



RESEARCH NOTES

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LIBYA AS A FAILED STATE

Causes, Consequences, Options

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Libya's postrevolutionary transition to democracy was not destined to fail.¹ With enormous proven oil reserves, the largest in Africa and the ninth largest in the world,² many of them underexplored, Libya was singularly well endowed. After the revolution, the country rapidly restored production to 1.5 million barrels per day (bpd),³ along with 3 billion cubic meters of gas, and held up to \$130 billion in foreign reserves.⁴ Estimates of Libya's potential for postwar foreign direct investment ranged from \$200 billion over ten years⁵ to \$1 trillion more broadly.⁶ In other words, Libya was well positioned to transition away from decades of authoritarianism, begin building much-needed state institutions, and provide significant goods and services to its population. Following the revolution, many Libyans dreamed—not unrealistically—of their country developing along the lines of Persian Gulf states with similarly small populations and abundant natural resources.

Yet Libya has since become a failed state in what could be a prolonged period of civil war. Conflicts are occurring at the local, national, and even regional levels. Foreign powers are directly inter-

vening militarily, as demonstrated by airstrikes on Tripoli by Egypt and the United Arab Emirates (UAE) this past August,⁷ and more recent Egyptian involvement in military operations in Benghazi in October.⁸ Fissures have emerged along ethnic, tribal, geographic, and ideological lines⁹ against the backdrop of a hardening Islamist versus non-Islamist narrative. In August, Libyan foreign minister Mohamed Abdel Aziz acknowledged the country's tailspin when he admitted that "70 percent of the factors at the moment are conducive to a failed state more [than] to building a state."¹⁰ The United Nations has estimated that, as of August 27, 100,000 Libyan citizens were internally displaced and an additional 150,000 were seeking refuge abroad;¹¹ in a three-week time period leading up to October 10, an increase in fighting forcibly displaced some 290,000 people across the country.¹² The country now has two rival parliaments: the democratically elected House of Representatives (HOR) in the eastern city of Tobruk, comprising a majority of nationalists and federalists, and a resurrected General National Congress (GNC) in Tripoli, an entity dominated by Islamists and with a long-expired mandate. The

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United Nations,¹³ United States, Britain, France, Italy, and Germany recognize the HOR's legitimacy.¹⁴ Turkish officials meanwhile have ignored the international consensus to boycott the Tripoli government, and have met with officials in Misratah and Tripoli.¹⁵ The two legislative bodies, meanwhile, have appointed opposing prime ministers who in turn have selected their own cabinets and separate chiefs of staff nominally leading their respective armed forces. While this Islamist versus non-Islamist, HOR versus GNC, division may appear neat on paper, Libya's divisions on the ground are far more complicated. The country appears to be insurmountably riven, and Libyans themselves fear their country has gone the way of, at their respective low points, the Balkans, Lebanon, Iraq, or Somalia.

This paper investigates the causes of Libya's state failure, its recent descent into civil war, and the consequences should complete collapse occur, followed by policy recommendations. Indeed, a prolonged Libyan civil war threatens the stability of North Africa and countries in the Sahara and the Sahel, and the frightening prospect of a "Somalia on the southern Mediterranean" is not far off. Of greatest concern is the safe haven Libya affords to terrorist organizations—including one that has pledged loyalty to the Islamic State of Iraq and al-Sham (ISIS), which renamed itself the Islamic State (IS) earlier this year when it declared a caliphate in parts of Syria and Iraq. There is much Washington can and should do to mitigate the dangers posed by continuing deterioration in Libya.

Background

Despite initial signs following the 2011 revolution that Libya might move toward stability, the country has teetered "on the brink" since leader Muammar Qadhafi's ouster and death.¹⁶ Still, the period between February and September 2014 saw a particular worsening of the security and political situation, leading to further entrenchment by rival forces and the beginning of a civil war. A quick survey of Libya three years after the revolution demonstrates the extent to which the country has unraveled:

- In the northwest, political Islamists and hardline revolutionaries led by militias from Misratah and their regional allies unleashed war in July 2014 under the name Operation Dawn. Their opponents are anti-Islamist, closer to traditional Arab nationalists, led by fighters from Zintan in the western Nafusa Mountain region and their tribal allies, such as the Warshefana. With Operation Dawn came street fighting that turned the capital, Tripoli, into a ghost town for some fifty days¹⁷ and destroyed Tripoli International Airport in the process.¹⁸
- In the Gulf of Sirte and Tobruk, a federalist blockade of oil, which accounts for 95 percent of the country's exports and 75 percent of government receipts,¹⁹ has cost the country some \$40 billion in lost revenue.²⁰ Federalists, who seek greater autonomy—a fringe minority wants independence—for the eastern province of Cyrenaica, are playing the political game since faring well in HOR elections and, for now, oil is flowing.
- From the Gulf of Sirte to the northeast, the U.S.-designated terrorist group Ansar al-Sharia²¹ has established a presence in Sirte, Ajdabiya, Darnah, and Benghazi. Darnah, for its part, is entirely occupied by shadowy extremist groups like the Islamic Youth Shura Council (IYSC) and the Abu Salim Martyrs Brigade. Extremist groups, including Ansar al-Sharia, have occupied most of Benghazi, a city of 700,000, and operate in an alliance called the Shura Council of Benghazi Revolutionaries. These groups have repelled offensives by the Libyan National Army's al-Saiqa Special Forces, which have officially been attempting to secure Benghazi since at least November 2013,²² and Gen. Khalifa Haftar's Operation Dignity forces, which launched a counteroffensive against Islamist brigades on May 16, 2014. More recently, on October 15, a new Haftar-led counteroffensive began to advance into Benghazi after being pushed

out of the city.²³ Most of Haftar's forces originated from Libya's defunct security establishment,²⁴ and they are allied with Zintani forces and their tribal coalition in the northwest against what both view as a common, monolithic enemy—Islamists.

- Since the postrevolution collapse of central authority, Libya's 2,500 miles of land borders and 1,250 miles of sea borders²⁵ have remained porous. As a result, the country's vast southern region is open to infiltration by extremist organizations, criminal networks that deal in arms, people, and goods, and a massive influx of migrants and refugees traveling north to Europe. The scope of the problem is staggering. Britain's MI6 estimates that the number of weapons in Libya exceeds that of the entire British Army arsenal,²⁶ which has led to the extensive arming of Libya's tribes. The Italian Coast Guard assesses that in the first six months of 2014 alone, some fifty thousand people crossed from North Africa to Italy, most through Libya. That figure is double the previous year's estimate.²⁷
- Outside powers have aligned with ideological groups on the ground to vie for power and influence within Libya. The country's Islamist/non-Islamist divide mirrors post-Arab Spring divisions that have taken form across the Arab world. Loosely speaking, Egypt, the UAE, and Saudi Arabia back Haftar's nominally anti-Islamist Operation Dignity forces; Turkey and Qatar support the Misratans' Islamist-friendly Operation Dawn.²⁸

Although useful as a framework, this binary narrative glosses over a number of local conflicts and varying motivations, as well as discord within operations Dawn and Dignity. Nonetheless, Libyans have increasingly seen their country's descent into civil war through this very lens. Important differences in Operation Dawn, for example, include those between political Islamists, hardline revolutionaries, and Islamic extremists. Within

Operation Dignity, the federalist movement has relatively local aims, while Haftar's forces' goals are national. Ideology, meanwhile, often masks a more fundamental pursuit of power and riches.²⁹

Initial Optimism

The optimism following Qadhafi's fall was captured in remarks by then ambassador-designate Christopher Stevens in his March 30, 2012, confirmation hearing before the Senate Committee on Foreign Relations. Stevens, who would later be killed in the attack on the Benghazi mission, noted that "despite these difficult challenges, there are already signs of progress. The interim government is paying salaries and providing basic goods and services to the Libyan people."³⁰ Moreover, the country had a road map to follow: a "Constitutional Declaration," first outlined by the National Transitional Council (NTC), which called for an elected parliament, the GNC, to choose a prime minister and form an interim government. The GNC would then appoint a Constitutional Drafting Assembly (CDA), but this was instead chosen through direct elections. The CDA would then submit a draft constitution back to the parliament, and the final proposal would be put to a popular referendum, requiring two-thirds approval for adoption.³¹

This creation of a clear road map, itself no small feat, was accompanied by positive steps in the security, political, social, and economic realms:

- *Security sector development.* While statistics provided by the central government on rebel integration were considered unreliable, they largely pointed to a trend toward integration. In particular, the NTC had planned to integrate rebels into the army, police, and general workforce in even thirds.³² Former chief of staff Yousef al-Mangoush claimed on February 15, 2012, that 5,000 rebels had been subsumed under the Ministry of Defense, with another 12,000 ready for integration.³³ NTC member Ferhat al-Sharshari later claimed on April 10, 2012, that 25,000 people had applied

to join the armed forces and a similar number had applied to the police.³⁴ Fifteen days later, then deputy interior minister Omar al-Khadrawi claimed that 70,000 rebels were employed by his ministry.³⁵ Ian Martin, then UN special representative for Libya, had even stated on February 29 that “there is little indication that they [the rebel brigades] wish to perpetuate an existence outside state authority.”³⁶ And despite intermittent clashes, Libya’s many armed factions kept one another in check, even if this dynamic could be described as “a balance of terror.”³⁷

- *Political progress.* There was also commendable movement in the political sphere, as the country haltingly followed the Constitutional Declaration. Following the adoption of the road map, Libya’s two largest, opposing political parties, the National Forces Alliance (NFA) and the Muslim Brotherhood’s Justice and Construction Party (JCP), were created in February and March 2012. These parties participated in the July 2012 GNC elections, which the Carter Center praised as “orderly” and “efficient.”³⁸ Most important, the GNC’s replacement of the NTC seemed to restore domestic and international legitimacy to the fragile central state. Successful CDA elections were held in February 2014, and up until October 22, seventy-one municipal councils out of eighty-two have been elected as part of Libya’s devolution of central authority and transitional process.³⁹ While not perfect, some of these municipal councils provide the only semblance of official local government Libyans have experienced during the country’s transition period. Even as the transition stagnated, successful elections for the HOR were held in June 2014, which convened August 4 to replace the defunct GNC.
- *Social and economic developments.* Post-Qadhafi, Libya saw an explosion of civil society organizations and a free, albeit unprofessional, press.⁴⁰ Civil society had started to develop

during the war in liberated areas to support the revolution,⁴¹ leading to a broader renaissance of civil society activism, with hundreds of organizations nurturing Libya’s transitional process.⁴² Aly Abuzaakouk, who led the Citizenship Forum for Democracy and Human Development in Benghazi, remarked in August 2013 that “civil society is really the brightest side in Libya.”⁴³ As for the economy, the unimaginably fast recovery of Libya’s hydrocarbon sector⁴⁴ drove an oil-financed rise in consumption,⁴⁵ aided by state subsidies—and corruption—leading to a 2012 GDP of \$81.8 billion, up from the country’s prewar GDP of \$74.7 billion, a remarkable 104 percent growth rate.⁴⁶

A consensus had developed among many Libya watchers that the country, despite its troubles, was making progress. One international oil company representative stated that “with elections scheduled in the near future, all of the oil companies remain cautiously optimistic along with the Libyan people, who are hoping for better days to come, and...about all we can do right now is hope.”⁴⁷

State Failures

Despite these indications of progress, parallel developments ultimately undermined Libya’s transition toward a functioning democracy. The enfeebled NTC claimed central order, invoking shaky domestic legitimacy and strong international support. Numerous militias, substate groups, and local and military councils asserted peripheral power,⁴⁸ invoking legitimacy of arms while dominating and manipulating the NTC to secure parochial interests.⁴⁹ Libyans increasingly distrusted the NTC due to its unelected, opaque, and ineffective nature. While the transfer of power to the democratically elected GNC briefly restored Libyans’ confidence in the central government, militias continued to wield power and exert outside influence. Armed factions with ties to political parties and personalities raided institutions symbolizing the state, such as prisons and hospitals, and blockaded government ministries and offices.

Islamist politicians, unable to advance their agenda in the GNC due to opposition from the NFA and its allies, resorted to enlisting allied militias to intimidate lawmakers into passing favorable legislation,⁵⁰ such as the infamous Political Isolation Law in May 2013.⁵¹ This law, recalling Iraq's de-Baathification process, banned Qadhafi-era officials from political life for ten years. It was viewed as so detrimental to the transition process that Human Rights Watch urged Libya to reject it.⁵² Islamists succeeded in marginalizing their counterweights in the GNC and sought to prioritize Islamist militias⁵³ over developing the official security forces. These developments ensured that the Tripoli government could neither exert authority nor provide public services.

AN INABILITY TO MONOPOLIZE USE OF FORCE WITHIN STATE BORDERS. Since the revolution, absent alternatives, Libya has relied on militias to provide security. For example, after the 2011 uprising, interim defense minister Osama Juwaili asked the rebels securing Tripoli to keep their weapons instead of disbanding.⁵⁴ Immediate postwar estimates showed some 120,000 rebels in need of disarmament, demobilization, and rehabilitation (DDR),⁵⁵ but within months that number had ballooned to more than 200,000,⁵⁶ nearly 11 percent of the country's estimated workforce of 2.3 million. These numbers are significant considering that, by some accounts, only eighteen major rebel brigades were operating at the time of Qadhafi's fall.⁵⁷

The transitional government was largely to blame for the "militiazation" of Libyan society, as it pursued a policy of subsidizing militias⁵⁸ and thereby encouraging the creation of and enrollment in nonstate armed formations. This strategy of funding and funneling militias into semistate forces such as the Supreme Security Committee (auxiliary police) and Libya Shield (auxiliary army) as a means to project power allowed militias to retain their independence, sowing the seeds of "warlordism."⁵⁹ These loose security bodies contributed directly to countrywide instability.⁶⁰ As former Libyan prime minister Ali Zidan,

who was briefly abducted in October 2013 by a rival—but government-funded—Islamist militia,⁶¹ later conceded, "Really there is no army. I thought there was one, but then I realized there really isn't any."⁶²

The state's inability to monopolize the use of force within state borders also stemmed from widespread distrust among the more hardline revolutionary brigades toward Qadhafi-era holdovers, especially toward officers in the armed forces. Faraj al-Swehli, a notable Misratan rebel commander, made a proclamation in February 2012 that plagued DDR efforts and has become a sentiment expressed by Islamist and hardline revolutionary militias with Operation Dawn: "There is only one way: revolutionaries are the army."⁶³

INABILITY TO CONTROL PEOPLE AND BORDERS. The NTC and GNC proved unable to exert even a modicum of control over the population and failed to protect Libya's territorial integrity.⁶⁴ One startling example of this sudden loss of state presence was in the religious sphere, which was once heavily monitored by the Qadhafi regime: in July 2012, the Ministry of Awqaf and Islamic Affairs admitted it had lost control of a significant number of Libya's estimated five thousand mosques to Salafists and extremists.⁶⁵ One sheikh, in commenting on the rise in Salafi attacks against Sufi shrines, lamented that "there are no police around and you never know what some people might do."⁶⁶

As for Libya's vast borders, former prime minister Abdul Rahim al-Keib warned in March 2012 that "the border regions have witnessed a noticeable escalation of drugs and weapons contraband."⁶⁷ The open borders have been exploited by some of North Africa's most nefarious figures, including al-Qaeda in the Islamic Maghreb (AQIM) emir Mokhtar Belouar, who has reportedly purchased weapons in southern Libya.⁶⁸ In response to this increasing lawlessness, the GNC fecklessly declared Libya's large southern region a "closed military zone" in December 2012.⁶⁹ The ruling made little difference on the ground.

INABILITY TO PROVIDE PUBLIC GOODS TO CITIZENS. The transitional authorities funneled state revenue well in excess of \$20 billion⁷⁰ to militias and the populace alike, leading to a bloated budget the likes of which the country had never seen.⁷¹ Funds that should have been used to develop Libya's human resources and diversify the economy went elsewhere. This transfer of wealth can be best understood as a bribery protection racket: paying militias to keep the peace they could so easily disrupt, and increasing subsidies to an already heavily subsidized people to buy their acquiescence, a distinctly Qadhafi-era tactic. For example, in response to "course correction" protests across Libya in early 2012, the NTC announced each Libyan family would receive 2,000 dinars per month, approximately \$1,540, and each unmarried family member would receive 200 dinars, around \$160, and the protests died down shortly thereafter.⁷² Funds were also lost to corruption and poor administration. Libyan-Swiss banker and anticorruption crusader Abdul Hamid al-Jadi claimed that "if corruption was 100 percent [before the revolution], then it is now 110 percent."⁷³ Millions, if not billions, of state dollars have simply disappeared,⁷⁴ and wealth began conspicuously turning up in odd places in Libya. One eyebrow-raising video posted to YouTube shows a Libyan boy on a joyride in a bright red Ferrari somewhere in the Libyan desert.⁷⁵

Moreover, some 80 percent of Libya's formal workforce is employed by the state,⁷⁶ which through poor administration often paid absentee employees or allowed employees to collect multiple salaries, leading to greater corruption and a further deterioration in public services. By January 2012, some 700,000 out of 1.2 million employees were not reporting for work.⁷⁷ This number is in addition to a December 2012 estimate by then interior minister Ashour Shuwail that 50,000 security personnel on payroll were failing to report for duty.⁷⁸ By March 31, 2013, Shuwail said, 79,000 out of 120,000 security personnel were not reporting for work.⁷⁹ Historically, failed states have tended to prey on their citizens, but in the Libyan context the citizens have preyed on the state.

From State Failure to Civil War: 2014 to Present

Power imbalances, shifting in favor of armed factions pursuing narrow interests and away from the transitional road map, ensured that the country would enter a period of conflict. Ibrahim Omar al-Dabashi, Libya's representative to the UN, warned on August 24, 2014, that "I had always excluded the possibility of civil war, but the situation has changed."⁸⁰ The cascade of political and security events that began in February had entrenched state failure and driven the country into a civil war, as the following time line details:

- **FEBRUARY 3** Islamists unilaterally extend the GNC's mandate beyond its scheduled expiration date of February 7,⁸¹ further polarizing the country⁸² and leading to Zintani threats to bring war to Tripoli.⁸³
- **FEBRUARY 14** Haftar calls for dissolving the GNC and creating a new road map to "rescue" the country.⁸⁴
- **MARCH 11** A parliamentary vote of questionable procedure ousts Prime Minister Zidan, prompting him to seek refuge in Europe.⁸⁵
- **MAY 4** GNC Islamists install a Misratan, Ahmed Maetig, as prime minister, again employing questionable parliamentary procedure. This act would be deemed illegitimate by Libya's Supreme Court on June 9.⁸⁶
- **MAY 16** In Benghazi, Haftar launches Operation Dignity against Islamic extremists such as Ansar al-Sharia and the February 17 Brigade.⁸⁷ Haftar further conflates extremists, such as Ansar al-Sharia, with political Islamists who nominally embrace the democratic process, like the Muslim Brotherhood,⁸⁸ increasing polarization in Libya along Islamist/non-Islamist lines.
- **MAY 22** Zintani-led forces join Operation Dignity⁸⁹ and attack the Islamist-dominated GNC.

- **JULY 12–13** Operation Dawn forces attack Zintani and allied forces near Abu Salim and at Tripoli International Airport. Zintani social media recognize on the first day of the airport attack that a new civil war has begun.⁹⁰
- **AUGUST 4** The HOR convenes in Tobruk, territory safeguarded by Haftar’s forces. Islamists boycott the HOR and “everything that comes out of it,”⁹¹ claiming the handover ceremony was procedurally invalid.
- **AUGUST 24** Operation Dawn forces reinstate the GNC after claiming victory in Tripoli. In response to Tripoli’s takeover, the HOR labels Operation Dawn forces “terrorist organizations.”⁹² Operation Dawn forces, aligned with Amazigh forces, expand operations south and southwest into territory inhabited by the Aziziya and Warshefana tribes.⁹³ Human Rights Watch alleges war crimes by both Operation Dignity and Operation Dawn forces in and around Tripoli,⁹⁴ but allegations against Dawn forces are particularly striking with respect to their belligerent conduct in Warshefana territory.⁹⁵
- **AUGUST–OCTOBER** International and Libyan mediation efforts, whether led by the UN or by Libya’s National Dialogue Commission and Elders Council for Reconciliation, fail to end the country’s violence. The UN Support Mission in Libya (UNSMIL) backs negotiations⁹⁶ while condemning escalating violence in Benghazi and across the country.⁹⁷
- **OCTOBER 15** Haftar launches his second counteroffensive against extremists in Benghazi,⁹⁸ with greater Egyptian cooperation and assistance.⁹⁹
- **OCTOBER 21** Prime Minister Abdullah al-Thini’s government in Tobruk issues an order to the Libyan army “to advance towards the city of Tripoli to liberate it,”¹⁰⁰ while Zintani forces claim they will move on the capital by the end of October.¹⁰¹
- **OCTOBER 28** The UN’s envoy to Libya, Bernardino León, warns that the country is “very close to the point of no return.”¹⁰²
- **NOVEMBER 6** In a surprise ruling, Libya’s Supreme Court, seated in Operation Dawn-controlled Tripoli, deems the HOR to be unconstitutional,¹⁰³ despite originally being asked to rule on the legality of the HOR’s decision to convene Tobruk.¹⁰⁴ This problematic ruling is rejected by the HOR and Operation Dignity forces, which cite the presence of militias, possible intimidation, and the unclear legal grounding of the decision;¹⁰⁵ the decision itself may face its own legal challenges.¹⁰⁶ The United States, its western allies,¹⁰⁷ and UNSMIL¹⁰⁸ do not endorse the decision, but claim it will be “studied.”

The state’s faltering efficacy was also reflected in other societal and economic indicators.

LIBYA’S FRACTURING SOCIETY. Escalating violence has steadily silenced the country’s nascent civil society and press.¹⁰⁹ A campaign of assassinations including those of human rights lawyer Abdesalam al-Mismari¹¹⁰ in Benghazi on July 26, 2013, female lawyer and activist Salwa Bugaighis¹¹¹ in Benghazi on June 25, 2014, and former female GNC representative Fariha al-Berkawi¹¹² in Darnah on July 17, 2014, has stymied civil society. On September 19 at least ten activists, journalists, and security personnel were assassinated in what has been called Benghazi’s “Black Friday.”¹¹³ The Committee to Protect Journalists and Reporters without Borders have condemned the rise in largely Islamist-perpetrated attacks against civil society activists and the press. Following Bugaighis’s brutal murder, Amnesty International noted that “female journalists and human rights activists have been increasingly harassed, intimidated, and attacked by Islamist-leaning militias, armed groups and others amid a climate of pervasive lawlessness.”¹¹⁴

LIBYA’S STRANGE ECONOMY. Economic indicators of the state’s well-being are mixed but likely to drop sharply. Renewed conflict has been the death knell

for Libya's small, emerging formal private sector,¹¹⁵ and the provision of basic services has reached a low not seen since the revolution. Routine outages of fuel, water, electricity, and basic necessities have been reported in major urban centers.¹¹⁶ Paradoxically, oil is flowing again, with output rising to 900,000 bpd as of September 24¹¹⁷ and then settling at 800,000 as of October 22,¹¹⁸ more than half of Libya's postrevolution high of 1.5 million bpd. This renewed oil flow is the result of the federalists' decision to play the political game, thereby ending their blockage of oil export terminals, their alliance with Operation Dignity, and the riding momentum from their HOR electoral successes.

Until early November, fighting has been limited to urban centers and non-oil-producing regions. The Central Bank of Libya (CBL), which now holds some \$100 billion in foreign reserves,¹¹⁹ has attempted to remain neutral in the standoff between the revived GNC and HOR.¹²⁰ However, the HOR fired CBL chief Sadek al-Kabir on September 14 after he blocked a transfer of funds requested by the House.¹²¹ (Kabir is nonetheless reported to still be in office, adding to the confusion over who controls Libya's oil wealth.¹²²) Libya's vast wealth is now a primary focus among warring camps, and this same level of politicization will very likely extend to the National Oil Corporation, headquartered in Operation Dawn-controlled Tripoli. Should either side believe the other is benefiting from hydrocarbon revenue, it would likely respond by disrupting or destroying critical hydrocarbon infrastructure. Operation Dawn's willingness to target state infrastructure, such as Tripoli International Airport and the nearby Brega Petroleum Marketing Company's storage depots, suggests that such infrastructure is not off-limits.

Critical hydrocarbon infrastructure in the Gulf of Sirte and Libya's south are at risk. While the gulf is quiet for now, tribal and ethnic fighting has erupted both in Sebha between the Awlad Suleiman tribe (pro-Operation Dawn)¹²³ and the Qadhahfa tribe (pro-Operation Dignity), and in Ubari between various Tuareg forces and Tebu tribesmen¹²⁴ (Operation Dignity¹²⁵). As this study

goes to press, and in a dangerous development for Libya's hydrocarbon industry, an unknown group stormed Libya's largest oil field, El Sharara, and shut down production on November 5.¹²⁶ Initial reports indicated Tuaregs, possibly from Mali and Islamist,¹²⁷ may have been responsible for the initial attack. But by November 7, unconfirmed reports indicated that Misratan forces were in control of the oil field.¹²⁸

Fighting also risks spreading to the El Feel oil field. This asset is guarded by Tebu Petroleum Facilities Guards loyal to Operation Dignity,¹²⁹ who oppose Misratah's Third Force in Sebha, loyal to Operation Dawn and only some 120 miles away as the crow flies. On September 6, Tebu tribesman warned the Third Force not to descend south of Sebha toward the oil fields, or else they would fight "face to face" desert warfare,¹³⁰ as opposed to urban warfare. Anticipating the reality that Libya's critical infrastructure may soon be targeted, Mohammad Fayyez Jibril, Libya's ambassador to Egypt, called on August 26 for the international community to protect Libya's oil fields.¹³¹

FROM FAILED STATE TO CIVIL WAR. Operation Dawn has put Libya into uncharted waters. Ironically, the greatest threat to Libya's transition was long thought to be Islamist-led irregular warfare targeting the state in the northeast. Now, political Islamists and their allied militias in the northwest who claim to follow the democratic process have succeeded in derailing the transitional road map to push the country into civil war—and possible collapse (see the appendix on gradations of state failure and collapse). As noted, Libya now has two parliaments (although only one, the HOR, was elected), two prime ministers, two chiefs of staff, and two armed factions claiming to be the state's true armed forces. Moreover, the Supreme Court's ruling has left the country without a constitutionally recognized government.¹³²

The last unified national political body is the CDA, but this committee is based in the eastern town of Bayda in Haftar's area of control and is led by a liberal, Ali Tarhouni. It would be unsurprising

if Operation Dawn and the GNC were to reject any draft constitution.¹³³

Abu Bakr Buera, who opened the first HOR session, claimed that “Libya is not a failed state,” but he nonetheless cautioned that “should the situation spin out of control, the whole world will suffer.”¹³⁴ Nine days later, on August 13, the HOR voted for foreign intervention, a move that demonstrated Libya’s manifest failed-state status. Buera, reading from the decision, asserted that “the international community must intervene immediately to ensure that civilians are protected.”¹³⁵ The brash call for outside intervention suggests that Libyans increasingly realize they cannot reverse the civil war on their own. Absent effective intervention, the consequences will be significant not just for Libya but for the entire region.

The Consequences of Civil War and Collapse

The grave consequences for both country and region of Libya’s civil war and possible state collapse break down as follows:

INTERNAL CONSEQUENCES. Libyans are increasingly identifying with town and tribe over a shared notion of Libyan citizenry. As a result, there will be no neat division of the country, a point Thini, made on August 7 when he suggested Libya could be rendered “into small emirates of no value.”¹³⁶

Libya’s patchwork alliances are facilitating the devolution of any notion of the central state. In the northwest, alliances are geographically noncontiguous: Zintan (pro-Dignity) is surrounded by the pro-Dawn Amazigh towns of Jadu, Kikla, to an extent Nalut, and Zuwarah further north; in between Tripoli and Zintan is Gharyan (pro-Dawn), with the pro-Dignity towns of Bani Walid to its east and Aziziya to its north. In the Gulf of Sirte, federalists (pro-Dignity) control key oil export terminals and some small towns, but are limited to the west and east by Ansar al-Sharia in Sirte and Ajdabiya, respectively. In the northeast, Operation Dignity forces led by Haftar are contesting Benghazi, and are in al-Marj, Bayda, and Tobruk, while various

other extremist groups occupy Benghazi proper, Darnah, and the Green Mountain region. The south represents the only area where any one group can exert contiguous geographic control with a certain degree of success: the Tebu have strengthened their positions and control of the southern border from Kufra in the southeast to Murzuq in the southwest, while the Tuareg control the southwestern border region. Both groups are connected to fellow tribesmen across Libya’s borders. But the Tuareg are not always united, and ethnically and tribally mixed towns like Sebha and Ubari cannot be neatly divided, and will likely continue to see continued intercommunal bloodshed.

This process of growing identification with town or tribe is not new. Libyans increasingly found refuge in tribal structures late in Qadhafi’s reign, a process that accelerated during the 2011 revolution when central authority collapsed and many of Libya’s tribes attained arms and combat experience. Over the past three years, marginalized minorities like the Amazigh in the northwest, and Tuareg and Tebu in the south, have gained significant freedoms arising from de facto self-rule, which they zealously guard along with their territory. In the northwest, Libyans have increasingly identified with one of two rival alliances: a “lower” tribal alliance along the coast that includes Misratah and its neighbors, such as the Zawiyah and some of the Farjan tribes,¹³⁷ and an “upper,” mostly Bedouin alliance in the mountains and farther south that includes the Zintan, Warfalah, Qadhahfa, Magarha, and Warshefana tribes.¹³⁸ Zintan dealt a serious blow to this “upper” alliance in 2011 when it rose against Qadhafi, but the mountain town has since gradually repaired its old tribal ties, a process facilitated by Operation Dawn, which draws in large part from the “lower” tribes.

In many ways, the tribal divisions observed in the fighting in northwestern Libya today mirror those that precipitated the country’s bloody intertribal war of 1936.¹³⁹ These entrenched divisions have led to the establishment of checkpoints by both Dawn and Dignity forces to detain individuals from rival towns and tribes. Immediately after Operation Dawn forces seized Tripoli, for example, individu-

als from or affiliated with Zintan were targeted in reprisal attacks,¹⁴⁰ or were reported to have disappeared at checkpoints manned by pro-Dawn forces. The same accusation has been leveled against pro-Operation Dignity forces in the northwest. Even Operation Dignity in the northeast under Haftar openly singles out and praises its northwestern allies along tribal lines.¹⁴¹ Operation Dignity supporters include some of the Farjan in the Gulf of Sirte, to which Haftar belongs, and the Obeidat, al-Barasa, and Maghariba tribes in the northeast.¹⁴² Some elements of these tribes also support federalism, which generally has strong tribal backing:¹⁴³ federalist leader Ibrahim al-Jathran is from the Maghariba tribe, and also receives support from the al-Awaqir and Hassi tribes.¹⁴⁴ Extremist groups in the Gulf of Sirte and northeast meanwhile attempt to downplay tribal affiliations, emphasizing that Islam is the common bond among Libyans.

In view of the move toward tribal identification, one element that would make national division especially painful is Libya's expansive and exposed hydrocarbon and water infrastructure.¹⁴⁵ The Great Man-Made River (GMR), which pipes water north from southern aquifers,¹⁴⁶ runs through opposing towns and territory, rendering the critical system vulnerable to attack. By September 2013, pumps on the GMR had already been deactivated in protest by the Magarha and Qadhadhfa tribes in Sebha over events in Tripoli,¹⁴⁷ more than 470 miles to the north. The El Feel oil field, already mentioned in the context of a potential Tebu-Misratan conflict, transports crude oil north to the Mellitah oil export terminal near Zuwarah through Amazigh territory, where Amazigh protestors have previously shut down the pipeline;¹⁴⁸ Zintani and Amazigh guards have also clashed over the right to guard Mellitah.¹⁴⁹ Targeting Libya's hydrocarbon industry would bring about an environmental catastrophe, undermine the economy, and end the government's ability to provide subsidies. This would result in an immediate deterioration of the average Libyan's standard of living.¹⁵⁰ Such a move would bring Libya closer to a "Somalia on the Mediterranean" scenario.

ECONOMIC AND SECURITY CONSEQUENCES FOR TUNISIA AND EGYPT.

Libya's civil war is placing considerable strain on Tunisia and Egypt, two other North African states that feature prominently in U.S. foreign policy and face their own internal tumult. The GDPs of Libya, Egypt, and Tunisia are codependent,¹⁵¹ and collapse in Libya—perhaps heralded by the destruction of hydrocarbon infrastructure—would drive down its neighbors' respective GDPs. Prior to the 2011 revolution, Libya hosted some 95,000 Tunisian workers¹⁵² and 1.5 million Egyptian workers, whose remittances were an important source of revenue to those countries. The workers' return home has translated into lost remittances, increasing unemployment, and higher demands for housing and welfare services, particularly for Egypt.¹⁵³ The flight of refugees into Tunisia and Egypt has strained both countries, beginning in 2011 when Tunisia took in about a million Libyans. Egypt, for its part, received some 104,000 Egyptians, 163,000 Libyans, and about 77,000 members of other nationalities from Libya.¹⁵⁴ A second wave of refugees and returning expatriates¹⁵⁵ is now burdening both countries. Tunisian foreign minister Mongi Hamdi warned on July 30 that "our country's economic situation is precarious, and we cannot cope with hundreds of thousands of refugees."¹⁵⁶

This added strain comes at a time of increasing regional terrorism. Tunisia and Algeria both face challenges from AQIM, which recently claimed responsibility for a May 27 attack on the Tunisian interior minister's home.¹⁵⁷ Tunisia has battled its own Ansar al-Sharia, which is reported to be close to Libya's Ansar al-Sharia.¹⁵⁸ The Tunisian Ansar al-Sharia is also labeled a terrorist organization by the United States.¹⁵⁹ All three organizations,¹⁶⁰ as well as fighters from northern Mali,¹⁶¹ have used the Chaambi Mountains along the Algerian border as a refuge. On July 16, Tunisia saw its bloodiest day in fifty years when an AQIM-affiliated battalion killed fourteen soldiers and wounded twenty others in this region.¹⁶² Libyan instability directly translates into Tunisian instability: Hamdi warned as much when he said that "we

consider that [the crisis in] Libya is an internal problem for Tunisia...because our security is part of Libya's security."¹⁶³

The deterioration of Libya also poses a problem for Egypt, which now counts the Western Desert region—in addition to the Sinai Peninsula—as a front line in its war against terrorism. On July 19, gunmen from Libya killed twenty-one troops at a checkpoint in Farafra,¹⁶⁴ and the Egyptian media is increasingly preoccupied with the specter of international jihad taking root next door.¹⁶⁵ This phenomenon has pushed Haftar and Egypt into closer cooperation, both of them wary of events in Syria and Iraq that could extend to their shared border.¹⁶⁶ This reality is indeed unfolding: an Egyptian security official claimed on September 5 that coordination is occurring between Ansar Beit al-Maqdis in the Sinai, ISIS in Syria and Iraq, and “the militants in Libya.” Meanwhile, an Ansar Beit al-Maqdis commander has verified the flow of fighters across the Libya-Egypt border.¹⁶⁷

INCREASE IN TERRORISM FROM THE SAHARA AND SAHEL TO THE MIDDLE EAST.

Terrorism issuing from Libya is also a dominant concern among the country's southern neighbors. The most notable consequence of the 2011 revolution was a Tuareg insurgency in northern Mali, reinvigorated by fresh arms emptied from Libyan arsenals. Along with AQIM and other affiliated groups, the Tuaregs seized a swath of land larger than Texas. France, which has a continuing and evolving mission in the region, intervened militarily.¹⁶⁸ In February 2014, Niger's interior minister called on France to expand its mission and for the United States to intervene in southern Libya “to eradicate the terrorist threat.”¹⁶⁹ Jean-Yves Le Drian, France's minister of defense, agreed with this threat assessment when he warned on September 8 that “southern Libya...is a sort of hub for terrorist groups to resupply, including weapons, and reorganize.”¹⁷⁰ In response, France is establishing a base in northern Niger¹⁷¹ sixty miles from the Libyan border,¹⁷² and the United States is now opening a drone base in Agadez, Niger, some five hundred miles closer to

the Libyan border than its first drone base in Niamey.¹⁷³ According to one French official, troops will arrive close to the border within weeks and, with the cooperation of U.S. intelligence, will monitor extremist arms shipments.¹⁷⁴

Not surprisingly, since 2011 Libya has become a destination for extremists seeking to recruit, train, and procure arms for foreign battlefields. Prior to Operation Dignity, Ansar al-Sharia in Benghazi had reportedly used the city's Benina International Airport as a transit hub for foreign fighters en route to theaters of conflict like Syria.¹⁷⁵ In response to this revelation, former justice minister Salah al-Marghani acknowledged on December 12, 2013, that Libya's security situation allows “such groups to move freely.”¹⁷⁶ Smaller networks exist across the country, such as one reported on September 8 in Khoms, in northwest Libya, which sends Libyans to join ISIS.¹⁷⁷ Former UNSMIL head Tarek Mitri warned in his final address on August 27, 2014, that “the threat from the spread of terrorist groups has become real. Their presence and activity in a number of Libyan cities are known to all.”¹⁷⁸ Mitri's replacement, León, proved to be more specific when he acknowledged on October 6 that “al-Qaeda is already present.”¹⁷⁹

The slide toward civil war means Libya will be not just a staging ground for terrorism but also a destination point for jihad. In response to Operation Dignity, Muhammad al-Zahawi, the leader of Ansar al-Sharia in Libya, warned that Haftar's campaign “will bring fighters from the people of *tawhid* [unity] across the whole Arab world [who] will fight him, as is happening in Syria now.”¹⁸⁰ Zahawi also accused Haftar of being a U.S. agent and threatened the United States with “worse than what you saw in Iraq, Afghanistan, and Somalia.”¹⁸¹ Unverified reports indicate that hundreds—some indicate thousands—of foreign fighters from Tunisia,¹⁸² Syria, and Iraq, including Libyan extremists,¹⁸³ have traveled or returned to Libya to fight Haftar's forces.¹⁸⁴

Extremist groups like Ansar al-Sharia in Libya have grown in size and sophistication over the past three years. One U.S. government official who

served in Libya noted in October 2012 that “the bad guys are making plans and organizing...It’s a footrace between the extremist groups and the Libyan government that’s trying to get organized.”¹⁸⁵ The former are clearly winning. Successive blows to Operation Dignity forces in Benghazi until Haftar’s October 15 counteroffensive suggest an initial underestimation of Ansar al-Sharia’s and affiliated militias’ capabilities. Extremists are increasingly employing suicide bombings against Operation Dignity forces, such as in four devastating suicide attacks on October 2 that left at least forty soldiers dead.¹⁸⁶ In recent years, in the absence of the state, Ansar al-Sharia has dramatically expanded its networks while other extremist groups and criminal networks have similarly grown throughout the region (see table 1).

Libya, which connects northeast and northwest Africa and acts as a gateway from the Sahara to Europe, sits squarely in the middle of these vast networks. Indeed, U.S. ambassador to Libya Deborah K. Jones described the country as a “crossroads” for extremists,¹⁸⁷ and on August 28 French president François Hollande warned, “If we do nothing [about Libya]...terrorism will spread to the whole region.”¹⁸⁸ Prolonged state failure and civil war may encourage more formal alliances among extremist groups, such as between coastal and Saharan/Sahel terrorist organizations, or even with groups in Syria and Iraq.

Dynamics between ISIS and al-Qaeda’s Jabhat al-Nusra (JN) in Syria have had a distinct North African dimension: Libyans and Tunisians tended to join ISIS, while Algerians and Moroccans have preferred JN.¹⁸⁹ These networks are not unidirectional, and there is already evidence they are influencing the jihadist environment in North Africa and south to the Sahara/Sahel region.¹⁹⁰ On September 13, an AQIM group named Soldiers of the Caliphate in Algeria supposedly defected to ISIS¹⁹¹ and then, in support of ISIS leader Abu Bakr al-Baghdadi, released a video on September 24 of its decapitation of a French tourist. Meanwhile in Libya, as fighting raged outside of Tripoli and Benghazi, the IYSC in Darnah declared on October 3¹⁹² its loyalty to ISIS and Baghdadi.¹⁹³ Films show

the IYSC parading through the city with “Islamic police” vehicles similar to those observed in Raqqa, Syria.¹⁹⁴ Prior to the group’s announcement, the IYSC carried out Libya’s first post-Qadhafi public execution in a football stadium, with an Egyptian the victim.¹⁹⁵ Ansar al-Sharia has also reportedly established connections with ISIS, as confirmed in September by a commander who claimed ISIS was helping train his group.¹⁹⁶ As with ISIS’s overshadowing of JN in Syria, extremists could compete for the mantle of jihad in North Africa, with Libya as the primary battlefield.

INCREASED LIKELIHOOD OF FOREIGN INTERVENTION. Concerned regional leaders are framing Libya almost entirely as a “national security” issue, a development that increases the likelihood of international intervention in the failing state. Yet the United States, Britain, Italy, France, and Germany have to date deemed that foreign intervention in Libya exacerbates tensions and undermines the democratic transition.¹⁹⁷

Needless to say, Libya’s neighbors Egypt and Algeria do not necessarily share this assessment, and could attempt to carve out respective areas of influence in western and eastern Libya.¹⁹⁸ Egypt has proven its willingness to intervene, as demonstrated by August 18 and 23 airstrikes against political Islamists in Tripoli,¹⁹⁹ by reports that special forces based in Egypt, although possibly mostly Emirati, previously destroyed a terrorist training camp near Darnah,²⁰⁰ and by the more recent airstrikes in Benghazi in support of Haftar’s counteroffensive.²⁰¹ Shortly after the IYSC pledged allegiance to ISIS, airstrikes deemed too precise for Libya’s air force struck an IYSC base, leading to speculation of another Egyptian-Emirati hit.²⁰² Algeria, constrained by a constitution that limits foreign military deployments, has a higher threshold for intervention. Unlike Egypt, Algeria tends to differentiate between political Islamists like the Muslim Brotherhood and its allied militias in Operation Dawn in northwest Libya, on the one hand, and Islamic extremists who reject democracy in northeast Libya, on the other. As a result, Algeria has

Table 1. Extremist Proliferation from Libya

North Africa*	Sahara, Sahel, and West Africa†	Middle East‡
AQIM	AQIM	Jabhat al-Nusra (al-Qaeda affiliate)
Uqba ibn Nafi Brigade	Ansar al-Sharia	ISIS
Ansar al-Sharia in Tunisia	Ansar Dine	+ other smaller groups
Ansar al-Sharia in Libya	Movement for Unity and Jihad in West Africa	
Ansar Beit al-Maqdis	Boko Haram	
+ other smaller groups	+ other smaller groups	

* Tunisia's western Chaambi Mts., several Libyan coastal towns/cities, western Egypt, and Sinai Peninsula

† Algeria and Libya, into northern Mali and Niger, and Mauritania

‡ From Syria to Western Iraq

been pushing for negotiations among forces fighting in northwest Libya. But should a phenomenon like ISIS develop in western Libya, or a possible repeat emerge of AQIM's January 2013 In Amenas gas facility attack,²⁰³ Algeria would very likely intervene on Libyan soil in the name of self-defense. Absent a coherent internationalized strategy to mitigate Libya's civil war and prevent collapse, ad hoc foreign intervention is likely to continue.

Preventing or Mitigating the Collapse

However troubling Libya's deterioration may be, Washington now has several other more pressing crises on the agenda.²⁰⁴ On August 4, Secretary of State John Kerry highlighted Libya's relatively low standing on the docket when he said that "Libya's challenges can really only be solved by Libyans themselves."²⁰⁵ The European Union's new foreign policy chief, Italy's foreign minister, Federica Mogherini, has likewise signaled that Libya is but one of many challenges facing the EU. "Starting from Iraq and Syria, going to Libya," she said in September, "if we point a compass in Brussels and draw a circle, it's all our neighborhood that is suffering from conflicts and war."²⁰⁶

Still, a consensus is emerging that unified action on Libya is necessary and possible.²⁰⁷ Such action need not be U.S.-led: after all, the threat from Libya poses more immediate consequences to southern Europe. Despite Mogherini's bleak assessment of the EU's regional challenges, having an Italian-led EU foreign policy could allow for a renewed European focus on Libya. Prior to assuming her new post, Mogherini had called for a unified EU position on Libya.²⁰⁸ Moreover, León, who is from Spain, spent three years as the EU special representative for Libya and EU special representative for the Southern Mediterranean²⁰⁹ before taking the lead of UNSMIL, and is intimately familiar with Libya's challenges.

Reinvigorated will within UNSMIL and the EU to act on Libya presents the United States with the opportunity to serve as a partner in seeking to prevent any further entrenchment of Libya's civil war. The focus is now on fostering dialogue between the opposing Dignity and Dawn camps, and supporting the UN Security Council's threat of targeted sanctions against Libyans who disrupt the peace and the political process.²¹⁰ But given the lack of progress to date and the slim chances for near-term success, Washington and its Euro-

pean allies must start preparing for a worst-case scenario. Should Libya collapse, the priority for the United States will be containment, preventing spillover from the failed state to neighboring states in need of stability and security. Fortunately, the United States need not act alone: on September 8, France's Le Drian, while discussing the threat of terrorism, asserted that France "must act in Libya,"²¹¹ an exhortation understood to mean military action. The subsequent stationing of soldiers closer to Libya's southern border indicates that France may be taking the lead on Libya, much as it did against the Qadhafi regime in 2011 and in northern Mali in 2012.

Policy Recommendations

The next steps in Libya for the United States and its European partners should include the following:

CONTINUE TO FOSTER DIALOGUE. UNSMIL and the Office of the UN High Commissioner for Human Rights are appealing for "an inclusive political dialogue" in Libya.²¹² While dialogue with extremist groups like Ansar al-Sharia is impossible since such groups reject dialogue and democracy a priori, pragmatic Islamists such as the Muslim Brotherhood and its allies-in-arms in the northwest could be another story. Given the track record, it is far from clear that dialogue could succeed in bringing Libyan parties together. Indeed, Libya's Grand Mufti, Sheikh Sadiq al-Gharyani, who leads Dar al-Ifta (Libya's highest Islamic body) and backs Operation Dawn, rejected dialogue because the HOR called for foreign intervention and labeled Dawn forces terrorist organizations.²¹³ Nevertheless, the following actions could bring about at least a temporary ceasefire:

- Work with the HOR to reverse its August 24 decision to label Operation Dawn forces terrorist organizations.²¹⁴ Such a move could facilitate dialogue and potentially allow legitimately elected Islamist representatives who defected to the GNC to rejoin the HOR.
- Convince non-Islamist forces to differentiate between Islamist extremists and more moderate political Islamists. Until now, the HOR has lumped all Islamists—from the Muslim Brotherhood to jihadists—into one category, missing an opportunity to weaken the overall trend and build alliances to support a unified, stable Libya. Algeria, which reportedly still has ties with former Qadhafi regime members²¹⁵ (many of whom support Operation Dignity and Zintani forces), also has good relations with Libya's political Islamists²¹⁶ and may play a role in helping strengthen Libya's nonjihadist Islamist current at the expense of Libyan extremists.²¹⁷ Algeria is now attempting to extend and oversee previously held UNSMIL-sponsored talks with the HOR²¹⁸ to include relevant parties, which could mean members of the defunct GNC whom most of the international community has boycotted.²¹⁹
- Press Haftar's Operation Dignity forces to operate more transparently under the command of Abdul Razzaq Nazuri, the HOR armed forces chief of staff, or some type of military committee with clear civilian oversight. (The October 20 alignment of efforts between the HOR and Haftar against extremists in the northeast is encouraging, but insufficient.²²⁰) Such a move could moderate perceptions of Haftar's excessive political desires, address perceptions that Haftar's counteroffensive is being directed from Cairo, increase the HOR's legitimacy, and enhance civilian oversight of the armed forces.²²¹ Not only would this kind of alignment reassure political Islamists that they could safely reintegrate into the HOR, it could also lead to security assistance from the United States and EU to combat Islamist extremists in the northeast. As Ambassador Jones noted this past May, Haftar is useful because he is "going after very specific groups...on our list of terrorists."²²²

- Encourage Zintani forces in the northwest to likewise align with the HOR under Nazuri's authority, in addition to any willing forces that have to date remained neutral or who wish to break away from the Operation Dawn alliance.
- Support reconciliation between Zintan and its hostile Amazigh neighbors, a development that could split the Amazigh from Operation Dawn forces. The Amazigh are not naturally predisposed to Islamism, yet they have allied with Misratah-led Islamist parties in the GNC, and now Dawn forces, because they seek greater linguistic and minority rights. In general, Zintan and traditional Arab nationalists oppose making Tamazight an official language for Libya, as they claim it would undermine the country's Arab identity. But by acquiescing to this demand and promoting it in the HOR, Zintan might be able to neutralize the Amazigh and weaken the Operation Dawn alliance enough that it would feel the need to engage in dialogue.

CHALLENGES TO DIALOGUE. Apart from the pervasive distrust among all parties, and the obvious spoilers of Ansar al-Sharia and affiliated extremists, the primary challenge to dialogue comes from the militias that hold real power.²²³ The Supreme Court's unexpected ruling has exacerbated tensions, providing more questions than answers, while emboldening the GNC and Operation Dawn forces, who now feel even less of a need for dialogue. Moreover, all armed sides to this conflict have previously displayed or now display flagrant disregard for legitimacy, democracy, legislative processes, and international law—exactly what UNSMIL is pursuing in Libya—and it is questionable whether they would suddenly respect these principles.

However, the strongest opponents of dialogue have been Operation Dawn forces and its politicians. True, both Haftar's characterization of the broad Islamist spectrum as one uniform entity and the HOR's declaration of all northwest Dawn members as terrorists are problematic. But military leaders and politicians aligned

with Operation Dawn have routinely refused to negotiate. Examples include negotiations held in Ghadames at the end of September under UN auspices,²²⁴ and Algeria's subsequent attempts to broaden the scope of negotiations.²²⁵ Political Islamists in Tripoli as well as extremists in Benghazi who fall within the Islamist camp have rejected negotiations as a "betrayal of the revolution."²²⁶ Some within Operation Dawn, such as a former and controversial²²⁷ Ministry of Defense undersecretary, Khaled al-Sharif, believe this new civil war is in fact a continuation of the 2011 revolution²²⁸ meant to cleanse the country of Qadhafi loyalists. Indeed, the GNC's prime minister, Omar al-Hassi, in a friendly Aljazeera interview on October 29, reiterated this exact sentiment and even described Haftar and his forces in terms worse than Qadhafi—claiming that Haftar sought to "colonize Benghazi"—while praising extremists in Benghazi as "revolutionaries."²²⁹ This praise is obtuse considering that Ansar al-Sharia, which was founded after the revolution, is a U.S.-designated terrorist organization whose sophisticated media campaign increasingly mirrors that of ISIS. (In October, Ansar al-Sharia released a forty-two-minute video that heavily borrowed stylistic elements from ISIS's media campaign.)²³⁰

Operation Dawn's refusal to negotiate also owes to its political and military leaders' belief that they possess greater legitimacy than the HOR, despite democratic elections and the international community's embrace of the HOR. Muslim Brotherhood head Mohammad Sawan, for example, made the dubious claim that two-thirds of Libyans support Operation Dawn.²³¹ In one telling sign of this obstinacy, HOR representative Salah al-Sahbi from al-Rajban claimed on September 5 that twenty-six separate attempts to reach a ceasefire had been rebuffed by Operation Dawn. Sahbi also claimed these efforts were initiated by cities, towns, tribes, and the UN, and that attempts to bring Islamist representatives back into the HOR had gone unreciprocated.²³²

Lastly, there are currently few if any pressures on Zintan and Misratah that would induce either

power center to accept a ceasefire. Zintan is protected from Misratah by the Nafusa Mountains and can rely on its extensive smuggling network to the west and south for provisions; Misratah meanwhile is buoyed by its own airport and Islamist control over Tripoli's Mitiga Air Base and the city's seaport, through which it trades with Turkey. Misratah and its allies are gloating over their seizure of the capital and now outnumber Zintani forces.

Precise force numbers and structure are difficult to come by, owing to the often informal nature of Libya's militias, as well as their own propaganda. Nonetheless, the Zintani al-Qaaqaa, Sawaiq, and al-Madani brigades are recognized as having a qualitative edge in weapons stockpiles, equipment, and training.²³³ The al-Qaaqaa Brigade, for example, was created in part to absorb remnants of Qadhafi regime forces, including members of the elite Thirty-Second Reinforced Brigade, formerly known as the Khamis Brigade.²³⁴ The al-Qaaqaa and Sawaiq together have had a reported 17,000 fighters, while by comparison Misratan forces were reported to have had some 25,000 fighters shortly after the revolution.²³⁵ Nazuri, in an October 27 interview, made the improbable claim that the Libyan National Army, which appears to be an amalgamation of anti-Dawn army remnants and militia elements that did not initially join Haftar's forces but have recently joined his counteroffensive in Benghazi, number 130,000 to 140,000 members.²³⁶ Even if the Libyan National Army were to include friendly militias in the rest of the country, its number would not likely approximate half his figure. Again, precise numbers are unavailable, and what is reported is likely part of militia information-operation campaigns and ultimately may not account for the strength of the groups' respective alliances as a whole.

León remarked on September 8 that progress on the political track was dependent on the security situation: "Ceasefire must be total for political contacts and talks to be successful."²³⁷ If his assessment is correct, political reconciliation will not be possible in the foreseeable future.

STEM THE FLOW OF WEAPONS AND PREVENT OIL SMUGGLING.

Absent a political agreement or a ceasefire, Washington and its European allies—both within the UN and through other avenues—must act to arrest a destabilizing spillover of Libya's conflict to neighboring states. This past summer, the UN Security Council responded to escalating violence in Tripoli by resolving to "designate Libyans who violate the UN's arms embargo, or have been involved in attacks that contravene international human rights law, attacks against ports of entry, government facilities, and foreign missions, and providing material support to armed groups using Libya's natural resources."²³⁸ While UNSMIL reiterated this threat on October 2,²³⁹ no Libyans have yet been sanctioned. The resolution also called on neighboring states to inspect cargo to and from Libya, a decision that could be further strengthened with a mandate to prevent unauthorized air- and seacraft from entering Libyan airspace and territorial waters.

UN Security Council Resolution 2174 is a good first step. If broadened, it could do the following:

- Prevent outside powers from arming proxies on the ground. Since the revolution, Qatar and Sudan have been accused of arming Islamist militias in Libya. On September 6, for example, a Sudanese military transport plane loaded with ammunition en route to the Islamist-controlled Mitiga Air Base in Tripoli was seized while it refueled in Kufra.²⁴⁰ Sudan now appears to be countering these perceptions, such as by embracing the HOR.²⁴¹ Qatari aircraft have also landed several times at Mitiga and Benina (pre-Operation Dignity) to allegedly arm proxies and transport weapons and insurgents to Syria.²⁴² Haftar has also accused Qatar of funding and arming its allies via Sudan.²⁴³
- Include Egypt and the UAE in a regime that would work toward the two countries' desired goals of neutralizing Islamist militias on the ground, a move that would likewise constrain the states' ability to intervene unilaterally. Egypt in particular is well suited to enforce this

regime and can help interdict weapons shipments by sea meant for Syria or Iraq.

- Enforce UN Security Council Resolution 2146, passed March 19, which allows for states to inspect vessels suspected of smuggling crude oil from Libya on the high seas.²⁴⁴ These inspections are envisioned to be carried out by NATO and friendly southern Mediterranean states' naval assets.

This regime would enforce noninterference in Libya's internal affairs, an initiative endorsed in principle by Libya's Arab neighbors and the Arab League. It would also directly assist the UN in enforcing its Chapter VII authorities to sanction, freeze assets, and place travel bans on "individuals and entities determined by the Committee to have violated...the arms embargo, or assisted others in doing so."²⁴⁵ This system could enable policymakers to better respond to rapidly changing events on the ground, should direct intervention be authorized and necessary. Interestingly, one of the few lulls in the fighting in Tripoli occurred July 26, when U.S. aircraft monitoring Ambassador Jones's evacuation were spotted above the capital. Militias, fearing they would be targeted by the aircraft, halted their fighting. This incident indicates that a more aggressive aerial regime could limit militia operations.

CHALLENGES TO STEMMING WEAPONS FLOW.

The clearest challenge to assembling an aerial regime to regulate the flow of traffic into and out of Libya is the lack of international political will. NATO would be the obvious choice to oversee such a mission, since it conducted the Operation Unified Protector mission over Libya in 2011. But today, NATO is preoccupied with Russia and Ukraine, and some of its members are currently engaged in bombing campaigns against ISIS in Iraq. Likewise, it's unclear that Washington—the backbone of all kinetic NATO operations—is willing to invest assets and political capital in this lower priority mission. NATO did announce on September 5 its "readiness to provide security capacity support to

Libya,"²⁴⁶ but this statement deliberately falls well short of a commitment to deploy aircraft. During Operation Unified Protector, NATO integrated non-NATO-member air forces into its operations, and this kind of scenario could be revisited to enforce UNSC Resolution 2174. France may be the ideal European candidate to take the lead on such a regime, given Defense Minister Le Drian's recent statements and the country's intervention and evolving presence in the Sahara.

EXPAND SANCTIONS AND SECURE LIBYA'S ASSETS AND HYDROCARBON REVENUE.

While Resolution 2174 is important, it should be amended and expanded to include those who engage in incitement. In addition to sanctioning those who violate the arms embargo, are involved in attacks that contravene international human rights law, and materially support or act on behalf of a sanctioned individual, the broadened resolution would target the owners of Libyan media outlets, and political, spiritual, and militia leaders who call for violence. Libya's Grand Mufti Gharyani is one such prime candidate: He has not only had a polarizing and negative impact on Libya's democratic transition through advocating exclusive politics,²⁴⁷ but he also cheered on Operation Dawn forces from the safety of Britain, which opened an investigation into charges of incitement against him. Resolution 2174 could also be expanded to target Libyan businesspeople or other influential intermediaries between Libyan militias and their respective foreign backers, relationships that occur outside the HOR's legitimate parliamentary processes.

Broadening existing UN Chapter VII sanctions could also help limit fighting over the country's assets and neutralize hydrocarbon infrastructure as a target by warring factions. Taking a page from the Development Fund for Iraq (DFI), a UN Chapter VII sanctions regime that included representatives from the Office of the Secretary-General, the International Monetary Fund, the World Bank, and the Arab Fund for Economic and Social Development could require the deposit of Libya's oil revenues in

an escrow account. This account would be located in and protected by a foreign country, thereby possibly depoliticizing and limiting access to Libya's assets by forces deemed illegitimate by the international community. Like in Iraq, the fund's resources would be disbursed in cooperation with the legitimately elected HOR for "humanitarian, reconstruction, disarmament, and civilian administration purposes."²⁴⁸ Malta could be the ideal base country given its proximity to Libya, and given that Kabir has been running operations from the island for several months.²⁴⁹ Libya's Ministry of Oil and Gas and its National Oil Company could conduct business as usual, but revenues would only be released upon a political resolution of the conflict. Transparency would be ensured through the establishment of an international advisory and monitoring board,²⁵⁰ implementing lessons learned and best practices from Iraq's DFI experience.²⁵¹ Encouragingly, the United States is indicating that it may unilaterally pursue sanctions in Libya,²⁵² a move that should be undertaken in tandem with broadened UN sanctions.

CHALLENGES TO SECURING LIBYA'S HYDROCARBON REVENUE. Establishing an escrow account for Libya's hydrocarbon revenue and current assets would require revisiting Resolution 2174 or passing a new UN resolution altogether. Moreover, opponents of such a move, both in the international community and on the ground in Libya, would accuse all involved parties of usurping Libya's oil wealth, an accusation leveled by opponents of the NATO coalition in 2011.

ADDRESSING COLLAPSE. While UN-facilitated dialogue aimed at achieving a political solution is advisable, it will likely prove insufficient to prevent escalating violence. The gravity of the situation requires that the international community lay the groundwork now for what will likely be Libya's near or total collapse.

The United States is already providing significant security assistance to vulnerable regional states like Tunisia. Over the past three years, Washington has provided \$100 million to the

Tunisian military and \$35 million to the state's Ministry of Interior.²⁵³ In 2014, the United States will give Tunis an additional \$60 million in military assistance²⁵⁴ and twelve Black Hawk helicopters worth some \$700 million for counterterrorism operations.²⁵⁵ Close security assistance is likely to continue with Tunisia, but the provision of greater intelligence, surveillance, and reconnaissance (ISR) capabilities would serve as a force multiplier, particularly for Tunisia's constrained counterterrorism forces. This intelligence sharing could even be extended to Algeria, which in May signed a security cooperation agreement with Tunisia to secure the countries' joint borders, coordinate field operations, share information and intelligence, and exchange field experience and expertise.²⁴⁵ Such information sharing would lead to a more efficient use of limited resources for all parties involved and could particularly help with counterterrorism operations in the Chaambi Mountains.

As for Egypt, the announcement of a partial resumption of U.S. military aid—to include ten Apache helicopters for counterterrorism operations²⁵⁷—is encouraging. But these attack helicopters appear to have been released to Egypt to fight Ansar Beit al-Maqdis militants in the Sinai Peninsula, some five hundred miles away from the Libyan border. Moreover, Egypt's military preparations along its western border appear to consist primarily of mechanized infantry and artillery,²⁵⁸ which are not well suited to securing borders and addressing unconventional threats such as conducting counterterrorism operations. More attack helicopters and rapid transport capabilities for Egypt's western border could support the country's nascent rapid deployment force, a task force—the first of its kind for Egypt's armed forces—assembled to confront myriad unconventional security threats.²⁵⁹ Assistance as simple as providing aerostat balloons, which featured prominently in Israel's Operation Protective Edge against Hamas in the Gaza Strip,²⁶⁰ would boost Egypt's ISR capabilities along its border with Libya.

Kinetic and passive security solutions should help contain violent and destabilizing spillover throughout the region. At the same time, Washington and its European allies should pursue a less ambitious political horizon for Libya. As with Afghanistan and Somalia, efforts to reestablish a strong central state on the national level in Libya are not likely to succeed. Rather, a bottom-up approach represents the best opportunity to reestablish security with willing local partners. A decisive truce is always preferable, but incremental gains are more likely to establish security and limit spillover harmful to Libya's neighbors.

LOCAL PARTNERSHIPS: A BOTTOM-UP APPROACH.

The Libyan proverb "Fish eat fish and he who has no might dies" serves as an apt metaphor for a future Libya in the event of total state collapse. The strong will flourish, and the weak will be preyed upon. Should national-level political processes fail, Washington should seek to strengthen and partner with local actors whose postwar vision for Libya accords well enough with the end state envisioned by UNSMIL: a "transition to democracy" and "an inclusive Libyan political settlement."²⁶¹ Two types of partners merit being approached by Washington in lieu of a national-level effort: Libya's elected municipal councils, which have political and, to an extent, social legitimacy; and the country's tribes, which have social and, to an extent, political legitimacy.

- The municipal councils are new on the political scene, but many are already providing a semblance of government and services. Examples of municipal councils that have attempted to meet their constituents' demands include, but are not limited to, those in Tajura, Gharyan, Sebha, Ubari, and Tobruq. The central government funds municipal council budgets, and the absence of a government to allocate these funds would mean immediately lost relevancy for these councils to their constituents. Should Libya's assets and hydrocarbon revenue be placed in an escrow fund, the international advisory and monitoring board

noted earlier could allocate funds to councils that support an inclusive political settlement and oppose attempts by extremists to operate within their municipalities.

- The tribe offers an accessible social and political structure that not only predates the state but will survive state collapse. The tribe is the largest social organization in Libya,²⁶² and Libyans relied on tribes for sanctity, security, and support throughout the Qadhafi era.²⁶³ The uncertainty since 2011 has brought about an even greater dependence on tribal networks, and should the state collapse, tribes could come to dominate Libya more than the current Islamist/non-Islamist divide.²⁶⁴ To counter weapons proliferation and the free movement of terrorist groups, Washington and capable allies could coordinate with friendly Tuareg and Tebu tribes that currently patrol the borders. The 2005 tribal *sabwa* (awakening) strategy in Iraq against al-Qaeda is one template for tribal engagement should extremism in Libya continue to metastasize. As with the municipal councils and the *sabwa* approach, friendly tribes could receive salaries from an escrow fund.

If a top-down political solution cannot be achieved, and particularly if the state collapses, a bottom-up strategy of aligning with friendly municipal councils and tribes represents the best chance to restore stability and combat terrorism in Libya. Municipal councils offer the opportunity to bolster local political legitimacy through the provision of goods and services, which in itself could help stave off a Somalia on the Mediterranean scenario, while tribes could act as boots on the ground to complement any UN-authorized aerial interdiction regime. This strategy would provide interested parties with access to parts of Libya otherwise considered denied territory.

Conclusion

President Obama has made it clear that NATO's 2011 intervention was aligned with U.S. national interests,²⁶⁵ as he was "convinced that a failure to act in Libya would have carried a far greater price for

America,²⁶⁶ and that NATO action had prevented a massacre²⁶⁷ and an exodus of refugees.²⁶⁸ But the president has also admitted that not following up more closely during Libya's democratic transition is one of his biggest foreign policy regrets.²⁶⁹ Now Libya has entered a civil war, one with human and environmental consequences similar to, if not greater than, those that justified intervention in 2011.

Action is again required, but the burden need not fall primarily on the United States. The recognition exists that multilateralism is preferable, not just to share costs at a time of constrained resources and popular support, but because the challenges Libya poses to the region are too daunting for any one nation to solve alone. Encouragingly, a unified political strategy on Libya is emerging among the EU, UN, and the United States, and it is not too late for dialogue to succeed and for the country to exit its unfolding conflict.

However, the next step requires a coordinated and unified political and security strategy to pre-

pare for a worst-case scenario in Libya. Along with the United States, France has emerged as a key player in laying the groundwork for counterterrorism operations, but this effort needs to be part of a broader regional agreement in order to minimize narrow interests and increase efficacy. The United States, EU, and UN can implement a number of measures to mitigate the regional fallout by stemming the flow of weapons, interdicting illegal oil exports, and broadening sanctions. In the longer term, helping secure Libya's assets and hydrocarbon revenue could help protect Libya's hydrocarbon infrastructure and safeguard the country's patrimony for its citizens. Should the state completely collapse and Libya descend into full-blown civil war, Washington should downgrade its national-level expectations and focus on an approach that supports friendly local governments and tribes to both secure short-term counterterrorism goals and embark on the lengthy process of rebuilding Libya from the ground up.

APPENDIX

A Note on Libya and Weak States

Many of today's weak or failed states, such as Iraq, Lebanon, and Somalia, were hardly successful states to begin with.²⁷⁰ Libya is no different. Throughout Muammar Qadhafi's forty-two-year rule, he sought to dismantle as much of the state as possible, and before him King Idris al-Senussi stifled the development of independent state institutions. Following independence on December 28, 1951, Idris banned political parties, stole subsequent elections, and stifled the press.²⁷¹ The discovery of oil in 1959 enabled the king to further suppress organized opposition.²⁷² Qadhafi's centralization of power after the Free Officers' movement overthrew the king in 1969 facilitated even greater suppression.²⁷³ Similar to Idris in style but different in the scope of his ambitions, Qadhafi purchased quiet with the 1970s explosion in hydrocarbon revenue.²⁷⁴ Libya scholar Dirk Vandewalle writes that Qadhafi's "ever-lasting revolution"²⁷⁵ sought to keep the country "a stateless, essentially pre-bureaucratic society,"²⁷⁶ allowing the leader to run it without state institutions or a constitution.²⁷⁷

While the February 17, 2011, revolution was inspired by the Arab Spring uprisings roiling neighboring Tunisia and Egypt,²⁷⁸ Libya's revolution was and remains unique in that the state was completely supplanted by revolutionary bodies.²⁷⁹ Replacing the Qadhafi regime were the National Transitional Council and numerous militias formed along tribal, ethnic, ideological, or geographic lines. This total break from the past was made all the easier by Qadhafi's personalization of every aspect of Libyan government: the man headed the informal networks that made the state,²⁸⁰ and his removal left a void that has yet to be filled. After Qadhafi's fall, President Obama anticipated a transition to democratic rule²⁸¹ rife with challenges,²⁸² noting that it "will not be easy...After decades of iron rule

by one man, it will take time to build the institutions needed for a democratic Libya."²⁸³

Unraveling or unstable states like Libya are usually defined in opposition to what they should be: stable, functioning states. Many terms are used to describe such states, but this paper employs "failing" or "failed," in line with the 2002 U.S. National Security Strategy document. Scholar Rosa Brooks describes weak states as "teeter[ing] in common on the precipice, at seeming perpetual risk of collapse into devastating civil war or simple anarchy"²⁸⁴—exactly where Libya found itself at the outset of 2014.

States fail when they lack a monopoly on violence within their borders, cannot control populations or territory, and do not provide a range of public goods.²⁸⁵ This analysis provides a more qualitative assessment of state efficacy or failure, which includes security, political, social, and economic indicators.²⁸⁶ Another expert on failing states, Robert Rotberg, characterizes them as "tense, deeply conflicted, dangerous, and contested bitterly by warring factions."²⁸⁷ They tend to lack both domestic and international legitimacy.²⁸⁸ Worse than a failed state is a collapsed state, defined as completely lacking state authority or, as Rotberg puts it, "a black hole into which a failed polity has fallen."²⁸⁹ Collapsed states include Lebanon and Somalia in the 1980s, and Bosnia in the early 1990s. The principal distinction between failed and collapsed states is the modicum of government and governance in the former, versus none in the latter. Should its civil war deepen, Libya is at risk of moving from failed- to collapsed-state status.

A Note on Sources

When possible, English sources were used instead of Arabic sources for greater reader accessibility. In addition, traditional media were prioritized over social media, and events and ideas were cited using published articles instead of personal interviews and discussions with Libyans and subject-matter experts.

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