



GENEVA CENTRE FOR THE DEMOCRATIC CONTROL
OF ARMED FORCES (DCAF)

WORKING PAPER – NO. 144

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IN THE MIDDLE EAST: THE LIBYAN CASE**

Hanspeter Mattes

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CHALLENGES TO SECURITY SECTOR GOVERNANCE IN THE MIDDLE EAST: THE LIBYAN CASE¹

Hanspeter Mattes

Abstract

The authoritarian revolutionary regime in Libya has been in power for about 35 years now. This is largely thanks to the efficient governance of the security sector, whose main feature is a flexible structure of different but mutually enhancing security organisations. The most important characteristic of these security organisations is that they are neither subject to political control (e.g. by the *General People's Congress*) nor to control by the public (e.g. the media, NGOs), but have been controlled exclusively by the Revolutionary Leadership led by Mu'ammar al-Qaddafi since September 1969. Up until the present, the Revolutionary Leadership's deployment of the security organisations to protect the Revolution has been so efficient that any attempts to depose the regime or to change the political system by oppositional military or political groups have been doomed to failure. As a result, the Revolutionary leadership tends not to be receptive to structural reform of the security sector, although this does not exclude the possibility of secondary aspects of the security sector (e.g. restriction of torture, abolition of special courts) being reformed in times of lessened political tension.

Preliminary Remarks

Since becoming independent in 1951, Libya has benefited from having two separate institutions that have enjoyed a monopoly over the use of force. On the one hand, Libya has a classical army has defending the country as its main task and on the other hand, it has Special Forces which are essentially responsible for protecting the regime itself:

¹ Paper presented at the Workshop on "Challenges of Security Sector Governance in the Middle East", held in Geneva 12-13 July 2004, organized by the DCAF Working Group on Security Sector Governance and Reform in the Middle East and North Africa (MENA).

At the time of the Sanusi Dynasty under King Idris (1951-1969), the Special Forces consisted of the *Cyrenaica Defence Forces* (CYDEF)², which were mainly recruited from loyal Sanusi supporters, and the *Tripolitanian Defence Forces* (TRIDEF). They were not only the main military foundation of the regime but were also charged with controlling the potentially rebellious Nasserist influenced army.³

After the transfer of power on 1 September 1969 (i.e. the so-called “September Revolution” led by Mu`ammar al-Qaddafi), the “Revolutionary Armed Forces” were charged with securing the regime and defending the country/nation during the transitional period. In 1977, the securing of the revolution was *de facto* entrusted to the newly formed and armed Revolutionary Committees and other special institutions.

In both cases, the creation of these special security forces which were charged with protecting the regime had both constitutional and political consequences since on the whole they were exempted from normal legal, control and supervisory procedures.

I. Description of the Security Apparatus and how it Functions

There is a broad spectrum of Libyan institutions that have access to weapons: they extend from the classical-style army (in Libya: Armed Forces/al-quwwat al-musallaha) and police to the “loyal security fighters.”

With the exception of the armed forces and the police, all of the other government’s organisations were newly established by the revolutionary regime or – as was the case for the Military Secret Services – were completely reorganised and staffed after the revolution. The following description of the Libyan security apparatus is provided with the reservation that many of the organisations were founded without any legal

² In her dissertation, Elizabeth Hayford refers to them as “the King’s bodyguard made up of tribal warriors”; cf. Hayford, E. (1970) *The politics of the Kingdom of Libya in historical perspective*. &Unpublished dissertation, Tufts University?: 358.

³ That is why the CYDEF/TRIDEF which contained 13,000 men in 1965 was double the size of the Libyan Armed Forces. For more background information see cf. Mattes, H. (1985) Von der Prätorianergarde König Idris I. zum Konzept des bewaffneten Volkes. Ein Beitrag zur Militärgeschichte Libyens. In *Orient*. 26(4): 523-548.

basis which means that, in some cases, the exact date of their establishment cannot be given, and there is a complete lack of any details concerning their structure, their personnel, budget, or even their exact duties.

1. Classical Security Institutions

a. The Armed Forces

The armed forces are the immediate successors of the Libyan Army of the Sanusi monarchy, even if their significance has grown since the revolution, as can be seen in the rapid increase in their staff numbers and their equipment. Between 1973 and 1983, about USD 28 billion was spent on new armaments, of which some USD 20 billion went to the Soviet Union and other Eastern bloc countries. There is quite a clear correlation between the successive increase in oil revenues and the expenditure on weapons.⁴ The armed forces grew from 7,000 members in 1969 to 20,000 in 1973, 55,000 in 1982, and 86,000 members in 1988. After the defeat of the Libyan forces in Chad and the resulting end of their intervention there in 1987, the armed forces were again reduced in numbers just 61,500 members in 2004.⁵ The armed forces are a mixture of professional soldiers⁶ and conscripts, who have been called up in accordance with the military service laws (see below). As a result of the high population growth experienced in Libya since 1969 (from 1.09 at that time to 5.5 million inhabitants in 2004), Libya can select the best candidates from over 60,000 persons of conscription age each year.

The Libyan armed forces are divided into four individual forces⁷:

⁴ From their beginnings in 1970, the oil revenues rose to reach a peak of USD 21 billion in 1980, before a slump in prices brought them back down to USD 5.6 billion in 1986.

⁵ This is according to globalsecurity.com; other sources list the forces as consisting of 65,000 men.

⁶ The number of long-term professional soldiers fell by about 50% between 1987 (i.e. the time of the end of the war in Chad) and 1997.

⁷ The size of each of the armed forces varies considerably depending on which statistical source is consulted. There are no official Libyan statistics. A comprehensive overview is given by Cordesman, A.H. (2002) *The military balance in North Africa in 2002. A graphic analysis*. CSIS (Washington, D.C.) and Cordesman, A.H. (1998) *The military balance and arms sales in North Africa: 1990-1996*. CSIS (Washington, D.C.).

The Army, which was reshaped in 1974 according to the concept of the “armed people.” The Libyan Army comprises roughly two-thirds of the armed forces as a whole. Of the 45,000 men in the army in 2002 about 25,000 were conscripts. The garrisons are to be found in urban areas around the country, which is sub-divided into seven military regions, the most important regions being Tripoli, Benghazi, Tobruk and Sirt.

The Air Force consists of 10,000 men (in 1969 this figure was just 400). Of all the individual branches of the armed forces, the Air Force has had to absorb the largest number of armaments imports in relation to personnel⁸ (until 1982, 555 -mostly Soviet- fighter planes were imported⁹,) without in actual fact really being able to do so. The main air bases of the Libyan Air Force are the *Uqba Ibn Nafi Air Base* (Tripoli), the *Jamal Abd al-Nasir Air Base* (Benghazi), and the bases in Hun, Tobruk Kufra, Jabal Uwainat and Sabha.

The Navy currently employs 6,500 men. The navy’s two frigates, three corvettes, diverse speedboats and four submarines are based in Tripoli (the home of the Fleet Command), Benghazi, Darna, Tobruk, Khums and Marsa Brega plus Ras al-Hilal (the home base of the submarines).

Air Defence is the smallest of the armed forces and does not declare its personnel numbers separately but in combination with those given for the Air Force. The Air Defence units are armed with ground to air missiles and its air defence units are based in five air defence regions at the military airports.

The *People’s Resistance Forces* (quwwat al-muqawama al-sha’biya, which is usually referred to as the “People’s Militia” is connected to the armed forces).¹⁰ The *People’s Militia* is the territorial home guard, and was first formed from reservists at the beginning of the 1970s. Its task was and still is to protect public buildings. The *People’s Militia* is organised according to military districts and commanded by

⁸ The thin personnel cover and the long training times for pilots explain why the proportion of foreign personnel is so high in the Air Force. They come from Russia, Yugoslavia and Pakistan among others.

⁹ The supply of US military equipment was either partially or completely banned from 1975 and 1978 respectively.

¹⁰ Cf. www.emjournal.pwp.blueyonder.co.uk/a0049.html.

Khuwildi al-Humaidi (who, from 1969 onwards was a member of the Revolutionary Command Council and a member of the Revolutionary Leadership; see below). Since the 1974 law concerning “General Military Training”, the *People’s Militia*, which originally 45,000 man strong, has been gradually built up. This was due Qaddafi developing the “concept of the armed people” (al-sha’b al-musallah).¹¹

In parallel to his rejection of representative parliamentarianism as the falsification of the people’s will, Qaddafi also rejected the idea of a classical style of army taking over the task of defending the country on behalf of the people.¹² Inspired by the historic example of the Libyan popular resistance against the Italian colonial forces, and the Beduin practice of collective self-defence of the whole population, men and women, were to take over the defence of their country. The “general military training,” the introduction of military service (Law No. 3/1978¹³) and the militarization of schools since 1978 were designed to make the Libyan people better able to defend itself and the traditional armed forces superfluous in favour of the “armed people”.

This militarization of the Libyan society as promoted from the mid-1970s onwards was based on a 5 phase model:

Phase 1: Introduction of military training in schools from middle school onwards (13-18 year old pupils);

Phase 2: military service for all 18-35 year olds (Law 3/1978 ff.);

Phase 3: active short (1-3months) military training for the 35-45 year olds (at least every 2 years);

Phase 4: Organisation of the 45-55 year olds into the *People’s Militia* (Protecting buildings in times of crisis).

¹¹ Cf. Mattes, H. (1985) *loc.cit.* (footnote 2); cf. also Badiwi, M.M. (1986) *al-Sha`b al-musallah. Al-haraka wal-tanzim*. Tripolis.

¹² al-Shahhat, M. (1983) *Mawqif al-nazariya al-alamiya al-thalitha min al-mu`assasa al-askariya*. Tripoli.

¹³ In addition, the General People’s Congress passed the concept of universal military service in 1984: “The statute provided for Libya to be divided into defence regions, the responsibility for defending each region being attributed to its inhabitants. Defence regions were to regard themselves as strategic reserves for each other. The new law did not supersede the provisions of the Compulsory Military Service Statute of 1978, which made all males between the ages of seventeen and thirty-five subject to a draft commitment of three years of active service in the army or four years in the navy or air force.”

Phase 5: Incorporation of the over 55 year olds into the so-called *Mujahidin brigades* for the purpose of local defence.

At present, the *People's Militia* only contains a particular age group of the Libyan population.

b. Police and Customs

The Police Force (*shurta*)¹⁴ was reorganised between 1969 and 1972. Its structure is regulated by the Police Act of 5 January 1972 (which was replaced by Act 18/1985 regarding the people's security and by Act No. 10 of 3 September 1992 for matters relating to security and the police).¹⁵ According to the Act, the Police Force is "charged with the responsibility for the administration of prisons, civil defence activities, passport and nationality affairs, identity card affairs, and other functions set forth by laws and bills."¹⁶

The Police Force is currently subordinated to the Secretariat (Ministry) for Internal Security (Home Affairs) and is subdivided into different divisions according to its tasks: Central Investigation, Port Security Department, Identity, Investigation etc. No details are known about the staff numbers. However, owing to the nationwide presence of police stations it is fair to assume that there are between 30,000 and 50,000 men.

The Customs Department, which in a similar manner is subordinated to the Secretariat for Internal Security, is responsible for border control,¹⁷ searching for drugs and combating smuggling. The number of personnel is not known.

c. Military Leadership

In revolutionary Libya there has been no Ministry of Defence, except in the period between 8 September and 7 December 1969.¹⁸ This was, however, disbanded after

¹⁴ Since 1985 the *People's Security Force* (*quwwat al-amn al-sha'bi*).

¹⁵ Cf. the text in *al-Fajr al-jadid*, Tripoli (1992 September 6): 4. The instruction to implement the law was passed on November 1, 1995 by the *General People's Committee* (Cabinet).

¹⁶ Metz, H.Ch. (1989) *Libya – a country study*. Washington, D.C.: 284 sequ.

¹⁷ Coast guard duties were taken over by the Navy.

¹⁸ In this period a civil cabinet came into existence and was led by Prime Minister Dr. Mahmud Sulaiman al-Maghribi.

the Minister of Defence of that time, Colonel Adam al-Hawwazz, was involved in an attempted putsch. That attempted putsch not only led to the immediate passing (December 11, 1969) of the *Law to Protect the Revolution*, (which is still effective today), but also to Mu`ammar al-Qaddafi assuming the office of Prime Minister for himself. Thus, he united in one person the function of Chairman of the *Revolutionary Command Council*¹⁹, Chairman of the *Ministerial Council* (at least until he handed over this post to his deputy Abd al-Salam Jallud in July 1972) and *Commander-in-Chief of the Armed Forces* (al-qa`id al-`amm lil-quwwat al-musallaha). Other members of the original twelve who had sat on the *Revolutionary Command Council*²⁰ have spent time as Commander-in Chief and as General Inspector or have been governors of the military regions. Since the political reorganisation on 2 March 1977, Colonel Qaddafi has been "Highest Commander- in- Chief of the Armed forces" (al-qa`id al-a`la lil-quwwat al-musallaha). The remaining members of the former Revolutionary Command Council held various other posts: for example, Major General Abu Bakr Yunis Jabir was Commander-in-Chief of the Armed Forces (al-qa`id al-`amm lil-quwwat al-musallaha), Lieutenant-General Mustafa al-Kharubi was Chief of Staff and Leader of Military Secret Service and Khuwildi al-Humaidi worked as Representative for the Implementation of the Concept of the Armed People before becoming the Inspector General of the Armed Forces.²¹

Since the 1990s, al-Kharubi and al-Humaidi have assumed numerous political tasks (travelling as special representatives of Qaddafi; receiving foreign state representatives etc.), and Major General Jabir has taken on the de facto role of Secretary of Defence (i.e. Minister of Defence). The Chief of Staff of the Libyan

¹⁹ Since the dissolution of the Revolutionary Command Council on 2 March 1977, Qaddafi has been the Secretary-General of the General People's Congress; since 2 March 1979 he has been the *Qa'id al-thawra* (Revolutionary Leader), i.e. he is the "protector" of the revolutionary legacy and is responsible to no one.

²⁰ The Revolutionary Command Council was the former Central Committee of the approximately 60-member strong *Free Unionist Officers' Movement*, which had carried out the September Revolution. These officers still occupy important functions whether within or outside of the armed forces.

²¹ al-Khuwildi al-Humaidi is currently also head of the most important security department of the customs, the *Office of Passage and Gates*.

Army, the largest branch of the armed forces, Brigadier Ali Rifi al-Sharif is Jabirs' ²² most important colleague.

Libya's military leadership comprises other persons besides those occupying these formal posts. It should be noted, however, that rank does not say everything about the influence of the person concerned. Tribal membership, loyalty to the Revolution as expressed by enduring membership of the *Free Unionist Officers' Movement* and tasks assigned to them allow us to compile a list of persons who either directly belong to the military leadership or belong to the influential circles surrounding it.

The members of the military leadership – and the government's other security organisations – who do not belong to the historical personalities of the September Revolution as Qaddafi, Jabir, Kharubi and Khuwildi do, can be divided into four groups.

(1) Blood Relatives of Qaddafi

In principle, this refers to Qaddafi's two nephews:

Brigadier Ahmed Qaddaf al-Damm,²³ a long-term Commander of the Tobruk military region, and the Chief Commander of the Cyrenaica region since 1995 (Military regions Tobruk, Benghazi, Kufra); and currently Qaddafi's Special Representative for Relations with Egypt; and,

Brigadier Sayyid Muhammad Qaddaf al-Damm, an officer with political control functions. He was the Secretary of the People's Committee of the important Sha`biya Sirt²⁴ from October 1998 until March 2004; since March 2004, he has been General Coordinator of the *Social People's Leadership Committees* and thus, according to Qaddafi, will be his successor as Head of State upon Qaddafi's death.

²² Al-Sharif was already a member of the *Free Unionist Officers' Movement*, and was temporarily commander of the Air Force.

²³ Mansour O. El-Kikhia described him as "One of the most influential people on the current Libyan scene." Cf. El-Kikhia, M.O. (1997) *Libya's Qaddafi*. Gainesville: 90.

²⁴ The military region of Sirt or more accurately the administrative unit (sha`biya) is important because it is the area of settlement of the Qadadfa tribe, it accommodates large units of troops and contains all the oil loading ports.

Colonel Khalifa Hanaish. For many years he was Qaddafi's 'personal bodyguard' and Commander of the *Presidential Guard*. In October 1993, he was responsible for quelling the Bani-Walid uprising. Since the end of the 1990s, he has been in charge of armaments procurement.

Colonel Hassan Ishkal. He was Commander of the Sirt military region and because of in-fighting with Qaddafi during the Chad intervention, was eliminated on 24 November 1985.²⁵

(2) In-laws of the Qaddafi Family

The relatives of Qaddafi's second wife, Safia Farkash, stand out in this category. One of her sisters is married to Colonel Abdallah al-Sanusi, who descends from the Maqarha tribe located in Fezzan (as does Qaddafi's former deputy in the Revolutionary Command Council, Staff-Major Abd al-Salam Jallud). Colonel al-Sanusi has been one of Qaddafi's closest colleagues since the 1970s, and is identified as one of the perpetrators of the UTA attack in September 1989, and has been at the head of the *Jamahiriyah Security Organisation* since 1992 (see below).²⁶

(3) Members of Qaddafi's Tribe

Since the 1980s, tribal origin has played an increasingly significant role, one that goes well beyond that of the immediate family and near relatives. This has a great deal to do with military and security policies designed to safeguard the regime. Mansour O. El-Kikhia's study entitled *Libya's Qaddafi* (Gainesville 1997), which is confirmed by numerous reports, confirms that Qaddafi preferred to use members of all six tribes of the Qadadfa tribal community and younger recruits from the tribes to form the security organisations or to control the coordinating points that still guarantee the existence of the regime. In this respect the most important members of the Qadadfa tribe – aside from the Qaddaf al-Damm brothers who have already been mentioned are:

²⁵ Cf. e.g. *The Jordan Times* (1985 December 11) The death of the senior Libyan officer is surrounded by mystery.

²⁶ Exclusively Arabophone and never having travelled abroad, Sanusi had a very Libya-centred view of the world.

Brigadier General Mas`ud Abd al-Hafiz Ahmad

(who was the Commandant of the Libyan troops in Chad; Commandant of the Security Battalions, see below; 1995-1998 Commanding officer of Military Security; and, since 1998, has been the Secretary of the People's Committee of the Sha`biya Sabha);

Colonel Ali al-Kilani

(In the 1980s he worked in the Liaison Office of the Revolutionary Committees' Movement; he is currently in charge of security for Qaddafi's residences);

Colonel Misbah Abd al-Hafiz Ahmad

Colonel Sa`d Mas`ud al-Qaddafi

Captain Muhammad al-Majdhub al-Qaddafi; Ahmad Ibrahim al-Qaddafi;²⁷ and Ali Mansur al-Qaddafi

(They are all high ranking leaders within the Revolutionary Committees' Movement).

(4) Members of Allied Tribes of Qaddafi's Tribe (i.e. those tribes that had officers in the Free Unionist Officers' Movement).

This fourth circle in the strategy to maintain power is comprised of tribes that have an allegiance to the Qadadfa. The most important of these are, for example, the *Warfalla Tribe* (with whom there are blood ties) and the *Maqarha Tribe*, which is the dominate tribe in *Fezzan*. In particular, the Maqarha occupy several sensitive posts in the security apparatus, despite Abd al-Salam Jallud's departure from the Revolutionary Leadership in 1995:

Colonel Abdallah al-Sanusi (see above);

Colonel Ahmad Aun (as part of General Staff he was in charge of military operations 1997);

²⁷ Author of *Revolutionary Organization. Revolutionary Committees: The instruments of popular Revolution* published in Tripoli 1983; he was Secretary of Information, Culture and Mass Mobilisation for a time in the 1990s.

Brigadier in the General Staff Ahmad Fathallah al-Muqassibi (for many years he has occupied high-ranking posts in the General Staff; since 1 October 1998 he has been the Secretary of the People's Committee of the politically insecure Sha`biya Darna);

Brigadier al-Mahdi al-Arabi Abd al-Hafiz (Commander of the Border Guards; from 1 September 1997 and was the General Coordinator of the People's Social Leadership Committees for a six-month period);

Brigadier in General Staff al-Hadi al-Tahir Imbirish (1997 Commander of the People's Resistance Forces/muqawama sha`biya; since October 1, 1998 Secretary of the People's Committee of Sha`biya Sabratha/Surman);

Brigadier Ali al-Rifi al-Sharif (s.a.).

The procedure for assigning posts suggests the following conclusion:

Even if the restrictive information policies, the variations in the spelling of people's names and the rapid rotation of posts and functions do not make it possible to sketch an accurate picture of who controls or commands which organisation at any given point in time, since the beginning of 1980s it has still been possible to distinguish a "trend". This trend may be called the "re-tribalisation of Libyan society"²⁸ and is best encapsulated by the saying that "blood is thicker than water". This, however, will not change much in the medium term.

d. Military Expenditure

Expenditure on security organisations or indeed the total expenditure on the security sector in Libya is not recorded. The government's budget does not itemise the secret services as individual items nor does the budget for the Secretariat of Internal Security provide details of monies for the police. The expenditure for the Revolutionary Committees, which is sometimes very high, has never been publicly verifiable.

²⁸ In this context, 're-tribalisation' means the intensified reversion to members of one's own tribe in order to shore-up the regime.

The only data available that has been published in Libya itself is details of the military budget, although it is not always clear which parts of the military expenditure is included and which parts are documented in other budgets.²⁹ Details of both Libya's defence budget and Libya's whole defence expenditure vary greatly depending on the source of the information; generally the statement made in www.globalsecurity.org concerning Libya is valid:

"The pattern of defence spending has been difficult to appraise with any exactitude since the mid-1970s, when government restrictions on the publication of military information were imposed. Detailed budgets, once available, have not been disclosed since the mid-1970s. Total amounts allocated to defence in the national budget were available, but apportionments to individual service components or specific programs were impossible to ascertain."

The budget approval of the *General People's Congress* of 6 March 2004 merely says: "Law No. 13 of 1372 AD on the operational budget and the defence budget for the fiscal year 1372 AD: Article 5: The sum of LYD (Libyan Dinars) 1,590 million is allowed to be spent on the following: Defence LYD 740 million, supply commodities LYD 600 million, and medicines LYD 250 million." (*BBC* 2004 March 6)

The fact is, however, that as the oil revenues rose significantly after 1973, and military spending increased considerably, reaching a peak of USD 3 billion in 1979 before dropping again at the beginning of the 1980s.³⁰ Besides the emerging financial crisis, the main reason for the decline in the expenditure was the degree of saturation experienced by the Libyan military forces. In the 1990s, military expenditure continued to decrease, falling to USD 972 million in 2001 and USD 531 million in 2002.³¹ Military expenditure as a proportion of the Gross Domestic Product displayed a similar development (increasing from 4.7% in 1972 to 7.5 % in 1977, to

²⁹ An example is provided by the large sums spent on importing Soviet military equipment after President Kossygin's visit to Tripoli in 1974. "The massive purchases from the Soviet Union, estimated at over USD 1 billion annually since the mid-1970s, do not appear in the budget either as payments or amortization of military credit." (www.globalsecurity.org/military/world/libya/budget.htm)

³⁰ Other sources such as the ACDA see 1984 as being the year when expenditure peaked (USD 5.2 billion).

³¹ Cf. *Middle East Economic Survey* (2003 November 10) MENA defence spending.

14 % 1981, and finally 14.5 % in 1984; before subsequently decreasing to 8.6 % in 1989 and 3.8 % in 2002).

Decisions about the level of the defence budget or indeed of the whole defence sector spending never really lay in the hands of the government or, after 1976, in those of the General People's Congress, but exclusively with the military leadership. The passing of the defence budget through the General People's Congress has only ever been a formality.

2. The Secret Services

The secret and security services in Libya are, as is the case in many African states, in Asia and in Latin America, above all instruments for safeguarding the regime. As a result, any attempt to differentiate between investigative and security functions is difficult. The head of the secret services and other security organisations is quite clearly Revolutionary Leader Qaddafi's Central Information Bureau *Maktab ma`lumat al-qa`id* or *Intelligence Bureau of the Leader*. The *Intelligence Bureau of the Leader* has its headquarters in the Bab al-Aziziya barracks (Tripoli). Qaddafi's residence, which was bombed by American forces in 1986, is also to be found there. The *Intelligence Bureau of the Leader* is the most important control centre of the secret and security services and also acts as coordinating centre for all the other services. It was created at the beginning of the 1970s and set up with the assistance of the East German *Ministerium für Staatssicherheit*. It is led by a close confidant of Qaddafi, Ahmad Ramadan al-Asabiya, who is only responsible to Qaddafi himself. The *Intelligence Bureau of the Leader* coordinates the activities of the secret service *Hai'at amn al-jamahiriya*, the Military Secret Service (al-Istikhbarat al-askariya) and the Revolutionary Committees. It is however, also responsible for the personal safety of Qaddafi and his female body guards.

a. Hai'at amn al-jamahiriya (The Jamahiriya Security Organisation)

The *Jamahiriya Security Organisation* which comes under the control of Abdallah al-Sanusi (s.a.) has been the central secret service organisation of Libya since October 1992 and is divided into two main branches³²:

³² The *Jamahiriya Security Organisation* is formally assigned to the Secretariat for Justice and Internal Security; cf. JANA (1992 October 21) External security organization (= mathaba) loses its independent

The **Internal security apparatus** (al-amn al-dakhili)

Its directors work under the supervision of Umar Gnaidar, Mohammad Mahmud al-Hijazi.

The **External security apparatus** (al-amn al-khariji) and its forerunners³³

Directors: 1991-1994 Colonel Yussuf Abd al-Qadir Debri; since 1996: Musa Kusa.³⁴

Colonel Debri is a member of the *Free Unionist Officers' Movement* and the *Union of Qaddafi's Companions* (Rabitat rifaq al-Qaddafi; founded 1996). Qaddafi has a very close relationship of trust with the roughly 100 members of the *Union of Qaddafi's Companions*. Debri was commander of the internal task force from July 1995 until 1998; since October 1998 he has been Secretary of the People's Committee of the Sha`biya al-Jufra.

Musa Kusa is, according to the Libyan exiled opposition, also one of Qaddafi's relatives. After studying in the United States,³⁵ Musa Kusa became Head of the Libyan People's Bureau in London; from the mid-1980s to 1982 he was active in the so-called *al-Mathaba al-alamiya* as a leading figure.³⁶

role; cf. *Le Temps* (1992 October 22) La sécurité libyenne sous tutelle gouvernementale. It is only true of the past that: "The Libyan External Security Organization is the principal intelligence institution in Libya which has been responsible for supporting terrorist organizations and for perpetrating state sponsored acts of terrorism." (www.globalsecurity.org/intell/world/libya/jso.htm).

³³ Strikingly diverging details exist concerning the subdivisions of External Security. What is clear is that its tasks include monitoring the Libyan diaspora community. The moderation of Libyan foreign policy, especially since 2003, has undoubtedly left its mark on the organisation (and in particular on the Department for Foreign Security Operations).

³⁴ Cf. *The Jordan Times* (1996 April 9) Libyan intelligence figure returns to limelight.

³⁵ Cf. his Master's Thesis: Kousa, M.M. (1978) *The political leader and his social background: Muammar Qaddafi, the Libyan leader*. (Unpublished Master's Thesis Michigan State University).

³⁶ This is the Libyan denomination for "World Centre for the Fight Against Imperialism, Racism, Reaction and Fascism" which has its head office in Tripoli. This centre was the contact organisation for "freedom movements of the world" and involved in combating Libyan exile opposition. The Mathaba was disbanded as an independent organisation in October 1992 and continues as *External Security* within the *Jamahiriyah Security Organisation*. The political branch of Mathaba still exists and organised its 3rd World Congress (2nd World Congress March 1986; 1st World Congress June 1982) on the occasion of the 30th anniversary of the September Revolution in August 2000 in Sift. Cf. www.urbs.org/corint/ed.%20ingles/libia.htm. Cf. Mattes, H. (1987) *Organe und Akteure der libyschen Außenpolitik*. In *Libyen*, Wien 1987, edited by Chr. Operschall and Ch. Teuber: 114-145.

There are no details concerning the number of personnel in the *Jamahiriya Security Organisation*. Similarly, details about the budget of the *Jamahiriya Security Organisation* do not exist.

b. Al-Istikhbarat al-askariya (Military Secret Service)

The second most important organisation to the *Jamahiriya Security Organisation* is the Military Secret Service, *al-Istikhbarat al-askariya*. It is based in Tripoli and is affiliated directly to the *High Command of the Armed Forces* (*al-Qiyada al-ulya lil-quwwat al-musallaha*). The Military Secret Service is supervised by a former member of the Revolutionary Council, Mustafa al-Kharubi. The operative director of the authority at the time of writing is Colonel Jum`a Ibn Niran.

3. Organisations Safeguarding the Revolution

The organisations safeguarding the revolution are all organisations whose only *raison d'être* is to uphold the revolutionary regime and to ensure its continuity. The members of these organisations belong to the group of people who are rewarded materially for their loyalty to the regime. These kinds of security organisations, with the exception of a few special units of the regular armed forces, such as the so-called *Kata'ib al-amn* (Security Battalions)³⁷, are new creations and exist outside the regular military structure. They include:

a. The Revolutionary Committees (al-Lijan al-thawriya)

The Revolutionary Committees were brought into existence by Qaddafi when he was reshaping Libya as a *People's Jamahiriya*³⁸ (Proclamation on March 2, 1977). In accordance with Qaddafi's ideology, the Revolutionary Committees were created to safeguard the "rule of the people" as exercised in the "State of the People's masses" ("Power, wealth and arms in the hands of the people") through the People's Conferences (legislative) and People's Committees (executive). Originally, the

³⁷ Stationed in the larger cities, the Security Battalions "are responsible for the regime's security in the major cities. (...) They field highly modern equipment." Cf. www.globalsecurity.org. The Security Battalions are anti-rebellion forces; they mostly contain members of the Qadadfa tribe or allied tribes of the Qadadfa tribe.

³⁸ The Libyan expression for "state of the (people's) masses" or with the Arabic denomination for "people's masses" is : "state of the jamahir."

members of the Revolutionary Committees, who wear civilian clothes, were designed to mobilise the masses and to anchor the system of the rule of the people. However, from 1979/1980 onwards the task of “revolutionary control” began to dominate and the Revolutionary Committees’ main task was to secure the regime. Two factors contributed to this change of function:

Firstly, the fact that the Revolutionary Committees were spread throughout the country and were mostly made up of dedicated followers of the ideology developed by Qaddafi since 1973. The Revolutionary Committees are divided into eight regional commandos and are directly subordinated to Qaddafi’s office. The actual coordinator in charge is Muhammad Amsaid al-Mahjub al-Qaddafi. The Chief Editor of the revolutionary magazine *Majallat al-zahf al-akhdar* (The Green March), in May 2002, Dr. Muhammad Khalfallah estimated that the Revolutionary Committees had 60,000 members.

Secondly, they were well armed (with light-weight weapons) and they were well equipped (jeeps; telecommunication). Within a short period of time e.g. Revolutionary Committee members in their confrontation with the infiltrated commando of the opposition organisation *National Islamic Front for the Salvation of Libya* in May 1984, managed to erect roadblocks and to eliminate that commando.

The main orientation of the tasks of the Revolutionary Committees was defined at an annual conference. At the 25th Annual Conference on 28 April 2004 (Motto: “Consolidation of peoples authority and the confirmation of jamahiri values”³⁹) in his welcoming speech, Qaddafi extolled the “pioneering ideology of the Fateh revolution.” According to the Libyan press agency JANA, “Qaddafi emphasised that it is only in the Jamahiriya that direct democracy exists. All Libyans, adult men and women, participate in planning internal and external policies, enact legislation, set budgets and decide on issues of war and peace.”⁴⁰

³⁹ At the annual conferences at the beginning of the 1980s the disposal of enemies of the revolution was of the highest priority. Cf. Mattes, H. (1995) *The rise and fall of the Revolutionary Committees*. In *Qadhafi's Libya 1969-1994*, New York 1995 edited by D. Vandewalle: 89-112.

⁴⁰ JANA (2004 April 26) The Leader of the Revolution. The Libyan military intervention in Chad in the 1980s clearly showed that this statement merely reflected the theory and not the practice, since the intervention in Chad was *not* based on the “free will of the Jamahir.”

Within a very short period of time (i.e. from 1978 to 1980) Qaddafi endowed the Revolutionary Committees with substantial authority, authority which in they may still exercise even today in the event of an emergency (threat to the regime). Among these areas of competence are the following security related tasks:

- Police functions (arrest of counter-revolutionaries; interrogation centres);
- The task of “guaranteeing internal stability;”
- The “elimination of enemies of the revolution” (currently suspended).⁴¹

The responsibilities of the Revolutionary Committees within the area of justice include:

- “Revolutionary jurisdiction” (establishment of Revolutionary Courts; numerous death sentences 1980-1986).

Following excesses, Qaddafi the “Revolutionary jurisdiction” was restricted by Qaddafi in 1987. In June 1988, with the passing of the *Great Green Human Rights Charta*, the People’s Court was finally assigned this function. In April 2004, as a consequence of imminent political liberalisation and reforms, Qaddafi put the function of the special jurisdiction up for discussion.⁴²

b. The Revolutionary Guard (al-Haras al-thawri)

Owing to the lack of records it is not possible to say exactly when the Revolutionary Guard was set up. The founding of the Revolutionary Guard and its tasks are both closely related to the Revolutionary Committees’ Movement. The institutional expansion and growth in personnel of the latter attracted opportunists who were more interested in their material privileges than in protecting the regime.⁴³ In addition, there were misunderstandings in the perception of their security tasks. The Revolutionary Guard was supposed to prevent such developments and thus acted as a kind of internal control organisation for the Revolutionary Committees. Since the

⁴¹ For example, on 5 June 1996 Qaddafi explicitly confirmed that the Revolutionary Committees had the right to commit extrajudicial killings of enemies of the revolution in order to “guarantee the revolutionary order.”

⁴² Cf. JANA (2004 April 18) The Leader of the Revolution called on Libyan People to abolish People’s Court and its ruling.

⁴³ Cf. caricature in *al-Zahf al-akhdar* (1987 October 5).

beginning of the 1980s, Revolutionary Committees have also been formed within the armed forces. Just as they did in the civilian sector, they carried out ideological indoctrination and performed security related tasks such as controlling weapons depots (“control of keys”). The members of the Revolutionary Committees within the armed forces constituted the 1,000 to 2,000 strong so-called “Revolutionary Guard.” This organisation was thus well-armed and equipped with motor vehicles.

c. The People’s Guard (al-Haras al-sha`bi)

The *People’s Guard* was summoned into existence by Revolutionary Leader Qaddafi during a speech which he gave on 13 June 1990⁴⁴ and was made up of civilian volunteers. Its main task was to control mosques and to prevent Islamist agitation. The founding of the *People’s Guard* was closely connected to the militant activities of the Libyan Islamists⁴⁵, who took up arms against what they saw as a heretical regime⁴⁶ (see below). As the Revolutionary Committees had been keeping a low profile from 1987 due to their poor image among the population at large, Qaddafi propagated the idea of a People’s Guard. The way in which the *People’s Guard* now functions following the problem of Islamism was brought under control at the end of the 1990s is open to conjecture. It is a fact that the Libyan news agency, JANA, reported in July 1998⁴⁷ with the graduation of the first batch of *Loyal Security Fighters*. The task of these *Loyal Security Fighters* is to protect the revolution from enemies within the country. These “enemies from within” could only mean Islamists.

d. Purification Committees (Lijan al-tathir)

Pressured by Qaddafi the General People’s Congress enacted Law No. 10/1423 w.r./1994 (Purification from nepotism, bribery, narcotic drugs Act), an instrument, for example, for combating corruption, speculation, the money fraud and illegal drug dealing. The operative tasks were assigned to 81 Military Committees (made up of young officers) in March 1996.⁴⁸ During the year another 200 Military Committees⁴⁹

⁴⁴ Cf. his speech in *al-Sijill al-qawmi 1989/1990* (1990), Tripoli: 1023 sequ.

⁴⁵ In particular, incited by Libyan Islamists returning from Afghanistan where they had fought against Soviet troops.

⁴⁶ Cf. on the background Mattes, H. (1995) *Qaddafi und die islamistische Opposition*. Hamburg.

⁴⁷ *Jamahiriya News Bulletin* (1998 July 25) Graduation ceremony.

⁴⁸ At that time the General People’s Congress passed Law Nos. 19, 20, 21 and 22 “concerning the combating of drugs, alcohol drinks and dealing in foreign currency, and the prohibition of speculation”

and 1,000 Revolutionary Committees joined them. They were mainly responsible for combating the crimes mentioned above and for re-establishing “revolutionary order” (in other words internal security).⁵⁰

The committees have never formally been disbanded and the “Purification Laws” never repealed. Nevertheless, the Purification Committees have not had a high public profile since 1997.

Summary

The Libyan security forces are very diverse and their tasks have been modified over time. This is especially true of the regular armed forces, whose task of protecting the regime was taken over by the Revolutionary Committees from 1978 onwards. This was also true, however, of the Revolutionary Committees themselves in the 1990s as they lost their monopoly over protecting the regime and the revolutionary order and had to gradually share these tasks with other security organisations. The manner in which this led to counter-productive rivalry is not clear. In terms of the revolutionary spirit and the structure of the state, the Revolutionary Committees are still the most important security organisations. They also remain the closest to Qaddafi himself.

There is seldom any interaction between the individual security organisations (with the exception of Purification Committees: cooperation between the Military and Revolutionary Committees). In fact, even within the various security organisations there are no *horizontal*, merely *vertical*, lines of communication and command and these all ultimately meet in the office of the Revolutionary Leader or in the *Intelligence Bureau of the Leader*.

The international contacts of the individual security organisations – where conceivable⁵¹ – are very limited. Under no circumstances may such contacts be

and established the legal foundations for the activities of the Purification Committees. Cf. *BBC* (1996 July 18) Heavy penalties.

⁴⁹ The whole directory of committee members can be found in *al-Jarida al-rasmiya* (1996 July 10). The members are nominated by Qaddafi.

⁵⁰ To read about the repressive activities of the purification committees and the carrying out of the „purification“ cf. *The Middle East* (1996 November) Gaddafi's purification committees wreak havoc; *The Jordan Times* (1996 September 15) Qadhafi using „purification“ to stamp his authority.

made autonomously. They always have to be sanctioned by the Revolutionary Leadership (Intelligence Bureau of the Leader and that means Qaddafi).

Apart from the Libyan Police Forces' membership of the Interpol⁵² and the contacts of the Revolutionary Committees' Movement to Libya which are inspired (and supported in financial terms) like the Revolutionary Committees in other states (e.g. the Sudan, Ghana, Burkina Faso), only the armed forces have cooperation agreements with armies of third-party states. These armed forces are governed by cooperative agreements which are regulated by the appropriate treaties. None of the current co-operations of the armed forces have the same dimension as that with the Soviet Union in the 1980s.⁵³

A more intensive exchange of information between the *Jamahiriya Security Organisation* and Arab secret services developed as part of the struggle against Islamist terrorism in the 1990s. Since 11 September 2001 and as a consequence of the Libyan policy of rapprochement with the West, this cooperation has spread to the Western secret services (especially the to the American CIA) to combat al-Qa'ida. Furthermore, after Qaddafi declared his intention to cease the programme for building weapons of mass destruction on the 19 December 2003, Libya began to cooperate with the United States and the *International Atomic Energy Agency* to expose the international atom smuggling network.

II. Civil Management and Control of the Security Apparatus

1. Institutional Development of State Institutions since 1969

The overthrow of the Sanusi monarchy on 1 September 1969 by the *Revolutionary Command Council* led by Mu`ammar al-Qadhafi, initiated ongoing institutional transformation, which, nevertheless contains a number of basic unchanging elements:

⁵¹ Neither the Purification Committees nor the People's Guard have international equivalents.

⁵² Parallel to that there is a cooperative agreement with the Arab police chiefs within the framework of the Council of Arab Interior Ministers.

⁵³ At that time there were many Soviet technicians in Libya; whole units of the Libyan troops were trained in the Soviet Union.

The revolutionary legitimacy of the Revolutionary Leadership: i.e. the Revolutionary Leadership is neither elected nor can it be dismissed.

The rejection of parties (except between June 1971 and December 1975 when the pan-Arab party of unity, the *Arab Socialist Union*, was allowed to exist as the “Alliance of Revolutionary People’s Forces”) and the rejection of party pluralism.

The rejection of elections in the classical sense; instead, representatives with an imperative mandate are elected by vote (Arabic: *tas`id*) by the masses (*Jamahir*) into the institutions of direct democracy.⁵⁴

With this background in mind, the institutional development of the revolutionary regime can be divided into two main phases: a *first phase* in which the Provisional Constitutional Proclamation, made by the *Revolutionary Command Council* on 11 December 1969 was effective; and a *second phase* which began with the *Declaration on the Authority of the People* on 2 March 1977 and, in which the political system was successively built on institutions practicing direct democracy from 1975 onwards.

The *second phase*, which was be a quarter of a century old on 2 March 2002, has not been a monolithic block. One of the most significant cuts in the second phase was Qaddafi’s introduction of “Separation of Rule (Power) and Revolution” on 2 March 1979. Since the “Separation of Rule and Revolution” the state has been divided into two sub-sectors:

1. The *Revolutionary sector* consisting of the Revolutionary Leadership (Arabic: *qiyadat al-thawra*), i.e. Qaddafi⁵⁵, the members of the former Revolutionary Command Council that are still in office, and the decentralized Revolutionary Committees. These committees are an effective instrument for mobilizing the masses, exercising political influence, and for maintaining control on behalf of the Revolutionary Leadership. The actions of the Revolutionary sector are in no way regulated by any laws.

⁵⁴ “*Jamahir*” (“People’s Masses”) is the key term of Qaddafi’s political ideology.

⁵⁵ Since 2 March 1979, Qaddafi’s official title has been the “Leader of the Revolution” (*qa`id al-thawra*).

2. The *Ruling sector* is the real core of the *Jamahiriya State Model* being based on *People's Congresses* and *People's Committees*, whose functions are strictly regulated by law.⁵⁶

Since the "Declaration on the Authority of the People" in 1977 and the "Declaration on the Separation of Rule and Revolution" in 1979, there have been no changes in the basic structures of the political system although adjustments have been made within the given framework; mostly to the bureaucratic structure (cf. e.g. the new regional organisation of the *Sha`biyat* from 1998 onwards and general policies (e.g. policies concerning investment; economic reforms; educational reform etc.).

2. The Legislative and Executive Organisations of the Jamahiriya

Today's legislative organisations are the descendants of the *Arab Socialist Union* which was reformed in 1975, and were first mentioned by Qaddafi in a speech he gave on 27 April 1975. The most important element of the transformation of the current political system was the dissolution of the *Arab Socialist Union* by the removal of its status as a party. From that time onwards the basic cells of the party were open to all Libyans within a geographical area, male and female alike, and then reshaped into so-called *Basic People's Congresses* (*mu'tamarat sha`biya asasiya*).

Theoretically, all political decisions are to be discussed in these *Basic People's Congresses*. The *People's Committees* (*lajna sha`biya lil-mahalla*) are designed to be the collective executive organ answerable to the *Basic People's Congresses*; its members are to be elected every three years by the *Basic People's Congresses*. All employees (e.g. teachers, engineers, doctors, farmers, and even students) were requested to join *Professional Congresses* and to express their views about national and international developments several times a year. The formal system of direct democracy in Libya is thus based on three foundations: the local *Basic People's Congresses*, the *People's Committees*, and the *Professional Organisations*. These organisations nominate representatives, who possess an imperative mandate, to the national legislative body, the *General People's Congress* (*mu'tamar al-sha`b al-amm*). It meets annually, transforms the local resolutions into national resolutions

⁵⁶ In the last instance in Law No. 1 of the year 1430 m/2000 relating to work of the People's Congresses and People's Committees.

(laws) and nominates the members of the national executive, the *General People's Committee* (al-lajna al-sha`biya al-amma, which is similar to a council of ministers).

This system was modified in October 1998, when regional units, the so-called Sha`biyat (singular: Sha`biya) were created (this figure rose to 32 in April 2001) The Sha`biyat were positioned between the basic and national levels.⁵⁷ They have their own People's Congress⁵⁸ and People's Committee.⁵⁹ On the one hand, the Sha`biyat's task is to improve the coordination of local interests. On the other hand, they should serve decentralization since a People's Committee on a Sha`biya level has responsibilities that were transferred to them on 1 March 2000 and which had been previously carried out by the *General People's Committee* on the national level.

The *Basic People's Congresses* generally convene three times a year. In two sittings local concerns are discussed and one sitting is given over to national issues, including foreign affairs. The decisions of the *Basic People's Congresses* concerning national issues usually provide the basis for the bills to be debated by the annual *General People's Congress*.⁶⁰ After the *Arab Socialist Union* was reformed in 1975, this *General People's Congress* sat for the first time between 5 and 18 January 1976. The last ordinary annual sitting, the 28th, took place from 2 to 6 March 2004, in Sirt.

The system of government that is described above has existed for over three decades now. A critical look at this system reveals major weaknesses, however. These weaknesses will be listed here to facilitate a better understanding of the Libyan political system and its decision making processes.

⁵⁷ The Sha`biya succeeded the regional levels that had existed before, e.g. the 42 municipalities (Baladiyat) that had been set up in 1975.

⁵⁸ The Secretaries of the different *Basic People's Congresses* within the *Sha`biya* constitute the *People's Conference of the Sha`biya*.

⁵⁹ The Secretaries of the *People's Committees of the Sha`biya*, nominally elected by the *People's Conference of the Sha`biya*, are in fact nominated by the Leadership of the Revolution. Many secretaries of the *People's Committees of the Sha`biya* are high ranking officers. This, in fact, highlights the undiminished capacity of control of the Leadership of the Revolution.

⁶⁰ A General Secretariat prepares the sessions of the *General People's Congress* and the drafts of the bills submitted to the delegates. The acting *General Secretary of the General People's Congress* since November 1992 has been Zannati Muhammad Zannati.

Technically at least Libya is one of the few countries in the world to practice direct democracy, but in reality its form of direct democracy cannot act as an empirical basis for the analysis of how such models of democratic organisation function since no actions may be taken in Libya without the intervention of the *Revolutionary sector* (Qaddafi/Revolutionary Leadership; Revolutionary Committees). The presence of the Revolutionary Committees reduces the freedom of direct democracy to that of an “interval democracy” whose limits are temporally variable but do nevertheless exist. Any breach of these limits is considered counter-revolutionary and faces sanctions. The system of direct democracy in Libya functions best when the agendas of the tri-annual sessions of the *Basic People’s Congresses* are less “political.”

It only remains to be said that the high potential for intervention and control that the Revolutionary sector possesses makes a nonsense of the formal differentiation between the legislative (via the *People’s Conferences*) and the executive (via the *People’s Committees*) since the Revolutionary sector determines almost all of the political decisions.

The agendas are produced by the *General Secretariat of the General People’s Congress* and provide plentiful opportunities for the manipulation of the order of events and the voting behaviour. For example, some issues and items on the agenda can be suppressed⁶¹, or controversial issues that are being resisted by the locality can be introduced repeatedly until approval is granted. The principles of free political opinion and will are not tolerated by the Revolutionary Leadership. Thus, direct democracy as it is practiced in Libya suffers from the permanent intervention of the Revolutionary sector and reveals a weakness that this form of participation generally has: the hyperactive participatory state (as desired by Qaddafi) is, like other Soviet models, confronted by the problem of permanence. This means the non-attendance of citizens in direct democratic organisations deforms the state. Even in 1975, the *Arab Socialist Union* was heavily disadvantaged by the absence of members attending its sessions: in some districts absenteeism was as high as 75%. The rate of participation in the *Basic People’s Congresses* has never really improved. There is a lack of the exact empirical data necessary to document the percentage of members

⁶¹ That was the case when the Libyan Army intervened in Chad in the 1980s and when the Libyan border was opened to let in migrants from sub-Saharan states in the 1990s. Neither decision was discussed by the *Basic People’s Congresses*.

attending or not attending sessions of the *Basic People's Congresses*, but personal experience supports the claim that, for example, because of time problems, exhaustion, and official influence on decisions, only an (active) minority participates in the Congress's regular and extraordinary sessions and passes the appropriate resolutions.⁶²

The security apparatus is, as a rule, completely outside the decision-making procedures of the *Basic People's Congresses*. This is also true of the reporting of the Secretary of Justice and Internal Security at the sessions of the *General People's Congress*. Only in exceptional cases, such as at the special session of the General People's Congress (Sirt, 30 September 2000) after the riots against black Africans in September 2000, does it come to discussions and the approval of new security measures (to be exact: the acclamation of the members of the *General People's Congress* for the security decrees that had been put together by the Secretariat for Justice and Internal Security).

The democratic functioning of the Libyan system of congresses is burdened or conditioned by further factors:

Firstly, by the strong "social roots" of the inhabitants, especially in rural areas, where tribes and extended families still dominate. Any resistance against individual administrative measures has usually led to a politically motivated reorganisation of the administration of the local decision making unit (*Mahallat, Sha`biyat* etc.) in that the administrative centres have either been divided or combined. The dominance of tribes and families helps make the People's Congress and Committee system more susceptible to informal behaviour when the management is being formed (e.g. the leadership's secretariat in the *Basic People's Congress*) or when members of the People's Committees are being appointed.⁶³

⁶² This is, however, not true of the sessions of the *Sha`biya People's Congress* and the *General People's Congress* as their members are elected delegates of the respective subordinated levels.

⁶³ It is also true to say here that: although the participation of the tribes in society is rejected by the *Green Book* Part III, the Revolutionary Leadership has encouraged re-tribalization of society and politics since the 1990s. They use their tribal members more than before to shore up their own power bases. Among the population action is now also more influenced by tribal and family identity.

Secondly, a lot of effort is required to coordinate the basic structures and the national level.⁶⁴ The congress system requires those involved to do an enormous amount of travelling. When there are sessions of the *General People's Congress* or the sectorial *General People's Committees*, several thousand delegates have to travel if the appropriate congress delegates or members of the *People's Committees* gather together from the approximately 1,500 *Mahallat*.⁶⁵

Thirdly, it is burdened by Qaddafi's pretence concerning power and function. It is a fact that Revolutionary leader Qaddafi's "revolutionary legitimacy" makes him the supreme authority in the country, even if - as seen in the case of the extradition of the suspected Lockerbie bombers 1999 - he emphasizes in almost playful tone that he has no official position and therefore no powers of decision in Libya, and that the *Basic People's Congresses* alone take decisions. Qaddafi provided a typical example of his views on this subject in a famous interview with Hamid Barrada 1984: "The system of the Jamahiriya is simple: People's Congresses and People's Committees, nothing else. There is no (traditional) government, no instrument of authority, no apparatus of this kind. The possibility for one to exist was eradicated at the roots. All decisions, be they strategic or not, are made by the People's Congresses alone. The centre that makes all decisions and plans for every eventuality are the People's Congresses."⁶⁶

The reality, however, is a little different. It is reflected by the constant presence of Qaddafi in the streets, where his image looks down on the population from posters and his statements can be read everywhere. Qaddafi, who according to the *Declaration on the Authority of the People* does not have a function and stands outside the ruling sectors, is the one who receives foreign heads of state⁶⁷, ministers,

⁶⁴ It is worth mentioning that the Revolutionary Leadership had to respond to the continuing lack of competence within the hierarchical structure of the system by reorganizing the bureaucracy on a number of occasions.

⁶⁵ Since the 1990s, numerous sessions of the *General People's Congress* have been held in the new Congress Center in Sirt.

⁶⁶ Cf. *Kadhafi: « Je suis un opposant à l'échelon mondial ». Entretiens avec Hamid Barrada.* (Lausanne/Paris 1984): 72. A more current example was provided by Qaddafi in June 1999, cf. *Arab News* (1999 June 23) I'm out of power.

⁶⁷ Qaddafi even ignored his own suggestion of 12 February 1979, just before the passing of the "Declaration on the Separation of Rule and Revolution". At that time he commented on the redistribution

economic delegations etc., speaks to the international media on behalf of Libya⁶⁸, who initiates domestic policy discussions, and makes unilateral decisions or decisions for the ruling sector (in February 1999, for instance, in relation to a modification to the marriage law). This centralisation within the decision-making apparatus inevitably leads the lower levels of government to ignore the codified routes to decisions and look to higher authorities for their approval before resolutions are passed.⁶⁹ In the tradition of the classical *Bai'a* (oath of allegiance) there is another variation of this “conformity to the revolution:” at almost all events hagiographic telegrams are produced, which are then sent by the event’s organisers to Leader of the Revolution Qaddafi. In the telegrams, Colonel Qaddafi’s “pioneering role in establishing the authority of the masses” etc. is regularly praised.

3. State Institutions and Control

This characterisation of Libya’s political system clearly shows the limited institutional control exercised by the *ruled* over the *rulers*. While the Revolutionary Leadership has seized all the means of monitoring and ruling over politics, business and culture i.e. society as a whole, it still has to appeal to the revolutionary legitimacy that is beyond any control. The control or accountability of institutions only exists there where the Revolutionary Leadership wants to have it, or where the Revolutionary Leadership can use it specifically as a means of dictating their political will.⁷⁰

As the supreme authority in the directly democratic hierarchy, the *General People’s Congress* neither officially exerts control over the security or justice organisations nor does the *General People’s Committee* (cabinet) and has to report to the *General*

of responsibility by saying: “If a revolutionary leader enters the Jamahiriya, he is greeted by the revolutionary leadership, and if someone is elected to office, he is greeted by a committee elected by the masses.” In *al-Sijill al-qawmi 1978/1979* (Tripoli 1979).

⁶⁸ Cf. his speeches and interviews in the volumes of the *Sijill al-qawmi*; cf. too *Jeune Afrique* (1999 November 16) Kaddafi et la presse.

⁶⁹ Decision-makers in the local, decentralized administrative units are forced by the dual system and the resulting multiplicity of centers of authority to show consideration to the revolutionary sector and to the different power centers of the ruling sector (*General People’s Congress, General Secretariat of the General People’s Congress, The General People’s Committee*)

⁷⁰ For example the control of the state’s institutions through *Revolutionary Committee* members taken from the staff (esp. 1980s/1990s).

People's Congress on a regular basis. That does not prevent the *General People's Congress* from recommending⁷¹ (based on reports presented to it) reforms to specific government institutions, formulating directives as to increase the number of apartments to be built, or that relations be cut with the Arab League. Laws are then formulated by the appropriate secretariat and approved by acclamation. Protests or rejection have been rather seldom, although one of the first and most famous exceptions was Law No. 40 in May 1974 concerning the general military training (*al-tadrib al-askari al-amm*).⁷² The protests of the religious scholars (*ulama*) against conscripting women could neither prevent the passing of that law nor the Conscription Law 1978.

When it comes to the security sector, the Revolutionary Leadership is the only decision-maker and is only accountable to itself. Despite the replacement of the *Provisional Constitutional Declaration* of 11 December 1969 by the *Declaration on the Authority of the People* in March 1977, Article 26 on the Armed Forces is still *de facto* valid:

“The State⁷³ alone is empowered to establish the Armed Forces, who shall protect the people and insure the security of the country, its republican system, and national unity.”

Since March 1977, the following *unwritten* truth has remained valid: “The Revolutionary Leadership is the supreme authority of the *Jamahiriyah*.”⁷⁴ There is not

⁷¹ It was in the past that decisions of the *General People's Congress* were usually based on “recommendations” of the *Basic People's Congresses*.

⁷² This law has two roots: firstly, the acutely felt lack of trained personnel during the October War 1973, and secondly, Qaddafi's propagated concept of the armed people. This found its echo in the *Proclamation of the People's Power* (March 2, 1977), in which article 9 (Defence) states: “Defending the Country is the responsibility of every citizen. Through general military training, the People shall be trained and armed. Law regulates the method for preparing military cadres and the general military training.”

⁷³ State, i.e. Revolutionary Command Council/Revolutionary Leadership.

⁷⁴ The Revolutionary Leadership takes up Article 18 of the *Provisional Constitution Declaration* of December 1969, where it states that:

“Article 18 (*Revolutionary Command Council*)

The *Revolutionary Command Council* constitutes the supreme authority in the Libyan Arab Republic. It will exercise the powers attached to national sovereignty, promulgate laws and decrees, decide in the

only a lack of “parliamentary” control over the Revolutionary Leadership and the security sector, but also a total lack of any form of “public control.” Parties have been forbidden in Libya since 1969. Independent non-governmental organisations do not exist and think-tanks and research institutes - if they do exist at all, e.g. *The World Centre for Study of the Green Book* or the *Higher Academy for Studies* – are completely loyal to the revolution.

III. Challenges to Security Sector Governance

The security sector in Libya, whether in internal or external security, has faced several challenging phases over the past decades. The development of more moderate domestic and foreign policies in the last few years and the reintegration of Libya into the international community of states (lifting of the UN sanctions on 12 September 2003; lifting of important U.S. sanctions on 23 April 2004) have led to Libya seeing itself actually as relatively unthreatened. This is in stark contrast to the 1970s and 1980s, when Libyan activism and ‘messiah-nism’ coupled with its attempts to export its revolution and ideology, produced a great deal of resistance both within the country and abroad, and led to a heightened sense of threat within the leadership.⁷⁵

Political Conflict within Libya

The course of institutional transformation pursued by Qaddafi since the development of the *Third Universal Theory* 1972/1973 naturally incited the opposition of all those who supported pluralism and democratic freedom. All attempts to force a change of course

- whether by Military overthrow or Military rebellion (e.g. in December 1969, July 1970, August 1975 or in October 1993);

- whether through the activities of the exile opposition (e.g. the most important of those was the *National Front for the Salvation of Libya*, which was founded in 1981)

name of the people on the general policy of the State, and make all decisions it deems necessary for the protection of the Revolution and the regime.”

⁷⁵ In the first half of the 1980s, the perception dominated of being “pris en sandwich” by the US Fleet in the Mediterranean and the French army in Chad.

- whether through the activities of political opposition groups at home (activities of NFSL-opponents;

- whether through the destruction of revolutionary symbols in the 1980s);
were defeated using repressive means. The main instruments for doing so were the *Revolutionary Committees* that are mentioned in the text above⁷⁶, and in extreme cases military forces (e.g. in October 1993).

The *Revolutionary Committees* also carried the main burden of defeating religious opposition, which experienced two main waves of activity. The *first* wave began in response to Qaddafi's proclamation of a "religious revolution" in 1975. In support of the direct democracy orientation of the political system and the rejection of parliaments ("Representation is a falsification of democracy") Qaddafi also rejected religious scholars (*ulama*) as mediators between man and God and propagated the individual, personal interpretation of the Koran. Religious scholars who opposed this religious interpretation were arrested or even eliminated by *Revolutionary Committees*, especially during the various campaigns of repression in 1978.⁷⁷ The *second* wave came a decade later. The Islamist opposition⁷⁸, that had been shaped

⁷⁶ They were not only deployed in the *Jamahiriyah*, but also in Arab countries and Europe (campaigns to eliminate political opponents in the 1980s).

⁷⁷ Cf. Mattes, H. (1995), *loc. cit.* (footnote 45).

⁷⁸ The Libyan Islamist opposition was made up of groups like *al-Jama'a al-islamiya al-libiya*, *al-Jama'a al-islamiya al-muqatila*, *Harakat al-shuhada al-islamiya*:

The *Jama'a al-islamiya al-muqatila* was founded in about 1992 by Libyan veterans of the war in Afghanistan. On 19 October 1995, they issued their first communiqué in Cairo. Having suffered large losses to the Libyan security forces the group provisionally gave up military operations on October 21, 1996. It is still politically active in Europe. On June 10, 2000 it used a fax (signed Abu al-Mundhir al-Sa'idi) to call for the people to rise up against Qaddafi; cf. *al-Hayat* (2000 June 11).

The *Harakat al-shuhada' al-libiya* was founded in about 1992 by Libyan veterans of the Afghanistan war. In April 1996, the group performed its first attacks. The first "emir" of the group was Muhammad al-Hamri, who was shot dead on June 30, 1996. His successor in January 1997 was the Afghanistan veteran "Emir" Hamza Abu Shaltla.

In addition, there was the *al-Jama'a al-islamiya al-libiya*, which, though in existence since the 1980s, had only become radical under the influence of veterans of the Afghanistan war. It carried out its first attacks in June 1996. Its founder, Abdallah Muhammad al-Shaybani, is said by the political department of the *Jama'a* "to have died in one of the Libyan regime's prisons" on 1 February 2001.

The mentioned groups were most active in northern Cyrenaica (Benghazi region; Jabal al-Akhdar). There are historical reasons for this concentration which have to do with the long-term presence of the Sanusi Brotherhood in Cyrenaica. The Islamist groups only had slogans available to them such as

at the end of the 1980s and beginning of the 1990s, and whose core was built around the Libyan Islamists returning from Afghanistan, accused Qaddafi of “heresy” (zandaqa). They supported the adoption of the *Sharia*, and especially in the years between 1995 and 1997⁷⁹, they tried to achieve this goal by force of arms. Once again it was the *Revolutionary Committees* who were largely responsible for safeguarding the regime and physically disposing of the Islamist groups.

At the moment, there are no challenges from within the country that are dangerous enough to threaten the system. The actual willingness of the Revolutionary Leadership to remedy abuses (like torture) or to expand the freedom for political activity of non-governmental organisations should indeed not be misconstrued as a form of retreat from control by the Revolutionary Leadership.

Foreign Policy Challenges

In foreign policy too the cycle of militancy that dominated political affairs in the 1970s and 1980s has largely given way to cooperation with the European Union, sub-Saharan African states⁸⁰, and the United States.

In contrast to domestic politics, where the *Revolutionary Committees* played a central role, in foreign policies it was the armed forces⁸¹ and the secret services (including the *Mathaba*) that were deployed. Among the most important events were:

- The confrontation with Egypt in July 1977 (involving the armed forces).
- The confrontation with the US military over the disputed Gulf of Sirt that had been escalating since 1980 (involving the Libyan Air Force and the Air Defence

(“down with the heretic Qadhafi regime”, “Introduce the Sharia”); in other words they lacked theological foundations and a comprehensive written programme.

⁷⁹ After several individual minor incidents in 1993 and 1994, there were a large number of confrontations across the whole Cyrenaica between June 1995 and 1997, when there was a large battle with Islamist groups in Benghazi which resulted in many deaths. The massive equipping of the Revolutionary Committees enabled them to break up the Islamist groups in 1998, though both sides suffered many casualties. There were, however, individual incidents right up to 2001.

⁸⁰ At the moment, involvement in the Saharan and Sahelian State Community (SinSad), launched by Qaddafi in 1998 dominates.

⁸¹ Including the *Islamic Legion*, build up by recruits from Africa South of the Sahara, that was deployed in the Chad offensive.

Forces), followed by secret service operations (La-Belle-bomb attack, April 1986; and finally the Lockerbie bombing on 21 December 1988).

- The air defence forces inefficient attempts to repel US air attacks on Tripoli and Benghazi on 15 April 1986.

- Expansionism in Chad (involving: Libyan Armed Forces; the Air Force). The Libyan Armed Forces were defeated with considerable loss of life and equipment in the first half of 1987.⁸²

- Involvement in the bomb explosion in the UTA plane over Niger (on 19 September 1989) that has been blamed on the Libyan Foreign Secret Service (Bureau of External Security).

- The support of independence movements around the world (financial and material support, involving the *Mathaba*).

The period in which Libya was involved in self-induced foreign policy confrontations came to an end in the 1990s. The end of the East-West conflict and with it the loss of the Soviet Union as main ally and weapons supplier, the isolation caused by the UN resolutions (1992-1999) and developments within Libya all contributed to this new development. After the dominance of *hard security* aspects in the 1980s, came a period in the 1990s when *soft security* aspects were highlighted. These included crime that was associated with legal and illegal migration from sub-Saharan Africa, the spread of the drug trade, and the misuse of Libyan territory for the trafficking of people to Europe.⁸³ The police forces in their fight against crime suffered a similar lack of efficiency and technical equipment as the armed forces had during military operations.

The single most significant threat to the future welfare of Libya, however, is not violent crime, or even the problems of soft security, but rather how to supply the rapidly growing Libyan population (which reached 5.6 million in 2004 and is planned to rise to 7.3 million in 2020) with water (drinking water; water for industry and

⁸² On the military performance of the Libyan armed forces and the causes contributing to their poor performance cf. in detail Pollack, K.M. (2002) *Arabs at war. Military effectiveness, 1948-1991*. London: 358-424.

⁸³ It was a breaking of taboos when the Libyan Secretary for Justice and Internal Security, Abd al-Rahman Musa al-Abbar admitted for the first time in public that Libya had problems with organised crime at the UN Crime Conference in Palermo in December 2000.

agriculture). It is hard to predict to what extent the *Great Man Made River Project*, which is currently being built, will help to reduce the water deficit.

IV. The Need for Reform

When trying to assess the need for reform of the security sector⁸⁴, it is important to differentiate between an internal and a foreign perspective. The Libyan Revolutionary Leadership clearly sees no need to introduce or strengthen democratic control over the security sector. In fact, the Revolutionary Leadership favours the concept of “revolutionary control” over all areas of political, economic and social development. This includes the exclusive right to appoint the leaders of the different organs of the security sector.⁸⁵ In contrast to this there are no objections to optimising and professionalizing the diverse security organisations. On the contrary, the poor efficiency of the Libyan intervention forces in Chad exposed the need for reform.

In Libya demilitarisation, like militarization and mobilisation, is closely connected at any given time to the degree of ideological militancy that dominates. So long as all neighbouring states continue to have friendly relations with Libya and the internal revolutionary zealotry and its accompanying threats to the regime by opposition forces is low, the numbers of personnel operating within the security forces will continue to fall.

A strengthening of the rule of law, especially in the police and *Revolutionary Committees*, has already partially been undertaken. In response to conditions set out by the United States for the lifting of its sanctions, political reforms and an improvement in human rights have been implemented. Since 2003, the anti-torture

⁸⁴ Relevant topics here are: The strengthening of democratic control over security institutions by the state and civil society; The professionalization of the security forces; Demilitarisation and peace-building; Strengthening of the rule of law.

⁸⁵ This right conforms to tribal thinking. Musa Kusa in his master's thesis in 1978 (*loc. cit.*, footnote 34) said the following, which is still valid today: “Despite all the changes that have occurred in the urban and rural communities, the family continues to be the core of Libyan society. (...) The individual sets his family above all his personal considerations and is ready to subordinate himself to the interest of his family. All family members have a strong loyalty to their relatives and to the tribal group. (...) The tribal member must be helpful to the other members of his tribe, even if such assistance runs against to the law.”

activities of the *Gaddafi International Foundation for Charity Organisations*, headed by Saif al-Islam al-Qaddafi (cf. <www.gaddaficharity.org>), have achieved improvements (e.g. inspections in prisons; training on human rights) and Revolutionary Leader Qaddafi in April 2004 announced the abolition of the special courts. But this does not diminish the control that the security authorities exert.

The greatest deficit in Libya is still to be found in the area of “strengthening the rule of law.” The possibility of achieving improvements are much greater in this area than in the implementation of *democratic* control on the security organisations. Democratic control on the security organisations would require a different political system in Libya. All of the revolutionary organisations, however, would defend themselves against such a change so as to preserve their own power.

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Geneva Centre for the Democratic Control of Armed Forces (DCAF)

Established in October 2000 on the initiative of the Swiss government, the Geneva Centre for the Democratic Control of Armed Forces (DCAF) encourages and supports States and non-State governed institutions in their efforts to strengthen democratic and civilian control of armed and security forces, and promotes security sector reform conforming to democratic standards.

The Centre collects information and undertakes research in order to identify problems, to gather experience from lessons learned, and to propose best practices in the field of democratic governance of the security sector. The Centre provides its expertise and support, through practical work programmes on the ground, to all interested parties, in particular governments, parliaments, military authorities, international organisations, non-governmental organisations, and academic circles.

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