

Religion & Geopolitics Situation Report

Libya

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Context of the Situation

Since the 2011 uprisings which removed Colonel Muammar Gaddafi and his cronies from power, deep social, military, tribal and religious fissures have divided Libya's post-conflict landscape into a number of quasi self-governing parts.¹ Many towns are currently administering themselves with little reference to government policy whether it emanates from Tobruk or Tripoli – the seats of two rival bodies, each claiming to be Libya's sole legitimate authority.

Nonetheless, Libya's many 'city-states' are woven together by loose ties of allegiance to one of the country's two opposing alliance blocs, which have gradually come to be identified along ideological lines as Islamist (Tripoli) and anti-Islamist (Tobruk) groupings. However, the roots of Libya's conflict have little to do with fundamental religious differences.² The majority of analysts and policymakers emphasising this ideological dichotomy has served to obscure other dimensions of the conflict.

The anti-Islamist bloc is united only by its vehement opposition to Islamist groups and the perceived threat they pose to Libya's political and economic interests. The bloc's main political figures are the government of Prime Minister Abdullah al-Thinni and the internationally-recognised interim parliament, the House of Representatives (HoR), which was elected in late June 2014, inaugurated at the beginning of August in the eastern town of Tobruk, and declared unconstitutional by the Supreme Court on 6 November. This decision was largely ignored by international actors who chose to continue to recognise and implicitly back the body. The UN Support Mission in Libya's (UNSMIL) third draft peace agreement, which was leaked to the press in late April, enshrines and extends the HoR's mandate, stating it is Libya's only legislative authority.³ In the wake of the assassination of 21 Coptic Christians by ISIS-aligned forces in Sirte on 16 February 2015 the HoR's most prominent external supporter, Egypt, began overtly bombing targets in Libya and lobbying the international community to intervene on the HoR's behalf.⁴

The HoR has fully aligned itself with the military campaign led by General Khalifa Haftar ('Operation Dignity') against Islamist militias in Benghazi. It also enjoys the overt support of Zintani militias as well as the Federalist⁵ forces in control of Libya's eastern oil ports. Starting in October 2014, Haftar and the Zintanis began referring to themselves as components of Libya's official army and claiming to follow orders from a unified central command. By the start of 2015, Haftar's counteroffensive in Benghazi had achieved significant (although not necessarily decisive or permanent) gains, retaking many neighbourhoods from his

¹ The militias and local councils which fought against Gaddafi were mobilised via the regional, local, tribal and religious cleavages which have long defined Libyan society. Hence, we can speak of separate, discrete anti-Gaddafi uprisings rather than one united uprising. See Jason Pack, 'Introduction: The Center and the Periphery' in Jason Pack, ed. *The 2011 Libyan Uprisings and the Struggle for the Post-Qadhafi Future* (New York: Palgrave Macmillan, 2013).

² <http://tonyblairfaithfoundation.org/religion-geopolitics/commentaries/opinion/jonathan-powell-religion-and-peace-making>

³ <https://www.foreignaffairs.com/articles/libya/2015-05-29/plan-b-libya>

⁴ <http://blogs.spectator.co.uk/coffeehouse/2015/02/if-the-west-supports-one-particular-side-in-libya-it-will-only-help-islamic-state-to-flourish/>

⁵ For more on the Federalists, please consult the section 'The Cyrenaican Federalists are No Longer a Third Bloc'.

jihadi opponents. In March, Haftar launched an offensive to retake Tripoli and the surrounding areas, and although it remains unlikely that his forces will retake the capital by force, airstrikes against Tripoli's Mitiga airport and other key targets have put pressure on Libya Dawn.⁶ These successes were due to increased Egyptian backing and Western passivity. With increasing Egyptian military aid flowing into Libya, further gains are possible. It seems likely that the perception on behalf of Haftar and his supporters that a military victory has possible has led to certain pro-Tubroq elements decision to drive a hard bargain at the talks and prepare for a military solution in their wake.

These developments have welded together the fortunes of Haftar, Egypt, the HoR, and the Thinni government all of whom appear to think they can achieve a decisive military victory. Lacking the capacity to administer territory outside of Tobruk and Bayda, the HoR no longer derives its internal legitimacy from the June elections (it was elected by less than 20% of eligible voters⁷) but rather from the extent of external backing and recognition it receives and the fortunes of Haftar's military moves on the ground.⁸ Hence, the future of the HoR depends largely upon whether international actors continue to treat it as legitimate, in spite of the Supreme Court's ruling and its poor administrative performance. Given the continued recognition of the HoR's mandate in the latest UN draft peace agreement, it seems likely that Tobruk will retain its legitimacy in the eyes of the international community, despite regular spoiler attacks by Haftar's forces in the run up to each fresh round of negotiations. Nevertheless, if the Islamist bloc does not agree to the latest draft peace deal by mid-June -- the most likely outcome given that the deal offers them few tangible incentives -- then the international community may be forced to drastically rethink its strategy.

The term 'Islamist bloc' is a misnomer. In reality, the so-called Islamist bloc incorporates the Misratan-led alliance (MLA), which dominates the West of the country, as well as jihadi and Islamist fighters throughout the country's East and South. This bloc's only shared ideological ground does not pertain to a specific view of the role of Islam in governance, but rather to their opposition to former Gaddafi functionaries serving in positions of power.⁹ This bloc is led by the umbrella group of militias termed Libya Dawn – a loose coalition of Misratan, Islamist, and Berber militias based in Libya's Northwest. Libya Dawn¹⁰ was assembled in July 2014 to evict the anti-Islamist Zintani militias from Tripoli. As such, the so-called Islamist bloc can be said to exert a hegemony over most of Western Libya via Libya Dawn, as well as control Derna and parts of Benghazi via the more ideological Islamist militias in Libya's East.. However, Libya Dawn does not constitute a homogenous force nor does it represent a coherent ideology, as demonstrated by the rise of ISIS in Libya and their willingness to target their erstwhile allies Libya Dawn. Moreover, some Misratan elements are more eager for a peace deal with Tubroq and appear likely to make a separate peace agreement with Tubroq if the national unity deal falls short. The Misratans battle against ISIS demonstrates that the jihadis are a third force in Libya's power struggle.

The 27 January 2015 bombing of the Corinthia Hotel in Tripoli by ISIS-aligned groups, ISIS's seizure of a key airbase in Sirte in late May¹¹ and the ongoing battle between Libya Dawn and ISIS forces for control of the Sirte oil crescent show that the jihadis are enemies of both Dawn and Dignity, and have turned Libya's civil

⁶ <http://www.aljazeera.com/news/middleeast/2015/03/haftar-forces-launch-offensive-liberate-tripoli-150321141149326.html>

⁷ <http://www.aljazeera.com/news/middleeast/2014/06/libyans-mourn-rights-activist-amid-turmoil-2014626161436740827.html>

⁸ <http://www.foreignaffairs.com/articles/142138/frederic-wehrey-and-wolfram-lacher/libyas-legitimacy-crisis>

⁹ Although, it would clearly be more accurate to eschew the terminology of an 'Islamist bloc' and call this bloc 'the revolutionaries bloc' or 'the lustration bloc,' this report continues to use the problematic term 'Islamist bloc' as it is so widespread in the media and academic literature that it needs to be retained for clarity.

¹⁰ The term Libya Dawn is preferred in Arabic and tends to refer to the military component of the alliance. The term is roughly synonymous with the term MLA which is preferred by Western experts and tends to refer to the alliance's political wing.

¹¹ <http://www.bbc.co.uk/news/world-africa-32935412>

war into a three pronged conflict. Nonetheless, the two main groups have not seized the opportunity to collaborate for the best interest of the country. In fact, ISIS has appeared to successfully play the role of derailing the negotiation process by provoking an Egyptian reaction which outrages Dawn, making it lose trust in the international community, and emboldening Dignity into thinking it can conquer the whole country through fighting.

The MLA's political figures are the reconvened rump General National Congress (GNC), the Tripoli-based predecessor to the HoR, and the GNC-appointed government which has physical control of the capital's ministries and institutions. The Eastern Islamists lack a coherent political apparatus other than the Benghazi and Derna Shura Councils, which are dominated by militia commanders and exert a much less coordinated governance function than what the MLA is capable of.

The broader Islamist camp also enjoys the vitriolic support of Libya's influential Grand Mufti Sheikh Sadiq al-Gharyani, along with backing from regional actors such as Qatar, Sudan and Turkey. At present both the Islamist and anti-Islamist alliances are fighting for control of the Central Bank of Libya (CBL), but the Islamists appear to be able to use their military control of Tripoli to pressure the bank to disperse funds.¹² Thinni's government in April attempted to set up its own eastern payment system, routed through the UAE, to bypass the CBL in Tripoli, however this failed to gain credibility among international oil buyers.¹³ Therefore, the theoretically 'illegitimate' government of the GNC arguably controls far more territory, money and arms than its partially 'legitimate' opponents in the HoR. However, despite the 6 November Supreme Court ruling the GNC has failed to convert these territorial and financial gains into political power or international legitimacy. There is only one institution in Libya outside the reach of either of the two camps: the elected Constitutional Assembly. It is also the only institution in Libya the legitimacy of which is beyond contestation. Headed by Ali Tarhouni (a Western educated technocrat) based in Bayda, and thought to lean towards the anti-Islamists ideologically but to oppose Haftar's extra-legal military interventions, this assembly has conducted its work without arrogating to itself a political role or formally aligning itself with any camp. Although the constitutional drafting process has suffered severe delays and has lacked transparency. On 24 December the Constitutional Assembly issued a précis of its first constitutional proposals as a precursor to sharing chapters of the draft text. Putting a constitution to referendum sometime in 2015 represents the best, and most plausible, way out of the current impasse as all political factions acknowledge that the majority of the Libyan people wish to be constitutionally governed. Such a scenario can only come about if a national unity government bringing together elements from Libya Dawn and Operation Dignity is achieved.

Origins of the Intensification of the Conflict

From July to September 2014, Libya Dawn forces led by the Misratan-led alliance (MLA) fought for control of Tripoli, ultimately vanquishing their anti-Islamist opponents. This militia turf-war was the culmination of a period of gradual but sustained attrition between Libya's two blocs. Each sporting their own parliament, executive and international supporters, Libya's two blocs have deliberately pursued a policy of polarisation and duplication of functions rather than reconciliation and division of labour. The extent of the zero-sum logic permeating Libya's political life is well illustrated by the destruction of Tripoli International Airport in

¹² The bank currently only makes payments to cover salaries for public sector employees and essential subsidies, but this means it is paying militias and bureaucrats on both sides of the conflict.

¹³ <http://www.reuters.com/article/2015/04/14/us-libya-oil-idUSKBN0N51EE20150414>

the summer of 2014. In part, Misratan militias shelled it to increase their influence over Libya's trade and diplomacy by virtue of their control over Western Libya's two other major airports.¹⁴

This trend grew in December 2014 when the MLA applied the same logic to Libya's oil infrastructure. Libya Dawn forces launched 'Operation Sunrise', an offensive to capture eastern oil ports.¹⁵ On 24 December Libya Dawn fighters used ground troops and speedboats to launch a surprise attack against the Sidra port. They failed to take control of the facility but several oil tanks caught fire after being hit by rockets.¹⁶ The head of the National Oil Corporation (NOC) said on 30 December that 1.8 million barrels of crude were destroyed by the fire, costing in the region of \$213 million¹⁷. In response to the Sidra attacks, Haftar launched several airstrikes against Misrata, Libya's third largest city, targeting the marine port, steel plant, and air force academy.¹⁸ In late February 2015, ISIS launched a string of violent attacks against remote oil fields in the Sirte Basin, killing or kidnapping several workers. The destructive strategy being employed by all sides in this conflict threatens to destroy Libya's vital industry, infrastructure and commerce, and could well leave the country in ruins. Simultaneous to the struggle to control the fields, a battle to control the Central Bank and National Oil Corporation has been waged. The Tripoli-based authorities have benefited from these institutions presence in the capital, yet attempts to make a parallel NOC and CBL are ongoing.¹⁹ If a peace deal is not reached the integrity of these key institutions which has been preserved despite the fighting is likely to fracture.

Mediation

Attempts at international mediation have yet to score a meaningful success. UN Special Envoy to Libya Bernardino Leon succeeded in early March in bringing representatives of the HoR and GNC together in Skhirat, Morocco for indirect peace talks, building on dialogue efforts in January 2015 which brought different elements (local councils, rival parliamentarians, and some stakeholders) together in Geneva and Ghadames. However, the negotiations have stalled several times; fighting between the sides has continued on the ground and key demands have not been met, leading to one or more parties temporarily withdrawing from discussions on several occasions. As of early June, Leon is continuing to work closely with all parties in an attempt to reach an agreement on the fourth draft of the peace deal, however it is unclear whether this will succeed.

The peace talks have caused fracturing into pro-dialogue and anti-dialogue elements inside both the Dawn and Dignity camps.²⁰ At present, the Misratan camp is internally divided with businessmen and boycotting HoR member Fathi Bashaga leading the pro-negotiation moderates, while GNC member and militia

¹⁴ <http://www.foreignaffairs.com/articles/141666/jason-pack/libya-on-the-brink>. In part, Misratan militias shelled it to increase their influence over Libya's trade and diplomacy by virtue of their control over Western Libya's two other major airports. But such needless destruction was also the outcome of feelings of victimisation. The Misratans initiated the offensive in July to counteract their defeat in the 25 June 2014 HoR elections. The Federalists reacted in a similar fashion the summer of 2013 when they felt their enemies had gained power in the GNC. This reveals the extent to which even the most powerful actors can present themselves as victims acting defensively.

¹⁵ http://www.nytimes.com/2014/12/29/world/africa/libyan-militias-set-fire-to-storage-tanks-in-renewed-push-for-oil-foreign-minister-says.html?_r=0

¹⁶ <http://www.theguardian.com/world/2014/dec/26/libya-militant-kill-soldiers-failed-attempt-seize-oil-terminal>

¹⁷ <http://www.reuters.com/article/2014/12/30/us-libya-security-oil-idUSKBN0K810S20141230>

¹⁸ <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/11315512/Libya-descends-into-chaos-as-air-strikes-hit-Misurata.html>

¹⁹ <http://www.reuters.com/article/2015/06/05/libya-cenbank-idUSL5N0YR39T20150605>

²⁰ <http://www.aljazeera.com/indepth/opinion/2015/02/libya-power-blocs-fracturing-150213055241373.html>

commander Salah Badi spearheads the anti-negotiation hardliners.²¹ In the HoR camp, Haftar has made it clear he has no faith in the negotiations and regularly launches spoiler attacks in the run up to talks taking place. On 26th May, Abdullah al-Thinni survived an assassination attack in the HoR heartland of Tobruk, highlighting the insecurity which is endemic across the country.²² Karim Mezran of the Atlantic Council's Rafik Hariri Center for the Middle East was prescient in stating in October 2014 that, "This sudden radicalisation of the HOR and its government is due to the involvement of Egypt in supporting the counteroffensive launched by the so-called Libyan National Army. This Egyptian interference allows Tobruk's leadership to think that a more successful outcome can be generated by a military victory on the ground. This could very well cause the failure of the United Nations Special Representative Bernardino Leon's attempts to foster a negotiated solution."²³

If UN talks fail to produce a meaningful agreement, civil war threatens to engulf Libya entirely. The Supreme Court ruling as well as the expiration of the HoR's mandate in October 2015, while complicating matters, could represent a window of opportunity if used by the international community,²⁴ potentially serving 'to level the playing field' between the two camps and making it easier for international actors to engage all parties as potentially legitimate political actors. For the international community to be able to play a positive role, they must show a greater inclination to engage with the Tripoli government, especially in the wake of the court's decision. For any mediation to succeed, it must stress a return to the transition process and compel all sides to respect the constitutional drafting process and facilitate the conditions needed to put the draft constitution to referendum.²⁵

However, with the launch on 18 May 2015 of EUNAVFOR Med, an EU naval operation which aims to 'break the business model' of the people smugglers who transport desperate migrants from Libya to European shores, there is a risk that the Libyan conflict will be framed for European audience in purely security terms. The shocking death toll of migrants who have lost their lives on the perilous journey from Libya in 2015 alone, combined with the recent wave of anti-immigration sentiment across Europe, means European powers are prioritising domestic politics and border security over the need to find and support a lasting political solution to Libya's worsening conflict.²⁶ Both Libya Dawn and Haftar have rejected military cooperation with the EU's planned intervention in Libyan waters unless their own forces are recognised as legitimate and military assistance is provided in return for their support. The HoR demands support in exchange for taking any coast guard actions against migrant boats, while the Tripoli based authorities claim to be able to clamp down on human smuggling in exchange for recognition. In short, the migrant issue is being used as a political football for all Libyan actors. European focus on this symptom of the conflict in Libya rather than its root cause is serving as a key distraction from pressuring the sides to a compromise agreement.

Neither War Nor Peace

Since Tripoli's fall on 22 August 2014, MLA forces initially focused on eliminating the last strongholds of their opponents in Western Libya and other 'mopping up' operations. This has entailed a series of borderline war-

²¹ <http://www.foreignaffairs.com/articles/142138/frederic-wehrey-and-wolfram-lacher/libyas-legitimacy-crisis>

²² <http://www.bbc.co.uk/news/world-africa-32891344>

²³ Author Email Correspondence with Karim Mezran.

²⁴ <http://www.nytimes.com/2015/01/22/opinion/how-to-end-libyas-war.html>

²⁵ The formula needed for mediation/reconciliation is discussed further in this paper's last section 'Outlook and Way Forward: Keeping Libya United and Transition towards Constitutional Governance.'

²⁶ <http://blogs.spectator.co.uk/coffeehouse/2015/05/europe-cannot-allow-an-ungoverned-space-to-exist-on-its-doorstep/>

crimes such as the siege of Warshafanna, alleged bombings of Zintan, retaliatory raids and revenge killings against supposed supporters of the Zintanis inside Tripoli, and the storming of Tripoli's Tawergha refugee camp. More recently in May 2015 Libya Dawn forces have targeted the Fashloum and Tajoura areas of the capital, accusing residents there of supporting Haftar and the HoR. Tribal clashes and guerrilla warfare in areas like Sabha, Obari, and Sirte, Haftar's counteroffensive in Benghazi and western Libya, and sporadic militia turf wars in other cities, mean that although the majority of Libya's population is not directly involved in the inter-militia violence, communities across the country are increasingly being affected by the violence and instability the conflict has created.

Although the Tripoli Local Council mainly runs the affairs of the capital, the MLA has largely failed to establish its own administrative institutions and capitalising on its prior taking over of all the capital's main ministries (oil, media, Central Bank, Supreme Court, etc.). Meanwhile, the populations under its control have been granted something akin to a Sharia-compliant free market, a reasonably populist distribution of state handouts, some token democratic elements and social stability via the continuation of the local councils. Despite much incompetence such moves have been sufficient to stave off further rebellion. This does not mean however that the GNC or the MLA actually hold political power. This still remains in the hands of specific armed commanders and local leaders, while the official structures of the GNC and Libya Dawn are growing weaker by the day as the coalition fractures into pro- and anti-dialogue as well as pro- and anti-ISIS wings.

Indeed, a puzzling aspect of the Libyan conflict is that the more intense and dysfunctional the scramble for power and oil money becomes, the more apathetic the Libyan populace becomes and the more their communities turn inward to create self-sufficiency.²⁷

The Misunderstood Religious Dimension Of The Conflict

Outside of Libya, the polarisation of the country is understood as an ideological or religious conflict in which Islamist-aligned groups have been, for the most part, victorious, although sustained outside support could tip the balance towards the anti-Islamists. Inside Libya, a country traditionally known for its conservative, yet tolerant religious customs,²⁸ the blocs are instead understood to be drawing on a web of tribal, regional, ethnic and ideological affiliations with the local and tribal dimension paramount.²⁹

That said, there is no doubt that the religious undertone to the current conflict is important as a mobilising force. Libya is more than 93 per cent Sunni Arab (the Berber portion of the population is Ibadhi Muslim while indigenous Christians represent less than one per cent of the population), so we cannot really speak of sectarian cleavages. Polls show and experts believe³⁰ that most Libyans wish for their country to be governed in an Islamic manner – even if they cannot articulate exactly what that entails – and that the Ibadhi/Berber population is as likely to support the notion of Islamic governance as the Sunni population.³¹ Although a groundswell of support exists for conservative, moderate Islamic governance, some actors have

²⁷ <http://www.aljazeera.com/indepth/opinion/2014/09/libya-let-scramble-oil-money-be-201491873251946550.html>

²⁸ Alison Pargeter, 'Qadhafi and Political Islam in Libya' in *Libya Since 1969: Qadhafi's Revolution Revisited* (New York: Palgrave, 2008)

²⁹ The militias and local councils which fought against Qadhafi were mobilized along regional, local, tribal, and religious cleavages which have long defined Libyan society. Jason Pack, 'Introduction: The Center and the Periphery' in Jason Pack, ed. *The 2011 Libyan Uprisings and the Struggle for the Post-Qadhafi Future* (New York: Palgrave Macmillan, 2013).

³⁰ <http://tonyblairfaithfoundation.org/religion-geopolitics/commentaries/opinion/jonathan-powell-religion-and-peace-making>

³¹ Polling since 2011 conducted by Gallop and Pew Research Centre have concluded that the majority of Libyans wish to live in a state whose laws do not contradict Islamic Sharia. Sawani and Pack, 'Libyan Constitutionality and Sovereignty Post-Qadhafi: the Islamist, Regionalist, and Amazigh Challenges' *Journal of North African Studies* 18, no. 4 (2013): 523-543.

sought to polarise the debate. The most influential actor is Libya's Grand Mufti Sheikh al-Gharyani, who has been prolific in his condemnation of the anti-Islamist bloc.³² For his hate-speech and incitement to violence he has been barred from returning to the UK.³³ Al-Gharyani invited MLA forces to use the 'iron fist' against their defeated rivals, drawing on Salafi discourse to generate legitimacy for essentially political positions such as calls to suspend UN-mediated talks and rejecting the legitimacy of the HoR.

The use of religion to reject the existing political order is not new in Libya. It was employed in the 1920s by the Sanussis against the Italians.³⁴ In the 1990s, groups marginalised by the Gaddafi regime in Libya's Eastern province of Cyrenaica turned to Salafi-jihadism, with many still active today in the anti-HoR Benghazi Shura Council.³⁵ Additionally, underemployment and social marginalisation, as a result of both Gaddafian and post-Gaddafi economic policies, raised the attraction for youth throughout Libya to apolitical Salafism or to activist Salafi-jihadism. As such whole local, tribal, and socio-economic groups have been drawn to a religiously rooted opposition first to Gaddafi, and now to Libya's post-Gaddafi administrations -- the National Transitional Council (NTC), GNC, and now the HoR and its government.

Conversely, Libya's anti-Gaddafi diaspora elites, educated civil servants and some groups associated with the former regime feel that increasing religiosity of Libyan society demanded by the Islamists poses a threat to their social position, undermines Libya's economy, and makes social stability impossible. As such these groups are drawn towards a vehemently anti-Islamist ideology. These polarisations of regional and socio-economic groupings into Islamist and anti-Islamist umbrella groupings in Libya have loose parallels with the situation in Egypt and elsewhere in the region.

The Religious is Regional...

Across the Middle East and North Africa, both the Muslim Brotherhood and the many different Salafi-Jihadi movements feel under attack from Egypt, the UAE, Saudi Arabia and the West. Libya is unique among the post-Arab Spring countries, in that it presents a real chance for the Islamists to seize and hold onto power in a whole country and, in so doing, capture its institutions (that possibility has faded in Syria or Iraq). As elsewhere in the region post-Arab Spring, the Brotherhood have forged an alliance with the 'most revolutionary' elements as they both advocate for a complete purge of the *ancien régime* if they are to take power. The Libyan Muslim Brotherhood did not attempt to hold power directly, instead working with and through the Misratan militias who championed the Political Isolation Law, which prevents any former regime officials from exercising power in post-Gaddafi Libya. The MLA can therefore be seen as a movement which combines a largely non-Islamist formal military wing, with extreme Islamist informal militias and a smattering of Islamist politicians and ideologues to rally the troops and provide organisational networks.³⁶ The only ideological position they share is their opposition to former regime technocrats – even those who became dissidents – from exerting any power in post-Gaddafi Libya.

...And the Regional is Inherently Religious

³² <http://www.middleeasteye.net/news/politicians-militias-and-clerics-denounce-constructive-talks-libya-1496242344>

³³ <http://www.theguardian.com/world/2014/oct/30/libya-spiritual-leader-banned-uk-islamists>

³⁴ Sawani and Pack, 'Libyan Constitutionality and Sovereignty Post-Qadhafi: the Islamist, Regionalist, and Amazigh Challenges' *Journal of North African Studies* 18, no. 4 (2013): 523-543

³⁵ Noman Benotman, Jason Pack, and James Brandon, 'Islamists', in Jason Pack, ed. *The 2011 Libyan Uprisings and the Struggle for the Post-Qadhafi Future* (New York: Palgrave Macmillan, 2013);

³⁶ <http://carnegieendowment.org/2014/09/24/ending-libya-s-civil-war-reconciling-politics-rebuilding-security/hpv4#>

Since the ouster of President Mohamed Morsi in Egypt, President Abdul-Fatah al-Sisi and his backers in Saudi Arabia and the UAE have embarked on a regional campaign to stop what they see as an existential threat to their authority posed by Islamist groups like the Muslim Brotherhood. It is only in this regional context that their increasing support for Haftar's polarising policies can be understood. Egypt and the UAE saw Haftar's movement as an opportunity to vanquish the Brotherhood's last outpost in North Africa and by so doing secure the preservation of their regimes at home. It seems likely that they made it clear that Haftar would only receive their support if his rhetoric and actions fell in line with their regional objectives, rather than with the purely Libyan goal of restoring order. This, plus a desire to enlist the West, would explain why the religious dimension of the Libyan conflict has been played up in press conferences and has been seized upon by the media. Haftar and the Zintani militias flaunting their anti-Islamist credentials gains them international support, while waving the banner of the Brotherhood or jihad has drawn recruits and Qatari money for the MLA. But neither side necessarily believes in the full ideological ramifications of these positions. Since the ISIS beheadings in Sirte in February 2015, Egypt's previously veiled military intervention has become more overt while Haftar and the HoR are increasingly trying to convince the world that they are battling jihadi terror and deserve international support.

Key Players and Groups

Rise Of The Militias³⁷

Libya's real powerbrokers are the militia leaders: most politicians in both the HoR and GNC see themselves as representatives of those who hold power through force of arms. Hence negotiating with politicians rather than militia leaders is asking the tail to wag the dog. Attempts at reconciliation in Libya will only be successful if militia commanders and the businessmen who support them are given seats at the table. These are the forces that actually control Libya and can enforce or scupper any agreement.³⁸

Since the end of the anti-Gaddafi uprisings the militias have gained in strength with each attempt to disband or disperse them. The NTC repeatedly caved in to militia or regionalist demands (often at gunpoint) and chose to give state subsidies to the militias that toppled Gaddafi. Since then the militias have become formalised within the nascent institutions of the Libyan state in an uneasy partnership to provide security. Indeed, the only reason that the NTC was able to provide a modicum of security was that many militias agreed to rebrand themselves within umbrella organisations receiving government pay, such as the Libya Shield Brigades and the Supreme Security Committee.

This process has ensured that with each new security threat there are militias on both sides. Government forces remain too weak to fight battles over smuggling and human trafficking, mafia style crime, terrorist

³⁷ This section derives from Libya's Faustian Bargains Breaking the Appeasement Cycle by Jason Pack, Karim Mezran, and Mohamed Eljarh (Atlantic Council May 2014). For a more detailed treatment of the origins of the militias and the struggle between the centre and the periphery in Libya please consult, Jason Pack and Barak Barfi 'In War's Wake: The Struggle for Post-Qadhafi Libya', <http://www.washingtoninstitute.org/policy-analysis/view/in-wars-wake-the-struggle-for-post-qadhafi-libya>

³⁸ <http://www.middleeasteye.net/columns/proxies-talks-and-peace-making-libya-60432359>

activity, assassinations in the East, and violent local disputes. Hence for every rogue militia, a temporarily pro-government one has to be employed as a counter.³⁹

The Islamists as Political Isolationists

Those loosely aligned with the Islamist bloc in Libya represent the whole spectrum of political Islam, from moderate Muslim Brotherhood members through to extremist Salafi-jihadis from groups like Ansar al-Sharia or the ISIS-aligned Derna Shura Council of the Youth of Islam.⁴⁰ The more extreme jihadi elements tend not to publically support Libya Dawn's political structures but they may have benefited from political support and arms deals with them. In fact, despite former Tripoli PM Omar al-Hassi praising the jihadi organisation Ansar al-Sharia as a 'peace-loving group', another jihadi group, ISIS in Tripoli, attempted to kill the prime minister in their attack against the Corinthia Hotel, which Hassi had been using as his office.

In light of this and other developments, it makes sense to think of the jihadi bloc as separate from the Islamist one. Public support for the Islamist bloc is often rooted not in religious ideology but in the 'revolutionary', regional focus of the Misratan and Islamist militias who have tended to concern themselves with purging Libya of those who served under Gaddafi (via enforcing the Political Isolation Law of May 2013) and attending to the pressing needs of militiamen and their home communities. The Political Isolation Law remains popular and support for this bloc is cemented by the ability of the MLA to pay salaries, keep the electricity on and the petrol queues to a minimum. These issues have conferred a modicum of legitimacy to the militias, despite many never having fought in the 2011 uprisings.

Anti-Islamist Bloc as the 'National Army'

The anti-Islamist bloc is united by a shared strategic interest in defeating the Islamist bloc, yet the alliance has little to do with religion and does not share a particular theological mindset. Its greatest ideological commonality is its opposition to the Political Isolation Law and desire to continue market-driven economic policies as pursued in the latter Gaddafi years. As such it is inaccurate – and indeed would be seen as insulting – to refer to the anti-Islamists as secularists. The Zintanis and Haftar's claim to be the national army of Libya was initially ludicrous but has gained a modicum of authority when Haftar's deputy, Abdel Razek Al-Nazuri, was appointed Chief of Staff by the Tobruk government in late September 2014.⁴¹ and These developments were cemented by Haftar's late October counteroffensive and his official reinstatement to military service on 3 January 2015, along with 128 other army officers who had been forcibly retired in 2013. Then in March 2015 Haftar was made Commander-in-Chief of the Libyan National Army (LNA). This re-branding of Haftar and his forces as the LNA has facilitated their ability to receive training and arms from Egypt. It has also led to incessant requests on behalf of the HoR to the UN to lift the arms embargo so as to tip the balance further in Haftar's favour.

Expelling Haftar as a price for compromise with Misrata is a move that the HoR has made clear that they will not countenance at this time. As such, the repeated calls by Britain and the US for the Tobruk-based body to expel Haftar have created friction among members of the HoR who are frustrated at what they perceive to be UNSMIL's and the West's insistence on including Islamists in a national unity government. As far as the HoR, Haftar and the prime minister of the al-Baida based government Abdullah al-Thinni, are concerned,

³⁹ Above is a condensation of the treatment of the origins of the militias present in Jason Pack, 'Introduction: The Center and the Periphery' in Jason Pack, ed. *The 2011 Libyan Uprisings and the Struggle for the Post-Qadhafi Future* (New York: Palgrave Macmillan, 2013).

⁴⁰http://www.foreignpolicy.com/articles/2014/06/05/libya_s_rogue_war_on_terror_khalifa_haftar_militias_tripoli

⁴¹ <http://weekly.ahram.org.eg/News/7404/19/Al-Thinni-government-sworn-in.aspx>

Western powers, but particularly Britain and the US, want to impose a Muslim Brotherhood dominated government on Libya. This paranoia plus their demands for the lifting of the arms embargo and increased Western diplomatic support, reveal an intransigence coupled with a desire to score a decisive military victory which may prove the death knell for any mediated solution. Nevertheless, the latest draft of the UN peace agreement favours the HoR, confirming its mandate to rule and extending its term by up to 2 more years. On the other hand, if the Islamist bloc agree to the latest deal, they risk losing many of the political gains they have made over the past four years.

The Cyrenaican Federalists are No Longer a Third Bloc

Although initially a distinct movement opposed to both the Islamists and anti-Islamists, the Federalists have progressively thrown themselves into the fight as yet another component of the anti-Islamist camp. They finally joined the battle for Benghazi in the last week of October 2014 with the Federalist Cyrenaican Defence Force (led by Faraj al-Barassi and loyal to Federalist warlord Ibrahim Jadhraan) attempting to relieve Eastern Benghazi. However, the uncertainty created by the Supreme Court ruling has led some eastern tribes to threaten partition once more,⁴² suggesting some Federalist factions may seek to re-establish themselves as a distinct bloc hoping to strengthen their position prior to negotiations.

Politically, their core issue is autonomy for Cyrenaica. In practice this means they advocate for a greater amount of Libya's oil wealth to be spent on the regions in which that oil is located or from which it is shipped. They are under-represented in the official positions of power (though they hold some seats in the HoR). Though both they and the MLA groups have a shared interest in a weak central government, this does not make the two groups natural allies as both wish to exploit government weakness and decentralisation to control Libya's oil installations. It is for this reason that the MLA and the Federalists are likely to remain sworn enemies.

So long as the anti-Islamists control the bank accounts, the Federalists will let Libya's oil flow. At present, Federalist leader Ibrahim Jadhraan and his movement seem to have been subsumed by the bigger battle, aligning themselves fully with Haftar and the HoR as they feel it strengthens both their movement and its bargaining position.⁴³ It is likely that this position will only be bolstered by Libya Dawn's move at the start of the year to capture oil ports controlled by the Federalists. Therefore, rather than grand political manoeuvring or a widespread stoppage, Libya's energy sector will probably continue to be hampered by localised protests and attacks as those excluded from the benefits disrupt the country's oil production until they are included in the lucrative distribution networks.

Additionally, the political climate of fractured legitimacy encourages groups of disgruntled port and terminal workers to stage sit-ins demanding both more pay and that none of Libya's oil money flows to the Tripoli-based government. It is under such conditions that the Hariga terminal in Tobruk began to be blocked by industrial action on 8 November⁴⁴ It also makes a genuine partition of the country more feasible. If the geographical dividing lines begin to ossify the Federalists are likely to take more steps advocating for Cyrenaican autonomy. However, the actions of Operation Sunrise in the east mean that blockades are

⁴³ <http://www.aljazeera.com/indepth/opinion/2014/10/libya-war-nobody-can-win-2014101973131576935.html>

⁴³ <http://www.aljazeera.com/indepth/opinion/2014/10/libya-war-nobody-can-win-2014101973131576935.html>

⁴⁵ In the words of Mattia Toaldo, policy fellow at the European Council on Foreign Relations, "Haftar's offensive came on top of months in which Libya felt the shockwaves of the Egyptian coup, with the forces close to the Muslim Brotherhood increasingly fearful of enduring the same fate as their Egyptian branch and a growing popular anti-Islamist, anti-Brotherhood discourse among the forces which opposed the GNC. Haftar presented his fight as part of the Western war on terror as well as of the regional fight against the Muslim Brotherhood." (Email correspondence with author).

unlikely to be sustainable and will provide little political leverage against the background of Libya's deteriorating security situation.

The International Actors

When General Haftar launched 'Operation Dignity' in May 2014, he declared his goal to be defeating "terrorists". However, his discourse quickly lumped together moderate elected Muslim Brotherhood members alongside extremist Salafi-jihadis. In this way, Haftar blurred the lines between his opponents' legitimate political and social activities, such as those carried out in Tripoli's then parliament the GNC, and their illegitimate campaigns of targeted assassination and terrorism, such as the killing of American Ambassador Chris Stevens in Benghazi on 11 September 2012.⁴⁵

Had Haftar only focused on rooting out Libya's jihadi groups, he would likely have united a majority of exasperated Libyans behind his project. Instead, by lumping together the whole spectrum of Libya's Islamist political, social, and militia actors, he evoked the possibility of an Egyptian-like scenario, with him in the role of a Sisi-like strongman. This was a deliberate strategy to polarise Libyan society, forcing otherwise neutral local actors to pick sides.⁴⁶ Furthermore, given Haftar's chequered past and deep connections to the former Gaddafi regime, it has been easy for his opponents to accuse him of being a rallying point for former regime elements clinging onto power.⁴⁷

Haftar's binary approach was due partially to a misreading of the international scene and partially to international actors like the UAE, Qatar and the US wishing to see a binary narrative of events in Libya where they could 'easily understand' whose side to be on. Haftar concluded that the key to Western support was to claim to be fighting Islamists – of all stripes and of all backgrounds. Although the Western powers still consider the HoR Libya's sole legitimate governing authority, they remain unwilling to arm Haftar's forces or his Egyptian allies despite Egyptian attempts to lobby the UN to lift the arms embargo to resupply Haftar and the Tobruk authorities in the wake of the February 2014 beheadings in Sirte.

Conflict Dynamics and Implications for Policymakers

Moving Beyond the Binary

The conceptual mistake of certain Emirati, Egyptian, and Western policymakers has been in viewing the conflict in Libya as a binary one between Islamists and anti-Islamist. This is deeply rooted in the Clausewitzian tradition which comprehends war as a military fight between two adversaries. This perspective fails to account for situations in which several groups are manoeuvring against one another for power and influence, and doing so not just militarily, but also politically.⁴⁸

⁴⁵ In the words of Mattia Toaldo, policy fellow at the European Council on Foreign Relations, "Haftar's offensive came on top of months in which Libya felt the shockwaves of the Egyptian coup, with the forces close to the Muslim Brotherhood increasingly fearful of enduring the same fate as their Egyptian branch and a growing popular anti-Islamist, anti-Brotherhood discourse among the forces which opposed the GNC. Haftar presented his fight as part of the Western war on terror as well as of the regional fight against the Muslim Brotherhood." (Email correspondence with author).

⁴⁶ <http://www.aljazeera.com/indepth/opinion/2014/09/libya-let-scramble-oil-money-be-201491873251946550.html>

⁴⁷ <http://www.washingtoninstitute.org/policy-analysis/view/khalifa-haftar-rebuilding-libya-from-the-top-down>;

⁴⁸ This section draws on the conceptual paradigm put forward by Emile Simpson in his *War from the Ground Up* (Hurst, 2012) which treats Western strategic and conceptual mistakes in Afghanistan.

According to Emile Simpson, "war and armed politics – as modes in which force can be used – are not binary categories but different points on a continuum, with armed politics fading into routine peacetime activity."⁴⁹ Using his paradigm we can see that the factions in Libya are using force within the mode of armed politics rather than the mode of war. Therefore, the first step for policymakers towards formulating sensible policy towards Libya is acknowledging that in the state of highly armed politics which defines post-Gaddafi Libya, it makes sense to think about outcomes in terms of reconciliation/intransigence rather than victory/defeat. The risk of conceptualising Libya's armed politics as war is that analysts and policymakers will shoehorn complex, fragmented dynamics into a binary two-way template that encourages them to expect decisive battlefield outcomes. This is clearly what has guided the polarising and increasingly resource-intensive Emirati and Egyptian military support for Haftar.

With this new mindset policymakers can interpret the current actions in Libya as various competing groups using violence to consolidate political advantage or prevent themselves from being outmanoeuvred diplomatically, electorally or militarily. Applying this new conceptual framework, the current conflict between the anti-Islamist and Islamist umbrella groupings for control of Tripolitania and Benghazi is actually nested inside a web of ongoing local conflicts.⁵⁰ Membership of each bloc is thus not actually rooted in a permanent shared ideological or religious framework, and could break away at any time.

The Role Of Gulf States and Regional Parallels

Differences in the international community over how to respond to Haftar's military operation have resulted in a conservative Arab coalition, comprising the UAE and Egypt among others, acting without Washington's support.⁵¹ Airstrikes in August 2014 on weapon depots in Tripoli carried out by an Emirati-Egyptian coalition were not enough to tip the balance in favour of Haftar, and have necessitated increasing engagement from those actors. In September, Prime Minister Thinni visited the UAE to secure funding; on 4 October he secured a training deal with Egypt for anti-Islamist forces; and on 15 October Egyptian planes openly attacked Islamist positions in Benghazi.⁵² Starting in February 2015, Egyptian intervention became more overt and appears to take as its end goal the complete conquest of Eastern Libya by Haftar's forces. It is quite possible that Egyptian overreach will cause a backlash of attacks against it.

Although Qatari and Turkish support for the Islamists has been far more covert, this chain of events demonstrates that Libya is the latest theatre in the region-wide proxy war pitting Arab autocrats against Islamist resistance movements aided by Qatar and Turkey. Although the US broadly supports the former actors against the latter, it retains strong ties with both blocs. This has led the US and UK to adopt a hands-off attitude, as a result of which proxy conflicts in Syria, Iraq and Libya have escalated. Tragically, this behaviour inherently magnifies whatever ideological and religious dimensions previously existed while making a solution in Libya contingent upon the reconciliation of regional actors elsewhere.

The Most Curious of Bedfellows

⁴⁹ Author's Email Correspondence with Simpson about the applicability of his research paradigm to Libya.

⁵⁰ <http://carnegieendowment.org/2014/09/24/ending-libya-s-civil-war-reconciling-politics-rebuilding-security/hpv4#>

⁵¹ http://www.nytimes.com/2014/08/26/world/africa/egypt-and-united-arab-emirates-said-to-have-secretly-carried-out-libya-airstrikes.html?_r=0

⁵² <http://bigstory.ap.org/article/7fe66b72c56a49479c46d19ef2e3bf66/clashes-libyas-benghazi-kill-least-3>

Of all the West's Arab allies, Qatar has done the most to undermine Western interests.⁵³ The issue of official Qatari and private Gulf support for groups hostile to Western interests and the nefarious role played by Qatar in driving the region wide proxy war have not been effectively addressed, in part due to the Qataris underwriting of much Western regional influence and hosting of the American Army's Central Command forward headquarters.

In contrast to the West's balanced yet ineffectual stance of non-intervention, other Gulf nations withdrew their ambassadors from Doha in March of 2014 and have been actively arming the Qatar's opponents throughout the region including General Haftar. Rifts between Qatar and the rest of the GCC have been smoothed over in the wake of the Saudi succession and this means that there is a genuine chance for Saudi Arabia to play a balancing role between the UAE and Qatar in formulating a mutually acceptable policy towards Libya.

Interestingly, in a perverse reversal of the trends of the previous decade, regional partners want Western powers to be more engaged in the Middle East to smooth out post-Arab Spring instability. On the other hand, in times of economic hardships and spending reviews, Western leaders and electorates want less engagement, especially at the military level. This dynamic is already understood with regards to Syria, but is also at play in Libya.

In an ironic twist, the conservative Arab autocrats' attempts to 'go it alone' and act militarily, without American logistical support or political know-how, have backfired horrendously and changed the religious landscape of the conflict for the worse as those actors apparently wish to instigate a region-wide war against political Islam. Inside Libya, all this outside meddling and ensuing religious polarisation means that Libyans do not side with or trust either alliance bloc and do not feel that either set of militias or their political echelon is committed to compromise or to safeguarding their interests. **The Way Forward**

Despite the morass that Libya is now in, there are several scenarios that could spell an end game for the current polarisation. It is abundantly clear that fresh crises, no matter how dire, will not jolt the Libyan people out of their apathy and mould them into a force to stand up to the militias. Even though in summer 2014 Tripoli witnessed a destruction of its infrastructure on a much more systematic level than in August 2011, many of its citizens simply decided to wait it out in Tunisia or quieter countryside areas for the fighting to end. The Libyan people have clearly indicated that they wish a transition to constitutional governance but neither their elected leaders nor the militias have taken them there with any hurry.⁵⁴ The effect of the 6 November Supreme Court decision is likely to intensify this trend: supporters of either Tobruk or Tripoli can reasonably declare that their side is Libya's legitimate government, while the majority of the population can sit on the sidelines as two equally illegitimate power blocs fight it out.

In reality, polling and anthropological research⁵⁵ suggests that the vast majority of Libyans do not wish to see their country break apart and are not vested in the religious or ideological positions of either side. Rather, they simply want to live in an orderly, lawful and prosperous state. Most crucially, technocrats from both alliance blocs know that oil-wealth can only be exploited and foreign investment secured if the country remains

⁵³ For an overview of Qatar's extremely important role in both the Levantine and North African theatre, consult http://www.foreignpolicy.com/articles/2014/09/30/the_case_against_qatar_funding_extremists_salafi_syria_uae_jihad_muslim_brotherhood_taliban

⁵⁴ Spring 2015, Jason Pack and Haley Cook. 'The July 2012 Libyan Elections: Appeasement, Localism, and the Struggle for the Post-Qadhafi Future', *Middle East Journal*, Volume 69, Number 2, Spring 2015, pp. 171-198(28).

⁵⁵ <http://www.aljazeera.com/indepth/opinion/2012/04/201241871355584880.html>

united and draws upon its pre-existing infrastructure and international agreements. The fracturing of the country would only produce further conflict over borders and resources, while reviving old tensions for local supremacy, especially in the ethnically mixed southern regions.

International actors must tap widespread consensus for pacification by underlining the vast economic potential of the country, which can only be preserved via its unity. If they do not, overt Western or conservative Arab support for the anti-Islamist camp will see that faction become more polarising and engaging in bolder attacks with the help of increasing Egyptian support. In fact, lack of Western efforts for increased mediation could be understood as a tacit attempt to let the Egyptians lead on creating a military solution in their backyard. Despite its modicum of success, Haftar's current counteroffensive is a mirage as it is impossible for the anti-Islamists to win control of the country militarily without outside intervention on a truly massive scale. Were an Egyptian ground intervention to take place it would polarise elements of the Libyan population against each other for decades to come and likely turn the current armed politics into a decades-long civil war like in Afghanistan. Intervening now is not like intervening in 2011, as in this conflict neither side is supported by the population and neither has an unimpeachable claim to legitimacy.

All possible stable endgame scenarios require the role of foreign actors in Libya to be recalibrated, the conflict to be reframed and for all actors to seek to preserve Libya's territorial integrity without militarily intervening in the country's 'armed politics' or promoting further polarisation towards perpetual civil war. Without such developments, outside actors will continue to drive proxy conflicts and perpetuate tensions in the country while exacerbating and calcifying the religious divide. Keeping Libya united and on a path towards constitutional governance must be the primary goal of international mediators and the only way to achieve this is to emphasise shared interests among Libya's divergent factions, such that all sides will benefit from compromise and endorsing the work of the constitutional assembly while all sides will lose from ongoing strife. Building on achieving the support of local council leaders, the GNC and other actors and international mediators need to lobby their governments to put pressure on Libyan stakeholders to maintain the dialogue. Now, mediators need to facilitate a national unity government bringing together Tobruk and Tripoli along with the only unimpeachably legitimate elected body in the land: the constitutional committee which meets in Bayda. In that context, the British Prime Minister's Special Envoy, Jonathan Powell, is working with key Libyan interlocutors and international partners in support of UN efforts to facilitate an inclusive dialogue with the goal of reaching a political agreement binding upon all warring factions and non-combatant stakeholders except for the jihadis and those militia factions that resolutely boycott such negotiations or incite violence. That means working with key political and militia leaders to encourage compromises on major issues, which should in turn commit all non-jihadi parties to the steps necessary to drive forward progress on the democratic transition.

Although Powell is famous for his work in Northern Ireland and his public advocacy that talking to terrorists can solve otherwise intractable conflicts, in Libya his strategy appears to be to build a coalition of anti-Islamists, moderate Islamists, and Misratans aimed at isolating the terrorists. In fact, as the jihadis have evolved into a third bloc in the conflict, forging a military coalition of Misratan moderates and non-Haftar aligned Dignity members to tackle the problem of ISIS in Sirte and Derna could provide the military impetus to break the impasse in negotiations. Powell has the right ideology and personality to make the job happen, but he and his colleagues need to be more empowered by their governments. If Bernardino Leon fails to produce a national unity government deal prior to the start of Ramadan on 18 June 2015, then the Western

response should be to ramp up sanctions on disruptive actors and increase the range of carrots and sticks which are being used to cajole the sides towards compromise.⁵⁶

In the absence of a Plan B to push the sides back on track, the collapse of the country into an Islamist-dominated West and Centre, an anti-Islamist dominated extreme East, with jihadi city-states in Derna and Sirte would not resolve matters but only intensify the scramble to control Libya's resource wealth and levers of power. Therefore Egypt's strategy of backing Haftar to the hilt is flawed and any Western powers who think their acquiescence in the Egyptian manoeuvres can lead to a stable endgame or that only elected officials deserve a seat at the table will be in for a rude awakening.

Only balanced mediation alongside a Libyan-led national dialogue to find out what shared vision unites Libyans holds a chance for inter-communal reconciliation, constitutionally legitimate governance, and a stable and prosperous future for all of Libya's communities and religious groups.

The views expressed by this author remain solely their own and are not to be taken as the view of the Tony Blair Faith Foundation.

⁵⁶ <https://www.foreignaffairs.com/articles/libya/2015-05-29/plan-b-libya>