

Niall McGlynn  
Student No. 1729160  
Word Count: 10,394  
Email: n.mcglynn@umail.leiden.nl

# **Statelessness in Libya before and after the fall of Qadhafi**

By Niall McGlynn

Student No. 1729160

Supervisor: Dr. Meike de Goede

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## **Introduction**

Since 2011, Libya has been embroiled in civil conflict, with its territory and government divided between rival armed factions.<sup>1</sup> The conflict seems intractable, with no end in sight and no way to unify all of the different factions under one Libyan state. In the face of this chronic violence and instability, Libya's viability as a unitary state has been questioned.<sup>2</sup>

Is Libya a viable state? Or do Libya's history and culture work against the success of a conventional, western-style state apparatus in the country? Does 'statelessness' in Libya hold the answers?

Dirk Vandewalle defines statelessness as the systematic reduction and severe limitation of modern state institutions and their growth.<sup>3</sup> I will explore statelessness in Libya, analysing how successive regimes contributed to, and even encouraged, stateless governance. I will assess what role statelessness has played in Libya since Qadhafi's overthrow in 2011, and whether the 'stateless' nature of Libyan society means that unity without Qadhafi<sup>4</sup> may be impossible.

For the first part of this thesis, I will review the literature on Libya and statelessness, and how it fits into the paradigms of state failure, autocratic rule in Africa and post-Qadhafi Libya. I will then outline the poststructuralist 'lens' I use to analyse the ways in which Libya's uniquely stateless form of government and society evolved.

Statelessness, with its distinctive characteristics unique to Libya, is best assessed through poststructuralist theory. By comparison with the personal rule experienced by other African states, we can get a picture of Libya as a unique political and social space. This will be the crux of my analysis. Statelessness has created unique conditions in Libya after the fall of Qadhafi, and poststructuralism can help to move the discourse away from the standard narrative of failed states and western-centred models of state governance.<sup>5</sup>

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<sup>1</sup> 'Why is Libya so lawless?' ([www.bbc.com](http://www.bbc.com)) (06 Jul. 2016)

<sup>2</sup> 'Breakaway Libyan oil sale attempt fuels partition fears' (<http://www.middleeasteye.net/>) (06 Jul. 2016)

<sup>3</sup> Dirk Vandewalle, *A History of Modern Libya* (Cambridge, 2012) p. 2

<sup>4</sup> In choosing what system to follow for Arabic naming conventions, I have elected to use Vandewalle's system, outlined in *A History of Modern Libya and Libya Since Independence: Oil and State-building*. This is based in turn on the *Gazetteer No. 41 - Libya* (June, 1958), published by the United States Board on Geographic Names. Thus certain names are simplified or changed (Tripoli rather than Tarabulus, Qadhafi rather than Gaddafi etc.).

<sup>5</sup> Leonardo Figueroa Helland and Stefan Borg, "The Lure of State Failure: A Critique of State Failure Discourse in World Politics" in *Interventions* (2014), 16, p. 878

## **Literature Review: Libya, strong men, and failure**

I divide the literature for this thesis into three themes: 1) The relationship between statelessness and state failure in Libya, 2) The comparison of Qadhafi to other ‘strongman’ rulers in Africa, and 3) Libya since the fall of Qadhafi. I discuss each theme in turn below. I will also outline where my theoretical framework fits into the literature on poststructuralism.

First however, I wish to flesh out the concept of statelessness and mention the issue of ‘tribalism’. Vandewalle’s concept of statelessness is the idea that Libya, through the machinations of its rulers, particularly Muammar al-Qadhafi,<sup>6</sup> possesses underdeveloped or non-existent state institutions, such as bureaucracies and government ministries.<sup>7</sup> The historical statelessness literature is problematic, in that it accounts for statelessness primarily as a side effect of the de-institutionalisation of Libyan society. While some authors, such as Lacher,<sup>8</sup> reference ‘distrust’ of central authority, there is no comprehensive integration of the roles identity and power play in discussions of statelessness. The focus is on the loss or replacement of institutions, and the erosion of good governance in favour of unrestrained spending and patronage.

Much of the literature on post-2011 Libya describes it as “tribal”, and is critiqued by authors like Cherstich for perpetuating “certain stereotypes, rather than knowledge.”<sup>9</sup> Terms like “tribalism” and “tribal” are very often used without clear definitions when discussing Libya, and bear “little relation to the ethnographic reality of the country.”<sup>10</sup> Davidson argues that, ‘tribalism’ is easily confused with ‘clientelism’, a ‘dogfight’ over the state and its resources between different patron-client networks, which is functionally what many western commentators mean when they discuss ‘tribal’ politics in Libya.<sup>11</sup> I follow Obeidi in defining the tribe as an extended social unit, usually based on extended familial ties, present in both

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<sup>6</sup> Dirk Vandewalle, “After Qaddafi: The Surprising Success of the New Libya” in *Foreign Affairs* (2012), 91, p. 10

<sup>7</sup> Vandewalle, *Modern Libya*, pp 96-104

<sup>8</sup> Wolfram Lacher, “Families, Tribes and Cities in the Libyan Revolution” in *Middle East Policy* (2011), XVIII, p. 146

<sup>9</sup> Igor Cherstich, “The Libyan Drawers: ‘Stateless Society,’ ‘Humanitarian Intervention,’ ‘Logic of Exception’ and ‘Traversing the Phantasy’” in *Middle East Critique* (2014), 23, p. 389

<sup>10</sup> *Ibid*, p. 406

<sup>11</sup> Basil Davidson, *The Black Man’s Burden: Africa and the Curse of the Nation-State* (New York, 1992) pp 206-207

rural and urban areas. This tribal unit act both as a social identity and can exercise political authority over its members.<sup>12</sup>

State failure is defined by Rotberg as the failure of a state government to deliver political goods, especially physical security, to its citizens, and a loss of legitimacy by the nation that state is supposed to control.<sup>13</sup> State failure is distinct from statelessness because while statelessness is the deliberate or incidental failure to develop state institutions,<sup>14</sup> failure is what happens when these institutions cease working after presumably being a desired component of the state itself.<sup>15</sup>

The concept of state failure focuses primarily on the role of institutional breakdown, and does not explore the mutually constitutive roles of identity and power. It also takes the western concept of the nation-state as a desirable and standard model of political life, with any deviation from this norm becoming 'failure', a criticism formulated by Helland and Borg among others.<sup>16</sup> State failure comes mainly from the state institutions themselves failing to carry out their basic functions, a very western-centric view of what makes one state 'better' or less 'failed' than another.<sup>17</sup> Apart from brief mentions, state failure literature does not explore the role of countervailing local or small scale communal identities within society acting against the state,<sup>18</sup> something Vandewalle, Davis,<sup>19</sup> and others do focus on.

Statelessness is a superior framework to state failure for analysing Libya because it moves away from a mechanistic view of Libya as a state whose 'political machinery' has stopped working,<sup>20</sup> towards an understanding of how the inhabitants of Libya rejected and resisted the imposition of western style state structures, and how their rulers engaged with this resistance.<sup>21</sup>

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<sup>12</sup> Amal Obeidi, *Political Culture in Libya* (Surrey, 2001)

<sup>13</sup> Robert I. Rotberg, "The Failure and Collapse of Nation-States: Breakdown, Prevention, and Repair" in Robert I. Rotberg (ed.) *When States Fail: Causes and Consequences* (Princeton, 2003) pp 1-3

<sup>14</sup> Vandewalle, *Modern Libya*, pp 96-104

<sup>15</sup> Rotberg, "Failure and Collapse", p. 6

<sup>16</sup> Helland and Borg, "The Lure of State Failure", pp 877-897

<sup>17</sup> Jonathan Hill, "Beyond the Other? A postcolonial critique of the state failure thesis", in *African Identities* (2005), 3, pp 139-154

<sup>18</sup> Rotberg, "Failure and Collapse", p. 9

<sup>19</sup> Davis, *Tribe and Revolution*, p. 258

<sup>20</sup> Jurg Martin Gabriel, "The Bonum Commune Dilemma: Patrimonial State Failure in Africa" in *European Journal of Law Reform* (2006), 6, p. 491

<sup>21</sup> Vandewalle, *Modern Libya*, pp 39-42

Qadhafi is the key player in Libya, both as the main architect of statelessness and as the longest serving ruler in the country. His 42 year rule had the biggest influence on Libya.<sup>22</sup> For this reason, the most productive comparison to make is with other ‘personal’ rulers in Africa. In terms of both dependence on a single resource or ‘rent’ and in terms of the way his regime was centred on his will and his vision, he fits into the continuum of African personal rulers outlined by Jackson, Rosberg<sup>23</sup> and others.

Cooper, Davidson, Chabal and Daloz,<sup>24</sup> and Jackson and Rosberg all discuss how many African states after independence fell into the hands of ‘big men’, who ruled outside institutions through systems of patronage, where state resources were distributed through personal networks and connections to ensure loyalty. These resources were often external to the state, like foreign aid and especially oil revenues.<sup>25</sup> In terms of his style of rule and his dependence on oil revenues, Qadhafi fits into this paradigm.

Yet there are crucial differences, especially with regards to the aftermath of Qadhafi’s fall. No other ruler in Africa had the combination of ideological commitment and virtually unlimited ‘rents’ that Qadhafi did.<sup>26</sup> Many rulers like the successive regimes in Nigeria possessed oil reserves and extensive reliance on patronage for political stability, but also the accoutrements of a state like government ministries and representative institutions,<sup>27</sup> while Qadhafi worked to disassemble virtually all such structures in Libya.<sup>28</sup>

Other rulers like Nyerere in Tanzania pursued a very particular vision, but lacked the resources to fully implement it.<sup>29</sup> Qadhafi by contrast could afford to realise his vision of Libyan society laid out in his ‘Green Book’,<sup>30</sup> made possible by the scale of Libya’s oil revenues.<sup>31</sup> This then is the weakness of the literature on personal rule in Africa, it does not manage to encompass the unique combination of revolutionary ‘stateless’ ideology in Libya and the enabling factor of vast oil reserves.

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<sup>22</sup> Ibid, pp 1-2

<sup>23</sup> Robert Jackson and Carl Rosberg, *Personal Rule in Black Africa: Prince, Autocrat, Prophet, Tyrant*, (Berkeley, 1982) pp 73-82

<sup>24</sup> Patrick Chabal, and Jean-Pascal Daloz, *Africa Works: Disorder as Political Instrument*, (Oxford and Bloomington, 1999)

<sup>25</sup> Frederick Cooper, *Africa since 1940: The past of the present* (Cambridge, 2002) pp 156-190

<sup>26</sup> John Wright, *A History of Libya* (London, 2010) p. 199

<sup>27</sup> Cooper, *Past of the present*, pp 171-174

<sup>28</sup> Omar El Fathaly and Monte Palmer, “Institutional Development in Qadhafi’s Libya” in Vandewalle (ed.) *Qadhafi’s Libya 1969-1994* (London, 1995) pp 157-175

<sup>29</sup> Jackson and Rosberg, *Personal Rule*, pp 219-232

<sup>30</sup> Muamar Al Qathafi, *The Green Book* (Ottawa, 1983)

<sup>31</sup> Vandewalle, *Modern Libya*, pp 109-113

Jebnoun,<sup>32</sup> Toaldo,<sup>33</sup> Pargeter,<sup>34</sup> Vandewalle, and El Fathaly and Palmer, have all argued, or predicted,<sup>35</sup> that the Libyan state's unique dependence on Qadhafi for its survival and legitimacy means that in his absence the state effectively ceased to exist. This is distinct from the situation with the other personal rulers of Africa, who usually leave behind a state for their successors to inherit or fight over.<sup>36</sup> This void after the departure of Qadhafi is a new variation within the field of personal rule, and needs a new approach incorporating the concept of statelessness.

Lacher, Jebnoun, Kuperman,<sup>37</sup> Cherstich, and Gaub<sup>38</sup> have all described the breakdown of central control in Libya and the role of tribal and regional affiliations in forming new political power centres. Tribal loyalties, either as a hard identity<sup>39</sup> or as an ideology of convenience,<sup>40</sup> have superseded loyalty to or obedience of the central state authorities, as have loyalties to militias organised along local lines. All these groups seek to become the focus of identity and loyalty, and the main power broker, in their respective localities.<sup>41</sup>

While all these authors link this localisation and tribalisation of Libyan politics since 2011 to the deinstitutionalisation under Qadhafi and more widely to his pursuit of statelessness, none of them have moved beyond institutions in any meaningful way to explore the roles of identity and power. Identity with tribe or state or region is mentioned, but only in the context of institutional legitimacy, with no discussion of *how* identity might be linked to institutional or state power.<sup>42</sup>

Statelessness is not simply the absence of state institutions. It is also a mind-set and an institutional framework within a society which makes having no identification with a state,

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<sup>32</sup> Nouredine Jebnoun, "Beyond the mayhem: debating key dilemmas in Libya's statebuilding" in *The Journal of North African Studies* (2015), 20, pp 832-864

<sup>33</sup> Mattia Toaldo, "Decentralising authoritarianism? The international intervention, the new 'revolutionaries' and the involution of Post-Qadhafi Libya" in *Small Wars & Insurgencies* (2016), 27, pp 39-58

<sup>34</sup> Alison Pargeter, "Libya: Reforming the Impossible?" in *Review of African Political Economy* (2006), 33, pp 219-235

<sup>35</sup> El Fathaly and Palmer, "Institutional Development", p. 175

<sup>36</sup> Jackson and Rosberg, *Personal Rule*, p. 145

<sup>37</sup> Alan J. Kuperman, "A Model Humanitarian Intervention: Reassessing NATO's Libya Campaign" in *International Security* (2013), 38, p. 133

<sup>38</sup> Florence Gaub, "A Libyan Recipe for Disaster" in *Survival* (2014), 56, pp 101-120

<sup>39</sup> Wolfram Lacher, "Families, Tribes and Cities in the Libyan Revolution" in *Middle East Policy* (2011), XVIII, pp 140-154

<sup>40</sup> Igor Cherstich, "The Libyan Drawers: 'Stateless Society,' 'Humanitarian Intervention,' 'Logic of Exception' and 'Traversing the Phantasy'" in *Middle East Critique* (2014), 23, pp 405-421

<sup>41</sup> Jebnoun, "Beyond the mayhem", pp 832-864

<sup>42</sup> *Ibid*, pp 855-856



and therefore no state, possible and even desirable.<sup>43</sup> This is the key gap in the literature on statelessness, personal rule and state failure, there is no mechanism to connect the deinstitutionalising and depoliticising effects of statelessness with identity and power. Poststructuralism, and specifically the concept of performativity can fill this gap.

I have built on the work of Campbell<sup>44</sup> and Devetak,<sup>45</sup> who both outline the fundamentals of poststructuralism. The application of the theory by Ashley,<sup>46</sup> Weber,<sup>47</sup> and Helland and Borg<sup>48</sup> among others to the issues of how states are constituted and the western-centred nature of state failure is my departure point for my definition of state performativity, which I outline in the next section.

This thesis is an attempt to fill the gap between statelessness, state failure, personal rule and Libya. Libya does not conform to the conventional models of state failure outlined by Rotberg and others, or to models of personal rule that apply in other parts of Africa by Jackson and Rosberg and Chabal and Daloz. Both of these paradigms are linked to Libya, but neither captures the situation fully. Statelessness, as a unique condition within Libya, can explain these differences at an institutional level, but without a firmer discussion of power and identity it cannot fully explain the situation in Libya after Qadhafi.

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<sup>43</sup> Vandewalle, *Modern Libya*, p. 3

<sup>44</sup> David Campbell, "Poststructuralism" in Tim Dunne, Milja Kurki and Steve Smith (eds) *International Relations Theories: Discipline and Diversity* (2nd ed., Oxford, 2010) pp 203-228

<sup>45</sup> Richard Devetak, "Post-structuralism" in Burchill et al. (eds.), *Theories of International Relations* (New York, 2013), pp 187-216

<sup>46</sup> Richard Ashley, "The Geopolitics of Geopolitical Space: Toward a Critical Social Theory of International Politics" in *Alternatives* (1987), 12, pp 403-434

<sup>47</sup> Cynthia Weber, "Performative States" in *Millenium: Journal of International Studies* (1998), 27, pp 77-95 and Cynthia Weber, *Simulating Sovereignty: Intervention, the State and Symbolic Exchange* (Cambridge, 1995)

<sup>48</sup> Helland and Borg, "Lure of State Failure", pp 877-897

### **Poststructuralism and performativity as a lens**

To answer the question *How did statelessness lead to the degradation of Libyan identity and undermine viability of the Libyan state?* I will utilise the poststructuralist approach to International Relations which has been applied to other areas of inquiry, like the Bosnian War and state sovereignty.<sup>49</sup> Within such a range of possible applications, I have chosen to focus on how poststructuralism exposes the connection between identity and power, and specifically how the performance of power or sovereignty by a state creates the state, *and* its identity.<sup>50</sup>

Poststructuralism has been described as an approach or ‘critical attitude’ towards international relations by Campbell.<sup>51</sup> The particular focus of poststructuralism is on the ways in which power and identity are mutually constitutive, and how power is used to inscribe boundaries which help to constrain identity as the dichotomy between the self and the other.<sup>52</sup> In particular, poststructuralism builds on the work of Foucault to focus on the ways in which the modern ‘sovereign state’ is constructed through the exercise of power and exclusion.<sup>53</sup> So poststructuralism understands the state and identity with a state as a function of social processes of exclusion and the exercise of power.

Taking this concept further, and incorporating the work of Judith Butler, several authors have conceived of the state as a ‘performance’ of its functions, most prominently Cynthia Weber.<sup>54</sup> ‘Performativity’ or the repeated enactment or ‘performance’ of the functions of a state are what makes the state, it has no essence outside these performances.<sup>55</sup> This is the basis for my definition of the performance of the state.

Poststructuralist thought can make the link between the mainly institutionalised conception of statelessness outlined by Vandewalle<sup>56</sup> and others and the more nebulous concept of state identity in Libya, which others like Obeidi<sup>57</sup> have discussed. While many authors like Vandewalle,<sup>58</sup> Davis,<sup>59</sup> Jebnoun<sup>60</sup> etc. have mentioned the seeming weakness of Libyan

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<sup>49</sup> Devetak, “Post-structuralism”, pp 187-188

<sup>50</sup> Ibid, pp 208-209

<sup>51</sup> Campbell, “Poststructuralism”, p. 225

<sup>52</sup> Devetak, “Post-structuralism”, pp 199-206

<sup>53</sup> Ibid, p. 192 see also Campbell, “Poststructuralism”, pp 233-234

<sup>54</sup> Weber, “Performative States”, pp 90-93

<sup>55</sup> Ibid, see also Devetak, “Post-structuralism”, pp 208-209

<sup>56</sup> Vandewalle, *Modern Libya*, pp 1-5

<sup>57</sup> Amal Obeidi, *Political Culture in Libya* (Surrey, 2001)

<sup>58</sup> Vandewalle, *Modern Libya*, p. 207

<sup>59</sup> Davis, *Tribe and Politics*, p. 238

identity in passing and linked it with the stateless society nurtured by Qadhafi, none of them outline a specific mechanism by which statelessness can work to undermine national identity or promote other forms of collective identity, through its exercise of power by non-state means.

Thus Poststructuralism gives us both an expansion of the existing concept of statelessness, and an explicit link between statelessness under Qadhafi (and before him) and the seeming disintegration of Libya since his fall.<sup>61</sup> Performativity,<sup>62</sup> and the identity/power nexus<sup>63</sup> described in poststructuralist literature are the two poststructuralist ‘tools’ I will use to expand on statelessness and link it to the problems facing post-Qadhafi Libya.

By choosing to focus on the performative aspect of the Libyan state and its identity, and on the ways that states power and its identity are linked, I will as a result be focusing on specific aspects of statelessness. In particular, I will be analysing the role of institutions of state and political processes. Weber argues that way a state exercises power over a territory(institutions), and a people within that territory (political processes) are the very means by which that state is created.<sup>64</sup>

I will assess how successful the institutions and political processes in Libya were at creating the Libya *as a state*. Did the institutions give the appearance of a functioning state, i.e. did they perform the state adequately? Did the political processes involve the Libyan people themselves in the performance? Was the identity of Libya as a state, and not simply as residual territory between Egypt and Algeria,<sup>65</sup> strengthened or weakened by each performance?

These questions will help to focus my analysis, zeroing in on the most relevant aspects of the Qadhafi regime, and the monarchy and colonial regime which came before it. While the Qadhafi years are the primary focus of the thesis, statelessness is a deep and longstanding

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<sup>60</sup> Nouredine Jebnoun, “Beyond the mayhem: debating key dilemmas in Libya's statebuilding” in *The Journal of North African Studies* (2015), 20, pp 832-864

<sup>61</sup> ‘Five years after Gaddafi, Libya torn by civil war and battles with Isis’ ([www.theguardian.com](http://www.theguardian.com)) (09 Jul. 2016)

<sup>62</sup> Cynthia Weber, “Performative States” in *Millenium: Journal of International Studies* (1998), 27, pp 77-95

<sup>63</sup> Campbell, “Poststructuralism”, pp 233-234

<sup>64</sup> Weber, “Performative States”, p. 92

<sup>65</sup> Davis, *Libyan Politics*, p. 25

feature of Libyan society,<sup>66</sup> and performativity can assess it in its historical context in addition to its legacy after Qadhafi.

The institutions assessed are the primary institutions of a rentier or ‘gatekeeper’<sup>67</sup> state like Libya. The major bureaucracies and the executive branch of government among others are the key players, and play the biggest role in the state’s performance in my framework. For political processes, I focus on the representative and consultative mechanisms that connect ordinary citizens to the ruling regime, and how much these mechanisms reflect the ways power was actually exercised in Libya.

This analysis of institutions and processes is contextualised by comparison with the other personal ruler regimes in Africa, for the reasons outlined above. By seeing how Libya is similar but different to comparable regimes like the Mobutu regime in Zaire,<sup>68</sup> poststructuralism can link the uniquely Libyan phenomenon of statelessness to the more well-known literature on personal rule in sub-Saharan Africa. Simultaneously it can help to draw out the very unique aspects of statelessness which make it a specifically Libyan phenomenon.

By focusing on political processes, my poststructuralist framework can find the points of intersection and also of divergence between Qadhafi’s statelessness and personal rule. Many rulers in Africa circumvented institutional rule and suppressed political processes,<sup>69</sup> but none did it to the same extent as Qadhafi, or in the same way. Qadhafi’s performance of Libya was a uniquely one man show, to a greater extent than any other comparable African personal ruler.

In terms of state failure, my poststructuralist framework again focuses on institutions and political processes, similarly to Rotberg<sup>70</sup> and others. Poststructuralism again moves beyond the conventional paradigm, to explicitly link statelessness as a unique Libyan mode of society to wider issues of western-centrism in the literature on state failure. Rotberg’s work and

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<sup>66</sup> Ahmida, *Making Modern Libya*, pp 7-12

<sup>67</sup> Cooper, *Africa since 1940*, pp 156-190

<sup>68</sup> Michael G. Schatzberg, *The Dialectics of Oppression in Zaire* (Bloomington, 1988)

<sup>69</sup> Jackson and Rosberg, *Personal Rule*, p. 2

<sup>70</sup> Robert I. Rotberg, “The Failure and Collapse of Nation-States: Breakdown, Prevention and Repair” in Rotberg, Robert I. (ed.), *When States Fail: Causes and Consequences*, (Princeton, 2003)

critiques of state failure by authors like Helland and Borg<sup>71</sup> provide the context for a discussion of how statelessness and the failure of the state post-Qadhafi are linked.

Rotberg focuses on institutions, specifically western-style institutions of government, and how their failure to perform is linked to the failure of states in general.<sup>72</sup> Helland and Borg critique this framework as being centred on western concepts of the state, which take no account of diverse forms of government and society in the rest of the world, and how the imposition of western models of governance can be a cause of state failure.<sup>73</sup> By focusing my poststructuralist framework on institutions and political processes in Libya, I can further explore this disconnect between western-style nation-state institutional government and societies<sup>74</sup> in countries like Libya.

I apply poststructuralism to key texts on state failure and critiques of state failure in a similar method to my comparison of Libya with personal rule in Africa. I can find the points of exception where Libya does not fit neatly into these models,<sup>75</sup> but also points where it does. In this way further insights about Libya are gained, through the application of poststructuralist theory.

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<sup>71</sup> Leonardo Figueroa Helland and Stefan Borg, "The Lure of State Failure: A Critique of State Failure Discourse in World Politics" in *Interventions* (2014), 16, pp 877-897

<sup>72</sup> Rotberg, "Failure and Collapse", pp 7-8

<sup>73</sup> Helland and Borg, "Lure of State Failure", pp 879-882

<sup>74</sup> Davidson, *The Black Man's Burden*, p. 10

<sup>75</sup> Matteo Capasso, "The Libyan Drawers: 'Stateless Society,' 'Humanitarian Intervention,' 'Logic of Exception' and 'Traversing the Phantasy'" in *Middle East Critique* (2014), 23, pp 387-404

### **Analysis: Libya and the performativity of statelessness**

I divide my analysis into three sections. In the first I apply my poststructuralist lens to institutions of the state in Libya both before Qadhafi and during his rule. For the second section I assess political processes and mechanisms during the same periods. In both parts I utilise my poststructuralist framework and comparisons with other personal regimes in Africa to draw out key points. For the final section I analyse Libya post-2011, assessing the legacy of statelessness and the performance of the state after Qadhafi, while comparing Libya to models of state failure, again to draw out some conclusions.

#### Institutions and Statelessness

Libya as a united polity was only in existence under Italian colonial rule from 1911-1943.<sup>76</sup> After the Second World War, Libya was placed under French and British administration, before being chaperoned to independence by the UN in 1951, under the rule of the Sanusi monarchy.<sup>77</sup> It is worthwhile to link briefly this pre-Independence period of Libyan history to performativity. Devetak sees the performativity of the state as being about the marking of borders and fixed boundaries, which in turn fix identities as solid and real.<sup>78</sup> The area that came to be known as Libya had never had fixed boundaries, nor anything resembling a fixed identity throughout its history.<sup>79</sup>

Under our poststructuralist, performative lens, the Libyan state had never been performed, and therefore had never existed before 1951. Under the Italians, and even before them, there were no institutions which covered the whole country or involved Libyans themselves,<sup>80</sup> and what political processes there were focused on the tribal and the local. The crucial exception to this was the Sanusi religious order in Cyrenaica, from which the future Sanusi royal family would emerge. The order, and its offshoot the Libyan monarchy, would provide a regional locus of identity for Cyrenaica, but not for the rest of Libya.<sup>81</sup>

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<sup>76</sup> Ahmida, *Making Modern Libya*, pp 6-12

<sup>77</sup> Vandewalle, *Modern Libya*, pp 34-42

<sup>78</sup> Devetak, "Post-structuralism", pp 203-204

<sup>79</sup> Ahmida, *Making Modern Libya*, p. 7

<sup>80</sup> Ingrid Tere Powell, "Managing Colonial Recollections" in *Interventions* (2015), 17, pp 456-459

<sup>81</sup> Vandewalle, *Modern Libya*, pp 16-20

This brings us to the first part of the institutional analysis, the institutions of the Libyan state under the monarchy. Due to mutual mistrust between Libya's regions, the newly independent state had an unwieldy federal system of government, with each of the three regions of Cyrenaica, Tripolitania and Fezzan possessing a regional government which competed with the central government for power.<sup>82</sup> In terms of performativity, the performances of the Libyan state under King Idris al-Sanusi were disjointed, with no clear unitary "Libya" emerging from the morass of federal, local and royal authority.

Poststructuralism tells us that identity is formed by cultural practices of exclusion,<sup>83</sup> the differentiation of the self and the other. The function of state power is thus to inscribe boundaries, with the self or 'we' inside these boundaries and the other or 'them' outside.<sup>84</sup> In Libya however, under the federal system, state power was used to inscribe boundaries *within* Libya itself, thus dividing Libyans into different regional groups. For the King and his royal court, 'we' meant Cyrenaica and 'them' meant the rest of Libya. This internal division was exacerbated by the King's repeatedly stated identity as a Cyrenaican and not a Libyan king.<sup>85</sup>

This division of Libya between Cyrenaica and the rest was made worse by the effects of oil and patronage networks. From the start, the institutions of the Libyan state did not represent the real centre of state power. This was, instead, bound up in informal patronage networks centring on the royal court or Diwan. The Diwan consisted of the King's extended family plus leading tribal chiefs from Cyrenaica. It controlled appointments to nearly all senior positions within the various government ministries and state bodies, along with the funds that went with them.<sup>86</sup>

This dynamic also occurred in many other African countries after independence. Pre-existing social networks like those of patrons and clients took over newly introduced state institutions, utilising them as another means of distributing largesse.<sup>87</sup> In Libya, the discovery of vast oil reserves, which began to be exported in 1959, made this problem much worse.<sup>88</sup> Oil money

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<sup>82</sup> Ibid, p. 44

<sup>83</sup> Campbell, "Poststructuralism", p. 234

<sup>84</sup> Devetak, "Post-structuralism", pp 203-204

<sup>85</sup> Vandewalle, *Modern Libya*, p. 50

<sup>86</sup> Ibid, pp 59-75

<sup>87</sup> Chabal and Daloz, *Africa Works*, pp 12-16

<sup>88</sup> Lillian Craig Harris, *Libya: Qadhafi's Revolution and the Modern State* (Boulder, 1986) p. 108

turned the entire Libyan state apparatus into a distribution network, with the government acting as the biggest employer for the whole country.<sup>89</sup>

This performance of the Libyan state under the Sanusi was not the performance of a state at all, but an exercise in Cyrenaican patronage. Libya's state institutions were a 'vener', covering a system of patrons and clients, that was entirely separate from the state itself.<sup>90</sup> In a similar manner to other newly independent African states, Libya's new state was 'vacuous', an empty shell used to disguise its fundamentally distributive nature.<sup>91</sup> Using performativity, if a state's identity is the sum of its institutional performances, then the fact that the Sanusi performance of Libya was a 'vacuous' performance, meant that Libya itself was a vacuous or hollow state, a state with no core identity.

The centralisation of Libya's government in 1963, to better use and distribute oil wealth, did not help.<sup>92</sup> The influence of the Cyrenaican ruling elite was enhanced at the expense of other regions, and the performance of Libya through its institutions was further undermined. Government jobs and contracts became a form of largesse, to be distributed to favoured clients by unaccountable patrons within the royal family and Cyrenaican tribal elites.

Until 1969, Libya was run in a broadly similar fashion to other 'gatekeeper' states in Africa.<sup>93</sup> 'Instrumentalization' of weak institutions by non-state social networks,<sup>94</sup> based on tribal or regional lines, led to power being concentrated on the 'gate' through which oil flowed. In our poststructuralist framework, identity is a function of power, and so any nascent 'Libyan' identity would have formed around the patronage networks clustered around this gate, which is to say no identity formed at all.

Yet despite its neo-patrimonial nature, the Libyan monarchy still operated its patronage through the institutions of state, weak as they were. While this built no sense of national identity among Libyans, it at least created bare-bones institutions<sup>95</sup> which could have been developed further under a more proactive regime. A good example of this is the successive military regimes in Nigeria, who tried, with limited success, to use oil revenues to improve

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<sup>89</sup> Vandewalle, *Oil and Statebuilding*, pp 47-48

<sup>90</sup> Vandewalle, *Modern Libya*, p. 74

<sup>91</sup> Chabal and Daloz, *Africa Works*, p. 14

<sup>92</sup> Vandewalle, *Modern Libya*, p. 80

<sup>93</sup> Cooper, *Africa*, pp 156-189

<sup>94</sup> Chabal and Daloz, *Africa Works*, pp 8-10

<sup>95</sup> Vandewalle, *Oil and Statebuilding*, pp 59-60



the institutions of state.<sup>96</sup> In Libya however, the military strongman who came to power had a far different conception of the state he wanted to build.

When Qadhafi came to power, he did so at the head of a cabal of young military officers, the Revolutionary Command Council (RCC). Yet from the start it was obvious that Qadhafi was the uncontested leader. Initially, Qadhafi moved slowly, purging state institutions, while leaving the crucial oil ministry untouched.<sup>97</sup> By 1972, however, Qadhafi was ready to implement his revolutionary programme. The outlines of this programme can be seen in his “Green Book”, published between 1975 and 1977.<sup>98</sup> The Green Book functioned as a manifesto and a blueprint for Libya’s revolution, describing how the ‘state of the masses’ or *Jamahiriyya* would function.

For the institutions of the Libyan state, the Green Book called for their complete dismemberment. Qadhafi’s vision was for “*popular congresses and committees everywhere.*”<sup>99</sup> What this meant in theory was the replacement of professional civil servants and bureaucrats with directly elected popular committees. An interesting exception was the oil bureaucracy, which Qadhafi carefully shielded from his reforms,<sup>100</sup> comparable to other African personal rulers maintaining control of their ‘gate’.<sup>101</sup>

Other African states were highly personalised at the elite level, based on patronage and personal relations, but they also possessed standard state bureaucracies through which this patronage was exercised.<sup>102</sup> Qadhafi’s Libya was arbitrary at every level, and bureaucratized at none. The Congresses and Committees were created at the whim of Qadhafi, and had no legitimacy or use without him. Within the ‘low level bureaucracies’ of sub-Saharan Africa there existed institutions, like a civil service and security forces, which could be taken over by whoever emerged from power struggles at the top.<sup>103</sup> In Qadhafi’s Libya, the various stateless institutions he created were purely a function of his own personal will.

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<sup>96</sup> Cooper, *Africa*, pp 172-174

<sup>97</sup> Vandewalle, *Modern Libya*, pp 76-82

<sup>98</sup> Muamar Al Qadhafi, *The Green Book* (Ottawa, 1983)

<sup>99</sup> *Ibid*, p. 27

<sup>100</sup> Moncef Djaziri, “Creating a New State: Libya’s Political Institutions” in Dirk Vandewalle (ed.), *Qadhafi’s Libya 1969-1994*, pp 186-189

<sup>101</sup> Cooper, *Africa*, p. 159

<sup>102</sup> Robert Jackson and Carl Rosberg, *Personal Rule in Black Africa: Prince, Autocrat, Prophet, Tyrant*, (Berkeley, 1982) p. 5

<sup>103</sup> *Ibid*, p. 67

No other leader in Africa attempted such change in the structure of their states, let alone succeeded in the attempt. Assessing this revolutionary experiment through performativity, we can say that, in the absence of Mobutu for example, the performance of the Zairian state lost its main actor, but in the absence of Qadhafi, the Libyan state itself was lost.<sup>104</sup> Throughout his rule, Qadhafi continually changed his system of popular committees and congresses, introducing new revolutionary committees to police the popular ones, interfering with the work of local congresses, and generally making sure that the system was never settled or even understandable.<sup>105</sup>

This performance of the Libyan state under Qadhafi was not a performance of a state at all. It was a performance of statelessness, a symbolic representation of Qadhafi's idealised revolutionary state. Weber argues that the performance or 'representation' of a state is a function of its government or governing institutions acting as a 'signifier' or indicating the existence of the source of its authority, the 'domestic community'.<sup>106</sup> Yet in the case of Libya, Qadhafi's revolutionary institutions signified a domestic community that did not exist.

Thus statelessness became a performance of nothing, a signifier of an imagined community of 'the masses' which had no relation to the actual community of ordinary Libyans. This disconnect between Qadhafi's performance and the people he ruled was made worse by the 'bifurcation' of Libya. Increasingly over the course of Qadhafi's rule, how power was officially exercised and how it was actually exercised diverged.<sup>107</sup> Popular rule in theory meant that the people governed themselves through the popular committees and people's congresses. In practice Qadhafi, while occupying no official position within the civilian government, actually ran the country, making all key decisions which were then implemented by the popular institutions.<sup>108</sup>

Another aspect of bifurcation was the growth of patronage networks, whose existence was enabled by Libya's vast oil wealth. While the people's committees and congresses were responsible for administering various welfare and other redistributive programmes, the state had also in principle taken over all private enterprise as well.<sup>109</sup> What this meant in practice

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<sup>104</sup> Omar I. El Fathaly and Monte Palmer, "Institutional Development in Qadhafi's Libya" in Dirk Vandewalle (ed.) *Qadhafi's Libya, 1969-1994* (London, 1995) p. 175

<sup>105</sup> Ibid, pp 166-167

<sup>106</sup> Weber, *Simulating Sovereignty*, p. 7

<sup>107</sup> Vandewalle, *Modern Libya*, pp 83-84

<sup>108</sup> Pargeter, "Reforming the Impossible", pp 226-227

<sup>109</sup> Vandewalle, *Modern Libya*, p. 135

was that Libyans who worked within the popular institutions became ‘rent-seekers’, occupying a job purely for its wage and not for any productive purpose. In turn these rent-seekers redistributed wealth through family and tribal connections to others.<sup>110</sup>

Statelessness thus was a twofold performance. On the one hand Qadhafi officially continued to perform the show of Libya as a ‘state of the masses’, run through direct democracy, in a continual popular revolution. On the other hand, the actual performance of power in Libya was through patronage and tribal connections, especially in the 1990’s when Qadhafi switched to making tribes the cornerstone of the revolution.<sup>111</sup> Tribal leaders entered the popular institutions, thus combining their informal role with the formal structures of the revolution. The official, visible performance of Libya was mirrored by the unofficial and invisible performance of actual, tribal power and authority. When Qadhafi fell, he took the official performance with him, leaving only the unofficial, tribal and local performance, and hence a tribal and local state.<sup>112</sup>

Taking the performance of the state as the performance of the state’s power, Qadhafi, by emptying the official performance of the Libyan state of any real power and instead focusing it into the unofficial, patronage and tribal-network based performance, effectively helped to fix the locus of Libyan identity at the tribal level. To follow Devetak’s analysis, if identity is fixed through the use of power to demarcate boundaries between ‘self’ and ‘other’, then identity follows power. So, if power in Libya flowed towards the tribal and local level, facilitated by patronage networks, then it follows that identity also flowed away from the state. In the presence of a stateless state, Libyans turned to more traditional tribal links for identification and security,<sup>113</sup> a key component of Devetak’s identity/power nexus.<sup>114</sup>

Oil was the key factor in allowing Qadhafi to pursue his stateless project as long as he did.<sup>115</sup> It was also a major factor in exacerbating statelessness, as easy money negates the need for economic planning and allows those in power to distribute largesse to their clients and families without fear of consequence, reducing the need or desire for reforming or strengthening institutional governance.<sup>116</sup> While Libya was similar to many other ‘rentier’

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<sup>110</sup> Vandewalle, *Libya since Independence*, pp 158-162

<sup>111</sup> Obeidi, *Political Culture*, pp 118-120

<sup>112</sup> ‘How the west broke Libya and returned it to the hatred of the past’ ([www.theguardian.com](http://www.theguardian.com)) (14 Jul. 2016)

<sup>113</sup> Lacher, “Tribes and Families”, pp 145-146

<sup>114</sup> Devetak, “Post-structuralism”, pp 204-206

<sup>115</sup> Wright, *Libya*, pp 207-208

<sup>116</sup> Vandewalle, *Libya since Independence*, pp 20-38

states, especially those in Africa, Qadhafi's revolutionary fervour went further than any other comparable figure with access to external rents or possessed of revolutionary fervour.

It is instructive to compare Qadhafi's regime to others in Africa, especially in terms of revolutionary ideology and damage to state institutions. A comparable revolutionary figure might be Julius Nyerere in Tanzania,<sup>117</sup> who brought his socialist revolution to the country around the same time Qadhafi was bringing his to Libya. Yet even under Nyerere, institutions of governance in Tanzania were maintained, despite his wide-ranging changes to society.<sup>118</sup> Nyerere's performance of the Tanzanian state might have been different from other African rulers, but it was still fundamentally a performance of Tanzania *as a state*. Revolutionary fervour did not replace viable state institutions, and the Tanzanian state endured after Nyerere was gone,<sup>119</sup> unlike Qadhafi's Libya.

In terms of damage to the viability of a state, the closest comparable example is Zaire under Mobutu Sese Seko. The *Mobutuiste* state<sup>120</sup> was characterised by competition among ethnic minorities for access to the resources of the central state, within the system of single party rule and 'cult of personality' cultivated by Mobutu.<sup>121</sup> Like Qadhafi, Mobutu was the sole key figure upon whom all others were dependent. Patronage networks clustered around the 'President-Founder' in the same way they did around 'Brother Leader'.

Yet there are important differences, where Qadhafi went beyond Mobutu or any other African autocrat. The first difference is that unlike Mobutu,<sup>122</sup> Qadhafi did not promote or try to implement a single, unitary Libyan national identity. Instead, he experimented variously with Arab Nationalism, pan-Africanism, his own unique brand of revolutionary ideology and in the second half of his rule, a return to tribal identity.<sup>123</sup> The other major difference is that Mobutu utilised state institutions to exert his dominance and exact wealth from the Zairian people.<sup>124</sup> Qadhafi, on the strength of oil revenues,<sup>125</sup> completely replaced all state institutions in Libya with his own revolutionary versions, effectively extending his cult of personality into the very structure of the state itself, and, therefore, after he fell, his stateless state fell with him.

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<sup>117</sup> Jackson and Rosberg, *Personal Rule*, pp 219-232

<sup>118</sup> *Ibid*, pp 219-225

<sup>119</sup> Cooper, *Africa since 1940*, pp 179-180

<sup>120</sup> Michael G. Schatzberg, *The Dialectics of Oppression in Zaire* (Bloomington, 1988) pp 2-7

<sup>121</sup> Jackson and Rosberg, *Personal Rule*, pp 167-181

<sup>122</sup> *Ibid*, p. 171

<sup>123</sup> Obeidi, *Political Culture*, pp 131-133

<sup>124</sup> Jackson and Rosberg, *Personal Rule*, pp 172-176

<sup>125</sup> Wright, *Libya*, pp 206-207

Political processes, identity and statelessness

Campbell places identity firmly within the context of exclusion through constructive power: Identity is created through the use of power to construct boundaries between the self and the other.<sup>126</sup> Yet boundaries can also circumscribe the use of power, and this is what our poststructuralist lens can help us to examine in Libya.

Right from the very start, the people of Libya were excluded from political power and involvement by the ruling elites. Under the monarchy this exclusion was official. Political parties were banned after the 1952 elections, and from then on King Idris ruled largely through decree, appointing cabinets and enacting legislation at his own discretion.<sup>127</sup> Along with this neutering of representative political bodies, the royal Diwan (court) interfered with political processes<sup>128</sup> as well as the country's institutions as outlined above.

The unaccountable but hugely influential Diwan consisted almost entirely of Cyrenaican tribal heads, key families and members of the extended Sanusi royal family.<sup>129</sup> This small, elite group monopolised cabinet posts and other key positions within the government, while interfering with the work of successive prime ministers and forcing them from office.<sup>130</sup> Thus the already weak connection between Libya's government and its people was overridden by a provincial minority, reinforcing the divide between the regions discussed above.

In this way the political performance of the Libyan state was as incomplete as the institutional one previously described. By banning political parties and political dissent,<sup>131</sup> the Kingdom of Libya laid the groundwork for Qadhafi's state of the masses. The same authoritarian tendencies and practices that had defined the monarchy would become part of Qadhafi's revolutionary regime.

Treating performance in the sense of political processes as the display of state power, it is clear that Libyan identity concentrated more towards regional manifestations under the monarchy. The political performance of power excluded the great majority of people outside Cyrenaica, and so excluded their identity as Libyans.

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<sup>126</sup> Campbell, "Poststructuralism", p. 234

<sup>127</sup> Vandewalle, *Modern Libya*, pp 45-50

<sup>128</sup> *Ibid*, p. 49

<sup>129</sup> *Ibid*, pp 59-75

<sup>130</sup> Ruth First, *Libya: The Elusive Revolution* (Middlesex, 1974), pp 80-81

<sup>131</sup> Wright, *Libya*, pp 178-182

Weber, in an interesting application of the concept of performing or 'writing' a sovereign state as she puts it, talks about how political representation is a process of 'writing' the people within a state.<sup>132</sup> Adapting this concept to performativity, it can be said that the purpose of political representation is to perform a specific 'people' or citizenry. So a Libyan government represents and therefore 'writes' or performs the Libyan people.

What actually happened in Libya, however, was that the successive governments did not perform the Libyan people but instead performed different sectional or ideological groups. So the monarchy, in both its public functions like the cabinet and its private patronage functions like the Diwan,<sup>133</sup> represented and hence 'performed' the people of Cyrenaica, but not the people of Libya.

Taking this notion of performing the people within a state as part of performing the state itself, it can be seen that the Libyan people have never really been performed. After monarchy's regional performance came Qadhafi, who moved beyond both regionalism and Libya itself, in his quest for Arab unity across state lines.<sup>134</sup> Thus the Libyan people have rarely been performed in their history as an independent nation, leaving them with a weak and ill-defined vision of what it means to be a Libyan.<sup>135</sup>

The most important sources of identity within Libya, according to Obeidi, are Islam and Arabic identity.<sup>136</sup> This can be explained by the historical importance of Islam as an historical source of identity in Libya,<sup>137</sup> and by the growth of Arab nationalism across the Arab world in the 1950s and 60s, including in Libya.<sup>138</sup> Qadhafi took these two strands and wove them together with his own revolutionary ideology, yet much like the idiosyncratic institutions of governance he created, his politicised Libyan identity centred on him alone, and ceased to exist once he was gone.

Qadhafi's nebulous revolutionary political system and his constantly changing rhetoric about Libyans as the vanguard of various Arab, socialist and African revolutions kept changing the

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<sup>132</sup> Weber, *Simulating Sovereignty*, p. 28

<sup>133</sup> First, *Elusive Revolution*, p. 80

<sup>134</sup> Ibid, pp 16-17

<sup>135</sup> Lisa Anderson, "Qadhafi's Legacy: An Evaluation of a Political Experiment" in Dirk Vandewalle, (ed.), *Qadhafi's Libya, 1969-1994* (London, 1995) pp 61-72

<sup>136</sup> Obeidi, *Political Culture*, pp 86-106

<sup>137</sup> Anderson, "Qadhafi's Legacy", pp 62-63

<sup>138</sup> Vandewalle, *Modern Libya*, pp 76-80

definition of who Libyans were.<sup>139</sup> Qadhafi never performed ‘the Libyan people’ or the Libyan state. Who the Libyan people are is a question that has yet to be answered since his fall.<sup>140</sup>

This lack of performance, leading to a lack of national identity, was due both to institutional and to political failure. Much like the control of state institutions by ‘the masses’, the representative bodies Qadhafi established, his ‘direct democracy’, ended up as a cover for patronage networks and his own unofficial dominance of the country. While Qadhafi, in the first part of his Green Book, decried how conventional representative democracy isolated people from their government,<sup>141</sup> this is in fact exactly what happened.

Theoretically, within Qadhafi’s Libya, a series of interconnected people’s congresses and committees decided all matters of importance. Local congresses in each district or city sent delegates to larger regional conferences, which in turn sent delegates to a national conference, which then formulated government policy. In theory, decisions flowed up the chain from the local level where policy was decided by public meeting and consensus all the way to the national level.<sup>142</sup>

What actually happened was that the myriad array of different congresses and committees created administrative chaos without really accomplishing anything, leaving Qadhafi himself as the sole indispensable person needed to keep the system running.<sup>143</sup> A small elite circle surrounding Qadhafi monopolised power at the top of this revolutionary structure, actually running the country and making decisions and, not incidentally, accumulating significant wealth for themselves and their families.<sup>144</sup>

The lack of direction and general disorder of the political system was made worse by the introduction of the revolutionary committees. Designed to mobilise the Libyan people in the cause of the revolution, the committees destabilised an already unwieldy structure. They answered directly to Qadhafi and were unaccountable to anyone else. They undermined the

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<sup>139</sup> Obeidi, *Political Culture*, p. 105

<sup>140</sup> Vandewalle, *Modern Libya*, pp 213-214

<sup>141</sup> Qadhafi, *The Green Book*, p. 28

<sup>142</sup> Djaziri, “Creating a New State”, pp 184-189

<sup>143</sup> Alison Pargeter, “Libya: Reforming the Impossible?” in *Review of African Political Economy* (2006), 33, p.

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<sup>144</sup> *Ibid*, p. 232

very popular political organs Qadhafi had created, as he worked to prevent the emergence of any kind of threat from any group whatsoever.<sup>145</sup>

Returning to performativity, Qadhafi's Libya was equally disjointed from a political as from an institutional standpoint. Building on Weber's conception of 'writing' the people within a state through political representation,<sup>146</sup> we can say that Qadhafi's political performance of statelessness in Libya failed on two counts. First, it failed to perform adequately the state itself, because the incoherent revolutionary and popular committees and congresses did not function and simply negated one another. Secondly, the performance did not constitute a Libyan people, as its various parts did not represent or empower anyone except the narrow elites surrounding Qadhafi. Qadhafi's stateless revolution involved neither the state nor the people in running Libya.<sup>147</sup>

The revolutionary committees, being unelected bodies whose membership was determined through connection to key members of Qadhafi's inner circle,<sup>148</sup> amplified the failings of the entire system of popular rule. We can use Campbell's formulation of performativity, whereby the performance of a state through its politics and institutions actually constitutes both the subject (the state) and the object about which the subject speaks (the people).<sup>149</sup> So we can see that Qadhafi's unique state performance, which depended on him for its continuation and had no existence without him, failed to fix either the existence of the Libyan state or the identity of its people.

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<sup>145</sup> Djaziri, "Creating a New State", pp 189-195

<sup>146</sup> Weber, *Simulating Sovereignty*, p. 28

<sup>147</sup> Vandewalle, *Libya since Independence*, p. 106

<sup>148</sup> Djaziri, "Creating a New State", p. 192

<sup>149</sup> Campbell, "Poststructuralism", p. 235



After Qadhafi: State failure and the failure of statelessness

With the end of Qadhafi, his centrally (mis)directed statelessness came to an end. His legacy, a state with no functional institutions nor even a culture of institutional governance, was actually seen by some commentators, even Vandewalle himself, as a potential advantage.<sup>150</sup> Yet the aftermath of the revolution to topple Qadhafi has not borne out these happy predictions.<sup>151</sup>

The tribal and local power structures that grew up under Qadhafi, both from his encouragement and as a response to his stateless policies, have come to the fore after his fall. These structures are mostly based around specific tribes, families, and local areas or cities like Misrata.<sup>152</sup> They seek to fill the security vacuum in the country and to secure control of oil revenues,<sup>153</sup> reflecting a clear rejection of control or protection by any central state authorities.

The failure to create a working state in post-Qadhafi Libya does not reflect an inability to build institutions a la state failure.<sup>154</sup> Rather it reflects the fact that these new institutions are being grafted onto a society that, after the depredations of the Qadhafi years and previous to it, is inherently stateless. The Libyan people have internalised the performance of statelessness.

In a similar manner to many African societies after independence, nation-state institutional structures were imposed from above in Libya, onto underlying social structures which were fundamentally unsuited to them. In response to this imposition, patronage networks and 'clientelism' grew within the state institutions, based on these pre-existing social connections.<sup>155</sup> In Libya this process has been even more extreme, reflecting the flow of power and identity under Qadhafi.

As shown above, Qadhafi's disjointed stateless performance saw power flow officially and unofficially away from the central state towards local power structures, mainly tribal ones. With this power went identity, so that now tribal identity outweighs Libyan identity, while the common Islamic or Arabic identity is too vague to provide an alternative locus.<sup>156</sup> Even taking

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<sup>150</sup> Dirk Vandewalle, "After Qaddafi: The Surprising Success of the New Libya" in *Foreign Affairs* (2012), 91, pp 8-15

<sup>151</sup> 'The Next Disaster: Islamic State Expands as Libya Descends into Chaos' (<http://www.spiegel.de>) (16 Jul. 2016)

<sup>152</sup> Lacher, "Tribes, Families and Cities", pp 144-145

<sup>153</sup> Jebnoun, "Statebuilding", p. 838

<sup>154</sup> Rotberg, "Failure and Collapse", pp 37-40

<sup>155</sup> Davidson, *The Black Man's Burden*, pp 10-13

<sup>156</sup> Obeidi, *Political Culture*, pp 218-220

Cherstich's view that tribalism is more of an ideology rather than an identity, to be used when practical,<sup>157</sup> one can say that in Libya today tribalism is the most practical response to the situation.

Tribal loyalties and actions are a practical response in post-Qadhafi Libya because, to paraphrase Cooper, with the oil revenues and the 'gate' of government which controls them up for grabs, the stakes involved in controlling the central authority are too high.<sup>158</sup> Tribal and local groups are unwilling to risk surrendering power to the state, for fear of what might happen if a rival group gains control,<sup>159</sup> especially if they gain centralised control of oil revenues.

Through poststructuralism, what we see is a reversal of the relationship of power and identity from the Qadhafi years. Whereas under Qadhafi, power flowed to local and tribal structures, and so identity coalesced around these structures. After Qadhafi, identity has remained with the tribes, and so power is drained away from the central state towards the tribes and militias. From identity following power we have moved to power following identity.

This is where the model of state failure breaks down. Institutions alone are useless, if they are seen primarily as a tool for one group to dominate others, by gaining control of the central authorities.<sup>160</sup> Just as in other African countries, society 'captured' the state, adapting state institutions and political processes,<sup>161</sup> the same process can be seen in Libya after Qadhafi. The inability to form even a unitary government, let alone for that government to start exerting control over the various armed groups<sup>162</sup> is evidence enough that western-style state structures imposed from above are not effective.

In this regard, Libya is comparable again to several other African states. Somalia and the DRC (former Zaire) spring to mind. I would argue that while Qadhafi was a unique ruler with a unique performance of rulership as outlined above, Libya after his fall is absolutely comparable to other cases, especially Somalia. Despite their different roads to internal division and conflict, Somalia having fallen apart much earlier, both countries exhibit

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<sup>157</sup> Cherstich, "Tribesmen", 407-408

<sup>158</sup> Cooper, *Africa since 1940*, p. 159

<sup>159</sup> Toaldo, "Decentralising authoritarianism", pp 47-49

<sup>160</sup> Helland and Borg, "Lure of State Failure", p. 879

<sup>161</sup> Chabal and Daloz, *Africa Works*, pp 3-16

<sup>162</sup> 'Libya's self-declared National Salvation government steps down' ([www.theguardian.com](http://www.theguardian.com)) (02 Jul. 2016)

similarities. In particular, both suffer from internal conflicts driven by divisions along localised tribal/clan lines,<sup>163</sup> coupled with strong resistance to any form of central authority.

Yet as previously mentioned, in Libya the complicating factor is oil, which remains the focus of much of the violence.<sup>164</sup> Another key difference is that while Said Barre was toppled through internal divisions,<sup>165</sup> Libya's collapse was precipitated by western support for the rebellion against Qadhafi, which arguably proved to be the key factor in his fall.<sup>166</sup>

Regardless of these diverse circumstances, Libya and Somalia both present similar warnings about the dangers of imposing western-style institutions and western interventions on countries. Both are examples of the nature of power and its function inscribing identities, particularly within the discourse of international relations itself. I mentioned above how power serves to create identity by inscribing the boundary between self and other. Western practitioners of international relations often discuss the 'failure' of countries like Libya, and talk about upholding the 'western model' of statehood and institutions within them.<sup>167</sup>

We easily fall into the discourse of portraying Libya, and Africa generally, as an inferior, disordered space compared to the west, in order to reaffirm western dominance and hegemony.<sup>168</sup> Poststructuralism's greatest contribution to discussing Libya may be to help practitioners and theorists of international relations reassess the structures of power that influence their work and to see new possibilities.

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<sup>163</sup> Chabal and Daloz, *Africa Works*, pp 84-85

<sup>164</sup> 'Political rivalry puts Libya's oil lifeline at risk' ([www.ft.com](http://www.ft.com)) (02 Jul. 2016)

<sup>165</sup> Chabal and Daloz, *Africa Works*, p. 85

<sup>166</sup> Alan J. Kuperman, "A Model Humanitarian Intervention: Reassessing NATO's Libya Campaign" in *International Security* (2013), 38, pp 105-136

<sup>167</sup> Christopher S. Chivvis, "Libya and the Future of Liberal Intervention" in *Survival* (2012), 54, p. 89

<sup>168</sup> Zubairu Wai, "Neo-patrimonialism and the discourse of state failure in Africa" in *Review of African Political Economy* (2012), 39, pp 27-43

## Conclusion

It is understandable that 'Libyan identity' is at once both a deeply contested concept and also seemingly absent when it comes to how Libya actually works. Libyans in many cases look first to local, tribal and familial structures, not just for support but for authority, and so these social structures take over the role of the state. Armed groups based on these local lines emerged following Qadhafi's fall, and have provided the primary source of authority and indeed the primary performance of state functions.

Devetak, in his discussion of how state identity is formed, talks about the necessity to 'normalize' a population to the idea of being part of a state.<sup>169</sup> Successive rulers in Libya failed to do this, and as a result there is no 'normal' for Libyan identity. Indeed Qadhafi may have actually normalised the population to the idea that the state is unnecessary, or worse, a threat.<sup>170</sup>

Earlier in this thesis we asked: How did statelessness lead to the degradation of Libyan identity and undermine viability of the Libyan state? Statelessness degraded Libyan identity because it ended the performance of the state which, as poststructuralism tells us, ends the state itself. What replaced the state was a chaotic system of revolutionary and popular organisations with no clearly defined legitimacy or function outside of Muamar al-Qadhafi's own mind. Qadhafi's performance of the state was at its heart a performance of Qadhafi. When he died, his performance died with him, leaving nothing of the state he tried to build.

More importantly, Qadhafi's pursuit of statelessness removed the performance of the state as a locus for Libyan identity. Libyan people focused instead on their identities as Arabs, as Muslims and as members of a tribe or other localised groupings.<sup>171</sup> As a result, rebuilding the Libyan state requires far more than new institutions. It requires a performance of the state that places real power and accountability with its institutions, in order to create boundaries of identity which include all Libyans. Yet with deeply embedded networks of tribal ties and patronage, all of which Qadhafi encouraged, this kind of institutional, western-style change may not be viable. Such is the unique nature of statelessness, and its effects on the performance of the state in Libya. Until more is understood about statelessness, and in particular its performative aspect, Libya will remain an anomaly in international relations.

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<sup>169</sup> Devetak, "Post-structuralism", p. 205

<sup>170</sup> Helland and Borg, "The Lure of State Failure", p. 879

<sup>171</sup> Obeidi, *Political Culture*, pp 108-135

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