

LIBYA AFTER ‘LIBERATION’: A TENUOUS ROAD TO SECURITY AND DEMOCRACY

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On October 23, 2011, only a few days after the sodomization and subsequent execution of Gaddafi,ⁱ NTC chairman Mustapha al-Jalil declared the country ‘liberated.’ In the very same breath, he also promised that Sharia law would now be "the basic source of legislation, and so any law which contradicts Islamic principles is void" while previous "legislation putting restrictions on polygamy is contradictory to Islamic legislation and so is annulled."ⁱⁱ

However, this apparent conflation of democracy with theocracy by the nation’s new leaders should not come as a surprise –nor the dubious priorities and the ever-postponing of nation-wide elections that characterizes Libya today.ⁱⁱⁱ

While the armed uprising was touted around the world as a revolt for democracy, albeit a violent one, two French think tanks (Ciret-AVT and CF2R) visited both Tripolitania and Cyrenaica six months before the fall of the regime. In an attempt to define who the rebels are and the socio-political objectives of the foreign-sponsored regime change, the investigative teams, which included former French intelligence chief Yves Bonnet, former Algerian minister Saida Ben Habyles, and Franco-Bulgarian writer Roumania Ougartchinska reported that the anti-government revolt in Libya was neither democratic nor spontaneous and was motivated by regional resentment and vindictiveness. Their landmark report also revealed that the Transitional National Council (TNC), once in power, wished to impose Islamic Sharia law rather than democracy –as their patrons and the media oft-repeated.

More importantly, in terms of both regional and domestic security, the report warned that the ‘adventurist’ Western intervention in the country threatened to destabilise Africa and the Middle East by providing a base for radical Islamism in the region.^{iv} Naturally, Libya, which no longer occupies mainstream headlines has plunged into a deep and predictable chaos:

- It is estimated that there are approximately 400 armed militias in Libya^v that are ‘largely out of control.’^{vi} There are 250 militias in the city of Misrata alone.^{vii}

- Ongoing torture and illegal detention of 7,000 thousand people by militias, armed gangs and interim government forces.^{viii}
- Around 70,000 people are displaced internally in Libya and remain fearful of returning to their homes.^{ix}
- Only 15% of 2,000 Libyans surveyed by the University of Oxford said they wanted a democracy installed by next year and more than 40% wanted a strongman.^x
- Pervasive fraud and corruption surrounding the allocation of Libyan funds earmarked for recovery^{xi} and complete lack of transparency regarding the allocation and management of Libya's oil revenues by the mysterious and self-appointed National Transitional Council.
- Projected long-term leadership of Muslim Brotherhood Islamists who may or may not adhere to secular democratic principles.^{xii}
- Illegal migration and arms trafficking exacerbated by Libya's long and porous land and sea borders^{xiii}

The proliferation of weapons within and outside of Libya is an especially important factor in the long-term stability of Libya and its prospects for sound elections and democracy. Unfortunately, not only were jihadi elements within the Libyan rebel resistance recklessly provided with weapons, but arms smuggling to jihadi groups outside of Libya have been taking place since the beginning of the revolt.

According to the Algerian Foreign Minister, Abdelkader Messahel, both Libyan weapons and French arms supplied to the rebels have already been trafficked to al-Qaeda in the Islamic Maghreb (AQIM): "It's serious, they are reinforcing themselves with arms coming from Libya...These are already countries which are weak and this is weakening them even more".^{xiv}

To this effect, none other than Mokhtar Belmokhtar, a leader of AQIM, confirms: "We have been one of the main beneficiaries of the revolutions in the Arab world...As for our benefiting from the [Libyan] weapons, this is a natural thing in these kinds of circumstances."^{xv}

Thus far, there is no indication that this flow of weapons is being stymied. Most recently on 21 June, Tunisian fighter jets destroyed three vehicles loaded with weapons and travelling from Libya to Algeria in a remote part of the Sahara desert where the borders of Libya, Tunisia and Algeria meet.^{xvi} In the meantime, a day before that on 20 June, clashes between tribes in the southwest region of Tripoli killed 105 people and left more than 500 people wounded.^{xvii} Under these violent circumstances and the NTC exerting little or no control over the militias, it is

difficult to imagine how elections, which have already been postponed to 7 July, will be able to take place in a legitimate and orderly fashion.

Indeed, good intentions notwithstanding, Libya is now ‘the wild west, becoming the worst of what Iraqis and Afghans face daily, including deep poverty, unemployment, repression, and extreme violence, mostly affecting civilians.’^{xviii} Donatella Rivera of Amnesty concurs: "A year ago Libyans risked their lives to demand justice... Today their hopes are being jeopardized by lawless armed militias who trample human rights with impunity. The only way to break with the entrenched practices of decades of abuse under [Gaddafi's] authoritarian rule is to ensure that nobody is above the law and that investigations are carried out into such abuses."^{xix}

Unfortunately, previous research analyzing the relationship between foreign imposed regime change, security and democracy gives little reason for optimism: According to Alexander Downes, who examined one hundred cases of "foreign imposed regime change" dating from 1816, when foreign interventions oust an existing leader and impose a wholly new government, as it happened with Libya and its new NTC, the likelihood of civil war more than triples. A 2006 study by Jeffrey Pickering and Mark Peceny found that military intervention by liberal states "has only very rarely played a role in democratization since 1945." George Downs and Bruce Bueno de Mesquita found that U.S. interventions since World War II led to stable democracies within ten years less than three percent of the time. William Easterly found that both U.S and Soviet interventions during the Cold War led to "significant declines in democracy." Goran Piec and Daniel Reiter examined forty-two "foreign imposed regime changes" since 1920 and showed that when interventions "damage state infrastructural power" they also increase the risk of subsequent civil war.^{xx}

In fact, only recently, The Fund for Peace released its annual Failed States Index (FSI) on 18 June, where it cited Libya's ‘decline’ as ‘the most remarkable, with the country registering the worst year-on-year worsening in the history of the FSI as a result of civil war, a NATO-led campaign of airstrikes and the toppling of the Qaddhafi regime.’^{xxi}

The facts on the ground today show that Libya's security condition, which is a necessary pre-requisite for elections and recovery is worsening rather than improving. However, despite the discouraging conditions Libya currently find itself in, there is a very small chance for turning the security situation around if the upcoming elections can establish a credible and representative 200-member parliament that can convince the militias to lay down their arms.^{xxii} Nonetheless, at this stage and given Libya's tribal background and lack of civic culture, counting on such hope remains a tenuous exercise: weapons, once gained, are very difficult to put down.

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