LIBYA'S POLITICAL CULTURE WARS

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Executive Summary

1. Since the fall of the Qaddafi regime in 2011, policymakers and analysts alike have failed to accurately depict the near decade of conflict in Libya, as either: a battle between Islamists and secularists; a historic regional rivalry between the east and west of Libya; or one that is purely driven by the economic greed of the key actors. Despite numerous attempts to address and resolve these conflicts through inclusive and representative governing arrangements, the conflict has continued and peace remains elusive.

2. Whilst these rivalries, conflicts and behaviours exist, and offer some explanatory power to aspects of the war, they fail to explain the political lightning-rod moments that have sparked national conflicts in Libya and crucially pin-point its principle fault lines. Since 2017, key local players and international powers alike have been locked in negotiations over the reconfiguration of Libya's highest political post, the Presidential Council, specifically its power and authority over the military in its capacity as the Supreme Commander of the Armed Forces. The negotiations are focussed on a defining feature of political culture in democratic states – military neutrality and subservience to civilian rule irrespective of its political leanings. This power struggle is rooted in competing visions over Libya's institutional setup, authority and governing arrangements that determine the political character of the state in Libya, or in short, two irreconcilable political cultures.

3. This conflict has also drawn in regional military powers including Turkey and the United Arab Emirates (UAE), who have been drawn to Libya's battleground for more than transactional maritime deals or the pursuit of terrorist groups. Turkey and the UAE are locked in a deep battle over the prevailing political culture of the region, and have forged strategic alliances with the Government of National Accord (GNA) and the Libyan Arab Armed Forces (LAAF) in an attempt to secure and implement their own contrasting regional visions for the post-Qaddafi state.

4. Current military unification talks employ a language that seeks to categorise the network of armed groups under the GNA as 'militias', whilst labelling the opposing forces, the LAAF, as a 'regular military'. This framing is misleading, as Libya has not had a regular military since the formation of the Jamahiriya by Qaddafi (1969). The LAAF itself mimics the Jamahiriya's tribal patronage network designed to coup-proof Qaddafi's authoritarian regime. Efforts to preserve this structure, whilst dismantling their opponents, is likely to face resistance, particularly by those who consciously sought to overthrow the Jamahiriya's system of rule in 2011 and opposed it's reincarnation in the LAAF. Neither the GNA or the LAAF control a working army, and their armed groups are incapable of functioning as a regular military. Armed groups under both factions should be demobilised, disarmed and reintegrated into a unified, neutral and subservient military force under new command.

5. Despite the establishment of a ceasefire agreement and announcement of elections within the next 18 months, the Presidential Council remains the key battleground for negotiations intended to end the war. By unifying with an unreformed LAAF and including either its commander, Khalifa Haftar or Aguila Saleh, it's architect and the Supreme Commander of the LAAF, in the negotiation process to appoint a new Presidential Council the current political negotiations risk establishing a military structure that is not subservient to civilian rule. Furthermore, it delays but does not prevent Libya's civil war, which could be sparked by scheduled presidential elections that would replace the military approved Presidential Council with a democratically-elected candidate.

6. Armed groups or militia under the GNA are incapable of serving as a military and should be dismantled, but the reasons why many of these groups came into existence should be addressed. This will require the dismantling of the tribal patronage structures discretely embedded within the LAAF in order to prevent this cycle of conflict from repeating itself in the future. Finally, the political talks should not reward or offer the key parties to the conflict through negotiations, what they could not achieve through war – the ability to reconfigure and determine the institutional relationships that define the political character and culture of Libya's next state by appointing or including them in the Presidential Council.

Introduction

The announcement of UN-brokered permanent ceasefire in Geneva and political talks in Tunisia has given renewed optimism that Libya's elusive peace attempts are yet again within close grasp. Despite several high-profile international attempts in Moscow and Berlin (January, 2020) to broker a ceasefire and restart the political process, the battle in Libya not only resumed, but intensified, culminating in all-out war before reaching a stalemate in June, 2020. The conflict was sparked on April 4th, 2019, when self-styled leader of the Libyan Arab Armed Forces (LAAF) Khalifa Haftar launched an attack on Tripoli to overthrow the internationally recognised UN-backed Government of National Accord (GNA). The role of regional and international powers in support of both factions during the war has further entrenched positions, and added to the intractability of the conflict.

This is not Libya's first post-Qaddafi civil war, nor indeed the first UN-brokered peace process to fall apart. This has led to wildly different assumptions about what drives the conflict and descriptions of Libya's parties to the conflict; ranging from a battle between Islamists and Secularists, to the battle between East and West - two of Libya's historical regions. The critical challenge to all peace-building efforts in Libya since the fall of Qaddafi has centred around correctly identifying the root causes and drivers of these conflicts, in order to design a peace process that addresses and resolves these issues between the key actors in the conflict. Success cannot be measured exclusively by symbolic handshakes between rival leaders or the formation of a new government. The gauge for success of any political agreement in Libya must be measured against an end of hostilities on the ground between the two factions and an era of cooperation. Libya's UN brokered political talks and initiatives since 2015 have for various reasons repeatedly failed to achieve

this. Examining the assumptions about the nature of the conflict may offer insight into why the previous political talks failed. The UN's strategy to end the conflict contains a flawed premise which guides the process; that the warring factions in Libya – from their armed groups to their political representatives – are primarily driven to conflict by political and economic greed. The logic of the political talks attempts to address the rival parties' greed through political compromise with the belief that institutional cooperation in a unified government based on compromise will follow. Political compromise has thus far been based on distributing institutional and political posts equitably to both factions under a new unified government in order to satiate the greed of the rival parties to the conflict.

So why has this failed? This logic and process identifies competition, but fails to address the irreconcilable difference at the centre of the conflict. A feature of all conflicts is driven by greed and competition. A limited number of individual actors and armed groups on either side have been engaged in years of narrow competition over access or control of Libya's resources; much of which the UN's logic of compromise and distribution of ministerial and institutional posts where these resources are distributed may resolve. However, this competition did not spark Libya's conflict in 2011, nor has it drawn foreign powers to Libya's battlefield since 2014, and hence it will not resolve the conflict. The principle political conflict that has drawn major foreign powers to interfere in Libya's conflict, shape it's diplomatic negotiations and mobilise local fighters from across the country to its frontlines is inherently political. This latest military battle in 2019, and the years of internationally brokered political negotiations that preceded it since 2017 have been driven by foreign and local actors alike engaged in conflict over Libya's highest political post that determines the power and

and political character of the state - the Presidency - in its capacity as the head of the state and authority over the military. At the heart of this conflict are two contrasting political visions over a defining feature of political culture in democratic states - military neutrality and subservience to civilian rule irrespective of its political leanings.
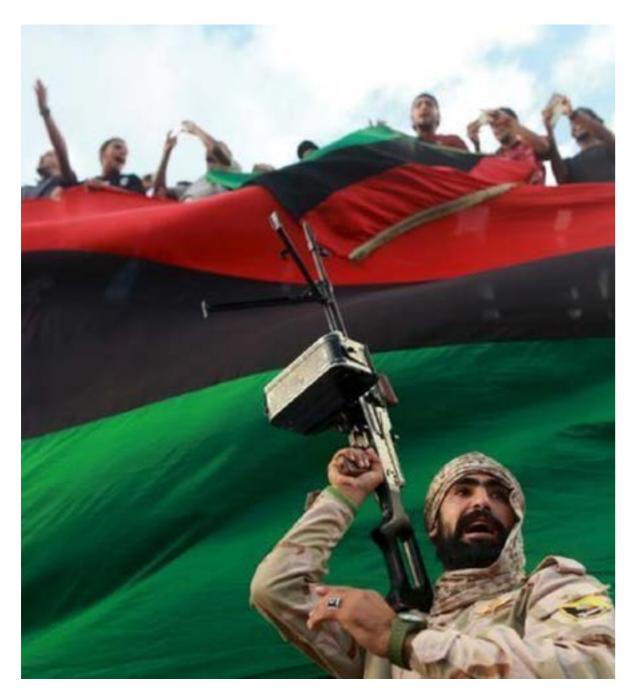
The UN's logic and political process fails to address these contrasting visions and the ways in which these rival political factions seek to reconfigure institutions through negotiations and exercise their power to define the political character of the state after the political talks. Put simply, the peace building process addresses competition but not conflict. The political process does not explain how these rival factions seek to exercise their power once in a unified state, whether

their visions of politics and power are compatible and whether institutional unification is sufficient to ensure peaceful cooperation. The failure to address the core driver of Libya's conflict can explain why the two rival factions have repeatedly failed to politically cooperate despite several high profile international agreements and attempts to reach compromise.

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Political culture: what the political talks fail to address

The UN's logic to resolve the power struggle ignores Libya's experience of power, it's institutional form under the former regime and how this unique experience has shaped the ideas and outlook of the factions who today engage in conflict. It neglects how this political culture shaped Libya's society over decades and how it institutionally distributed power across society under the former Qaddafi regime. It neglects how this experience formed drivers that led to the revolution, resulted in the rise of armed groups across the country and how this redistributed power and reshaped society as a result. It neglects how this reshaping of society and redistribution of power formed rival political factions and networks of armed groups in 2011 and shaped the fault line of the conflict that divides them nearly a decade later. In short it neglects history. This process further neglects new realities. The process ignores the changes to political culture across the region and how foreign powers noticed an ideological power vacuum in Libya after the fall of the Qaddafi regime, and responded in 2011 and then years since by intervening militarily in the conflict as a result.

The failure to address these ideological drivers and political characteristics of the conflict in the political talks contains a dangerous implicit presumption: politics is irrelevant to the power struggle. That

the political differences between the two factions have no bearing on the conflict, and will not restart the conflict once the rival factions join forces under a unified government. It is a presumption that nothing but greed separates the rival factions. That is to say, that irrespective of what the factions do and how they behave, they are politically flexible, ideologically compatible, and can cooperate in unified political and military institutions once their greed has been satisfied through political compromise irrespective of the future political character and political culture of the state. Given that Libya's three major civil wars which triggered local armed groups to form and foreign powers to intervene occur specifically at critical turning points in Libya's political transition that define the political character of the state; power, it's political form and how society is governed are relevant to the timeline of the conflict, and should matter to the political talks aimed at resolving them.

The contrasting political visions of power are not only imperative to establishing the political outlooks of the rival local factions, but also the role of rival foreign states in the conflict and illustrate Libya's place in a bitterly divided and contested region. Identifying what drives regional powers to intervene and shape Libya's conflict, break it's ceasefires and undermine the peace processes when it fails to meet their desired political

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objectives is also a reflection of the region's political fault lines.

The foreign policy of regional powers and objectives of rival factions in Libya can be measured by years of UN brokered diplomatic negotiations to determine how post conflict Libya is to be governed. Foreign powers who intervene militarily, have also shaped the diplomatic process and framing of negotiations to ensure the resulting institutional setup in a unified Libyan government meets their desired political objectives; where their local political partners are either at the helm of Libya's military or have control and authority over the military at the highest political post - the Presidency. These political posts and military institutions are not purely cash dispensers for the greedy. They determine the political character of a unified state and the way in which the lives of Libya's citizens are to be governed as a result. Political

and military institutional power can limit which political parties may participate in political life, and which ones will be proscribed and fought as enemies of the state. They also determine the nature of civil-military relations; whether to establish, or extinguish a socio-political space that allows for a socio-political culture that challenges power through expressions of dissidence.

Seen from this perspective, Libya's latest conflict is more than a battle driven by local greed over political posts and military institutions. It is part of a deeper conflict over power; specifically who controls the highest political post that governs the military institutions, how they seek to exercise this power and how society is to be governed in a near decade long, region wide conflict to determine a prevailing political culture in Libya since the fall of Qaddafi.

Libya's conflict can not be exclusively

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characterised by the greed of some of it's political and armed factions and how they seek to distribute the spoils of war. Nor can it be reduced to oversimplified binaries such as the battle between Islamist and Secular forces. It is also not a regional war between East vs West Libya. The conflict and the political failure to reach compromise is rooted in two competing visions of state and society – two irreconcilable political cultures. These political cultures are divided in their attitudes towards power and politics – specifically the military – it's socio-political composition and it's subservience to political authority. The LAAF seeks to establish a state around a military that is structured and composed of particular tribes whilst excluding others. Furthermore the LAAF seeks to be managed by a political authority – namely the Presidency - of it's choice and not an authority that will tamper with it's socio-political structures or challenge its

military power. This vision and rejection of meaningful military subservience to civilian rule is rooted in an authoritarian political culture.

This vision is deeply incompatible with the LAAF's opponents, currently under the GNA. The GNA is composed of a variety of socio-political forces and armed groups who overthrew an identical authoritarian socio-political system to the LAAF under Qaddafi during the revolution in 2011. These political forces are complex, some are in competition and even in conflict at times, but as a whole are brought and bound together by a fear and experience of authoritarianism and reject it's latest incarnation in Haftar and specifically the LAAF. These forces seek to establish a state where the highest political authority – its presidency – can be challenged or changed by Libya's society democratically and not a political authority that is submissive to, selected

by or serves its military. These forces seek to establish a military that is inclusive and representative of society and not narrowly structured exclusively around tribes. Most importantly, they require a military that is subservient to civilian rule, and are willing to challenge and fight against one that isn't. This vision and rejection of political subservience to military rule is rooted in a democratic political culture.

The UN process fails to address how these contrasting political cultures and visions of the state that not only drive the local parties to the conflict, but divides their international backers too, and how this conflict is central to the years of diplomatic and political negotiations that have failed to reconcile both sides and achieve political compromise.

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Why economic drivers fail to explain Libya's conflict

Whilst it has become vogue to frame the Libyan conflict as being almost exclusively motivated by greed and rooted in its economic structures, this perspective offers limited explanatory power where the national conflict is concerned. It has also revised Libya's history. This perspective promotes the belief Libyans took up arms with no higher political ambitions than to oust Qaddafi's circle from power over economic institutions. The conflict in Libya between rival networks of armed groups and political factions is rooted as such in a battle to pillage Libya's economic resources irrespective of their political or ideological disposition. This leads to a belief that Libya's conflicts only emerged as a result of the structural cavities in the Qaddafi-era cheque dispensing political institutions and policy of subsidies. This economic perspective argues that both of Libya's rival networks of armed groups and political factions irrespective of who they are, where they and what they claim to fight for are really driven to conflict by an identical greed and scramble to take exclusive control of the state's lucrative political and economic institutions. This perspective argues political culture and historical experience are irrelevant to the real war in Libya – 'the battle to extract wealth by any political means or narrative necessary'.

Why have ordinary Libyans taken up arms?

This perspective is flawed and risks oversimplifying the political, ideological reasons and actual drivers that trigger civilians and armed groups alike to engage in conflict, or seeks to take the cases of a limited number of groups that actually engage in such economic predation as representative of all groups and people who take up arms and are engaged in conflict. This perspective should not be ignored or dismissed entirely. It can be useful if limited to understanding the behaviour of a small cluster of groups in both networks, limited in size, and in i) close geographical proximity of lucrative government institutions which they and their business associates seek to extort particularly in the capital, ii) groups that exhibit rent seeking behaviour by laying claim to Libya's infrastructure and natural resources particularly its oil fields or iii) the groups that battle over human trafficking and smuggling routes along Libya's borders which they have sought to exploit as a result of Libya's subsidies and transnational illicit

of Libya's subsidies and transnational illicit economies.

But what about everyone else? What this economic perspective fails to help us understand is why tens of thousands of ordinary civilians otherwise engaged in regular life voluntarily take up arms and risk their lives. What drives civilians to establish armed groups along local lines in remote towns and cities and then triggers them to become part of a network and conflict along national lines? Why do many fighters and groups lay down their weapons voluntarily and return to their regular lives after the conflicts end despite the economic incentives to remain armed? The failure to explain this, is a failure to explain the drivers of Libya's largest conflicts and triggers of mass mobilisation. It fails to explain why groups on both sides mobilise at specific ideological turning points in 2011 and 2019 during Libya's political transition. Not only does this perspective fail to explain the behaviour of many armed groups that return to civilian life, it also fails to explain the behaviour of powerful armed groups who remain intact after the conflicts end. Why have economic drivers not reshaped the national political conflict, induced alliances between bitter rivals on either side of the military conflict?

If the largest single driver of conflict is economic, and this drives the behaviour of armed groups, why have the largest armed groups on either side of the political fault line not forged a pragmatic union, and chosen economic cooperation and political compromise over conflict? Why have the largest rival armed groups within either the GNA and LAAF not opted to cooperate and establish an even more powerful joint force to reach their desired economic ends? Such a disproportionate union of force would not only outweigh and deter their smaller competitors from challenging them but would expand their shared territorial reach and ability to exploit far reaching economic opportunities whether in the capital, Libya's oil facilities or its borders. This union could be achieved through a pragmatic political compromise, to jointly exploit economic opportunities and extort Libya's wealthy institutions instead of engaging in lengthy ideologically driven conflict that exhausts both of their human and military resources in the process. Local, ethnic and tribal identities are not only the names by which many armed groups choose to be known by. They are a representation of their own community's history, their experience of power and a powerful idea that binds them together and determines their political outlook. This does not mean these political drivers establish uniform behaviour. It does not guarantee politically constructive behaviour or a lack thereof, liberal or conservative political views, or a guarantee to abide by human rights norms in conflict. Rather these drivers can help us understand the present nature of Libya's conflict, its fault lines, and the conditions that must be addressed in a political process in order to resolve it and not trigger their remobilisation.

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Why Libya's last political process failed

The most high-profile political process and attempt to reach political compromise remains the UN-brokered Skhirat Agreement (2015) following Libya's first, post-2011, outbreak of violence in 2014. This political process established the Libyan Political Agreement (LPA) that would establish a new Government of National Accord (GNA). The LPA created inclusive institutional governing arrangements around a Presidential Council (PC), an executive nine-member body to lead the GNA, whose composition was selected on the basis of inclusivity and representation that would 'leave no conflict line or party to the conflict behind'. As a result, the U.N. appointed representatives from across all of Libya's local and regional conflicts under one political body, to encourage their joint cooperation and by extension an end to all their conflicts. This resulted in Fayez al-Serraj from Tripoli being appointed as a neutral consensus figure to lead the PC alongside eight deputies from a variety of powerful tribes, ethnic groups, political parties, armed factions and key interest groups.

This logic assumed conflict was driven by tribal, ethnic and political greed for power and competition to rule. The process was built on the assumption that if all the parties to the conflict were to simply share power through compromise and rule together inclusively, they would cooperate and the conflict would end.

Despite the UN's efforts, the political process and products of this strategy of inclusivity and compromise failed to bring about the desired political cooperation and end the conflict. Boycotting members was an early problem, but the LPA's ideological framework proved to be its undoing. The institutional arrangements, distribution of power and reassigning of political authority over the military was the fundamental stumbling block to Libya's peace process and demonstrated the deep ideological incompatibility of Haftar and the LAAF with the pluralist PC. The LPA's Article 8– transferred power over the armed force to the politically pluralist PC and in the process transformed the

balance of political power, threatening the power structures under construction in eastern Libya. The PC's new authority would replace Aguila Saleh as the Supreme Commander of the Armed Forces, the chief of Libya's parliament the House of Representatives (HoR) who appointed Haftar as military chief in 2015 and designed much of the LAAF. It would thus give the PC power as the Supreme Commander of the Armed Forces to remove Haftar from his position as chief of the LAAF. Despite Haftar initially endorsing the PC by nominating Ali Qatrani as his representative, a senior Haftar aide claimed they "had not examined the text carefully enough" and not realised the full implications of the LPA, until after the establishment of the PC as grounds for later rejecting the PC. Haftar's ally in parliament, Saleh similarly refused to allow for a parliamentary vote to endorse the LPA, only holding a vote to reject the PC's proposed government – the GNA – in an attempt to delegitimise the UN political process and the LPA. Despite the UN's initial claim there would essentially be 'no Plan B' to the LPA, it eventually succumbed to external resistance in 2017 and change course.

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Aguila Saleh - former Supreme Commander of the Armed Forces

'Plan B': Why accommodating not addressing ideology led to war

The UN Security Council welcomed and endorsed Haftar's military and political backers who unliterally launched a new political process and negotiations first in the UAE and later France to overcome Libya's divisions. The Abu Dhabi and Paris talks began brokering a new deal through direct political talks primarily between Serraj and Haftar between 2017 and 2019 – essentially a 'Plan B' to the LPA. The aim of Plan B was to work around the LPA and carefully unify the two bodies and reform the Presidential Council to accommodate the LAAF. These talks continued to aim at forging a new institutional arrangement, and a reconfigured PC to ensure its political authority would not threaten Haftar's control of the LAAF. The deal included a ceasefire, but on the condition the LAAF were allowed to continue its controversial counter terrorism campaign language used by Haftar since 2014 to target a multitude of armed groups and political opponents including Libya's parliament and political parties.

In October 2017, Haftar and Serraj met in Abu Dhabi, where they discussed the first proposed reform of the PC into a smaller three-person council – that would include Aguila Saleh and Haftar as two of its three members, in order to embed the LAAF's control over the PC. As these talks continued, Haftar grew stronger, took hold of Libya's oil facilities and more territory into southern and later western before, and without warning, negotiations were abandoned in favour of a power grab in Tripoli on April 4th 2019.

Despite the UN's five years of efforts to broker peace and establish a unified government through compromise and inclusivity, this process and logic failed to address the ideological obstacles to the LAAF presented by the UN's foundational document the LPA in Libya. The UN mission to Libya, who had been brokering talks also failed to address the ideological shift by regional and global powers who had not only embraced Haftar since 2016, but were willing to back him over the PC and GNA and how this would impact the conflict.

Despite the UN sanctioning a local armed group who attacked the GNA for a month in September 2018, in a move UN Security Council members claimed was "sending a clear message from the international community that acts of violence against the Libyan people will not be tolerated", the UN Security Council failed to unilaterally condemn or sanction Haftar throughout his 15 months offensive. The former UN special representative to Libya Ghassan Salamé hinted at an ideological shift, claiming the "international system has changed dramatically" since the revolution, in an attempt to explain why the UN sanctioned Qaddafi in 2011, a sovereign head of state threatening his civilians, but failed to sanction Haftar in 2019 who was both threatening civilians and trying to overthrow a sovereign head of state appointed by the UN.

The flaw in the UN's endorsement of the UAE and France's 'Plan B' strategy was failing to see the motive behind reconfiguring the PC. The conflict resolution's logic was based on the belief Haftar was seeking a meaningful political compromise with Serraj, and that the LAAF would be subservient to a unified government and future governments once the political negotiations were complete. The reality was that Haftar was not negotiating with the state, or the LAAF's submission to the state, he was using negotiations to wrestle control of the state, before abandoning peaceful talks in favour of a violent power grab. The UN brokered talks have repeatedly failed to address the LAAF's desire for an institutional reconfiguration of the PC that replaces meaningful civilian oversight and power over the LAAF at the heart of the conflict in the subsequent framework of the unification talks, instead it accommodates it. The Berlin Process and Geneva process remains structured around 'Plan B', reforming the PC to accommodate the LAAF, as opposed to addressing why the LAAF is so resistant to a change in political authority. The reason behind the LAAF's resistance to a change in political authority can be found in the history of civil-military relations during Qaddafi's reign, and how the former regime designed its military and embedded its authoritarian structures into it at the grass roots level – Libya's tribes.

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The Jamahiriya – Power and ideology under Qaddafi

The revolution in 2011 fundamentally transformed the old socio-political order of the Qaddafi regime, the system to distribute and divide power and privilege in society, and the ideological character of the state. Most importantly, it established a fundamental fault line between rival networks of armed groups over the institutional structures of the state that predates the GNA and LAAF's conflict in 2019, but is central to understanding it. Qaddafi's 42 years in power are often misunderstood. On the surface, the unusual and idiosyncratic ideas outlined in the Green Book – his vision for structuring the state and organising society known as the Jamahiriya are often the reference point to understanding Libya's political and social system over the period of his rule. However, behind the populist rhetoric and political slogans, little is understood about how Qaddafi managed power and maintained his ideological and authoritarian grip over Libyan society for so long.

Conspicuously absent in history was how the Jamahiriya's power was established on a system of two armies; the upper tier, an elite and powerful 'praetorian guard' directly under Qaddafi's command, and the second army a lower tier tribal military deeply embedded into Libya's social fabric designed to coup proof the Jamahiriya and preserve his authoritarian rule. In essence Qaddafi's two tier Jamahiriya army was engineered in such a way as to guard the authoritarian regime from popular uprising and social dissidence at the lower tier whilst ensuring the lower tier army itself was too weak to challenge the upper tier praetorian guard and overthrow the regime. It didn't

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begin this way. After seizing power in a bloodless coup in 1969, Qaddafi began to systematically weaken Libya's regular military (fearing a repeat of the coup he staged) and began quietly building his own private military, a praetorian guard directly under his control. The praetorian guard would contain loyalist units such as the 32nd brigade led by his son Khamis Qaddafi. These armies were later known as Jaysh Mu'ammar – Qaddafi's upper tier elite praetorian guard and Jaysh Bubakar the lower tier army after Bubakar Younes Jaber, Libya's former defence minister. However, after an attempted military coup in 1993 by officers from Jaysh Bubakar who predominantly hailed from Libya's largest tribe the Warfalla, Qaddafi radically redesigned and transformed Jaysh Bubakar, its ideological form and strategic purpose in society.

In 1993, Qaddafi needed to make an example of the coup plotters in order to deter potential challenges to his rule and began rounding up dissidents. The army officers were executed, and their family members punished, but Qaddafi equally feared how this repression of the Warfalla tribe could produce widespread tribal sympathy and encourage political dissidence to his regime. As a result, Qaddafi began working on a way in which to infiltrate and subvert Libya's society and bind it to the regime through its tribal communities and networks. He sought to purchase tribal loyalty into his regime's military by embedding particular tribes into Jaysh Bubakar, in order to act as a buffer against social and political forms of dissidence across

Libya's society. The regime established the Socialist People's Command (SPC) in 1994 under Khalifa Hneish tasked with establishing links into Libya's tribes and transforming them into 'guardians of the regime'. This tribal patronage system became the hallmark of the Jamahiriya and a new way for Qaddafi to maintain his authoritarian grip on power and coup proof his regime. Tribal patronage was intrinsic to Jaysh Bubakar, not only as a means of maintaining power, but managing and accommodating power. The patronage system was first an entry point to establishing the clientelism of tribal chiefs and later embedding tribesmen into the lower tier military, purchasing tribal loyalty and establishing a tribal reliance on the regime as a source of wealth through socio-economic kickbacks and political privileges to their communities. This served a key ideological purpose – to preserve Libya's authoritarian system at the local level. Any attempt to overthrow Qaddafi or the Jamahiriya – by internal coup or external dissent - would also directly threaten the entire tribal patronage network's economic interests, political privileges and their way of life at the local level. As a result, Qaddafi's tribes were no longer merely a surname, bloodline or a common history of people in Libya's society, they were a tool. Tribes became part of a political and military re-engineering of authoritarian state and society, and a means of distributing authoritarian privilege in exchange for maintaining authoritarian power of its people.

Libya's *first* ideological clash – The Revolution (2011)

Qaddafi's Jamahiriya was able to endure domestic challenges to its rule as a result of the SPC's work in 1994 and a semblance of balance was maintained. However, Libya's February 17th revolution in 2011 would change this. The revolution offered a powerful new social narrative, the promise of a new political future and produced widespread social dissidence and political behaviour never before seen in Libya. The revolution transformed society's political expectations. It sparked widespread peaceful protests across Libyan society which quickly turned violent, drawing wide spread sympathy across towns and cities that sparked others to protest and take up arms that combined to overwhelm the Jamahiriya's coup proofing mechanism. Libyans also rejected the authoritarian tribal foundations of the Jamahiriya and quickly dismissed tribal identity and its role in politics. Militarily, Qaddafi's praetorian guard was destroyed largely as a result of NATO's air campaign and military assistance to the revolutionaries.

However, as the Jamahiriya unravelled the revolutionaries who took up arms to overthrow Qaddafi began to organise autonomously and establish powerful new armed groups and saw themselves as the new unquestionable "guardians of the revolution" for the day after the regime fell. These groups, emboldened by revolutionary legitimacy challenged the deeply embedded tribal patronage network of Jaysh Bubakar, many of whom remained armed, some of whom defected and joined the revolution, but almost all of whom were tainted by association to Qaddafi as 'guardians of the authoritarian regime', and quickly led to tensions and a conflict line between the two rival factions. The emergence of diverse new powerful revolutionary armed groups challenged the old regime-less tribal patronage networks left behind in the demise of the Jamahiriya. Revolutionary change also eroded Libya's old socio-political order, creating an ideological power vacuum and

> **Revolutionary change also eroded Libya's old socio-political order, creating an ideological power vacuum and laying the foundations for a new local and regional fault line.**

laying the foundations for a new local and regional fault line. The first seeds of discontent and disparate political cultures can be found in the weeks and months leading to Libya's first democratic elections. The tribes who had lost patronage from Qaddafi and their control of Eastern Libya began to form a 'Federalist' camp ahead of Libya's first elections. In their struggle to address the power deficit, the federalists almost derailed Libya's democratic transition. Federalist militia raided polling stations and and shot down a government helicopter killing an electoral official travelling to Benghazi during Libya's first democratic elections in 2012. The Federalists took their brinkmanship to the point of shutting down Libya's oil terminals almost bankrupting the country and by the end of 2013 established their own autonomous government but were too weak and ultimately failed to take power in Eastern Libya until Libya's second war in 2014 - Operation Dignity.

Libya's *second* ideological clash – Operation Dignity (2014)

The ensuing power struggles between all of Libya's rival armed groups produced years of instability, simmering political tensions and local intercommunal conflicts. However, the ideological fault line of Libya's latest conflict, and it's potential to trigger and mobilise groups across the country only became apparent upon the establishment of the LAAF in 2014. Despite the often repeated myth that Haftar first emerged in post revolution Benghazi to fight Islamists who sought to oppose Libya's democratic elections in July 2014, Haftar first re-emerged in Tripoli in February 2014, claiming to have established his own army and subsequently attempted to overthrow Libya's first democratically parliament at the end of their term. The army never showed up and Haftar's coup failed. Haftar escaped an arrest warrant in Tripoli to Benghazi where he established the self-styled LAAF on May 15th 2014 under the guise of a counter terrorism operation 'Dignity'. Operation Dignity was a call to arms to Qaddafi's tribal patronage network and their armed groups to establish a new military under Haftar's command that sparked a war months before the results of Libya's second democratic elections were announced in late July 2014.

Operation Dignity would fight Islamic State, Ansar Al-Sharia an al Qaeda affiliate, but also Libya's revolutionary armed groups that emerged in 2011 defined together ideologically as 'terrorists'. Despite many of Benghazi's revolutionary groups and fighters demonstrating their opposition to terrorist forces when they fought Ansar-Al Sharia at the scene of the US consular attack on September 11th 2012, facing indiscriminate and simultaneous attacks by Haftar's forces, these revolutionary groups would form a military coalition a month after Operation Dignity in June 2014 – the Benghazi Revolutionary Shura Council (BRSC) that included Ansar Al Sharia. Whilst much of Ansar Al Sharia "defected" to

Islamic State, some its members remained within the BRSC. This coalition split the opinion of Benghazi residents many of whom were the families of the revolutionary armed groups that joined the BRSC and claimed the operation was there to oppose Haftar from returning the country to military rule. However, Haftar claimed he did "not seek power", and the LAAF's supporters claimed the revolutionary armed groups' military cooperation with Ansar Al Sharia was sufficient grounds to designate these groups as terrorists. The BRSC did not pledge its allegiance (bay'a) to Al Qaeda, a requirement of the Salafi Jihadist group and later after the emergence of Islamic State in Libya, the BRSC as a whole were labelled as "apostates" by the Islamic State's emir in Libya for their belief in democracy. Despite being rejected by Islamic State, and not sharing the same Jihadist ideology as Ansar Al Sharia, Benghazi's revolutionary groups did share the same frontlines in a battle against Haftar and this understandably changed how many Libyans and internationals began to view revolutionary groups and the conflict in Libya. Gradually, the BRSC were simply referred to as "Jihadists" and Operation Dignity exclusively as a counter terrorism campaign despite a second attempt at the beginning of the operation to overthrow Libya's first democratically elected parliament and government in Tripoli in May 2014.

Former Libyan leader Muammar Al Qaddafi alongside former Defence minister
© Medium

The LAAF's Jamahiriya system – a tale of two armies

Behind Haftar's counter-terrorism rhetoric is also a discrete attempt to resurrect the Jamahiriya's authoritarian system of rule. First, by reconstructing a lower tier LAAF using Qaddafi's broken tribal patronage structure, and later by establishing his own elite upper tier praetorian guard to keep it in check and preserve his power. Haftar established an identical SPC tot hat of the Jamihirya under Beleid Sheikhi in 2014 tasked with coordinating the LAAF's relationship to eastern tribes, in particular Bedouin tribes that had lost their exclusive patronage, privilege and power from Jaysh Bubakar under the former regime. Sheikhi cultivated personal relationships with Bedouin tribal elders who encouraged their youth to join the LAAF. Haftar's military leadership re-established relationships with the former regime's forces, but also recruited and constructed new Bedouin led tribal armed groups.

Eastern Libya has a diverse tribal composition and its demographics and divisions are critical to understanding the construction of the LAAF as a patronage network. The majority of eastern Libya's residents live in its largest city Benghazi, but are descendants of Misratans, who migrated to Eastern Libya from the Western city of Misrata over several hundred years, turning the eastern city into an important urban and regional centre. The second largest social grouping in eastern Libya hail from Bedouin tribes who migrated to Libya from the Arabian Peninsula in the 11th and 12th century and historically resided on the coastal outskirts of Benghazi or smaller towns and villages across the east.

They are both tribally and ethnically distinct. The majority of Benghazi's residents who hail from Misrata in Eastern Libya are of Ottoman descent, owing to the intermarriage of Ottoman janissaries and Libyans who settled across Libya, but in particular Misrata.

Eastern Libya's tribal divisions and demographics are important to understanding the construction of the LAAF. Despite descriptions of the LAAF as "the closest thing Libya has to a 'regular' force", and claims tribal influence is "a threat and a challenge to Haftar's project" the LAAF is actually an irregular force, reliant on tribes and designed to embed tribal influence within its military structures not exclude it. The LAAF's senior commanders, and strategic leadership in the east of Libya are exclusively drawn from Bedouin tribes, without representation from the majority of eastern Libya's population or its social and ethnic groups who originate from non-Bedouin tribes:

Name	Position	Tribe
Khalifa Haftar	Field Marshall	Furjan
Abdelrazaq Nathurj	Chief of Staff	Al U'rufa
Saqr Al Juroushi	Head of Airforce	Al Qabayil
Abdelsalaam Al Hassi	Head of Tripoli Operations	Al Hassa
Ahmed Mesmari	Spokesman of LAAF	Al Masamir
Adel Marfou'a	Head of LAAF counter terrorism in Cyrenaica	Al Awaqir
Faraj Qa'aim	Head of LAAF counter terrorism force	Al Awaqir
Faraj Al Sousaa	Military prosecutor of LAAF	Al Bara'ssa
Salah Hwedi	LAAF Criminal Investigation Department	Al Awaqir
Fathi Younes Hassouna	LAAF foreign affairs bureau	Al Dressa
Al Madani Al Fakhry	Chairman of LAAF Military	Fawakhir

A sample of the General Command leadership of the Libyan Arab Armed Forces and its tribal patronage network (accurate as of 2019), all of whom are considered Bedouin tribes.

These structures were designed in coordination with Aguila Saleh, the Speaker of the HoR parliament and the LAAF's Supreme Commander of the Armed Forces. Saleh is key to the rise and structure of the LAAF. He appointed Haftar in March 2015, and by his own volition designed much of the LAAF's tribal command structures in order to purchase Bedouin tribal loyalty into the LAAF.

Haftar's attempt to resurrect the Jamahiriya system is not limited to the tribal re-engineering of the lower tier LAAF using the SPC. Haftar has also tried to mirror Qaddafi's regime maintenance system through establishing his own upper tier elite praetorian guard. These brigades are designed to protect Haftar's power from any political or military challenge to his

authority and to ensure his own primacy over the LAAF. This elite force is better equipped than the LAAF and composed of exclusively loyalist military brigades such as the 106th and 166th led by Haftar's son Khaled Haftar and son in law Ayyub Forjani.

Despite establishing and empowering the LAAF, Haftar has faced major challenges to his authority from his lower tier army. Haftar has deployed the praetorian guard to arrest a key dissenting LAAF commander Faraj Qa'aim in 2017, who issued Haftar an ultimatum to leave eastern Libya within 48 hours.

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> **Haftar's attempt to resurrect the Jamahiriya system is not limited to the tribal re-engineering of the lower tier LAAF using the SPC. Haftar has also tried to mirror Qaddafi's regime maintenance system through establishing his own upper tier elite praetorian guard.**

Lost in translation: How language conceals tribe and tribulations

The LAAF's construction of a tribal patronage network and the resulting ethno-tribal divisions caused by the war are often concealed by counter terrorism rhetoric designed to appeal to the West. These divisions are often missed in English language commentary by observers and journalists alike who adopted simplistic language in their description of the battle and belligerents such as 'army', 'islamists' or 'terrorists'. An example of this is how Operation Dignity's battle against Benghazi's revolutionary groups was often described by LAAF commanders as the Libyan 'army's war on terror against "Islamic State" in English to Western journalists but in Arabic by pro LAAF media as a battle against "Turks and Jews", an often repeated slur against Benghazi's armed groups and residents of Misratan heritage and their perceived ethno-tribal ancestry.

The LAAF's own commanders routinely used this ethno-tribal framing of Bedouin instead of 'army', and Turks instead of 'terrorists' to define the battle in Benghazi. Khaled Bulghib, a commander in the LAAF in a video circulated on social media in 2015 appealed to the "Libyan Bedouin to burn the homes, confiscate the businesses and displace the Turkish Misratans" from Benghazi during Operation Dignity. Beleid Sheikhi, the head of the LAAF's SPC in a meeting of Bedouin tribal elders ahead of the BRSC's last stand in Benghazi's Ganfouda neighbourhood in 2017 used similar descriptions but went even further. Sheikhi stated that Ganfouda's residents including non-combatants, women and children above the age of 14 "would not exit (Ganfouda) alive". The LAAF later published videos of their fighters in Ganfouda mutilating the corpse of a 75 year old woman on social media, in an incident being investigated as a war crime.

These divisions and crimes are often lost in translation, and

rarely makes it into English language commentary in favour of counter terrorism language that appeals to Western policy maker's eager to see progress in the global war on terror. The consequences have been disastrous for dissidents of Haftar who remain in Benghazi's, often rounded up by the intelligence services and police as "terrorists sympathisers", and the 100,000 civilians displaced from Benghazi to Western Libya according to the UN, who the LAAF spokesman has dismissed as 'families of terrorists' who ran away from Benghazi.

Patronage in practice – the LAAF and its role in politics

Despite the early popularity of Haftar's operation amongst parts of eastern society, and belief it would be secular and neutral, the LAAF has become deeply involved in daily political life and transformed the socio-political dynamics of eastern Libya, establishing a deeply authoritarian environment as a result. Haftar has openly claimed Libya "is not ready for democracy". The LAAF has routinely replaced democratically elected municipal officials across eastern Libya with their own military appointees. The LAAF has also reactivated the ex-regime's intelligence apparatus establishing a 'police state' in order to monitor and quell social and political dissidence that it deems threatening. The LAAF is particularly allergic to political dissidence. The most high-profile case is the disappearance of Benghazi's elected member of parliament Seham Sergewa in July 2019. Ms Sergewa disappeared from her home in Benghazi after publicly criticising the LAAF's attack on Tripoli. The armed groups that kidnapped the parliamentarian, defaced her home with graffiti that read "the army is a redline" signed by a brigade loyal to the LAAF.

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> **The most high-profile case is the disappearance of Benghazi's elected member of parliament Seham Sergewa in July 2019.**

Despite clear 'early popularity' from parts of the east in 2014 who credited the LAAF for fighting terrorism, the very acts of terror that led to Operation Dignity in 2014 – mysterious assassinations - are now common practice since the end of the conflict under the badge of the LAAF. The corpses of civilians kidnapped by the LAAF from their homes lay mysteriously strewn across roads in Benghazi's outskirts. LAAF commanders commit public executions of handcuffed and blindfolded prisoners. They also employ social media as a tool to intimidate opponents and dissidents; torturing and desecrating bodies and promoting these war crimes on Facebook for likes and shares. It has resulted in the LAAF becoming an authoritarian tribal-members only club, that anyone is free to support, some are encouraged to join, but those living under it are unable to challenge or demonstrate dissent resulting in a deeply repressive authoritarian environment.

© The Independent

Seham Sergewa - Benghazi elected's member of parliament

The GNA – a government without an army

The LAAF's opponents that serve under the GNA's army - in contradistinction are not bound by tribal bonds, patronage or personal political loyalty. Despite the GNA's claims, they are also not an "army", but a complex network of armed groups without strict political loyalty to the GNA, many of who formed during the revolution in 2011.

Protestors took up arms and began to establish armed groups along local communal lines that broadly rejected Qaddafi's authoritarian rule and sought to end the Jamahiriya in all its forms. The social and political composition of these groups differ from one to the other, with some having hardline revolutionary values, secular or Islamist views to those who simply established armed groups to represent their cities or local neighbourhoods against Qaddafi's forces during a period of insecurity. They also contain armed groups who emerged as a result of the institutional vacuum, political opportunism and lucrative economic opportunities to exploit in 2011. The absence of a post-Qaddafi unified national military gave many of these new groups opportunities to establish their grip on the nascent post Qaddafi military and security institutions.

Whilst, these armed groups are of a diverse social and political disposition, many used their shared revolutionary legitimacy in a way that led to a widespread belief of militia rule, leading them to become a focal point of grass-roots social and political dissidence. Some of these armed groups began to undermine Libya's first democratically elected government by interfering in politics, most notably in May 2013 when a number of armed groups entered parliament to force through a political isolation law to ban Qaddafi era politicians from holding public office. Today, some armed groups under the

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> **Whilst, these armed groups are of a diverse social and political disposition, many used their shared revolutionary legitimacy in a way that led to a widespread belief of militia rule.**

© New York Times

GNA are also guilty of arresting and shooting protestors during recent anti-corruption demonstrations, which led to armed groups engaging in conflict with each other. With such a divergence and difference amongst the armed groups under the GNA and the absence of a clear patronage network like the LAAF, it is difficult to determine what binds the GNA's network of armed groups together.

These groups have emerged at different periods in Libya's transition, evolved over time exhibiting wildly contrasting behaviour. Interference in politics and economic predation is behaviour that can only be attributed to a limited number of armed groups, but not the entire network. To further complicate matters many of these armed groups have dissolved, been subsumed by larger coalitions or their fighters returned to civilian life after the revolution, thus changing the composition of armed groups and factions over time. Whilst a portion of armed groups remain searching for economic opportunities to exploit, many have become professionally trained units that loyally serve under the GNA and fought under the banner of a successful US-backed counter ISIS campaign in Sirte in 2016.

The rise of Burqan al-Ghaddab – the network of armed groups behind the GNA

A more effective way to categorise the armed groups under the banner of the GNA is understanding what triggers their mobilisation and why they fight. What is often neglected in contemporary discussions of categorizing armed groups in Libya, is the trigger for mobilisation. Not only why regular civilians take up arms, but why they form networks, and why many choose to fight only at specific turning points in Libya's political transition. Today, the latest form of this network of armed groups who mobilised to fight under the banner of the GNA's military operation to defend Tripoli since April 2019 are Burqan al-Ghadab. The Burqan al-Ghadab network cannot be categorised by any unifying tribal or ethnic composition like the LAAF and does not possess a rival SPC to establish tribal bonds. They adhere to the GNA's military chain of command but are not bound by a personal loyalty to Fayez Serraj, with some having fought each other, or indeed having fought the GNA itself in the past. The critical centre of gravity that binds these groups ideologically, triggers their autonomous mobilisation and establishes their formidable unified power on the ground, has been the threat of authoritarian rule.

This ideological threat is the vital political lightning rod that crucially led to the mass-mobilisation of forces across the country from an amalgam of ethnic, tribal and politically diverse groups to defend Tripoli from Haftar's power grab on April 4th 2019. The nature of the threat even served to mobilise civilians who had never taken up arms and fought before to join the coalition. This rejection of authoritarian rule is not only the key driver of the conflict and trigger to pick up arms, but key to understanding the GNA's military power and the current ideological fault lines in Libya. The surge of forces under Burqan al-Ghadab that mobilised to Tripoli goes beyond any surface level rejection of Haftar or embrace of Serraj. It is rooted in a fundamental rejection of authoritarianism, a deep memory and experience of the Jamahiriya, and rejection of its latest incarnation of Haftar's LAAF.

The deeply embedded ideological drivers within these rival networks and structures of armed groups are both the source of the GNA and LAAF's power on the ground, and the political fault line that divides the country. These structures remain deeply incompatible at a structural level and irreconcilable at an ideological level, an issue the current UN-led political talks and military unification fails to address.

> **It is rooted in a fundamental rejection of authoritarianism, a deep memory and experience of the Jamahiriya, and rejection of its latest incarnation of Haftar's LAAF.**

Regional Geopolitics: The role and reasons behind the UAE and Turkey's intervention

The local networks of armed groups and actors are not alone in their ideological incompatibility, this also extends to their international backers and their respective political projects in Libya. The April 4th 2019 civil war is not only a critical chapter for Libya's rival factions, but the unveiling of a decade long geopolitical battle sparked by the revolution in 2011 and its latest ideological fault line as international players squared off in direct military combat against one another in Libya for the first time in April 2019. The LAAF's power grab was supported by the UAE and conversely the GNA's defence of Tripoli was supported by Turkey, and as the conflict has developed the ideological differences to the rival local factions and foreign sponsors alike have become more pronounced.

Libya's local factions have received years of military support that influenced the conflict dynamics, but the role of the international actors has dramatically changed in recent times and surpassed levels that could be described as assistance. Both Turkey and the UAE have invested and deployed ground troops, drone forces, air defences, armoured personnel vehicles and violated the arms embargo to supply military hardware and ammunition on the ground. These rival foreign states are no longer playing a supporting role, they are in the driving seat of the conflict. Foreign powers may dictate the frontlines and ceasefires of conflict as much as the local factions, but they can also shape the diplomatic processes that establish peace and determine the political outcome as a result. Turkey, co-sponsored the Moscow political talks where they hosted Serraj and Haftar in January 2020 days prior to the Berlin talks. The UAE have also convened Serraj and Haftar for UN brokered talks in Abu Dhabi in February 2019 in an attempt to unify the GNA and LAAF in political talks prior to the offensive. The degree to which the rival international players are directly involved in shaping both conflict and peace, illustrates the significance of the final political outcome in Libya.

Foreign actors have been drawn to Libya for a variety of economic motives and geo-strategic reasons, but little is written about the deeper underlying ideological objectives that have drawn foreign sponsors to exclusively support either of the two rival political factions and their networks of armed groups in Libya.

Turkey and UAE intervention within Libya

> **The LAAF's power grab was supported by the UAE and conversely the GNA's defence of Tripoli was supported by Turkey, and as the conflict has developed the ideological differences to the rival local factions and foreign sponsors alike have become more pronounced.**

What is the UAE doing in Libya?

The LAAF has received backing from France, Russia, Egypt and Saudi Arabia, but the UAE remains its largest and longest serving military sponsor. Its political motivations for doing so are complex and not readily identifiable. Libya is thousands of kilometres away from the UAE and shares little more than language and elements of Arab culture. Nevertheless, the UAE have been deeply invested in Libya and supported Haftar's rise since he first established the LAAF in 2014, and attempted to overthrow Libya's first democratically elected parliament. The UAE's motives are not personal, and not tied to the personality of Haftar, but is at the deeper structural and ideological level of the LAAF. The UAE has provided years of essential military support and supplies to first establish and empower the LAAF but also encourage its expansion across Libya's vast territory since its inception. According to the Pentagon, the UAE secretly deployed F-16s to LAAF affiliated brigades in Tripoli in 2014. They delivered the first drones in Libya's civil war to assist the LAAF's ground offensive and capture control of

eastern Libya in 2016. They went on to establish the first foreign military base at Al Khadim in 2016, a sign of their military commitment to Libya, and the first foreign military base in the country's history since Qaddafi expelled the US military from Wheelus airbase (now Mitiga airport) in 1970. It is often believed that the UAE's foreign policy is exclusively motivated by counter terrorism. This belief posits the UAE's political and military support for Haftar and the LAAF as exclusively driven by a desire to establish a "secular" force in Libya through counter-terrorism and a fear of 'Islamist dominance'. This policy has come under scrutiny for Haftar's overt anti-democratic political objectives, but also the role and rise of the LAAF's Salafi-Madkhali armed groups. These Salafi armed groups have deeply held religious views they seek to promote across Libya's society, a rigid anti-democratic outlook, and have exponentially grown in number and power as a result of the UAE's support to the LAAF as a direct contradiction of this policy.

© BBC

F-16 fighter jet

Why has the UAE intervened in Libya?

The UAE's policies in Libya are rooted in a deeper fear that goes beyond single Islamist actors and extends to the impact of the Arab Spring on Libya's political culture. The source of the UAE's political anxiety towards Libya's revolution was the uncompromising belief and speed at which it's revolutionary adherents tore down authoritarian regimes under the guise of democratisation. The UAE conceals its fear of democratisation behind an exclusive fear of Islamists and justifies its aggressive foreign policy engagement in Libya and anti-democratic policies at home by framing them as 'counter terrorism'.

This fear extends beyond Libya or specific political parties, but is rooted in a fear of how "the UAE may be infected by the Arab Spring". Firstly, it is how political parties of all ideological shades - liberal or Islamist - sought to establish a new competitive democratic space in order to take power through elections by toppling authoritarian regimes. Secondly, it is the emergence of new grassroots forces, and the socio political culture of dissent that emerged as a result of the Arab spring and how these groups and this culture challenges the authoritarian social contract and political environment that is even more threatening. The formation of new civil society actors and socio-political movements has reshaped how societies organise themselves across the region. How they view their relationship with authoritarian power structures and promotes a culture of dissidence through free speech and protest. It is this combination of an emerging political culture that topples authoritarian regimes and a plethora of political parties waiting to replace the authoritarians that has determined the UAE's political outlook since the Arab Spring. This political culture challenges the UAE's own domestic authoritarian view of a silent and submissive society

and its ability to maintain a hold on political power.

This fear is the driving force behind the UAE's shift in domestic and foreign policy, and their use of counter terrorism as a justification. The UAE has come to define terrorism both at home and overseas in a way that severely limits freedom of expression and limits challenges to its authoritarian power. In August 2014, the UAE passed a domestic anti-terrorism bill that gave the Emirati authorities the power to prosecute its own citizens and residents as terrorists and punish them under the penalty of death or life imprisonment for actions defined as "undermining the stability, sovereignty, or security of the state" and "undermining national unity and social peace". This legislation also gave the Emirati authorities the ability to imprison anyone who "publicly declares his animosity or lack of allegiance to the state or the regime". This new ideological definition of terrorism has become the central tenant of domestic regime maintenance and their foreign policy in Libya since 2014.

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Why the UAE's options are limited by ideology in Libya

This ideological driver is key to understanding what has drawn the UAE to Haftar as a partner who shares their ideological view, and the LAAF as the socio-political foundation and structure of their ideological project. The GNA as a political and military force conversely is ideologically incompatible. The PC's structure and nine member pluralist composition renders it incapable of representing a single ideological view, but would also capable of holding a military to subservience. However, it is the GNA's complex network of armed groups that are the clearest obstacle and root of this ideological incompatibility. A small number of armed groups have defected from the GNA to the LAAF in the past several years of conflict. However, the overwhelming majority and most powerful in this network - Burqan al-Ghadab - mobilised as a unified force under the GNA in clear ideological opposition to Haftar, the LAAF and the UAE's ideological vision for Libya on April 4th 2019, as they did in February 2011 during the Arab Spring. This ideologically incompatibility not only renders these groups incapable of the UAE's support, but means they are the target focus of the UAE's military force and foreign policy.

The UAE's ideological role and vision in Libya is also crucial to

Crown Prince Sheikh Mohammed bin Zayed

understanding the UAE's engagement in Libya's political unification talks and their desired outcome. The UAE has on occasion engaged the GNA's Prime Minister Serraj since 2016, but only insofar as it may use negotiations as a means to unify the LAAF (considered politically illegitimate) with the GNA who possess international political legitimacy. Whilst this would help their preferred partner Haftar and his political career, the move would be short lived. Haftar at the age of 76 would become legitimised by the process, but the LAAF would be institutionally legitimised beyond his life and political career. The UAE is ideologically not personality driven. The UAE is more invested in the survival of the LAAF as a structure and institution through which to carry its ideological vision in Libya than it is to Haftar's own personal political survival. The UAE has prioritised the preservation of the LAAF's integrity and territory in eastern Libya through military force in order to preserve and prepare it for political talks and unification, even at Haftar's expense.

The UAE strategically dropped its support from the Tripoli offensive operation in Tripoli, causing the offensive to collapse at significant personal cost to Haftar. However, the UAE did not withdraw all together from Libya, but shifted its military focus from Tripoli to the city of Sirte, the gateway to eastern Libya and the LAAF's stronghold where they have drawn a redline using their drone force to block the GNA's military advance. Had the GNA advanced through Sirte, the LAAF may have been weakened through military force or destabilised by the potential of internal defections that emerge during conflict. The UAE's most recent military strategy has demonstrated the LAAF's survival as a higher ideological priority than Haftar's own political survival ahead of the UN's talks.

> " The UAE is ideologically not personality driven. The UAE is more invested in the survival of the LAAF as a structure and institution through which to carry its ideological vision in Libya than it is to Haftar's own personal political survival.

What is Turkey doing in Libya?

The UAE's principal international rival in Libya is Turkey, who are the GNA's main military sponsor. Turkey like the UAE are drawn to Libya for more than just economic incentives, but ideological reasons too. Turkey have only recently established themselves in the past 18 months as a key player in Libya despite their long-standing history during the Ottoman Empire with the country and years of military involvement. Turkey had previously joined the NATO campaign in 2011 to topple the Qaddafi regime, but was reluctant to do so, coming months after the UK, France and US-backed operation and resulted in them only playing a minor military role. Turkey has often been accused of playing a role in Libya since Haftar's emergence in 2014, with suggestions they supported Haftar's political and military opponents – often labelled as Islamists. However, this assertion fails to establish with whom Turkey has had a clear strategic relationship with. Turkish foreign policy had been lost for years, and their relationship with the GNA was virtually non-existent until Haftar's April 4th offensive. In fact, during the last major diplomatic talks between Serraj and Haftar in Italy prior to the April 2019 civil war, Haftar arrived and refused to participate in talks unless Turkey's and Qatar's - the UAE's principle opponents since the Arab Spring and early players in Libya's revolution - foreign ministers were excluded from talks. Serraj continued the political talks in the presence of all other international parties despite Qatar and notably Turkey. The forced absence from the talks, and the GNA's continued presence at them illustrates Turkey's distance from and political irrelevance to the GNA prior to the April 2019 war. Nevertheless, Turkey intervened to support the GNA during the conflict and has since forged a strategic relationship with the Libyan government as a result of a maritime memorandum of understanding signed in November 2019. On the surface this strategic relationship is deeply transactional and opportunistic. Turkey offered the GNA a military lifeline deploying Turkish backed Syrian mercenaries and drone technology that took them from the brink of collapse into a formidable political and military force. In exchange, Turkey has received the GNA's blessing for new maritime demarcation lines between Libya and Turkey that challenge Greece, Cyprus, Egypt and Israel in the extraction of lucrative gas reserves in the eastern Mediterranean. However, whilst geostrategic and economic motives have drawn Turkish foreign policy to Libya, it does not explain what has drawn them to the GNA's survival and their network of armed groups as a strategic partner and why for years they have been resistant to Haftar, or the LAAF especially as the MoU according to Turkey is a 'binding obligation of the state' irrespective of which government is in power, or whether the GNA is overthrown.

Why Turkey's options are limited by ideology in Libya

Turkey's ruling Justice and Construction party (AKP) are often labelled as Islamists, a designation the party publicly rejects, and one often at the centre of attempts to understand Turkish foreign policy in the region and in Libya. Whilst conservative in outlook, the AKP upholds the belief in secular rule maintaining a political engagement less defined by theology as they are by their historical experience of Turkish democracy and civil-military relations. For the AKP, it is electoral democracy and their inability to contest political power through any other ideological setting or political space that is key to understanding their foreign policy engagement and who they work with in Libya. The AKP's experience forms part of a deep tradition across Turkey's civil society and democratic political parties of resisting military rule over four military coups between 1960 and 1997. The AKP has held firmly to the widely held Turkish political position of military subservience to elected civilian rule, and is part of a broad consensus amongst Turkish political parties and society that reject military interference in politics. The latest example of this was Turkey and the AKP's own personal experience of an attempted military coup in 2016, rejected across Turkish society and by the majority of political parties despite their fierce opposition to the AKP. This recent experience has left a mark on Turkish society, not least for the resulting purge across civilian and military institutions led by the AKP, but also because the party has hinted the coup was funded by the UAE, marking a deterioration in relations between the two powers since 2016.

For Turkey's AKP the most recent attempted coup in 2016, decades of experiencing military coups since 1960, and regional examples of military coups such as Egypt in 2013 and Libya in 2014 have established a deep ideological fear; The AKP and Turkey's democratic parties fear and reject military rule, cannot exist in a political system where the military interferes in politics, and are uncomfortable in a region where militaries rule. This democratic political outlook has become part of a wider ideological battle across the region between the UAE and Turkey, and has led to a collision in Libya.

The UAE's cultivation of military rulers that mirror their ideological outlook across North Africa has directly targeted both Turkey and specifically the AKP. The UAE's cultivation of a particular brand of authoritarianism and partnership with actors and institutions that restricts political participation under the guise of counter terrorism and anti islamism, and even anti Ottomanist rhetoric has limited Turkey's ability to find suitable political partners to engage and ideologically compatible states with whom they can establish strategic relationships in Libya and the region. Libya's divided political actors and rival network of ideologically driven armed groups perfectly illustrate Turkey's options in a binary ideological landscape where the options are largely limited to military or civilian rule.

Recep Erdoğan - AKP leader and President of Turkey

> On the surface Turkey's military assistance to the GNA was transactional, but its offer to construct the GNA's network of armed groups Burqan al-Ghadab into a 'regular military' is both strategic and ideological.

The presence of huge potential economic opportunities in reconstruction and geo-strategic maritime interests has naturally drawn Turkish foreign policy to Libya and the need to establish a deep political relationship with Libyan political actors and strategic relationships with institutions in order to fulfil this economic promise. However, Turkey's own political culture, and Libya's own ideological divisions limit the available options for engagement.

Despite Serraj's own personal proximity to the UAE until five weeks prior to the offensive, Haftar and the UAE's attempt to overthrow the GNA by force established the first ideological entry point for Turkey to forge a political relationship with Serraj and a strategic relationship with the GNA's military forces in Burqan al-Ghadab.

This strategic relationship with the GNA is not only economically lucrative, but a means of opposing the UAE's ideological project in Libya through Haftar and the LAAF. The LAAF and its leadership's desire to play a political role in Libya make it ideologically incompatible with Turkey's political vision in the region, its domestic culture of military subservience to elected rule and hence an unsuitable local partner. The GNA whilst not democratically elected, is a pluralist civilian body and ideologically a better fit for Turkey and its desired vision in Libya. On the surface Turkey's military assistance to the GNA was transactional, but its offer to construct the GNA's network of armed groups Burqan al-Ghadab into a 'regular military' is both strategic and ideological. Turkey's defence minister has pledged to construct the GNA's military institution and transform this network of armed groups into a "regular army", a move that would undoubtedly construct a militarily consistent with Turkey's own political culture and compatible with Ankara's vision in the region.

The UAE and Turkey's ideological rivalry and incompatibility in Libya

Turkey's foreign policy and political vision in Libya is rooted in its geopolitical rivalry and deep ideological incompatibility with the UAE's foreign policy and contrasting ideological vision in Libya. Turkey's construction of a regular military requires a deconstruction of any tribal networks or personal political loyalties to ensure its subservience to civilian rule, neutrality and immunity to political interference. In contrast, the UAE's project relies on it. The UAE's support for the LAAF is constructed around political privilege and tribal loyalty in the military to establish authoritarian rule and stifle grass roots dissidence. The LAAF's military is not subservient to civilian rule but subservient to Haftar, or specific political personalities like Aguila Saleh who have worked behind the scenes to construct the LAAF. The LAAF is kept inline by a praetorian guard built around personal and religious loyalty to Haftar, not the state, to ensure it preserves the authoritarian ruler in case of a political change or military challenge. The UAE and Turkey's support of and long term design of rival military institutions, structures and oversight mechanisms are irreconcilable, and their ideological outlooks incompatible at the most basic level.

Ideology is important for both actors. For the AKP and Turkey's political parties in the absence of a democratic space they would cease to exist as a political force. For Turkey's ruling AKP, their own political survival is inextricably linked to electoral democracy and democratic structures in a way that for the UAE's ruler Crown Prince Mohamed Bin Zayed his own regime maintenance is inextricably linked to authoritarianism and authoritarian structures. The UAE and Turkey's drones and mercenary forces are in a stalemate at the central city of Sirte dividing Libya geographically between East and West, as well as ideologically. Their strategic ideological relationships and contrasting visions of the state are neglected by the UN's proposed framework for dialogue ahead of the military unification talks that could lead to a return to conflict after any political deal.

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Why the unification talks need to address power and ideology

The GNA and LAAF's unification process has begun after military representatives of the rival factions under the auspices of the UN announced a permanent ceasefire in Geneva. The next steps of the formal unification process will begin using the dialogue framework agreed in Berlin – the 5+5 process. The process will conclude with a new unified government, unified economic institutions, unified military but also the establishment of a reconfigured "functioning Presidency Council". The two most important negotiation tracks that should address the ideological concerns that lead to renewed conflict are the military unification talks and the negotiations to establish a new PC.

The unification track has already begun to employ the UN's previous political logic of compromise through inclusivity and representation in Skhirat in 2015 in its consultations, but they remain at the margins of the key negotiations over the PC. The UN will convene 75 Libyans in the Libyan Political Dialogue Forum (LPDF) on November 6 in Tunisia "based on the principles of inclusivity, fair geographic, ethnic, political, tribal, and social representation" for wide ranging consultations. Whilst these specific participants are asked to 'refrain from holding high institutional post or position' until elections, in all likelihood the process and selection of the next transitional government of national unity will employ the same political, ethnic, tribal and regional logic of inclusivity used in the LPDF's selection and Skhirat's consultation process to select and form a new government at a later stage with different participants. What is notable about the scheduling of the LPDF as the first phase of the political process is that it is almost identical to the political process in the days leading to Haftar's assault on Tripoli on April 4th 2019. The UN scheduled a similar dialogue - the National Conference for April 15th 2019 – to convene actors from across Libya for consultations, schedule elections and ceremonial agreement to end the transitional period in parallel to Haftar's final round of negotiations in Abu Dhabi to reform the PC and unify the LAAF with the GNA until Haftar abandoned talks in favour of an offensive on Tripoli. The LPDF, like the National Conference is similarly designed to bring together a diverse range of political and civil society actors whose consultation by the UN is a means of also acquiring a broad base of social and political legitimacy to the unification process and end the transitional period. However, the consultations are separate and parallel to political negotiations over a new PC sparked by Serraj's resignation from the PC in September. The LPDF dialogue and consultations are an essential opportunity to discuss institutional arrangements, but they are distinct

and separate to the negotiations over the most fiercely contested institution of power that led to the conflict - the PC – and its reconfiguration that along with the military track will determine the ideological character of the state. Given the role and composition of the PC as Supreme Commander of the Armed Forces has been Haftar and Saleh's primary grievance with the GNA, the focal point of diplomatic negotiations between 2017 and 2019 and the ideological fault line at the centre of Haftar's attempt to overthrow the PC prior to the April 2019 war, its absence from the LPDF's remit should be cause for concern.

> **What is notable about the scheduling of the LPDF as the first phase of the political process is that it is almost identical to the political process in the days leading to Haftar's assault on Tripoli on April 4th 2019.**

Why reforming the PC delays but may not prevent conflict?

It is likely to assume the political process to reconfigure the PC will return to the UN's 'Plan B' approach established during the Paris and Abu Dhabi talks between 2017 and 2019 in order to overcome the ideological hurdle of the LPA by reconfiguring the PC in a form the does not challenge the LAAF.

The Berlin process' has left the criteria for a 'functionable reconfiguration' ambiguous. Given the framing of past negotiations over the PC and its rejection by Haftar and Aguila Saleh in his capacity as the HoR's chief, a functional PC will likely need to meet Haftar or Aguila Saleh's criteria before it can be accepted. Saleh's role in the construction of the LAAF is often overlooked given Haftar's notoriety. However, Saleh not only appointed Haftar as the LAAF's chief and legitimised his counter terrorism Operation Dignity but 'formed the LAAF's key structures such as the General Command and General Staff', the key structures within the LAAF which formally established and embedded the LAAF's tribal patronage network. His criteria for a 'functioning' PC and Supreme Commander of the Armed Forces will likely have the preservation of these structures in mind. It is unlikely the first Abu Dhabi proposal of October 2017 for a reformed three person PC to include the HoR's chief and the head of the LAAF would be acceptable. However, Saleh proposed an eight-point proposal to end the transitional phase in April with a reformed three-person PC to represent Libya's three historic regions – Tripolitania in the West, Cyrenaica in the East, and Fezzan in the South. Saleh's proposal appears as a given each region would decide its own member of a mutually agreed PC. However, it

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proposes that Libya's informal and unelected tribal forces play a central role in voting to determine each region's representatives of the PC instead of a ballot system that lets its citizens choose, ensuring the LAAF's tribal network in Eastern Libya are able to nominate a variety of candidates in the PC to preserve the LAAF. Secondly, the initiative proposes the LAAF as the military and that "no party will undermine them in any way", in a move that would rebuff attempts to reform or restructure the LAAF. Thirdly it gives the LAAF considerable power beyond the PC - to nominate a Minister of Defence to the government, whilst the HoR remains in its capacity as the parliament to decide to accept or reject the government as it has for six years. This proposal promotes tribal networks cultivated by the LAAF's SPC or linked to the former regime's authoritarian patronage structure to determine the composition of the new PC. It placates the LAAF's desire to be an autonomous military, without interference or challenge by any party and managed by a designated minister of their choice in a new cabinet.

Including Saleh or Haftar in negotiations over the PC is an essential component to ending the conflict, but at what future cost for Libya's state? The current negotiations to determine a new PC and Supreme Commander of the Armed Forces not only fails to address the reasons behind years of political resistance in relinquishing control and authority

of the LAAF, but how this very same obstacle will undoubtedly return in the near future and resume a new conflict along the same old fault lines. If a political track and peace deal negotiated in Geneva in 2020 is conditional upon the formation of a new PC and institutional setup acceptable to the LAAF's chief architects and the LAAF itself, how will the LAAF respond to scheduled presidential and parliamentary elections that will replace the negotiated PC and replace Aguila Saleh and the HoR? The negotiations are aimed at ending one conflict over institutional control of the highest position of power in the state and its ability to tamper with the LAAF's structure or authority, but ignores how near term democratic elections will change this setup, or how the LAAF may seek to undermine elections if the process produces an unfavourable candidate. This is the key ideological obstacle in the design of the UN brokered negotiations over the PC, and its unification talks, ensuring that the longevity of military subservience to civilian rule irrespective of the civilian or military chief in charge. It is also the reason why democratic change through Presidential and parliamentary elections in 2021 poses the highest risk to peace and a return to conflict in Libya along the same ideological lines as the current negotiations if the outcome of elections is unfavourable to the LAAF.

Berlin declaration in January 2020

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The pitfalls in the Military Track

This same strategy of resistance to any structural change over the authority of LAAF in the PC, is likely to return during the negotiations and process of implementation in the military track. The LAAF accepted participation in the unification track in Geneva as a result of a process that offers them vital institutional and political legitimacy and culminates with the lucrative UN international recognition of the GNA as a result. However, in the implementation of the process that unifies the rival military networks the LAAF leadership will likely rebuff attempts at structural reform that threatens their tribal composition and ability to function as a patronage network. Politically loaded language in the Berlin declaration in January 2020 and articles of the Geneva permanent ceasefire agreement released in October are signs of this strategy. It is this use of language that will likely embolden the LAAF resistance to structural reform of its patronage network and the weaponization of the language in the process to dismantle their opponents who rejected the LAAF's power grab on April 4th 2019.

The challenges of unification: Why the LAAF could resist reform

The Berlin declaration calls for a "comprehensive process of demobilization and disarmament of armed groups and militias in Libya". The Geneva permanent ceasefire and 5+5 committee agreement in its declaration in October has also stated it will "Immediately start identification and categorization of armed groups" in preparation for their dismantling irrespective of their status. A disarmament, demobilisation and integration programme is essential to establishing a unified military, but the term 'militia' is a politically loaded term used regularly by the LAAF to categorise and delegitimize armed groups not within their network. The term lacks such little meaning that pro Haftar media outlets labelled Tarhuna's armed group the 7th force a 'militia' in 2018 until they switched political allegiance to Haftar in 2019, and were henceforth referred to as the 'army'. The Berlin declaration and permanent ceasefire agreement unwittingly reinforces this politically loaded language, which could be weaponised in its implementation on the ground.

The LAAF and their supporters will resist attempts to dismantle the core network of their armed groups once the process of de-militiafication is in motion by insisting (as they have) that the LAAF are a 'regular force' with a regular command structure. This reluctance to reform is based on the fear that dismantling their forces could destabilise the LAAF's and erode the tribal glue that holds its authoritarian patronage network together, and crucially weaken the future source of their political and military power. There are a small portion of armed groups within the LAAF that would likely be sacrificed to demonstrate their participation in the implementation. Informal movements and subgroups that contain criminal elements such as the 'avengers of blood' group whose human rights abuses have attracted embarrassing international scrutiny on the LAAF are likely to be sacrificed in order to demonstrate constructive engagement with the process. However, powerful armed groups like the Saiqa special forces, considered a regular armed group, whose members are wanted by the international criminal court in The Hague for war crimes are likely to be preserved. The LAAF has a vested interest in sacrificing groups and movements whose informality has no impact on the core structure of the LAAF.

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However, it is the tribally inspired and religious groups, whose presence within the LAAF's structures serves an ideological and authoritarian purpose that are likely to be beyond reproach and any post-unification efforts to dismantle them as militia.

The most difficult structures and armed groups to reform are Haftar's praetorian guard, who are designed, led and structured around his personal protection. These forces are primarily led by Haftar's family who are bound to him through familial loyalty, and many of their Salafi-Madkhali forces under their control that are bound by a fatwa issued by a Saudi cleric demanding their loyalty to fight under Haftar's command. How will the military unification talk and implementation address the Pretorian guard? How will it reform each structure's discretely embedded ideological loyalty to either tribe, father or fatwa into a neutral military, loyal to a new unified state?

> **However, it is the tribally inspired and religious groups, whose presence within the LAAF's structures serves an ideological and authoritarian purpose that are likely to be beyond reproach and any post-unification efforts to dismantle them as militia.**

The 5+5 military commission headquarters in Sirte, Libya

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The challenges of unification: Why Burqan al-Ghaddab could resist reform

The GNA's network of armed groups under Burqan al-Ghadab also possess a number of groups with tribal orientation, religiously inspired and even criminal background worthy of the label militia. GNA ministers have even gone as far as to use the term militia to describe armed groups under their own control. These groups should be dismantled, and it is likely that many of these armed groups will be sacrificed in any implementation of the Geneva talks. However, the bulk of Burqan al-Ghadab's network of armed groups are not a tribal authoritarian patronage network constructed and bound along ideological, tribal or religious lines like the LAAF. It is an amalgam of forces that mobilised and cooperated militarily as a national force under the GNA to reject the LAAF's tribal patronage network and a return to military rule. The core ideological fear of this network is the return of military rule and the resurrection of the Jamahiriyya system. Many of these groups may accept a surface level unification with the LAAF if they believe a new unified state can bring the LAAF to heel under civilian oversight as they were promised during years of negotiations between the GNA and Haftar. A minority of the GNA's transactional or economically driven groups may even be inclined to co-operate or join the LAAF, like in the case of Tarhuna's forces who defected from the GNA to the LAAF 24 hours prior to the April offensive on Tripoli.

However, much of the Burqan al-Ghadab's network's fighters will likely reject the unification and return home or fiercely resist the implementation of the unification. Any post-unification process that de-facto weakens and delegitimises Burqan al-Ghadab's forces from the outset as a band of 'militia' requiring dismantling and conversely strengthens and legitimises Haftar's tribal patronage network as an 'army' worthy of preservation will likely be rejected. Many powerful groups and commanders in Burqan al- Ghadab who fought Islamic State in 2016, refused to participate in Egyptian brokered reunification talks in 2018 that had the same goal as the Geneva military unification. These same commanders may feel the same about the current process. The primary obstacle to any unification will be based on structure and subordination of the rival groups. The LAAF's director of mobilisation Maj General Khaled Mahjoub claimed on television on September 28th that an agreement had been reached for unification "under the banner of the LAAF's General Command," the strategic command structure that governs the LAAF's tribal patronage structure. This conflict over the command structure in a unified military could be one of several factors that leads to resumption of the conflict. The process mandates that Libya's 'militias' particularly those under the GNA must be disbanded. However, given that many of Burqan al-Ghadab's armed groups may demobilise and return to civilian life without waiting to be disbanded and without voluntarily handing over their weapons. If they do, the armed

groups and conflict lines in Libya may lay dormant, until awoken by a political lightening rod moment as they were on April 4th 2019. There is a history of armed groups in Libya who have followed this pattern of demobilisation and dissolved. Shortly after the revolution, the Libyan programme for reintegration and development vetted over 200,000 fighters who participated in the conflict and identified 162,702 former fighters who did not want to join the military and sought a route back to regular civilian life. The number of fighters in Burqan al-Ghadab are much lower, but many will likely follow suit and return to their civilian lives irrespective of what the Geneva talks offer them. There is no guarantee however that they would not return to conflict along the same ideological lines as in 2011 or 2019 should the threat of authoritarianism return. Many of these fighters and groups in Burqan al-Ghadab will keep a close eye on the political talks and measure the results of the unification talks to ensure it addresses the reasons they picked up arms. Many could be prepared to take up arms again if it does not.

> " Any post-unification process that de-facto weakens and delegitimises Burqan al-Ghadab's forces from the outset as a band of 'militia' requiring dismantling and conversely strengthens and legitimises Haftar's tribal patronage network as an 'army' worthy of preservation will likely be rejected.

Conclusion and recommendations

The UN brokered unification in October 2020 talks fail to address the ideological differences and rival political cultures and visions for the state between the rival factions at the political and military level that have been at the heart of Libya's conflict and have resumed it several times since 2011.

Firstly, the military track is sequenced and designed in a way that may be weaponised and offers political as a reward for participation in the talks, but not its successful implementation. The implementation is framed in a way that preserves the LAAF and structured in a way that will likely take many months if not years to successfully disarm Libya's armed groups, particularly those who either reject the LAAF and return home, or resist and potentially face coercion by this new force. However, the reassignment of institutional legitimacy and its political designation is not based on the unification's implementation. It is based on the announcement of a political deal that will likely conclude before the end of 2020. This sequencing strategically shifts legitimacy to an unreformed LAAF without addressing how this may affect their political behaviour after they receive it. The LAAF's leadership may simply resist institutional efforts at reforming their authority, command or tribal structure after receiving a new lease of political life and legitimacy. The offering of

legitimacy to an LAAF with a history of resistant to structural reform could spark a return of hostilities after the announcement of a new PC and during the implementation of the military unification agreement.

Finally, the political unification talks will conclude with a reconfiguration of the PC that in all likelihood accommodates the years of demands by Saleh and Haftar, and their international backers since 2017. If as in previous years this new configuration of the PC as the Supreme Commander of the Armed Forces is aimed at replacing the highest civilian authority and check on military power for managed or meaningless oversight by the LAAF's own appointees, there is serious risk of a return to conflict. Not only does the unification talks' new political reconfiguration of the PC contradict the democratic principle and doctrine of military subservience to civilian rule, it disregards Libya's long term democratic future to for the short term illusion of peace. The end of hostilities and peace will likely be short lived in the event of presidential and parliamentary elections scheduled for 2021 that will replace the LAAF's appointed delegates and authority in the PC and the HoR.

The unification efforts offer the promise of peace but no guarantees to ensure it. Its mechanisms fail to address the contrasting political cultures and visions

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of the rival factions, their discrete loyalties, and power structures that induce authoritarian behaviour and trigger civilians to take up arms and resist it that has led to years of protracted conflict. The reconfiguration of the PC and unification of the LAAF is a delicate balancing act of tribal inclusion and recycled institutions, managed in a way that preserves the LAAF and ensures it remains in power as both a military and authoritarian patronage network resistant to subservience of elected civilian rule. It potentially leaves the conflict dormant at the structural and social level that could be triggered by democratic elections or by a refusal to reform to the demands of new institutional structures. The UN has done tremendous work to agree a permanent ceasefire in Geneva. Everyday that the ceasefire and peace is upheld is a day that a life in Libya has been saved, and their hard work in achieving this should be congratulated. However, the real challenge in Libya is in achieving enduing peace beyond the unification talks.

Firstly, this paper recommends that a reconciliation process is established in order for Libyans to heal the divisions at the social and political level after years of conflict that has ravaged Libya's social fabric including the former Qaddafi regime. Libya's political and armed factions have committed crimes against one another that date back long before April 2019, and include the former regime's crimes, but also crimes committed against the regime's supporters. These divisions remain Libya's single most lethal weapon in the hands of those who seek to undermine unification, and only a comprehensive reconciliation process

that addresses these grievances can immunise Libya from conflict in the long term. Reconciliation requires remorse, but it also requires remedy and judicial redress that holds all parties to the conflict accountable for their crimes. In a unified Libya, no one, or one party, unified or divided should be above the rule of law.

Secondly this paper recommends that the military unification efforts prioritise and focus on the long term establishment and construction of a neutral military institution over a short term unification that will freezes the conflict or reframes the conflict lines through reassigning legitimacy. This long term process should aim at comprehensive structural reform and the progressive dismantling of armed groups on both sides. The military unification process in article 4 of the permanent ceasefire agreement already aims to reform and dismantle the network of armed groups under the GNA in order to later reintegrate individual fighters into a new single institutional framework. The unification process must do so in parallel to the LAAF. The unification talks are in jeopardy of being weaponised by groups in the LAAF who will resist reform by claiming they are a regular army or by rival groups who claim they must protect the revolution from this irregular army. The only way forward is through a comprehensive process that dismantles both rival networks and restructures and reconstructs a new long term replacement. The LAAF's tribal patronage and command structure – the General Command and General Staff should be immediately dismantled and replaced by a unified and neutral command structure. The LAAF's predominantly tribally

composed armed groups should not be classified or categorised as regular armed groups, but also be dismantled and reintegrated through vetting on and individual basis as per article 12 of the Berlin Declaration. The GNA's powerful armed groups should be dismantled in parallel, in order to demonstrate good faith by both sides. Without dismantling the command structures and discrete local, tribal, religious and political loyalties of Libya's armed groups under both the GNA and the LAAF, the conflict lines may be engendered within a unified institution – unified in name alone. The conflict may continue from within a unified military, or return as legitimacy shifts hands as a result of the political process. The UN should avoid offering or designating political legitimacy to a unified 'work in progress' force until this dismantling and reform process is completed. The process should be overseen by a UN taskforce able to vet the armed groups, commanders and establish the basis for a neutral command & control structure and assist the construction of a neutral armed forces.

Finally the political process must address these irreconcilable political cultures and visions for the state and specifically in the negotiations – the reconfiguration and role of the Presidential Council. Irrespective of how one chooses to view and address the conflict and it's drivers, the rival political factions are not responsible custodians of Libya's state institutions and should

not be rewarded with selecting a new President through negotiations. Attempting to purchase the short term loyalty of political factions and interest groups who seek ministerial posts and positions as a result of their participation in the conflict has been tried before in Skhirat and does not respond to the root driver of the conflict. The single most important conflict has been over the reconfiguration of the Presidential Council, and it's ability to operate and function as a meaningful civilian check on military power. Reconfiguring the Presidency to appease the chief of the LAAF and its chief architect and ally in the parliament will only engender the conflict in a unified state or delay the conflict until Libya's next elections. There is no easy fix for this problem. If the rival factions are given a role in determining the Presidential Council, it should be contingent on their participation and progress being made in the reform and reconstruction of Libya's unified armed forces. Presidential, parliamentary and constitutional elections that replaces Libya's temporary political and institutional custodians should be scheduled as soon as possible, but if this era is to mark a new political chapter and era of peace, the key protagonists in the conflict should be replaced by a reconstructed neutral force subservient to civilian rule, irrespective of the parliament or president Libya's people choose.

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