The Lords of the Sands: The Obstacles to Restoring Political Order in Libya.

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Abstract:

Rotberg’s definition of a failed state perfectly sums up the current state of Libya as being without political order. Failed states are defined as, ‘deeply conflicted... by warring factions,’ where, ‘official authorities... face... insurgencies.’ (Rotberg 2011). In 2011 the North Atlantic Treaty Organization (NATO) decided to intervene in Libya to avoid a humanitarian disaster. This resulted in the fall of a dictator (Colonel Muammar Qaddafi) and a change in regime. Ultimately the Libyan state was transformed over the next three years and things took a turn for the worst. In 2014 the civil war had begun; Libya was now a failed state. There are many domestic factors that have contributed towards the instability within Libyan politics, one being the insecurity that now plagues the state. The insecurity allows for there to be the perfect breeding ground for insurgencies in the form of mass fragmentation with armed militias and extremist groups prompting further insecurity creating a disaster cycle. There are many obstacles that have now formed a maze around the Libyan government, and still today it seems unlikely to finding its way out. This paper identifies and explores four main obstacles: NATO’s mission and consequences, independent international interference, Libyan historical legacies and geography.
Introduction:

Today a third of Libyans live in poverty. Before the fall of Qaddafi however, the poverty rate in Libya was lower than that of the Netherlands, a balance of power must be restored to ensure political order, however there are obstacles hindering its path.

In order to best comprehend the obstacles to restoring Libyan political order one must first define it. Fukuyama envisions political order as something that a state evolves into through three key components: the rule of law, the state, and mechanisms of accountability. The first calls for the creation of an objective law by which rulers must hold steady and not change policy to better suit their interests. When refers Fukuyama to the state he entails the absolute control of violence. The accountability refers to democratic accountability in which all groups are given control and a voice in the decision making (Fukuyama 2014). Libya currently seems to be lacking all these qualities and four obstacles are identified as most influential in limiting political order; firstly the North Atlantic Treaty Organization (NATO) and its mission that resulted in regime change, secondly independent international actors following Qaddafi’s deposal, third the historical legacy of Libya, and lastly the geography and the resources of Libya. Clearly therefore a distinction of international and domestic factors are visible with NATO and independent international actors comprising the international obstacles whilst geography and historical legacies make up the domestic.

NATO has been separated from independent international actors because it is a military alliance and therefore behaves differently to independent actors. In addition, NATO’s mission does characterize a strong influence in limiting political order in Libya and should be considered differently to international actors that consists of NATO members themselves. NATO’s mission in Libya has been criticized by many, and the outcome saw obstacles propping up, limiting Libyan political order. The NATO objectives mirror the decision that came about from the United Nations Security Council (UNSC). The UNSC voted on Resolution 1973 in March 2011 mandating the protection of Libya’s civilians, policing of a no-flight zone, and prevention of illicit arms transfers by air and sea (Brockmeier, Stuenkel & Tourinho 2016). Fast forward eight years and what do we find? Libyan civilians are still embroiled in conflict, illicit arms are still making their way to Libya via air and sea, and there seems to be no end in sight. NATO's actions resulted in a change in regime that ultimately left an already inherent political hole gaping wider into a chasm as no nation building was attempted and to the revolutionary victors went the spoils.

Further independent international actors intervened following the revolution and many including the Libyans themselves view this as a great obstacle in restoring political order. International actors have now created ties with the rivalling governments, the General National Accord (GNA) and the House of Representatives (HoR). The support that is being supplied in forms of arms and lucrative capital has been given in return for promised resources and influence thus enabling a proxy war of sorts. This interference has resulted in the elongation of
conflict and has increased the extent of fragmentation clearly therefore acting as an important obstacle to political order.

A further obstacle to political order which is identified as the most important is one that had remained subtly beneath the surface but has nonetheless poisoned the earth, the historical legacies. A legacy that has resulted in the creation of social norms which have shrouded the national identity, and now has finally been uncovered. Uncovered by the revolution which produced a division of cultures that were being held together under dictatorship. The past 40 years of Libyan history saw an authoritarian regime that controlled every aspect of the state and therefore no political parties existed. This begs the question therefore of how a country with no positive political experience or leadership would overcome the political vacuum that it was left with, which in turn brought insecurity and instability? The inherent weakness of the newly formed government was emphasized as fragmentation and militias became the norm whilst General Haftar, (former exiled Qaddafi commander, now leading the Libyan National Army in support of the HoR) pursued his hunger for change (Weighill and Gaub 2018).

All these obstacles are aided through the geography of the Libyan state as political order becomes a greater challenge. Armed groups maintain control thanks to the oil revenues they now possess, whilst Islamists and smugglers avoid detection in the vast desert that covers 90% of the country (Ayoub 1987). Oil is what has caught the international actor’s eye in some cases as they plan on being on the winning side and plan on being recompensated accordingly as Libya contains 4.5 billion barrels in oil reserves (Kamrava 2016). Therefore, geography demonstrates to have created an obstacle to political order although less so than other factors as international actors such as the Gulf states claim influence and power as opposed to oil.

The obstacles that are identified as the main culprits of political disorder all share a function as they ignite one another and can be seen to work in conjunction with each other. The NATO mission for example can be seen as enabling the slippery slope to further international interventions. Libyan legacy and fragmentation work in conjunction with the resource curse as armed groups fight over control of oil resources. In turn further enticing some international actors to join causing further fragmentation as more support and weapons are provided to groups who further fragment in order to seek paths to power. These obstacles are ultimately impeding: the state form taking control, rule of law from being imposed and reducing to a bare minimum the accountability of the state.

Background of Libya from 1800s-2019:

In order to understand the obstacles to restoring political order to Libya and overturning the outcomes that have come about from 2011-2019, one must first look towards the historical events to gain a better and more quantified understanding of Libya economically, socially and politically.

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Pre-Colonial & Colonial period:

Libya itself is made up of three ancient regions, Tripolitania in the west, Cyrenaica in the East and Fezzan in the south. These three regions were united under Ottoman rule during the 18th century although this was never achieved with hard borders. It was at the beginning of the 20th century that Libya came to be an Italian colony following war in 1911 with the now weakened Ottoman Empire who was referred to as the ‘sick man of Europe’. During its colonial period, Libya like most other colonies, went through severe repression and imposition of alien norms as well as growth in infrastructure such as railroads. This came to an end following the defeat of the axis powers during the second world war in North Africa as Britain and France were given administrative powers over the former Italian colony. Cyrenaica and Tripolitania were to be under British control whilst the French were given Fezzan.

Independence:

Soon after the end of second world war the UN in 1949 passed a resolution to provide Libya with its independence. This came about in 1951 under the leadership of King Idris I who declared Libya to be a constitutional and hereditary monarchy that followed closely the constitutional rights found in Europe and United States (U.S.) whilst maintaining Islam as the religion of the state (Fowler, Cordell, et. al... 2019). This early historical background provides key understandings to the current Libyan chaos, in particular the division of the regions. Today there is a clear divide between eastern and western Libya as well as nomadic tribes in the south mirroring ethnic boundaries that still exist. However, it did not take long for the monarchy and its government to become inept and despised by its own people. Meanwhile the U.S. had its largest military base outside of the U.S. located outside of Tripoli where no help arrived in 1969 (Fisher 2011).

Qaddafi’s Rule:

The newly formed Libya underwent a great transformation in 1969 with extreme relevance to modern Libyan affairs, the coup d’état and Libyan revolution. A 27-year-old Muammar Qaddafi led the deposition of King Idris I as he begun the cultural and political revolution (Sicker 1987). This cultural revolution encompassed socialist ideals under Islamic sharia law, and this was achieved through the green book. The green book, the equivalent to Mao’s red book or Hitler’s Mien Kampf was Qaddafi’s cultural revolution as the Shura Ideology was implemented. Shura ideology encompasses beliefs that party politics has led to the abortion of democracy and that violence is but a means to bring about change, which is what Taliban and other extremist groups have gone on to use. According to Ayoub, the green book may even have gone as far as to try and supersede the Quran although this remains only as speculation (Ayoub 1987). It is important to consider this as a strong link to the reasons for which Libya has fared poorly under democracy after much of its people have been subjected to this socialist Islamic brainwashing. In addition, the ideological change may explain the distrust Libya has of the west as the
National Transitional Council (NTC), the government following Qaddafi’s fall, refused outside assistance (Weighill, Gaub 2018).

That said, during his rule, the ‘mad dog,’ as Qaddafi came to be known as under the Reagan administration, did provide many social benefits to Libya (Fisher 2011). He raised the literacy rate to the highest in Africa, as well as doubling minimum wage and many more benefits which came about without the accumulation of debt as was customary in the 70’s. However, the eastern part of the country did not see it quite the same way as it became marginalized, and for this reason can be seen as incurring the worst violence following its grievances. Cyrenaica which had a historic seat of power was viewed as a threat by Qaddafi because it was there that the Senussi monarchy, and its tribe came from. In order to limit the threat, the major ministries and infrastructural agencies had been moved to Tripoli thus initiating the era of a hyper centralized Libya. Similarly, Berbers, who constitute 4-10% of the population were also discriminated under the regime as were the Tabu tribe that wasn’t even granted citizenship, employment or health care under the regime.

The discrimination against these tribes also identifies the reasons for which armed groups and militias were so fragmented and high in number as they fought for reestablishment of social equilibrium. The discrimination also goes far in depicting why the armed groups refused to disarm following what they saw as their opportunity to claim previously unclaimable rights, and in doing so achieve social justice (Kamrava 2016). During the Qaddafi’s forty-two year rule he was able to quash attempted coups and eliminate opposition thanks to the efficient tight control that was had over Libya. Acts of retaliation were committed to those who dared defy Qaddafi as was the case with the Abu Salim prison massacre in which up to 1,200 political prisoners were executed (Human Rights Watch, 2006). The high retributive consequences that Libyan faced during Qaddafi’s time in power provided enough incentive to remain loyal to the regime as terror and oil money seemed to be greatly responsible for key to Qaddafi’s success (Fisher 2011).

2011 Revolution:

By 2011, the Arab Spring had begun. Neighboring Tunisia had set all the gears in motion and now it was Libya’s turn. Qaddafi after having threatened in his speech to inflict what many abroad viewed as a civilian massacre, called the UNSC to make the decision that would ultimately lead to his downfall. The revolution to depose Qaddafi was underway and the African Union and other councils had thus far been unsuccessful in brokering a ceasefire and negotiations. It was at this stage that the UNSC decided to enact Resolution 1973 and so provide NATO with the mandate to avoid what some saw as, ‘another Rwanda’ (Brockmeier, Stuenkal & Tourinho 2016). During the resolution ten were in favor whilst five abstained demonstrating that although nobody was contrarie to the move it was also cautioned. On the nineteenth of March 2011, NATO operations began, and the African Union was forced to cancel its plans to travel to Libya to further negotiate as NATO command was unwilling to halt its airstrikes (Brockmeier, Stuenkal & Tourinho 2016). Consequently, the conflict continued, and
the NATO air raids were highly successful in defending the civilian population at the small cost of 60 lives according to UN Human Rights Council inquiry in 2014.

As Qaddafi’s assault on civilians in Benghazi was averted, NATO continued to intervene in Libya which some UN delegates viewed as acting in contrary to the goal of protecting civilians. As a result, the NATO operations continued and seemed to target Qaddafi’s command facilities and infrastructure which NATO defended as key to accomplishing its mandate. NATO leaders insisted that as long as Qaddafi was at large the possibility of further attacks on civilians was still a cause of concern. For this reason, the objectives of NATO seemed to have shifted towards regime change in order to complete the original mandate of protecting civilians (Brockmeier, Stuenkal & Tourinho 2016). Although heavily criticized and viewed as a violation of the mandate, NATO leaders provided the means to the rebels in Libya to accomplish regime change and this led to the capture and killing of Qaddafi. Further lamentations were sparked within the international community as it came to be known that allegedly some NATO members and Qatar had sent special forces to Libya to assist in the operations which was explicitly against UNSC Resolution 1973 (Weighill & Gaub 2018). The NTC is now in power and Libya’s first civil war is over, and already the security of the Libyan state is being threatened.

Transition and Civil War:

The NTC formed the Supreme Security Committee, made up of 100,000 personnel which were made up of untrained civilians which were easily infiltrated by Islamists who were held responsible for the Tripoli Sufi shrine attacks in 2012 (Weighill & Gaub 2018). This poor decision came about because of the ban on Qaddafi era officials in government and military roles, which led to the empowerment of armed groups and militias whom the NTC relied upon (Kamrava 2016). The NTC faced much threat internally as it struggled to assert legitimacy and authority over the militias and armed groups. In 2013 revolutionary brigades were held responsible for the kidnapping of Prime Minister Zeidan thus illustrating the severity of the lawlessness as the NTC failed to even disarm the militias. Further NTC weakness is demonstrated when Law 38 was passed, which granted immunity to former rebel fighters for their human rights violations committed during the war. This clearly demonstrates the reluctance of the government to investigate crimes committed by armed groups which enhanced their sense of power that they were above the law (Weighill & Gaub 2018). When elections occurred in 2012 the voter turnout was extremely low, and the election resulted in the transition of power to the General National Congress (GNC) which over its tenure saw four prime ministers come and go.

By mid-2014 the GNC split into competing factions. In May 2014, General Haftar and the Libyan National Army, went up against Islamists and their allies in eastern Libya in an offensive dubbed Operation Dignity. Haftar like many in the east condemned the GNC which was accused of being dominated by Islamists. In order to try and ease tensions, elections were called in June 2014. With the intent of forming a new assembly, the HoR, wished to replace the GNC, whose mandate had already expired months prior. Security concerns and voter discouragement led to
a turnout of less than 20% again. The elections legitimacy was rejected by the Islamist parties, and as a result the new assembly was declared unconstitutional months later by the Supreme Court. A coalition of armed Islamist groups, which came to be known as Libya Dawn, restored the outgoing GNC in Tripoli.

In the meantime, the HoR elected in June convened in the eastern city of Tobruk under the protection of Haftar’s troops (Fowler, Cordell, et. al... 2019). This is when the civil war began to take shape in the face of low democratic accountability and rule of law apparently gone with the wind. In December 2015 the UN brokered a power-sharing agreement which ended up establishing the GNA. Although the GNA received recognition from the UNSC as the legitimate governing body of Libya, it struggled to consolidate its authority in both the eastern and western halves of the country demonstrating the lack of control of the state that is essential to achieve political order. In the east the HoR, aligned with Haftar’s forces, refused to endorse the GNA. The ongoing fight over control of the country’s oil revenue intensified when in January 2018 HoR appointed one of its own to overlook the eastern branch of the Central Bank, further fragmenting the bank’s eastern and western branches for the oil profits (Fowler, Cordell, et. al... 2019).

The international community played a strong part in affirming commitment to trading exclusively with the Tripoli based oil corporation, limiting the HoR to fewer streams of revenue. The LNA after failed negotiations launched an offensive in the southern Fezzan region in January 2019, during which the LNA captured El Sharara, Libya’s largest oil field in February. Although the LNA was under Haftar’s command and a wing of the Tobruk based government, it allowed Tripoli’s oil company to resume production at the El Sharara field while it continued to be secured by the LNA. By the end of the offensive, most of the country and its oil fields were under the HoR’s control limiting further the state’s power. The control of the oil fields offered significant leverage, meanwhile Tripoli’s leverage still hanged on its international legitimacy and the ability to sell the oil abroad. After apparent cooperation between Sarraj (PM of Libya) and Haftar a national unity conference was set for mid-April was postponed. And the LNA carried out a campaign where it claimed it was securing northwestern sections of Libya from militants. The LNA however had set their sights on Tripoli in what some believe to have been an attempted coup on the GNA. Although the LNA advanced on Tripoli, GNA forces were successful in repelling them, which soon became a stalemate along the outskirts of the capital city (Fowler, Cordell, et. al...2019). The international reactions to the campaign have exposed a growing concern as the international community has obscured where its allegiances lie and which government therefore to support.
Understanding the Obstacles to Political Order in Libya:

The literature on the obstacles that Libya is facing in restoring political order is high in volume with similar arguments echoed. The chaos that engulfs a largely anarchic Libya has many factors to blame that have led to the continuation of a politically weak state which lacks security and stability. This current position Libya finds itself in was not a full-blown conclusion following the revolution of 2011. Kamrava mentions the success of the NATO led mission that managed to leave Libyan infrastructure largely unscathed and as a result the oil production after the war was restored to prewar levels and even increased (Kamrava 2016). The overall GDP of Libya remained high post 2011, something that Kamrava saw as a sign to future success as he recalled the same could not have been said for Iraq or Syria. The lack of political order that we see however, resulted in damage to the infrastructure after the revolution of 2011 which undid the chances of political stability as the 2014 battle in Tripoli raged on, ‘which severely damaged key infrastructure such as the city’s international airport and the Brega oil facility.’ (Badi, El-Jarh & Farid 2018) This arguably formed a great obstacle in Libyan restoration, although it is important to note that Kamrava identifies limitations in Libyan infrastructure before 2011 through lack of construction capacity which can be illustrated through the lack of cranes the state had for construction projects. Thus, the obstacle of poor infrastructure was one that predated the 2011 revolution although it has been given greater importance in the years following the fall of Qaddafi and in particular the start of the civil war.

In great swarms scholars have come to consider that international intervention presents one of the greatest obstacles to the restoration of political order in Libya. Some scholars refer to the international intervention as pinpointing NATO which caused damaging effects right in the beginning (Campbell 2013). This view is held by Weighill and Gaub who criticize NATO’s example which led to a slippery slope of further interventions from the gulf states and more.

Furthermore, Wighill and Gaub suggest that NATO’s operation in Libya highlighted the simplicity with which one could take Libya by having limited objectives and cities to capture. Something General Haftar may have been quick to notice perhaps? NATO’s actions have been similarly viewed as obstacles to Libyan political order following the illegitimacy of the operation. Instead of solely protecting the Libyan civilians as mandated by the UNSC in resolution 1973, NATO went on to cause a change in regime which resulted in the political instability which came out from the vacuum of power (Brackmeier, Stenkel & Tourinho 2016). Daalder and Starvidis portray further NATO misgivings as the operation on the whole was carried out in a rush and with limited regards towards future consequences which is conveyed by the lack of intelligence and reconnaissance that was carried out (Daalder and Starvidis 2012). Had there been greater awareness towards domestic Libya and greater unity amongst NATO allies the disorder seen may have been averted (Chivvis and Martini 2014).

Intervention on behalf of international actors only grew with time as different factions in Libya found themselves auctioning themselves off to the highest bidder in a scramble to obtain
support in the form of cash and weapons. The Muslim Brotherhood, for long persecuted in Libya formed the Justice and Construction Party after the revolution and was supported by Qatar (Kamrava 2016). This is supported by the mention of Qatari special forces in Libya during the revolution which demonstrates their presence in addition to other, ‘donkey’s in the Gulf,’ meddling in Libya. This refers to the United Arab Emirates (UAE) and Saudi Arabia as the main culprits (Weighill and Gaub 2018). A meddling effect that in 2019 saw former American weapons that had been sold to ally UAE fall in the hands of Haftar including, ‘four Javelin anti-tank missiles, which cost more than $170,000,’ (Walsh, Schmitt and Ismay 2019). Since the revolution and the outbreak of civil war, further examples of international interference are conveyed under Daalder and Starvidis who mention Russian interference.

According to their source, Bashaga the current Interior Minister of Libyan GNA, claims Russia is deploying the Wagner (army) which is fully corroborated by an article in local Libyan Al-Ayyam Newspaper from November 2019. Russian involvement does not cease there as printed currency in Russian by the container full was seized by the Maltese government which was due to reach Haftar the new desert fox, and in so doing help fuel the Eastern based governments war chest (Wintour 2019). Much literature goes towards uncovering the interference in Libya through the illicit sales of arms that under the UNSC was forbidden, and yet the illicit shipment of weapons continues. First to be recognized during the revolution, is France who armed some rebel groups who were fighting Qaddafi (Brockmeier, Stenkel & Tourinho 2016). Similarly, since then Russia, Qatar, Turkey, UAE and still France have disobeyed the UN arms embargo and have been accused of selling arms to respective sides in order to continue this seemingly proxy held conflict (Dessì and Greco 2018). These interventions into Libyan affairs are undoubtedly obstacles towards restoring political order as both governments are backed by international actors who are only elongating the conflict with proxy wars following their own agenda’s.

The reason that so many international actors are circling over Libya like a vulture would a dying animal is largely substantiated in the literature uncovered to be black gold (oil). Libya’s vast oil deposits are the largest in Africa and for the non-Gulf states the proxy wars being fought have a great deal to do with the certainty of obtaining future oil contracts. Russia, it has been reported had contracts worth $4 billion which it had agreed under Qaddafi, which now it’s attempting to maintain by supporting Haftar who would, it seems, honor the deal (Ramani 2019). France energy giant, Total, is similarly attempting to expand its contract privileges in Libya as its imports of oil from Libya doubled from $2.51 billion it shot up to $4.94 billion from 2011-12. Also, worth mentioning, over the course of the civil war French imports decreased drastically but have seen a resurgence in 2017 (OEC.world 2019) as relations with Haftar have warmed. This notion is strongly supported by Taylor who uncovers that, ‘Paris has been quietly involved at least since 2015 in building up… baron of Benghazi,’ aka Haftar (Taylor 2019).

Other intervening states have different agenda’s as they seek to enhance their role in the region as well as their own influence in Sunni majority Libya. Gulf states such as UAE which has a Sunni majority and Saudi Arabia the pillar of Sunni Islam have both interfered with proxy so as
to maintain an influential role through the Sunni led powers (Kamrava 2016). It is worth mentioning that the governments of the intervening states have never confessed to interfering in Libya for oil and influence but instead claim to want to find an end to the fighting. They wish to increase the stability by helping armed groups fight extremism and to promote peace and political order through dialogue.

Further obstacles that the literature identifies look back to the regime and the legacy it left which still today can be depicted. The fragmentation that has formed as militias and armed groups control towns and villages has come in part as a result of the marginalization that was experienced under Qaddafi’s divide and rule system. The militias according to International Amnesty were, and clearly still are, ‘out of control,’ as make shift prisons still today hold Qaddafi loyalists who are not subject to fair trials which makes the government politically weak as it cannot control its own armed groups (Weighill and Gaub 2018). Thus, political order is nonexistent it would seem as in 2013 a revolutionary brigade kidnapped Prime Minister Zeidan emphasizing the political instability.

These groups that have fragmented away from the governments rule had previously been marginalized no doubt. The east of Libya which holds the House of Representatives, Tobruk government has seen little benefit over the last few decades in living conditions or infrastructure. Kamrava goes on to illustrate that 40% of Libyan oil comes from the Sirte Basin and Benghazi region and yet the west of Libya, Tripolitania in particular, reaped the benefits. In the south tribes such as the Tabu had no rights whatsoever and clearly when given the chance following the fall of the regime fragmented away from what is seen as favored Arab tribes who’s norms are based off of the legacy of Qaddafi. It is for this reason that in the southwest there is a conflict between the Tuareg and the GNA as yet another group that suffered under Qaddafi is taking what Qaddafi had promised to them during the revolution in return for assistance (Kamrava 2016). The Tuareg have taken it upon themselves to accumulate sources of income through the smuggling routes along the long and largely unguarded borders. This in turn brings about a lack of political order as human trafficking and arms smuggling go vastly unchecked, and even when checked there is no infrastructure to support any real change in security as prisons have no food or beds for potential criminals who are left free. Further legacy obstacles include the ideological perceptions that people grew up with, that Ayoub associates to the green book. The legacy left was one of cautiousness when it comes to engagement with the west Sicker notes, which is reaffirmed by Kamrava who links this to the international isolation that Libya underwent and Qaddafi’s own paranoia. This may be mirrored in Libyans today as following the revolution the NTC refused outside assistance indicating a lack of trust (Weighill and Gaub 2018). The legacy that was left behind is however a mask of an even older legacy that predates Qaddafi and goes further back in time to before the Libyan state. The ethnic historical boundaries that exist are relics of the past that the regime unearthed and continued to incorporate as divisions into the state (Sicker 1987).
Various scholars have spotted a further obstacle towards Libyan restoration of political order. Geography. Although this obstacle has less importance than international interference and the legacy of the past it too has key components that hamper order. Ayoub refers to Libya’s vast desert which cover up to 90% of the state and this state hold a relatively small population compared to its overall size with the 6 million inhabitants living in majority on the northern Mediterranean coast. With such vast empty areas of land, it is easy to understand why there is lawlessness unchecked in the form of Jihadi armed groups to smugglers which undermine the government as well as the security (Trauthig 2019). This corroborated by Chivvis and Martini who acknowledge the spread of Jihadism from neighboring states as a cause for concern towards increasing insecurity. Geography includes the resources that are extracted in Libya, oil in particular which makes up 80% of government revenue and is set to rise in the future. This high dependence on the geographical resource that Libya has in abundance is what is driving the fragmentation and violence as it acts as a catalyst for future conflicts for the control of this source of wealth and power (Kamrava 2016). Thus, geography is helping feed the shadow army that is self sufficient now with control over oil fields whilst further insecurity nurture smugglers and Jihadists that roam in parts unopposed in the Sahara Desert.

Methodology:

In order to identify the obstacles that Libya faces in restoring political order qualitative data was predominantly used to illustrate the main obstacles and identify the effect it has on Libya, and the what may have caused these obstacles in the first place. Quantitative data on Libya has been limited in availability due to the ongoing nature of the events in question. Similarly, quantitative data has been difficult to acquire also due to widespread unlawfulness, as well as the fact that many international actors have conducted their business behind the scenes making it difficult to obtain data on finding other influences. Due to the ongoing conflict there are numerous inaccuracies such as the casualties and human rights abuses that have seen varying figures according to differing sources such as the local estimates and government estimates. Therefore, much quantitative data is not updated or lacks accuracy making it of little use to answering what obstacles stand in the way of restoring Libyan political order.

The qualitative data available consists of books, a highly well-regarded university with an abundance of literature. The books consisted for the most part of more historical recounts of Libya during the reign of Qaddafi and his impact on Libyan society, as well as the significance of the revolution with regards to NATO’s role and overall effectiveness. The data collected identified the key obstacles that have impacted Libya today, the legacy of the past under Qaddafi and international involvement and its consequences, as well as the geographical relevance. The literature provided quality descriptive accounts with first hand experiences, in the case of Wehrey, although it must be said these books were framed through a Western lens.
Further qualitative data was accumulated through the wonderful scholarly search engine that provided more recent information regarding the situation in Libya. The findings corroborated obstacles that have emerged because of different factors such as the rise of General Haftar as part of the fragmentation legacy of the past. The data collection of the material discovered was collected from September till December 2019 including therefore limited evidence on the recent activity but contains findings that date as far back as 1987 discussing Libyan domestic affairs.

The scholarly finding conducted on the world wide web consisted of various reportages of governmental organizations that had come together to provide expert analysis and provided corroborating views across French, Italian, Libyan, British and American sources. The breadth in foreign findings allowed the literature to be less narrow in its conjecture and the same is to be said for the Libyan newspapers that were used. The only qualitative data that could be of some use with great reliability is the UN reports which consist of the human rights in addition to international amnesty and NATO reports developing the social, political and economic hardships that Libya is facing. To facilitate the data provided in the graphs the observatory of economic complexity was used which although limited in latest data does cover up till 2017 and provides accurate percentages of Libyan trade and export partners.

Empirical Analysis:

Obstacle #1: NATO

NATO actions during and following the deposition of the Qaddafi regime identify as an obstacle to Libyan political order as it limited nation building for the newly formed government. This was due to the backlash that NATO received from members of the UNSC, Russia in particular who claimed that NATO exceeded the mandate that was bestowed upon it. NATO’s mistakes do not stop there, the mission was carried out, some may argue, without the full backing of its members (Campbell 2013). The United Kingdom (U.K.), France and the United States (U.S.) consisted of the vanguard that pushed for action. There were several NATO members that did abstain when it came to votes in the UNSC and did not assist in the combat suggesting a lack of support for the NATO mandate. This therefore identifies a lack of solidarity in NATO allies, which in turn also explains the reasons for which the alliance did not wish to stick around after the change in regime.

NATO members clearly were not on the same wavelength in addition to all objectives seeming to have been completed resulted in the lack of post nation building (Daalder and Stavridis 2012). This created obstacles in the formation of political order as accountable democracy wasn’t assured as the NTC placed Abdelhakin Belhaj, a former mujahedeen fighter in Afghanistan, as military governor of Tripoli. This occurred much to the displeasure of NATO commander who did not see how the NTC aims of democracy could be fulfilled alongside Sharia law, which in of itself undermines rights to all groups, women in particular. Further obstacles
that NATO mission inflicted include the undermining of the NTC following the illegal special forces that had been deployed. In turn providing ammunition for anti-NTC followers who would claim the NTC to be a puppet of the foreign powers limiting the NTC control on violence (Weighill and Gaub 2018).

Although some argue there was economic development, which is indispensable for political order to be sustainable, NATO’s limited involvement post revolution allowed factors such as Islamic fundamentalism, which resembles a pathology of nationalism, (as fascism had been) to rage on (Fukuyama 2014). Following the second world war the nation building that took place in East Germany was significant in order to safely eradicate the fascism that had burnt so bright and the same was done during the unification of Germany following the fall of the Soviet Union. This was achieved to enable a restoration of political order that was extremely efficient and should have been developed in Libya as the legacy of the past may come back to haunt the Libyan state. This illustrates that a lack of preparation and intelligence was a cause for the overall lack of nation building. NATO may therefore wish to better plan its next mission in terms of intelligence as 75% of intel on Libya came from the U.S. alone. Given that the operation was 1/5 the size of the Kosovo operation, in terms of numbers of military assets involved, a greater power show may have been demonstrated to ascertain a stable and politically ordered Libya (Daalder and Starvidis 2012). The consequences of the this intervention however has been paid in countless lives across the Mediterranean in Syria where cry’s for help were left unanswered after so much hope had been provided following the mission in Libya, Syrians would instead have to face their dictator on their own (Brockmeier, Stenkel & Tourinho 2016).

Obstacles to political order on the international level is something that we have witnessed countless times in the last century as proxy wars were fought during the cold war in Korea, Vietnam, Afghanistan and more recently Syria and Libya. Since the 2003 invasion of Iraq the U.S., scholars argue, has seen its hegemonic status decline and recent actions in Syria support this as U.S. foreign policy has become something of a paper tiger under the Obama administration. This fall in hegemonic power has resulted in a power vacuum in the Middle East and North Africa in particular due to its inherent instability since the fall of the Ottoman Empire. This vacuum has resulted in the competing nature for regional influence and power for many regional powers such the gulf states, Russia, Turkey, Egypt and western powers (Kamrava 2016).

**Obstacle #2: Independent International Actors**

This competition for influence has been coordinated at the expense of the Libyan state as it promotes instability leading the Libyan state further astray from political order. In conjunction with the geographical wealth of resources some international actors are exploiting the rentier state of Libya to gain a share of the supply. A player that many forget to mention is the potential new hegemonic power China, whose foothold in Africa is already well known, and NATO are known to be worrisome of it spreading further alongside Russia (Ramani 2019). NATO
in the Parliamentary Assembly 2019 referred to the role that NATO must play in preventing further influence to Russia and China in Africa which in turn may explain the reason for the rushed NATO mission that took place to avoid Chinese and Russian meddling who were reluctant to the mandate and so abstained in the UNSC (Nato-pa.int 2019). The two were described as, ‘skeptical, if not outright suspicious,’ of NATO (Nato-pa.int 2019) thus demonstrating clashing views on Libya which put strains on the Libyan government who has actors backing both sides to obtain their policy recommendations.

Russia is the big winner when it comes to the frozen conflict in Libya and its weapons sales are an essential part of gains to Russia. Russia was at risk of losing billions of dollars’ worth of contracts to competitors and so was even more incentivized to intervene in the civil war to make sure the contracts remain in their books filling their pockets (Balmforth 2011). The subsequent continuation of the international interference is conjured with the domestic issues as armed groups who are reluctant to pledge support for the government who cannot prevent the involvement and assistance of foreign powers to opposition. The cycle of weak rule and law is thus a logical reaction of an insecure state who without rule and law cannot strive for political order as it is one of the necessities required alongside state and accountability (Campbell 2013).

An important factor no doubt in preventing the restoration of political order in Libya and not only Libya. Currently in the Middle East there are two other examples of conflict where political order is scares, these cases are Yemen and Syria. Both these states alongside Libya have seen years of violence and chaos from the onset of the Arab Spring and in each of these examples International actors are present. However, Libya is not in the same boat as Yemen and Syria who have suffered to a greater extent because of international meddling. Yemen and Syria are unfortunate enough to be victims of a proxy war that has been raging on in the Middle East since the 2003 invasion of Iraq. Sunni Saudi Arabia and Shia Iran have established themselves to be the regional powers, and as a result they do battle through proxy warfare which contains religious connotations as the Sunni versus Shia rivalry grows (Santini 2017). In Libya however the Iranians have no presence it seems as the literature offers little to no mentions of them, thus highlighting that the conflicts of Syria and Yemen are so costly in lives due to the cold war that the Saudi’s and Iranian’s have started. Similarly, in Yemen and Syria unlike Libya there are thousands of foreign troops on the ground be it Iranian, Russian or American who are providing more fuel to the fire. Whereas in Libya although their may be support for armed groups, there are few to no deployed forces on the ground thus leaving the fighting to Libyans themselves who have grievances amongst themselves.

**Obstacle #3: Historical Legacies**

At the heart of Libyan instability and insecurity is competition over political influence and the control of resources. The new and sudden bottom up system as well as the inherited weak political entity after decades of divide and rule lacked strong political leadership or any unifying
persuasion. National identity was another missing component that has characterized the high frequency of fragmentation as buried and hidden identities are now able to breathe and are attempting to experience rule of law. National identity is an indispensable prerequisite of a modern state, which Libya is yet to achieve in order to gain political order (Fukuyama 2014). However, until the identity is uncovered the obstacles blocking the path are monumental giving life to Islamist armed groups in the east for example. These reflect the region’s longtime estrangement from the state given the high centralization that the legacy of the past provided. Upon the removal of their somewhat metaphorical shackles these groups molded by the hundreds.

The most powerful of these bodies ascended at the start of the anti-Qaddafi uprising: the February 17 Revolutionary Martyrs’ Brigade, the Abu Slim Martyrs’ Brigade, the Zawiya Brigade, the Free Libyan Martyrs’ Brigade, the Rafallah al-Sahati Companies, and the Martyr Omar Mukhtar Brigade (Lacher and Al-Idrissi 2018). With time the situation arguably worsened as, ‘up to 115 armed groups were present in Tripoli,’ the Tripoli government confirmed (Daalder and Starvidis 2012). This fragmentation was clearly an obstacle to political order given the lack of authority the state had in controlling violence as the Political Isolation Law (PIL) was forcibly passed by pressure exerted by Misratan and other armed groups onto the government. The PIL was a law that forbade the practicing of governmental roles for any who had previously served under the Qaddafi regime up to ten years.

Political isolation when in vigor undermined the core essence of national reconciliation and split Libyan society in half. The law posed a serious threat to the stability of Libyan society and could aggravate tribalism and regionalism. If it disproportionately affects and excludes groups identified as regime loyalists, or azlam (revolutionaries), the law will only exacerbate existing rifts. This law was eventually annulled but it perseveres through the social norms and the victor complex that obstacles political order. This culture of the victor has led to entire towns and tribes being classified as either thuwar (Qaddafi cronies) or azlam. The victorious thuwar from the revolution have been treated with honor and dignity, whereas the azlam have been publicly identified and shamed. Broadly applying these labels has produced a Libyan society that is deeply and structurally divided as the past legacy refused to be uprooted and the Qaddafi side vs revolutionary side still maintains competitiveness. The Werfella tribe, for example, which is made up of one million people is unfairly and incorrectly being labeled by some as azlam, when in fact only a few dozen of its tribe had allegiances to Qaddafi.

The same could be said of the Bani Walid, in which few fought beside Qaddafi, alas the total population of over 80,000 people shares the fate of an azlam (Lamma 2017). Revolutionary groups like the Zentan tribe wear their revolutionary victory as a badge of honor, and unfairly monopolize ownership over the ousting of Qaddafi. This denies others recognition for their contribution to the country’s liberation and creates deep and destabilizing divisions within Libyan society. This badge of honor has frustrated efforts to restore the rule of law or impose
accountability as the Zentan tribe were holding Saif al-Islam al-Qaddafi, son of the Colonel, for over 4 years. This emphasizes the power that factions have and is further supported by Law 38 which granted immunity to revolutionaries who may have committed war crimes or human rights violations (Weighill and Gaub 2018). The government has been the face of the Libyan state but its legacy and historic past allows fragmented society to prevail. Misrata residents for example demanded retribution, which even escalated to destroying the Tawerghans’ town in order to prevent their return. According to F. Abrahams, an adviser for Human Rights Watch claims, ‘Tawerghans have been hunted down, detained, tortured, and killed.’ The Tawergha-Misrata case, allows speculation of an identity crisis to be present. Tawerghans are dark-skinned and are believed to have of their origins elsewhere in Africa. Misratans are lighter and descend from a mix of Arabs, Turks, and Circassians thus acknowledging the variation of identity (Humans Rights Watch 2019).

Clearly therefore, the grievances that the Libyans have faced in addition of other historical legacies are significantly the most important obstacle to restoring political order. Following the fall of Qaddafi Libyan infrastructure was for the most part intact and there were plenty of economic resources from the oil industry. Nevertheless, the emotions rose to boiling point as people served their own interests casting aside former enemies and keeping at arm’s length those who had been neutral during the revolution.

**Obstacle #4: Geography**

The geographical connotations to the obstacle in political order in Libya are to an extent limiting government control over militias independence. Zintani and Misratan armed groups in particular are best known for their economic predatory role on the capital through the access to funds that can be traced back to the petroleum business. These groups have been widely known to operate under a mafia-like system which sees them entrenched in its role in the capital and is emphasized by the attack on Haftar which increases dependency thus requiring more funding to repel the LNA and save the GNA. The desertification of Libya has long been an issue, 90% of its territory now allows for the precarious activity as the shadow economy of Libya thrives in this hostile environment allowing smugglers access to markets (Badi, El-Jarh & Farid 2018). This shadow economy encompasses the illicit sales of people, weapons and oil most importantly which destabilizes government authority to say the least (Jones and Rice 2016). Islamist groups and camps have used to their advantage the geography to continue their fight against domestic and international enemies alike to implement their strict Islamic Sharia law in support for the so called Islamic State (Trauthig 2019).

Geography has given its call far and wide alerting international actors of the riches that Libya contains, and the instability is a perfect opportunity for players to take advantage of the chaos by claiming their piece of the oily black petroleum pie. Chart I provides a visual representation of the actors that have succumbed to temptation in acquiring oil exports from Libya. The chart
also demonstrates the growth rate that has ensued as a result of the lack of political order no doubt as a fragmented Libya funds its future struggles.

Chart I - Source: The Observatory of Economic Complexity, database, 2011-2017

Chart I present’s the crude petroleum exports that Libya has conducted in the year of the revolution, 2011 and the year after the disposition of Qaddafi. This was done in order to illustrate differences before and after the NATO mission thus portraying the perhaps hidden agendas that were behind the NATO mission such as higher oil exports. Very clearly in each of the four countries, which are all part of NATO and were all partaking an active role in the mission, the volume of crude petroleum exports rose significantly. The U.K., France and the U.S. were the countries that, ‘put pressure on other states in the council,’ (Brockmeier, Stuenkel and Tourinho 2016) whilst Italy provided access to its air space and airbases which are in close proximity to Libya. These countries therefore seemingly all had something to gain from intervening in Libya and crude petroleum seems to be to answer the answer.
The chart goes on to depict crude petroleum exports in 2016 and 2017, by this time Libya is already 2 years deep into its civil war and clearly this has impacted oil production as each of the four countries see a massive drop to below $1 billion of crude petroleum imports. In 2017 each state sees a rise in availability of exports which may illustrate the further intervention that is going on behind the scenes. At this point in time General Haftar and the HoR have captured vast sways of the Libyan state including important oil fields near Sirte and Benghazi. Therefore, it may be possible that the countries listed in the chart are intervening on Haftar’s side so as to gain more access to oil exports which would explain the increase. This is supported by the fact that most of the Libyan oil fields are controlled by the LNA. Therefore, the geographical obstacle is a present danger as it clearly attracts interest from many international actors including the NATO members who utilize Libya’s rentier status as oil grab scenario, first come first serve.

The geographical resource obstacle to political order is one that has been challenged as in both Syria and Yemen fighting is even more significant and yet there is nowhere near as much oil as there is in Libya. Syria has some oil fields however they hold less than half of the Libyan state. What Syria and Yemen have however, which Libya does not is contiguity and closer proximity of enemies or potential enemies to one another (Senese 2005). Libya is a vast country with regions in the Fezzan that are miles away from the battle hubs of Tripoli and Sirte. In Syria and Yemen, the states are much smaller and contain much higher populations of eighteen million in Syria, twenty eight million in Yemen compared to Libya’s six million. Clearly therefore the theory of contiguity proves oil in Libya to be a major obstacle in restoring political order as it promotes violence (worldpopulationreview.com 2019). The theory of contiguity suggests that the closer together you are the greater the likelihood of fighting and violence to occur because there is greater opportunity and increased willingness to fight (Gartzke 2011). Whilst this may not be so much the case in Libya given the small population and vast territory the presence of oil better explains why the conflict has raged on, especially in areas that are so isolated.

**Conclusion:**

In conclusion, the obstacles that Libya must face in order to restore political order, during this difficult period of its luxurious history, are significantly difficult and will require more time and negotiations. The state, resembling more two states with an autonomous region in the south, has no control over the violence that Libyans are still experiencing. The rule of law is as clear as Hitler was at the Munich agreement, in which he signed a paper declaring that war was not on the horizon. And democratic accountability is considered a naughty word considering the lack of its use. There is no single form of authority in Libya that can enforce order but there are many forms that can limit and halt it from being applied to others.
NATO’s mandate has been responsible for Libya’s change in regime no doubt, and the closest they came to explaining that a regime change was a necessary means of protecting civilians came because Qaddafi had lost his legitimacy, and as long as he was at large he was a cause for concern (Brockmeier, Stuenkal & Tourinho 2016). This resulted in the collapse of the only thing it seems that was holding Libya together, dictatorship. NATO having reached the age of 70 now seems to be going through a mid life crisis of sorts as its role remains obscured. NATO, initially formed to counter the former Soviet Union now needs to take greater responsibility to avoid a potential democratic state, as Libya may well have turned out to be, into a failed state through inaction. The UN similarly must increase its resolve through holding accountable the many illicit arms deals and undermining activity that has occurred in the last nine years.

International actors since the revolution have undermined the states security and stability ad hoc by backing various parties, and providing illicit weapons fueling further fragmentation as one would feed scraps to a dog. Allowing the victor complex to be the sole winner of rule and law in a state that would in the HoR risk a debt crisis by selling billions of dollars’ worth of bonds in order to feed the war machine that Haftar has become, what many believe to be a return to authoritarian dictatorship if he succeeds.

Geography an obstacle one inherits thanks to time, but can no doubt impede political order in an environment of fragmentation and corruption that sees profits at the hands the mass petroleum reserves that Libya owns. Oil has attracted international actors as a rotting corpse would a fly which has resulted in the bypassing of political norms as control over this resource are in no way completely controlled by the state unfortunately. Geography similarly has given enemies of the state and illegal activity the invisibility cloak as poorly equipped men patrol the Sahara borders and internal territories with little incentive. Domestic and international obstacles are forthwith culpable but with so little experience as a nation in political order the greatest obstacle to Libyan political order is the Libyan people themselves.

Obstacles have shown themselves to have been in the shape of legacy baggage as inherent political weakness, historical grievances, fragmentation and suspicion of the west seep through the retributive nature of Libyan armed groups. Which in turn have illustrated refusal to surrender arms, demobilize, and integrate into the formal security. Beyond the tolerant concept of overthrowing the regime, there was little to nothing to bring together the various local communities and groups which had mobilized in opposition to the former regime. In order for there to be some stabilization the opportunity cost of peace must outweigh that of war for militias who are reluctant to hand over their security to an insecure state whose weakness is inherently transmitted. For this reason and those mentioned above the historical legacies are no doubt the most important obstacle in restoring Libyan political order.
Bibliography:


