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### **Libya from Paramilitary Forces to Militias: The Difficulty of Constructing a State Security Apparatus**

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When the Gaddafi regime was toppled in 2011, it left behind a security vacuum. Rather than a national police force, army or security service, powerful regional militias have taken over management of their own territories and the security of the people residing there. The visceral refusal by the regions to obey any government in Tripoli flows from the weak political and institutional tradition inherited from the Gaddafi era. Gaddafi, following the example of the previous Libyan government, shaped Libya's power structures according to a tribal configuration. Rather than having a strong central army, as seen in many other Arab states, Gaddafi relied on paramilitary forces and managed a delicate configuration of regional and tribal power centres.

Today, more than 200,000 men serve in regional militias. Only a small fraction of that number supports the central government in Tripoli. The central government believes that too much responsibility for order and security has been left to the militias, but these regional militias are convinced that the central state can never be an autonomous agent protecting its territory and inhabitants. A resolution to this impasse may come through the institutionalisation of the regional militias, rather than their elimination, setting the stage for cooperative dialogue between the regions and Tripoli. Patient management of such a process can help Libya avoid major armed violence and potentially develop a cooperative system of decentralised federalism.

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Several factors have contributed to destabilising Libya: a very weak political and institutional tradition inherited from the authoritarian ideology of Gaddafi's regime; a popular defiance towards the state as a result of the monopolisation of public resources by the clans of the former regime; and the visceral refusal by the peripheral regions to obey Tripoli. The Gaddafi regime was a dramatic experience for Libya in that it not only deprived its people of political freedoms but also worked towards systematically destroying all forms of belonging to a state. The tribalisation of power has generated a rejection of the symbols of power – the state and its security apparatus. The Libyan militias are convinced that the state can never be an autonomous agent taking care to protect its territory and inhabitants, and have therefore taken over management of their own territories and the security of the people residing there.

When the Gaddafi regime was toppled, it left an anxiety-inducing security vacuum: no more police force, army or security services. And without security, the political transition is doomed to failure. Building a new security apparatus will require a minimum of trust between the victors of the revolution, and a maximum of constraints so as to enforce any agreements. However, the government has neither trust nor the power to enforce. It has neither army, nor police, nor security services. Unlike Iraq's post-Saddam government, the Libyan government cannot even rely on the support of a foreign army while constructing its own security apparatus. It is subservient to militias that act as security forces and block, through their political partners, any government initiative that might lead to the creation of a national guard. To understand just how completely the post-Gaddafi Libyan state lacks a security apparatus, and to be able to remedy the situation, one must understand the historical mechanisms led to Libya becoming a state without army or national police force.

### **Revolutionary regime and paramilitary forces: a poisoned inheritance**

In contrast to states such as Algeria or Egypt, Libya has never relied on its army but rather on its paramilitary forces. Those forces ensured that Gaddafi's '*Jamahiriya*' survived until 2011. From 1987 onwards, the people's militias became more important than the army, which fell into disgrace after failing in its interventions in Chad and in its efforts to prevent US bombardments in 1986. International sanctions (1991-2003) deprived the Libyan army of the means of maintaining its military equipment and its 45,000 men lost what little importance they still retained. In 1991, the Ministry of Defence was abolished. The army was not mobilised to suppress armed Islamist dissidents (1993-1998). Its attempted coups d'état between 1993 and 1995 definitively disgraced it; the Revolutionary Guard and the regime's paramilitary defence structures benefited from the army's weakness.

Between Gaddafi's death in late 2011 and the elections in mid-2012, militias replaced the former security apparatuses, thus reproducing the militia-based character of the Libyan state inherited from the Gaddafi regime. This had been founded on a balance between paramilitary forces, composed of a skilful mixture of the "tribes" that had sworn allegiance to the regime,

enabling them to be represented and participate in governing.<sup>1</sup> The army was perceived as a threat to be neutralised, even if it meant weakening it and making it militarily incapable. The army was thus unable to promote its own values and interests as a body or institution – unlike other military institutions in the region. Nor could it develop its own economy within Libyan society that might have allowed it to recycle its staff or form connections of influence.<sup>2</sup> The political determination to sabotage the development of the Libyan army can be explained by the complex, subtle and contradictory relationship between the Libyan Jamahiriya and the state. In the philosophy of the Jamahiriya, the state was destined to disappear to make room for local political structures in which tribes played a fundamental role.<sup>3</sup> Gaddafi's revolutionary Libya was based on the model of a “just society” inspired by a “tribal” political model. In his Green Book, Gaddafi revealed that the tribe was “a natural social umbrella” and that “through its traditions, it guarantees its members social protection”. By contrast, “the State is an artificial political, economic and at times military system that has nothing to do with humanity”. Society must therefore be based not on the state, but on the tribe.<sup>4</sup> For Gaddafi, “the tribe is a family that has become extended through births. The tribe is a large family. The nation is an extended tribe.” In fact, this tribal imagery was the product of contemporary political transformations: Gaddafi's Libya was part of a longer continuity for the Libyan state, shaped by its tribal configuration ever since acquiring independence in 1951. Indeed, as historian Ali Abdullatif Ahmida shows, the kingdom of King Idris, ruler of Libya from 1951 to 1969, was founded on a religious order, but was also profoundly influenced by the tribal configuration in Cyrenaica.<sup>5</sup> From this point of view, the army and state looked like the two obstacles to the success of the revolution. These perceptions of the state and army remain unchanged among today's militias.

Are today's militias the products of Gaddafi's revolutionary philosophy, according to which Libya was duty-bound to remain in a “state of permanent tension”? The Jamahiriya supported the theory of “people in arms” so that “each town might be transformed into a barracks where the inhabitants would train each day”, and was duty-bound to maintain this “tension” through revolutionary committees.<sup>6</sup> In 1995, so as to conform to this principle, Gaddafi announced that the army had been dissolved for the benefit of the people's brigades, which were now supposed to ensure the protection of the nation against all forms of aggression. After Gaddafi's fall, tens of thousands of combatants gathered into brigades linked to towns or neighbourhoods and occupied the public spaces that had been deserted by the former regime's security forces to protect the revolution.<sup>7</sup> The militias had derived revolutionary legitimacy from their struggle with the Gaddafi regime, but they were increasingly challenged by the holders of political legitimacy obtained in the elections of 7 July 2012. For the political

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<sup>1</sup> Moncef Ouannes, *Militaires, élites et modernisations dans la Libye contemporaine*. Paris: L'Harmattan, 2009.

<sup>2</sup> E. Picard, “Armée et sécurité au cœur de l'autoritarisme” in O. Dabène, *Autoritarismes démocratiques: démocraties autoritaires au XXI<sup>e</sup> siècle*. Paris: La Découverte, 2008.

<sup>3</sup> Moncef Djaziri, “Tribus et Etat dans le système politique libyen”. *Outre-Terre*. 2009/3, issue 23.

<sup>4</sup> John Davis. *Le système libyen: les tribus et la révolution*. Paris: PUF, 1987, p. 205.

<sup>5</sup> Ali Abdullah Ahmida highlights that “the Sanusi success was rooted in building on and adapting to this tribal social organisation”. *The Making of Modern Libya*. State University of New York Press: Albany, 1994, p. 81.

<sup>6</sup> Claude Monnier, “Les forces armées libyennes ou le peuple en armes”. *Revue de défense nationale*, November 1984.

<sup>7</sup> Until April 2012, Tripoli Airport was controlled by the Zintani Brigades; the Suq al Jum'a Brigade controlled Mitiga Airport; the Zuwarans control the Ras Jdeir frontier post; the Misrata brigades controlled their own airspace, territorial waters, etc. See “Divided We Stand: Libya's Enduring Conflicts”. *International Crisis Group*, issue 130, 14 September 2012.

representatives of transitional Libya, disarming the militias and integrating them into the security forces is a major challenge.<sup>8</sup> In the immediate aftermath of the elections, the Libyan authorities gave the militias an ultimatum: “The mobile national force under the command of the chief of staff asks all armed individuals, groups and formations occupying army barracks, public buildings or the properties of members of the former regime or of Muammar Gaddafi’s children in Tripoli or surrounding towns, to evacuate these sites within 48 hours.”<sup>9</sup> Clearly it will take much longer than two days for the government to be obeyed, probably several years, until a security apparatus emerges that is independent from the militias.

## **Multiple and entangled security apparatuses**

In post-Gaddafi Libya, reconstructing the security apparatus is a priority for Ali Zeidan’s government. It has not wavered from its belief that too much responsibility for order and security has been left to the militias. In March 2013, the Interior Minister repeated that the militias and armed groups must leave “villas, houses and buildings in the next few days, or we will take action. We will not allow our towns to be taken hostage. The State must impose its will, and I ask public opinion to support us on this.”<sup>10</sup> For many Libyans, the excesses of certain militias have become unbearable; they are at times seen as hubs of debauchery, insecurity and terror, encouraging aggression, theft and kidnapping. While the National Transitional Council initially put up with the militias, or even encouraged them to keep their arms, fearing the return of the Gaddafists<sup>11</sup>, the government elected on 7 July 2012 now intends to reinforce the programme of militia disarmament, demobilisation and reintegration.<sup>12</sup>

Estimates vary, but more than 1,700 groups gathered into 300 militias are believed to have participated in the insurrection. More than 150,000 Libyans were considered armed in 2012; in 2013 there were between 200,000 and 250,000. For the authorities, the militias – who had made it possible to maintain a certain level of order in the immediate aftermath of the fall of regime – must eventually be disarmed and join either the new Libyan army or the security forces of the Ministry of the Interior. However, military chiefs insist that 70% of the new Libyan army – which paraded in Tripoli on 9 February 2013 in its new NIMR II and Mitsubishi L200 vehicles – must be made up of recruits from outside the militias, so as to guarantee the army’s independence. In theory, its new format is estimated at 100,000 men, and its philosophy is to be “an intelligent army”, according to Adel Othman, the Ministry of Defence spokesperson. Meanwhile, the army uses auxiliary forces (the Libyan Shield Forces), made up of militias that act – at least in principle – under the command of the Supreme Security Council (SCC) and the revolutionary coalitions. The instructors and trainers of the

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<sup>8</sup> Peter Cole and Brian McQuin (eds). *The Libyan Revolution and its Aftermath*. Hurst: London, 2013.

<sup>9</sup> Jana communiqué, 23 September 2012.

<sup>10</sup> *Libya Herald*, 3 March 2013.

<sup>11</sup> On 23 August 2012, the Libyan authorities seized around a hundred tanks and missile-launchers in a barracks in Souk al-Ahad, east of Tripoli. The arsenal belonged to a pro-Gaddafi militia (the Brigade of Muammar Gaddafi’s Faithful or Martyrs).

<sup>12</sup> In the east of the country, the militias were/are grouped into brigades: Brigade of the Martyrs of 17 February; Brigade of the Abou Salim Martyrs; Brigade of the Rafallah Shahabi Martyrs; in the west, Military Council of the Zintan Revolutionaries (23 militias); the Al Suwayli Brigade; Al Sawaiq Brigade; Al Qaqa Brigade; Tripoli Military Council, etc.

new army are made up of some of the officers who served the former regime but resigned before its fall or refused to fight the insurgents.<sup>13</sup> In contrast with Iraq, the Libyan authorities have not struck off and excluded all staff linked to the former regime, despite the temptation to do so – far from it! Ashur Shuwail, the Minister of the Interior, has revealed that there are more than 120,000 police and 40,000 administrative staff in his ministry, but that many of them have not worked for four or five years, despite continuing to receive their salaries.<sup>14</sup>

In fact, two years after the regime was toppled, the numbers of army soldiers and policemen are derisory compared to those of the battalions and brigades which make up the Supreme Security Council and the Libyan Shield Forces: about 200,000 men with fluctuating loyalties. The army is believed to be 6,000 men strong, divided into four brigades (one of commandos and three of infantry), and only 1,000 men are supposedly ready for operations! Rather than join the army or police force, more than 76,000 militiamen have preferred to start a company or business while keeping their arms.<sup>15</sup> The government is too weak to enforce obedience: the authorities permanently have to negotiate their own survival, being under threat by those who were not elected by voters but whose commitment to the revolution recommends them – the militias. The state is a virtual one, without authority; it is the militias who control Libya and not the government, as recognised by many experts and Libyan academics. Parliament has become the seat of militia representatives, not of voters' representatives. In fact, the problem is not so much that the militias “control Libya” – many Libyans acknowledge that, without the militias, Libya would have slipped into general chaos – but rather that the majority of militias do not trust the government, in particular, and political institutions in general, and that some militias are drifting into becoming mafia-style organisations. The militias project onto the state the same reticence as Gaddafi. Previously, Gaddafi's tribe had exclusive control over Libya's oil resources; now, it has been replaced by dozens of militias, sometimes backed by “tribes”.<sup>16</sup> The militias have blocked the export of hydrocarbons and cut the government's resources so as to impose their own political agenda – as have the militias in Cyrenaica, who aspire to separate from the Libyan state and create an autonomous region.

The impossibility of creating a security apparatus capable of making Libya safe – and thus the impossibility of creating new political institutions – underlines the determination of those who participated in the revolution (militias and political parties) to work towards the construction of a decentralised federal state. The regions (Cyrenaica, the South, the Berber region of Djebel Nefoussa, etc.) aspire to autonomy both in terms of finances (control over oil ports and borders) and security. They have literally strangled Tripoli, causing the collapse of hydrocarbon exports and forcing the government to acknowledge its own weakness. For the international community, Tripoli's directives are so insubstantial as to make the revolt of the regions look like chaos. In fact, this chaos has produced a new federal and decentralised state – the state for which Libyans carried out the revolution. Libya is no exception in the region, where local populations from northern Mali to southern Algeria to the southern provinces of Morocco aspire to autonomous and decentralised forms of managing their own territories. The

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<sup>13</sup> *Libya Herald*, 7 March 2012.

<sup>14</sup> *Libya Herald*, 3 March 2013.

<sup>15</sup> *Jeune Afrique*, “Armée libyenne: le casse-tête de l'intégration des milices”, 26 November 2013.

<sup>16</sup> Ali Bensaad, “Changement social et contestation en Libye”, in *La Libye révolutionnaire*. Politique Africaine, issue 125, 2012.

era of “national armies” controlling territories is being challenged. Yesterday’s Libya has ceased to exist and today’s Libyans will use all means – including civil war – to prevent the return of a central authority to their territory. Some Libyan regions believe themselves capable of coping – like Kurdistan in Iraq – within a federal framework. The apparent disorder in Libya is in fact a historical moment of reconfiguring affiliations: the militias will join security apparatuses only if the latter have a perimeter that is restricted to regions or even towns. The Libyan government and its international partners need to understand that the Libyan revolution is a revolution of the regions and rural areas against a central authority, an authority which has been perceived for the last half-century as being abusive and arbitrary. Reconstructing the bonds that unite Libyans will take time. A dynamic must be found that will make it possible to reverse Libyans’ historic defiance against state security apparatuses and allow them to flourish.

For Libya, gaining control over its borders symbolizes the hope of a return of the state, but the situation is different for each country in North Africa. In Algeria, the discourse on border insecurity after the Arab Spring highlights public fears about the implosion of Algeria and strengthens the state agencies responsible for security. In Morocco, border insecurity is reflected in the development of a project to build a wall of barbed wire at the border with Algeria, highlighting the exceptionality of Morocco in this region.<sup>17</sup> As for Tunisia, facing terrorist violence, the government emphasizes that “the Algerian experience of the (anti-terrorist) fight is interesting.” Tunisians discovered with horror, after the battle in Jebel Chaambi near the Algerian border in 2013, that Tunisia has become a sanctuary for jihadist organizations. In May 2013, the Tunisian National Guard and the Algerian Gendarmerie Nationale established an “experience exchange” program. While it is easy to observe convergences in the security field between Algeria, Tunisia and Libya, it is more difficult to analyse the impact of the Tunisian democratic experience on the region, as each country has its own characteristics and history. The Tunisian experience seems more like a lesson to learn from than a model to follow, though the compromise reached by Tunisians regarding the new constitution offers hope of seeing consolidation of the first democracy in North Africa.

The conditions that have allowed Tunisia to succeed while Libya has struggled are not so much related to differences in economic levels as to a prerequisite that had been stressed by Dankwart Rustow: national unity.<sup>18</sup> The confrontation among Libyan elites (whether in militias, tribes or government) does not lead toward a democracy like Tunisia because the stakes of the conflict relate to the reconfiguration of state sovereignty over the territory, rather than simply to new rules for establishing a representative government. In Algeria, Prime Minister A. Sellal stressed that Algeria had managed to close the windows to the intrusion of the Arab revolutions, referring to them as mosquitos, for which insecticides were readily available. The official discourse in Algeria is based on stability and security and corresponds to that of Ben Ali in Tunisia. Regional instability is a reality and Algeria has the military means to secure its territory. However, using the regional threat as an excuse to prevent citizen involvement in the management of state affairs is a poor argument. The authorities

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<sup>17</sup> « Algérie-Maroc : bientôt une frontière de barbelés ? » <http://www.algerie-focus.com/blog/2013/12/algerie-maroc-bientot-une-frontiere-en-barbeles/>

<sup>18</sup> Dankwart Rustow, “Transitions to democracy: towards a dynamic model”, *Comparative Politics*, April 1970 p. 355

fabricate the story of Algeria as a victim of potential plots and call for the people to join with the regime. It seems that the authorities fear that the change in Algeria cannot be done except with violence. Democratic forces must display education and maturity in reassuring national leaders that the worst is still ahead if they don't recognize that through their own actions they are creating the conditions of chaos that they fear.

While the stability of Algeria is in question, in Libya it is the very existence of the state that is at stake. The dynamics of territorial logic favour the emergence of a political entity that not only avoids the authorities in Tripoli, but develops empowerment strategies enabling them to survive and grow beyond the national framework. Maintaining the Libyan state thus requires a federal construction, the only form of organisation that can banish the spectre, not of civil war, but of a war of secession between regions that feel they no longer have any interest in accepting central authority. The offer of a constitution establishing a decentralized federal state is the only alternative to war that is looming in Libya.