

## Libyan National Congress Background Guide

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### History

Libya, a country with ample resources, was subjected to centuries of domination by foreign adversaries such as the Phoenicians, Carthaginians, Greeks, Romans, Vandals, and Byzantines.<sup>1</sup> Nestled between Algeria, Tunisia, and Egypt, and just south of the Mediterranean, Libya was, and still is, a sought-after region. In the early 20th century, Italy controlled portions of Northern Africa, including Libya, and by 1934 a colony composed of three provinces was established. King Idris I, ruler of the Cyrenaica province, lead revolts against Italian rule periodically, succeeding at last when Allied forces came to Libyan aid in February of 1943. After years of subjugation, Libya finally became the first country made independent by the United Nations on December 21, 1951, with King Idris I as its constitutional and hereditary monarch.<sup>2</sup> However, his reign only lasted a mere two decades.

In September of 1969, a bloodless military coup led by a young Muammar Gaddafi deposed the ripened King Idris I, leaving Gaddafi with absolute power over Libya. Following his rise to power, he quickly closed all British and American military bases, simultaneously instigating conflict on the Egyptian border.<sup>3</sup> His first actions were mere hints at the eccentricities to come. Gaddafi became obsessed with restricting foreign involvement in the Libyan economy, especially concerning oil. Significant reserves were discovered in the mid 1950s, but Gaddafi threatened to shut off production if oil companies refused to comply with his conservative standards. In addition, Gaddafi implemented his Green Book, which claimed to solve the inherent problems of capitalism and communism by giving full executive power to the Gaddafi family.<sup>4</sup> Gaddafi's rule made discussing a change in the constitution punishable by death, and he is believed to be responsible for multiple acts of terrorism, most notably the bombing of the Pan-Am flight 103 over the Scottish town of

Lockerbie in 1988.<sup>5</sup> From 1969 until early 2011, Colonel Gaddafi tyrannically ruled Libya. It was not until February of 2011, 42 years after the coup that deposed King Idris al-Sanusi, that the Libyan Civil War first broke out amongst a small rebel group in the east.<sup>6</sup> The conflict spread with unexpected fervor. Gaddafi was quick to react with military force, and the troops overwhelmed the upstart rebels. However, due to the March intervention of NATO, which opposed Gaddafi, insurgent forces were able to capture Tripoli and gain the upper hand. Gaddafi was killed in crossfire whilst attempting to escape to the city of Sirte.<sup>7</sup> Video footage of his alleged corpse being paraded about the street, passed from triumphant citizen to triumphant citizen, circulated around the country and the world.

Libyan people felt hopeful at the promise of a fair and democratic government, but quickly discovered that their goals of stability would not come to light as quickly as the revolution had. In the years following the overthrow of Gaddafi, Libya was plagued with ongoing violence and political confusion. However, as of August 8, 2012, peace rests in the capable hands of the General National Congress.<sup>8</sup> A legislative body of 200, the GNC is confident in both its original goals of security, disarmament, and treating the wounded as well as its long term aims to address legitimate leadership and the rise of political parties.

The United Nations Support Mission in Libya (UNSMIL) works in close contact with the General National Congress, providing humanitarian aid to displaced persons in Tripoli, Benghazi, and many other cities still shaken by the revolution of 2011. The UNSMIL Mandate states that it "will work to support the new national authorities, including the General National Congress, in promoting human rights. It will continue to urge them to articulate and implement a coherent strategy on transitional justice that would provide a forum for the resolution of conflicts based on past grievances and enable victims to seek redress."<sup>9</sup>

## Status of Issues

### *Legitimacy*

After the fall of the Gaddafi regime, it seemed that the reborn nation was on track to becoming a new democratic state in North Africa. However, with an absence of rules that defined the powers of many positions and procedures within the assembly, the General National Congress was, in reality, about to experience stubborn gridlock and political fragmentation. For instance, during GNC speaker Mohamed Magariaf's time as speaker, he gradually expanded the extent of his powers and, eventually, proclaimed himself the implicit head of state. His claims have not yet been retracted, despite the fact that the majority of the GNC deny Magariaf's assertion and proclaim Prime Minister Ali Zidan to be the country's legitimate leader.<sup>10</sup> Since then, however, Ali Zidan has been dismissed by the GNC and Abdullah al-Thani has taken his place.<sup>11</sup>

Issues of legitimacy often lead to tension between linkage institutions and the state itself, but this tension also draws attention away from the other problems that Libya currently faces. Ever since the collapse of the Gaddafi government, thousands of people have been labeled as Gaddafi loyalists and have been detained without due trial. State-backed militias across the country that are barely under the control of the central government are responsible for upholding authority in the country. However, whenever protests arise objecting to militia rule, the results are detrimental. In June 2013, 32 protesters in Benghazi were killed in what is now called "Black Saturday". There were 46 killed and 500 injured in a similar protest in Tripoli in November 2013.<sup>12</sup>

The Congress's lack of validity is reflected in the disinterest of their voting citizens. In June of 2014, less than half of the 3.5 million registered voters actually voted the following week.<sup>13</sup> Voters say that they are displeased with the lack of response politicians

have after being elected, and that the country's security being threatened by Islamist insurgencies shows that perhaps the new government is not qualified yet to lead. Citizen irritation because of scorned pledges equates to mistrust of the governing body as a whole.

Additionally, because the GNC lacks a copious amount of power, many rival militias aim at taking down the government, causing a multitude of security threats as shown by the 2012 Benghazi attack.<sup>14</sup> Libya also does not have a central national army, due to the lack of organizational power and funding. They instead rely on local, primarily Islamist, militias to protect the people, but have virtually no means of controlling said militias with any semblance of authority.<sup>15</sup> Because the GNC has not addressed many of these problems, the Libyan people see the assembly not as a support to progress, but rather as a hindrance to it.

The approval and support of Libyans is crucial in order for the Congress to remain seated and functional. Without the citizens' backing, the General National Congress is inconsistent, inefficient, and lackluster in terms of governing authority. On March 18, 2014, Secretary General Ban Ki-moon of the United Nations and H.E. Nouri Abusahmain conversed via telephone wherein they reiterated the importance of UN and GNC coordination as well as the shared urgency of maintaining the people's backing.<sup>16</sup> In order to do this, Libyan officials seek to restrict executive power, preferring to place control in the hands of many rather than few, and to save Libya's once squandered oil reserves in order to gain access to trade with the rest of the world.<sup>17</sup> By increasing the country's wealth and prosperity, the GNC can truly say that the people of Libya, and the rest of the world, know that they are legitimate.

#### *Rise of Political Parties*

Muammar Gaddafi set up a state in which all political bodies revolved around him via his Green Book, giving him the power of decision-making in various legislatures and

ultimate authority in nearly all matters of state.<sup>18</sup> However, after the Libyan Civil War and the death of the long-detested dictator, the dramatic increase in political freedom in the country led to the creation of several ideologies, platforms, and eventually political parties. This liberation also instilled a problem of political polarization amongst government officials. As more and more independents become members of political parties, consensus and agreement will become nearly impossible to achieve. Additionally, with so many parties in the Congress or seeking representation, courting delegates to create a majority to pass legislation proves more difficult.

Currently, there are 80 seats in the legislature for members of political parties and 120 for individual candidates. However, as more parties continue to stream in, this number will change. The major political parties include the National Forces Alliance and the Justice and Construction Party, whose members together populate almost three quarters of the 80 allowed seats.<sup>19</sup>

The Justice and Construction Party is an Islamist group with strong ties to the Muslim Brotherhood of Egypt. Taking a more conservative approach to politics, members highlight Sharia law as the means to an effective and strong government. Sharia is the Middle East's own form of common law, in a sense, as it is based on Muslim tradition from the Quran. Seeing the opportunity to gain influence after the revolution, the JCP became one of the forerunners in the July 2012 election. However, to gain seats the party had to win over the Libyan public, who remained skeptical of the party's pan-Islamist beliefs. Building on their clear ideological platform, the party's focus was to first achieve legitimacy in the nation and grow to have more and more loyal members.<sup>20</sup>

The National Forces Alliance is the liberal counterpart of the JCP, choosing instead to accept moderate Islam in government, or, in other words, limiting the application of

Sharia in judicial law, criminal law, and personal law. The organization is led by Mahmoud Jibril who, despite having ties to the Gaddafi regime, emphasized his experience in politics and commitment to the revolution in its budding stages. With a broader platform than the JCP, Jibril was able to get far more seats in the congress than any other party in the July 2012 elections. However, after the election, only about half of the delegates remained loyal to the party. Jibril's approach allowed the party to gain a greater number of seats at the cost of defining the party through a broad set of principles.<sup>21</sup>

In addition to the two major parties, several small associations have formed based on religious affiliation and plans for country's future. Various groups may have only two seats on the legislature but foster growing support in cities outside Tripoli. Many of these parties have contradictory points and arguments, and enough vitality to continue bickering until their party's needs are met.

The increasing polarization of the General National Congress almost encourages a legitimate threats to the Congress's existence: militant overthrow. In May of 2014, a retired general, Khalifa Haftar, accused the Congress of allowing "terrorists" to prosper and swore to eliminate the GNC by any means necessary. He soon followed through on his vows and attacked several Islamist militias in Benghazi and Tripoli. Haftar leads the National Army of Libya, a non-Islamist group of soldiers originally trained in Chad by the United States to combat Gaddafi. He intends to utilize the strength of the NAL to fight the so-called "terrorists" of the GNC in a mission he calls Operation Libyan Dignity.<sup>22</sup> Haftar asserts that his actions are necessary in order to stop the Congress from fostering insurgents and Islamist radicals.

Haftar is not without support. Both the regular and air forces oppose the General National Congress, accusing it of redirecting funding from the national military to the small

Islamist militias that now police the streets of many major cities in Libya. The support of the air force has proven a valuable asset to Haftar's cause—air bombings now plague the streets of Benghazi, targeting militias there.<sup>23</sup>

Two of the General National Congress's steadfast supporters are the Libyan Revolutionary Operations Room, a coalition of Islamist militias, and Misrata, the most powerful single-force in Libya today. However, the ongoing tension within the Congress has increased apprehension within Misrata as well, with more and more groups retracting support in order to prevent civil war.<sup>24</sup>

While delegates of the General National Congress trifle with their own validity and political stigma, their country is in dire need of support, stability, and, above all, responsible governing in the interest of the people.

#### Analysis of Situation

The General National Congress is a legislative body that is plagued with many issues, but the decisions made by delegates are lasting and pivotal. Since the overthrow of Gaddafi, Libyans have been entrenched by a mixture of political enthusiasm and utter bewilderment. The General National Congress was established to lead a struggling nation to a prosperous time of equality and freedom, and the success of said mission is entirely dependent on how seriously Libyan citizens regard the Congress as well as the delegates' own ability to assess and respond to the issues.

Many of the GNC's issues stem from the two political parties that hold the majority of power: the Islamist Justice and Construction Party with strong ties to the Muslim Brotherhood of Egypt and the National Forces Alliance, a more moderate group led by Mahmoud Jibril but lacking vast support in the Congress. Rather than addressing the issues the country is facing presently, these two opposing groups have driven the Congress into a

weak, fragmented stage vaguely reminiscent of the country as a whole. Leading these two parties are stalwart champions of the cause to better Libya, but none of their intentions would be established should the GNC continue with perpetual argument and no compromise. Settlements and trade-offs may be the only way to secure the future of Libya, recover from the devastation and clean up the rubble left behind from the civil war, both figuratively and literally.

In addition to the many impasses in the Congress, Libya also suffers from a lack of national military assets and an excess of oil—a resource that merits protection. Libya's army was all but demolished by Colonel Gaddafi during his dictatorial reign, and has yet to reform in the new democratic state. The shambled army left behind from NATO bombings and lootings of stockpiled weapons by rebels is in a decrepit and nearly irreversible state, so security is placed in the hands of small militias. Asserts spokesman Col. Ali al-Shekhi, "The biggest challenge is the widespread diffusion of weapons...and there is not much unity, so there are forces that have loyalty to the tribes or areas, and it is hard to break them up."<sup>25</sup> Governing forces in Libya need to focus on rebuilding the military in order to take full advantage of their numerous and possibly profitable trading opportunities.

Should the GNC find a way to maximize efficiency and disagreement in order to make actually steps toward national recuperation and revitalize the feeble national army, the citizens of Libya will be more enthusiastic and active in politics of the region. If Libyan authorities can make wise decisions on behalf of their citizens, then the country will be able to distance itself from the idea of a failed state and leap forward into an age of affluence and stability.

#### Questions to Consider

1. How should the Congress respond to upstarts such as former speaker Mohamed Magariaf? Was this crisis handled correctly or should it have been addressed in a different way?
2. Should the GNC continue communications with the UN and accept the aid of UNSMIL? Would this be beneficial to Libya or detrimental?
3. How can the GNC increase voter participation? Is this important in order for Libya to prosper economically?
4. Should the GNC focus on rebuilding the national army or is a coalition of militias more practical, given the current economic and political climate in Libya?
5. Is a secular government in Libya practical, or even possible? How much should Islamic beliefs play into the General National Congress's decisions?
6. Many major delegates in the General National Congress were also in power during the Gaddafi era, most notably Mahmoud Jibril of the National Forces Alliance. Should these politicians be encouraged to participate in new, democratic policymaking, or is their inclusion deleterious to the cause?
7. How should the Congress respond to the challenges of General Haftar and others that Libyan officials are harboring terrorists?
8. What action, if any, should be taken to minimize the existence of local militias? What may be the intended and unintended consequences of these actions?
9. Should Libya focus its monetary resources on rebuilding the national army, or save its funding for more pressing issues? What, if any, are these issues?
10. How can the Congress take steps to compromise on acts and policy while remaining a multi-party system? Is this feasible?

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- <http://www.libya-today.com> - Libya Today, a Libyan newspaper with relevant, succinct, and up-to-date articles
- <http://www.bbc.com/news/world-africa-13755445> - Timeline of Libyan history on BBC News, good for background about the region and its inhabitants in past centuries and presently
- <http://www.bbc.com/news/world-africa-12688033> - The Muammar Gaddafi Story, a useful resource in familiarizing yourself with recent Libyan history so as to put current events in perspective
- <https://www.cia.gov/library/publications/the-world-factbook/geos/ly.html> - CIA World Factbook, for general knowledge and facts primarily about the Libyan government and economy, and as a jumping off point in research
- <http://www.npr.org/blogs/parallels/2014/02/26/282594241/outmanned-and-outgunned-libya-struggles-to-fix-its-broken-army> - National Public Radio report on the state of Libya's military and issues the country needs to address

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