-Libya (Nazih Abdul Hamid al-Raghie), Abu Bakr al-Sharif and Salah Fathi Bin Suleiman (Abu Abdul Rahman al-Hattab), Abdul Hakim Belhaj was far from imagining he would someday be the equivalent to governor of Tripoli in 2012. In March 2011, LIFG combatants announced that their organization would pledge allegiance to the National Transition Council under the name Libyan Islamic Movement for Change (LIMC).

In the 1990s, the strength of the LIFG lay especially in its connections. The ramifications of its network kept it in contact with other Islamist groups in North Africa and in Egypt. On May 31, 1998, Islamists based in the region of Benghazi staged an attempt to assassinate Colonel Qadhafi, whose convoy was ambushed in the vicinity of Sidi Khlifa; Qadhafi was wounded in the elbow, and three of his guards were killed. The LIFG called for a jihad against Qadhafi's regime to put an end to the plight of "Libyan Muslims," who could only be saved by the institution of an Islamic state.⁷³ Between 1995 and 1998, the LIFG carried out guerrilla operations against the security forces, prompting a strong reaction from the regime, in particular bombing raids in the mountainous regions of Jebel al-Akhdar where the militants had their hideouts. Qadhafi associated them with the imperialist threat, proclaiming in 1993:

"Our revolution is a fundamental revolution, a revolution of authenticity. We are the leaders of an authentic and fundamental revolution; only the revolution and pan-Arabism can combat imperialism and its local allies that are the Islamists."

Although taken by surprise by the Islamist insurgency, the regime reacted swiftly. To combat the Islamists, it mobilized the Revolutionary Guard, seconded by foreign mercenaries, rather than the army, which Qadhafi didn't trust. To their great astonishment, the insurgents discovered the reaction capacity of a regime it believed to be running out of steam:

"The regime is passing through a phase of unprecedented hysteria and is massing all its military and security might in attempt to annihilate the LIFG. The Libyans have not bombed their own country since the Italian occupation. But we are witnessing today the Libyan air force bombing the Mujahideen positions in the Jebel al-Akhdar, the heart of the anti-Italian resistance. This area is today one of the many strong points of the LIFG. Meanwhile, Qaddafi is attempting to conceal from public opinion the real nature of these clashes by disguising his military offensives as raids on drug traffickers and the like. At the present moment, he has 10,000 troops in the region, including Serbian forces brought in from the former Yugoslavia."⁷⁴

Between 1995 and 1998, the Jebel al-Akhdar region was placed under extensive security surveillance. Roadblocks were set up every 10 km for the security forces to check the identity

⁷³ *Nida'ul Islam*, October-November 1996, <http://www.islam.org>

⁷⁴ *Ibid.*

of all passengers coming through. The brutality of the crackdown was commensurate with the regime's determination to crush protest by all means possible. The declaration of jihad in 1995 did not bring about the anticipated insurgency. Convinced that the Islamist fighters were no longer a threat, Seif al-Islam offered them a general amnesty as a gesture of national reconciliation. Abu Salim prison, a symbol of regime repression against the Islamists—in 1996, over 1,200 Islamist prisoners perished in a mutiny there —was demolished; in October 2009 the members of the LIFG were released and later, in March 2011, would join the insurgency. Although some jihadists have been converted to democracy, such as Abdelhakim Belhaj, who founded his own party, Al-Watan, and now sits on the General National Congress, not all of them have renounced jihad. Some have preferred to join the Umma al-Wasat party led by Sami al-Saadi, the LIFG ideologue, hardly in favor of democracy. The conversion of LIFG veterans to the democratic transition seems scarcely credible, in particular in the east, where the Abu Salim Martyrs Brigade and the Ansar al-Sharia group are campaigning to set up the "Islamic Emirate of Barqa." Civil society resistance to the machinations of these brigades nevertheless remains strong, as illustrated by the reaction to the September 11, 2012 assassination of the United States ambassador in Benghazi and the tracts distributed throughout the city at the time proclaiming, "Libya is not Afghanistan."⁷⁵ Three days after the attack, tribal leaders in Cyrenaica met in Benghazi and after several hours of discussion issued a statement condemning violence, the attack on the United States ambassador and the destruction of Sufi shrines.⁷⁶

The jihadists took an active part in overthrowing Qadhafi's regime; it remains to be seen whether they will accept the political path Libya embarks on. If the northern cities in the country do not provide them the shelter they seek, will the Sahel become the land of Libyan jihadists?

FEZZAN: SANCTUARY FOR THE AQIM?

In December 2012, Libya closed its borders with Algeria, Chad, Sudan and Niger and declared the regions of Ghadames, Ghat, Obari, Al-Chat, Sebha, Mourzouk and Kufra, in southern Libya "military operation zones." Since Qadhafi was overthrown, Libya has increasingly been taken to task over the issue of controlling its borders. For the past two years during which its arsenals have been looted by AQIM with the support of the Islamist Brigades in Cyrenaica, the country has been considered the epicenter of problems affecting the Sahara and the countries of the Sahel. The communiqué of the ministerial conference held in Paris on February 12, 2013

⁷⁵ F. Wehrey, "The struggle for security in Eastern Libya," *The Carnegie Papers*, September 2012. Available at <http://carnegieendowment.org/2012/09/19/struggle-for-security-in-eastern-libya/dvct>

⁷⁶ See <http://www.jadaliyya.com/pages/index/7514/libyan-eastern>

highlighted “the urgent priority for Libya to effectively control its borders.”⁷⁷ Yet, even before the collapse of Qadhafi’s regime, southern Libya and the Sahel were already causing concern. As Modibo Goïta pointed out in February 2011:

“AQIM is increasingly well integrated into local Sahelian communities and many of its leaders are in collusion with public officials and security chiefs. If energetic measures are not taken to counteract AQIM’s new strategy in the Sahel, the situation could lead to the establishment of sanctuaries, amounting to Waziristans in the Sahel.”⁷⁸

Algeria’s southwest, the mountainous areas of Timetrin in Mali, the north of Niger and Mauritania are areas where AQIM katibas have been operating for several years.⁷⁹ In the 2000s, the Sahel offered them a secure and lucrative environment. Learning from the experience of the GSPC (Salafist Group for Preaching and Combat), the members of the LIFG took refuge in the area of Illizi, in Algeria, where several Sonatrach natural gas production facilities are located and where the local population is exasperated at the lack of economic benefits of the oil wealth: certain accounts report that after the attack on the In Amenas gas facility, young men in Tiguantourine said, “we don’t give a damn if the complex burns. Anyway, Sonatrach has never done a thing for us.”⁸⁰

Does that mean that the area is a breeding ground for jihadists? While such a claim would be excessive, it must be said that the local populations are not opposed to the deployment of jihadists groups operating in their country for a decade now. Over the past few years, Al Qaeda has broadened its influence among Islamist groups in the Maghreb. In 2006, the GSPC, an organization founded in 1998 by Hassan Hattab, announced its affiliation with the network. In November 2007 came the turn of the LIFG, whose allegiance to Al Qaeda had the effect of bolstering the presence of Libyan Islamists in Iraq, where they made up the second largest contingent of foreign fighters after the Saudis.⁸¹ These two organizations had tried in vain to mobilize the “Muslims” for their guerrilla actions in the 1990s to combat the incumbent powers. Defeated, they seemed to have been totally wiped out prior to the September 11, 2001 attacks. The United States invasion of Iraq in 2003 allowed them to rise from their ashes. Under the influence of Al Qaeda, these two organizations revised their strategy and decided to join forces for the purposes of a regional jihad.⁸² Their war economy is based on the “kidnapping industry”⁸³ and cross-border smuggling of products

⁷⁷ International Ministerial Conference on Support to Libya in the Areas of Security, Justice and the Rule of Law, Paris, February 12, 2013.

⁷⁸ M. Goïta, “Nouvelle menace terroriste en Afrique de l’Ouest: contrecarrer la stratégie de AQIM au Sahel,” Centre d’études stratégiques de l’Afrique (CESA), *Bulletin de la sécurité africaine*, no. 11, February 2011, p. 2.

⁷⁹ A. Bencherif, “Al-Qaïda au Maghreb islamique: une hiérarchie en redéfinition sous fond de crise,” *Chronique sur le Moyen-Orient et l’Afrique du Nord*, December 11, 2012.

⁸⁰ “Les notables et les élus d’Illizi remontés contre Sonatrach,” www.tsa-algerie.com/politique/les-notableset-les-elus-d'illizy-remontes-contre-sonatrach_23750.html. Between January 16 and 19, 2013 a commando made up of 32 people of seven different nationalities attacked the In Amenas natural gas facility, where 790 people of 27 different nationalities work.

⁸¹ “Foreign Fighters in Iraq Are Tied to Allies of US,” *The New York Times*, November 22, 2007.

⁸² J.-P. Filiu, “The Local and Global Jihad of al-Qa’ida in the Islamic Maghrib,” *Middle East Journal*, vol. 63, no. 2, Spring 2009, pp. 213-226.

⁸³ S. Daniel, *AQIM, l’industrie de l’enlèvement*, Paris, Fayard, 2012.

such as cigarettes, and especially, since the collapse of Qadhafi's regime, weapons. On the other hand, AQIM is not a "major actor" in the Sahel drug trade.⁸⁴

Have the jihadists who were run out of their sanctuary in the Ifoghas mountains in northern Mali by the French military intervention found refuge in southwest Libya? The Libyan authorities acknowledge that this area may well shelter jihadists, without for all that confirming the presence of terrorist training camps.⁸⁵ If such proved to be the case, the networking of Algeria and Libya in the system for supplying natural gas and oil to the European Union could be seriously disrupted. For although long-term contracts to some extent ensure security of trade no matter what political regime is in place, the pipelines must still be protected from sabotage. In July 2009, Algeria, Libya and Mali had pledged in vain to pool their military resources to combat insecurity in the Sahel-Sahara strip.⁸⁶ Already then, regional and international cooperation appeared as a fundamental weapon to effectively combat both the AQIM threat and that of the drug networks in the region. However, the Sahel remained the preserve of intelligence services for Algeria and Libya alike, which exploited the fight against Al Qaeda in the Islamic Maghreb to bring their countries back into favor with the international community and in particular the United States. Furthermore, eager to keep them at a distance from the capital, the Algerian security services strove to create conditions for the comfortable and lasting installation of the AQIM katibas in the Sahel. Fed by financial flows from trafficking and smuggling, often controlled by middlemen set up in Djanet, Tamanrasset and Ouargla, AQIM soon became an economic operator in the Sahel, offering sometimes vital resources to a destitute population. Colonel Qadhafi's regime used the cities of Sebha and Kufra to regulate transactions in the Sahel and establish a considerable clientele through business networks. The French military intervention in northern Mali upset the balances Algeria and Libya had carefully worked out during the 2000s: most of all, it got rid of an economic actor—Al Qaeda in the Islamic Maghreb—that played a central role in redistribution to populations abandoned by the governments of the two states. Last, it brought an end to the co-management of the Sahel by the Algerian and Libyan intelligence services whose goal was not to destroy AQIM but to relocate it as far as possible from urban centers in the north. Even if Qadhafi's Libya and Algeria had found a common strategic and diplomatic advantage in sustaining the fight against AQIM, on the other hand, they always differed regarding the Tuareg issue: for Algeria, the Tuareg question is viewed through the lens of threats to its territorial integrity, whereas the Tuareg were considered natural allies in Colonel Qadhafi's regional policy.

But in post-Qadhafi Libya, the Tuareg and the Africans are considered repugnant. Already apparent in the 1990s, racism against Africans was fully expressed during insurgency, when attacks on African migrants illustrated the determination to terrorize them and make them

⁸⁴ A. Antil, "Trafic de cocaine au Sahel," *Etudes*, vol. 417, October 2012, p. 312.

⁸⁵ Algeria's interior minister ascribed the attack on the In Amenas gas facility to a "group of some thirty highly armed men coming in from the Libyan border where it had formed and trained. Ali Zeidan, Libyan prime minister, denied this and emphasized that "information and rumors stating that the Al-Wigh air force base in southwest Libya is used for terrorist purposes are groundless."

⁸⁶ Algeria's interest in Mali is also oil-related: in 2007, SIPEX, a subsidiary of Sonatrach founded in 1995 and registered in the British Virgin Island was conducting explorations in the Malian massif of Taoudenni (bloc 20). See B. Augé, "Les nouveaux enjeux pétroliers de la zone saharienne," *Hérodote*, no. 142, 2011/3.

flee. African migrants embodied Libya's opening up to Africa under the former regime, and by the same token Colonel Qadhafi's Africa policy. The Tawergha were accused of massacres in Misrata, sparking a wind of hatred toward all Africans living in Libya. Ishak Ag Husseini, representative of the Tuareg Coordination of Libya, accuses the revolutionaries of "collective liquidations" during the civil war:

"The situation is dire: Libya's Tuareg are suffering horribly due to the manhunt against them by the revolutionaries, who consider them to be Qadhafi supporters."⁸⁷

In the 1970s and 1980s, thousands of young Tuareg had left Mali and Niger for Algeria and Libya, where some joined the Islamic Legion, a war instrument in the service of Qadhafi, thereby learning soldiering. In the 1990s, the Libyan regime backed Tuareg demands for autonomy, which again descended into armed uprisings in Mali and in Niger.⁸⁸ In 2005, an unlimited residence permit was offered to all the Malian and Nigerian Tuareg. Since the Tuareg had been integrated into Qadhafi's security apparatus, they were all lumped together when the February 17 revolution broke out; considered as supporters of the regime, they were driven out of Libya.

While the toppling of Qadhafi's regime is one of the factors contributing to the destabilization of Mali, in Libya the February 17 revolution is considered to have enabled the population to chase the "Africans" out of the country,⁸⁹ and most of all, to put a stop to the plundering of the country's resources for the benefit of Africa. For in Libya in transition, criticism of Qadhafi's Africa policy is rife. Following the collapse of the regime, the NTC quickly seized control of Libya's state assets held by a subsidiary of the Libyan Investment Authority (LIA), the Libyan African Investment Portfolio, run by Bashir Saleh Bashir (Qadhafi's Niger-born right-hand man and considered to be the middleman between "the Libyan regime, Africa and France"),⁹⁰ is estimated at 5 billion dollars. But others believed non-LIA "African assets" to amount to as much as 35 billion dollars.⁹¹ In Libyan public opinion, the Africa policy brought about Libya's ruin. Many share Shoukri's view:

"Qadhafi was thrown out because he took care of others and not enough of Libyans. He preferred the Africans to the Libyans. He handed out money to them, African ministers went away with suitcases full of dollars and we had nothing. Now the Africans aren't happy because the new government looks after us Libyans and not the Africans. They preferred Qadhafi; that's understandable. Besides, now they say it's our fault if there is trouble in Mali. But we have nothing to do with that. We weren't going to keep Qadhafi because it was better for them! We matter, too, we want to live as well."

⁸⁷ *Al Khabar*, September 3, 2011.

⁸⁸ P. Boilley, "Géopolitique africaine et rébellions touarègues. Approches locales, approches globales (1960-2011)," *Année du Maghreb*, CNRS, 2011.

⁸⁹ On January 18, 2013, during a demonstration against drug trafficking in Tripoli organized by the Suq al-Jum'a council, the following remark was heard: "Qaddafi gave thousands of these people nationality and they are bringing this evil to our country. It should be stopped." *Libya Herald*, January 18, 2013.

⁹⁰ *Financial Times*, April 8, 2012.

⁹¹ *Jeune Afrique*, November 23, 2011.

CONCLUSION

What will be the Africa policy of Libya in transition? Even if Libyan public opinion rejects the legacy of the Jamahiriyya's African policy, Ali Zeidan's government cannot afford to do likewise. To recover Libyan assets and investments held in Africa, the new authorities are obliged to rebuild an Africa policy. Over the decade of the 2000s, the country made considerable investments on the continent, in the tertiary sector, the hotel business and agriculture. For instance, in Mali alone, over 100,000 hectares of land are farmed by Libya via the company Malibya, and the country owns Hôtel Amitié and the Kempinsky Farouk Hotel. Since the fall of the regime, many of these properties have undergone a change of ownership. In Africa like elsewhere, the Qadhafi legacy is not through haunting the political leaders in Libya today. Its northern cities threatened by the militias, the south worried about the installation of AQIM jihadists, the government is counting more than ever on Libyan public opinion rather than on the international community to oust the militias from the legacy of the revolution and make a successful transition to a constitutional state.

Translated from the French by Cynthia Schoch

