

Received : 05 March 2024, Accepted: 20 August 2024 DOI:

<https://doi.org/10.33282/rr.vx9i2.40>

# The Path of State-Building in Libya after the 2011 Uprising: Efforts and Challenges

AZZOUG NAIMA<sup>1</sup>

## Abstract:

The study examines the Libyan uprising that turned into a civil war, which led to the collapse of the Libyan state after the fall of the Gaddafi regime. It sheds light on the most important efforts to support the process of rebuilding the Libyan state, as well as the most prominent challenges. Despite the political initiatives aimed at rebuilding the state, such as Ghadames I Agreement, Ghadames, II Agreement, Geneva Agreement, and the Skhirat Agreement, they face political, security, economic, social and external challenges that have negatively affected their results. Therefore, we find that the success of the state-building process in Libya is linked to ending civil war and settling the conflict peacefully, as well as reducing tribal loyalty and establishing a statehood culture.

**Keywords:** Libyan uprising; State Building; Tribalism; Regional and International Intervention; Libyan Agreements.

## 1. Introduction:

The Libyan uprising is one of the most important international events in the Arab region, given its negative effects on regional and international security. After the fall of the Gaddafi regime, Libya entered a civil war that led to the collapse of the Libyan state, where the country experienced political divisions, security issues and rivalry over oil resources. Moreover, the military and political interventions of regional and international powers have further complicated the Libyan crisis. Additionally, Great efforts have been made to rebuild the institutions of the Libyan state, but they have faced internal and external obstacles and challenges that have negatively affected their results.

Based on the above, we posed the following questions:

**To what extent has the national and international efforts contributed to supporting the process of building Libyan state and what are its challenges?**

The main question has the following sub-questions:

- What is the nature of the Libyan uprising?
- Who are the parties of the Libyan uprising?
- What are the most important agreements signed to rebuild Libya's state institutions?
- What are the main political, security, economic, social and external challenges facing the Libyan state-building process?

In order to answer the research question, we adopted the following hypotheses:

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<sup>1</sup>- University of Tizi Ouzou- Mouloud Mammeri (Algeria). E-mail: [naima.azzoug@ummtto.dz](mailto:naima.azzoug@ummtto.dz)

- There is an interdependent relationship between the peaceful settlement of the Libyan conflict and the Libyan state-building process.
- The Ghadames Agreement 1 and 2, the Geneva Agreement and the Skhirat Agreement are among the most important agreements that contribute to the process of rebuilding the Libyan state
- The success of the state-building process in Libya is linked to reducing loyalty to the tribe and establishing a culture of statehood.
- Regional and international interventions and the conflict over oil are among the biggest challenges to building the Libyan state.
- The process of building Libyan state faces political , security, economic, social and external challenges that negatively impact its trajectory.

In our study, we adopted the historical approach to illustrate the most important historical events and the chronology of the uprising in Libya, Moreover, we used a case study method to study the Libyan experience of state-building . We also used the systemic approach as we are studying peaceful initiatives as one of the outcomes of Libyan and international bodies to end the civil war and build the institutions of the Libyan state, also, to examine the reactions of the internal and external environment to these outcomes.

Furthermore, We used the legal approach to study the UN agreements adopted in order to end the crisis and build the Libyan state,Also, we adopted the content analysis method to analyse the content of the agreements, procedures and measures adopted with the aim of rebuilding the Libyan state institutions.

Moreover ,We divided the study methodologically into the following main axes: The first axis is historical, in which we address the chronology of the Libyan uprising and its most important historical stages, as well as the parties of the conflict and their regional and international alliances. The second axis deals with efforts to rebuild the Libyan state and the most important agreements that have been adopted to achieve this goal.

The third axis deals with the political and security challenges facing the Libyan state-building process, while the Fourth axis analyses the economic, social and external challenges facing this process . Finally, in the conclusion, we address the main findings and recommendations.

## **2. The Nature of the Libyan uprising on 17 February 2011**

**2.1. A reading of the Libyan Political situation since 17 February 2011:** Libya witnessed a violent and massive protest movement that started on 17 February 2011, influenced by the Arab Spring wave that started in Tunisia in late 2010 and touched some Arab countries. In March 2011, a coalition led by Washington, Paris and London launched a military campaign, under the auspices of the United Nations, against the Gaddafi regime. At the end of March, NATO assumed command of air operations against the Libyan regime.

The Protests in Libya turned into a bloody civil war that led to the death of Libyan leader Muammar Gaddafi on 20 October 2011 after the rebel movement took control of the capital Tripoli with Western support, also, The war left thousands dead and wounded and led to the destruction of the Libyan state.

After the fall of the Gaddafi regime, the National Transitional Council (NTC) took power in the country, it established on 27 February 2011, led by Mustafa Abdel Jalil to manage the transitional period dissolved on 08 August 2012 and was .Moreover, The Libyan Transitional Council was <sup>1</sup> succeeded in power by the General National Congress (GNC), which was elected on 07 July 2012. Following the end of its mandate on 07 February 2014, the Council of Libyan Deputies took power<sup>2</sup>.

On the other hand, the National Salvation Government (NSG), headed by Khalifa al-Ghwel, was established on 04 February 2014. It controlled large parts of southern and western Libya. After that, the Government of National Accord was formed under UN auspices on 23 February 2016 under the leadership of Fayez al-Sarraj<sup>3</sup>.

Therefore, we notice that the fall of the Gaddafi regime led to the collapse of the Libyan state, and the Libyan case became the most prominent example of a political vacuum, due to the absence of a legitimate central authority and the regional and international interventions that hindered the efforts to build a new state in Libya.

**2.2. Parties of the Libyan conflict:** After the fall of the Gaddafi regime, political divisions emerged between several conflicting parties that entered into security and political confrontations, Among the most prominent of these parties are:

**-The Libyan House of Representatives:** which was Democratically elected in 2014 and temporarily headquartered in Tobrouk city.

**-The Libyan government:** Based in the city of Benghazi in eastern Libya, headed by Abdullah al-Thinni. This government has been engaged in a power struggle against the Government of National Accord “GNA” in Tripoli

**-General National Congress:** Based in Tripoli city, Centred in the west of the country, it is Islamist in orientation ,and has come into conflict with the Tobrouk government in the east of the country.

**-Libya's National Salvation Government:** Established in 2014 and based in Tripoli in the west of the country, it is an Islamist government affiliated with the General National Congress, led by the Muslim Brotherhood, supported by a coalition of Islamist actors known as Fajr Libya Forces, and backed by Qatar, Sudan and Turkey. This government has come into conflict with the Tobrouk government in the east of the country.

**-Government of National Accord:** It is a government emanating from the Libyan Political Agreement signed in Skhirat- Morocco, on 17 December 2015, and supervised by the United Nations Support Mission in Libya (UNSMIL), led by German Martin Kobler. It is a government recognised by the United Nations ,Established in 2016, headed by Fayez al-Sarraj, and includes 17 ministers.

**-The Libyan Government of National Unity:** Also known as the Libyan Transitional Government, It is an interim government headed by Abdelhamid al-Debiba, who was selected by the Libyan Political Dialogue Forum in Geneva on 5 February 2021 after receiving 39 votes. It was formed on 10 March 2021, with the aim of uniting the two rival governments: The Government of National Accord in Tripoli and the Libyan Interim Government in Benghazi.<sup>4</sup>

In addition to these main organisations, there are also other competing groups: Most notably :

**-Benghazi Revolutionaries Shura Council:** A military organisation with an Islamist orientation led by Ansar al-Sharia, comprising five military battalions that fought the Gaddafi regime, received material and military support from the General National Congress, engaged in a war against Khalifa Haftar, But he lost most of the areas he controlled, It was then restructured under a new name; “the Benghazi Defence Brigades”.

**-Fajr Libya Forces:** An Islamist armed organisation loyal to the Government of National Accord (GNA) , that led an operation known as Fajr Libya, which took control of the city of Tripoli and most of western Libya.

**-General Command of the Libyan Army:** It is a military organisation headed by General Khalifa Haftar, which includes armed militias fighting on his side, most of organisation's members are from tribes living in eastern Libyan cities such as:Benghazi, al-Marj al-Bayda and Tobrouk. It also includes some of Gaddafi's former army commanders.

This organisation enjoys significant Egyptian political and military support, controls the east of the country and the city of Benghazi, and has come into conflict with the Tripoli government in the west of the country.

**-The Zintan Brigades:** A military force based in the city of Zintan in Libya's Western Mountain, formed in May 2011, comprising more than 48 battalions. Osama al-Juwaili, Libya's former Minister of Defence, is considered one of the most prominent leaders of this organisation<sup>5</sup>.

Furthermore, One of the most famous operations of this organisation was the detention of the son of the Libyan leader, Saif al-Islam Gaddafi, after his arrest in November 2011.

**-Al-Qaqaa- Al-Suwaiq and Al-Madani forces:** A military force comprising rebels from the city of Zintan that came into conflict with the armed militias that led “ Fajr Libya” operation.

**-Libya Shield Forces:** Established on 8 August 2012 by a decision of then Interim Defence Minister Osama al-Juwaili, this organisation is affiliated with the Libyan Ministry of Defence<sup>6</sup>, has an Islamist orientation,and is affiliated with the Muslim Brotherhood.

Furthermore, Libya Shield Forces is the largest armed organisation in Libya in terms of numbers, armament and deployment. It consists of a group of armed brigades that includes the majority of rebels who fought against the Gaddafi regime,as well as civilian commanders with no previous military affiliation, such as Wissam Ben Hamid, who during the Libyan war commanded an armed battalion in Benghazi.

This group has three main brigades located in eastern, central and western Libya. For example, the group's branch operating in the center of the country is called "Al-Wusta Shield" and has an arsenal of weapons, most of which were captured by the rebels in battles with Gaddafi's forces.The main tasks of this organisation are: Enforcing the law, maintaining order and security after the fall of the Gaddafi regime, and Fighting Gaddafi loyalists..

Although it is not considered a regular armed force, the group has received material and military support from the General National Congress, the Ministry of Defence, and governmental parties in Libya.

**-Tuareg brigades in southern Libya:** An armed group loyal to the Government of National Accord (GNA). It is centered in the city of Ghat and controls the desert areas in the south-west of the country. Its main tasks include guarding the southern borders with Chad and Niger, also controlling the entry of weapons across the borders with the Sahel countries.

**-Ansar al-Sharia:** An armed organisation with an Islamist orientation, He was active in Benghazi, Derna, Sirte and Sabratha,headed by Sheikh Mohammed al-Zahawi, whose death was announced in January 2015. The organisation was disbanded and its remaining members joined Daech groupe <sup>7</sup>.

**-Misrata militias:** They are one of the largest organisations in Libya in terms of numbers, arms and deployment. They have a radical Islamist orientation, and during the war, they controlled the towns of Bani Walid and Tawergha in northwestern Libya.

**-Islamic State of Iraq and al-Sham "ISIS" groupe:** This international organisation took advantage of the collapse of Libyan state and the political and security vacuum to relocate its activities to Libya. In October 2014, ISIS 's branch in Libya took control of the city of Derna, north-eastern Libya. However, on 15 June 2015, the Derna Mujahideen Shura Council (DMSC) defeated the group and retook the city. And, On 13 February 2016, " ISIS groupe" declared full control of the Libyan city of Sirte, but a coalition of tribesmen and Libyan militias liberated the city from its control.

In addition to this, There has been a marked decline in " ISIS groupe" activity in Libya in recent years, thanks to tribes allying with governing bodies to fight the group .<sup>8</sup>

### **3. Libyan state-building efforts- The agreements established:**

Several political initiatives have been adopted by internal and external parties to peacefully resolve the Libyan conflict and rebuild the Libyan state,Among the most prominent of these initiatives are:

**3.1. Ghadames Agreement 1:** Adopted on 29 September 2014 in the Libyan city of Ghadames on the Algerian border under the auspices of the United Nations Special Mission headed by Bernardino Leon. The Agreement was based on a set of principles adhered to by the UN,which are:

- UN recognition of the legitimacy of Libyan House of Representatives, based in Tobrouk, as an institution elected on 25 June 2014.

-Respect for the Constitutional Declaration and its amendments, international human rights conventions, and international law .<sup>9</sup>

-Rejecting dialogue with radical parties that use violence and terrorism to gain power in Libya.

The dialogue aims to develop a roadmap to:

- End the civil war.

- Rebuild the institutions of the Libyan state and reconstruct it by calling for the organisation of a presidential election .

In this sense, members of Libyan House of Representatives, based in Tobrouk, have been invited to the Ghadames 1 dialogue 1, because they have legitimacy according to the United Nations, even if this legitimacy is incomplete, temporary, ineffective, and unrecognized by all Libyan parties.

But, A large group of politico-military forces that influence Libya's political decision-making, some of which dominate a large part of Libyan territory, were excluded from the dialogue, Like: Fajr Libya Forces and Benghazi Revolutionaries Shura Council. The dialogue also neglected to invite the General National Congress (GNC)- based in Tripoli in western Libya, which is the main conflict party opposing The Libyan House of Representatives - based in Tobruk in eastern Libya.

Therefore, the Ghadames 1 Agreement had a poor outcome due to the UN's inadequate vision, which invited parties belonging to the same current, and ignored other actors in the Libyan conflict.

**3.2. Geneva Agreement:** Adopted on 14 and 15 January 2015 at the United Nations headquarters in Geneva, with the aim of ending the political, security and institutional crisis in Libya and rebuilding the Libyan state. Unlike the Ghadames 1 Agreement, this time, United Nations Mission in Libya was more aware and understanding of the nature of the Libyan conflict, especially after the Libyan Supreme Court's decision on 06 November 2014 to declare the Libyan House of Representatives - based in Tobrouk- unconstitutional and illegitimate.

On this basis, the United Nations Mission was keen to ensure the participation of all Libyan parties, especially the General National Congress (GNC), which is considered one of the most important parties of the Libyan conflict.

Therefore, The parties of the Geneva Agreement adhered to the principles of the 17 February 2011 revolution, democratic values, and respect for human rights <sup>10</sup>. After an in-depth discussion, participants agreed on an agenda to end the civil war and rebuild Libyan state institutions. It includes the following:

- Work to reach a political agreement to form a consensual national unity government.
- Establishing the necessary security arrangements to end the fighting, especially in Libya's major cities.
- Securing the phased withdrawal of armed groups from all Libyan cities in order to enable the Libyan authorities to extend their control over the country's vital institutions.
- Organising Presidential Elections.
- The United Nations Mission "UNSMIL" must emphasise its full commitment to provide adequate support for the success of any agreement reached aimed at building the new Libyan state.

On the other hand, the General National Congress "GNC" and its representatives refused to attend the Geneva dialogue sessions for two main reasons:

- The first reason: The head of the UN mission in Libya, Bernardino Leon, did not sufficiently coordinate with the GNC about the agenda of the political dialogue.
- The second reason: The General National Congress "GNC" refused to hold dialogue outside Libya.

In the same context, the media office of Fajr Libya announced that it does not accept the results of the Geneva round of dialogue and is not committed to them, due to the absence of the General National Congress "GNC", which it considers the true representative of the revolutionaries and an important party in resolving the Libyan crisis.

So, The outcomes of the Geneva Agreement did not differ from the Ghadames 1 dialogue, and ended up with the same result <sup>11</sup>, due to the failure of the UN mission to build confidence between the conflicting parties and its failure to convince all Libyan actors to participate in the dialogue, especially the General National Congress “GNC” and the leaders of armed groups influencing the Libyan political and security situation.

We notice also that The Geneva Agreement failed to end the fighting and form a national unity government, which prompted the head of the UN mission in Libya, Bernardino Leon, to hold another dialogue sessions inside Libyan territory, known as the Ghadames 2 dialogue.

**3.3. Ghadames Agreement 2:** Adopted in the third round of the Libyan National Dialogue, Adopted on 11 February 2015 in Libyan city of Ghadames. under the auspices of United Nations Mission in Libya . The Ghadames 2 Agreement differed from the Ghadames 1 Agreement Adopted in September 2014, as it included the various Libyan parties. Among the most prominent attendees were members of the General National Congress “GNC” who did not participate in Ghadames 01 and boycotted the Geneva dialogue. They stipulated that the dialogue be held inside Libyan territory in exchange for their participation, a condition that was fulfilled in the Ghadames 2 dialogue <sup>12</sup>.

In Additionally, With the aim of ending the conflict and rebuilding the Libyan state, the participants in the Ghadames 2 dialogue session discussed the roadmap presented by the head of the United Nations Mission to Libya, Bernardino Leon, which included the following:

- Make proposals on the organisation of the transitional period.
- Seek to achieve an agreement on a clear and precise timetable to end the transitional phase, and organise presidential elections with the agreement of the conflicting parties.
- Seek to form a national unity government.
- The withdrawal of armed militias from cities and vital institutions, such as airports, and the cessation of all forms of violence.

In practice, the outcomes of the Ghadames 2 Agreement did not achieve any breakthrough in the Libyan crisis, because each of the conflicting parties adhered to their demands that cannot be compromised or conceded. This situation prompted the head of the UN mission to Libya, Bernardino Leon, to initiate another round of dialogue called the Skhirat Dialogue in Morocco.

**3.4. The Sekhirat Agreement:** Adopted on 05 March 2015 in Skhirat- Morocco, under the auspices of the United Nations Mission in Libya , Chaired by Martin Kobler, who succeeded Bernardino Leon.the Participants in the dialogue reached a political agreement on 17 December 2015 <sup>13</sup>, which was endorsed by the UN Security Council in its resolution 2259 of 23 December 2015 <sup>14</sup>.

The agreement aims to end the war and build the institutions of the new Libyan state, and includes 67 articles centered on the following:

- Guarantee the democratic rights of the Libyan people.
- Establishing a consensual government based on the principle of flexible separation of powers.
- establishing a unified and regular Libyan army.

- Mandate the consensus government to take the necessary measures to confront the Islamic extremist groups that have spread in some Libyan cities, and provide it with the necessary resources to achieve this.
- Disarming armed militias, which is one of the most prominent indicators of the collapse of state in Libya, and integrating armed men into security and military institutions.
- The need to grant full powers to state institutions to manage the country, especially: the Government of National Accord, the Libyan House of Representatives and the State Council, where the Government of National Accord is tasked with exercising executive power while the House of Representatives assumes legislative power.
- Adopting measures that will rebuild trust between the parties of the conflict.
- Adopting the necessary constitutional reforms to organise presidential elections on time <sup>15</sup>.

The Skhirat Agreement was signed by members of the Libyan House of Representatives and the General National Congress, but it faced difficulties in implementation due to its rejection by other parties.

Therefore, Despite all peaceful settlement efforts, Libya remains a failed and divided state that has been unable to organise a presidential election. It is governed by three conflicting governments: the Government of National Accord (GNA), the Government of Tripoli in the west and the Government of Tobrouk in the east Of Libya. In addition to the intensification of the struggle for control of oil sources and strategic cities <sup>16</sup>.

**4. Libya's political and security State-Building Challenges:** The Libyan state-building process faces Political and Security obstacles and challenges, which we explain as follows:

**4.1. Political Challenges:** The most prominent of which are:

**-The tribal nature of the political system and loyalty to the tribe at the expense of the state:** The biggest political challenge in Libya is the strong presence of the tribe in political life, which has hindered efforts to build a modern state governed by laws instead of tribal customs and traditions <sup>17</sup>, We note that political, security and military posts in Libya are distributed on a tribal basis, and voting in elections also has a tribal background

Moreover, Studies on the history of governance in Libya agree that the tribe is a hidden authority that manages the affairs of society and state, and coordinates the relationship between governor and governed, whether during the reign of King Senussi, where the tribe had a political role in the resistance against Italian colonialism and in support of the monarchy, or during the Gaddafi regime, who relied on the support of the Gaddadfa tribe and a tribal alliance to reach power and remain there for 42 years <sup>18</sup>.

The situation continued after the fall of the Gaddafi regime, where political, military and security posts were distributed on a tribal basis, and, tribes still rule Libya to this day, despite all attempts at political reform, which hinders the building of a modern Libyan state <sup>19</sup>.

In this regard, Amal Suleiman al-Obeidi says : " The National identity in Libya is still in the process of formation, which makes it less influential in the face of tribal sub-loyalties, which explains the



continued dominance of the tribal factor and the multiplicity of loyalties in the transitional phase for an unknown period of time, which led to the disruption of the democratic project in Libya”<sup>20</sup>.

Therefore, The most prominent Libyan tribes influencing the political and security work in Libya include: Warfalla, Tarhuna, Rushmana, Misratan tribes, Znata, Al Awaqir, Al Barasa, Al Obaidat, Al Masamir, Al Zawya, Al Arfa, Al Moravids, Al Furjan, Al Qaddadfa, Awlad Suleiman, Al Muqarha, Tabu, and Tuareg.

Muammar al-Qaddafi enjoyed the support of his Qaddadfa tribe throughout his rule, which supported him against the rebel movement on 17 February 2011. He was also supported by a tribal alliance that included the country's most prominent tribes, led by the Warfalla tribe and the Warshmana tribe. also ,The Awlad Suleiman tribe enjoyed a privileged position in power from the time of King Idris al-Senussi to the time of Gaddafi.

After the fall of the Gaddafi regime, Haftar was supported by several tribes, most notably the Tarhouna, Znata, Alawakir, Al Masamir, Al Zawya, Al Arfa, Al Farjan, and part of the Tebu and Magarha tribes, while the Misrata and Awlad Suleiman tribes support the Government of National Accord and the Tripoli government.

So, We note that most of the tribes in eastern Libya support Haftar, while the tribes in western Libya support the Tripoli government for tribal reasons, and there are tribes whose members are divided between the two sides, such as the Tuareg tribes<sup>21</sup>.

**-Lack of real political will to resolve the Libyan crisis:** The political reforms and efforts to settle the Libyan conflict were the result of external pressures and did not originate from within Libya. It was external factors that pushed the Libyan political parties to adopt some circumstantial and superficial political and democratic reforms in response to the dictates of Western and regional countries.

Thus, a large part of the Libyan political forces did not want a real reform in the structure of the political system and were content with granting some political, media and party freedoms to the Libyan people, in other words, they adopted superficial reforms without deeply changing the balances on which the political system was built since independence based on tribal influence and foreign support, in order to preserve their gains and because of their fear of losing their interests in any real change in the structure of the political system.

**-The absence of national opposition and the weakness of the Libyan opposition and its foreign dependence :** The prohibition of the official activity of opposition political parties in Libya under Gaddafi's rule pushed them to activate outside the country, making it easier for Western and regional regimes to use them to serve their interests. So, Libya suffers from the absence of real opposition parties capable of gaining power through democratic means, and some opposition party leaders have succumbed to the temptations of power and compromised their principles in exchange for position and money.

Moreover, Some opposition forces demanded international intervention to topple the Gaddafi regime and gain access to power, and rejected all forms of dialogue with other Libyan parties. This further aggravated the Libyan situation and caused the faltering of efforts to rebuild the state of institutions in Libya.

After the fall of the Gaddafi regime, most Libyan opposition parties have foreign loyalties and affiliations; The Islamist parties affiliated with the Muslim Brotherhood are loyal to Turkey and Qatar, secular parties are loyal to France, some parties are loyal to Saudi Arabia, others are loyal to Egypt and the UAE, and there are parties loyal to U.S.A and Britain, etc.

Therefore, we notice that the Libyan opposition is made up of dispersed forces that are in conflict with each other and are affiliated with Western and regional foreign powers.

**- The stalling of national reconciliation process and the persistence of political divisions:** Despite national, regional and international efforts, Libya has not been able to achieve the national reconciliation project, and has found it difficult to unite the Libyan people under a unified central authority, due to the specificity of the tribal social structure and the legacy of the authoritarian former regime.

Despite the adoption of some initiatives to restore peace, such as the Skhirat Agreement in 2015, which established the official bodies tasked with running the country politically, security and militarily, this step has further exacerbated the Libyan situation by appointing figures to power who are not consensual, unelected and do not enjoy national consensus <sup>22</sup>.

**-The stalling of the presidential election process:** One of the most prominent issues that have hindered the project of building a modern state in Libya is the lack of political activity among Libyan political forces due to Libya's political history, which does not have democratic experiences.so, To this day, Libyans still do not trust political parties and the electoral process

In the same context, During the National Congress elections, only about 44 % of those who won the elections belonged to political parties, while independent candidates constituted the majority of the winners at 66 %, The same results were achieved in the second parliamentary elections, where most of the candidates did not belong to any party organisation and ran as independent candidates. Also, Most of the elected candidates represent family, regional and tribal interests, which reduces the credibility of the elections and leads to questioning their legitimacy.

Despite all the obstacles, Libyans managed to organise the first pluralistic elections in their country's history in July 2012, which resulted in the first elected General National Congress and the formation of a government to lead the transitional period whose legitimacy was questioned by many Libyan parties, but Libyans have failed to organise a presidential election to this day. <sup>23</sup>.

**- Resorting to political violence as a mechanism to reach power:**It is difficult to achieve national reconciliation in Libya while the parties to the Libyan crisis have armed brigades, so, The use of violence as a mechanism to reach and stay in power hinders efforts to peacefully settle the crisis and the process of building a modern Libyan state, which must be based on law and elections.

**-Launching the democratisation process before completing the building of state institutions :** There is a debate in Libya: Should we first build state institutions and then move on to democratise them, or is it democratisation that builds state institutions?

However, it is notable that Libya started the process of democratisation immediately after the fall of the Gaddafi regime, before completing the building of state institutions, which led to the obstruction of the two processes.

Additionally, Libyans are convinced that traditional parties and tribal institutions are responsible for managing life and providing security, and do not need state institutions, and this thinking is deeply rooted in Libya.

**-The crisis of legitimacy:** The Libyan political system under Gaddafi suffered from a legitimacy crisis that negatively affected its stability for several reasons, most notably:

- the tribal nature of the political system .
- the tribe is one of the most prominent mechanisms of access to power <sup>24</sup> .
- the use of violence to access and remain in power
- the lack of democratic methods in political activity
- the absence of a strong party class and the absence of an effective civil society.
- the absence of media freedoms.

Therefore, it is noted that the phenomenon of political nomadism controls the behavior of politicians and is an influential factor in decision-making in Libya. The legitimacy crisis continued after the fall of the Gaddafi regime due to political and tribal differences that led to conflicting political loyalties, so, Libya has witnessed a conflict over the ideological approach of the state, because, There are those who call for the necessity of Islamizing the state, and there are those who call for its Secularisation.

Accordingly, the disagreement over the ideological approach of the political system brought the country into political disputes and hindered the path of building a modern state in Libya<sup>25</sup>.

**4.2. Security Challenges:** The most prominent of which are:

**-The absence of a regular Libyan army and official security institutions:** This factor is one of the most important reasons for the collapse of the state in Libya and its entry into civil war after the fall of the Gaddafi regime. So, The absence of a strong and unified Libyan army caused the deterioration of the security situation, and leaving a security vacuum that was exploited by armed militias and terrorist groups that proliferated in Libya.

Also, The absence of a strong army opened the way for regional and international foreign powers to intervene in Libyan affairs militarily and politically, most notably France, USA, Russia, Turkey, Egypt, the UAE, Qatar, etc. This situation provided a pretext for NATO to intervene militarily in Libya under the pretext of maintaining security in the absence of a regular and unified Libyan army capable of protecting the country's security.

So, if we compare some of the Arab Spring countries, we notice that Libya entered into a civil war and the state collapsed due to the absence of strong military and security institutions to manage the transitional period, maintain security and protect state institutions, unlike Egypt, where the Egyptian army took over the task of managing the transitional period and maintaining security, which prevented Egypt from entering into a civil war <sup>26</sup> .

**- The failure to disarm the militants and integrate them into the army and security institutions:** It is noticeable that all Libyan parties retain weapons to protect their interests and refuse to relinquish them, due to the absence of a strong and unified regular army to maintain security in the country.

For example: The failure of the Libyan Transitional Council to disarm armed militias, especially those that exercise some of their functions within the Libyan Internal Security Service. So, In the absence of a unified Libyan army, the Transitional Council was forced to integrate some armed militias into what became known as a "hybrid security system" <sup>27</sup>.

**- The proliferation of weapons in Libya and the Sahel region:** Most international reports have indicated that Libya after the fall of the Gaddafi regime, has turned into one of the largest countries that know the proliferation of weapons outside official institutions, and one of the largest arms markets in Africa, especially weapons smuggled from the Sahel region, such as: Grad rockets, mortars, anti-tank missiles, man-portable air defence systems "MANPADS", in addition to huge quantities of ammunition and mines.

According to UN reports, Libya has the largest stockpile of man-portable air defence systems "MANPADS" outside the countries that produce these weapons, In the same context, Libyan rebels stormed the arms depots of Gaddafi's army, which led to a deterioration of the security situation in the country. also, More than 440 weapons storage sites were looted after the outbreak of protests in Libya in February 2021, These warehouses contain large quantities of light and heavy weapons, ammunition, explosives and chemicals <sup>28</sup>.

Additionally, The number of illegal militants in Libya has reached more than 711,000 Libyans, according to the "Crisis Group's" report. This militarisation has led to the spread of the phenomenon of " Tribes Military", which are competing for arms and believe that they have the right to arm themselves because they have the revolutionary legitimacy that derived from their participation in the overthrow of the Gaddafi regime <sup>29</sup>.

The proliferation of weapons in Libya has led to the arming of Libyan militias and the emergence of dozens of armed organisations, including: Libya Arm Forces, Zintan Brigades, Ansar al-Sharia, Benghazi Revolutionaries Shura Council, and also contributed to the arming of terrorist organisations such as ISIS.

Therefore, The proliferation of weapons in Libya has led to the continuation of the civil war to this day, the collapse of Libyan state institutions and hindered efforts to rebuild them.

**5. Libya's Economic ,Social and External State-Building Challenges:** The Libyan state-building process faces Economic ,Social and External obstacles and challenges, which we explain as follows:

**5.1 Economic Challenges:** The most important ones are:

**-The weakness of Libya's economic infrastructure:** Gaddafi didn't care about building a strong infrastructure in Libya during his reign, and, After the outbreak of the February 2011 protests, the country's infrastructure was destroyed by the civil war and NATO's military intervention, especially: Roads, ports, airports, economic, educational and health institutions, factories, oil sites, dams, power plants, etc, Also, The preoccupation of Libyan leaders with political conflicts has disrupted the development process and made it out of their priorities.

**-The nature of Libya's rentier economy:** The Libyan economy is characterised by its dependence on oil revenues, it is a rentier economy that relies on petroleum rents. According to official reports,

Libya's oil production in 2023 was about 1.22 million barrels per day and generated revenues of \$25.4 billion in the same year.

Moreover, 98 % of Libya's hard currency revenues come from oil exports, and oil revenues accounted for 96.7 % of the total revenues of Libya's general budget in 2023, estimated at 121.7 billion Libyan Dinars <sup>30</sup>.

Although Libya is one of the largest oil and gas producers and has the largest oil reserves in Africa with 45 billion barrels, it is one of the weakest countries economically, and its gross domestic product “GDP” did not exceed \$40 billion in the first quarter of 2024, ranking 16th in Africa and fourth in the Maghreb after poor countries in terms of wealth such as Tunisia, a rank that does not reflect Libya's huge potential in terms of subsoil resources <sup>31</sup>.

The Libyan economy suffers from the weakness of other economic sectors, especially the agricultural, industrial and tourism sectors, This made Libya suffer from foreign dependency, importing its needs from abroad, which caused a severe hemorrhage of hard currency and led to the spread of corruption in foreign trade.

So, The dependence of the Libyan economy on oil revenues led to the collapse of Libyan state institutions ,due to the cessation of Libyan production for a long time during the civil war, and due to the struggle between Libyan and international parties over the sources of oil and its revenues.

**-The spread of the parallel economy:** Due to the fragility of state institutions, the difficult security and political situation of the country and the weakness of African neighbouring countries, Libya has turned into a regional space open to all illegal economic practices and a stronghold for smugglers, drug traffickers and all forms of organised crime. Especially in light of the armed groups' sponsorship of this illegal economic activity, which represents an important economic resource to finance their armed activities throughout the Libyan territory. This situation constitutes an economic obstacle to the Libyan state-building project <sup>32</sup>.

**- The Exacerbation of internal conflict over oil resources:** The Oil Crescent region includes the largest oil reserves in Libya, containing 80 % of Libya's oil reserves, located between Sirte, Benghazi and Tripoli, It also owns the largest oil companies, which export oil through the ports of Sidra, Ras Lanuf and Brega.

The importance of this region lies in the fact that it is the key to governing in Libya, which explains the intensity of the conflicts between the Libyan parties to control it. In addition to this, its economic and strategic importance lies in the fact that it lies between Benghazi, the headquarters of the army forces led by Khalifa Haftar, and Sirte, an area that was the center of the ISIS terrorist group, and Tripoli, the headquarters of the Government of National Accord (GNA) . <sup>33</sup>

In September 2016, Khalifa Haftar, with the support of international parties, took control of the oil fields and the ports of Ras Lanuf, Sidra and Brega, and tried to export oil away from official state institutions, which alarmed the government of Fayeze al-Sarraj in Tripoli and its international allies, considering it an illegal and unacceptable act. The Tripoli government also tried to control the fields and ports in the oil crescent near the Jufra region, which led to clashes with Haftar's army.

Therefore, the attempt by each party in Libya to monopolise the sale of oil outside state institutions is an indicator of the collapse of the state in Libya and a manifestation of a failed state. Also, The warring parties in Libya seek to control the oil sources in order to gain power and secure financial resources, which has led them to engage in armed confrontations with regional and international support. This situation has prolonged the civil war and disrupted the process of building a state of institutions in Libya.

In this regard, a Libyan politician, in an interview with Asharq Al-Awsat newspaper, attributed the causes of most of Libya's crises to the oil wealth, saying: "Everyone in Libya wants to grab the oil, and even the militias are fighting to grab the biggest share of it" <sup>34</sup>.

**5.2. Social and Cultural Challenges:** These can be summarised as follows:

**- The weakness of the statehood and democratic culture:** The absence of traditions of political and democratic participation, loyalty to the tribe and weak loyalty to state institutions have prevented the emergence of a Libyan elite imbued with the values of citizenship.

During his long reign, Gaddafi's policies weakened the culture of institutional organisation among Libyan elites, entrenched tribal affiliation and individual rule practices <sup>35</sup>. This situation continued after the fall of the Gaddafi regime, where transitional leaders focused on their party and tribal interests at the expense of realising the democratic project.

As a result, The absence of a state culture among the Libyan parties caused their inability to agree on a common ground to manage the transitional phase, which has led to the failure to build a state of institutions in Libya <sup>36</sup>.

**-Social normalisation of Corruption phenomenon:** The biggest challenge facing the state-building process in Libya is the widespread prevalence of all forms of corruption Behaviors such as bribery, plundering public funds, fraud, Nepotism, exploiting wealth and government posts to achieve personal or tribal interests, ..ect, Also, Higher Posts in the state are granted to unqualified persons for tribal considerations. Rather, corruption extended to the state's executive, legislative and judicial institutions. As a result, Libya ranked 170th in the Corruption Perceptions Index report issued by Transparency International in 2023.

In the same context, What has increased the spread of corruption in Libya is the impunity of the corrupt due to his protection from the authority and the tribe, also the absence of the role of Parliament, the media and civil society in combating the phenomenon. so, The strong relationship between the corrupt official, the tribe and the authority has increased the spread of the phenomenon of corrupt political money to gain power, especially in elections.

**- Lack of political and social awareness:** This is Due to the poor level of education, the weakness of political and social formation institutions: such as educational, party and media institutions, and the weakness of civil society, as these institutions did not play their required role in educating the Libyan citizen and informing him of his civil rights and duties. so, these factors obstructed the path of state building in Libya.

**5.3. External Challenges:** We explain them below:

**-NATO military intervention:** In March 2011, NATO intervened militarily in Libya to topple the Gaddafi regime under the pretext of protecting democracy and the Libyan people, but this intervention was considered one of the main reasons for the collapse of the Libyan state.

In this regard, Professor Lazhar Abdelaziz says:" NATO's intervention in Libya had a negative impact on security stability, causing an increase in cross-border security issues, the proliferation of weapons in the Sahel region, escalating levels of organised crime and drug trafficking... This situation has turned Libya into a country that is insecure and unfit to complete the construction of the new democratic state project " <sup>37</sup>.

- **Intervention of regional powers::** The intervention of some regional countries has fuelled the internal conflict in Libya by supporting one side at the expense of the other. These countries have been divided into two main parts:

- Countries that politically and militarily support the Haftar militias that control the east of the country, most notably Egypt, the UAE and Saudi Arabia,

- Countries that support the Government of National Accord in Tripoli, led by Fayez al-Sarraj, most notably Turkey and Qatar <sup>38</sup>.

Moreover, Some regional countries have also supported the tribal conflict in Libya, For example: Egypt hosted a symposium for the Alliance of Libyan Tribes, a move that observers saw as an Egyptian attempt to employ tribal influence in Libya to achieve political and economic goals. It also utilised Haftar militias to reduce the influence of the Muslim Brotherhood in Libya and the wider region. So, Thanks to its support for Khalifa Haftar, Egypt has secured \$30 billion in investments in eastern Libya.

In this regard, Berlin hosted the Libyan dialogue meeting with the participation of 12 countries,in which Haftar's forces received clear Emirati and Egyptian support, which prompted the representative of Government of National Accord to declare: "The presidential delegation entered the Berlin conference with no friends or supporters except Turkey, while Haftar was supported by all tigers and foxes, such as France,UAE, Egypt,Russia, even Congo and other countries ."

The London-based Rai al-Youm newspaper commented on the Berlin meeting, saying: "The 12 countries that met in Berlin are mostly the ones that destroyed Libya ten years ago, whether by direct and actual participation in the destruction process, or by remaining silent or colluding with local and regional powers to destroy Libya and drain its resources, so the Libyan people were and still are the last of their concerns and the most prominent victims", She added:"They are meeting in Berlin to share the Libyan cake: oil, gas and infrastructure projects" <sup>39</sup>.

**-Intervention of Western countries:** the Specialists in Libyan affairs agree that Western foreign intervention in Libya does not aim to democratise and build a Libyan state, as promoted, but rather to ensure the continuation of chaos and conflict in Libya to protect Western interests in the region. Each country was keen to support a political party or an armed group that serves its interests in the region, and among the most prominent Western countries that intervened politically and militarily in Libya are: France, USA, Britain, Italy, Russia.

It is notable that most Western countries, led by France, the United States, Britain and Russia, support the militias of Khalifa Haftar and the Government of Eastern Libya against the Government of National Accord in Tripoli and Islamist movements. In the framework of proxy war, so, Western countries are betting on Haftar to preserve their interests and control Libya's oil resources.

Therefore, we notice that Western foreign intervention in Libya has complicated the Libyan crisis, weakened the state and plunged the country into civil war, also is one of the biggest obstacles to the project of national reconciliation and building the institutions of a democratic state in Libya.

This was confirmed by Libya's former ambassador to Saudi Arabia, Mohammed Saeed al-Qashat, in one of his statements in February 2018, commenting on the US intervention, saying: "US intervention in Libya will not aim to resolve the Libyan crisis, but rather to prolong the conflict, as is the case in countries where it has intervened, such as Syria, Iraq and other Arab countries." He added: "The U.S. presence in Libya is aimed at controlling oil and uranium resources, As well as capitalising on Libya's strategic geographical location".

also, Regarding the proliferation of terrorist groups in Libya, Mohammed Saeed al-Qashat said: "The transfer of ISIS elements to Libya during the past years was supervised by the United States, which facilitated their entry into Libya with the aim of using this as a pretext for US intervention in the region" <sup>40</sup>.

**- The international and regional conflict over Libyan oil resources:** Libya represents an important energy resource in the global economic equation, given its huge production potential and oil reserves, its strategic location in North Africa, overlooking the Mediterranean Sea, and its proximity to global and European oil markets, especially the Oil Crescent region. All these factors made it the object of the ambitions of international powers, and was a major reason for foreign military and political interventions, especially the military intervention of NATO, America, France, Italy, Russia, Turkey, Egypt, UAE, Qatar,.. etc.

In this context, The US, Britain, France and Italy have expressed concern about the repercussions of the Libyan conflict on Libya's oil supplies to Western countries, For example; According to diplomatic sources, an international meeting was held in late July 2020 in Italy, with the participation of officials from Italy, Germany, France, the United States, Egypt and the UAE, in addition to the participation of the Acting Special Representative of the UN Secretary-General Stephanie Williams, to discuss the repercussions of the continued closure of oil companies and fields in Libya after Haftar took control of them, so, participants in the meeting called for the resumption of oil supply to Western and regional countries <sup>41</sup>.

## 6. Conclusion:

In conclusion, Libya witnessed peaceful popular protests that quickly turned into a civil war, causing the collapse of the Libyan state, unlike some Arab Spring countries that were able to preserve state institutions and avoid civil war, such as Tunisia and Egypt. Also, Many national, regional and international efforts have been made to support the Libyan state-building process despite the obstacles and challenges. The study confirmed that there is an interdependent relationship between the peaceful settlement of the Libyan conflict and the Libyan state-building process,



The study also emphasised that the success of the state-building process in Libya is linked to reducing loyalty to the tribe and establishing a culture of loyalty to the state, and that this process faces political, security, economic, social and external challenges, most notably regional and international interventions and the conflict over oil that have negatively affected its results.

**-Study results:** The study came up with the following findings:

- Internal and external parties have adopted several political initiatives to peacefully settle the conflict and rebuild the Libyan state, For example: Ghadames Agreement 1 and 2, Geneva Agreement and Skhirat Agreement, but these efforts failed to end the war due to the lack of consensus by the Libyan parties and due to regional and international interventions.

- Despite all peaceful settlement efforts, Libya remains a failed and divided state, governed by two rival governments, the Tripoli government in the west and the Tobrouk government in the east, a situation that threatens the country's territorial integrity and impedes the process of building the Libyan state.

-One of the biggest challenges facing Libya's state-building process is the failure to organise a pluralistic presidential election, as Libyan parties have failed to elect a president since the fall of the Gaddafi regime in 2011 to this day. The faltering electoral process was caused by the adoption of tribal and regional criteria, corrupt money in elections, regional and international interference in electoral process in Libya.

-The tribal factor has negatively affected the state-building process in Libya, as the tribe is considered the main actor in the political process and the most important mechanism to reach and stay in power. So, The absence of a culture of statehood and democracy, Also, Libyans' loyalty to the tribe at the expense of the national state, is one of the biggest challenges facing the Libyan state-building process.

-There is no real political will to resolve the Libyan crisis and build a modern state, whether from internal or international parties, because the continuation of the Libyan conflict and the absence of a state, serves the interests of several internal and external parties.

-Despite all national, regional and international efforts, Libya has not been able to achieve the national reconciliation project that would contribute to rebuilding the institutions of the Libyan state. This is due to the specificity of Libya's tribal social structure, the authoritarian legacy of the former regime, and foreign interventions.

-The fall of the Gaddafi regime did not achieve a break with the practices of his former regime, as the same practices continued: corruption, political exclusion, loyalty to the tribe, multiple loyalties to foreign countries, the continued crisis of legitimacy, which negatively affected the process of building a modern state in Libya.

-Oil is a key factor in the internal and international conflicts in Libya after the fall of the Gaddafi regime, and one of the most important challenges to the process of building the Libyan state, as the conflict between the warring parties intensified with regional and international support to control the sources of oil in order to reach and remain in power, especially between the army of Khalifa Haftar in eastern Libya and the Tripoli government in western Libya led by Fayez al-Sarraj,

- The absence of a strong, unified Libyan army and official security institutions is one of the most important reasons for the collapse of the state in Libya and its entry into civil war after the fall of the Gaddafi regime, as it left a security vacuum that was exploited by armed militias and terrorist groups that spread in Libya, also opened the way for regional and international foreign powers to intervene militarily and politically in Libya's affairs.

- The spread of weapons in Libya and their use as a mechanism to gain access and stay in power hinders the process of building a modern Libyan state, which must be governed by law and peaceful mechanisms.

**-Recommendations:** In order to confront the obstacles and challenges mentioned in the study, and to succeed in rebuilding the Libyan state on solid foundations, we propose the following recommendations:

-Adopting constitutional, political, economic and social reforms to establish the new Libyan state.

-Drafting a consensual constitution that enshrines the principle of peaceful transfer of power, protects public rights and freedoms, and establishes a consensual system that accommodates all Libyan parties.

-Spreading a culture of loyalty to the state among political elites, and promoting a culture of disagreement and tolerance, with the need to use political education institutions: schools, mosques, parties, civil society, and the media to instil this culture in Libyan society.

-Limiting the political and social role of the tribe in Libya, also submitting to the law instead of tribal customs and traditions.

-Spreading participatory democracy and applying good governance standards such as oversight, transparency, decentralisation.

-Minimising regional and international foreign interference in Libyan affairs.

-Encouraging Libyan cooperation with neighbouring countries in the field of development and border protection, especially Algeria and Tunisia, in order to limit the spread of weapons, terrorist groups and organised crime.

-Resuming the Libyan dialogue, which should be inside Libya, adopting peaceful solutions, and avoiding a military solution, with the need to coordinate with countries that support a peaceful solution, such as Algeria.

-Building a unified Libyan national army and security institutions based only on loyalty to the nation.

-Disarming the rebels and integrating them into official security institutions.

-Reforming the state's legislative, executive, judicial and regulatory institutions, which are the pillar of the State of Institutions.

-Spreading political and social awareness in Libyan society.

-Moving away from the practices of the former regime such as corruption and tribalism.

-Restore the prestige of the state by adopting deterrent laws to punish armed outlaws and those involved in corruption and apply them to everyone equally.

-The need for the conflicting parties to make concessions in order to agree to organise pluralistic presidential elections as soon as possible.

-Realise the outcomes of international agreements and conferences on the Libyan crisis, such as the Palermo International Conference, the Berlin Conference, and the Skhirat Agreement, with the aim of ending the state of conflict and division in Libya.

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