



COHESION THROUGH DECENTRALIZATION

The rebuilding process in Libya will be complex and arduous but must be done with a focus on local actors and an acknowledgment of the realities on the ground

By Alexander Decina

Before Field Marshal Khalifa Haftar and his Libyan National Army launched the ongoing military offensive on Tripoli which began on April 4, many policymakers and outside observers saw Libya getting back on track. They hoped that the country—despite setbacks, obstinate actors, and entangled foreign interests—was making some progress on the UN-led peace process and emerging from its civil war. In the months to come, this Libya, they hoped, would hold general elections to paper over the split parliament and resume its post-2011 reconstruction that has been delayed for the past five years. Now the ongoing conflict in Tripoli, they fear, has jeopardized this progress.

The fighting in Tripoli has been highly destructive, causing more than a thousand deaths and displacing over a hundred thousand people, and it undermines recent progress made toward peace and reconciliation. Focused and consolidated international efforts are needed to convince warring parties to lay down their arms and come to new cooperative, if tense, arrangements. However, regardless of the outcome, this fight will not change the core features that underpin Libya. If the violent standoff breaks in Haftar's favor, it will not give way to a Libya that is unified and stabilized under his authority. Likewise, if Haftar falters, or if he and his rivals negotiate a ceasefire or the formation of a new interim government, these too will not result in a strong, unified Libyan state.

Efforts to consolidate Libya's political apparatus into a competent central authority have foundered since the Arab Spring. Despite Libyans holding multiple elections, forming governments, and taking the helm of ministries and institutions after Muammar Qaddafi's fall, real power has predominantly remained in the hands of geographically oriented militias—not civilian-led governments in Tripoli. And since 2014, attempts to resolve Libya's ongoing civil war, while lauded by the United Nations and policymakers, have done little

◀ Libyan military commander Khalifa Haftar and Aguila Saleh Issa, president of the eastern Libyan House of Representatives, during an international conference on Libya, Paris, May 29, 2018.
Etienne Laurent/Pool via Reuters

if anything to limit the power of rival militias. Despite agreements signed, a constitution drafted, and new elections planned, unaccountable local militias have grown stronger over the past eight years.

Actors that engage in meaningful reconstruction—be they governments, donors, international non-government organizations (INGOs), or financial institutions—must see Libya as it exists rather than as the state they want it to be. Instead of a country moving forward or backward along a trajectory that leads to a strong, unified, and centralized state, Libya has been, and will likely continue to be, a collection of geographically oriented and well-armed city-states whose factions unite with, disrupt, or ignore one another depending on their proximate interests.

If external actors want to build a more stable and prosperous Libya with more regularized patterns of interaction between these localities, they must tailor their reconstruction to local dynamics instead of major political milestones. Success or failure in the latter may result from, and reflect improvements in, the nature of interactions between Libya's localities and factions, but more often than not they do not override conditions on the ground.

Major donors—the United States Agency for International Development, the United Nations Development Programme, and European donor agencies—already engage in local support that encourages decentralization to some degree, but these efforts need to be expanded and reinforced.

A stronger decentralized approach will be challenging. It will require donors and implementers to understand in greater detail how local actors' interests align and diverge, their capacities and inclinations cooperate with or disrupt one another, and how their proximate objectives can be linked to broader success and stability in Libya. Such an approach is difficult to actualize in any environment, let alone one as fluid as Libya.

This track will also require a new legal framework—which Libya's existing governments could either facilitate or hinder—and assent from competing foreign powers who could disrupt such efforts. Yet, overcoming these challenges can make possible the kind of reconstruction that will help Libyans in both the short and long term. Such efforts will help localities in Libya meet their immediate needs and lessen their dependence on Tripoli, in turn reducing inter-locality and inter-factional conflicts over the capital. This would also allow and encourage these localities to invest in themselves and, in order to expand their capacity and opportunities, build positive, consensual relationships with one another and with Tripoli.

However challenging, a decentralized approach is more feasible than one

that waits until a comprehensive solution to Libya's conflict produces a strong central government. A fully implemented political settlement between competing factions, widely recognized elections, and security sector reform are all desirable outcomes worth pursuing. However, if donors insist on such results before meaningfully re-engaging in Libya's reconstruction, such reconstruction may never begin. Security and economic conditions will deteriorate further, and Libyans will languish as the international community waits on solutions that may never come.

The Early Years: Functionality Amid Fragmentation

In the first few years following the 2011 civil war, Libya's external supporters lauded the country's early political successes. With Western assistance, the National Transitional Council (NTC) was able to take the reins of weak institutions left in Qaddafi's wake and agree on a draft constitution that would serve as a temporary basis for governance. Libya was able to hold its first parliamentary elections since Qaddafi's downfall, replacing the NTC with the General National Congress (GNC), which in turn was able to form a government and hold elections for a Constitutional Drafting Assembly. Hopeful outsiders and Libyans alike believed that, after four decades of strongman rule, a new democratic state was emerging.

Despite these apparent successes, Libya was not on a meaningful trajectory toward a centralized and civilian-led state. As promising as the steps to reform and rejuvenate ministries and establish a central authority in Tripoli may have seemed, neither the NTC, nor the GNC, nor elections, nor fledgling institutions ever made real progress in shifting power from these localities and their affiliated militias. Amid the post-revolution disorder and violence, Libya's localities had to wed themselves to powerful militias and use, or at least threaten, violence against one another or Tripoli in order to promote and protect their interests and ensure they received their share of state revenues. These militias only grew stronger in the first few years of Libya's transition.

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In this period, Libya's attempts at security sector reform meant that institutions in the capital would contract out security, thereby contorting themselves to accommodate militias on the ground rather than reshaping them to accommodate civilian governance. In efforts to incorporate the most powerful militias, the Ministry of Interior formed the Supreme Security Committee while the Ministry of Defense formed the Libya Shield Force. Other entities were formed as well, including the Petroleum Facilities Guard (PFG), the Vital Installations Guard,

the Border Guard, and the Libyan Revolutionaries' Operations Room.

These official umbrellas put Libya's local militias on the payroll but, by and large, allowed them to maintain their local structures. With the central government lacking the capacity for meaningful oversight, most of these units remained effectively unaccountable. These militias grew more powerful with funding and a veneer of legitimacy from the state, and, fearing one another, disarmament was hardly an option.

Despite militia proliferation and the failure to form a strong central government, somewhat normal patterns of interaction emerged, including ones operating at the national level. Though low-level violence continued, the major clashes of 2011 had subsided and, for a time, most armed factions permitted or facilitated state functioning and service provision as long as they were able to draw revenues or otherwise meet their and their localities' proximate interests. If it allowed them to meet these objectives, factions were willing to engage in semi-cohesive partnerships with one another—or at least refrain from disrupting one another's operations—and would cooperate to varying degrees with central authority.

The oil sector provides perhaps the best example of how these dynamics worked. A disparate array of local militias, all contracted by Tripoli, protected fields and infrastructure such that Libya could extract, refine, and export oil. Despite interruptions, the country was able to resume production and reach 1.4 million barrels per day in exports in March 2013, nearly 90 percent of pre-2011 levels. In turn, Libya was able to fill the coffers of the central bank, restore some economic activity, repair some infrastructure, and provide some services. This all took place in a limited, uneven, and non-transparent fashion—contributing to many of the grievances and tensions that still beleaguer the country—but some key institutions were able to function and deliver minimal services.

Though they refused to disband, militias and well-armed localities saw value in the arrangement with Tripoli and the National Oil Corporation (NOC) and, up until summer 2013, most did not want to jeopardize it. These otherwise disparate actors were, for a time, able to establish and maintain semi-regular patterns of interaction. Considering how fragmented and unaccountable Libya's authority structures were and the number of militias and factions Tripoli needed to navigate, the fact that the oil sector and revenue distribution remained functional at any level speaks to the kind of cooperation that can exist among Libya's localities.

Disruption Overtakes Central Authority

Amid the limited cohesion seen in the first few years after the revolution, Libya saw considerable disruptive activity by local militias and their associated political

factions. Taking the form of attacks, kidnapping, political isolation, clashes, and prolonged military campaigns, disruption was in part a byproduct of efforts to centralize the state. With the capital's ministries acting as a choke point for salaries, benefits, and public spending, militias and factions found themselves in violent competition with one another and with policies made in Tripoli.

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Despite the surprising level of cohesion, disruption was also rampant in the oil sector, coming to a head in the summer of 2013.

As a 2015 Crisis Group report details, militias from the northwestern town of Zintan, through their connection to the minister of defense, had been able to gain significant overrepresentation in the PFG, which was contracted to defend oil sector facilities. Zintani gains came under threat in May 2013 when the Muslim Brotherhood-dominated oil ministry withheld its fighters' salaries. In response, Zintani PFG fighters shut down the Sharara-Zawiya pipeline that carried roughly 400,000 barrels per day from the southwestern oil fields.

That June, when the oil ministry still refused to pay, Zintani fighters entered Tripoli and seized ministries, clashing with rival militias in the city, and leaving ten dead. Only then did they receive their salaries. The next month saw even more disruption in the oil sector. After his benefactor, Colonel Ali Al-Ahrash, was sidelined in Tripoli, PFG central regional commander Ibrahim Jadhran shut down the eastern oil crescent, taking 60 percent of Libya's oil offline.

Despite the GNC's attempts to negotiate with him, Jadhran maintained this blockade for nearly a year, demanding greater benefits and later attempting, unsuccessfully, to sell oil independently through the port of Sidra. In mid-2014, Jadhran finally acquiesced and allowed the NOC access to the infrastructure, but only after the GNC provided him 270 million Libyan dinars (roughly \$220 million). With hydrocarbon exports representing the mid- to upper-ninetieth percentile of Libya's revenues, oil infrastructure has been, and will continue to be, a major tool of political leverage that militias can use to extort and exploit the central government.

The Political Isolation Law (PIL) also caused significant disruption and was a key factor that led to the 2014 civil war. In early 2013, armed groups from the northwestern town of Misrata and Islamist politicians and militias pushed for the isolation law, a controversial measure that would prevent members of Qaddafi's regime from holding official positions. Though the law would also target some of Misrata's and the Islamists' own figures—most notably GNC President Mohammed Magariaf, who would later need to resign when the law was implemented—it mainly targeted their rivals in the National Forces

Alliance. In April 2013, militias from Tripoli and Misrata took control of ministerial buildings in the capital at gunpoint, demanding the law be passed, and refusing to relinquish control even after it was enacted.

This would set the stage for Haftar's Operation Dignity. In May 2014, Haftar's coalition of militias, tribal forces, Madkhali Salafist fighters, and former army units—many of whose political benefactors had been sidelined by the PIL or who felt otherwise neglected by the GNC—launched their offensives on Benghazi and Tripoli. Haftar's Zintani allies attacked the parliament building, forcing the suspension of the GNC. Under threat, the GNC agreed to hold elections the following month.

The contested June 2014 elections resulted in the parliament splitting into rival bodies—the new House of Representatives (HoR) in Tobruk and the would-be outgoing GNC in Tripoli. Both bodies appointed their own governments, and loose alliances of competing militias formed around each. The central state that the international community had tried to build up for the past three years had failed spectacularly.

Cooperation Across the Divide

Despite a thus far intractable political divide and continued fighting across the country, competing Libyan factions have been able to establish some normal patterns of interaction in the past few years. Cooperation is particularly apparent in the oil sector and central bank distribution of salaries, which together continue to serve as the backbone of the country. Though militias have competed for control of oil infrastructure, the international community refused to allow the export of oil from any entity other than the NOC, thus forcing cooperation. As the Tripoli-based NOC alone is authorized to sanction oil sales, and as the militias on the ground have the ability to shut down production, each of these parties has some degree of veto power.

Together, these parties have been forced to come to mutually beneficial arrangements across Libya's political divide. They were able to raise oil production to 1.1 million barrels per day in early 2018—up from a sharp plummet when the war broke out in 2014. This enabled the central bank to draw revenues and continue paying salaries to both governments—as it has over the course of the conflict.

This cooperation, however, has not been without significant interruption. Like Jadhran before him, Haftar shut down the eastern oil basin from June to July 2018, demanding concessions from the GNA, and only relenting when he was unsuccessful in selling oil via the rival Benghazi-based NOC. Later, in early 2019, Haftar captured the Sharara and El Feel fields in the southwest. With his new gains, Haftar now has the ability to take the overwhelming majority of

Libya's oil production offline—giving him significantly more leverage over the NOC.

Although this new balance of power threatens previous arrangements, the oil sector has, thus far, proven mostly resilient. Even with Haftar's ongoing assault on Tripoli, Libya was able to increase oil revenues in April and May by 22 and 24 percent respectively. In late July, the NOC was forced to declare a brief force majeure after the Sharara field was disrupted on site by unknown actors, but authorities were able to re-open the field and resume production just days later. With these revenues, the central bank has continued to pay salaries to employees hired before 2014—even to Haftar's forces as they actively fight GNA militias in Tripoli.

On a smaller scale, Libya has seen numerous local ceasefires brokered and peace deals signed between longstanding rivals despite the macro-level cleavages remaining unresolved. These have included an agreement between Tebu and Tuareg tribes in November 2015, an accord reached by the South Reconciliation Forum in Tunis with local representatives from across the Fezzan region in December 2017, an agreement between Tebu and Zway tribes in Kufra in February 2018, an agreement between Misratan and Zintani municipal and military councils in March 2018, and a deal between Misratan and Tawerghan (Tuareg) councils in June 2018. These and other local rivalries are surmountable, and they can give way to inter-locality cooperation if they are not heightened by competitions over ministries and patronage in Tripoli.

Fighting Over the Center Continues

While some semblance of normal functioning has persisted throughout the ongoing conflict, efforts to bridge the political divide have still been too focused on the center, undermining the prospects for peace and creating further disruption. Though it would eventually turn to focus on local dynamics—supporting many of the aforementioned local reconciliations—the United Nations Support Mission in Libya (UNSMIL) and its international backers seem to have placed greater priority on rejoining the HoR and the GNC and, failing that, holding national elections to form a new central government.

In December 2015, after much foot-dragging, parties signed the Libya Political Agreement (LPA), forming the General National Authority (GNA). The UNSMIL then facilitated efforts to corral factions and localities into supporting this new unity government—but this proved to be polarizing rather than unifying.

The GNA made concessions and was more accessible to key western militias at the expense of other powerful factions. Most notably, prominent Tripoli militias capitalized on and expanded their control over the capital to bend the

GNA to their interests. These Tripoli militias threatened the central bank and other institutions, extracting letters of credit to obtain scarce foreign currency at a low rate and then sell at a significantly higher rate on the black market. Though the GNA would take steps to curtail this activity, neglected factions and communities outside of Tripoli became more and more amenable to anti-GNA actors. Among them, Haftar remains the elephant in the room—or, rather, outside the room.

While there has been talk of the GNA potentially offering Haftar a role as the minister of defense or head of armed forces under the GNA, he has long refused to negotiate or share power with western opponents he views as terrorists. Haftar also likely fears his opponents would be inclined to exclude him. Article 8 of the LPA gives GNA President Fayez Al-Sarraj and his Presidency Council authority over hiring and firing top security officials, which directly threatens Haftar's position.

Instead of cooperation, Haftar's other options are more reliable and more appealing to him. With military and diplomatic support from the United Arab Emirates, Egypt, France, Russia, and others—and the ability to gather an array of local fighters from communities neglected by the GNA—Haftar has been able

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to expand his Operation Dignity. If his ongoing campaign fails to take Tripoli, he will likely prioritize maintaining forces near the capital such that he can prevent the establishment or consolidation of any central government that he cannot control.

Any new push for national elections amid this distrust will exacerbate the fight for the center. Such elections will entrench divisions, pitting actors in existential competition for control of

ministries, oil revenues, and state benefits. Local factions will likely use force to prevent elections or manipulate voting if they fear they may lose. And if elections are held and the results favor a narrow set of factions and actors, as was the case in 2014, losers may again refuse to recognize newly elected bodies and block a consolidated central government from forming.

If elections lead to another crisis, it could further divide the country. With the repeated failures of central governments in representing Libya's localities and meeting their needs, the very concept of central governance could lose more traction. Rather than acting as a set of institutions which serve the Libyan populace, central governments would weaken to the point that the capital becomes a battleground for control. All the while, ordinary Libyans would suffer even more than they already have.

Avoiding Reconstruction Choke Points

Today, substantive and comprehensive international efforts to rebuild Libya are on hold as governments, donors, INGOs, and financial institutions wait for partners in a central, cohesive Libyan government that may emerge from the peace process. This approach is misguided. For one, Libya cannot wait for an overarching and comprehensive political settlement to begin rebuilding. Libyans are hard-pressed to invest in such a settlement at this stage. For many factions, adhering to agreements, respecting national elections, putting down arms, and making the requisite compromises to form a unified government—all in the hopes that such a government could represent them and meet their immediate interests—simply does not make sense.

Alternate options—including drawing salaries from the still-functional oil sector, foreign support, and illicit schemes—are immediately available to these players, and they are more realistic and attainable than an inclusive central government.

Even if such a government could form, any model of reconstruction that puts Tripoli firmly at the center would be flawed. Today, localities' interactions with the capital do not reflect a desire to invest in and build a broader, more inclusive Libya with one another. Instead, their interactions are often based on distrust or are actively hostile. Factions would then have three choices to force the capital to consistently meet their needs: either become an integral part of Tripoli's security apparatus, constitute a threat to that apparatus, or a mixture of both. Substantial reconstruction assistance that is disbursed primarily through Tripoli will likely exacerbate these dynamics.

This is not to eschew the import of a central government. Even with a decentralized approach to reconstruction, Tripoli will still need to play a leading role in the country, as vital components of the Libyan state must remain centralized—namely oil and water. These resources naturally form what are perhaps unavoidable choke points: all Libyans rely on them, yet they are concentrated in a handful of areas and thus more prone to contestation.

Were these resources not centrally managed, militias that control them on the ground would attempt to sell them directly, circumventing the central bank and thus evading attempts to make their benefits more broadly available to localities across the country. The infrastructure around these resources would be even more violently contested, contributing to greater insecurity. Indeed, even with central authorities managing them, competition over these choke points has already been, and will likely continue to be, a major driver of conflict in Libya. To address the ongoing challenge, donors supporting Libya's reconstruction must pressure Tripoli to distribute revenues and resources more evenly—starting first and foremost with greater transparency in the central bank.

Yet, pressure on Tripoli is not enough. To both comport with the realities on the ground in Libya, and to foster more productive and peaceful relations among localities, donors should adopt a greater decentralized approach to reconstruction. Their efforts should facilitate and encourage localities to invest in and develop themselves such that they do not need to use or threaten force against one another or Tripoli to meet their needs and interests.

This should come by way of empowering local authorities to take the lead on revenue accrual and management, planning and implementing infrastructure projects, engaging in service provision, conducting their own economic planning, and fostering local and cross-locality economic activity. Rather than relying on Tripoli to micromanage responses to their pressing needs, communities should be enabled to spend money—from national oil revenues, external aid and investment, and local taxes and projects—in their own communities and invest in their own success. With this, localities can begin to establish locally owned assets and wealth—building new and lasting value rather than fighting with one another over fleeting benefits from Tripoli.

A decentralized approach will require updates or changes to the 2012 Local Administration Law 59, which divided Libya into administrative municipalities and set the legal foundation for decentralization, but failed to articulate these municipalities' mandates. With Libya's legislative bodies split into the HoR and the GNA's High Council of State (HCS), amending the existing legal framework will be a challenge. Yet, donor countries may be able to pressure these bodies into forming an HoR–HCS joint committee to come to an agreement on necessary amendments. These bodies may be resistant, as a decentralized approach to reconstruction could diminish their influence and relevance in Libya, and so donors will need to ensure that reconstruction and projects are designed in such a manner that does not favor one national-level faction over another.

Lack of technical capacity on the local level presents another challenge to decentralized reconstruction. Donors can and should undertake programming to enhance local capacity, but concurrently they can use this gap as an opportunity to foster a positive relationship among localities and Tripoli. Donors can work with Tripoli's ministries to better equip them to work alongside and support localities across the country—hosting trainings and multilocality projects and cooperation. Small cities and rural localities that lack capacity on their own—as well as larger cities that would also benefit—can turn to Tripoli on a voluntary basis.

At least in the realms of reconstruction and economic activity, donors can encourage Libyans to recast Tripoli institutions as forums for cooperation rather than as a mandatory bureaucracy that forces localities into its vision

(or lack thereof) for the country. If Libya's localities can benefit on their own terms from cooperative dynamics fostered in Tripoli, they may be more amenable to national-level political reconciliation and nationally coordinated policies.

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Finally, as is the case with reconstruction in any post-conflict environment, donors will face challenges in ensuring that their support does not bolster spoilers and disruptive actors who will still be inclined to attack one another and Tripoli. With complex and overlapping networks of actors, factions, and localities, it will be difficult, if not impossible, to condition assistance on a set of universally applicable rules and to structure exactly what behavior would be grounds for terminating support. A municipal council, for example, may adhere to some set of rules to maintain international support while unofficially aligned militias that benefit from this assistance also continue their own illicit and disruptive activities. Whether municipal councils and agreeable factions have sufficient clout to confront and curtail spoilers varies from locality to locality.

To mitigate this problem, donors and implementers must make clear that the purpose of their programming is not only to build value in localities across the country but also to foster more regular patterns of interaction and reduce spoilage and disruptive activity. They must demonstrate that they will terminate, suspend, or put on hold projects and support if localities are trending toward more disruption in their relationships with Tripoli and with one another.

Those supporting reconstruction must develop (and demonstrate) greater visibility of dynamics on the ground by way of detailed, close, and continuous network mapping—assessing and reassessing how specific actors and factions are connected to their localities and to one another, and the mechanisms they use to pursue their interests. This will allow donors and implementers to pressure local partners to use what clout they have to prevent spoiling and disruption, and foster inclusive growth.

Moreover, and perhaps most important, donors need to work to dramatically improve international coordination on Libya. Groups on the ground in Libya will push the limits with donors, implementers, and one another if they know that they can secure alternative support from outside sponsors in the Gulf, Europe, Russia, or the United States.

A Better State for Libyans


International efforts to rebuild the Libyan state and resolve the ongoing conflict have, thus far, been primarily focused on building a strong and cohesive central

authority. While this is an understandable goal given the difficulty of state-building in an environment as complex and fragmented as Libya, it ignores the realities on the ground—and it does so to deleterious consequences.

The most relevant organization in Libya has long been, and will continue to be, locally oriented. Localities took up arms and defended themselves during the revolution. They held these arms and built up militias, relying on them to make Tripoli—by force or threat of force—incorporate rather than neglect them. These localities and militias will be hard-pressed to give up their arms and power in favor of the idea of a central state—simply in the hope that such a state would meet their needs.

Without something short-term and tangible in which these localities can invest, the political divide may become intractable. As such, donors cannot wait for a comprehensive national solution to begin rebuilding Libya. If they do, Libyans will suffer and the factors that obviate a political solution may well grow stronger. Not only will the state degrade further, the concept of statehood and central governance will become more and more irrelevant.

Reconstruction efforts alone will not save Libya. They will not be sufficient to solve all political divisions, eradicate competing foreign influence, or erase the actions of players who have already established themselves as spoilers—those who demand a far larger share of Libya's wealth than is commensurate with their localities and purported constituencies.

Yet, if donors and implementers approach reconstruction in a way that comports with the decentralized reality of Libya on the ground, their efforts can have impact beyond the physical repair of broken buildings and infrastructure. If reconstruction enables localities to invest in themselves and develop on their own terms, these localities may become more invested in further growth in a decentralized model. If successful, such a model will motivate localities to defend and expand their wealth and come to more consensual and productive relationships with one another and with Tripoli. The Libya that emerges will be less centralized and more complex than what many had envisioned when Qaddafi fell eight years ago, but it may be one that works much better for Libyans. 

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