Freedom in libya: blessing or a curse

Since the Libyan revolution to overthrow Muammar al-Gaddafi ended in August of 2011, the drive for a safer and more democratic state has been met with both optimism and disappointment. The continued ineffectiveness of the General National Congress (GNC) to fill the security vacuum left after Gaddafi's fall and its inability to secure its porous borders (Wehrey 2013) has help fuel resentment towards it (BBC 2013).

Yet, it is this lack of effectiveness that leads to a possible guarded optimism; this is because unlike Egypt or Sudan there was no entrenched officer core or a single arm of resistance that dominated the political as well as military spectrum (Wehrey 2013). Libya has the rare opportunity at a fresh start, as the revolution was a true grass roots uprising with no one political or military order in charge, and even though a diverse set of informal actors have helped fill the security vacuum there has not been a decent into mass internal conflict as seen in Iraq (Wehrey 2013).

Through external partnerships with the U. N. , the Arab League, and the African Union, the Libyan government will be able to bolster its political capabilities allowing it to reign in the militias, and providing safety to minority groups; all of this would then lead to increased cooperation with the government (Larsen 2011, 3).

For forty two years Libya was under the rule of Muammar al-Gaddafi who ruled with absolute authority, amended laws and created " special" courts to prosecute and imprison opposition members (International Crisis Group 2013, 11) and used a divide and conquer mentality with the many tribes of Libya to ensure his regime survival (Bell and Witter, The Libyan Revolution:

Roots of Rebellion 2011, 17). This all changed in February 17, 2011 when the citizens of Benghazi demonstrated against the rule of Muammar al-Gaddafi and were brutally put down by the government forces (Bell and Witter, The Libyan Revolution: Escalation and Intervention 2011, 14).

Following these attacks the U. N. authorized Resolution 1973 which " provided the coalition with the legitimate authority to intervene" (Pattison 2011, 3) and help the National Transitional council topple Gaddafi allowing Libya its first chance at democracy in 42 years. The current, single greatest, issue facing Libya is the lack of security provided by the GNC. One of the main problems with remedying the security problem is the inability of the government to pull all the armed militias under their control. This is further complicated by the fact that during the revolution no one commander held sway over the rebels (Wehrey 2013).

This led to local groups popping up with the only goal of protecting their hometown. There were also some cases where rouge brigades stood up after the fighting and entered into the black market for strictly finical gain (Wehrey 2013). Another large complicating issue regarding the recent freedom Libya has won, is the lack of a true democratic structure. While under Gaddafi there was a limited democratic process where the people's congress held elections and sent delegates to the General People's Congress.

This congress was supposed to be a way of Gaddafi interacting with the tribal leaders and where the elected individuals would bring up regional and tribal issues. Sadly, this congress held no real power and was controlled

heavily by Gaddafi loyalists (Bell and Witter, The Libyan Revolution: Roots of Rebellion 2011, 21). Then, to complicate matter, in May of 2013 GNC was coerced through armed intimidation into passing the " Political Isolation law" which prohibits any person from serving in the new government who held a senior position under Gadhafi's rule, even if that person was an exile or a defector (El Gomati 2013).

While urbanization and migration have weakened the power of the tribe, tribal ties have remained strong in small cities and rural towns along with a growing number of urban Libyans (Bell and Witter, The Libyan Revolution: Roots of Rebellion 2011, 17). While Gaddafi initially tried to remove tribal ties and unite a true one Libya under his regime, he found that tribes allowed him to strengthen his regime by rewarding tribes that showed loyalty to his rule (Bell and Witter, The Libyan Revolution: Roots of Rebellion 2011, 17).

This has the potential to cause significant issues of internecine warfare amongst the tribes that did not support to regime and were neglected and now have the freedom to settle old scores (Bell and Witter, The Libyan Revolution: Roots of Rebellion 2011, 17). Complicating Issues As stated earlier in this paper, the current security situation is likely the single most significant complicating issues that the GNC and the Libyan people must address in order for democracy to have a fighting chance.

Due to the ADHOC nature of the uprising, many brigades were established mostly to protect their home towns, though some joined the National Transitional Council to fight Gaddafi abroad. Yet, once the fighting was over and Gaddafi had been removed, brigades from Misrantans and Zintanis fell

upon Tripoli and began to pillage supplies and goods as well as taking over the airport and oil fields (Wehrey 2013). The farther away the brigades went the more forceful and predatory they became, but when they were near or at their home their behavior was more restrained as they were more connected with the community (Wehrey 2013).

This security problem is begun to have significant negative effects on the international community, with the attack on the US Consulate and the death of four Americans as well as the Ambassador in 2012 (Wehrey 2013) and the French Embassy bombing in 2013 (El Gomati 2013), this has shown the international community that the GNC continues to lack a security apparatus that is capable of protecting not only its own citizens but also foreign dignitaries, possibly limiting foreign help.

One of the reasons that this security problem exists is the lack of faith or legitimacy that many Libyan place in the old institutions under Gaddafi, such as the police force and the judicial system (Wehrey 2013). The police force and justice system under Gaddafi was ripe with corruption, cronyism and arbitrary justice and was used to ensure regime survival (International Crisis Group 2013, 18). The military was kept " relatively small, poorly trained and ill-equipped" (Bell and Witter, The Libyan Revolution: Roots of Rebellion 2011, 22).

This was to ensure that the army would not be able to conduct a coup against the regime as Gaddafi had done in 1969. Following the toppling of Gaddafi, the NTC attempted to establish a new judiciary system in order to try former regime officials; sadly a " lack of security, public distrust of the

judiciary, procedural flaws and limited investigative capabilities caused postponements" (International Crisis Group 2013, 17). This inability of the government to conduct proper trials has only increased the public's skepticism of the new government's " ability to deliver justice" International Crisis Group 2013, 18).

This skepticism has emboldened militias to take justice into their own hands, through the conducting of arrests, running of detention center and assassination of former regime members (Pelham 2012, 2). Possible Solutions The current situation in Libya requires a large multi-scale operation to tackle several problems at once. This is best done through a Liberalism lens of world affairs, and mostly through trans-national organizations such as the U. N. , the European Union and NGOs.

With the help of governmental advisors, provided from the U. N. and European Union, to the new GNC would help greatly ease some of the transition from an autocratic regime to a more democratic one. This will be especially needed now that the Libyan government was coerced into passed the Isolation law, which bans senior regime officials from holding office (El Gomati 2013). This law will eliminate many individuals who have a function understanding of the government, further delaying and slowing down the ability of the GNC to govern effectively.

On top of the need for governmental guidance, Libya is also in desperate need of foreign currency and skilled labor. Prior to the revolution, the Libyan economy was dominated by oil, making up roughly 72 percent of its GDP and accounting for up to 90 percent of the government's budget. With an

unemployment rate of almost 30 percent (Bell and Witter, The Libyan Revolution: Roots of Rebellion 2011, 22-23), Libya is in desperate need of job creation outside of oil.

Through skilled labor, managerial support and currency influx from European and American oil companies, Libyan oil exports would be able to quickly rebound to post Gaddafi levels, and eventually exceed them causing a much need influx of government money. Though there must be caution to ensure that government spending of the oil wealth is evenly distributed to ensure no marginalization of peripheral areas, as Gaddafi did during his regime that may lead to possible uprising (Wehrey 2013).

While the United States is currently training an elite counter-terrorism task force, the rest of armed forces and particularly the police force are n desperate need of outside assistance (Wehrey 2012). While in the past, both Jordan and Turkey provided police training, there is now more than ever a significant need for the United Nations and the United States to become involved in the training of a national police force (Wehrey 2012). With a properly functioning and trusted police force, this will allow the GNC to start the careful demobilizing and reintegration of the militias helping to easy the current security concern and build trust and confidence in the GNC.

Without a functioning police force, then the GNC would continue to be unable to provide security and would continue to loose legitimacy in the eyes of the populace further enhancing the draw and power of the militias. Recommendation The GNC's primary concern needs to be the re-establishment of the monopoly of force under the auspices of the elected

government. Without this monopoly of power, the security situation can never be truly brought in line and would cause the government to become both a toothless organization that has no true power, and an organization with no legitimacy among the populace.

There are, however, signs that the populace is growing tired of the militias, as demonstrated after the death of the US Ambassador in Benghazi, where large protests were held to drive out some of the more hard lined militias that had ties to the attack (Wehrey 2013). The GNC needs to capitalize on this public anger against the militias in bids to demobilize, disarm and possibly bring into the fold of government security forces. The GNC must continue the crackdown on militia's ability to not only arrest individuals but also their ability to build and run detention centers (Pelham 2012, 3).

Without the sole authority to arrest and detain individuals the legitimacy of both the governmental police force as well as the government themselves would be eroded, further emboldening the militias. For without security there can never truly be a functioning government that is capable of providing services to the people. As the security situation worsens the possibility of tribal tensions and the potential of a failed state increases, for " when the control of the state breaks down, then the tribal ethos becomes an alternative mechanism by which you seek security" (Bell and Witter, The Libyan Revolution: Roots of Rebellion 2011, 17)

On top of the very large security concern, there is a desperate need for a finalized constitution, now that the elected government has been seated. However, without buy in from not only Tripoli and Benghazi but also the

southern border area, then the possibility of a failed or fractured state is a serious concern. Thankfully this has been taken into account and on February of 2013, the GNC reached a consensus on the way forward with drafting the new constitution; it will be done by the election of 20 experts from across the countries three regions (BBC 2013), who will then draft the constitution and present it to the GNC.

This is vitally important for the survival of the fledgling Libyan democracy, through the inclusion of all areas and equal power granted will allow a common interest in ensuring the success of the new government. Summary Libya was under the rule of a dictator for over forty two years, however, that all changed when the city of Benghazi, the old seat of power under the monarch before Gaddafi's coup, rose up and demonstrated for great civil rights.

Gaddafi's brutal repression of the dissidents forced the international community through the U. N. and NATO to draft UN resolution 1973 in order to protect the populace from attack. This combined effort with NATO and the National Transitional Council (NTC) eventually led to the overthrow of Gaddafi and the instillation of the NTC as the interim government until elections were held in July 2012, when the General National Congress (GNC) was elected (BBC 2013).

However, things have not gone quite so well, with armed militias continuing to hold power over large portions of the country acting outside the law and arresting and detaining personnel as they see fit. On top of this security concern, the GNC had been moving very slowly at defining how to set up the

constitutional panel, while armed groups were able to coerce the passing of a very controversial law that bans any senior member in Gaddafi's government from hold a position for 10 years, a dangerous precedent.

Yet there is hope, through international help the Libyan government will be able to receive expert support in drafting a constitution that is able to ensure that all people in Libya are protected. Then there is the case of the military and police force, through training and support provided by the UN and the United States, the once derelict police force could begin to establish security and peace throughout the region providing much needed legitimacy to the government.

Nevertheless, this is a country that is on its path towards democracy, and democracy is never peaceful or easy in the beginning stages. There is growing pain and setbacks, like the attack on the US consulate and the French Embassy, but it is the people who rose up and condemned the attacks that breathe life into the democratic process and it is those that will lead Libya into the future as a democratic and peaceful state.