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Libyan tribes in the shadows of war and peace

Al-Hamzeh Al-Shadeedi & Nancy Ezzeddine

National politicians and international actors cannot ignore the resilience of pre-modern tribalism in Libya. Libyan governance structures have historically relied on the top-down distribution of favours to selected tribal allies, rather than on inclusive and representative governance. Such arrangements took the shape of cyclical processes of selective co-optation, exclusion, rebellion and, again, new forms of selective co-optation. Even the uprisings of 2011, which symbolise the appearance of a national Libyan polity, was mobilised and organised along tribal lines. Accordingly, efforts to build a new Libyan state today should take into account the strong tribal character of Libya and should look into integrating tribal forces into the state in a manner that favours the central state project while simultaneously allowing for true representation and inclusion of all local and tribal entities. This policy brief will provide recommendations on how to realistically and effectively engage with tribal actors and traditional authorities for the benefit of the current central state-building process, while avoiding past mistakes.

Introduction

The tribes of Libya are considered one of the country's oldest, longstanding societal institutions.[1] The country has historically witnessed the entanglement of tribes and politics,[2] a dynamic that continues – and arguably may have become more prominent – in post-Gaddafi Libya. At present, Libyan institutions mainly advance individual and city interests rather than the public good, and attempts to re-establish stable central control over these government structures have so far failed. In this context of government ineffectiveness or absence, tribes have become more prominent and in some areas even more powerful than formal actors. The international community and foreign analysts have watched this development with suspicion, as they fear that further fragmentation of power and governance along tribal lines could contribute to the prolongation of chaos and conflict. However, approaching the situation in Libya from such an angle risks losing focus on other aspects of the conflict. Libya's civil war and current

1 Mohamed Ben Lama, "The Tribal Structure in Libya: Factor for Fragmentation or Cohesion?" Fondation pour la Recherche Strategique, September 2017: https://www.frstrategie.org/web/documents/programmes/observatoire-du-monde-arabo-musulman-et-du-sahel/publications/en/14.pdf.

2 Under the Sensusi monarchy (1951–1969) and Gaddafi's Jamahiriyya (1977–2011), tribal sheikhs, families of notables and wealthy tribal merchants were involved in the governance of Libyan towns alongside formal government and state institutions.

fragility is not caused solely by its tribal tendencies.[3]

Tribal mediation, conflict resolution, and reconciliation mechanisms might be beneficial to the process of bringing about peace and political stability in Libya. For example, in the post-2011 turmoil, the tribes' method of resolving conflicts in Libya, known as *Urf*, has expanded into an established judicial system to fill the void left by the state and to face the realities of civil war.[4] Furthermore, according to many respondents in a recent Clingendael-led survey on local security provision in Libya, tribes offer the only functioning judicial system in Libya and are therefore seen as legitimate governance actors.[5] This fits within a historical dynamic in which tribes and tribal identity have become stronger whenever the state faced a crisis and when state institutions failed to carry out their responsibilities and meet people's expectations. Moroever, when central government is unable to control its territory, tribes take over responsibilities that the state should assume, such as the provision of justice and security.[6]

This begs the question what role the international community and future Libyan governments should envisage for tribes in Libya's future political settlement? This brief's historical overview of the role of tribes in Libya's political life shows that tribal empowerment through political means – for example, by endorsing the role of tribal authorities in (local) governance – can have negative consequences down the line. Libya's modern history is filled with examples where the entanglement of tribes and politics has thwarted the creation of credible state institutions. The clan-based logic of tribes, moreover, invites the development of patronage systems that benefit some sections of the population but not the country as a whole. Yet tribalism should be factored into efforts at improving local and central governance – particularly because the results of previous attempts to marginalise or circumvent tribal systems in Libya's state formation process range from inefficient to destructive.

The tribe and state in Libya: a historically strained relationship

The tribe (*qabila*) in Libya should not be understood as an ancient and static social structure but rather as an everchanging entity which can include a wide range of social organisations. There are over a hundred tribes in the country, with 30 key players. The majority (90%) of Libyans are a mix of Arab or ethnic Arabs and Berber.[7] The nomadic Tuareg, the Tebus in the south and the Amazighs are minority tribes. At present, around 90 percent of the total population is linked to a tribe, while only 10 percent are not tied organically to any tribe, notably in the northern Libyan cities.[8] The two most important Arab tribes and the most influential come from the Arabic peninsula: these are the Beni Salim tribe, which installed itself in Cyrenaica and on the eastern coastal region of Libya, and the Beni Hilal tribe, which historically occupied the western region around Tripoli. The Amazigh

3 Shatha Sbeta, https://arabmillennial.net/2016/05/26/the-libyan-conflict-is-not-a-tribal-conflict/.

4 Mohamed Almenfi, 'Op-Ed: In Libya, only one system of law is functioning, and it's not state law.'

5 The Clingendael Institute carried out a perception survey on the topic of local governance and security settlements in Libya. The survey was conducted during the first half of 2018 and covered eight Libyan municipalities across Libya: Tripoli, Misrata, al-Zawiyah, Sabratha, Gharyan, Ghat, Ghadames and al-Aziziyah. The survey questioned 144 respondents, selected on age group, gender, and whether they lived in a safe or dangerous neighbourhood within the municipality. Survey data can be found at: https://www.clingendael.org/diversity_security_Libya/.

6 This, in turn, further legitimises the role of tribes in society and increases their political leverage.

7 Libya's population, as of 2017, stands at 6,374,616, according to the World Bank: https://data.worldbank.org/country/libya.

8 Tribal belonging has changed its meaning, particularly among the educated and wealthy upper-middle and upper class milieus of urban centres in Benhgazi and Tripoli, but even there it has not ceased to exist. While in the past tribalism denoted a complete lifestyle, today belonging to a tribe in the larger cities simply marks an identity.

are estimated at 200,000 members and they mostly inhabit the mountains of Djebel Nefoussa and the coastal town of Zuwara.[9]

Given their prominence among the Libyan population, tribes have been both a central element of, and an obstacle to, the Libyan state formation process. The Ottomans (1551–1912) were the first to institutionalise and formalise tribe-state relations in Libya. The Ottoman rulers depended on important tribal leaders in peripheral and rural areas to collect taxes, levy troops, and control and secure trade routes. Additionally, the Ottoman authorities stationed in Libya integrated a certain number of tribal elites into the administrative structures of the state in order to implement the authorities' policies across Libya. This policy of favouritism allowed for a group of local tribal figures to rise and emerge as new political and economic elites in their localities. They made use of this new arrangement by expanding their patronage base, influence and wealth. Ottoman administrators allowed this accumulation of power to continue as long as the tribal elites remained loyal to the Sultan in Istanbul and were able to collect and deliver taxes in a timely and peaceful manner.[10]

Ottoman efforts at centralisation and modernisation during the second half of the 19th century, famously known as the *Tanziymat*, attempted to centralise power in the hands of the Sultan and his government in Istanbul. The new generation of young politicians who had studied in, and returned from, Europe wanted the Ottoman empire to resemble the new nation states that had emerged in Europe. Local and tribal actors in Libya and other parts of the empire, were seen as a threat to this objective. Thus, new strategies were developed that aimed to alter tribal control over politics in Libya. In order to weaken tribal identities, the authorities encouraged Libyans to relocate to Ottoman administrative centres in northern Libya. The Ottoman endeavour to centralise power and reduce the importance of patronage relationships in Libya ended with the beginning of Italian colonisation in 1911.[11]

The Italians at first reintroduced tribal autonomy in order to counter Ottoman administrative structures, and they used tribal councils to manage and govern their newly colonised territory. However, tribal autonomy under the Italians was short lived. In 1935, the three regions that make up modern Libya – Tripolitania, Fezzan and Cyrenaica – were brought under direct Italian control. In an attempt to put a blueprint on Libya and break tribal power and authority that could undermine their rule, the Italians chose to govern their Libyan territory directly instead of depending on traditional authorities. Furthermore, Italian occupation was characterised by a closed governance system dominated by Italian officials, that discouraged local political participation. Consequently, the exclusion of tribes from governance strengthened tribal affiliations and kinship structures instead of consolidating the Italian adiministration's power base. This can be seen in the Cyrenaica tribes' decision to support the Sanusi resistance campaign against colonial rule, which contributed to Libya gaining

9 Despite such variety, tribal identity constitutes a shared sense of thinking and acting in Libya. Tribal culture is based on deep-rooted ethics and norms such as solidarity of kin as a source of identity, as well as values such as honour and shame not only as means of moral judgement but also as tangible institutions and procedures. T. Husken, 'Tribal Political Culture and the Revolution in the Cyrenaica of Libya', paper presented at the conference 'Libya from Revolution to a State Building: Challenges of the Transitional Period', 7-8 January 2012; A. Doha, Varvelli, The Role of Tribal Dynamics in the Libyan Future. *ISPI*, May 2013; Mohamed ben Lamma, 'The Tribal Structure in Libya: Factor for Fragmentation or Cohesion?', Fondation pour la Recherche Stratégique, September 2017.

10 Mohamed ben Lamma, 'The Tribal Structure in Libya: Factor for Fragmentation or Cohesion?' (26-27).

11 Aleksandra Nesic and Kamal Showaia, "History of Regionalism and Tribalism in the Current Political Struggle for Libya: Key Reflections and Recommendations," Small Wars Journal: https://smallwarsjournal.com/jrnl/art/history-of-regionalism-and-tribalism-in-the-current-political-struggle-for-libya-key-reflec.

independence as a constitutional monarchy in 1951.[12]

However, the Sanusi monarchy lacked the administrative capacities necessary to govern Libya after it achieved independence in 1951. Therefore, it had to rely on a formal framework of patronage in which tribes and clans were used to support the king's rule and implement policies in turn for privileges. From the late 1950s, when oil was discovered, the wealth of oil rents allowed King Idris to further expand his government's reach by promoting tribal elders to senior administrative positions and by forging alliances with prominent tribes in Cyrenaica, Tripolitania and Fezzan – until his overthrow by the young General Gaddafi in 1969. The systems of favouritism and patronage enabled the co-optation of tribes into the state, maintaining its longevity, although only up to the point when excluded tribes came to reject this model. Thus, rather than ensuring the inclusion of all tribes and minorities in a representative state, the top-down governance approach used partial co-optation of tribes to foster stability in the short run.[13]

When Gaddafi staged his military coup against the King Idris, he claimed that his objective was to bring an end to the monarchy's favoritism. In the first ten years of his rule, Gaddafi relied on popular support and the support of the Free Unionist Officers[14] to maintain his revolution. Gaddafi attempted to discredit tribalism in favour of a unified national Libyan Arab identity and improved socio-economic conditions and livelihoods.[15] However, when he failed to deliver his revolutionary promises, his popularity waned. Consequently, he changed his tactics and turned to tribal chiefs to ensure the regime's survival. Gaddafi adopted a strategy of 'divide and rule' – reflective of both his need for tribal support and his fear of the tribes' potential power. Revolutionary Committees[16] were used to create rifts and splits among families and regions by exploiting loyalties and identities and by favouring certain less influential tribes over those that had enjoyed high leverage under the monarchy.[17]

It was a reasonably simple patronage system: the regime's survival and support were derived from the tribes. In return, the regime provided economic and government positions for loyal tribesmen. Appointments for positions in the General Committees of People and Gaddafi's security apparatus mostly depended on an individual's tribal affiliation. Tribes such as al-Warfalla, al-Magariha and al-Qadhadhfa greatly benefited from this system. Gaddafi intensified and exploited tribal strife by fostering rivalries among tribes from the same area. Tribal fragmentation was also deliberately introduced in Gaddafi's security apparatus, which represented each of the politically relevant tribes. Such selective patronage not only strengthened his control over the tribes, but inter-tribal strife within the security apparatus also drew attention and criticism away from the colonel and his regime.[18]The effect of Gaddafi's divide-and-rule efforts was that Libya remained without any functioning state institutions and state bureaucracy, while Gaddafi and his inner circle strengthened their hold on power.

12 Dirk Vandewalle, *A History of Modern Libya*. Chapter II: Italy's fourth shore and decolonialisation, 1911-1950.

13 Dirk Vandewalle, *A History of Modern Libya*. Chapter III: The Sanusi Monarchy as accidental state, 1951-1969.

14 Free Unionist Officers were military lower-rank soldiers who aided Gaddafi in toppling the monarchy. They were modelled after the Free Officers circle of President Gamal Abdul-Nasser in Egypt.

15 Mohammed El-Doufani, "Libya crisis: what role do tribal loyalties play?" BBC, 21 Feb. 2011: https://www.bbc.com/news/world-middle-east-12528996.

16 First established in 1977, the Revolutionary Committees were used to survey and supervise Libyans, monitor their commitment to revolutionary ideals, and crush any local attempts at political opposition.

17 Mohamed Ben Lama, "The Tribal Structure in Libya: Factor for Fragmentation or Cohesion?" Fondation pour la Recherche Strategique, September 2017: https://www.frstrategie.org/web/documents/programmes/observatoire-du-monde-arabo-musulman-et-du-sahel/publications/en/14.pdf.

18 https://www.bbc.com/news/world-middle-east-12528996.

In the early 1990s, international sanctions and a failed military coup[19] further intensified Gaddafi's dependency on tribalism. In this period, Gaddafi used tribes as tools to weaken any opposition against his rule by introducing collective punishment. Tribal chiefs were asked to denounce any member who had 'betrayed' the country and revolted against his regime. One element of this tactic was to place marginalised tribes at the top of the hierarchy. By moving less-relevant tribes up the ladder, Gaddafi created tensions and resentment between them and more relevant tribes. Furthermore, Gaddafi approached the formerly neglected Tebu tribe and the Tuareg minorities in south Libya, when he changed Libya's official ideology from Pan-Arabism to Pan-Africanism in the early 1990s.[20] From this point on, the regime deliberately favoured minorities over some major Arab tribes in the east and the west, which were increasingly excluded from top-level politics. Gaddafi's 'new' strategy was yet another example of the old cyclical dynamic of selective co-optation, exclusion and revolt.

Later in 1994, Gaddafi created the Popular Social Leadership Committees in which loyal tribal chiefs were given some of the highest positions in government in order to better administer their communities. Gaddafi also created the position of tribal coordinator within every dominant tribe; the coordinator's role was to supervise the tribe to which he belonged. Coordinators were given a considerable degree of freedom in their jobs. They could bulldoze homes or control the distribution of state utilities and services. In 1996, Gaddafi introduced the Certificate of Honour that was signed by tribal leaders who promised to be utterly loyal to the leader. The certificate consolidated the relationships between certain tribal sheikhs and the regime.[21] The tribes that benefited from Gaddafi's tactic included al-Qadhadhfa, al-Magariha, the al-Zawy Arab of al-Kufra, Tarhouna, the Tuareg and al-Warfalla, among others.[22]

Despite years of pent-up grievances among Libya's tribes resulting from Gaddafi's policies, tribal internal interests were not the main drivers of the 2011 uprisings. Despite past experiences where there was a strong link between tribal grievances and regime change, the uprising of 2011 followed the nascent emergence of a Libyan polity that was able to remove Gaddafi from power. The Libyan revolt was civil in nature, and the revolutionaries' demands focused on their desire to put an end to the dictatorship that had limited their freedom and opportunities for more than four decades – difficulties that affected all Libyans regardless of tribal background. Tribalism, however, was essential in determining the outcome of the revolution.[23] Young people were mobilised through tribal networks, and the immediate support of eastern tribes who turned their backs on the regime early on in the revolution allowed the rebels to liberate Cyrenaica first and with relative ease. In contrast, tribes in western Libya were divided in their attitudes to the revolution, with some loyal to Gaddafi until the regime's

19 The military coup of 1993 was staged by top Warfalla military officers. The Warfalla is the largest tribe in Libya and had had close ties to Gaddafi's regime before the coup attempt.

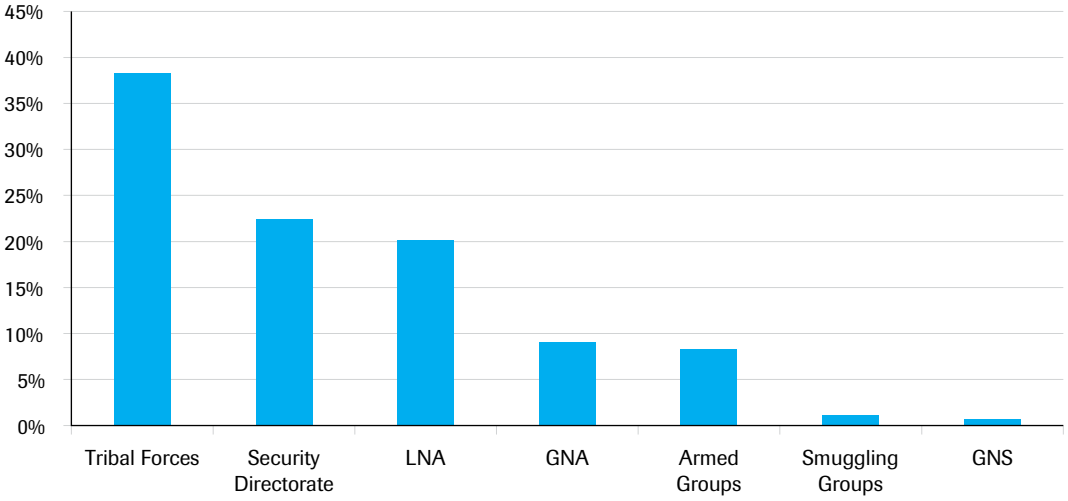
20 Pan-Arabism or Arab nationalism emerged as an effort to untie all Arabs from colonial and mandatory powers. Once Arab countries gained their independence, Arab leaders, such as Gamal Abdul-Nasser and later Gaddafi, used the ideals of Pan-Arabism to promote greater unity and integration among Arab states. When Gaddafi's attempts for greater Arab unity failed, he modelled Pan-Africanism on the models of Pan-Arabism and tried to promote this idea among African states. He hoped that Libya would be the leading state in Africa and he even nicknamed himself 'The King of Africa'.

21 Peter Cole and Fiona Mangan, Tribe, Security, Peace, and Justice in Libya today, P. 10.

22 http://www.kathima.com/v/5939 In addition to such policies, Gaddafi increasingly adopted the profile of a tribal leader in his dress and, at public appearances, in his rhetoric. He shifted his personal style from military revolutionary leadership to tribal chief, and in his rhetoric he often described Libya as one tribe – his tribe. At the same time, Gaddafi was quick to remind the people that if they decided to revolt against him, Libya would certainly drown in chaos and tribal conflicts. Mohamed ben Lama, 'The Tribal Structure in Libya: Factor for Fragmentation or Cohesion,' P. 30.

23 Wolfram Lacher, Families, Tribes, and Cities in the Libyan Revolution, P. 144.

Figure 1 **Percentage of respondents that identify different (non)state armed actors as protection providers**



demise, and some – like the Warfalla tribe – split between Gaddafi loyalists and supporters of the revolution.

The role of tribes in post-Gaddafi Libya

The fall of Gaddafi in 2011 created a political and security vacuum that affected Libyans at all levels and in all areas of the country. State institutions had already been hollowed out during Gaddafi's final years, and they quickly disintegrated soon after the start of the revolution. As a result, Libyans were forced to resort to their communal and local identity-based networks to ensure their security and survival. In this time of political vacuum, and particularly in the context of extreme fragmentation which would follow the revolution, tribes proved to be stable social institutions that provided Libyans with support, protection and services. In Cyrenaica, where tribal sentiment is stronger than elsewhere in the country, tribal identities after the revolution became an all-encompassing characteristic defining an individual's loyalty and political views.[24]

Clingendael survey data collected during the first half of 2018 confirm that tribes are perceived as important and legitimate protectors and security providers at this time.[25] Tribal actors have emerged as the main security providers at local (municipal) level: 38 percent of respondents say that tribes are responsible for providing protection in their area (figure 1). Respondents also make a clear distinction between local forces (including tribal forces) and armed groups. The former enjoy the same high levels of trust and support as state actors (such as the security directorate[26] and the municipal council), while armed groups are generally seen as untrustworthy and unsupportive (figure 2). This is especially the case for mono-tribal municipalities, such as Ghat, where respondents considered the tribal institution to be the most trusted due to its continuous attempts to fill the vacuum left by the state – from providing services to making efforts at community reconciliation.[27] Several respondents from Ghat listed the local Tuerag forces as far superior in strength

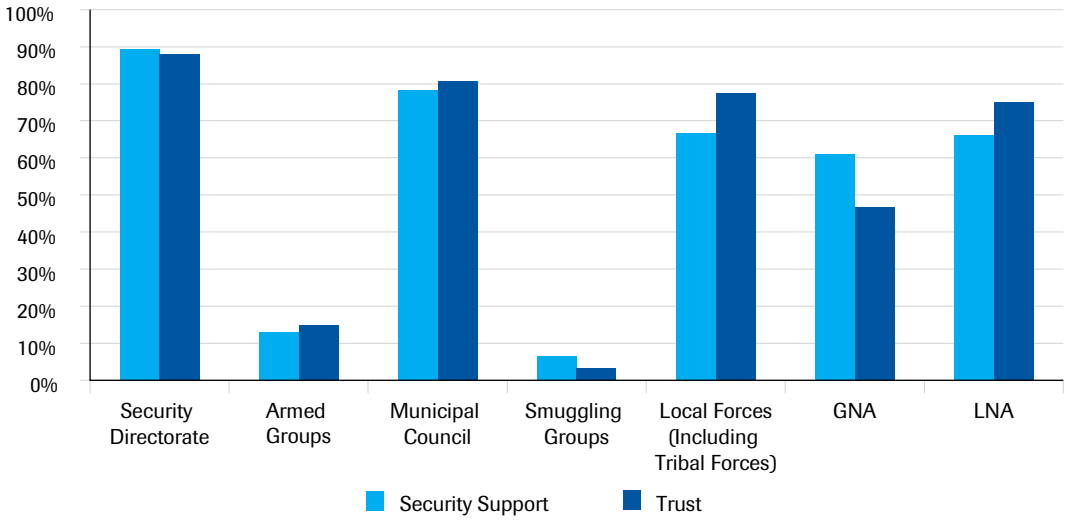
24 "Tribalism in Post-Revolution Libya", Brave New Libya, 4 November 2015: https://bravenewlibya.wordpress.com/2015/11/04/tribalism-in-post-revolution-libya/.

25 See footnote 5 for a short discussion of the survey methodology.

26 The security directorate is a local governmental structure that carries out the duties of the police in Libyan cities.

27 A respondent from Ghat indicated that Tuareg forces and tribal elders work together to provide basic services and necessities for the people.

Figure 2 **Percentage of respondents who trust and/or seek security support from (non)state armed actors**



to the police, the municipal council or the security directorate in the municipality.

However, and as indicated in figure 3 below, the downside of tribal involvement in safety and security provision is that protection is offered in a partial and selective manner which reproduces the politics of co-optation and exclusion at local level. Respondents from Gharyan, who considered the committee of elders and sheikhs as the strongest actor in the municipality, labelled mono-tribal neighbourhoods such as Taghrita, Awlad Yacoub and Abu Zayan as safe while mixed-tribal neighbourhoods such as al-Qawasim and Kamoun were considered dangerous. A respondent in Gharyan gave an example of medical personnel and health clinics as being under threat and danger from tribal aggression if they do not give certain patients priority, even over more urgent cases. 'Sometimes, if you do not attend to a patient straight away, they go and get other tribal members who threaten you until you attend to the patient.'[28] Similarly, in Ghadames, respondents' perceptions of safety and insecurity were strongly associated with the tribal affiliation. As one respondent put it: 'Your position (strong/ weak) within the community and your ability to access security services is merely decided by your tribal affiliation.'[29] As a result, security afforded to constituents by tribes comes at a high cost. The tribal protection of citizens comes with violence, group-based (non-inclusive) service provision and confrontation with other tribes.

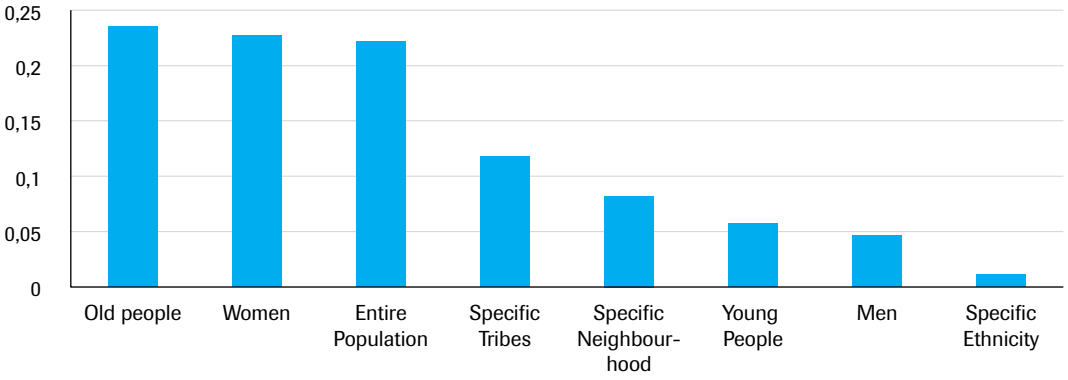
This may explain why the role of tribes in safety provision is not undisputed: a significant proportion (22%) of respondents considered tribes as a threat to the safety of their municipality (figure 4). Clingendael survey data collected during the first half of 2018 shows that tribes are often perpetrators of violence as well as providers of security. When asked which actors are the main perpetrators of violence in their municipalities, more than 20 percent of total respondents said 'tribal forces'.

The ability of tribes to fill the gap left by the state has also had mixed implications for stability in Libya more generally. On the one hand, tribes in Libya continue to adhere to a traditional and moderate version of Islam, and they constitute the central opposition front to militant Islamists located in the

28 An answer to an open question on local dangers and threats from a respondent in Gharyan.

29 An answer to an open question on local dangers and threats from a respondent in Ghadames.

Figure 3 **Percentage of respondents who identify specific groups as main recipients of protection in their municipality**



west of the country.[30] They also tend to uphold central state authorities rather than undermining them. Indeed, Clingendael survey data show that tribes tend to protect municipalities from external threats. This includes threats from armed militias, smuggling groups or Islamists. Figure 5 indicates the commonality of confrontations between tribal forces and other security providers. While confrontations are very common between tribes and armed groups (70%) and between tribes and smuggling groups (82%), they are uncommon between tribes and national security providers including the security directorate (6%) and the GNA (7%).

On the other hand, the increased influence of tribes has resulted in the resurfacing of tribal grievances and strife – notably in western and southern Libya.[31] A paradox has emerged whereby tribal legitimacy and the tribes' ability to provide protection and services is shadowed by tribal plurality and competition among tribes. For instance, tribes from Misrata took revenge on tribes and communities that supported Gaddafi during the revolution in Bani Walid and Tawergha. Similarly, the tribes from al-Zintan have been involved in ongoing struggles with the tribe of Warshafana that inhabits the strategic region bearing the same name, which both Tripoli and the Zintan Military Council have been trying to control. The most recent instance of this conflict occurred in November 2017, when an armed force led by the Tripoli Revolutionary Brigade and the Zintan Military Council attacked Warshafana to cleanse the region of alleged 'criminals'.[32]

In southern Libya, confrontations between two historic rivals – the Tebu and the Awlad Sulaiman – have resulted in frequent incidents that prove how quickly tribes can and do resort to violence. The Tebu and its rival Awlad Suleiman were drawn into the escalation of violence in 2014, when they fought alongside the two warring military coalitions, and then again in the first half of 2018.[33] Further to the south-east, the city of al-Kufra witnessed heavy clashes between Tebu tribes and the Arab al-Zawy tribe. The al-Zawy tribe enjoyed a prestigious position and full control over al-Kufra during Gaddafi's reign, but in the aftermath of the

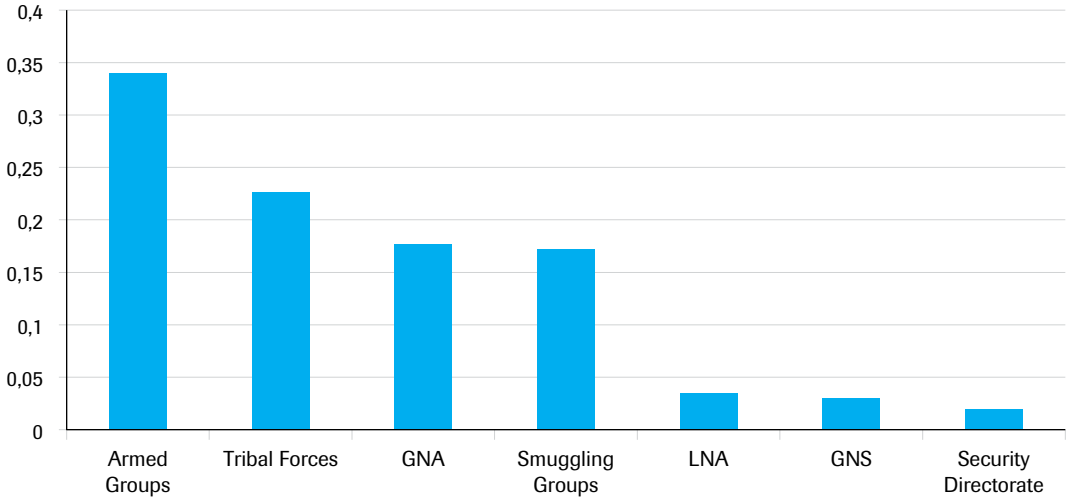
30 Arturo Varvelli, The Role of Tribal Dynamics in the Libyan Future, P. 9.

31 "Tribalism in Post-Revolution Libya", Brave New Libya, 4 November 2015: https://bravenewlibya.wordpress.com/2015/11/04/tribalism-in-post-revolution-libya/.

32 http://www.libya-analysis.com/category/libyan-armymilitias/.

33 Arraed (Arabic): https://www.arraedlg.net/2018/02/01/%D8%AA%D8%AC%D8%AF%D8%AF-%D8%A7%D9%84%D9%86%D8%B2%D8%A7%D8%B9-%D8%A8%D9%8A%D9%86-%D8%A7%D9%84%D8%AA%D8%A8%D9%88-%D9%88%D8%A3%D9%88-%D9%84%D8%A7%D8%AF-%D8%B3%D9%84%D9%8A%D9%85%D8%A7%D9%86%D8%8C-%D9%88/.

Figure 4 **Percentage of respondents who identify different (non)state armed actors as the main perpetrators of violence in their municipality**



revolution, the Tebu – who fought on the side on the revolution – were able to take control of the city and the smuggling routes through and around it. This caused wide resentment among Arab residents in al-Kufra, eventually resulting in armed clashes. The conflict was only resolved when a tribal delegation from across the entire country was able to convince the two tribes to agree a ceasefire and find a workable solution to govern the city together simultaneously.[34]

In addition to clashes between tribes at local and regional levels, another layer to tribal conflict is the tension between those tribes that supported Gaddafi and those that supported the revolution. Tribes loyal to Gaddafi continue to be excluded from political decision making, even though they constitute a sizeable proportion of Libya's population. Such tribes include the Tuareg, al-Qadhadhfa, al-Warfalla, Tarhouna, Warshafana and Tawergha.[35] The current exclusion of the large and influential tribes from the political arena in Libya is a manifestation of the continuation of old governance patterns of exclusion and co-optation, which will likely contribute to a prolongation of conflict and instability. The neglect of the interests of specific tribes will weaken the ability of current political leaderships to put their policies into effect, particularly because tribes are armed, in control of territory and able to challenge the state militarily.

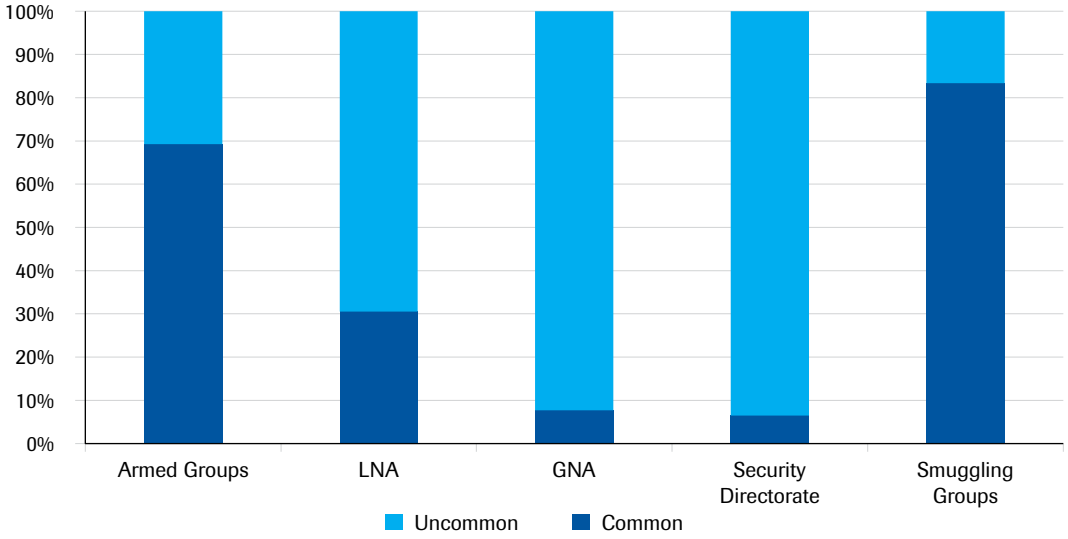
Conclusion

The brief has explained how the relationship of Libyan tribes with political elites and the central state has evolved over time. Tribe-state relations in Libya are historically fluid, pragmatic and opportunistic. In this tribal context, the leaders of subsequent regimes realised they had to earn the support of influential tribes by carefully crafting patronage networks, while exploiting tribal loyalties and inter-tribal tensions for their own good. Tribal leaders, in turn, needed to remain in favour with political elites to ensure their political relevance and access to state resources, while also using their social and military power to effectuate regime change. The threat imposed by the marginalisation or disregard of tribes has reinforced co-optation of some tribes but continued to threaten the exclusion of others. This continues to be a

34 Frederic Wehrey, "Insecurity and Governance Challenges in Southern Libya," Carnegie Endowment for International Peace, 30 March 2017: https://carnegieendowment.org/2017/03/30/insecurity-and-governance-challenges-in-southern-libya-pub-68451.

35 Arturo Varvelli, The Role of Tribal Dynamics in the Libyan Future, P. 8.

Figure 5 **Percentage of respondents who perceive confrontations between tribes and other (non)state armed actors to be common or uncommon in their municipality**



double-edged sword whereby tribes need to balance the equation between regime and constituent.

In today's Libya, tribalism is still relevant as tribes provide order and protection in a chaotic and hostile environment. Unsurprisingly, therefore, tribes are often seen as one of the few institutions that can survive present-day conflict, and even as a stabilising factor. However, this brief argues that tribal empowerment through political means – for example, by endorsing the role of tribal authorities in (local) governance – can have negative consequences down the line. As we have seen before in the modern history of Libya, the entanglement of tribes and politics may thwart the building of credible state institutions. Moreover, the clan-based logic of tribes invites the development of patronage systems that benefit some sections of the population but not the country as a whole.

At the same time, given tribes' relevance and power, their influence cannot be overlooked. Tribes as institutions will not cease to exist, and their authority is not necessarily a threat to central governance. As we have seen, tribalism is the main organising element in Libya and there cannot be a strong nation-state unless the country and its government allow for tribal representation. Up until now, tribes have been exploited in top-down power struggles rather than integrated into the state. There is a need to achieve a system in which there is true representation for all tribes. Simultaneously, there is a need for stronger state institutions to keep tribal powers in check and to balance their influence within the state. The recommendations below explore ways to benefit from the stabilising effect of tribal networks without losing sight of the central state-building process which is so crucial for Libya's future.

Recommendations

i. In the short term, any Libyan government should make use of the tribal system for conflict resolution. As long as there is no formal judicial system that can do so, and as long as judgments cannot be enforced, *Urf* is a long-standing and effective alternative. In the longer term, a unified Libyan government should work towards the integration of traditional and formal justice systems, as has been done in Somaliland.[36]

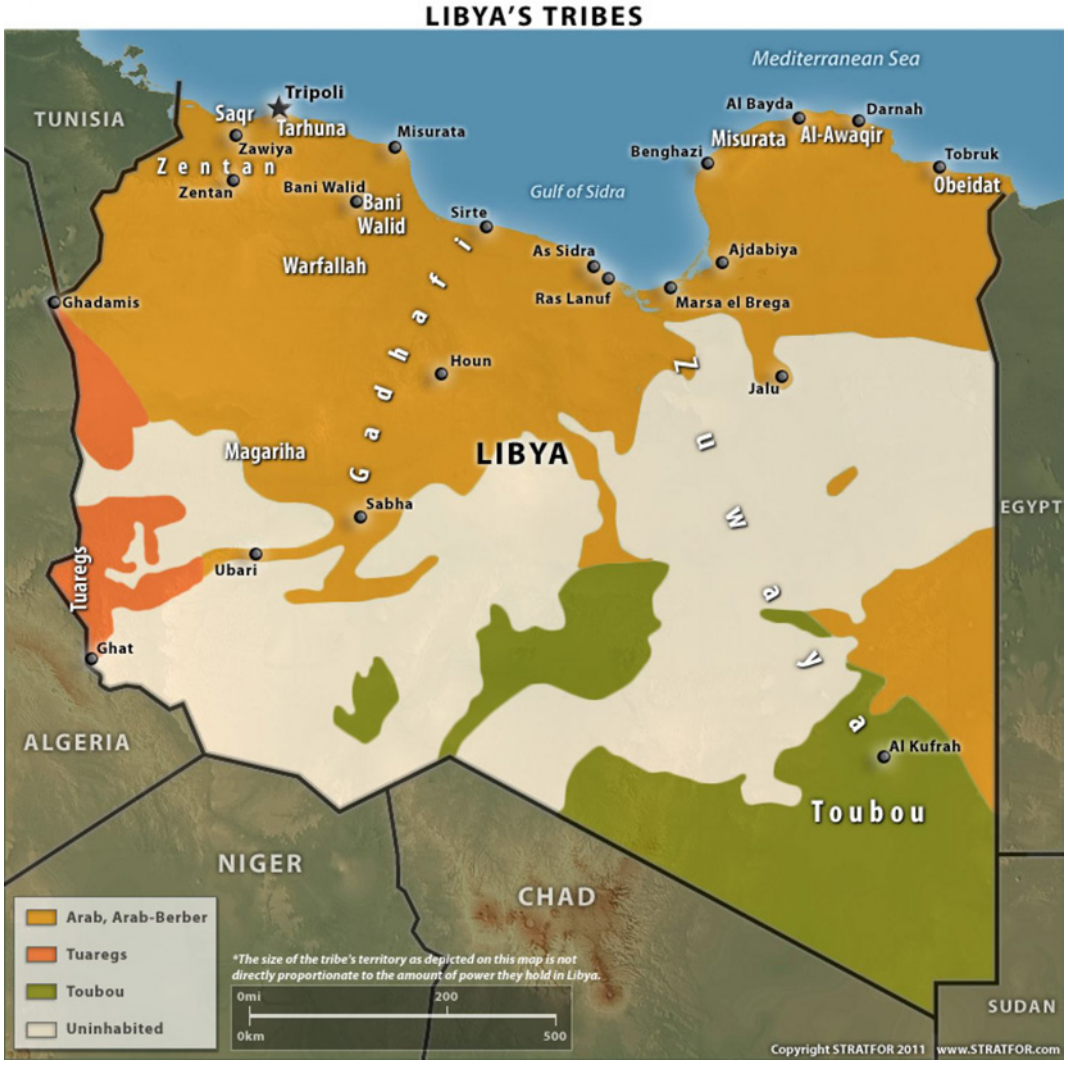
ii. Efforts at national reconciliation should include tribes from across the board, and should have a special focus on tribes. A national reconciliation campaign among Libya's tribes, without any exclusion of tribes *a priori*, could lead to the establishment of a national council for community and tribal elders. Such a council would ensure that the tribe, as an institution, has a place in the civil state. This could take the form of an honorary council similar to those found in several Gulf states or a more politically involved role by decentralised local governance councils.

iii. Tribal authorities can be instrumental in future security sector reform initiatives, particularly as a buffer between formal authorities and informal armed groups. Because of the societal position of tribal leaders – particularly in areas where tribalism is a strong feature, tribes are well placed to understand the local security context and potentially provide some form of civilian oversight over armed groups. As long as any form of state-organised civilian oversight over armed groups seems a distant goal, tribes can be considered as interlocutors in this regard.

iv. Attempts to include tribes in the state-building process should be based on inclusive representation of all tribes and communities. The current division between tribes who fought alongside the rebels and those who remained loyal to Gaddafi is highly problematic and unsustainable. There is a need to reconcile the two communities and ensure their equal participation and representation, as this will contribute to promoting long-term stability and will reduce the possibility of future conflicts.

36 Rebecca Richards, 'Challenging the Ideals: Traditional Governance and the Modern State in Somaliland.'

Appendix: Geographical distribution of Libyan tribes



Source: https://worldview.stratfor.com/article/distribution-libyas-major-tribes.

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Clingendael – the Netherlands Institute of International Relations – is a leading think tank and academy on international affairs. Through our analyses, training and public debate we aim to inspire and equip governments, businesses, and civil society in order to contribute to a secure, sustainable and just world.

www.clingendael.org/cru
cru@clingendael.org
+31 70 324 53 84

@clingendaelorg
The Clingendael Institute
The Clingendael Institute

About the authors

Al-Hamzeh Al-Shadeedi is a research assistant at the Conflict Research Unit of the Clingendael Institute. In this capacity, he focuses on local governance and security settlements in Libya. In addition, he is interested in security dynamics, political settlements, and culture in Libya, Iraq, and the Kurdistan Region.

Nancy Ezzeddine is research assistant at Clingendael's Conflict Research Unit. In this role she primarily contributes to the Levant research programme, seeking to identify the origins and functions of hybrid security arrangements and their influence on state performance and development.