

## Report

# Libya: Stuck in the Quagmire

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Some 1.5 million Libyans have registered to vote in the legislative elections [AFP]

### Abstract

Libya has geared itself up for elections to a new house of representatives that was held on 25 June. These elections appear to have offered the chance of a new beginning and the possibility of kick-starting the transition that has all but ground to a halt over the recent months. Indeed, Libya's political process has become so struck with in-fighting and with personal and party interest taking precedence over national interest, that the country's political institutions have become little more than empty shells obsessed with their own survival. For some, therefore, these elections offer the chance of a way out of the political quagmire the country has found itself in.

### Introduction

Yet, the reality is that the elections are unlikely to fix much. It is true that they will bring an end to the hugely unpopular General National Congress, which for many Libyans should have been dissolved when its mandate expired in February.<sup>(1)</sup> The election results are also likely to see a loosening of the grip of Islamist parties on the legislative body. Islamist parties, including the Muslim Brotherhood's Justice and Construction Party, have struggled to maintain their legitimacy, especially since the ousting of President Morsi in Egypt in 2013, and have found themselves coming under attack.<sup>(2)</sup> Thus, Islamist candidates are not expected to do as well this time around. According to the elections commission on Saturday, Libya will need around two weeks to count the votes of last week's parliamentary election and publish final results.

However, the new legislature will still face enormous challenges that will serve as obstacles to real change. This report will explore these challenges and will argue that they will prove too overpowering for the new parliament to make any real change on the ground.

## Challenges Ahead

Firstly, the new parliament will struggle to achieve popular legitimacy. Voter registration for the polls is strikingly low. As of 16 June, only 1.5 million people had registered to vote<sup>(3)</sup>, reflecting the public disillusion with the entire political process. A spokesman for the Higher National Elections Commission (HNEC), Haider Badroush, admitted as much telling the media on 15 May, "the number shows that the people's interest in elections is still very weak."<sup>(4)</sup>

There is also popular anger at the fact that the authorities were insistent on pressing ahead with the elections despite the deteriorating security situation. Angry youths in Al-Baida forced the closure of the HNEC office in the town in mid-June to demand that the vote be postponed until the security situation improves.<sup>(5)</sup>

Secondly, the decision to prohibit political parties from contesting these elections bodes ill for the future of Libyan democracy. One of the problems with the current congress is that 120 of the 200 seats were reserved for individual candidates whose allegiances seem to change with the wind. As a result the ruling body has often appeared to be more like a gathering of tribal sheikhs and local notables, each representing their local interests, than a modern institution that can deliver good governance and prosperity. The decision to only allow individual candidates to contest these upcoming elections risks repeating the same mistake.

Thirdly and more importantly, Libya's political scene, and by extension the country as a whole, has become so polarised over the past couple of years that it is difficult to see how these fault lines won't be replicated in the new ruling body. Since the fall of the Qadhafi regime Libya's political arena has become a battleground between liberal and Islamist forces with both sides competing to dominate in an escalating power struggle that has brought nothing but deadlock. The situation is so acute that the transition has all but stalled and the congress has become paralysed with members staying away from key sessions to ensure there is not enough of a quorum to be able to hold a vote.<sup>(6)</sup>

## Competing Currents

On one side of this divide are the liberals as represented by the National Forces Alliance (NFA) that was founded by former Planning Secretary in the Qadhafi regime, Mahmoud

Jibril. However, with Jibril all but excluded from the scene as a result of the Political Isolation Law that was passed in May 2013 and that barred all those with connections to the former regime from holding political office, the liberal current has fractured into loose and ever changing coalitions.

On the other side of the divide are the Islamists who fall into two main political groupings: the Justice and Construction Party and the Al-Wafa for Martyrs' Bloc, the latter of which includes former jihadist elements who were once part of the Libyan Islamic Fighting Group. These two Islamist groups have worked together in their bid to wrestle the political arena out of the hands of those they accuse of being 'Azlam Qadhafi' or Qadhafi's men.

The Islamists have found most success in this respect in the congress. Although the NFA won the largest share of seats reserved for political parties in the congress elections of 2012, taking 39 seats as opposed to the Justice and Construction's 17, the Islamists in their various guises have pulled together to dominate the legislative body.

They have been able to do so in part because of the appointment of Nouri Abu Sahmaine as head of the congress in June 2013. Abu Sahmaine was an independent congress member and part of the Al-Wafa for Martyrs' Bloc. Although not strongly Islamist in orientation, Abu Sahmaine, who had no real power base of his own, ended up siding with the Islamist current. Thus, rather than remain a neutral and truly independent figure, the congress head has increasingly taken the side of the Islamists, skewing the ruling body even further in their favour. (7)

As such, the congress has come to be seen as the domain of Islamist forces who have been able to outmanoeuvre the liberal current, which has been left desperately clinging onto the government. In March 2014, for example, the Islamists staged a kind of internal coup when they ousted liberal prime minister, Ali Zidan, from office. The Islamists had been trying for several months to force a no-confidence vote in Zidan, who they had accused of marginalising them from public office, and were finally able to muster enough votes to force him out.

Yet, their success was not straightforward. Liberal congress members accused the Islamists of violating the rules, as failing to get enough support when the vote took place they called on absent congress members to come to the congress to cast their votes, tipping the balance against Zidan. (8) The Islamists pursued similar tactics in their recent efforts to replace Acting Prime Minister, Abdullah Al-Thanni with their chosen candidate, Ahmed Maitig. In a fiery session in the congress on 4 May the Islamists who had been unable to garner more than 113 votes in support of Maitig, began frantically contacting those who had not attended to get them to come and vote. Despite the fact that the first

deputy of the congress, Izzadine Al-Awami, who is squarely in the liberal camp, walked out of the session, the Islamists pressed on until they had nudged the total number of votes up to 121.(9)

Although the Supreme Court later ruled that Maitig's appointment was illegal, Libya spent several weeks in the farcical situation of having two prime ministers, each holding their own cabinet sessions and each insisting themselves to be the rightful head of the government. Indeed, the two sides embarked on a tit-for-tat battle with each side doing its utmost to force the other out of the picture.(10) On 2 June Maitig even went as far as to descend on the prime minister's headquarters accompanied by forces from his home town of Misrata to install himself in office.(11)

All respect for the rules and for due political process seems, therefore, to have gone out of the window as each side has tried to force its preferred reality on the ground. Indeed, rather than adopt the consensus politics required by a country in transition - especially in a transition as acute and radical as that of Libya – both currents have focused their attentions on trying to muscle as much power for themselves. This reflects not only the extent to which Libyan politics has descended into a zero sum game in which there can be no overall winner, but also the profound lack of political culture that has resulted from four decades of rule by Qadhafi.

### **Forces on the Ground**

The situation has been made worse by the fact that each side has its own armed forces that have proved more than willing to intervene in the political process. While the Islamists are backed by forces such as the Libya Revolutionaries Operations Chamber and the Libya Shields, the liberals have their own supporters in the form of brigades from Zintan such as the Qaqa and Al-Suwaiq brigades that have, on occasion, stormed the congress.(12) As such the threat of violence has always hovered over the political arena.

The presence of these brigades also relates to perhaps the main reason why the elections have had little chance of changing the status quo. This is the fact that the real powerbrokers in the new Libya continue to be the mosaic of forces that are operating on the ground rather than the formal institutions of the state. These forces that include militias and brigades, tribes, local councils, pro-federalist forces and even towns continue to call the shots and to operate as they see fit.

The enduring weakness of the central authorities in the face of such local powers has meant that all efforts to rebuild the state and to create a functioning state security apparatus have failed. This has left the authorities reliant on the array of revolutionary



brigades and militias that mushroomed during and after the revolution, in order to try to maintain security.(13)

The state's weakness has also created a power vacuum that is sufficiently large for the main battle that is currently being fought out on the ground in the east between General Khalifa Haftar and militant Islamist forces to be taking place entirely outside of the confines of the state. While this battle is also reflective of the liberal-Islamist divide, the country's political institutions appear increasingly irrelevant to it. Indeed Libya's political forces seem to be endlessly introspective, chasing their tails in a little bubble of their own while the country disintegrates around them.

It is clear, therefore, that whoever comes to power after the election results are announced, will struggle to rule and to hold the country together. As such these elections – providing they actually go ahead as planned – are unlikely to serve as the panacea that Libya so needs.

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**\*Endnotes:**

- 1) Libyans protest interim parl. mandate extension. Press TV. 15 February 2014.
- 2) Libya protesters attack Muslim Brotherhood offices. BBC Online. 27 July 2013.
- 3) Website of the High National Elections Commission. <http://hnec.ly/?p=5052>. Accessed 16 July 2014.
- 4) HNEC extends voter registration deadline. Libya Herald. 15 May 2014.
- 5) Voter registration deadline today for Libyans living abroad. Libya Herald. 15 June 2014.  
<http://www.libyaherald.com/2014/06/15/voter-registration-deadline-today-for-libyans-living-abroad/#ixzz34o7F3HTp>
- 6) For example on 15 June the congress was due to vote on the 2014 budget but the vote could not go ahead as not enough members turned up.
- 7) Shortly after his appointment, for example, Abu Sahmaine mandated the Libya Revolutionaries Operations Chamber (LROC) that is considered part of the Islamist camp, to be responsible for securing Tripoli, a move that angered the liberals.
- 8) Libya Focus. March 2014. Menas Associates. See [www.menas.co.uk](http://www.menas.co.uk)
- 9) Deputy Speaker of the Libyan Parliament Invalidates Maitig's Appointment as Prime Minister. Arrakima. 5 May 2014. <http://www.arrakmia.com/%D9%86%D8%A7%D8%A6%D8%A8-%D8%B1%D8%A6%D9%8A%D8%B3-%D8%A7%D9%84%D8%A8%D8%B1%D9%84%D9%85%D8%A7%D9%86-%D8%A7%D9%84%D9%84%D9%8A%D8%A8%D9%8A-%D9%8A%D8%A8%D8%B7%D9%84-%D8%AA%D8%B9%D9%8A%D9%8A%D9%86-%D9%85/143341>
- 10) After the vote Abu Sahmaine issued a confirmation that Maitig was the rightful premier while his deputy, Al-Awami, sent Al-Thanni a letter instructing him to continue in office.
- 11) Libya's new premier Maiteeq takes office amid strife. Reuters. 2 June 2014.
- 12) Libya parliament 'suspended' following attack. Middle East Eye. 19 May 2014.
- 13) For example in March 2014 the authorities were forced to send revolutionary brigades to deal with the crisis in the east when federalist protestors tried to sell oil independently of the state. Rebels at the Porthole. The Majalla Magazine. 4 April 2014.