POPULAR PROTEST IN NORTH AFRICA AND THE MIDDLE EAST (V): MAKING SENSE OF LIBYA

Middle East/North Africa Report N°107 – 6 June 2011

International **Crisis Group**

WORKING TO PREVENT
CONFLICT WORLDWIDE

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EXECUTIVE SUMMARY

The character of the Libyan crisis today arises from the complex but so far evidently indecisive impact of the UN-authorised military intervention, now formally led by NATO, in what had already become a civil war. NATO's intervention saved the anti-Qaddafi side from immediate defeat but has not yet resolved the conflict in its favour. Although the declared rationale of this intervention was to protect civilians, civilians are figuring in large numbers as victims of the war, both as casualties and refugees, while the leading Western governments supporting NATO's campaign make no secret of the fact that their goal is regime change. The country is de facto being partitioned, as divisions between the predominantly opposition-held east and the predominantly regime-controlled west harden into distinct political, social and economic spheres. As a result, it is virtually impossible for the pro-democracy current of urban public opinion in most of western Libya (and Tripoli in particular) to express itself and weigh in the political balance.

At the same time, the prolonged military campaign and attendant instability present strategic threats to Libya's neighbours. Besides fuelling a large-scale refugee crisis, they are raising the risk of infiltration by al-Qaeda in the Islamic Maghreb, whose networks of activists are present in Algeria, Mali and Niger. All this, together with mounting bitterness on both sides, will constitute a heavy legacy for any post-Qaddafi government.

Thus the longer Libya's military conflict persists, the more it risks undermining the anti-Qaddafi camp's avowed objectives. Yet, to date, the latter's leadership and their NATO supporters appear to be uninterested in resolving the conflict through negotiation. To insist, as they have done, on Qaddafi's departure as a precondition for any political initiative is to prolong the military conflict and deepen the crisis. Instead, the priority should be to secure an immediate ceasefire and negotiations on a transition to a post-Qaddafi political order.

Unlike events in neighbouring Tunisia and Egypt, the confrontation that began in mid-February between the popular protest movement and Qaddafi's regime followed the logic of civil war from a very early stage. This owes a great deal to the country's history and chiefly to the peculiar character of the political order Colonel Qaddafi and his associates set up in the 1970s. Whereas Egypt and Tunisia had been well-established states before Presidents Mubarak and Ben Ali came to power in 1981 and 1987 respectively, such that in both cases the state had an existence independent of their personal rule and could survive their departure, the opposite has been true of Libya. As a result, the conflict has taken on the character of a violent life-or-death struggle.

Eight years after overthrowing the monarchy in 1969, Qaddafi instituted the Jamahiriya ("state of the masses") that is very much a personal creation largely dependent on his role. A constitutive principle of the Jamahiriya is the axiom, proclaimed in Qaddafi's *Green Book*, that "representation is fraud" and that no formal political representation is to be allowed. Whereas all other North African states have at least paid lip-service to the right to political representation and have permitted political parties of a kind, however unsatisfactory, in the Jamahiriya there has been none at all, and attempts to create parties have been considered treason. The consequence of this radical refusal of the principle of representation has been to stunt the development of anything approaching effective, formal institutions or civil society. Notably, the articulation of diverse ideological outlooks and currents of political opinion, which other North African states have allowed to at least some degree, has been outlawed.

A corollary of this low level of institutionalisation has been the regime's reliance on tribal solidarities to secure its power base. Strategic positions within the power structure – notably command of the security forces' most trusted units – have been held by members of Qaddafi's own family, clan and tribe and of other closely allied tribes. At the same time, and especially since the late 1980s, the regular armed forces have been kept weak, undermanned and under-equipped, the object of mistrust.

These various features of the political order help explain why the logic of civil war set in so quickly after the first

demonstrations. The protest movement's early demand that Qaddafi leave unavoidably implied not simply his departure and regime change, but rather the overthrow or collapse of the entire order that he established. The distinction between the state on the one hand and the regime on the other, which was crucial to enabling the Tunisian and Egyptian armies to act as neutral buffers and mediators in the conflict between people and presidency, was impossible to make.

There can be no doubt that the Jamahiriya is moribund and that only a very different form of state – one that allows political and civic freedoms – will begin to satisfy the widespread desire of Libyans for representative and law-bound government. Yet, it was never going to be an easy matter to find a way out of the historic cul-de-sac of Qaddafi's creation.

The revolt and its subsequent military efforts have been comparatively unorganised affairs. While the Interim Transitional National Council (TNC) – the institution designed to govern opposition-controlled territory – has been making some progress in developing political and military structures in the east, it is most improbable that it has or can soon acquire the capacity to take on the business of governing the country as a whole. The assumption that time is on the opposition's side and that the regime will soon run out of ammunition or fuel or money (or will be decapitated by a lucky bomb or overthrown by a palace coup) similarly substitutes wishful thinking for serious policymaking. Although such predictions might turn out to be true – and it is difficult to assess in the absence of reliable estimates of Qaddafi's resources – time almost certainly is not on the Libyan people's side.

Given its mounting political and human costs, assessments that simply sustaining the present military campaign or increasing pressure will force Qaddafi out soon enough reflect a refusal to reconsider current strategy and envisage alternatives other than a major military escalation. But even if, in the event of such an escalation, the regime should soon suffer total military defeat, it would be reckless to ignore the possibility that the outcome may be not a transition to democracy but rather a potentially prolonged vacuum that could have grave political and security implications for Libya's neighbours as well as aggravate an already serious humanitarian crisis.

Casualties and destruction mount, the country's division deepens, and the risk of infiltration by jihadi militants increases as the military confrontation draws out. Economic and humanitarian conditions in those parts of Libya still under regime control will worsen, and the part of the unwelcome and undeserved economic as well as political and security burden borne by Libya's neighbours will grow. The prospect for Libya, but also North Africa as a whole, is increasingly ominous, unless some way can be found to induce the two sides in the armed conflict to negotiate a compromise allowing for an orderly transition to a post-Qaddafi, post-Jamahiriya state that has legitimacy in the eyes of the Libyan people.

A political breakthrough is by far the best way out of the costly situation created by the military impasse. This will require a ceasefire, the deployment of a peacekeeping force to monitor and guarantee this under a UN mandate and the immediate opening of serious negotiations between regime and opposition representatives to secure agreement on a peaceful transition to a new, more legitimate political order. Such a breakthrough almost certainly necessitates involvement by a third party or third parties accepted by both sides. A joint political initiative by the Arab League and the African Union – the former viewed more favourably by the opposition, the latter preferred by the regime – is one possibility to lead to such an agreement. They could build on ongoing efforts by the African Union and the UN Special Envoy, Abdul Ilah Khatib. But no breakthrough can happen without the leadership of the revolt and NATO rethinking their current stance.

Their repeatedly proclaimed demand that "Qaddafi must go" systematically confuses two quite different objectives. To insist that, ultimately, he can have no role in the post-Jamahiriya political order is one thing, and almost certainly reflects the opinion of a majority of Libyans as well as of the outside world. But to insist that he must go now, as the *precondition* for any negotiation, including that of a ceasefire, is to render a ceasefire all but impossible and so to maximise the prospect of continued armed conflict. To insist that he both leave the country *and* face trial in the International Criminal Court is virtually to ensure that he will stay in Libya to the bitter end and go down fighting.

Only an immediate ceasefire is consistent with the purpose originally claimed for NATO's intervention, that of protecting civilians. The argument that Qaddafi has failed to deliver a ceasefire ignores the fact that Security Council Resolution 1973 did not place responsibility for achieving a ceasefire exclusively on one side and that no ceasefire can be sustained unless it is observed by both sides. The complaint that Qaddafi cannot be trusted is one that can be levelled at any number of leaders on one side or another of a civil war. The way to deal with the issue is to establish the political conditions – by mobilising through concerted diplomacy a strong international consensus in favour of an immediate, unconditional ceasefire and serious negotiations – that will increase the likelihood that he keeps to his undertakings.

Several principles therefore should guide the immediate search for a negotiated settlement:

❑ Mediation by third parties trusted by both sides, perhaps a joint African Union/Arab League proposal;

❑ A two-phase ceasefire – first, a mutual truce declaration between the regime and the Interim Transitional National Council (TNC) to agree on issues such as the location of peace lines, deployment of peacekeeping forces and delivery of humanitarian assistance; second, a mutual declaration of a cessation of fighting and announcement of talks on the shape and modalities of the transition to a new Libyan state;

❑ Ensuring that the ceasefire not only stops the fighting but also leads directly to political negotiations between the TNC and the Qaddafi regime;

❑ Making a clear distinction between Qaddafi "going" – ceasing to have any political role or power – as a key element of the desired political end result and his "going" immediately, as the precondition of everything else;

❑ Making clear from the outset that neither Qaddafi nor any of his sons will hold any positions in either the government of the post-Jamahiriya state or the interim administration put in place for the duration of the transition period;

❑ Making clear that all Libyans, including those who have up to now served the Qaddafi regime, will enjoy equal civil rights, including the right to political representation, in the post-Jamahiriya state;

❑ Providing Qaddafi with an alternative to a trial before the ICC; and

❑ Making clear that any post-Jamahiriya state must have real and properly functioning institutions; be governed by the rule of law; and explicitly guarantee the principle of political representation, which implies genuine political pluralism.

The present conflict clearly represents the death agony of the Jamahiriya. Whether what comes after it fulfils Libyans' hopes for freedom and legitimate government very much depends on how and when Qaddafi goes. This in turn depends on how – and how soon – the armed conflict gives way to political negotiation allowing Libya's political actors, including Libyan public opinion as a whole, to address the crucial questions involved in defining the constitutive principles of a post-Jamahiriya state and agreeing on the modalities and interim institutions of the transition phase. The international community's responsibility for the course events will take is very great. Instead of stubbornly maintaining the present policy and running the risk that its consequence will be dangerous chaos, it should act now to facilitate a negotiated end to the civil war and a new beginning for Libya's political life.

Cairo/Brussels, 6 June 2011

POPULAR PROTEST IN NORTH AFRICA AND THE
MIDDLE EAST (V): MAKING SENSE OF LIBYA

I.   INTRODUCTION: THE UPRISING

On 15 February 2011, Libyans in the country's second largest city, Benghazi, took to the streets to demand the end of Qaddafi's regime. Within days, the uprising had spread across the whole of the east and to some parts of the west. It looked as though Libya was about to be the next country after Tunisia and Egypt to join the so-called Arab Spring. But, unlike his Tunisian and Egyptian counterparts, Qaddafi made it clear he had absolutely no intention of standing down and declared that he would fight until the bitter end and by whatever means necessary to hold on to power. He focused his attentions on his main power base of Tripoli and, despite the UN-authorised military intervention, has been able to stand his ground. At this writing, the situation is virtually one of deadlock: with the eastern regions largely in the hands of the opposition and the west and the south still largely under the regime's control.

The grievances that fuelled the Libyan uprising have become a familiar story in the Middle East and North Africa. Decades of authoritarianism and political repression combined with corruption and mismanagement had so alienated large swathes of the population that, once the spark had been ignited and people had lost their fear, they took to the streets en masse, united in the goal of bringing the regime to its knees. Protesters chanted anti-Qaddafi slogans such as "No God but Allah, Muammar is the enemy of Allah" and "Down, down to corruption and to the corrupt"; they carried banners that read, "Go Away" and "Go to Hell Qaddafi".[1]

Popular anger also was driven by grievances that are unique to Libya. First, there has been widespread revulsion at the extent to which the cult of personality has dominated political, economic and social life, for Qaddafi's peculiar vision and idiosyncratic ideology has never sat comfortably with much of the country's conservative and traditional population. Moreover, the dysfunctional nature of the formal political and economic system (outside the en-

ergy sector) had left many Libyans feeling embarrassed and humiliated by the thought that Qaddafi had turned their country into a laughing-stock. A Libyan told Crisis Group: "Since the uprisings, this is the first time I can walk down the street without feeling ashamed of being Libyan. I can now hold my head high".[2]

Second, Libyans have been exasperated by what they perceive as the low level of development of their country, given that, unlike Egypt or Tunisia, the state is sitting on immense oil wealth. While the regime did indeed use steady oil revenues to build an impressive welfare system in the 1970s, providing homes, benefits and even cars, in recent decades this system has been eroded, and much of the population now struggles to make ends meet. Although economic conditions are certainly not as severe as in neighbouring countries, many Libyans have not felt the economic benefits that have accompanied the country's rehabilitation since the end of international sanctions in 2003-2004 and frequently complain that the gap between rich and poor has expanded considerably.[3]

These perceptions and sentiments stand in a rather striking contrast to outsiders' assessments in the period prior to the recent crisis. In a detailed recent report, UNICEF noted that Libya had important socio-economic achievements to its credit. In 2009 it enjoyed:

❑ a buoyant growth rate, with GDP having risen from $27.3 billion in 1998 to $93.2 billion by 2009 according to the World Bank;

❑ high per capita income (estimated by the World Bank at $16,430);

❑ high literacy rates (95 per cent for males and 78 per cent for females aged fifteen and above);

❑ high life expectancy at birth (74 years overall; 77 for females and 72 for males); and

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[1] "Hundreds of Libyans demand the government's ouster", *Los Angeles Times*, 16 February 2011.

[2] Crisis Group telephone interview, former Libyan diplomat, March 2011.
[3] Interviews conducted by Crisis Group analyst acting in a different capacity, Libyan residents of Tripoli, Benghazi and the UK, 2003-2011.

❑ a consequent ranking of 55 out of 182 countries in terms of overall "Human Development".[4]

It would appear that an important element of Libyan public opinion, at least, had come to see things differently and, instead of comparing present conditions to the past, compared them instead to the impressions they have of conditions in other oil-rich Arab countries. Given a population of a mere six million, many Libyans believe their country ought to resemble Dubai. Yet, years of poor planning, insufficient and piecemeal development and pervasive corruption (coming atop the crippling effects of prolonged international sanctions), have left parts of the country in a state of considerable neglect. Resentment at this is particularly strong among easterners, who rightly or wrongly believe the government has favoured other parts of the country and deliberately disadvantaged their region. Despite the country's economic wealth, many Libyans work at least two jobs in order to survive (of which one typically is in the state sector, where wages for the most part remain pitiful).[5] Housing shortages are acute, with an estimated 540,000 additional units needed.[6]

As public opinion generally has seen it, most of the economic opportunities that have opened up since Libya's international rehabilitation, following its settlement of the Lockerbie affair and its December 2003 decision to abandon its weapons of mass destruction (WMD) programs,[7]

have remained in the hands of a narrow elite. In particular, they have been seized by Qaddafi's own children and extended family, all of whom have accrued large fortunes across a range of businesses from the health, construction, hotel and energy sectors. These popular perceptions were recently reinforced by the disclosure of Western diplomatic assessments. According to U.S. diplomatic cables as released by WikiLeaks, Qaddafi's children routinely benefited from the country's wealth; one noted that it had "become common practice" for government funds to be used to promote companies controlled by his children and indicated that their companies had benefited from "considerable government financing and political backing".[8]

In this sense, Libya has been akin to a large pressure cooker waiting to explode. Recent years witnessed growing signs that popular disaffection was rising to the surface. As the regime began to allow some space for public criticism of state institutions, a growing number of ever bolder protests against the state took shape. With explicitly anti-Qaddafi and anti-regime demonstrations still off-limits, they largely remained focused on socio-economic issues and localised in nature.

This began to change in early 2011 and it is likely that the fall of Tunisia's President Ben Ali on 14 January was a factor in the regime's calculations. On 26 January, Qaddafi made an extraordinary speech in which, alluding to the problem of housing shortages, he invited Libyan youth to take what was rightfully theirs. In response, hundreds of Libyans promptly resorted to direct action on 27 and 28 January, occupying empty – often half-built – housing projects across the country.[9] While it is not clear that this was the reaction Qaddafi had intended, it would certainly seem that he had sought to surf on the groundswell of popular discontent over economic issues and housing in particular by placing himself at the head of the discontented. But the latter's resort to direct action was unprecedented and, while their actions – including strong-arm tactics and an element of vigilantism[10] – were not directed

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[4] "The Situation of Children and Women in Libya", UNICEF Middle East and North Africa Regional Office, November 2010.

[5] Public sector wages that were fixed under Law no. 15 of 1981 have mostly remained frozen at 1981 levels. See Waniss A. Otman and Erling Karlberg, *The Libyan Economy: Economic Diversification and International Repositioning* (New York, 2007), p. 132. Although the regime recently made some efforts to increase public sector pay in certain sectors, such as higher education, for the most part wages remained low. This compelled state employees to take on additional jobs, either in the small private sector or more usually in the informal sector. Most doctors, for example, work in the public sector during daytime and perform private surgeries in the evenings. Crisis Group met school inspectors who were forced to drive taxis in the afternoons and evenings in order to survive. Crisis Group observations, Tripoli, 2010.

[6] See the National Planning Council's National Housing Plan (2007); also "Libya's path from desert to modern country – complete with ice rink", *Christian Science Monitor*, 12 July 2010.

[7] Libya's rehabilitation may be said to have begun when its government surrendered Abdelbasset Ali al-Megrahi and Lamin Khalifa Fhimah to the Scottish police on 5 April 1999 to stand trial in the Netherlands but under Scottish law over the Lockerbie bombing. But most of the sanctions regime, especially the sanctions imposed by the U.S., remained in force for five more years. It was only after the Libyan government had met U.S. demands for massive financial compensation of the bereaved families of the Lockerbie victims (in May 2002) and had also publicly abandoned its fledgling WMD program (December

2003) that the U.S. government finally relented, removing Libya from its list of state sponsors of terrorism and lifting some of its sanctions in April 2004 and most of the remainder the following September. Meanwhile, the UN Security Council on 9 December 2003 adopted Resolution 1506 (thirteen members in favour, with France and the U.S. abstaining) which lifted UN sanctions imposed for the 1988 Pan Am Flight 103 (Lockerbie) affair and the 1989 UTA Flight 772 affair. See Yahia Zoubir, "The United States and Libya: From Confrontation to Normalization", *Middle East Policy*, XIII, 2 (Summer 2006), pp. 48-70.

[8] Quoted in "Dictators and their sons: Col Gaddafi's billionaire children", *The Telegraph*, 18 April 2011.

[9] Crisis Group email correspondence with two Libyan analysts, 15 May 2011.

[10] Ibid.

against the regime, they were nonetheless a harbinger of things to come.

In the short run, the regime acted shrewdly to tamp down the unrest, restraining the security services while encouraging people who had already bought flats in the occupied units to claim what was theirs and portraying those who had illegally occupied homes as little more than thieves trying to steal from fellow countrymen. By playing Libyans off against one another in this way, the regime ensured that the unrest did not escalate. But this manoeuvre merely bought time. A little over three weeks later, a nationwide popular uprising against the regime was under way. Again, there is reason to think that it was the second sensational development in the region, the fall of Egypt's President Mubarak on 11 February, that triggered events.

Much remains to come to light about the way in which the anti-Qaddafi rising began. It is widely supposed that the protests started on 15-16 February and that the initial locus of the revolt was Benghazi and certain other towns in the east of the country.[11] The first impetus came from a call broadly circulated on internet and social networking sites to demonstrate on a "Day of Rage", 17 February, the anniversary of the demonstrations against the Danish cartoons of the Prophet which took place in 2006 and degenerated into riots in which ten demonstrators were killed by security forces and scores were injured. It has been suggested that what triggered the demonstrations in 2011 was the regime's repressive attempts to pre-empt them, notably by arresting a well-known lawyer and human rights activist, Fathi Terbil, in Benghazi on 15 February.

That the regime sought to pre-empt the "Day of Rage" protests is clear. But this initially took the form of a political manoeuvre rather than repression, for Qaddafi himself called for a rally against the government on 17 February in what seems to have been, once again, an attempt to co-opt popular unrest by placing himself at its head and channelling it into demonstrations that targeted government officialdom rather than his own authority and the regime as a whole.[12] Terbil apparently was arrested on a quite separate matter, namely for confronting government officials over the issue of the compensation claimed by the families of the victims of the Abu Salim prison massacre.[13] News of his arrest triggered a small protest in

Benghazi on 16 February, and several protesters were arrested.

Subsequent Western media coverage has identified this incident with the explicitly anti-regime demonstrations that got under way in the days that followed and has encouraged the perception that the anti-Qaddafi movement originated in the east. But, as informed Libyan sources told Crisis Group, "a big misconception is that the Libyan uprising was organised in the east; in fact, the online protest calls originated from Libyans abroad, in Switzerland and the United Kingdom".[14] These calls were circulating as early as Monday 14 February,[15] and were inspired in part at least by the fall of Mubarak three days earlier. In principle they were aimed at Libyans all over the country. These same Libyan sources continued: "The regime did not predict what was going to happen in Benghazi. Instead, it took very strict security measures in the west, that is Tripoli, Bani Walid, etc".[16]

In addition to security measures, the regime deployed other means to pre-empt the protest movement, including mobilising supporters in pro-regime rallies. In addition, Qaddafi warned tribal leaders not to allow their youth to engage in protests and toured the country, seeking to show a more sympathetic face by listening to popular demands. Despite this, once demonstrations began in Benghazi, they quickly spread to other eastern towns, including Derna, Tobruk and Al-Baida, while security and military personnel in the region either fled or joined them. Following the first demonstrations in Tripoli, the regime on 22 February started to hint that political reforms were on their way and that salaries would be raised.

Like the regime itself, many observers expected Libyans in the west of the country to follow the example of the east. Indeed, although the west has fared better under Qaddafi, the grievances of easterners are not unique; to a large degree, they are shared in Tripoli and other western towns. Yet, although some of these did in fact rise up, the protests in the capital were on a relatively small scale. Tripoli always has constituted the heart of Qaddafi's regime as well as his main power base. Although Qaddafi hails from Sirte and tried on numerous occasions to make the town an administrative capital of sorts, Tripoli is where he consolidated his power, essentially turning it into a

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[11] See "Libya timeline: 3 months of conflict", BBC, at www.news24.com/Africa/News/Libya-timeline-3-months-of-conflict-20110514, which runs together the events of 15-19 February.
[12] Ibid. Qaddafi is reported to have declared that he himself would join the masses in seeking the overthrow of Prime Minister Baghdadi Al-Mahmoudi's government.
[13] This occurred in 1996; the victims were imprisoned activists of the Libyan Islamic Fighting Group. Following Terbil's arrest, the authorities did in fact release 110 Islamist prisoners.

[14] Crisis Group email correspondence with two Libyan analysts, 15 May 2011.
[15] See the timeline of Libya events on "History Guy" website, which records that on 14 February: "Three days after the fall of Egyptian President Hosni Mubarak, calls go out on Facebook for peaceful demonstrations in Libya against long-time dictator, Muammar Gadhafi", www.historyguy.com/libya_unrest_timeline_2011.htm.
[16] Crisis Group email correspondence with two Libyan analysts, 15 May 2011.

heavy security zone and ensuring he could contain any unrest that arose there. Tanks were placed on roads leading into the city and his security forces spread a climate of fear and intimidation. Accordingly, many Tripoli residents simply were too frightened to join the protests.

Qaddafi also exhibited a determination to hold on to power by all means. As the leader of the 1969 revolution, he invested considerable personal capital in the state he subsequently constructed, the Jamahiriya ("state of the masses"), which is very much a product of his own particular ideology and vision. His role in his country's history thus is of a different order from that played by Presidents Mubarak or Ben Ali. He also systematically has emphasised his Bedouin roots, prizing honour and steadfastness, qualities traditionally associated with Bedouin values that would make standing his ground imperative in his eyes.

Furthermore, Qaddafi often has displayed utter disregard for how his actions are perceived by the outside world. He long has had a problematic relationship with the West, partly because his ideology has always drawn heavily on anti-imperialism. To be sure, he has shown a more pragmatic side, in particular mending relations with Western powers, notably the U.S. – an objective that arguably became the regime's most important foreign policy goal in the late 1990s. However, once his personal survival and that of the state he constructed became the overriding issue, any concern about how the international community would react to regime tactics took a back seat, and he returned to the role he has always loved playing, that of defying "imperialist forces". Even his reformist-minded son, Saif Al-Islam, who had appeared as the regime's softer, more acceptable face, used hawkish tones and made clear he and his family would fight. In a 20 February televised speech, he said, "we will keep fighting until the last man or even the last woman standing …. If everybody is armed, it is civil war; we will kill each other".[17]

This determination to hold on at all cost was a reason why Qaddafi resorted to brutal violence against protesters, including firing at unarmed civilians during funerals for those killed by the regime.[18] There also have been largely uncorroborated reports, especially on Al Jazeera television, that the regime attacked hospitals, destroyed blood banks, raped women and executed the injured.[19] Qaddafi's re-

gime has long been cited by international human rights groups as employing brutal techniques against those who have dared to challenge it.[20]

At the same time, much Western media coverage has from the outset presented a very one-sided view of the logic of events, portraying the protest movement as entirely peaceful and repeatedly suggesting that the regime's security forces were unaccountably massacring unarmed demonstrators who presented no real security challenge.[21] This version would appear to ignore evidence that the protest movement exhibited a violent aspect from very early on. While there is no doubt that many and quite probably a large majority of the people mobilised in the early demonstrations were indeed intent on demonstrating peacefully, there is also evidence that, as the regime claimed, the demonstrations were infiltrated by violent elements.[22] Likewise, there are grounds for questioning the more sensational reports that the regime was using its air force to

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Service News Agency, 24 February 2011, available on www.misna.org/en/justice-and-human-rights/summary-executions-in-tripoli-hospitals-says-human-rights-league-to-misna/; and Crisis Group telephone interviews, members of the Libyan opposition in the UK, February-April 2011. Some corroboration of reports of women being raped by members of regime militias has now been provided; see Michelle Faul, "Hundreds of women raped by Gaddafi militia", *The Independent on Sunday*, 29 May 2011. The article reports the findings of a survey conducted in eastern Libya; in answers to a questionnaire, 259 women claimed to have been raped "by militiamen loyal to Muammar Gaddafi".
[20] See, eg, reports on the human rights situation in Libya, including "Truth and Justice Can't Wait", Human Rights Watch, 12 December 2009; "Libya: Words to Deeds", Human Rights Watch, 24 January 2006; and "Libya: 'Libya of Tomorrow': What Hope for Human Rights", Amnesty International, 23 June 2010.
[21] There have been some excesses committed by opposition forces as well. See Amnesty International's report, "Revenge killings and reckless firing in opposition-held eastern Libya", 13 May 2011 (http://livewire.amnesty.org/2011/05/13/revenge-killings-and-reckless-firing-in-opposition-held-eastern-libya/), which gives details of extrajudicial executions and public lynchings. On 1 June, UN investigators announced that both regime and opposition forces had committed war crimes, though it made clear that violations committed by regime forces (unlike those committed by the opposition) were severe enough to constitute crimes against humanity. See "UK welcomes extended Libya mission", Associated Press, 1 June 2011.
[22] According to a dispatch by Agence France-Presse, by 18 February television and public radio stations in Tripoli had been sacked, the offices of "revolutionary committees" set on fire; the "People's Hall" used for official meetings had also been set on fire, as had the interior ministry building. See "Libye: de nouveaux morts lors d'une opération des forces libyennes", *El Watan*, 19 February 2011.

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[17] "Libya: Gadaffi 'last man standing' vow as protests spread", Channel 4 News, 21 February 2011.
[18] "Libya: Colonel Al-Gaddafi must end spiralling killings", Amnesty International, 20 February 2011; see also "Libya: 200 dead as Gaddafi's forces fire on protest mourners", *The Telegraph*, 20 February 2011.
[19] "Rape Used as a Weapon of War", Al Jazeera.net, 27 March 2011; "Gadhafi troops attack Misrata hospital", CNN Libya Live Blog, 23 March 2011; "Summary executions in Tripoli hospitals says human rights league to MISNA", Missionary International

slaughter demonstrators, let alone engaging in anything remotely warranting use of the term "genocide".[23]

That said, the repression was real enough, and its brutality shocked even Libyans. It may also have backfired, prompting a growing number of people to take to the streets. As Ahmed Jibril, a Libyan diplomat who joined the protesters, explained:

> Qaddafi's guards started shooting people in the second day, and they shot two people only. We had on that day in Al-Baida city only 300 protesters. When they killed two people, we had more than 5,000 at their funeral, and when they killed fifteen people the next day, we had more than 50,000 the following day …. This means that the more Qaddafi kills people, the more people go into the streets.[24]

Qaddafi so far has been able to hold on for yet another reason, namely the nature of the state he created. Throughout his rule, he ensured that there was no institution strong enough to challenge him. This included the army, which he deliberately kept weak and divided[25] as well as bereft of a serious middle-ranking officer corps or well-trained rank and file troops. As a result, it sometimes is described more as "a military club" than a real fighting force.[26] The army also has a reputation for being corrupt. Unlike in Egypt or Tunisia, in other words, it has been in no position to act as a neutral buffer between the protesters and the regime, let alone play a decisive role in forcing Qaddafi to leave.

Qaddafi's special security forces, which have always been far stronger than the regular army, are dominated by the leader's family and tribe, plus those allied tribes (such as the Magarha)[27] that have remained loyal to the regime. As such, their fate is almost entirely enmeshed with that of Qaddafi and his regime, and they are likely to defend the regime to the last. Similarly, there is little reason to expect Qaddafi's inner circle to force him out; for the most part, they have known him since his schooldays, and their power is derived from their personal connection to him. Again in contrast to in Tunisia and Egypt, there does not appear to be an institution capable of forcing Qaddafi out and preserving the state while overseeing some kind of transition process.

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[23] The "genocide" claim was made by Ibrahim Dabbashi, formerly Libya's deputy ambassador at the UN in New York on 21 February; see Sarah El Deeb and Maggie Michael, "Gadhafi's regime may be on the brink in Libya", Associated Press, 21 February 2011. The Associated Press story, while reporting the shooting of protesters by security forces on the ground, reports only the intimidating effect of "helicopters hovering over the main seaside boulevard" and that "warplanes swooped low over Tripoli in the evening". Two senior Western journalists interviewed on their return from eastern Libya told Crisis Group that none of their Libyan interlocutors in Benghazi or other towns under the opposition's control had made any mention of the regime's supposed use of airpower against unarmed demonstrators in the first few days of the protests. Crisis Group interview, Cairo, 18 March 2011.
[24] "Libya Focus", Menas Associates, February 2011. Available by subscription on www.menas.co.uk.
[25] The army, much of whose power was routed during Libya's disastrous war with Chad in the 1980s, comprised an estimated 25,000 ground troops, with an additional, estimated, 25,000 reserves.
[26] "Itiham Nadr Li 'l-Jaish fi Libya" ["Unprecedented accusation against the army in Libya"], Libya Press, 19 January 2011. Article posted on Al Jazeera.net.

[27] In classical Arabic, this would be Maqarha; the letter "qaf" in Arabic (a guttural "q"), is pronounced as a hard "g" in Libya.

II. THE NATURE OF QADDAFI'S REGIME

A. THE EARLY YEARS

Colonel Muammar Qaddafi came to power in a military coup on 1 September 1969, toppling the weak and ineffectual King Idris, Libya's first and only monarch. Although the coup was carried out by a group of young army officers who called themselves the Free Officers and formed the Revolutionary Command Council, it was not long before Qaddafi, who had organised it, consolidated his position as leader of the new regime.

Qaddafi moved quickly to stamp his mark on the country, vigorously asserting Libyan sovereignty in relation to the West and consolidating state control. He put an end to the U.S. Air Force's use of Wheelus Field Air Base in 1970[28] and took steps to establish state control over the economy by nationalising foreign companies' holdings in the oil sector.[29] On the internal front, he stripped away the vestiges of what he considered the reactionary practices of the past, abolishing the national parliament as well as various institutions tied to the monarchy, while also nationalising the private banks in 1970 and, in general, taking power out of the hands of the country's small economic elite. These measures were not, of course, universally popular, and opposition currents developed at home as well as abroad, where an émigré opposition, composed of political exiles, many of them linked to the monarchy, took shape. Qaddafi accordingly took steps to eliminate all potential sources of resistance to his rule, dissolving opposition groups and currents and carrying out waves of arrests. An author wrote in the early 1970s:

> University lecturers, lawyers and writers, employees of government ministries including the attorney-general's office and the Tripoli Chamber of Commerce, young

members of prominent coastal families – most of them, seemingly, individuals identified in the past with Marxist, Baathist, Muslim Brotherhood or other such political circles – were seized …. The persecution was aimed at those who had not succeeded in identifying with the regime's system of state-run politics …. Unofficial circles calculated that there had been as many as a thousand persons arrested; this at the rate of one in prison for every 20,000 Libyans, made the country the most politically confined in the world.[30]

Qaddafi also stripped the traditional religious establishment of its power and centralised control over religious life. He downgraded the role of the *ulama* (religious scholars), making them consultants to the courts rather than allowing them to issue binding decisions on the application of Sharia (Islamic law).[31] He made particular efforts, too, to suppress remnants of the elites linked to the Sanussi Order, a reformist revivalist Sufi brotherhood that had been particularly strong in Cyrenaïca during the nineteenth and early twentieth centuries and formed the principal basis of the former monarchy, Idris having been the grandson of the order's founder.[32] At the same time, he sought to invest greater religious legitimacy in his regime, instituting reforms such as banning alcohol, prostitution and night clubs, as well as issuing a decree calling for all aspects of law to be brought in line with Sharia. The revolution was broadly based upon not only the principles of Arab nationalism and Third World Socialism but also Qaddafi's unique take on Islam in which he introduced doctrinal changes and innovations to suit his new state.[33]

Having dismantled most nascent political and economic institutions – which barely had had time to develop in any case insofar as Libya only became a united country in 1951, at the time of independence – Qaddafi built a new state. Based almost entirely on his own political vision, the system was highly centralised as well as personalised and allowed no space for dissent. Qaddafi and his ideas have dominated virtually all aspects of life.[34]

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[28] The U.S. had acquired use of this airfield, located just east of Tripoli and originally called Mellaha, in 1943 and renamed it after an American officer killed in action; it became a base of strategic importance in the Cold War. During the 1960s, however, the question of evacuating this and other bases in Libya was mooted, and in 1964 a joint Libyan-American commission began meeting to discuss this, without any immediate result; in the event, the Americans evacuated the base in June 1970, when their lease expired; it subsequently was renamed Oqba bin Nafi base. See John Wright, *Libya: A Modern History* (London and Canberra, 1981), pp. 49, 83-84, 99, 104, 142.
[29] The large number of such companies meant that this process took several years and was completed only in 1974. See Dirk Vandewalle, *Libya Since Independence: Oil and State-Building* (London, 1998), pp. xxiv-xxv and chapter 4; and Ruth First, *Libya: The Elusive Revolution* (London, 1974), Chapter 10: "The oil state beyond the state".

[30] First, op. cit., p. 138.
[31] George Joffe, "Qadhafi's Islam in Historical Perspective", in Dirk Vandewalle (ed.), *Qadhafi's Libya 1969-1994* (New York, 1995), p. 147.
[32] First, op. cit., p. 38.
[33] The main, very radical, innovation was his declaration in 1978 that the Quran was the sole scriptural authority for Sharia, delegitimising in one stroke the other sources, notably the Sunna and the hadith, and thus rendering irrelevant the erudition of the *ulama* (Islamic scholars) and the *fuqaha* (jurists), whom it was clearly his purpose to disarm and subordinate to the revolutionary regime. For further details, see Joffe, "Qadhafi's Islam", op. cit.
[34] As part of the effort to ensure that no other personality than Qaddafi's sons might emerge, officials were always referred to

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To ensure the continuation of this system and promote his dream of "everlasting revolution", Qaddafi relied on a series of props. These included promoting a unique and immovable ideology, establishing a set of informal power networks and consolidating the position of his family and tribe within the ruling elite. His shrewd management and manipulation of these elements enabled him to remain in power for four decades.

B. THE JAMAHIRIYA AND THE ROLE OF IDEOLOGY

From early on, Qaddafi took ideology seriously, viewing it as a source of legitimacy for himself and his revolution. Hailing from a relatively weak and marginalised tribe (the Qadadfa), enjoying no connections to the elite urban classes that dominated public life under the monarchy and having come to power more due to the monarchy's weakness than as a result of popular support, he set about buttressing the revolution with an ideological discourse that would validate his regime and disarm its critics.[35]

For this reason, Qaddafi's discourse has always been imbued with heavy doses of fiery rhetoric that have played upon the themes of anti-imperialism and Arab nationalism. Likewise, he has always sought to portray himself as defender of the weak against the strong, thriving on the idea of standing up to the West – a notion that has manifested itself over the years through his foreign policy choices. Throughout, he has held to a strong belief in himself as a thinker and international statesman. This has led him repeatedly to declare that the rest of the world should follow Libya's political and economic system and accounts for his frustration at the refusal of fellow Arab states to pay sufficient attention to his proposed solutions for the region. Since Libya's international rehabilitation in 2003-2004, he also has been keen to invite international intellectuals to debate with him, either in Libya or through video conferencing to academic institutions in the West. Libyans often complain that Qaddafi thinks he is bigger than Libya and too important on the world stage to bother with the inconvenience of day-to-day rule.[36]

While ideology (tempered by doses of pragmatism) clearly has driven his foreign policy, Qaddafi's primary ideological arena has been the domestic one. In the 1970s, he set about establishing his own highly personalised political system, the Jamahiriya, that was supposed to herald a new era of revolutionary people's democracy. He was eager to portray what had taken place on 1 September 1969 "not simply as an *inqilab* (military coup) but a genuine *thawra* (revolution) within Libya".[37] To reflect this, he changed Libya's name in 1977 to the Socialist People's Libyan Arab Jamahiriya (SPLAJ).

The Jamahiriya is the expression of a unique political, economic and social vision based upon the principles set out in Qaddafi's *Green Book* that first appeared in August 1975. The *Green Book* outlines his alternative to capitalism and communism – the "Third Universal Theory" – under which the people are said to manage themselves and find solutions to their own economic and social problems.

This people's democracy is based upon the rejection of all forms of political representation. The *Green Book* explains:

> A parliament is a misrepresentation of the people and parliamentary governments are a misleading solution to the problem of democracy …. The members of the parliament represent their party and not the people …. Under such systems the people are victims, fooled and exploited by political bodies …. Representation is fraud.[38]

Instead, in the Jamahiriya, every citizen is part of the political process at the grassroots level through participation in local people's congresses, the decisions of which are then fed up through a hierarchy of congresses and committees until, in theory at least, the will of the masses is implemented. Hence the ubiquitous maxim that appears on banners across Libya: "No democracy without people's congresses".[39] As such, it is claimed, there is no requirement for political parties, given that people can represent themselves.

Since coming to power, Qaddafi has used this ideology to justify the banning of all political parties and opposition currents. The regime continues to uphold Law number 71 of 1972, which stipulates that anyone involved in any group activity based on any ideology opposed to the principles of the revolution is liable to execution for treason. In this sense, one of the main effects of the Jamahiriya has been to eliminate any organisation or institution that

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in the state media by their titles rather than their names. Even football players had to be identified by the number on their shirts.
[35] A Libya expert, argued: "From the opening speeches of the revolutionary regime in September 1969, it was clear that a strong ideological agenda, deeply infused with a number of traditional historical, cultural and symbolic references that resonated within Libya's history, would become part and parcel of the leader's quest for legitimacy". Dirk Vandewalle, *A History of Modern Libya* (Cambridge, 2006), p. 86.
[36] Interviews conducted by a Crisis Group analyst in a different capacity in Libya between 2000 and 2010.

[37] Vandewalle, 2006, op. cit., p. 86.
[38] Muammar Al-Qaddafi, *The Green Book*, (Tripoli, undated), pp. 7-8.
[39] Ibid, p. 24.

could challenge the regime. It has also been to create a highly complex formal ruling system containing a plethora of congresses and committees, often with overlapping powers, that have contributed to a sense of orchestrated and perpetual chaos. In turn, this has enabled Qaddafi to keep power in his own hands.

Qaddafi has no formal role within the Jamahiriya system. He is not the president or titular head of state. Instead, he has always gone by the title "Leader of the Revolution" or simply the "Leader" or "Brother Leader". This has allowed him to distance himself from official organs of state and made him unaccountable within the mechanisms of the system. Indeed, Qaddafi has always sought to portray himself on the one hand as a thinker who is somewhat removed from the routine business of governing and on the other as a simple Bedouin who embodies Bedouin traditions of honour and courage and devotes these to struggle on the side of the masses.

Qaddafi has used his lack of an official position repeatedly over the years, blaming the government or official institutions for the state's failings and condemning the Libyan population for failing to implement his ideas properly.[40] This ploy of shifting blame was not confined to the 1980s; indeed, once international sanctions no longer could be cited as the cause of the country's ills, he has repeatedly used it to hold the state or the masses responsible. In his September 2004 anniversary of the revolution speech, he went so far as to blame the Libyan people for the confrontations the country had had with the outside world because they had "failed to implement and exercise the people's authority properly".[41]

On the economic level, the *Green Book* espouses a kind of third world socialism, asserting that "wage-workers are a type of slave".[42] Citizens, it argues, should become partners in production, and workers should take direct control of economic enterprises. Wealth should be shared equally and no individual should possess economic assets that could be used to exploit others. Accordingly, the regime seized businesses, and large industries were placed in the hands of "Basic Production Committees" – selected groups of workers within each business or enterprise.[43] Only the already largely nationalised banking and oil sectors were immune from what amounted to popular takeovers directed by the regime. Private businesses, which Qaddafi

described as parasites, were abolished and the state took control of the distribution of basic goods, including food, by building state-run supermarkets and creating a system of subsidies.[44] As such, under the Jamahiriya system, the economy became as centralised as the political system.[45]

Although debates have emerged in recent years, mostly around the reformist current led by one of Qaddafi's sons, Saif Al-Islam, about whether Libya should transform itself into something more akin to a normal presidential republic, Qaddafi has continued to insist that his Jamahiriya is a permanent fixture. This is hardly surprising. Given that this ideology has helped sustain a system in which he has held all the reins of power, there has until recently been no reason to suppose that he would willingly relinquish it, however unworkable it may be.

C. THE FORMAL POLITICAL SYSTEM

The Jamahiriya system comprises a host of political institutions and monitoring bodies that make up the formal mechanisms of government. At the apex of this hierarchy is the General People's Committee (ie, the cabinet) that is led by the General People's Secretary (prime minister) and is responsible for executing decisions made by the General People's Congress (the parliament). It comprises a group of secretaries (ministers) whose number changes fairly frequently depending on the decisions of Qaddafi, who has created and abolished secretariats (ministries) at will.

Although appointments to the General People's Committee officially are made by the General People's Congress, in reality Qaddafi has always decided who should be in what position at any given time. In fact, the number of individuals appointed to this body has remained extremely limited; for the most part, Qaddafi has simply reshuffled the same few faces around different positions. Libyan academic Dr Mohamed Zahi Mogherbi has calculated that, from the revolution of 1969 until 1999, Libya had a relatively small total of 112 ministers in the General People's Committee, some of whom only held their posts for one or two years.[46] It is a regular complaint among Libyans, including from within the regime, that no new blood comes up through the political system.

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[40] "As repeatedly happened throughout the 1980s …. economic or political setbacks could now be blamed on the popular institutions in charge of the Jamahiriya – and not on Libya's ruler, who, in principle, was no longer a part of Libya's formal structures". Vandewalle, 1998, op. cit., p. 100.
[41] "Libyan Leader's Speech: 'Kidnappings, Cowardly Methods Must Stop'", BBC Monitoring Middle East, 2 September 2004.
[42] Muammar Al-Qaddafi, op. cit., p. 24.
[43] Vandewalle, 2006, op. cit., p. 107.

[44] Ibid.
[45] "Small factories, commercial firms, agricultural land, urban real estate, and private residencies had been confiscated and were either redistributed or simply kept by the state which, paradoxically, showed little inclination for active regulation beyond the oil sector". Ibid, p. 109.
[46] See M. Z. Mogherbi, "Itijihad wa tatourat turkeybat an noghra al-siyasiya fi Libya 1969-1999" ["The Orientation and Development of the Political Elite in Libya"], Gar Younis University, undated.

The equivalent of a parliament, the General People's Congress, is responsible for making policies in accordance with the wishes of the people, as expressed by the Basic People's Congresses (see below). The General People's Congress has tended to be the domain of the old guard, regime stalwarts who are loyal to Qaddafi and the Jamahiriya and resistant to change. There have been a number of key battles in recent years between the more reformist-minded ministers who have been parachuted into the General People's Committee and key figures within the Congress who have opposed all attempts to modernise the economy.[47]

Below the General People's Congress are the Basic People's Congresses that purportedly serve as forums for Libyans to debate and vote on policy issues. There are currently some 432 of these; they hold annual meetings, usually in January, which last between ten and fifteen days. Attendance at these annual meetings is in principle compulsory and encouraged by the fact that shops and public services are shut down for the duration. This is not enough to enforce actual attendance, however; in 2011, for example, only a couple of people attended the annual Gar Younis Basic People's Congress and only a handful was present at the annual Al-Qarawarsha Basic People's Congress.[48] Similar patterns were replicated across the country.

This apathy is hardly surprising given that, for most Libyans, these forums are largely irrelevant to daily life. As the deputy secretary of the Al-Qarawarsha Congress explained, people have no interest in attending the sessions because "their decisions are not implemented".[49] He described how, every year since the 1980s, the Al-Qarawarsha body has decided to make drinking water available to the public on account of the limited supplies in the area, yet nothing has ever been done to implement the proposal.

Each Basic People's Congress (including the General People's Congress) has a secretariat, to which people are elected through what is known as the *tasayid* ("lifting up") process – ie, on a show of hands. These secretariats are generally the domain of regime loyalists who are usually members of the Revolutionary Committees Movement, a paralegal force that infiltrates every part of Libyan life (see below).

Libya is divided into *Shabiat* (administrative areas), each with its own governing council responsible for local administration. These councils, too, have tended to remain the domain of regime loyalists. In addition, a monitoring body is attached to every institution, including at the highest level. These bodies typically are staffed by members of the Revolutionary Committees Movement; for the most part, they have only added to the layers of bureaucracy and inefficiency that have come to dominate the system.

For all its complexity, this official political hierarchy is of limited relevance to decision-making. The formal political system is largely a façade behind which Qaddafi and his closest associates have always held the keys to power. That is not to say that individuals within these institutions are irrelevant – key figures within Qaddafi's inner circle have been moved in and out of formal government positions over the years – but personality and links to the leader have always been more important than official position. Thus, despite constituting the highest post within the formal political structure, the office of General Secretary (prime minister) does not carry any great weight, to the frustration of some of its holders.[50] As far as many Libyans are concerned, the General People's Committee and other governmental bodies are little more than talking shops tasked with trying to implement seemingly arbitrary decisions made elsewhere, often on the Leader's personal whim. With little power or influence, official state bodies have become scarcely more than vehicles for corruption.[51]

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[47] For example, in January 2004 a conflict broke out during the Annual Meeting of the General People's Congress in which the then General Secretary of the General People's Committee, Shukri Ghanem, had a stand-up row with old guard figures in the General People's Congress, notably Ahmed Ibrahim, about his plans for economic reform, including the privatisation of a number of companies.

[48] "Benghazi During the Congress Sessions", *Libya Al-Youm*, 16 January 2010, in Arabic, www.libya-alyoum.com.

[49] Ibid.

[50] Former General Secretary Shukri Ghanem, who was known for advocating reform, once complained: "If you are the Secretary of the General People's Committee, whenever you want to appoint the head of a department or the head of an authority or a manager of an administrative department, you have to send that appointment to the Secretariat of the General People's Congress in order for consent to be given …. Sometimes we want to suspend a member of staff, but we can't. When you are unable to bring about the required changes in your workforce, these people feel that you are not their head, and they don't respect you, and they won't listen to you, and when you take a decision they try to manoeuvre around it by going to different authorities". *Shukri Ghanem fi Hiwar sariyah ala moqa al-Musasa alelma lili al-ham al-jamahiriyi al-electroni* [Shukri Ghanem in a frank dialogue on the website of the General Organisation for the electronic Jamahiriya Press], undated, at www.alelam.net/meeting/index/php?id=9.

[51] Qaddafi has often denounced the pervasiveness of corruption. In a March 2008 speech to the General People's Congress, he angrily declared: "It is the nature of the administrative organs to corrupt money and to steal the money, and they do anything in order to spend the money". "Libya Focus", Menas Associates, March 2008, op. cit.

D. INFORMAL POWER NETWORKS

Real power in Libya has been held by Qaddafi, his family and a network of informal power brokers. These circles consist of the following:

1. The Men of the Tent

Qaddafi's informal network of advisers and trusted confidants, sometimes referred to as *Rijal al-Khaimah* ("the Men of the Tent"), has been a key feature of the regime since the revolution. This inner circle comprises members of Qaddafi's own family and of his particular branch of the Qadadfa tribe. Important figures from the family in this circle include his cousins, Ahmed Qadhaf Al-Dam, who has long been responsible for relations with Egypt, and Ahmed Ibrahim, the former Deputy Secretary of the General People's Congress and current head of the World Centre for Research and Studies on the Green Book.

This network also comprises key individuals who carried out the revolution with Qaddafi and belonged to the original Revolutionary Command Council. They include General Khuwaildi al-Humaidi (whose daughter is married to Qaddafi's son, Saadi), the general inspector of the armed forces; Mustafa Kharroubi, former head of military intelligence and one time head of protocol; Khalifa Khanesh, who directs security at Qaddafi's residence; and Abu Bakr Yunis Jabr, commander in chief of the armed forces. Sometimes referred to as *Rifaq al-Qa'id* ("The Comrades of the Leader"), this group derives a certain degree of legitimacy from its participation in the revolution.

Others within this network consist of loyal individuals whose personal connections to Qaddafi often date back to before the revolution. They include the current secretary of the General People's Congress and former ambassador to the UK, Mohamed Belqassim Zwai, who was at secondary school with Qaddafi, and Abdullah Senussi, the intelligence chief, who is a member of the Magarha tribe but also married to the sister of Qaddafi's wife.

This group has seen relatively little new blood and thus operates rather like an old boys' club. The principal exceptions have been Qaddafi's sons, who have grown in importance as they have come of age. These figures, who function as a kind of informal advisory committee to Qaddafi, have served in various posts over the years, including in the state's s formal institutions, the diplomatic corps and Qaddafi's personal office (known as the Pen of the Leader). However, their personal connections to Qaddafi always have been more important than their specific position; likewise, their power and legitimacy entirely derive from their proximity to the Leader. As a result, they do not act as a cohesive group; in the current crisis, they are unlikely to try to force Qaddafi out and establish a new ruling body. Their fate is tied to his.

2. The Revolutionary Committees Movement

The Revolutionary Committees Movement was set up in the late 1970s to "safeguard the revolution". Its members were staunch regime loyalists and committed revolutionaries charged with mobilising the people and spreading the regime's ideology. In 1979, Qaddafi made it clear that they also would have a security dimension. In a speech that year to mark the anniversary of the revolution, he declared:

> The members of the popular committees … are not less patriotic or revolutionary than the revolutionary committees, but the latter have announced that they are, as of now, ready to die to defend and consolidate the revolution.[52]

The Revolutionary Committees came to act as a paralegal security force, answering directly to Qaddafi and thus bypassing official state institutions.

The Revolutionary Committees also played a role within official institutions. They were given the power to veto candidates for positions within the People's Congresses and to supervise these bodies. Over time, they would infiltrate every institution, serving as a monitoring body to root out those suspected of disloyalty. In 1980 they were formally assigned the right to create revolutionary courts staffed by their own members rather than official judges or lawyers; these courts primarily tried political cases. They established their own media, including the *Zahf Al-Akhdar* newspaper, and their *mathaba*s (headquarters) in every town or area.[53]

In the early post-revolutionary days, the movement was particularly strong on university campuses, where its members were responsible for suppressing student activists, arresting, torturing and in some cases executing those suspected of being regime opponents. Most memorably, on 7 April 1976, Revolutionary Committees students launched a violent attack on student demonstrators. One year later, several students were publicly hanged at Tripoli and Benghazi universities. Students were forced to attend these executions, which were also televised.[54]

The Revolutionary Committees continued to extend their influence into the 1980s. During this period, they became particularly powerful abroad through their domination of

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[52] Quoted in Vandewalle, 2006, op. cit., p. 120.
[53] These highly distinctive buildings were designed to resemble tents as a means of honouring Qaddafi's Bedouin roots.
[54] Until the late 1980s, 7 April was the date traditionally chosen by the regime to conduct executions of anti-regime activists.

Libya's People's Bureaus (embassies) in many countries. In this capacity, they launched attacks on exiled regime dissidents in what became known as the "Stray Dogs" campaign. Several dissidents were killed in Europe and the U.S. The Revolutionary Committees also were at the forefront of attempts to stamp out the Islamist opposition in the 1980s and again in the 1990s.

From the late 1990s onwards, the emergence of a reformist current within the regime altered their position. For ideological reasons but also to protect their material privileges,[55] many committee members rejected modernisation attempts by this new current. In particular, they resisted initiatives such as privatisation or the removal of state subsidies on basic foods.

In turn, reformists did their best to discredit the movement. They suggested that, although the Revolutionary Committees were a necessary tool during the early revolutionary years, they had gotten out of control. Saif Al-Islam in particular evoked the need to rein them in. In an interview with Al Jazeera, the Leader's son, stopping short of advocating their elimination, noted: "The Revolutionary Committees have to develop, to become part of civil society, to get rid of the negative elements in them, and to reconsider their policies".[56]

In recent years, Qaddafi has been content to play the Revolutionary Committees off against the reformists, allowing neither to dominate. As a result, they have remained a critical component of the regime and an essential pillar of Qaddafi's power base, providing both security and ideological support.

3. Tribes and "Social People's Leaderships"

Libya is estimated to have around 140 tribes and clans, some of them stretching into Egypt and Tunisia.[57] Approximately twenty to thirty of these tribes are considered to have real influence.[58] After coming to power, Qaddafi sought to downplay the tribal system, viewing it as both backward and associated with the monarchy's reactionary practices. It did not sit well either with his progressive pan-Arabist vision or with the fact that he originated from a small and relatively insignificant tribe. As a result, shortly after taking over, he initiated a series of steps to alter the

administrative boundaries that were based on tribal delineations and removed all officials who had been appointed by the king on a tribal basis.[59] With efforts toward modernisation and economic development in the 1970s and the resulting large-scale urban migration, the role of tribes became even less significant.

It was not long before Qaddafi decided he could not do away altogether with the tribal system, which remained a key social identifier, particularly in the eastern regions. Even in the early years of his rule, he took to visiting key tribal leaders in a bid to court them and bring them to his side. Tribal affiliation also seeped into the political process through the *tasayid* nomination system, which benefited individuals from tribes allied to the regime.[60] A similar practice occurred within the state-run trade unions and student unions; there, too, posts were allocated to those from certain dominant tribes.[61] These tribes came to an informal agreement regarding the distribution of positions.[62] Such habits have persisted to this day; a Libyan oil executive explained in 2010, he had no choice but to appoint people from certain tribes to certain posts.[63]

Qaddafi also would seek to play one tribe off against another and buy tribal loyalty. His own tribe, the Qadadfa, is relatively small by Libyan standards, numbering roughly 100,000. Based primarily in Sirte, it also has members in Sebha and Tripoli. Due to its weakness, Qaddafi allied his tribe with some of its most significant counterparts across the country, primarily the Magarha, who originate from Wadi Al-Shatt in mid-west Libya, and the Werfella, a million-strong tribe whose members are scattered across the country, although their main base is Bani Walid, 110 miles south east of Tripoli, about two fifths of the way between Tripoli and Sirte. Qaddafi traditionally has drawn his security personnel from these two large tribes whose support he deems essential and which, for the most part, have remained loyal to the regime. Partly for this reason, he was determined to secure the release and return in August 2009 of convicted Lockerbie bomber Abdelbasset Ali al-Megrahi, who is from the Magarha tribe.

At the same time, the regime has had problems regarding these key tribes' loyalty. In 1993 a group of army officers from the Werfella tribe tried to stage a coup. Qaddafi responded by executing them and heavily punishing the fami-

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[55] For example, in many cases committee members were given farms or enjoyed other perks, such as control of state food-distribution channels.
[56] "Al-Qaddafi's Reform in Libya: A Preliminary Assessment", MEMRI (Middle East Media Research Institute), 13 November 2005.
[57] "Libyan Tribal Map: Network of loyalties that will determine Gaddafi's fate", *Al-Sharq Al-Awsat*, 22 February 2011, at www. aawsat.com/english/news.asp?section=3&id=24257.
[58] Ibid.

[59] *Al-Qabila wa al-Qabiliya fi Libia. Muhadara Doctora Amal Al-Obeidi* [Tribe and Tribalism in Libya. A Lecture by Dr Amal Al-Obeidi], *Libya Al-Youm*, 18 September 2010, www.libya-alyoum.com.
[60] Ibid.
[61] Ibid.
[62] Ibid.
[63] Crisis Group interview, Libyan state oil company official, Tripoli, June 2010.

lies of those who had taken part. From then on, he has been more wary of the Werfella.

During the 1990s, as the regime struggled against the challenges brought by the imposition of international sanctions, its reliance on – and manipulation of – tribal structures grew once more. In March 1997, for example, Qaddafi introduced a collective punishment law, the "Charter of Honour", according to which a criminal's family or tribe can be stripped of its civil rights and social services for failure to denounce one of its member's illegal activities.[64] Punishments also could include cutting off water and electricity, as well as depriving families or tribes of subsidised food, petrol and public services and transferring development projects to other parts of the country.[65] In 1993, Qaddafi also established the "Social People's Leaderships", an institution bringing tribal leaders into a single regime-controlled organisation; "Social Youth Associations" played a similar role among the younger generation.

The Social People's Leaderships were tasked with spreading the revolution and "countering corruption, deviation and attempts at treasonable conspiracy".[66] However, they primarily were used to ensure that tribal leaders kept their tribes in check, for example by pressuring them into disowning rebellious elements. Ultimately, this body was designed to integrate the tribes more directly into the centre of the political arena; as Dr Amal Obeidi, a Libyan academic, has observed, the Social People's Leaderships transformed the tribe from an informal institution into a formal partner in the political process.[67] For example, they played a role in selecting who should be awarded

posts within the administration, thereby exposing them to the risk of corruption.[68]

Following Libya's international rehabilitation in 2003-2004, the regime continued to rely on the tribes; the Social People's Leaderships in particular increasingly were pushed to the fore. In December 2005, Qaddafi declared that the Social Youth Associations should help resolve some of the country's socio-economic problems, such as youth homelessness and unemployment. He enjoined every young person to join his or her Social Youth Association in order to access assistance and develop a sense of belonging. As he put it, "there must not be anyone in Tripoli or Benghazi without an organisation – you must search for them. You must ask anyone you find in the street and go and make him join an association".[69]

In recent years, the Social People's Leaderships have been used more overtly as mediators. They were brought in to try to resolve sensitive issues, such as acting as a go-between in the clash between security services and families of victims of the 1996 Abu Salim prison massacre, in which hundreds of Islamist detainees were killed during a prison uprising. The families insisted on obtaining information from the regime on what had happened to their relatives.

E. QADDAFI'S FAMILY

Qaddafi has always placed his family and tribe at the heart of his regime. Over time, his children have come to play an increasingly central role, carving out different spheres for themselves in the political, security and economic fields, including the oil sector. They also have taken advantage of Libya's rehabilitation, engaging in virtually every sector of the economy and amassing considerable fortunes. By most accounts, their growing influence has been poorly received by the population at large, which views it, along with their well-known antics, as being at odds with the country's conservative tradition.

Of the sons, the most important has been Saif Al-Islam, Qaddafi's eldest by his second wife. Saif, who took business classes in Vienna, came to represent the regime's reformist face, advocating a free market economy and liberalisation and also talking about transparency, democratisation and the need to introduce a constitution. He first carved out a role for himself through the Qaddafi International Charity and Development Foundation that he established in 1997.[70] This enabled him to play an active

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[64] The charter states: "Anyone who participates in the crimes, be it in planning them, instigating them, carrying them out, financing them, covering them up, harbouring or recruiting perpetrators, providing them with means of disguise and concealment, impersonation, presenting misleading information with the aim of protecting the criminals or enabling them to escape the hand of justice, spreading news of their crimes and sympathising with them, refraining from carrying out their national duty of recognising and identifying them and handing them over to justice, and abstaining from disavowing criminals who are relatives, acquaintances or neighbours … is deemed to be involved in the collective crime which requires the imposition of a collective punishment". "General People's Congress passes resolution on 'collective punishment'", BBC Summary of World Broadcasts, 13 March 1997, from Libyan television, 9 March 1997.
[65] "1998 Annual Report for Libya", Amnesty International.
[66] Amal Obeidi, "Libyan Security Policy Between Existence and Feasibility: An Exploratory Study", 2004, at www.gcsp.ch/E/meetings/Research_Seminars/Security-Med/2004/Libya.pdf.
[67] *Al-Qabila wa Qabiliya fi Libia. Muhadara Doctora Amal Al-Obeidi* [Tribe and Tribalism in Libya. A Lecture by Dr Amal Al-Obeidi], op. cit.

[68] Ibid.
[69] "Libya Focus", Menas Associates, December 2005, op. cit.
[70] The charity was initially called the Qaddafi International Charity Foundation and acted as an umbrella organisation for a number of charities, including the Fighting Drug Addiction Society, the Land Mine Fighting Society and Underprivileged Society,

domestic and international role, and his credentials as a promoter of reform within the regime have had some substance. On several occasions, he brokered high-profile deals, including the release of hostages held by the Abu Sayyaf group in the Philippines in 2000[71] and the agreement to release Bulgarian and Palestinian medics sentenced to death in Libya on charges of deliberately infecting 417 children in a Benghazi hospital with the HIV virus. He also helped to bring home convicted Lockerbie bomber Abdelbasset Ali al-Megrahi from the UK in 2009.[72]

Through his foundation, Saif likewise engaged in several high-profile domestic initiatives to promote human rights and end torture. He spoke out against the security services, vowing that torturers would be brought to justice; encouraged a semi-independent media, where Libyans could criticise government institutions; and railed against "fat cats", corrupt public officials who were stealing the country's wealth. Moreover, he opened up some of the most sensitive human rights files, such as the 1996 Abu Salim prison massacre.[73] He also launched an initiative to encourage Islamist prisoners to "reform and repent" in return for their release. Under this scheme, over 100 members of the outlawed Libyan Muslim Brotherhood were released in March 2006 and hundreds of members of the militant Libyan Islamic Fighting Group were freed in waves from 2008 onwards. This reportedly lent Saif some popularity in the eastern regions, from where most of the prisoners originated.

In recent years, Saif – the most articulate and prominent among Qaddafi's sons – came to be viewed as his father's most likely successor[74] but several of his brothers have also assumed important roles, particularly Moatassim and Khamis, both of whom control powerful military brigades.

Appointed as National Security Adviser in 2007, Moatassim assumed responsibility for counter-terrorism; with discomfort among some regime insiders over Saif's reformist approach, speculation grew that Moatassim could emerge as heir apparent. With a reputation for hot-headedness, however, he is said to have repeatedly fallen out of favour with his father. In mid-2010, the National Security Council was suspended and Moatassim allegedly dismissed for abusing a senior member of Qaddafi's inner circle.[75] Khamis heads the notorious Brigade 32, which is responsible for Qaddafi's personal security. Like Moatassim, he has a reputation for toughness, is said to be backed by regime stalwarts in the security sphere and has been touted as a possible successor.[76] Other children have been active in varying degrees.[77]

The role played by Qaddafi's offspring undoubtedly has prompted resentment not only among ordinary citizens suspecting the country was heading down a dynastic route, but also among members of the Leader's inner circle, anxious that their positions were being usurped by his children. At the same time, other major regime figures have sought to promote their offspring's interests, notably in the business sector; many among this younger generation have a reputation for acting recklessly and even violently

the Human Rights Society and the Martyrs Society. It changed its name to the Qaddafi International Development Foundation in 2006.

[71] "Libya hands over Jolo hostages", BBC Online, 12 September 2000.

[72] Saif Al-Islam sought to make the most of this affair to boost his popularity. He went as far as to interpret the event as a kind of divine intervention, declaring: "I told them that I would get Abdelbasset out on the 20th August [a day he has traditionally held as his own special day], and I told them that if he left the prison on the 20th August this would be a sign from Allah that I am walking on the right and correct path …. Even this date is a message from Allah". "Said Saif al-Islam Muammar Qaddafi: al-Ifraj Aan Al-Meghrahi Munasaba Tarikhiya Fi Hayat al-Libeen" ["Mr Saif Al-Islam Muammar Qaddafi: The release of Al-Meghrahi is a historical occasion for the Libyans"], *Oea* newspaper, 22 August 2009, at www.oealibya.com/front-page/local-news/5266-2009-08-22-00-46-36.

[73] "Libya urged to thoroughly investigate 1996 mass prison killings", Amnesty International, 29 June 2010.

[74] George Joffé, "Saif al-Islam: The whole (Libyan) world in his hands?", *Arab Reform Bulletin*, December/January 2010.

[75] "Questions are raised about the disappearance of Moatassim Al-Qaddafi", *Al-Sharq Al-Awsat*, 21 June 2010, at www.aawsat.com/details.asp?section=4&article=574829&issueno=11528.

[76] Unconfirmed reports have surfaced that Khamis was killed or seriously wounded during the current uprising. Pictures of Khamis being cheered by adoring crowds have been aired on state television, although it is not clear when the footage was shot. Brigade 32 is also known as the Brigade of the Martyr Khamis Abu Minyar.

[77] Saadi Qaddafi – Qaddafi's second eldest son by his second wife – was appointed commander of the Special Forces around 2006 but was reported subsequently to have been sidelined. Hannibal Qaddafi acted as head of the maritime transport sector, though he chiefly gained a reputation for his antics while in Europe: in 2008, he was arrested in Switzerland on charges that he and his wife had abused employees. The incident prompted a protracted diplomatic crisis between the two countries. For an analysis of this, see Alison Pargeter, "The Libyan-Swiss Crisis: A Lesson in Libyan Foreign Policy", *The International Spectator*, vol. 45, no. 3, January 2010. Mohamed has been less visible than his siblings, largely because he is Qaddafi's only son by his first marriage; still, he controls the communications sector, including the two mobile telephone companies, runs Libya's Olympic Committee and has been involved in various business ventures. Aisha, Qaddafi's daughter, runs a charity, Al-Watassimu, and has sought to promote public awareness on issues such as women's rights and domestic violence. Little is known about the youngest son, Saif Al-Arab, who is believed to have studied in Germany; the regime announced in May 2011 that he had been killed by a NATO airstrike.

with almost total impunity. The security services themselves have been reluctant to rein them in.[78]

In recent years, various stories have surfaced regarding intense rivalry between Qaddafi's sons.[79] During the current crisis, however, family members have pulled together, and even the most reformist of them, Saif, has displayed total commitment to his father and family.

F. THE ROLE OF PATRONAGE

Upon seizing power, Qaddafi set about dismantling the patronage networks that had been established by King Idris, asserting he would rid the country of such backward practices. But it was not long before the new regime began distributing largesse of its own, thanks to the steady stream of oil income, and creating new patronage networks.

In the early post-revolutionary years, Qaddafi used the oil wealth to set up an extensive welfare system pursuant to which he distributed houses, benefits and even cars to Libyan families. In this way, he was able to satisfy general popular expectations of better living standards initially, while also securing the allegiance of particular individuals and families.[80] Over time, economic efficiency and growth became less important than maintaining loyal allies. Use of patronage filtered down through society, the result being a system within which corrupt officials could distribute money and create their own personal clienteles, thus

ensuring their ever-greater dependence on the system. At the same time, Qaddafi ensured that none of these officials would amass too much power or influence by implementing regular purges and occasionally trying an official in order to make an example.[81]

The situation became increasingly difficult in the 1990s as a result of international sanctions but, once they had been lifted in 2003-2004, the accompanying revitalisation of the oil sector enabled Qaddafi once again to seek to ensure popular acquiescence. Notably, the regime introduced a series of loan schemes allowing Libyans to invest in the private sector and in Africa or buy land on which to build their homes. However, these schemes ultimately became entangled in the web of corruption and nepotism that reliance on patronage and largesse itself has engendered.[82]

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[78] For example, it was reported in August 2005 that the son of former prime minister Abdelsalam Jalloud, accompanied by some of his friends, stormed into Aisha University in Hathaba al-Khadra (Tripoli) where they are alleged to have kicked the head of the university, slapped his staff and set about damaging university property. The police were called to the scene but allegedly declined to intervene. See "Libya Focus", Menas Associates, August 2005, op. cit. Similar stories about other sons of major regime figures have come out in recent years.

[79] Saif Al-Islam and Moatassim in particular are said to have an acrimonious relationship, partly due to business competition. Mohamed likewise is reputed to have a difficult relationship with Saadi, not least because of rivalry between their respective football clubs. Most of these allegations are extremely difficult to corroborate.

[80] Top of the range cars were provided to members of the security services and the military, who would turn around and sell them for a hefty profit. Interviews conducted by Crisis Group analyst acting in a different capacity, Libyan citizens, Tripoli, 2000-2010. Revolutionary Committee members were traditionally rewarded with land and farms. Certain key families were given the right to import equipment and rent facilities at preferential rates. In 2003 the International Monetary Fund criticised Libya for its use of extra-budgetary expenditure, observing: "This expenditure has taken place on a discretionary basis outside the supervision and control of the budget". "Article IV Consultation Staff Report. Country Report 03/327", October 2003.

[81] In November 2001, several officials were convicted in a mass corruption trial related to illegal Central Bank loans made to businessmen in Benghazi. See "Libya: News and Views" website, November 2001, at www.libyanet.com/1101nwsc.htm. Among those convicted were former finance minister Mohamed Bayt Al-Mal, who was sentenced to three years imprisonment for damaging public property, and Taher Al-Jahami, a former economy and trade minister, who was sentenced to a year in prison for negligence and a further year for having used his post for personal gains. Ibid.

[82] Interviews conducted by Crisis Group analyst acting in a different capacity, Libyan citizens, Tripoli, Benghazi, 2001-2010; see also "Libya Focus", Menas Associates, December 2005, op. cit.

III. A REFORMED CHARACTER?
LIBYA'S REHABILITATION AND
THE REGIME'S NEW DISCOURSE

The 1990s presented a distinct challenge for the regime. As a result of international sanctions, declining oil prices and the cumulative effect of years of economic mismanagement, it faced growing disaffection, especially among the country's burgeoning and frustrated youth. By the second half of the decade, a group of senior officials, including Abdel Ati al-Obeidi, Abdelrahman Shalgam, Musa Kusa and Mohamed Belqasim Zwai, convinced Qaddafi of the need to rebuild relations with the international community. Displaying his pragmatic side, the Libyan leader agreed to hand the Lockerbie suspects over for trial in the Netherlands, a step that opened the door to Libya's international rehabilitation. Qaddafi also was persuaded to negotiate with the UK and U.S. over a number of issues, including compensation for the Lockerbie bombing and the country's WMD program. In December 2003, Tripoli agreed to abandon the latter, which led to a resumption of diplomatic relations with Washington.

Throughout this period, and given its efforts to normalise relations with the international community, the regime was anxious to demonstrate domestic changes as well. This was partly for the benefit of the outside world, from which Libya desperately needed new investments in the oil sector. But it also reflected a growing realisation within the regime that something had to be done to repair the crumbling infrastructure as well as break out of political isolation. Although the fundamentals of the Jamahiriya were not open to question, the regime's discourse increasingly emphasised economic modernisation. In 2000, for example, Qaddafi declared:

> Libya wants to encourage foreign capital investment and partnership, not only for the benefit of this country but for the entire African continent to which Libya is the gateway for Europe …. We will create the right atmosphere for the investor.[83]

He and others made similar pronouncements regarding the required diversification of the economy to lessen heavy reliance on oil. Saif al-Islam became a key proponent of reform and a free market economy in particular, persuading his father to appoint his ally, Shukri Ghanem, to the post of General Secretary of the General People's Committee in 2003. In turn, Ghanem sought to open up the country's notoriously closed economy. Saif also addressed the question of political reform and gave an increasing

number of interviews to the international media in which he lauded democracy and acknowledged the imperative of change. As seen, he sought to foster greater openness in Libya, establishing a semi-independent media and a human rights organisation. For all its limitations, the opening meant greater space for public criticism and certainly greater willingness to speak out than was the case in the 1980s and 1990s. Although criticising Qaddafi and senior figures of the regime personally remained off-limits, the government and other state institutions were often denounced for their inefficiency and corruption.

In a similar vein, Saif tried to introduce a new constitution, setting up a series of committees to prepare a document, although in the end the draft did little more than propose the creation of an executive council with 100 members from the Social People's Leaderships, trade unions, professional associations, civil society and the private sector that would sit atop the Jamahiriya system as the main executive body. The constitution never saw the light, reportedly because Qaddafi rejected it, claiming it tampered with the fundamentals of the Jamahiriya.[84]

Saif Al-Islam was operating under clear constraints. In a 20 August 2007 speech, he specified four red lines that could not be crossed: Islam and the application of Sharia; Libyan security and stability; national unity; and Muammar Qaddafi. Talk of change notwithstanding, the reformist current always was tightly controlled, and the reform process was highly orchestrated, in effect an affair of marginal and cosmetic rather than radical or wholesale changes. As with much else regarding the state, the reform current also became highly personalised. Although he drew together a group of supporters comprising academics, journalists, young entrepreneurs and a handful of public officials whom he convinced his father to appoint to the General People's Committee, ultimately all revolved around Saif. Tellingly, even as he drew support from elements among the youth, he replicated his father's behaviour by providing them special privileges such as preferential access to state housing.

Besides these inherent limitations, the reformist current faced resistance from members of the "old guard", mostly ideologues and Qaddafi loyalists within the Revolutionary Committees movement. Chiefly concerned about the privileges they enjoyed and worried about any ideological shift, they sought to obstruct Saif's efforts. They stymied economic reform proposals; shut down some media out-

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[83] See "Moammar Mohammed Abdel Salam Abu Minyar Al Qaddafi", *Oil Diplomacy*, 29 July 2002, at www.allbusiness.com/periodicals/article/222869-1.html.

[84] "Libya Focus", Menas Associates, October 2009, op. cit.; interviews conducted by Crisis Group analyst acting in a different capacity, members of Libyan opposition in the UK, October 2009.

lets[85] and tried, although unsuccessfully, to block his initiative to release former Islamist prisoners. Qaddafi, for his part, played one camp against the other.

Even as this tug-of-war played out within the regime's upper echelons, over time it barely registered with ordinary citizens. That was not always the case. In the early days in particular, Saif Al-Islam garnered some popular support, since he was viewed as a breath of fresh air and as someone who possessed the power to make changes. His efforts to release political prisoners and denounce the excesses of the security forces brought a measure of hope; his denunciation of the country's fat cats also was well received. Even some within the exiled opposition welcomed his efforts and were prepared to open channels of dialogue with him. The UK-based Muslim Brotherhood, for example, began talking to the Qaddafi Foundation in 2004 to facilitate release of their members from prison. Some former opposition figures in exile went so far as to return to Libya.[86] In November 2008, Saif's charitable foundation announced that it was facilitating the return of eighteen members of the opposition abroad.[87]

This changed within a few years, as the young Qaddafi gained a reputation for making unfulfilled promises. Nothing came of his vow to bring torturers to justice or of his anti-corruption rhetoric, while his attacks against corrupt officials lost credibility as he and his family amassed personal fortunes. Meanwhile, general living conditions failed to improve, and socio-economic inequalities deepened.[88] Within the regime, some accused him of being overly influenced by Western ideas and out of tune with popular sentiment. Some of his suggestions were also rejected at the popular level inside Libya. His June 2010 comments to the British press, when he suggested Libya might permit the sale of alcohol to tourists, prompted a popular outcry.[89] All in all disenchantment with Saif and the reformist project as a whole grew.[90]

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[85] In November 2010, ten journalists from the Libya Press news agency were arrested and detained for several days after they had written an article criticising Ahmed Ibrahim, a regime stalwart.
[86] They included Suleiman Dogha, who went on to head Saif Al-Islam's Al-Ghad media empire, and Bashir Al-Rabiti, who returned in 2004 and became head of the National Organisation for Reform. See *Al-Sharq Al-Awsat*, 13 April 2004.
[87] See *Al-Sharq Al-Awsat*, 18 November 2008.
[88] Some Libyans told Crisis Group that they increasingly perceived Saif Al-Islam as less interested in domestic achievements than in his international image, as he sought to promote himself as an intellectual, organising worldwide exhibits of his artwork and funding a program on governance in North Africa at the London School of Economics and Political Science, where opposition members protested outside as he delivered a speech in May 2010. *London Evening Standard*, 26 May 2010; Interviews conducted by Crisis Group analyst operating in different capacity, Libyan citizens, 2010.

[89] Shaban Al-Obeidi, head of the Al-Sharia department at Gar Younis University, told Al Jazeera that if legislation was issued to that effect, the matter should be taken to court. See Al Jazeera.net, 4 July 2010. In addition, a special campaign site was set up on the social networking site Facebook by lawyer Abdelsalam Al-Mismari to try to get Saif Al-Islam to apologise.
[90] Former Governor of the Libyan Central Bank Ferhat Ben Khadara, said, "unfortunately, the reform program in Libya did not succeed. Despite all the efforts that were made and supported by Saif Al-Islam, the program failed because of hesitation and because of suspicions about the intentions behind reforms .... If the reform process had succeeded, there would be no reason for the revolution". *Al-Hayat*, 16 April 2011.

IV. THE ISSUE OF THE EAST

A. GEOGRAPHIC AND TRIBAL ISSUES

Libya's three distinct parts – Tripolitania in the west, Cyrenaica in the east and Fezzan in the south – came together as a united country only in the 1950s.[91] Its divisions are partly geographical. The main towns in the east, west and south are separated by vast expanses of desert, with transport and communications between them limited. For example, there is no railway or motorway – only a highway – connecting the two main cities, Tripoli and Benghazi.[92] The only efficient way to move from one to the other is by air, something far beyond the means of most ordinary Libyans. As a result, many in the east traditionally have felt closer to Egypt than to the west of Libya, a sentiment accentuated by the fact that many Libyan tribes extend into the western regions of their eastern neighbour. In contrast, people from western Libya tend to feel closer to the Maghreb, particularly Tunisia, and – due to old trading links – Europe. Residents of the capital generally consider themselves more outward looking and cosmopolitan than their eastern counterparts; even the Arabic spoken in the two areas differs markedly.

Strong tribal differences likewise distinguish east from west. Although, as explained above, many tribes extend across regions, tribal structures are more tightly preserved in the east, a reflection of the difficulties successive invading forces and colonisers have had in bringing the eastern hinterlands under their control. The main resistance to Italian invaders occurred in the east, where Libya's best-known national hero, Omar Al-Mukhtar, led a guerrilla war.[93] Tribal structures in the east also were sustained thanks to the Sanussi brotherhood – a religious order that established itself in Cyrenaica and enmeshed itself within local tribal structures (see below).

B. ISLAMISM

The east also has been heavily associated with Islamism, its population reputed for its more traditional and socially conservative orientation. It is the region where the Sanussi order was established and flourished, although the order also gained an audience and adepts in the other regions of the country. The Sanussiya at its inception was a revivalist movement that sought to combine the esoteric spiritual teachings of the Sufi Islamic tradition with elements of religious reform that looked to the Prophet's ancestors and Islam's early days as a social model. It was founded in the early nineteenth century by an Algerian scholar, Sayed Mohamed Ali Al-Sanussi, known as the Grand Sanussi, who settled in Cyrenaica after being forced out of the Hijaz; he opened his first *zawiya* (religious lodge) in Al-Baida in 1843. Sanussi teachings were particularly well received by the Bedouin of Cyrenaica who were attracted both to its simple message of stripping Islam back to basics and to its charismatic and pious leader.[94]

The Sanussi extended their reach by forging alliances with tribal leaders and firmly cementing the order within the area's existing tribal structures. They eventually controlled many of the trade routes across the Sahara from central Africa to the Cyrenaican coast and Egypt.[95] As a result, the Sanussi became the dominant religious but also political force in Cyrenaica; at its peak in the late nineteenth century, it was akin to an independent state, another factor that contributed to the east's distinct identity.

In more recent decades, the east also provided most recruits for various Islamist opposition currents, both moderate (such as the Libyan Islamic Group, the local arm of the Muslim Brotherhood) and militantly jihadi (such as the Libyan Islamic Fighting Group). Although some leadership cadres hailed from the west, the bulk of the rank and file came from the east; tellingly, most families affected by the above-mentioned Abu Salim prison massacre were of eastern origin[96] and most members of the Muslim Brotherhood and Libyan Islamic Fighting Group released in recent years have gone back to the east.[97] Likewise, the vast majority of recruits who went to fight in Iraq come

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[91] The very Latin-sounding terms "Tripolitania" and "Cyrenaica" were particularly in vogue during the period of Italian colonial rule and are much less used and even frowned upon by many Libyans today.
[92] The regime had been planning to construct a coastal motorway with funds donated by the Italian government as an apology for its role during the colonial era.
[93] Omar Al-Mukhtar, was born in 1862 in Janzour, near Tobruk in the east of the country. He was educated by the Sanussi brotherhood and later became a religious instructor of the Quran. He came to prominence as the leader of the resistance against Italian colonisers, commanding the guerrilla forces that operated out of the eastern Jebel Akhdar mountains. He was captured and hanged by the Italians in 1931 and became Libya's primary symbol of resistance.

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[94] The anthropologist Emrys L. Peters wrote: "The genius of the Sanussi Order is that the teachings of its founder were so elementary and that ritual was virtually absent". *The Bedouin of Cyrenaica* (Cambridge, 1990), p. 27.
[95] See Joffe, "Qadhafi's Islam", op. cit., p. 143.
[96] There is no official list of these prisoners or their geographic origin, but families of victims of the Abu Salim massacre were predominantly based in the east.
[97] Interviews with former and current members of the LIFG and the Libyan Muslim Brotherhood conducted by Crisis Group analyst working in a different capacity, London, Manchester and Tripoli, 2003-2010.

from the east[98] as did most of the young men arrested after 2003 on suspicion of harbouring militant tendencies.[99]

C. STATE POLICY TOWARD THE EAST

From the outset, Qaddafi has been wary of the eastern regions. The feeling is rooted in centuries-old tribal rivalries between the Qadadfa and some of the larger tribes in the east,[100] the eastern region's history of rebellion against colonialism and especially its close association with the monarchy that Qaddafi and his colleagues overthrew. It was exacerbated when the regime uncovered several militant Islamist cells there in the late 1980s; in 1989, security forces rounded up thousands of suspected Islamists whom Qaddafi described as "more dangerous than AIDS".[101] Later, in the mid-1990s, after militant groups led an insurgency, the regime arrested thousands and turned the east into a virtual security zone with a heavy security presence.

This painful history may help to explain easterners' belief that Qaddafi's regime has kept their region in a perpetual state of underdevelopment as punishment for its rebelliousness and starved of funds as investment focused almost exclusively in the north west. Local residents have complained that infrastructure was so poor that raw sewage was pumped straight into Benghazi's main lake, where families picnic,[102] and that, despite the country's vast oil wealth, some eastern residents have been forced to live in small shanty towns. After the 2011 uprising broke, a local historian in Benghazi said, "the whole city has been neglected for more than 30 years…. The money goes to Tripoli. I guess we are used to it".[103] In fact, however, shanty towns are to be found in many areas of Libya; the east has no monopoly. And the statistical evidence, such as it is, does not really bear out easterners' claims of suffering discriminatory treatment where public investment is concerned.[104]

Nonetheless, the conviction that they have suffered discriminatory treatment has contributed to some (and possibly many) easterners' strong resentment at what they consider, rightly or wrongly, is their status as second-class citizens. These undercurrents came to the fore in February 2006 when what began as a regime-orchestrated demonstration against the Danish cartoons of the Prophet turned into an anti-regime protest. Security services intervened, killing ten protesters, wounding others and carting off several demonstrators to Tripoli. Lesser but nonetheless significant evidence of discontent surfaced again in August 2007, when a crowd attacked British singer Bob Geldoff, who had been invited to perform at Saif Al-Islam's 20 August celebration in Benghazi.

Aware of these currents of opinion, the regime has sought in the past few years to focus more attention on the east. Aside from releasing Islamist detainees, Saif Al-Islam promised a major eco-friendly tourism zone in the Jebel Akhdar (Green Mountains) as well as development projects. But, due to administrative and bureaucratic delays, wrangling within the regime and, most importantly, lack of political will, none of these projects materialised. As the current crisis began to unfold, Qaddafi sent his son Saadi to Benghazi, where he promised that the east would receive its fair share of development funds. In an 18 February speech on Benghazi radio, Saadi declared that he had been entrusted by the Leader to implement his own development plan for the city within four months.[105] By then, however, it was too late.

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[98] According to a 2007 study, out of 88 Libyans who fought in Iraq, 60.2 per cent were from Derna and 23 per cent from Benghazi (both in the east). See "Al-Qaeda's Foreign Fighters in Iraq. A First Look at the Sinjar Records", Harmony Project: Combating Terrorism Centre, Westpoint, 19 December 2007. There are countless reports of martyrs' funerals being held in the east for those killed in Iraq.
[99] Interview with former LIFG member conducted by Crisis Group analyst working in a different capacity, Libya, June 2010. All reported cases of young Libyans blowing themselves up to evade capture by the security services also have come from the east. Relatedly, following the May 2009 death in custody of Ibn Sheikh Al-Libi, a militant who was handed over to Tripoli after his 2001 capture by U.S. forces in Pakistan, thousands of mourners are said to have attended his funeral service in his eastern hometown of Ajdabia. See "Libya Focus", Menas Associates, May 2009, op. cit.
[100] Parts of Qaddafi's tribe tried to settle in Cyrenaica hundreds of years ago but were driven to the deserts around Sirte by an alliance of tribes from the Sa'adi confederation. See David Blundy and Andrew Lycett, *Qaddafi and the Libyan Revolution* (London, 1987), p. 34.
[101] See Hanspeter Mattes, "The Rise and Fall of the Revolutionary Committees", in Vandewalle (ed.), 1995, op. cit., p. 109.
[102] Interviews with Libyans conducted by Crisis Group analyst working in a different capacity, Benghazi, May 2005.

[103] See *Miami Herald*, 19 April 2011.
[104] Crisis Group email correspondence, two independent Libyan analysts, 15 May 2011. Who pointed out that there is statistical data to suggest that government expenditure per capita has been higher in Benghazi than in any other metropolitan area in Libya.
[105] "Saadi Al-Qaddafi: Lan Yetadakhil Bad Al-Youm Ay Mesoul fi Medinat Benghazi" ["Saadi Qaddafi: After today no official will intervene in the city of Benghazi"], *Al-Watan Al-Libeeya*, 18 February 2011, at www.alwatan-libya.com/more.asp?This ID=14425&ThisCat=1.

V. OPPOSITION CURRENTS

Because the state has offered no space for any political activism besides that sanctioned by the regime, opposition groups and currents have been highly constrained. There has been no legal opposition party since Qaddafi came to power and, although some outlawed groups emerged, most were either quashed or forced abroad. As a result, the story of the Libyan opposition has mainly been one of exile and – like many such diaspora groups – of discord and factionalism. Disagreements rose in recent years as the regime – seeking to project a more reformist face to the outside world – sought to lure back former dissidents.

A. THE MAIN OPPOSITION GROUPS

A large number of opposition groups are based abroad, most of them small and of limited significance. The principal such groups include the following:

1. National Conference for the Libyan Opposition

Based in the UK and headed by Ibrahim Sahad of the National Front for the Salvation of Libya (NFSL), this umbrella group rose out of a national opposition conference held in June 2005 in London. The conference brought together a number of opposition groups including the NFSL, the Libyan Constitutional Union and the Libyan League for Human Rights, as well as several individuals. Tellingly, the Libyan Islamic Group (the Libyan branch of the Muslim Brotherhood) did not participate, in large part because at the time it had entered into a dialogue with the regime aimed at obtaining release of its prisoners.

At its conclusion, the conference issued a statement laying out its objectives, in particular the demand that Qaddafi step down in order for a constitutional government to be established. Despite this attempt to unify the opposition, divisions have persisted and the group remained of marginal significance.

2. National Front for the Salvation of Libya (NFSL)

The NFSL was established in October 1981 in a bid to unify various opposition groups. Led initially by Mohamed al-Megarief, it includes members of the Muslim Brotherhood and others who sought to challenge Qaddafi's regime. In 1984, with reported U.S. support, it launched an armed attack on the Bab al-Aziziya barracks in Tripoli that failed miserably. Exacting revenge, the regime essentially finished off the front as a credible force inside Libya. Since then, it has continued to operate from abroad, mainly in the U.S. and UK; its activities essentially have consisted of holding conferences and issuing anti-regime statements.

It currently is led by Ibrahim Abdulaziz Sahad, a former Libyan military officer and diplomat. Although limited in size, the NFSL has been one of the most vocal exiled opposition groups. It is not part of the new political structures that have developed inside Libya since the uprising.

3. Libyan Constitutional Union (LCU)

Founded in 1981, the Libyan Constitutional Union is a small pro-monarchist group based in Manchester, in the UK, and led by Mohamed Ben Ghalbon. It has close ties to Crown Prince Hassan Al-Sanussi, who also resides in the UK. Its founding statement "reiterates the pledge of allegiance to King Muhammad Idris al-Mahdi Sanussi as historical leader of the Libyan people's struggle for independence and national unity and as a symbol of legality for the nation and call[s] upon all Libyans to rally around their monarch".[106] The group has very limited significance.

4. The Libyan League for Human Rights (LLHR)

Founded in 1989, the LLHR has focused on raising awareness, notably in Europe, concerning human rights abuses perpetrated by the regime. Among its founders was Mansour Kikhia, a former ambassador to the UN who defected to the U.S. in 1980; he was kidnapped in 1993 while in Egypt and reportedly taken to Libya where he was killed. The league is based in Geneva with offices in Germany and the UK. It currently is headed by another founder, Souleiman Bouchuiguir.

5. Islamist Opposition: The Libyan Islamic Group, Libyan Islamic Fighting Group and other currents

Arguably the best coordinated and most influential opposition groups have been those belonging to the Islamist current. Among these, the two most important are the Libyan Islamic Group (the local branch of the Muslim Brotherhood) and the Libyan Islamic Fighting Group.

The roots of Libya's Muslim Brotherhood extend to the 1950s, when King Idris offered refuge to several Egyptian Brothers fleeing President Gamal Abdul Nasser's regime. These Egyptian Islamists sought to spread their ideas, and the movement soon gained a small following in the east. The Brotherhood's outlook likewise was disseminated by Egyptian students and teachers working in Libya, as well as by Libyans who had studied in Egypt.

After seizing power, Qaddafi quickly arrested Libyan Brothers and sought to finish off the nascent movement.

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[106] See LCU website at www.libyanconstitutionalunion.net/proclam.htm#engprocl.

According to a member, within a short time there were essentially no Brothers left in the west of the country and only a handful of people willing to identify themselves with the movement in the east.[107] Re-establishing the Muslim Brotherhood within Libya proved difficult. In the 1970s, the regime's policy to send students abroad, particularly to the UK, exposed some to Brotherhood ideas circulating in the West. By the late 1980s, operating clandestinely (and with limited domestic support), the movement set up its own *shura* (council) inside the country.

As traditionally has been the case elsewhere, the group chiefly appealed to the middle and professional classes; moreover, it was plagued by internal divisions related to its complex relationship to the Egyptian mother branch.[108] Still, and despite a series of regime clampdowns and even as it remained relatively small, the Brotherhood grew in the 1990s. In June 1998, it faced its next, near-fatal challenge. Undertaking a mass arrest campaign, the regime detained 152 members, including the movement's Guide, Dr Abdullah Ahmad Izideen, and his deputy, Dr Salem Mohamed Abu Hanek. Those who escaped arrest fled the country immediately. In effect, the campaign made it impossible for the group to operate as a formal body within Libya. In July 2005 its new Guide, Suleiman Abdel Kader, who was based in Switzerland, told Al Jazeera that not a single member of the organisation was still operating in the country.[109]

Prisoners were held incommunicado and at a brief April 2001 session of the People's Court, were accused of membership in an outlawed organisation. After a prolonged mass trial, Dr Abu Hanek and Dr Abdullah Izideen were sentenced to death in February 2002; 37 of the accused were sentenced to life imprisonment, and others were condemned to lengthy prison terms.[110] As seen, detainees eventually were released in March 2006 after a long process of dialogue led by Saif Al-Islam's Qaddafi International Development Foundation. Because the regime does not tolerate any opposition, they were released as individuals rather than as a group, and each had to pledge not to engage in any political activity outside of that sanctioned by the Jamahiriya. Rather than being acquitted, they were freed as an act of clemency by Qaddafi, a fur-

ther effort by the regime to neutralise the movement.[111] That said, movement members abroad have continued to operate as an organisation. In the early days of the current uprising, they came out strongly against the regime.

At the origins of the Libyan Islamic Fighting Group (Al-Jama'a al-Islamiyyah al-Muqatilah fi Libya) are small groups of jihadists who first emerged in the 1970s and 1980s. Each of these groups comprised a handful of individuals; they gathered around specific sheikhs who, influenced by radical Islamist ideas, advocated taking up arms against the authorities in the name of jihad. An estimated 800-1,000 of these militants subsequently travelled to Afghanistan to join the struggle against the Soviet Union during the 1980s, far outnumbering Moroccan and Tunisian volunteers.[112]

The LIFG essentially was born out of these volunteers. After the Soviet withdrawal from Afghanistan in 1989, Libyan fighters turned their attention to Qaddafi's regime. Around 1990 a group of Afghan jihad veterans, including Abdul Ghafar Al-Dawoudi, the group's first emir, and Abu Munder Al-Saidi, its spiritual leader, formed the Libyan Islamic Fighting Group. Their objective was to gather all Libyan jihadis from Afghanistan under their wing. They did not formally declare the group's existence at the time for security reasons but set up camps in Afghanistan near Nangahar, close to the Pakistani border, in order to prepare for the struggle back home that would see what they called Qaddafi's "Pharaonic regime" replaced with an Islamic state.

Many jihadists found it hard to return to Libya given the security service's vigilance, forcing much of the leadership to remain in exile. A number of fighters nonetheless succeeded in getting back inside the country; they then sought to expand the LIFG, tapping into remnants of the jihadist structures that had survived earlier regime clampdowns. The LIFG was cautious, focusing primarily on gathering weapons and ammunition as well as on recruitment. No official membership figures exist, though a former member estimated that by 1994 the LIFG had some 300 adherents.[113]

The LIFG's cover was blown in 1995 following a bungled attempt to rescue a member who had been taken to hospital under armed guard after he was arrested. This led the regime to a farm in the east that was used as an LIFG base. Upon being discovered, a member of this cell, Saleh al-

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[107] Interview conducted by Crisis Group analyst in a different capacity, Dr Alamin Belhaj, senior Libyan Muslim Brotherhood member, Manchester, January 2006.
[108] This was a highly complex period in the Libyan Brotherhood's history. For further details see Alison Pargeter, *The Muslim Brotherhood: The Burden of Tradition* (London, 2010), pp. 109-111.
[109] Transcript of the Al Jazeera television program "Bila Hudoud" ("Without Restrictions"), 31 July 2005.
[110] See "Libya Watch", undated, at www.libya-watch.org/lw_paper_hl_eng.html.

[111] Many of those who were freed returned to their jobs, including in the university sector.
[112] Interview conducted by Crisis Group analyst acting in a different capacity, Noman Ben Otman, former LIFG member, London, January 2006.
[113] Ibid.

Shaheibi, blew himself up to avoid capture;[114] others were interrogated. Once uncovered, the group decided in October 1995 to announce its existence; in turn, the regime hunted down its members, and clashes soon erupted between the security services and the LIFG in the east. In mid-1996, the regime launched major offensives throughout the east, carrying out ground and air attacks against LIFG bases in the Jebel Akhdar mountains. It also arrested scores of suspected Islamists and their sympathisers. By 1998, the authorities had gained the clear upper hand. The LIFG's shura council announced an end to its struggle.

Since then, the LIFG has existed primarily in exile. Its leaders and members who left for Sudan in 1992 either settled in the UK or returned to Afghanistan after the Taliban took power in 1996. Reports have surfaced in the international media that the LIFG became part of al-Qaeda, and there is reason to believe it worked closely with the organisation. That said, the movement retained its nationalistic aims and refused to either join al-Qaeda or sign up to Osama bin Laden's 1998 World Islamic Front statement against Jews and Crusaders.[115]

With the onset of the 2001 war in Afghanistan, members of the LIFG, like those from other militant groups in the area, were forced to flee. Many LIFG activists fled to Iran and then on to other parts of the world. Some, including the group's spiritual leader, Abu Munder Al-Saidi, and its emir, Abdullah Sadeq, were arrested in the Far East, the former in Hong Kong and the latter in Thailand; they were handed over to Libyan authorities in early 2004. A rump group, led by Sheikh Abu Leith Al-Libi, remained in Pakistan's tribal areas and moved ever closer to al-Qaeda.

In 2007, as part of his "reform and repent" program, Saif Al-Islam initiated a dialogue with the LIFG leadership. He brought Islamic scholars to the Abu Salim prison, in-

cluding Sheikh Ali Al-Salabi and Noman Bin Othman, a former LIFG veteran based in the UK, to try to convince it to renounce violence in exchange for release. In August 2009, after protracted negotiations, the LIFG issued a set of doctrinal revisions in a lengthy document that foreswore past practices and renounced the use of weapons against the state. As a result, LIFG members and leaders were set free. As had been the case with the Muslim Brothers, they were released as individuals rather than as members of a group; as with all other Libyans, they were prohibited from engaging in any political activity outside of the Jamahiriya system. They remained under close surveillance, were barred from foreign travel and required to go back to Abu Salim prison to try to convince remaining members of the organisation, along with other young militants detained since 2003, to disavow past practices.[116] Saif Al-Islam, who sought to gain the most from the initiative, induced the LIFG leadership to appear at various public events in which they lauded the doctrinal revisions and the nation's de-radicalisation efforts.

The deal was not without its critics in both camps. Some members of the security forces were deeply concerned about releasing former militants back into society, fearing they had not genuinely changed their ways and might stir up trouble in the east.[117] At the same time, what remained of the organisation in the Pakistan/Afghanistan border areas had by this point become closer to al-Qaeda and objected to negotiations with the Libyan regime. In 2007, they announced that the LIFG was joining bin Laden's movement. The decision infuriated the Libyan-based leadership, not least because Abu Leith Al-Libi, the LIFG shura council member who made the announcement, had no authority to issue statements on the group's behalf.[118]

In the wake of the 2011 uprising, a group that grew out of the LIFG took the name of the Libyan Islamic Movement for Change (Al-Haraka Al-Islamiya Al-Libîya Li Taghyir) and has expressed its desire to be part of any new political process.

B. MINORITIES: BERBERS, TEBU AND TUAREG

Libya is home to a handful of small minority populations which Qaddafi's regime has refused to recognise. This attitude has several explanations: minorities do not fit in with the regime's pan-Arabist ideology; if recognised,

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[114] See Camille Tawil, "Al-Afghan al-Libyoun: Kasat iliyan al-Jama'a wa bina al-khalaya wa tikal al-Emir al-awal" ["The Libyan Afghans: The story of the declaration of the group, the setting up of their cells and the arrest of the first Emir"], part two of five, *Al-Hayat*, 16 September 2005.

[115] That statement, signed by bin Laden and the leader of the Egyptian Al-Jihad group, Ayman Al-Zawahiri, among others, declared that it was a religious duty for all Muslims to kill Americans and their allies, with the aim of liberating the Al-Aqsa Mosque and the holy mosque in Mecca and forcing them to move their armies out of all the Muslim lands. According to LIFG members, the group viewed bin Laden's aims as unrealistic and preferred to pledge allegiance to the Taliban leader, Mullah Omar. See "From Mujahid to Activist: An Interview with a Libyan Veteran of the Afghan Jihad", *Spotlight on Terror*, The Jamestown Foundation, vol. 3, no. 2, 6 May 2005; and Camille Tawil, *Al-Qa'ida wa Akhawatia* [Al-Qa'ida and Her Sisters], (London, 2007).

[116] Interview conducted by Crisis Group analyst operating in a different capacity, former LIFG prisoner, Tripoli, June 2010.
[117] Interview conducted by Crisis Group analyst operating in a different capacity, Mohamed Tarnish, head of the Libyan Human Rights Association, Tripoli, June 2010.
[118] In January 2008, Al-Libi, along with the LIFG's main representative in Iran, were killed in a U.S. missile strike in North Waziristan, Pakistan.

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they might demand representation which is ruled out in the Jamahiriya as a matter of principle; and, more generally, Qaddafi was determined to prevent the emergence of any alternative power centre.[119]

Berbers, who call themselves *Imazighen* (singular: *Amazigh*), constitute the most significant minority.[120] Libya's *Imazighen* originally inhabited the Jafara plain in the north west, with Zwara as their main centre. As a result of various Arab invasions, however, they gradually were driven back toward the Tripolitanian interior, though small communities still live in Jabal Nafusa and Zwara.[121] Arabisation of the Berbers advanced more rapidly and completely in Libya than in any other Maghreb country.[122]

The regime suppressed any sign of Berber activism. In the late 1970s, for example, security services carried out a wave of arrests against the Berber Association of North Africa; its leader, Ali Sharwi Bin Talib, and some of his associates were tried by the Revolutionary Courts and sentenced to death.[123] The *Imazighen* have faced various forms of discrimination. Law 24 (2001) prohibited children from being given non-Arabic names; any child bearing such a name was not registered by the state and thus was denied education. *Imazighen* attending celebrations in countries such as Tunisia or Algeria have been known to be arrested upon return.[124] According to the U.S. State Department, the regime likewise sought to ensure that

Berbers marry only non-Berbers in order to erode their sense of identity.[125]

The regime adopted a slightly more ambivalent attitude toward the *Imazighen* in recent years. In September 2005, against the security services' wishes, Saif al-Islam took the highly unusual step of meeting with a number of activists in Yefrin and announced that his charitable foundation would take up their cause. This was remarkable insofar as under normal circumstances the mere holding of such a gathering would have prompted severe retribution. That said, there was no follow up, and the following year a Libyan *Amazigh* musical group from Zwara called *Whi'isan* ("Days"), which had been invited to attend an Amazigh cultural festival in the Moroccan city of Tangier, was banned from travelling.[126]

Similarly, the General People's Committee modified Law 24 in 2007 and issued a new decree pursuant to which Libyans could in fact give their children names that "express the origins of Libyans" and are consistent with national customs and traditions. Yet, two months later, on 1 March 2007, Qaddafi delivered a speech in which he upheld the regime's traditional position denying the existence of minorities in Libya and argued that the *Imazighen* were Arabs who travelled from the Middle East to North Africa by land.[127] Such official see-sawing continued for some time. In January 2008, the regime held an official celebration in Tripoli to commemorate the *Amazigh* calendar.[128] In May 2008, Qaddafi met with inhabitants of Jadot city in the western *Amazigh* area and reminded them that the *Imazighen* are all Arabs,[129] and, in December of that year, the regime placed the town of Yefrin under siege, raiding houses of well-known local *Amazigh* personalities.[130] In December 2010, Mazigh and Madghis Bouzakhar, two brothers, were arrested and allegedly tortured for promoting *Amazigh* culture.[131]

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[119] At a UN Human Rights Committee meeting in October 1998, then-Libyan representative Said Hafyana complained about the committee's insistence that minorities such as the Berber or Tuareg existed in Libya. He said, "[h]istorical, anthropological and geographical studies had shown that all the peoples of North Africa formed part of a single family, the Semitic family". Summary Record of the 1713th meeting: Libyan Arab Jamahiriya, 27 October 1998, at www.arabhumanrights.org/countries/libya/ccpr/ccpr-c-sr1713-98e.pdf. He added that mentioning the existence of minorities was a device to provoke the country's "balkanisation".

[120] Many Libyan *Imazighen* are followers of the Ibadhi sect of Islam. The Ibadhis, also known by the more derogatory term of *Kharejites* (literally: "those who went out", ie, "seceders"), derive from an early schism within Shiism. When Ali, Mohammed's cousin and son-in-law, whose claim to the caliphate was based on kinship with the Prophet, agreed that his claim and that of his challenger Mu'awiya should go to arbitration, some of his partisans (*shi'at Ali*, "the party of Ali") withdrew their support. The Berbers of the Mzab in the northern Algerian Sahara and of the island of Djerba off the Tunisian coast are also Ibadhis, as is the ruling family of Oman.

[121] See First, op. cit., p. 41.

[122] The Berber language, Tmazight, which is not officially recognised in Libya, survives in a few areas, most notably Jabal Nafusa and the Cyrenaican town of Awjilah.

[123] They were not in fact executed and were released nine years later.

[124] See *Al Quds al-Arabi*, 12 September 2005.

[125] See "Libya Human Rights Practices, 1993", U.S. Department of State, 31 January 1994.

[126] See "Libya Focus", Menas Associates, August 2006, op. cit.

[127] His (very fanciful) argument was that the name "Berber" derived from the Arabic expression "*barr, barr*" ("by land, by land"). Virtually all experts agree that it in fact is derived either from the Arabic verb *barbara*, meaning to speak unintelligibly, or from the Latin *barbarus* and ancient Greek *barbaros*, meaning foreign.

[128] See "Libya Focus", Menas Associates, February 2008, op. cit.

[129] Ibid, June 2008.

[130] The assault allegedly was led by members of the Revolutionary Committees movement and a youth association linked to Saif Al-Islam. See *Al-Sharq Al-Awsat*, 27 December 2008.

[131] See Ishra Solieman, "Denied existence: Libyan-Berbers under Gaddafi and hope for the current revolution", Muftah.org, 24 March 2011, at http://muftah.org/?p=961.

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Barred from any political activity at home, the *Amazigh* opposition largely has been based outside and enjoyed limited influence. The main such group, the Libyan Tmazight Congress, was founded in 2002 and based in the UK; it aims to "[p]rotect, defend and develop Tmazight existence, identity and culture within Libya's national existence".[132] It has supported the uprising, notably by working alongside the Libyan Muslim Brotherhood to facilitate the recent meeting between Italian Foreign Minister Franco Frattini and members of the Interim Transitional National Council (TNC).[133]

Libya also has Tuareg and Tebu minorities. The Tuareg are a nomadic, pastoralist people who inhabit a geographically contiguous region within the Sahara and the Sahel and are also found in Algeria, Mali, Niger and Burkina Faso. Approximately 10,000 are believed to live in Libya, mostly in the desert oases of Ghat, Ghadames and Murzuq in the south west.[134]

As part of his Africa policy, Qaddafi has sought to develop good relations with Tuareg communities in neighbouring countries, particularly rebel groups.[135] He also has hosted increasing numbers of Tuareg from Mali and Niger and absorbed large numbers of Tuareg into his armed forces.[136] During the current fighting, there were claims that Qaddafi has been using non-Libyan Tuareg as mercenaries against rebel forces.[137]

The Tebu are found primarily in the Tibesti Mountain Range that runs along the border of southern Libya and northern Chad. There are no reliable estimates of their numbers. Trouble periodically has erupted between them and members of Arab tribes in the south, as increasing numbers of Tebu have crossed into southern Libya and settled in towns such as Al-Kufra or smaller centres such as Tagru and Umm al-Aranib; once there, they have tended to make homes for themselves in illegal makeshift camps and shantytowns and sought work.[138] The result has been mounting resentment among local Arab inhabitants.[139] Violent clashes erupted in the town of Al-Kufra in November 2008 between the Tebu and the Zwiya, the area's largest and most powerful tribe.[140]

Frustration also has been growing among the Tebu, many of whom have resided in the country for years and consider themselves fully Libyan yet are not treated accordingly. In December 2007, for example, in a bid to deter more Tebu from entering, the People's Congress of the Kufra *Shabia* (administrative district) instructed the people's committees, offices, departments and public companies to withdraw family ration books, identity cards, passports and papers from them.[141] In addition, it told all authorities and public services to enact strict and immediate procedures to expel the Tebu and "treat them as foreigners".[142] According to the National Conference of the Libyan Opposition, the regime arrested several Tebu.[143]

The main Tebu opposition group, the Tebu Front for the Salvation of Libya, is based in Oslo and led by Issa Abdelmajid Mansour. Although apparently enjoying little domestic support, it nonetheless has been an irritant to the regime. In 2008, it threatened foreign and Libyan companies working in Kufra, Rabiyan, Qatron Merzaq and Obar, ordering them to evacuate the area within two weeks.[144] However, nothing happened.

[132] See "Libyan Tmazight Congress. Founding Manifesto", at www.alt-libya.org/English/ALT.Founding.English.htm.

[133] Crisis Group email correspondence with a senior Libyan Muslim Brotherhood figure, April 2011.

[134] "Tuareg, U.S. Country Studies", U.S. Library of Congress, undated.

[135] Eric Koffi, "Libya: Gaddafi and his Mali-Chad Tuareg mercenaries", *Africa Defense*, 25 March 2011, at http://africadefensejournal.wordpress.com.

[136] Ibid. A military unit known colloquially as the "Black Battalion" and comprising some 5,000 soldiers reportedly is made up primarily of Tebu (see below) and Tuareg who were given Libyan citizenship at the time of Libya's war against Chad. Additionally, roughly 200 Tuareg soldiers from Niger reportedly were brought to Libya after the 2004-2005 Tuareg rebellion in Mali. Crisis Group email correspondence, Professor Jeremy Keenan, anthropologist and Sahara specialist, April 2011. Claims surfaced in 2005 that Qaddafi sought to recruit some 3,000 new troops from the "Saharan tribes", most of whom were Tuareg.

[137] "Tuaregs 'join Gaddafi's mercenaries'", BBC Online, 4 March 2011.

[138] Ibid.

[139] Ibid.

[140] "Libya Focus", Menas Associates, November 2008, op. cit.

[141] *Libya: Anba An-Ithtiradat Anifa Fi Al-Jenoub Baina Qabail Al-Tebu wa Al-Amen* [Libya: News of violent unrest in the south between Tebu tribes and security forces], *Al-Sharq Al-Awsat*, 5 November 2008, at www.aawsat.com/details.asp?section=4&article=493655&issueno=10935.

[142] "Libya Focus", Menas Associates, November 2008, op. cit.; see also, "Libya must stop forced evictions of Tabu tribe members", Amnesty Interational, 6 April 2010.

[143] "Libya Focus", Menas Associates, November 2008, op. cit.

[144] "Tebu threaten to sabotage oil installations as clashes break out in al-Kufra", Menas Associates, 12 November 2009, at www.localcontent-online.com/sahara_focus/.

VI. THE NEW REVOLUTIONARIES

The protesters who took to the streets in February represent a broad cross-section of society, united in the desire to oust Qaddafi and his regime. As in Tunisia and Egypt, they included a strong youth component and were drawn from the middle and lower classes. They moved quickly after the initial uprising to organise committees and political bodies designed to deal with day-to-day matters such as cleaning streets and protecting public buildings. Their goal also was to create the necessary structures for a transitional government.

A. THE INTERIM TRANSITIONAL NATIONAL COUNCIL

The main body to have emerged out of the uprising is the Interim Transitional National Council (TNC). Intended to oversee a transition toward a modern liberal democracy,[145] it originally consisted of 31 members representing their respective areas and selected from local councils set up after the uprising. The number currently stands at 33 and is set to rise to between 40 and 45. No fixed procedure governed their selection; rather, particularly given the dearth of qualified personnel, they apparently were chosen based on experience.[146] To date, the names of only some Council members have been made public; in many areas – including Ajdabia and Al-Kufra in the far south east, as well as Ghat, Nalut, Misrata, Zintan and Zawiya in the west – they could not be disclosed for safety reasons. Most known members are professionals who of late had become vocal reform advocates and regime critics.[147] The TNC held its first meeting in Benghazi on 5 March 2011. In May, it established an Executive Board that acts as a kind of government.

Leading the Council and Executive Board is a group, including both technocrats and other, more political figures, from the General People's Committee who defected during the uprising's early stages. They include Mustafa Abdel Jalil and Mahmoud Jibril, both of whom belonged to Saif Al-Islam's reformist current both have sought to distance

themselves from the regime's excesses. They are seen as relatively pragmatic, open-minded and free of the corruption for which other members of the General People's Committee had become notorious.

Named Members of the Transitional National Council

1. Mustafa Mohammed Abdul Jalil (Chairman of the Council)
2. Abdelhafed Abdelkader Ghoga (Vice-Chairman, Official Spokesman and Representative of Benghazi City)
3. Othman Suleiman El-Megyrahi (Batnan Area)
4. Ashour Hamed Bourashed (Derna City)
5. Zubiar Ahmed El-Sharif (Representative of the Political Prisoners)
6. Ahmed Abduraba Al-Abaar (Economics)
7. Fathi Mohamed Baja (Head of the Political Affairs Advisory Committee and Benghazi City).
8. Sulaiman Al-Fortiya (Misrata City)
9. Mohamed Al-Muntasir (Misrata City)
10. Fathi Terbil (Youth)
11. Salwa Fawzi El-Deghali (Legal and Women's Affairs)
12. Abdelallah Moussa El-Myehoub (Qouba Area)
13. Omar Hariri (Military Affairs)

The Executive Board

1. Mahmoud Jibril (Chairman and Head of International Affairs)
2. Ali Al-Issawi (Deputy Head of the Board and International Affairs)
3. Ahmed Hussein Al-Darrat (Interior and Law Enforcement)
4. Mahmoud Shamam (Media)
5. Naji Barakat (Health)
6. Mohammed Al-Allagi (Justice and Human Rights)
7. Hania Al-Gumati (Works and Social Affairs)
8. Abdullah Shamia (Economics)
9. Ali Al-Tarhuni (Finance and Oil)
10. Anwar Al-Faytouri (Transport and Communications)
11. Abulgassim Nimr (Environment)
12. Attia Al-Aujali (Culture and Community)
13. Abdulsalam Al-Shikhy (Religious Affairs and Endowments)
14. Ahmed Al-Jehani (Reconstruction and Infrastructure)
15. TBC (Education)

Mahmoud Jibril (born 1952) was initially appointed to the Council with joint responsibility for foreign affairs and international liaison and is now its executive head. In

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[145] Some Libyans refer to it as a kind of "crisis management body". Crisis Group telephone interview, Ashur Shamis, Libyan writer and member of the opposition, 30 March 2011.
[146] Ibid.
[147] They include Fathi Mohamed Baja, a political science professor at Gar Younis University who got in trouble for writing bold and highly critical articles in the semi-independent press; Abdelhafed Abdelkader Ghoga, a lawyer and head of the Libyan Bar Association who has been a strong advocate of reform; and Fathi Terbil, another lawyer, who represented the families of the victims of the 1996 Abu Salim prison massacre and whose arrest on 16 February triggered the initial protests.

2007, Saif Al-Islam introduced him to the political scene by appointing him Secretary of the National Planning Council.[148] During his tenure, Jibril clashed with several regime figures who objected to his reformist ideas; they included not only members of the "old guard" but also Saif himself.[149] As a result, he resigned (some say he was removed) from his post in 2010. He has since benefited both from his reputation as a competent technocrat and from having distanced himself from Qaddafi's regime.

The Council's chairman, Mustafa Abdul Jalil, was among the first to defect. He is of eastern origin; born in Al-Baida in 1952; in 1970 he moved to Benghazi to study at the Islamic University. When the university was integrated into the main body of what was then the Libyan University – part of Qaddafi's bid to dismantle the traditional religious establishment – he returned to Al-Baida where, in 1975, he graduated from the Arabic Language and Islamic Studies Department in the Sharia Faculty. He subsequently was appointed assistant to the public prosecutor in Al-Baida and, in 1978, became a judge, a profession he maintained until 1996. In 2002, Jalil was appointed as head of the Court of Appeals and then president of the Al-Baida court. In 2007, Saif Al-Islam picked him for the position of Justice Secretary in the General People's Committee.

As Justice Secretary, Jalil gained a reputation for integrity, as he stood his ground against the security services. Notably, he offered his resignation during a January 2010 meeting of the General People's Congress to protest their continued detention – despite a judicial ruling ordering release – of some 300 political prisoners, most of whom belonged to the Libyan Islamic Fighting Group and had renounced violence. His plea on their behalf was rebuffed by Qaddafi, who claimed they were al-Qaeda members and insisted security could not be compromised.

Ali Al-Issawi, responsible for foreign affairs and international liaison, also joined the opposition soon after the uprising began. Born in Benghazi in 1966, he set up and became head of the Centre for Export Development. In 2006, he was appointed as Secretary for Economy, Trade and Investment in the General People's Committee. A member of the reformist camp, he sought to open up the economy but felt compelled to step down in 2008 after clashes with General Secretary Baghdadi Mahmoudi over the speed and extent of economic changes. In 2010, he was sent to India as ambassador. He resigned and joined the opposition soon after the revolution broke out.

In a bid to reach out to the international community, the Council also appointed a number of representatives abroad: Guma Gumaty in the UK and Ali Zidan, who is based in Paris, as its spokesman in Europe. In addition, the Council has a foreign affairs committee, as well as its own "National Oil Company", which had been operating under Qaddafi's regime and is now working on the Council's behalf, seeking to export oil from the eastern region.[150] The Council has begun exporting limited supplies of crude oil to Qatar under a special agreement signed in April 2011 in which Doha is responsible for marketing and selling the oil and in which it supplies the Council with refined oil products in return.

Finally, the Council set up a fifteen-member military committee, which initially was headed by Omar Al-Hariri. As a young man he attended the Benghazi military academy with Qaddafi;[151] in 1969, he was among the youthful officers who led the revolution. In 1975, however, he organised a plot to overthrow the regime which, when uncovered, led to the arrest of some 300 men of whom 21 (including Al-Hariri) were sentenced to death. After fifteen years in prison, he was released and placed under house arrest in Tobruk, where he was kept under surveillance until the uprising.

The job of military commander on the ground was initially given to former Public Security Secretary Abdelfatah Younis Al-Obeidi, who it was hoped would attract more officers from the Libyan army to swell the ranks of the opposition forces. However, after the rebels suffered a number of setbacks and the hoped-for defections did not materialise, Colonel Khalifa Haftar was appointed to take over. He had fought in Libya's war against Chad before defecting to the U.S. However, his appointment did not work out well. Despite popularity with many of the fighters, who appreciated his long opposition to the regime, he struggled to be accepted by the Interim Transitional National Council, some of whom accused him of being arrogant and of believing that he could return to the country and take over the military leadership.[152] Following further mistakes under Haftar's command, the council reappointed Abdelfatah Younis Al-Obeidi to the post. He now appears to be firmly ensconced and is listed on the Council's web-

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[148] He also was involved in the Libya 2025 project, an initiative aimed at mapping out a new economic future; however, its results were not adopted by the regime. Crisis Group interview, Giumah Bukleb, former press officer at the Libyan embassy in the UK, London, March 2011.

[149] See "Libya Focus", Menas Associates, March 2011, op. cit.

[150] Crisis Group telephone interview, Ashur Shamis, Libyan writer and opposition activist, March 2011.

[151] He claims to have taught the future leader how to drive a car. See *The Globe and Mail*, 2 March 2011.

[152] Council member Abdelhafed Abdelkader Ghoga explained: "We defined the military leadership before the arrival of Haftar from the United States .… We told Mr Haftar that if he wants, he can work within the structure that we have laid out". "Libyan rebels struggle to explain rift", *The Washington Post*, 3 April 2011.

site as the head of what has now been named the Free Libya Armed Forces.

Although its key figures hail from the east, the Council is anxious to dispel any notion that it represents that part of the country only or that it will lead to partition.[153] In several statements, it has reiterated that the revolution will not be complete until Tripoli falls.

On 29 March the Council issued its "Vision of a Democratic Libya", an eight-point document that describes its aspirations for "a modern, free and united state".[154] In particular, it evokes a modern liberal democracy that "draws strength from our strong religious beliefs in peace, truth, justice and equality".[155] It also calls for the drafting of a national constitution that establishes legal, political, civil, legislative, executive and judicial institutions.

B. DEFECTORS

Since the uprising began, a number of key defectors have joined the opposition, including members of the government and diplomatic corps as well as military and security personnel. Most significant among these was foreign affairs secretary (minister) Musa Kusa, long a central regime figure with very close ties to Qaddafi. Prior to being appointed foreign affairs secretary, he had been head of external security and was widely seen as Qaddafi's security chief. In the 1980s, he became notorious for running Qaddafi's "Stray Dogs" campaign aimed at liquidating exiles abroad; in that capacity, he directed the group of Revolutionary Committees members who took over the embassy in London at the time and were expelled by the British. Widely seen as a ruthless and uncompromising servant of the regime, he somewhat reinvented himself in recent years. He was heavily involved in negotiations with the British and Americans over the Lockerbie case and gained a measure of respect from the West.

Of lesser significance yet nonetheless a blow to the regime was the resignation of the ambassador to the UN, Abdelrahman Shalgam, a longstanding regime servant who previously spent years as foreign affairs secretary. He had been an advocate of improved relations with the West and was entrusted with leading negotiations with France to settle the UTA bombing affair.[156] Most other defections

have been General People's Committee members or diplomats, embarrassing but not of critical importance to the regime.[157] A majority have come from the east.

So far, the most noteworthy feature arguably has been the limited number of high-level defections and the apparent loyalty of Qaddafi's inner circle. This has been a major factor in his ability to hold on to Tripoli, although there are unconfirmed reports that members of the Revolutionary Command Council and the so-called "Men of the Tent" are in effect under house arrest, with armoured vehicles outside their houses to prevent their defection.[158] Their reluctance to part from the regime, assuming they are not being barred from doing so, likely reflects their belief that their fates are so closely tied to Qaddafi's that their only choice is to fight with him until the end.

Other defections have included Fathi Ben Shetwan, former energy secretary and former industry secretary in the General People's Committee, who fled by boat from Misrata in April 2011 and Ferhat Ben Ghadara, governor of the Central Bank, who also defected in April. It was reported on 17 May 2011 that the head of the National Oil Company, Shukri Ghanem, had likewise defected. Although not a key member of the regime, Ghanem is a competent oil man with strong connections to the West. If confirmed, this defection will mark another disappointment to the regime.

Another key component in Qaddafi's ability to hold on to much of the west has been the limited defections to date among the main tribes that traditionally have been allied with the regime. Opposition claims that some of these major tribes, including the Werfella and the Magarha, have shifted loyalty so far have proven groundless. Although some members have declared their support for the rebels, the tribes themselves have not. Certainly, the regime has tried hard to ensure tribal loyalty since the uprising's onset. Shortly after it began, Qaddafi reportedly provided weapons to branches within the Qadadfa that are most closely related to him. The regime's traditional policy of carefully arming a limited number of loyal tribal members appears to have given way to a massive arming campaign; other tribes rumoured to have received weapons are the Ferjan and Medaan.[159] In the same vein, Qaddafi report-

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[153] For example, it has allocated seats to individuals in western regions and made clear its hope that it will be extended across the country. It has also vowed that Tripoli (described as the "bride of the Mediterranean") will remain the capital of a new Libya. See Council website at http://ntclibya.org/english/.
[154] See ibid.
[155] Ibid.
[156] On 19 September 1989, UTA Flight 772 bound from N'Djamena in Chad to Paris exploded over the Sahara Desert.

Libya was accused of being behind the bombing, and in 1999, six Libyans, including intelligence chief Abdullah Senussi, were tried in absentia in France. In 2004 an agreement was signed by the Libyans to pay compensation to the families of the victims.
[157] Secretary for Public Security (Interior Minister) Abdelfatah Younis Al-Obeidi, who joined the rebels in the early stages of the uprising, never was a key member of Qaddafi's inner circle.
[158] Crisis Group telephone interviews, Libyans, March 2011.
[159] "Libya Focus", Menas Associates, March 2011, op. cit.

edly supplied money to certain tribes in an effort to purchase their support.[160]

Given the regime's concerns about tribal loyalties and the possibility for further defections, there is reason to believe Qaddafi is being compelled to increasingly rely on his family and tribe and that both are closing ranks as the international coalition continues and intensifies its military operations.[161]

C. OTHER FORCES AND CURRENTS

The other main current that has emerged in the east since the uprisings is represented by a group of religious scholars with uncertain ties to the Muslim Brotherhood. It is led by Dr Ali Al-Salabi, whose books were banned in Libya for years and who had been based in the United Arab Emirates. In 2007, Saif Al-Islam invited him to participate in the dialogue with the LIFG leadership, and he subsequently was provided more space to operate inside the country. He was appointed to the international advisory board of Saif's Qaddafi International Development Foundation and became active within the reformist current. In the uprising's early stages, he and other scholars who belonged to the traditional religious establishment opposed the idea of foreign military intervention, declaring support for such a move "tantamount to treason".[162] When opposition fortunes took a turn for the worse in early March, they shifted their position and backed Security Council Resolution 1973 authorising the use of force.[163]

Their relationship with the Interim Transitional National Council has been ambiguous. Even as Al-Salabi declared his support for the Council, he and the group of scholars surrounding him[164] have criticised it, complaining about its shortcomings.[165] On 28 March, they issued their own vision for Libya, "The National Charter Project". Besides proposing a more decentralised system than that offered by the Interim Transitional National Council, it was more explicit about the Islamic nature of the state, declaring: "People are the source of authority. The state's religion is

Islam and the principle of Islamic Sharia is the source of its legislation".[166] Although for now enjoying only limited support, the group could emerge as a serious force, notably in the east where the Brotherhood's reformist Islamist ideology likely will resonate; moreover, Al-Salabi and some of the sheikhs around him command a degree of respect among ordinary Libyans and could develop their own constituency.

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[160] Ibid.

[161] Crisis Group telephone interviews, Ashur Shamis, Libyan writer and opposition activist, and Giuma Bukleb, Libyan writer, London, March 2011.

[162] See, eg, interview of Dr Ali Al-Salabi with Al Jazeera, 17 February 2011, available at www.youtube.com/watch?v=w0g7 iSucPEs.

[163] "Misrata resists Kadhafi onslaught", *Magharebia*, 22 April 2011, at www.magharebia.com.

[164] It now includes Sheikh Salim Abdelsalam Sheikhi, who was an imam at the Didsbury Mosque in Manchester, England, and Ismail Mohamed Qurateli.

[165] Crisis Group telephone interview, Ashur Shamis, Libyan writer and opposition activist, March 2011.

[166] *Al-Salabi wa Al-Sheikhi wa Akaroun Yukadimoun Mashrouan Li Mithaq Watani Intikali* [Al-Salabi, Al-Sheiki and others present a project for the Interim National Charter], 28 March 2011, at *Libya Al-Youm*, www.libya-alyoum.com.

VII. CONCLUSION: THE IMPERATIVE OF A CEASEFIRE AND POLITICAL NEGOTIATIONS

A. THE MILITARY DEADLOCK

The conflict in Libya remains unresolved. It is inaccurate to describe the position as a stalemate; some movement is possible for both sides. But, as things stand there is no reason – short of a significant escalation in NATO operations – to expect victory for either side in the near term, and a protracted war is a strong possibility, as the recent extension of NATO's mission for another 90 days makes clear.[167]

The expectation that NATO operations – including a no-fly zone – would be the final nail in Qaddafi's coffin has proved to be mistaken, and the resilience of the regime has been underestimated. The regime has not only managed to hold Tripoli but, for a time, its forces made at least temporary gains in areas in the east that they were forced out of following the initial NATO air and missile strikes. The anti-Qaddafi side has achieved a notable success in holding its ground in Misrata under great pressure and in gaining control of certain areas in the western mountains, but otherwise the hope that the people of western Libya would massively rise up against the regime has yet to be vindicated. The international military intervention arguably hardened the resolve among some Qaddafi loyalists. Now they are fighting not only against their fellow Libyans, but more importantly also against "Western imperialists" – a stance Qaddafi has always thrived upon. How Libya will extricate itself from this deadlock is unclear.

There is no reason to expect the opposition forces to win entire control of the west in the foreseeable future. To be sure, there is evidence that Qaddafi's troops may be becoming demoralised. At a 30 May press conference given in Rome, several senior officers announced their defection and claimed that the military's capacity was significantly degraded. Officials from NATO countries also express renewed optimism that both internal and external pressure is growing on the regime, and they point in particular to Russia joining the call for Qaddafi to leave.[168]

As yet, however, the opposition appears too unorganised and inexperienced to be a match for the regime's forces.[169]

Training them and supplying them with arms and advisers will enable them to stay in the fight and even improve their performance, but it is unlikely to prove decisive soon. It is also unrealistic to expect NATO's aerial bombardment to decide matters; the role of air power often has been overestimated in deciding conflicts in the past so that there can be no excuse for policy to be premised on such wishful thinking. Instead, there is every reason to think that only the introduction of a sizeable army of professional soldiers on the ground would be capable of securing a swift military resolution of the conflict. But the political cost of this would be very high, and it would be the wrong choice to make.[170]

Indeed, the consequences of such a scenario – which NATO for now has explicitly ruled out – for both Europe's and the U.S.'s relations with the other states of North Africa, all of which are unsupportive of or explicitly opposed to such a prospect, could well be severe. Moreover, there is strong resistance within the opposition to the idea of Western ground troops; while the no-fly zone instigated by the Security Council resolution has been broadly acceptable to most Libyans seeking an end to the Qaddafi regime, Western ground forces would not be welcome, not least because their deployment would be tantamount to taking the revolution away from the Libyans.

B. A CEASEFIRE FOLLOWED BY NEGOTIATIONS

1. The ceasefire

Only an immediate ceasefire followed by serious negotiations can secure a positive political outcome to the present conflict in a reasonably short timeframe. UNSC resolution 1973 emphatically called for a ceasefire,[171] yet every proposal for a ceasefire put forward by the Qaddafi regime or by third parties so far has been rejected by the TNC as well as by the Western governments most closely

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[167] NATO's military mission was initially authorised for a 90-day period, up to the end of June. It has now been extended for a further 90 days, till the end of September. See "UK welcomes extended Libyan mission", Associated Press, 1 June 2011.
[168] Crisis Group interview, U.S. official, Washington, June 2011.
[169] See John F. Burns, "Qaddafi and Zuma meet but reach no agreement", *International Herald Tribune*, 30 May 2011. The regime forces' demoralisation appears to be almost entirely due

to NATO's relentless bombardment. Firm evidence that the opposition forces are becoming a serious army in their own right is still scarce.
[170] There is already a Western military presence on the ground in Libya, as became clear when Al Jazeera television on 30 May broadcast film of a group of six Western military personnel operating in liaison with opposition forces at Dafniya in the vicinity of Misrata; the six men were clearly embarrassed at being caught on camera. See Julian Borger and Martin Chulov, "Gaddafi wants truce in Libya, says Zuma, but terms unclear", *The Guardian*, 31 May 2011; and Richard Norton-Taylor, "Libya: SAS veterans helping Nato identify Gaddafi targets in Misrata", *The Guardian*, 31 May 2011.
[171] The first article of UNSC resolution 1973 reads: "1. *Demands* the immediate establishment of a cease-fire and a complete end to violence and all attacks against, and abuses of, civilians".

associated with the NATO military campaign.[172] The main grounds cited have been that Qaddafi cannot be expected to honour his undertakings and that nothing short of his departure is acceptable. However, neither the TNC nor NATO has made a ceasefire proposal of its own and there has yet to be a meaningful attempt to test Qaddafi's seriousness or pose conditions on acceptance that would subject a putative ceasefire to effective independent supervision (for example by an international peacekeeping force) and thereby address constructively the problem of Qaddafi's suspected untrustworthiness.

The function of a ceasefire should be not only to stop the fighting and save lives, but to lead directly to negotiations between the TNC and the Qaddafi regime, thereby enabling politics to resume their rightful place and a new, constructive, non-violent political process to get under way. For a negotiation between the regime and its opponents to take place would already represent a sea change in Libyan political life. The goal for the TNC should be to secure agreement on four fundamental points: the basic principles of the post-Jamahiriya state as a democratic, law-bound, sovereign republic and nation-state; the institutions of a provisional government during the transitional phase, their functions and their personnel; the political roadmap for taking Libya out of the transitional phase into the post-Jamahiriya state; and the personal futures of Qaddafi and his family.

The organisational arrangements for maintaining the ceasefire – especially the deployment of a mutually acceptable peacekeeping force to monitor and guarantee it by acting as a buffer between the two sides – must be solid and lasting. The delivery of effective humanitarian assistance will also be necessary to the maintenance of the ceasefire. The *political* arrangements that should guarantee it, especially to ensure discipline among the troops on both sides, will also need to be solid. For these reasons, it may be wise to think of the ceasefire as itself occurring in two phases. A first phase would involve a mutual truce declaration to

allow talks on securing a definitive ceasefire; these would address and agree on the lines of the ceasefire, deployment of peacekeeping forces, delivery of humanitarian assistance, etc. A second phase would entail a mutual declaration of a cessation of fighting and announcement of talks on the shape and modalities of the transition to a new Libyan state.

2. Handling the Qaddafi issue

For a deal along these lines to be possible it is essential to make a distinction between Qaddafi "going" eventually – ceasing to have any political role or power – as a key element of *the desired political end result* and his "going" immediately, as the precondition of everything else. To insist that Qaddafi go now, as a precondition for a ceasefire, is to make a ceasefire extremely difficult if not impossible. To begin with, Qaddafi is most unlikely to agree. Moreover, although – in the unlikely event that he went or was removed – another figure in the regime might be able to deliver a verbal or written agreement to a ceasefire, more than that is needed for it will be necessary that all regime fighting forces respect its terms. Discipline will have to be kept. With Qaddafi gone, the regime and its security forces could fall apart in political chaos and collapse into a kind of warlordism. An orderly transition to a post-Jamahiriya state requires an orderly ceasefire, and this requires a commanding authority on the regime's side. This means that the TNC has an interest in Qaddafi retaining the authority to deliver a ceasefire for the time being.

In turn, for Qaddafi to be able to play this role, at least two conditions must be met. First, the TNC cannot agree to Qaddafi playing this constructive role in the short term unless it is made quite clear that he will have no role in the post-Jamahiriya state; that is, there must be a firm understanding that Qaddafi will indeed go eventually, as part of the end result. Secondly, Qaddafi cannot be expected to play this constructive role in delivering a ceasefire unless he gets something in return.

As a result, and at a minimum, it will be essential to make clear that neither Qaddafi nor any of his sons will hold any position in either the government of the post-Jamahiriya state or the interim administration put in place for the duration of the transition period. Likewise, it will be critical to secure from Qaddafi and his sons a declaration, as part of the deal leading to Phase II of the ceasefire (complete cessation of combat) that they recognise and accept that Libya will have a new constitution and that they will have no role in Libya's government in the post-Jamahiriya state.

At the same time, if Qaddafi is to retain the authority to deliver and maintain the ceasefire, he has to preserve some influence with his supporters, which means that he has to be able to promise them something. While it will be essential that he and his sons accept and publicly acknowledge

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[172] The latest such attempt was made by South African President Zuma. Details of this and of Qaddafi's reaction are not wholly clear. In a statement, the South African presidency said: "Col Gaddafi reiterated his agreement to a ceasefire and a dialogue of the Libyan people to find a political solution". See Statement of the Presidency, "President Zuma Returns from Libya", 31 May 2011. According to a senior African Union official, President Zuma's purpose was to secure a ceasefire that would lead to a political transition; in his and the AU's conception, it was essential that NATO's bombing campaign – which the AU regards as in violation of UNSC resolution 1973 - be halted to allow space for a transition process to begin; Crisis Group interview, senior AU official, Nairobi, 1 June 2011. This latest proposed ceasefire was immediately rejected by the TNC. See Daniel Howden, "Gaddafi ready to implement truce, says Zuma after talks", *The Independent*, 31 May 2011.

that they will have no governing role in the future, it is equally essential that their supporters be able to look forward to being represented – and so having a political stake – in the post-Jamahiriya state. As a result, the TNC should be prepared to announce that it recognises that *all* Libyans will have a right to representation within the new state, including those who have continued to serve the old regime up until now. The TNC also should be prepared to agree, at an appropriate point in what will be complex negotiations, to Qaddafi's supporters having at least some representation within the interim administration of Libya during the transition period. If they cannot look forward to anything like this, there will be a danger of a situation developing similar to Iraq after the fall of Saddam and the dissolution of both the Baath party and the army, when the Sunnis felt entirely excluded from the new regime and went into violent rebellion against it.

The question of Qaddafi's personal future in light of the ICC investigation is difficult, although there may be some room to move.[173] Should this become an obstacle during future negotiations, two options might enable Qaddafi to avoid the prospect of a trial in The Hague, though both present problems from an accountability perspective. The first would be for his exile to a state that has not signed up to the Rome Statute – although, to date, Qaddafi has adamantly rejected the notion of leaving Libya.[174] The second would be for the UN Security Council to pass a Chapter VII resolution deferring the investigation for twelve months pursuant to article 16 of the Rome Statute.[175] Such a resolution can be renewed on an annual basis.

The main danger in making any of these concessions to Qaddafi and his regime is that this will be misunderstood by sections of the TNC's own supporters and allies and lead to divisions within the TNC's own camp. It will accordingly be important to be able to convince them that the concessions do not compromise the prospect of a future, Qaddafi-free, post-Jamahiriya state – in short, that these tactical concessions do not in any way endanger the central objective of establishing a free Libya as a democratic republic.

3. The transition phase and interim administration

Once Phase II of the ceasefire is in place, with agreed peacekeeping forces and agreed delivery of humanitarian assistance under way, negotiations should address three strategic objectives: formation of an interim administration for the transition period; establishment of conditions for resumption of national political life; and agreement on the roadmap towards – that is, the timeframe and modalities of – the establishment of a definitive, law-bound, democratic republic.

The interim executive could include strong TNC representation, some representation of the Qaddafi regime and its supporters, plus a third, neutral element (composed perhaps of technocrats and a few respected independent figures). One of the interim executive's first acts should be to issue a decree guaranteeing freedom of movement and freedom of association and assembly throughout the country, subject to the necessary conditions of the maintenance of the ceasefire and the operations to guarantee this of the peacekeeping forces.

It is, of course, premature, to lay out in detail the road map of a transition to a definitive post-Jamahiriya state. However, if this state is to differ fundamentally from the Jamahiriya, it must have real and properly functioning institutions; it must be based on the rule of law; it must have a genuine constitution that is its fundamental law; and it must explicitly guarantee the key principle that the Jamahiriya rejected, namely that of political representation, which implies the right to choose political representatives and thus political pluralism.

But it is most unlikely that Libya after Qaddafi will have any of these things unless an orderly transition is agreed between all the main forces in Libyan politics and for this to happen a ceasefire must be achieved and serious negotiations started without further delay.

Cairo/Brussels, 6 June 2011

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[173] On 16 May 2011 the prosecutor requested ICC judges to issue arrest warrants for Muammar Abu Minya Qaddafi, Saif Al-Islam Qaddafi and the Head of the Intelligence Abdullah Al Sanousi for crimes against humanity committed in Libya since February 2011.

[174] Operative paragraph 5 of UNSC resolution 1970 provided: "the Libyan authorities shall cooperate fully with and provide any necessary assistance to the Court and the Prosecutor pursuant to this resolution and, while recognizing that States not party to the Rome Statute have no obligation under the Statute, urges all States and concerned regional and other international organizations to cooperate fully with the Court and the Prosecutor". [States that have not signed up to the Rome Statute include Cuba, Zimbabwe and all states in the Middle East (excepting Jordan).]

[175] Article 16 provides "No investigation or prosecution may be commenced or proceeded with under this Statute for a period of 12 months after the Security Council, in a resolution adopted under Chapter VII of the Charter of the United Nations, has requested the Court to that effect; that request may be renewed by the Council under the same conditions".

APPENDIX A

MAP OF LIBYA

APPENDIX B

ABOUT THE INTERNATIONAL CRISIS GROUP

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 130 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international decision-takers. Crisis Group also publishes *CrisisWatch*, a twelve-page monthly bulletin, providing a succinct regular update on the state of play in all the most significant situations of conflict or potential conflict around the world.

Crisis Group's reports and briefing papers are distributed widely by email and made available simultaneously on the website, www.crisisgroup.org. Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policy-makers around the world. Crisis Group is co-chaired by the former European Commissioner for External Relations Christopher Patten and former U.S. Ambassador Thomas Pickering. Its President and Chief Executive since July 2009 has been Louise Arbour, former UN High Commissioner for Human Rights and Chief Prosecutor for the International Criminal Tribunals for the former Yugoslavia and for Rwanda.

Crisis Group's international headquarters are in Brussels, with major advocacy offices in Washington DC (where it is based as a legal entity) and New York, a smaller one in London and liaison presences in Moscow and Beijing. The organisation currently operates nine regional offices (in Bishkek, Bogotá, Dakar, Islamabad, Istanbul, Jakarta, Nairobi, Pristina and Tbilisi) and has local field representation in fourteen additional locations (Baku, Bangkok, Beirut, Bujumbura, Damascus, Dili, Jerusalem, Kabul, Kathmandu, Kinshasa, Port-au-Prince, Pretoria, Sarajevo and Seoul). Crisis Group currently covers some 60 areas of actual or potential conflict across four continents. In Africa, this includes Burundi, Cameroon, Central African Republic, Chad, Côte d'Ivoire, Democratic Republic of the Congo, Eritrea, Ethiopia, Guinea, Guinea-Bissau, Kenya, Liberia, Madagascar, Nigeria, Rwanda, Sierra Leone, Somalia, Sudan, Uganda and Zimbabwe; in Asia, Afghanistan, Bangladesh, Burma/Myanmar, Indonesia, Kashmir, Kazakhstan, Kyrgyzstan, Nepal, North Korea, Pakistan, Philippines, Sri Lanka, Taiwan Strait, Tajikistan, Thailand, Timor-Leste, Turkmenistan and Uzbekistan; in Europe, Armenia, Azerbaijan, Bosnia and Herzegovina, Cyprus, Georgia, Kosovo, Macedonia, Russia (North Caucasus), Serbia and Turkey; in the Middle East and North Africa, Algeria, Egypt, Gulf States, Iran, Iraq, Israel-Palestine, Lebanon, Morocco, Saudi Arabia, Syria and Yemen; and in Latin America and the Caribbean, Bolivia, Colombia, Ecuador, Guatemala, Haiti and Venezuela.

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Crisis Group Middle East/North Africa Report N°107, 6 June 2011

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APPENDIX C

CRISIS GROUP REPORTS AND BRIEFINGS ON THE MIDDLE EAST AND NORTH AFRICA SINCE 2008

Arab-Israeli Conflict

Ruling Palestine I: Gaza Under Hamas, Middle East Report N°73, 19 March 2008 (also available in Arabic).

Lebanon: Hizbollah's Weapons Turn Inward, Middle East Briefing N°23, 15 May 2008 (also available in Arabic).

The New Lebanese Equation: The Christians' Central Role, Middle East Report N°78, 15 July 2008 (also available in French).

Ruling Palestine II: The West Bank Model?, Middle East Report N°79, 17 July 2008 (also available in Arabic).

Round Two in Gaza, Middle East Briefing N°24, 11 September 2008 (also available in Arabic).

Palestine Divided, Middle East Briefing N°25, 17 December 2008 (also available in Arabic).

Ending the War in Gaza, Middle East Briefing N°26, 05 January 2009 (also available in Arabic and Hebrew).

Engaging Syria? Lessons from the French Experience, Middle East Briefing N°27, 15 January 2009 (also available in Arabic and French).

Engaging Syria? U.S. Constraints and Opportunities, Middle East Report N°83, 11 February 2009 (also available in Arabic).

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APPENDIX D

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