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SECURITY AND JUSTICE IN POSTREVOLUTION LIBYA

WHERE TO TURN?

Fiona Mangan and Christina Murtaugh
with support from Ferdaouis Bagga

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About the Report

This report maps the evolution of Libya's weak security and justice sector from the Qaddafi era through the 2011 revolution to today. Supported by the United States Institute of Peace (USIP) and the Small Arms Survey, and drawn from interviews, focus groups, and a nationwide household survey, the report analyzes the realities of the security and justice sector and their impact on ordinary Libyans.

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Cover photo by Fiona Mangan, taken in Tripoli, Libya.

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[The lack of streamlined government policies to address insecurity and the continued dysfunction of the justice system further undermine citizen confidence and have resulted in an increased reliance on quasi- or nonstate security and justice providers largely based on social connections.]

Summary

- Three years after the revolution, rule of law in Libya remains elusive.
- During Qaddafi's forty-two-year rule, the primary forms of state security and justice—police and army, regular courts and prosecutors—were deliberately and systematically weakened as real power was diverted to the regime.
- In the wake of the revolution, people rejected formal systems and turned instead to their communities, finding security in revolutionary ketibas and justice through tribal leaders, wise men, and religious leaders.
- The current web of security is a mix of old and new, creating confusion and feeding feelings of uncertainty.
- Initially Libya's saviors, the revolutionary thuwar are now held largely in disfavor. The plan to integrate them into the state security system has had limited success.
- The presence of weapons, the vast majority of which are beyond state control, and frequent unpredictable acts of violence compound the lack of security.
- The justice system has not been able to resume normal levels of functionality. Nonstate dispute mechanisms have emerged to fill the void, but rely more on the relative power of the disputing parties than on the law and have not proved effective.
- Self-help and vigilante justice are thus on the rise but also fail to meet citizens' needs.
- Libyans continue to look to the state—through the police, the army, and the judiciary—to be the sole provider of security and justice.
- Both the Libyan government and local communities need to reframe their reform efforts. Certain recommendations are key to that effort: a national vision, security for civilians and justice sector actors, dialogue to build trust, and engagement with rather than around formal institutions.

Introduction

Since the 2011 revolution that toppled dictator Muammar Qaddafi, Libya has struggled to establish effective rule of law. Three years later, its justice system is nearly stalled, and a confused array of security providers scramble to exert and maintain influence gained by the gun. Libya's current troubles, however, flow from both history and its difficult transition. The country's formal justice and security structures and traditional networks were severely damaged by years of autocratic rule, intentionally corrupting policies, and the creation of parallel structures to divert power away from core formal structures and undermine rule of law. The 2011 revolution was truly a people's revolution—the population rising to liberate Libya and make way for a complex political transition. However, it also placed power and weapons beyond state control—shifting from a highly militarized state to a highly armed society. In the three years since the revolution, reform efforts and development programs have attempted to improve rule of law by strengthening state institutions, but have instead empowered new parallel structures within and outside the formal justice and security framework. The notion that the main security and justice providers—the police and army, judges and prosecutors—are not legitimate enough to stand on their own, though correct, has resulted in the diversion of real power to a plurality of armed groups—some existing before the revolution and others formed during and since—that both contribute to and threaten human and state security. In parallel, the continued dysfunction and devaluation of the formal court system has pushed the population to favor informal justice or retribution.

The motivations that spurred the development of parallel security and justice mechanisms under Qaddafi and since the revolution differ, of course. However, the result is the same: a hollow and weak police, army, and judiciary with neither the legitimacy nor the resources to provide security and justice to the people, and real power vested in mechanisms lacking proper accountability.

This report is based on a nationwide survey, interviews, and focus groups with people of all walks of life in Libya. Data collection was carried out between January and November 2013, and follow-up interviews were conducted from January to May 2014 (for more detail, see appendix 2). Sources for the report, unless otherwise cited in the notes, are drawn from the survey, interviews, and focus groups.

Evolution of a Weak Security and Justice Sector

The institutional security and justice architecture in Libya was deliberately weakened during Qaddafi's forty-two-year rule. Parallel structures within both the security and justice frameworks diverted power from core state institutions, limited oversight and accountability, and led to an overall perception that formal systems were illegitimate. Police were tasked with civilian security functions but were structurally disempowered and underresourced. Libyans feared and distrusted the police force on the basis of its association with the regime, but real control was in the hands of a tighter circle of internal security and secret police, which the regime used to manipulate the population and quash political dissent. The military was deprived of resources and training—a fear-driven regime response to a failed countercoup against Qaddafi in the 1970s. By the time the 2011 revolution unfolded, the military had been reduced to a mere shell. Normal court and justice system function was eroded by corruption, political influence, weak judicial education, and the creation of parallel People's Courts staffed by regime loyalists.

As the revolution unfolded, the already fragile Libyan security and justice system began to fracture along various lines of allegiance. Some police and military personnel turned their backs on the regime, joining revolutionaries on the front lines and turning over equipment and weap-

ons caches. Others fought with the regime. Many simply stopped working and stayed home. Court function and state provision of security and justice were both suspended.

In the immediate wake of the revolution, the old regime structures were rejected from the bottom up. Libyans did not trust the formal security and justice framework, which lacked the capacity and the legitimacy to reassert control. In response to the security vacuum, new groups formed—many along what were initially local and revolutionary brigade lines. People were unsure of whom to turn to and thus in moments of insecurity reached out to known figures in armed groups. Revolutionaries, or thuwar, were seen as trusted heroes. Droves of youth sought to be identified as such, joining ketiba brigades led by often well-meaning but inexperienced commanders, continuing their acts of bravery by taking on civilian security functions. The newly forming state sought to capitalize on the legitimacy of these new actors, bringing them under ministry control by awarding contracts and salaries to those who had fought. Because no courts were operational during and immediately after the revolution, communities reverted to traditional mechanisms to resolve disputes—tribal leaders, wise men, and religious leaders.

In the three years since the revolution, the new state has attempted to address the weaknesses in the police, military, and judiciary by creating and empowering new entities. This effort is most evident on the security side, where the incorporation of many quasi-state actors through integration programs has been slow to yield results. Meanwhile, citizens have remained vulnerable without any functional state security providers to turn to, yielding frustration with both the state and armed groups. Libyans are impatient with the government for failing to bring thuwar groups under control, and are angry and at times fearful as thuwar supposedly fighting for the new Libya have slipped more toward serving their own interests, consolidating power bases and aligning with political groups, powerful elites, and others engaged in criminal and extremist violence. Thuwar who had been regarded as heroes have seen their reputation as Libya's liberators fade and their place appropriated by latecomers and opportunists. Recent events, outside the scope of this research, have further highlighted the growing frustration with the state's lack of control over armed groups. In the east of the country, retired army general Khalifa Haftar has launched Operation Dignity, ostensibly aimed at ridding Libya of violent extremists.[1] In the west, various ketibas have aligned with Operation Dignity to stall operations of the General National Congress (GNC), established in July 2012, and to prevent a political handover of power between outgoing and incoming prime ministers.[2] The most recent violence in and around the Tripoli International Airport is only the latest example of the lack of state control over armed groups.[3]

The justice system has also struggled to reform. The government did take a few initially positive steps, separating the Supreme Judicial Council from the Ministry of Justice (MOJ) to improve judicial independence, and working to bring prisons back under state control. However, security issues have threatened judicial independence, and the return of holdout militia prisons to the state has stalled. Lack of security has had a broad impact on both the criminal justice sector and the ability of citizens to access justice. An atmosphere of fear is pervasive among judges, prosecutors, lawyers, and court officials. Although civil and administrative law cases have continued to limp forward, criminal and transitional justice case progression is severely curtailed by the current security environment and breaks in the penal chain from weak policing.

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Even with the best of intentions, no one has found a security and justice silver bullet. A number of reform efforts have been discussed, tried, and tested but have had little coherence, little strategic planning, and poor implementation:

- Disarmament. Libya is awash with weapons, but it is recognized that, in the absence of state security, disarmament is at present not an option.

- Integration into state security institutions. The state sought to regain control of weaponry and might by integrating thuwar into state security structures along with their weapons. Integration, however, has thus far failed to deal with command and control tensions between prerevolution officers and new recruits. Additionally, the structures of the police and military, weakened by years of Qaddafi rule, have struggled with the weight of absorbing large numbers of new recruits into their ranks.
- Formation of new security institutions. A number of new security entities have formed or been co-opted by the state since the revolution, whether temporary or permanent—such as the Supreme Security Committee, the Libya Shield, the Anticrime Unit, and now a new General Purpose Force (GPF), proposed to receive foreign training. Although these groups are under de facto state ministry control, it is unclear to both citizens and the state how they fit within the state security architecture, what the level of state control over them is, and how competent they are.
- Lustration. In May 2013, under pressure from armed groups, parliament passed a political isolation law banning former Qaddafi officials from holding positions of power in the new government. This of course opened the door to the possibility of eliminating a significant number of senior security and justice actors. Judges and prosecutors have held full and partial strikes in response to this threat. Because of the circumstances surrounding its passage, in particular armed groups surrounding government ministries, the law continues to affect regional power dynamics, stalling political decisions that could move reforms of the security and justice systems forward.

The impact of security and justice failures on the Libyan people is clear. People do not feel safe and have no clear place to turn when faced with either insecurity or injustice. Reform efforts, whether by the government or by international organizations, have done little to address the two critical issues: popular trust and institutional competency. The focus instead remains on empowering nonstate groups by creating new structures beyond rather than within meaningful state control.

The reality is that what lies ahead in disentangling the actors and structures that make up the Libyan security and justice sector is at times confusing. The actors involved are fluid, local variances are key, and what happens in theory and in practice vary widely.

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Qaddafi Era

Much of the damage to and limitations in Libya's security and justice institutions are rooted in Qaddafi-era policies, which systematically dismantled the state's central institutions by diverting power to parallel structures directly controlled by Qaddafi and his inner circle.[4] Qaddafi's political philosophy, outlined in *The Green Book*, has at its core the notion that a stateless state is the purest form of democracy, and that bureaucratic institutions and party politics distort the true will of the people.[5]

Despite Qaddafi's "purest democracy" posture, his outward projection did not disguise his all-encompassing personal hold over the state and society. Over time, state institutions eroded and control was allocated to a tight circle of loyalists and family members. Much economic activity was nationalized, meaning that the state tightly controlled both job opportunities and wealth. Libyans were thus almost completely dependent on the regime and remaining in its favor.[6]

A complicated web of internal security structures instilled fear, quashed political dissent, and fed a culture of mistrust and suspicion. Operatives were embedded in all aspects of society, gathering intelligence and ordering arrests, prolonged detention of political prisoners, interrogation,

and torture. No security institution was ever allowed to become too powerful: Each was played off against the next to ensure that core regime power was never vulnerable to them.[7] Similarly, ministries were kept weak with complicated dysfunctional bureaucracy and confused, duplicative, and often competing roles—an issue that continues to plague the state as it seeks to rebuild and disentangle roles and responsibilities.[8]

The Military

Because Qaddafi's rise to power in 1969 had come from careful manipulation of a then strong Libyan military, he was ever aware of the threat the military might pose. His successful coup against King Idris was carried out with military backing, but by the mid-1970s he had already lost the military's support. When members of the military attempted a coup to overthrow Qaddafi, they sealed their own fate instead. The failure had a huge impact on Libya's security sector and led Qaddafi to be suspicious of all but a close ring of allies.

The Libyan military officially consists of the army, air force, navy, and the air defense.[9] Qaddafi shuttered the Ministry of Defense (MOD) and placed himself at the helm as a sort of commander in chief. Known loyalists and Qaddafi relatives were awarded senior chief of staff roles, and even senior ranking officers were placed under restrictive controls, including travel bans and frequent rotation between posts.[10]

During the 1970s and early 1980s, Qaddafi gradually chipped away at the military, depriving it of resources and training. By the time the 2011 revolution unfolded, the military was a shell of its former self. The army, unable to train and equip new generations of cadets over the years for lack of resources, was top-heavy with generals and colonels. The air force consisted of a few old-model planes. The navy was the most skeletal of all the branches, boasting at the height of its strength fewer than a dozen naval ships and submarines and a bare handful of speedboats.[11]

The military's weakness contrasted sharply with the separate brigades of strong, well-organized, and well-resourced special security reporting directly to Qaddafi. Prominent among these was his son Khamis's brigade—the 32nd Enhanced—which played a key role protecting the regime in the 2011 revolution. The formal military, on the other hand, played a minimal role, many officers retreating to their homes, even siding with and assisting revolutionaries.[12]

The National Police

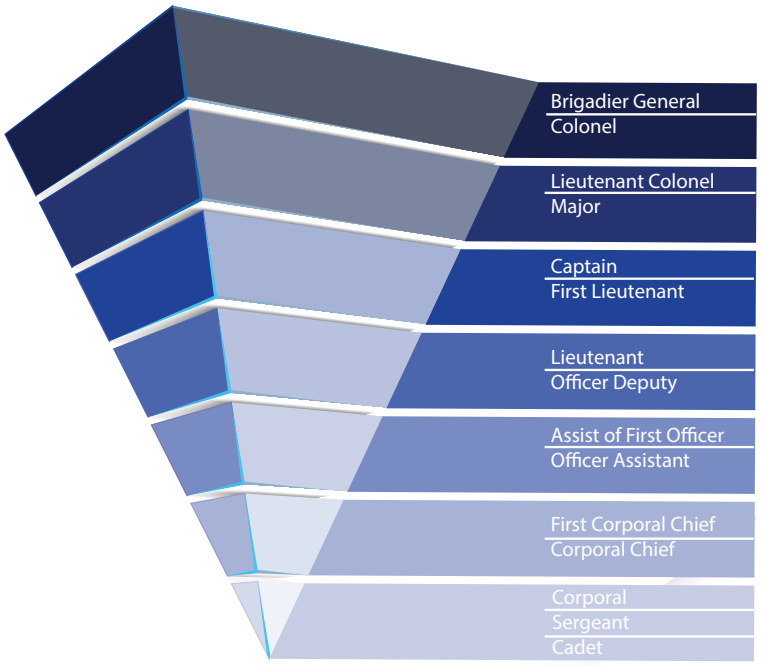
From a historical perspective, the national police in Libya were not an empowered or strong force and the Ministry of Interior (MOI), responsible for its organization and oversight, was neglected. Police were never well paid, well respected, or well resourced under Qaddafi, whose tighter circle of internal security held the real power. A young officer from Tripoli who served in the police both before and after the revolution remarked that "the police were marginalized and Qaddafi didn't really rely on us." Instead, Qaddafi relied on a large intelligence apparatus spread across the country and embedded in Libyan communities abroad. Secret police and informant culture substituted for real policing, instilling fear and suspicion among Libyans. This sapped the morale, confidence, and capability of national police.

Despite its functional weakness, the police nonetheless commanded fear and respect because of its association with the regime. Members of the police force were capable of basic policing because, relative to the population, they held the upper hand in terms of physical force. Their core functions, however, were limited to controlling lower-level crime and policing traffic.

The rank structure that evolved during the Qaddafi era further damaged police function (see figure 1). Similar to the military, police ranks resembled an inverted triangle with an inflated upper-

middle cadre of lieutenant colonels and colonels but relatively few junior officers. This diminished the importance of rank and command structure because "there were more high-ranking officers than lower ranks… meaning a colonel…[had] no respect because they gave so many that they did the same duties." As a result, postrevolution Libya is left with a police force of station-bound colonels but a shortage of active patrolling officers. Although Libya's police law lays out a position of brigadier general, Qaddafi allowed few to supersede his own maintained rank of colonel.

Figure 1. Police Force Rank, Structure, and Composition



Qaddafi also used the police to pit geographic areas and tribes against each other. Officers from pro-Qaddafi neighborhoods or cities were placed in positions of control, particularly in areas famed for making trouble for the regime. Although the process further strengthened Qaddafi's grip throughout Libya, the result was a police force not trusted by those it served.

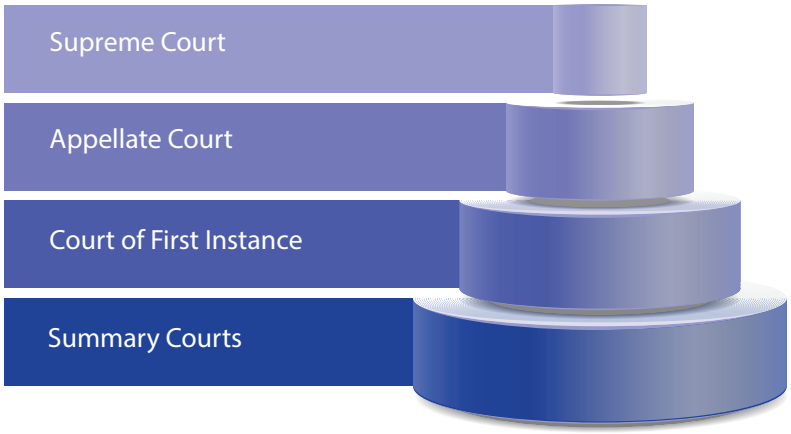
As the revolution unfolded, the police ranks split along lines of allegiance. In some towns, the police force or numbers of individual police remained loyalists, joining the fight to defend Qaddafi. Most police, however, simply abandoned their posts. A handful switched sides to play key roles as thuwar. Qaddafi's parallel internal security structures, secret police and their operatives have mostly disappeared into the ether, many fleeing the country, lying low for fear of reprisal, or under arrest and facing a yet undecided transitional justice process.

The Justice System

The current structure of Libya's formal court system dates to 1973, when Qaddafi merged the dualistic secular civil law system and religious court systems in place since the Ottoman era into a single hybrid civil law judicial system. In merging the two systems, Qaddafi announced that he was mainstreaming secular laws to conform to Islamic legal principles. In reality, Qaddafi had struggled to maintain control over religious courts before 1973 and the streamlining was his first

attempt to assert control on the administration of justice.[13] The new structure was enshrined in the Judicial Organization Law of 1973, which provided for the four-tiered system still in existence today (see figure 2).

Figure 2. Court Hierarchy



- Based in Tripoli, the Supreme Court is Libya's highest court and has appellate jurisdiction over all lower courts and original jurisdiction over questions of constitutional interpretation. A five-judge panel hears cases, and a majority decision is required for a ruling.
- The appellate courts are the second highest court, sit in a three-judge panel, and require a majority decision for a ruling. They have appellate jurisdiction over the courts of first instance and original jurisdiction for felonies and high crimes.
- Courts of first instance sit daily in each city or district in Libya. They have appellate jurisdiction over summary court decisions and primary jurisdiction for civil disputes valued in excess of 1,000 Libyan dinar, criminal and commercial cases, and personal and religious matters, wherein they apply sharia law. A three-judge panel hears each case and a majority decision is required for a ruling.
- Summary courts sit in small towns across Libya. Their jurisdiction is limited to small civil, commercial, and administrative disputes valued at 1,000 Libyan dinar or less. One judge hears cases, and judgments in decisions involving 20 dinar or less are final, with no option to appeal.

Libya's judicial staff is made up of judges and public prosecutors. Under Qaddafi, the judiciary was under direct control of the MOJ and had no independence. The minister of justice headed the Supreme Judicial Council, which was responsible for training and oversight of the judiciary. The regime used this state control to keep the quality of legal education low, preventing the formation of an educated class capable of challenging Qaddafi's authority. Legal administrative staff also received poor training, leaving them unable to adequately support judicial work.[14]

Both judges and prosecutors frequently rotated between courts and occupied a succession of roles as either judge or prosecutor. Interviewees noted that "it was often a sort of punishment" and that rotation was used to empower or disempower persons based on their adherence to regime

politics and demands. Interviewees also felt that "movement of roles has a negative effect on the judiciary" by producing an uncomfortable merging of the roles of judge and prosecutor.

Executive interference and corruption have created an enduring public perception of the judiciary as weak and politicized. Judges interviewed noted that interference in cases was a regular occurrence, commenting that "Qaddafi was sponsoring the judicial system abnormally because he used it as a means to pressure people.…He used it to exercise his own security goals and judges had to implement those." Poor compensation meant that judicial decisions were easily bought, and fear exercised through political pressure meant cases involving the government, Qaddafi family, or loyalists were rarely decided on their merits. Corruption was coupled with nepotism and favoritism in selecting candidates for high judicial positions.

Executive interference and corruption have created an enduring public perception of the judiciary as weak and politicized. Judges interviewed noted that interference in cases was a regular occurrence.

Qaddafi-era justice policy even sought to control the work of private lawyers. In 1981, Qaddafi abolished the private bar, creating instead public state-salaried attorneys, who received a fixed income regardless of the quality of their work.[15] Removing the financial incentive for good legal practice led to increased corruption and decreased attention to professional skills. A decision in 1990 partially reversed this structure and allowed private lawyers to resume practice, but much damage had been already done to the capacity and reputation of the profession, and public attorneys continued to practice.[16]

Parallel Courts and Their Legacy

As with the military and police, resources and power were diverted to alternative structures. Qaddafi developed a series of parallel courts outside the official court system, which had the desired effect of strengthening regime power as they undercut the authority of the judiciary and the supremacy of formal court decisions. Among the parallel courts created was the People's Court, established in 1971, staffed by loyalists and assigned the task of trying members of Libya's former royal family, the prime minister, high-profile monarchists, journalists, and persons accused of the crime of "corrupting public opinion." Law No. 5 of 1988 formalized the position of the People's Court, granting it jurisdiction over political and security offenses against the state, thus excising a large class of cases from the jurisdiction of the regular court system.[17] At the urging of the international community, the People's Court was abolished in 2005.[18] In return, some of the international sanctions against Libya were lifted. Cases pending before the court were transferred back to the regular criminal court system, and many judges and prosecutors from the People's Court system were integrated into the regular legal system.[19] Finally, a short-lived parallel body, the State Security Court, was created in 2007 to try public security and terrorist offenses.[20]

Although all specialized courts were disbanded in the wake of the revolution, their legacy endures. Many of the loyalists who staffed the courts face transitional justice charges or have gone into hiding. Interviewees commented that disparities in the application of justice under this system have contributed to a prevailing sense of unequal justice. Regime interest, rather than principles of law, determined whom charges were laid against and the outcome of decisions issued, and the decisions were not subject to review by the regular court system.

The parallel courts' power and lack of independence tainted perceptions of the regular court system, leading the public to see regular courts as similarly politicized and weak. In addition, the parallel courts diverted staff, training, and other necessities away from the regular courts, leaving them under-resourced and incapable of functioning effectively. The procedures developed under the parallel structures violated many tenets of due process and individual liberties. Yet the position of the parallel courts meant that their procedures seeped into practice in regular courts. Worryingly, in the wake of the revolution, some judges and prosecutors continue to rely on these specialized procedures.[21]

Revolution and Transition

Libya's revolution began with the arrest of young activists in Benghazi on February 17, 2011. Spurred to action by a swell of popular uprisings in neighboring Egypt and Tunisia, thousands went into the streets to call for their release. Peaceful protests were met with armed military and state police aggression and in response demonstrations assumed a violent edge.[22] When revolutionaries called on the nation to rise up with them, Qaddafi responded with might, sending a large military convoy eastward to put an end to the rebellion.[23]

After much debate, the international community intervened. United Nations Resolution 1973, passed on March 17, authorized member states to impose a no-fly zone over Libya and to "take all necessary measures to protect civilians."[24] French jets attacked Qaddafi's convoy, destroying it before it reached Benghazi, and NATO began a campaign of targeted aerial bombardment of state security installations.[25] With this international backing and support from the air, the people's revolution gathered steam.

A National Transitional Council (NTC) formed, acting as Libya's de facto government, using Benghazi as its base. Revolutionary brigades, or thuwar ketibas, formed spontaneously in communities across the country, gradually liberating their neighborhoods, towns, and cities from regime rule. Given defections and weaknesses of his own design, Qaddafi's security apparatus began to crumble. Military and police units ceased to operate, fracturing according to allegiance, either fighting with the regime or the revolution, or staying home. Court function was suspended. By late August, thuwar had managed to secure control of Tripoli. In October, Qaddafi was found and killed in his hometown of Sirte.[26] The NTC declared victory.[27] The revolution was over.

Security and Justice in Transition

In the immediate wake of the revolution, Libya's security and justice institutions collapsed. A wave of popular support for the new free Libya brought with it widespread denunciation of all things Qaddafi. Core to this was a bottom-up rejection of old regime security and justice actors and institutions. The formal security and justice framework was distrusted and lacked the capacity and legitimacy to fully reassert control. In response to the security vacuum, security and justice were localized and the state empowered new groups to fill the void—many initially formed along local and revolutionary brigade lines. The traditional police, military, and judiciary gradually returned to work and sought to find their place amid new arrangements.

As Libya's transition progressed, the NTC was replaced by the GNC, elected in July 2012, and a cabinet formed by Prime Minister Ali Zeidan in October 2012. Despite promising transitional steps for governance, the state demonstrated little control or consideration in managing security and justice transitions. Government responses to bottom-up formation of new security and justice arrangements were reactive and haphazard. Plans for the integration of armed actors were hatched ad hoc, with little calculation of security needs, logistics, regional and tribal tensions, and potential pitfalls. Additionally, new organizations formed around the country and were anointed as new state entities, often under pressure from militia commanders, with little deliberation of how they would fit within the state security architecture.

Meanwhile, the judiciary attempted to redevelop in an environment with little to no security, serving communities distrustful of their allegiances, and bearing a heavy load of complex conflicted-related cases, many with little to no evidence for their progression. In the first eighteen months after the revolution, some efforts saw progress toward reform of the formal justice system, for example, restructuring the judiciary to remove executive control. In May 2013, under duress from armed groups, progress was effectively halted by the passage of the political isolation law.

The failure of the state and the international community to overtly renounce this violent power brokerage set a dangerous precedent. In its wake, armed groups continued to use force to override and undermine reform attempts, in numerous instances surrounding and storming government ministries and the GNC. Moreover, these power plays were linked to regional dynamics influencing political decision making. The inability of government and parliament to counteract these acts and make progress with reforms has eroded public trust and confidence.

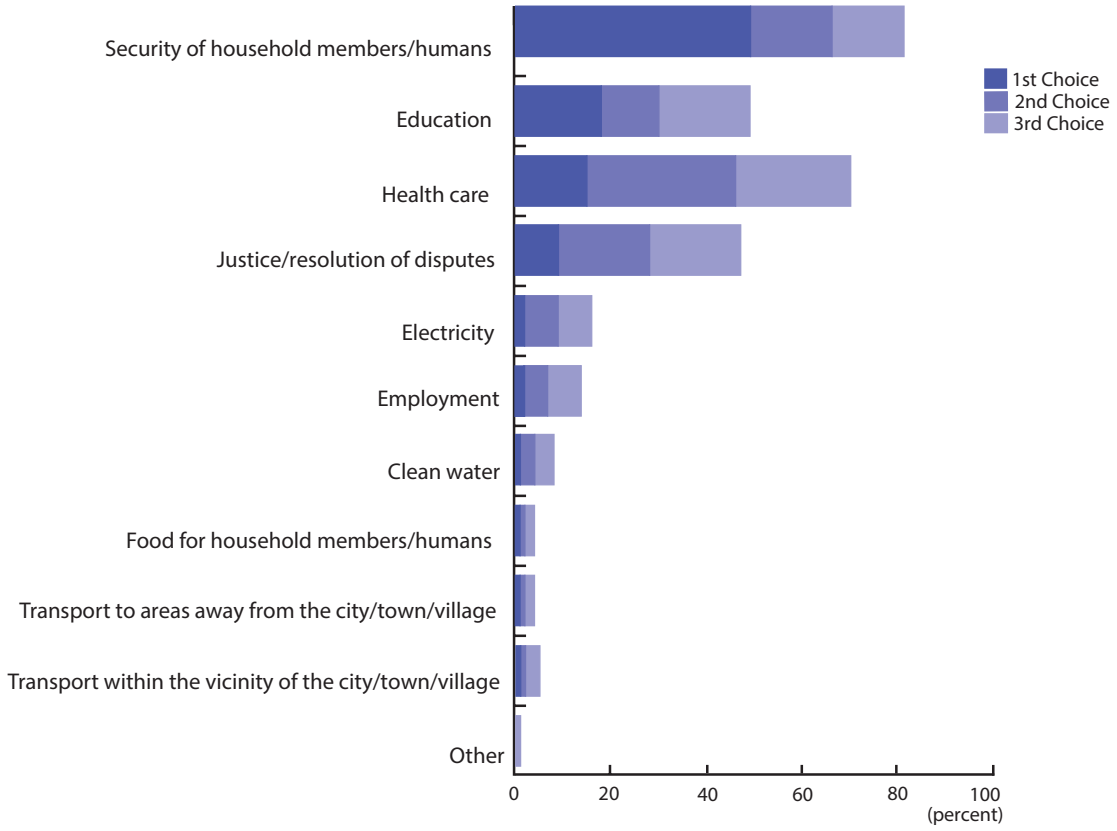
The following section describes the split reality of localization amid the reassertion of the state in the postconflict transition phase and sets out the cast of actors who have emerged and their relationship to the new state. Ultimately, rather than address the underlying problems with the police, military, and justice system, the state has carried out policies that have permitted parallel structures to divert power from the formal institutions.

Localization of Security and Justice Provision

During and following the conflict, in the absence of state function, local groups assumed control of city and neighborhood affairs—a phenomenon that has continued to varying degrees across the country as citizen trust and state institution competence have failed to coalesce.

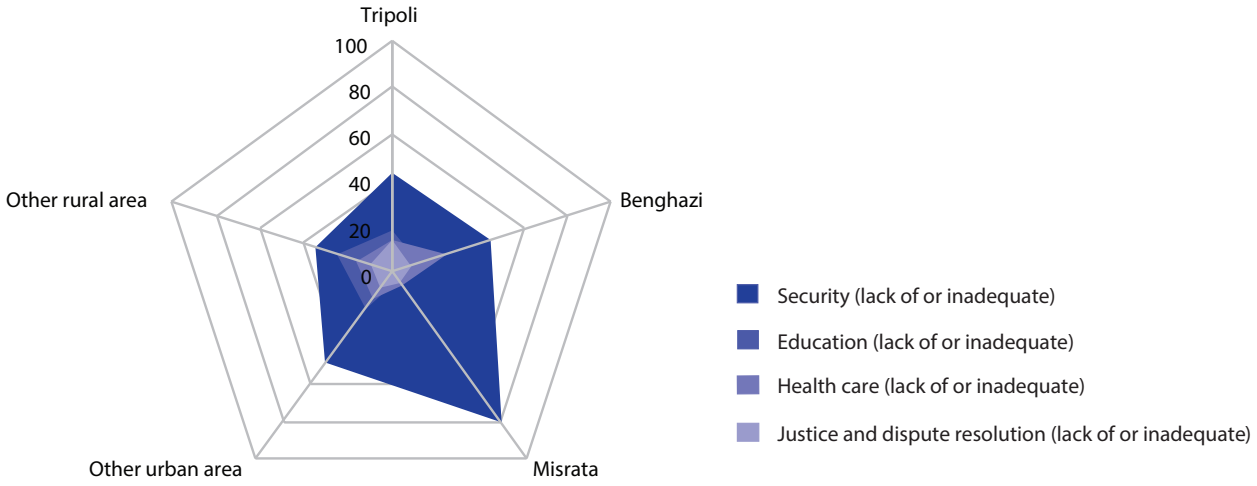
As the state has tried to reassert itself, a divergence between national-level initiatives and local-level realities has become apparent. This is particularly true for security and justice provision. The reality of this disparity can be seen through the concerns of regular citizens: Their top four concerns are security of their families, health care, education, and justice and dispute resolution (see figure 3).

Figure 3. Primary Household Concerns in Libya



Although officially state ministries manage and oversee all Libyan security and justice apparatus as well as other government services, in practice, decision making is at the city and neighborhood level—local councils, military councils, tribal leaders, and coordination groups largely born out of necessity during the revolution. The divergence in views about security, justice, and service delivery is most apparent when comparing and contrasting at the regional level (see figure 4).

Figure 4. Top Concerns by Region



Even as police and military personnel slowly returned to work and the government formed strategies aiming at integrating thuwar, the reality of how these strategies played out and the role and status of different security providers evolved at a local level. Table 1 outlines the various groups, and the de jure versus de facto control.

In many cities, local councils initially developed in secret during the revolution as an alternative to the Qaddafi state. Each local council defined its own authority, roles, and responsibilities, leading to great variance between councils. In 2012 the GNC passed a local administration law laying plans for the development of new municipal governments under the Ministry of Local Affairs.[28] Although not yet fully implemented, this seeks to recognize and standardize the role of local governance and decentralization in the administration of the new Libya.[29]

Many local councils provide nonstate security oversight and management, but the extent of their actions and their control of security actors varies from city to city. In some cities they control thuwar ketibas and call security coordination meetings to order. In others they lack real control and are limited to informally discussing the security situation.

Similarly, during the revolution, cities created military councils as an ad hoc mechanism to command and control the various ketiba forces, operating either independently or as part of local councils. As the state has increased control over the thuwar, military councils either no longer exist or have weakened and are no longer as relevant.

Table 1. State and Nonstate Security Actors

Actor	De Jure Control	De Facto Control	Extent of De Facto Control
Tripoli–Souk al-Juma neighborhood			
Police	Chief of police/MOI	Chief of police/MOI	Limited
Anticrime unit (ACU)	MOI	ACU head	Limited
Nawasi militia ketiba	Supreme Security Committee (SSC)	Themselves	Extensive
Army brigades	MOD	MOD	Limited
Libya shield	MOD	Shield commander	Limited
Tripoli–al-Hadbha neighborhood			
Police	Chief of police/MOI	Chief of police/MOI	Limited
Anticrime unit			n/a
Supreme Security Committee			n/a
Army brigades			n/a
Libya shield			n/a
Militia youth	Neighborhood council	Council/themselves	Extensive
Zuwarah			
Police	Chief of police/MOI	Chief of police/MOI	Limited
Anticrime unit	MOI	Local council	Extensive
Army brigades	MOD	Chief of staff of army	Moderate
Libya Shield			n/a
Thuwar		Local council	Limited
Sebha			
Police	Military commander	Chief of police	Limited
Supreme Security Committee	Military commander		Limited/auxiliary
Army brigades	Military commander	Original militia leader/military commander	Limited
		Tribal leaders and militia leader	Limited/create insecurity

Formation and Reemergence of Security Providers

A number of security providers have emerged since the revolution, often carrying out similar roles and functions. The state, facing criticism for failing to provide security, further entangled the web of actors by giving many nominal state status without properly structuring their submission to state authority. Table 2 provides an overview of these core old and new security actors and a brief description of their roles.

Table 2. Core Old and New Security Actors and Their Roles

Armed Security Providers	Pre-Revolution	Post-Revolution	De Jure Oversight	De Facto Oversight	Role and Activities
Thuwar/Nonstate militias (various)		*	Various	Various	Both security providers and contributors to insecurity. Ketibas range in size and role from small neighborhood or tribal militias to criminal gangs and unregulated brigades refusing state integration but maintaining control over a base or security function. Membership is fluid, with some in both state institutions and armed groups.
Police		*	MOI	MOI Local council Ketiba commanders	Composed of prerevolutionary police and newly integrated thuwar. Police have broadly lost the ability to carry out their basic functions, with many not leaving their stations. Citizens still turn to police to file reports but most police must work in conjunction with local militia groups (often militia with MOI contracts) to conduct arrests, etc. Police reputation has been weakened owing to association with the former regime and current lack of capacity.
Supreme Security Committee	*		MOI	MOI Local council Ketiba commanders	Formed as a strategy to integrate thuwar into the police and civilian life. Group integration problematic: failed to break up existing brigade command structures. Many wear a new uniform but continue to take orders from ketiba commanders and compatriots. Provided forty-five-day basic security training, viewed as insufficient by most ranking police. In some towns, militias have integrated into police and thus SSC structures have dissolved.
Anticrime unit		*	MOI	MOI ACU HQ Tripoli Local council Ketiba commanders	Formed by former antinarcotics officers; mainly comprised of newly integrated thuwar. Civilian security role with a focus on drug and alcohol smuggling, sale, and consumption. Reporting line to headquarters in Tripoli but in reality local branches operate with independence. Now dismantling; recruits incorporated into police CID. Some units anchored by religious, sometimes Salafist, leadership.
Judicial police	*		MOJ	MOJ Ketiba commanders	Composed of prerevolutionary serving judicial police and newly integrated thuwar. Functions include managing and securing prisons, court security, ensuring offenders appear at court hearings, tracking down prison escapees. As with other state security providers, security systems are often overwhelmed by armed groups and families. Internal trust issues exist between former regime staff and new recruits.
Diplomatic police		*	Ministry of Foreign Affairs	Ministry of Foreign Affairs	In Tripoli, new diplomatic police were observed protecting embassies, major hotels, and at the MOFA. They are funded and overseen by the MOFA.

Table 2. Core Old and New Security Actors and Their Roles cont.

Armed Security Providers	Pre-Revolution	Post-Revolution	De Jure Oversight	De Facto Oversight	Role and Activities
Military	*		MOD	MOD Individual commanders	The military's core mandate is to protect Libya from external threats, but currently it operates internal civilian security roles. The military consists of the army, navy, and air force. Reverse migration during the revolution has led many commanders to return to their hometowns and operate community-level security functions, the military often manning checkpoints, guarding installations, and securing their city or town. The military operates a militarized zone in the south and has launched special forces missions to quell extremist instability in the east, but intensive efforts have failed to bring Libya under full control.
Libya Shield		*	MOD	Ketiba commanders	Libya Shield is a quasi-state security group consisting of integrated thuwar ketibas developed during the revolution: The western, eastern, and central fronts aligned with a number of key commanders. Its operational focus is on larger security incidents, security intercity travel, borders, and state infrastructure. Notionally it is under the MOD, with the aim of supporting military capacity, but in fact it is relatively independent, often following its own agenda and interests.

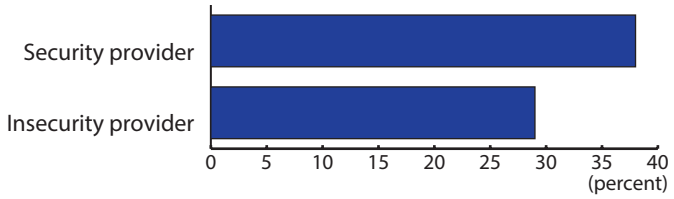
Thuwar and Nonstate Militias

Thuwar are a key component of the security and justice localization dynamic in Libya, initially filling the security vacuum in Libya's towns and cities. During the revolution, groups formed within local communities and aligned along historical regional and tribal lines to overthrow the regime. In the year after the revolution, individuals spoke with pride about thuwar from their hometowns liberating Libya. Armed thuwar ketibas garnered weaponry and power greatly surpassing those of the Libyan police and military. Swept up in this collective wave of support for the new Libya and aligning themselves with new power players, many more Libyans joined ketibas and engaged in providing security for their communities. Somewhat cynically, as these government schemes took hold, the numbers of thuwar grew. For Libyan young men, many of whom had been un- or underemployed before the revolution, being a thuwar offered financial opportunities scarcely available elsewhere.[30] The new reality is that communities see thuwar and militia as both security providers and contributors to insecurity (see figure 5).

Many thuwar opted either to return to their prerevolutionary livelihoods or to formalize their role in security provision. In the wake of the revolution the NTC government introduced a three-part integration program, seeking to capitalize on the legitimacy of the thuwar and bring them under control by awarding ministry contracts and salaries to those who had fought.

The new reality is that communities see thuwar and militia as both security providers and contributors to insecurity.

Figure 5. Perception of Thuwar



Integration programs sought to integrate thuwar into the different state security structures. Given the large numbers and a chaotic security scene, the process was not without challenges. In handling integration, new entities formed:

- Supreme Security Committee—nominally under the MOI, both as a security provider and handling integration of thuwar into MOI and MOJ security apparatus
- Libya Shield—nominally under the MOD, augmenting and supporting the Libyan Army
- Warriors Affairs Commission, now renamed the Libyan Program for Reintegration and Development—established by the NTC, handling numerous forms of integration into state institutions, both civil service and security, job placement within the private sector, disarmament, education, medical care, psychosocial support, and the like[31]

In implementing the integration plan, the NTC left the decision of whether to sign contracts, and to what ministry, up to the thuwar commanders, resulting in integration alignment to specific ministers and deputy ministers largely along regional and tribal alliances. Moreover, significant numbers of thuwar did not integrate or demobilize, continuing to operate without any connection to the state. Nonstate militias complicate the justice and security landscape in Libya, with many considered as much contributors to insecurity as security providers. These groups are not easily categorized, and range from small neighborhood or clan militias to criminal gangs and unregulated brigades that maintain control over a base, operate some form of security function, or run nonstate prisons.[32] Adding to the confusion, their denomination as either state or nonstate actor is not always clear. Membership can be fluid, an individual working as a policeman one day and joining his clan or neighborhood militia to resolve a security issue the next.

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An increasingly concerning aspect of nonstate armed group proliferation has been the emergence of Islamist militias, most prominently Ansar al-Sharia. Since the revolution, Ansar al-Sharia has grown from its initial strongholds in Benghazi, Derna, and Sirte, increasing in number and significance across the country to include indications of activity even within Tripoli. It occupies multiple categories—a security-militia force, a terrorist organization, and a social movement—though the different geographic groupings do not necessarily indicate cohesion or full coordination of activities.[33] Ansar al-Sharia follows a strict interpretation of sharia, seeking to implement sharia and religious ethos through activities ranging from neighborhood security provision, to public services such as trash collection, to violent acts of extremism. Interestingly, forceful militia groups based in al-Bayda have at times disrupted the coordination of activities between eastern bases, often blocking passage of Ansar caravans between the cities. In January 2014, the United States placed a number of groups using the Ansar al-Sharia name on the U.S. terrorist watch list.[34]

Supreme Security Committee

In October 2011, Order no. 20 of the NTC formed the first parallel security mechanisms post revolution, the Supreme Security Committee (SSC), tasking it with integrating thousands of thuwar into police units, interim civilian security provision, and the protection of state property. The SSC was placed under the administrative control of the MOI and was based in Tripoli, with branches in all Libyan cities. It initially hired thuwar as personnel, registering ketibas as units and assigning them a number and theoretically a superior command structure. The structure and significance of the SSC vary widely across the country. For example, though it has little status or structure in Sebha, it serves an important if somewhat confused and varied role across Tripoli.

The SSC units, as security providers, have generally acted as either pseudo-police or in support of police in most cities, mostly nonuniformed or in a mismatch of different fatigues. However, lack of formal police training has often meant that their actions more closely resemble vigilantism—using excessive force in their work, following incorrect arrest procedures, failing to collect evidence, exercising arbitrary and illegal detention, forcing confessions, including through the use of torture, and carrying out extrajudicial punishment. Nonetheless, not all SSC units have been characterized by poor behavior, and in many instances the SSC has played an important role in assisting and reinforcing the police, who lack legitimacy and weaponry to carry out policing functions in the current security climate. The reality is that approximately 32 percent of Libyans perceive the SSC as a security provider, versus only 2.3 percent who perceive it as an "insecurity" provider.

Gradually, the central organizing members of the SSC have assessed component ketibas for skill sets and assigned them new functions within the state structure, to become either police, judicial police, or members of the newly formed anticrime unit; some have been diverted to the military or demobilized and diverted to civilian job schemes. Although intended as a short-term measure, the SSC has endured much longer than anticipated, and beyond a point with which even those governing it are comfortable.

The SSC is currently being dismantled, with a full dissolution deadline originally set for June 2014. As part of this process, senior SSC members now sit within the MOI, shifting their duties to more genuine state functions. Although the SSC is technically defunct, full integration, command, and control remain questionable. In many cities, including Zawiya and Jamil, it has wrapped up activities, having completed its mandate of integrating thuwar into different security bodies. In Tripoli it still plays a significant, though reduced, role in coordination of security. The conclusion of activities has been slowed by the inadequate capacity of training programs for those integrating and the lack of employment alternatives for those who have chosen not to join security bodies. In June 2014, wage allocations from the SSC were due to be cut off, but this deadline has once again passed without implementation.

Police

During the revolution, police officers did not play a significant role in local civilian security. After Qaddafi politicized police officer assignments, most police returned to their hometowns as the conflict began; some participated on both sides of the revolution, and many stayed home altogether. Broadly, police officers returned to work only beginning in early 2012. They returned to the reality of a force with depleted numbers that required a broad overhaul, which would be required to integrate large numbers of thuwar, mainly through the SSC, and to a very different Libya, where their status had entirely shifted. They returned to stations that had been burned, looted, and, crucially, lacked weaponry and equipment. In postrevolution Libya, the average household has more weapons than the police, resulting in a loss of classic Weberian monopoly

on force.[35] The police, derided for both their association with the regime and their lack of an upper hand in terms of force, have become a toothless organ of the state, reduced to staying in their stations.

Their role as a cog in the bureaucratic machine of Libya remains strong, however. In a nationwide survey, of those who indicated an institution or group to go to when faced with a dispute, more than half identified the police. Although many citizens said they would not turn to the police, they did say they would go to the police station to file a report, or that militias were now advising them to do so. "The police station is still the main place that people report crimes because they are responsible to government and legitimate." Moreover, when asked to rate police on a number of factors, more than 60 percent perceived police as more or less familiar and trustworthy.

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Anticrime Unit

Anticrime units (ACUs) began to form as new civilian security providers in January 2013. Recognizing the vulnerability of the postconflict state to organized crime and smuggling, a number of former antinarcotics unit police officers and a handful of thuwar commanders with some subject matter expertise formed the ACU central command structure in Tripoli and began reaching out to cities to establish branches. These local branches and their ranks were primarily recruited through wholesale inclusion of thuwar ketibas, who self-selected to address specific crimes in their communities, including drug and alcohol smuggling, sale, and consumption. These ACUs were formally brought under the MOI, but their role, relationship, and differentiation from police and other civilian security providers have never been defined or explained to citizens.

Although originally conceived as filling a specialist role in tackling serious and organized crime, the ACUs do not always do so. Their role, recruitment, and competence vary across the country. In some cities, such as Tripoli, the ACU serves as a complementary—though sometimes competing—force akin to a specialist narcotics squad. In other cities, such as Zuwarah, ACUs continue to play a general policing role, providing an alternative to the old-order police, whom they view as ineffective and irreparably tainted by the Qaddafi regime. In others, such as Jamil, their role is more theoretical, for they never fully commenced operations and have acted more as an integration body for thuwar.

Many ACU interviewees were aware that they lacked the requisite skills for specialist duties. Although they showed enthusiasm for their work, most lacked the experience and training to deal with the complex crimes and sophisticated criminal networks they were tasked with tackling. Interviewees spoke of ill-planned attempted raids on known criminal compounds and displayed a lack of even basic drug identification skills.

Relations between the ACUs and local police and prosecutor's offices became more regularized over time as the units gained recognition as a new state entity and as officers realized that they had to adhere to the law for their work to have an impact. One ACU interviewee noted, "In the beginning we used to make the arrests without any paperwork from the prosecutor, but now we do have to have the paperwork from the prosecutor and now we don't have any problems obtaining any of the paperwork."

Variable relations with local security and justice actors aside, official command control for ACUs uniformly stemmed from Tripoli. Command structure and adherence were and remain loose. ACU operations and decision making are firmly rooted in the local context, with local commanders making operational decisions, sometimes in coordination with local council or

other actors, and only afterward informing central command in Tripoli of their activities. An exchange with an ACU officer captures this reality:

> Who do you report to?
>
> It depends on how big the situation is. If it is a small situation, we have a chat to end the situation [in a] friendly [way]. If it is something big, we report [it] to the main office in Tripoli. But before reporting, and making it a big deal with Tripoli, we try to fix it locally. [This] is better than reporting it.
>
> So do you have to wait for commands from Tripoli to act?
>
> In Zuwarah, even Libya, I have the freedom to take decisions for anything inside Zuwarah. My group protects from crime before or after it happens.

A number of ACU branches are anchored by religious, sometimes Salafist,[36] leadership drawn by the aim of ridding Libya of the "scourge of drugs and alcohol." Although religion is an important guiding aspect of their work, one interviewee was keen to point out that religious leanings do not equate to extremism. "People with us are Muslims, thank God we are all Muslims. But…we aren't into extremists, not terrorists that they sometimes accuse us of [being]."

In late summer 2013, a process got under way, launched by the MOI, to formally collapse the ACU and integrate recruits into the Criminal Investigations Department (CID) of the police in each locality, addressing control issues. This has proceeded with success in most cities, but the ACU units remain an active operational force in Zuwarah, though promises have been made to move forward with integration.

Judicial Police

The judicial police fall under MOJ authority and are responsible for managing the prison system, maintaining court security, ensuring that offenders appear at court hearings, and tracking down fugitives and prison escapees.[37] Like all branches of the state, the judicial police were fundamentally affected by the events of the revolution. In the words of one prison director, "It is not possible to talk of the old judicial police like it still exists—what has been created is something new." The struggle of integrating thuwar into police ranks has been a decisive factor in the failure of the police to function. During the revolution, some twenty thousand prisoners were released from Libyan prisons under orders from Qaddafi, few of whom have been recaptured.[38] New thuwar prison staff, along with many Libyans, struggle with the fact that those who carried out Qaddafi's orders to release prisoners remain those entrusted with their control.[39]

The ability of the judicial police to secure prisons and courts from security incursions, prevent prison breaks, and transfer prisoners safely has been a source of strong criticism in the postconflict period. The criminal justice process has become paralyzed in part because of the vulnerability and fear judicial staff and lawyers feel in carrying out their work. Interviewees noted that courthouses cannot be secured and prison escapees pose a distinct threat to their safety. Judicial police have not been able to properly resume their role, and heavily armed ketibas and families can easily overwhelm their security systems, as is true for other state security providers.

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Diplomatic Police

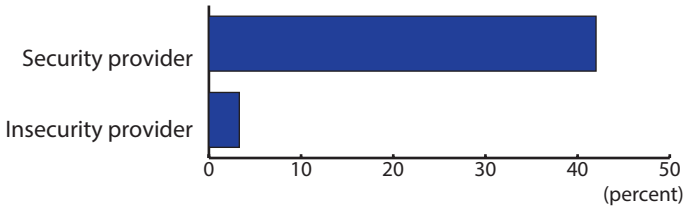
A new diplomatic police unit has a noteworthy presence in central Tripoli, guarding the Ministry of Foreign Affairs as well as embassies and hotels housing international guests. Equipped with new uniforms and distinctly marked vehicles, the diplomatic police are funded and overseen by the Ministry of Foreign Affairs. Their main function is to occupy strategic locations adjacent to the ministry, embassies, and hotels and to provide additional surveillance and security.

In spite of their new kit and status, the diplomatic police have similarly struggled to competently carry out their functions. The number of kidnappings and attacks on ministry buildings, hotels, foreign ambassadors, and dignitaries has increased rather than decreased since their formation.

Military

Before the revolution, the military maintained a role similar to militaries worldwide: to protect the country from external threats. After the revolution, however, the Libyan military's role shifted to focus on internal security. The change, interestingly, has been rather well received among the population (see figure 6).

Figure 6. Perception of Military Brigades



Given the focus on internal security threats, military brigades now carry out functions similar to those of other security forces within Libya as part of their own city or town security apparatus. Necessity has driven this shift. Brigade commanders commented that their role is to protect Libya from security threats, and that currently those threats come from within rather than outside the country.

Military brigades, in particular army brigades, are no longer fully operating as a national force. The revolution caused a reverse migration among most security actors, with individuals returning to their hometowns and neighborhoods. As a result, the role and structure of the military and brigades differ significantly in the west, east, and south of the country.

In the west, military brigades are staffed by thuwar brigades mixed with a handful of Qaddafi-era commanders native to the area who participated in the revolution, including some who had retired. The role and function of military brigades are focused mainly on the commander's town or neighborhood. Within that parameter, the specific role of the military varies from brigade to brigade. One brigade studied, for example, are responsible for securing the borders of the city it is located in and adjacent strategic security zones. A different brigade operates as a gendarmerie force called on for protests, riots, and public order.

In contrast, the Libyan government declared the south a militarized zone in 2012, closing borders with neighboring states.[40] The role of the military in the south is very different, however: Control of the vast area is nominal, and the numerous southern military governors over the past year each reported little progress. In theory, all security institutions and even local councils are subordinate to control by the military ruler. Opinions of the military rulers varied from "done good so far" to bad—"the military ruler is not really in charge"—to terrible.

Finally, in the east, the Libyan military's Special Forces lead military efforts. Control of eastern areas of Benghazi, Derna, and al-Bayda has been complicated by a plethora of interlacing battles between conflicting tribes and the concerning growth of Ansar al-Sharia and al-Qaeda activity. A number of efforts have been made to clarify military authority, but the security situation remains fragile.[41]

Organizational structure and command of the armed forces in Libya have further collapsed with the breakaway of military brigades in the east in May 2014. Numerous brigades have defected, coming under the command of retired general Khalifa Haftar, who uses state military resources to pursue the elimination of Islamist militias without government sanction.

The Libya Shield

The Libya Shield, often described as akin to a national guard, is a quasi-state security force consisting of thuwar ketibas. It was formalized by the NTC in 2012 as three main fronts: western, eastern, and central. These alliances broadly continue.

Each front consists of thuwar ketibas that have aligned themselves with a number of core commanders. The Libya Shield notionally falls within the MOD and has the aim of supporting military capacity, but in reality, much like the SSC, it functions with relative independence both organizationally and operationally. Also similar to the SSC, the Libya Shield has played a role in integrating thuwar who have chosen to join the military.[42]

The Libya Shield focuses its role on larger security incidents, securing intercity travel, borders, and a state infrastructure. Shield members are less involved in law enforcement or security provision within towns and thus did not emerge as a frequently discussed security provider over the course of the research. Although they theoretically support the regular army, their relationship to the central government is weak, and they often act based on their own agendas, largely driven by a given ketiba's community or individual interests.[43]

Libya Revolutionaries Operations Room

A state-sponsored Islamist-leaning militia group, the Libya Revolutionaries Operations Room (LROR) has official status through an executive order of the GNC in early 2013 and is tasked with providing security in Tripoli.[44] In September 2013, the minister of the interior established a branch in Benghazi. In October 2013, former prime minister Ali Zeidan was kidnapped and implicated the leader of the LROR.[45] Since then, the GNC has been stripped of its authority over LROR and the Tripoli office has been placed under the military's joint chief of staff. Although the LROR's activities have been given official authority, the group has also been frequently linked to concerning stories that appear to undermine state security, including attacks on journalists and possible involvement in arms trafficking to Syria.[46]

Justice System in Transition

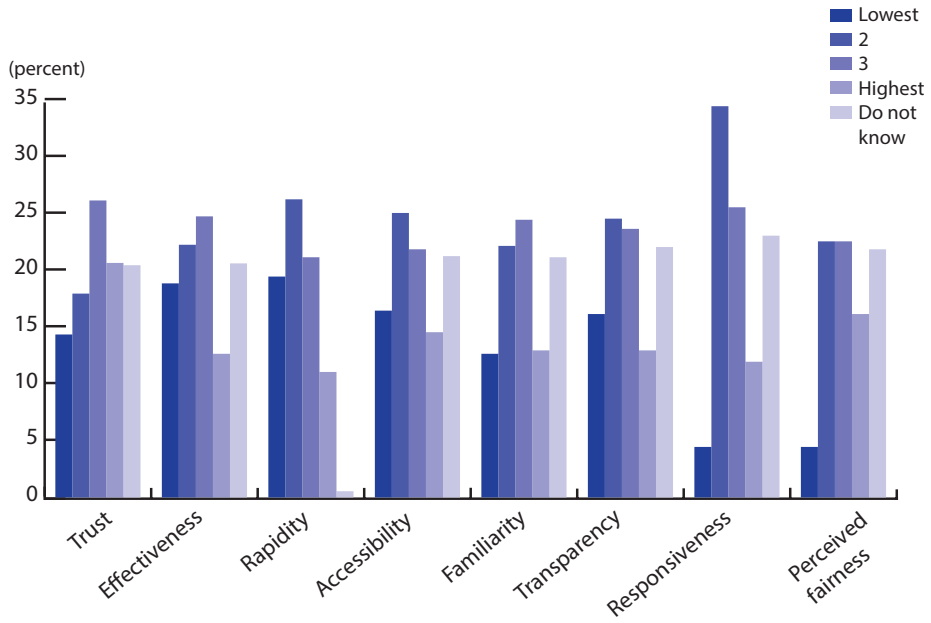
The justice system in Libya has struggled since the end of the revolution to return to normal levels of functionality. Courts gradually reopened from spring 2012 onward. However, although civil and administrative law cases continue to progress with some restrictions, criminal and transitional justice have been thwarted by the transitional security environment.

Judges

Following the revolution, judges returned to work more slowly than security providers. By spring 2012, many courthouses had been repaired and had reopened. Most faced huge case backlogs and significant numbers of conflict-related detainees requiring processing, most with little to no evidence collected to form a case against them. In initial months, many attempted to grapple with these sensitive and complex cases, struggling to operate within the Libyan Penal Code—a law never intended for the prosecution of such crimes. As hearings began in the summer of 2012,

security issues immediately arose for judges and prosecutors as they attempted to process cases. Facing the reality that a large number of the cases did not have enough evidence to proceed or would result in acquittal, judges and prosecutors feared reprisals against both themselves and detainees were they to order the release of persons the Libyan public considered war criminals and regime loyalists. Moreover, they faced a population that was torn over the judiciary—only 20 percent rating judges as very trustworthy and just over 14 percent rating them as untrustworthy (see figure 7).[47]

Figure 7. Rating of Judges



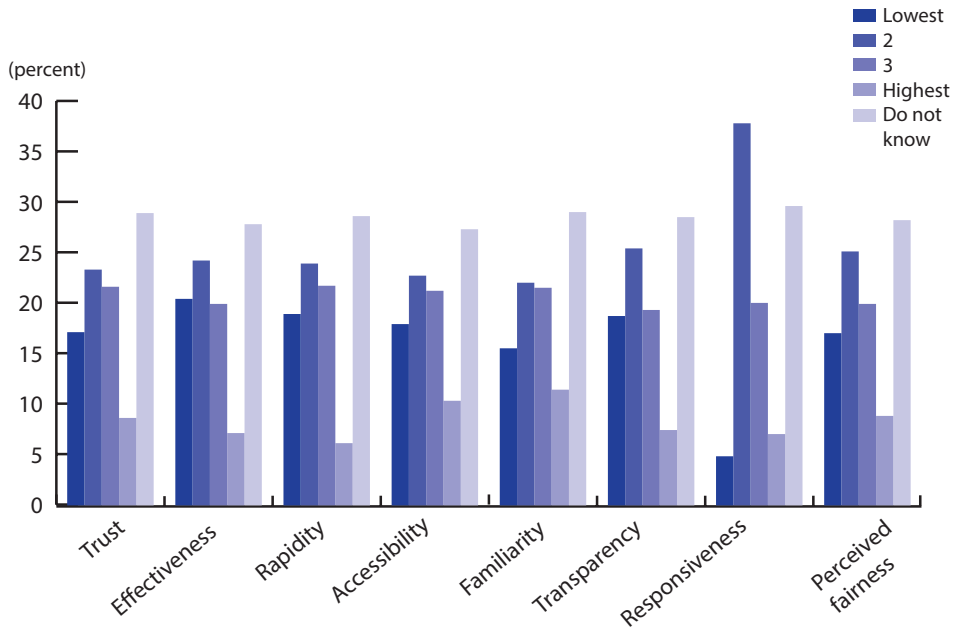
With no clear protection structure in place for either themselves or released detainees, members of the judiciary began holding cases back. The majority of such cases remain in this limbo.

Public Prosecutors

The effectiveness of the public prosecutor's office following the revolution has varied widely and depends largely on the role individual prosecutors played during the conflict. By and large, Libyans have a very low perception of prosecutors in terms of trust, effectiveness, accessibility, and transparency (see figure 8).[48]

Yet many prosecutors who sided with thuwar have legitimacy, making them more capable—and willing—to work with both police and new civilian security providers. Interviewees noted that these thuwar prosecutors have been able to play an important role in providing advice to SSC, ACU, and brigades, improving understanding of the importance of adhering to correct arrest procedures and evidence collection. Other prosecutors, however, expressed resistance to the new status quo, were unwilling to work with many of the new actors involved in security provision, observing that many thuwar committed gross violations of Libyan law, and saw formalizing arrests and handover to police and prosecution service as absolving what had gone before.

Figure 8. Rating of Prosecutors



Nonstate and Traditional Justice

Traditional dispute resolution and conflict mitigation mechanisms have a long history in Libya and operate almost independently from the formal justice system. Before Qaddafi, tribal leadership was the primary mechanism overseeing service delivery, local security, and dispute resolution. In addition, tribal mechanisms addressed disputes not only within the tribe but also between different tribes through consultative councils (shura councils).[49] Although largely disrupted during the Qaddafi regime, the role of the tribe and the increasing reliance on family as a key mechanism for dealing with violence and crime were resurrected with the revolution and transition. Libyans largely view tribal leaders as familiar, trustworthy, and accessible (see figure 9).

Additionally, during the revolution, ad hoc reconciliation groups emerged. The two primary groups, shura and houkema, had been mainly dormant until then. Group makeup varies, but most include tribal leaders and community wise men. Apart from the national shura council, councils are generally localized to particular areas, neighborhoods, or cities. Councils from different cities or regions will often meet to resolve interregional disputes, to reach agreements between their cities, and to allay conflicts. Unlike in the security sector, the state has not sought to co-opt or legitimize nonstate justice mechanisms, instead turning a blind eye because it cannot yet cope with justice demands.

Finally, religious leaders also play an important role in dispute resolution. In general, they address personal status matters such as inheritance and divorce. Qaddafi's merger of religious and secular courts was viewed by many as an intentional move to disempower imams and religious leaders. Although imams today provide guidance on these personal status issues, it is largely at the demand of community members who also have recourse to the formal court system. Even with this recourse, regular Libyans largely consider religious leaders trustworthy, accessible, and familiar (see figure 10).[50]

Figure 9. Rating of Tribal Leaders

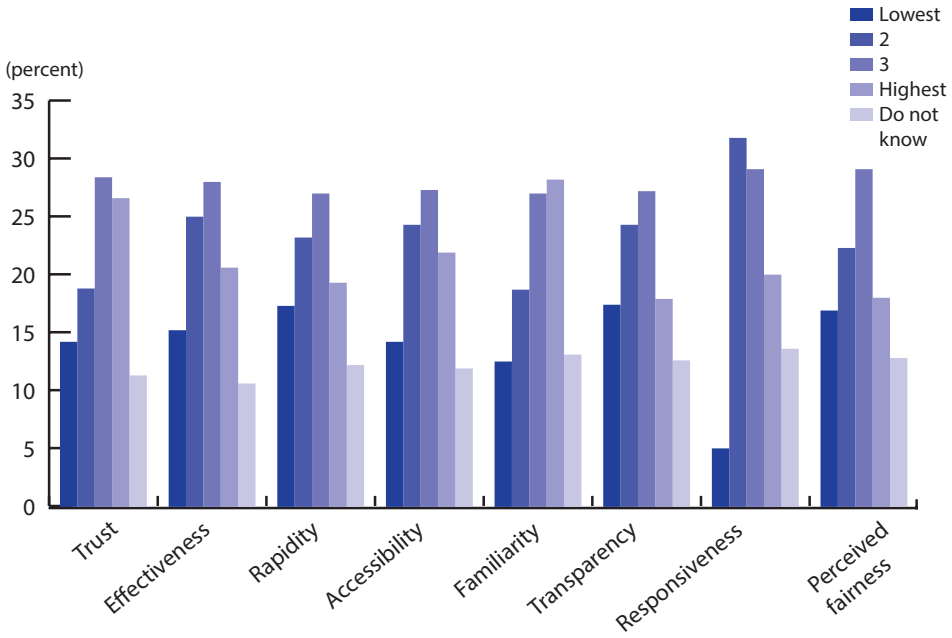
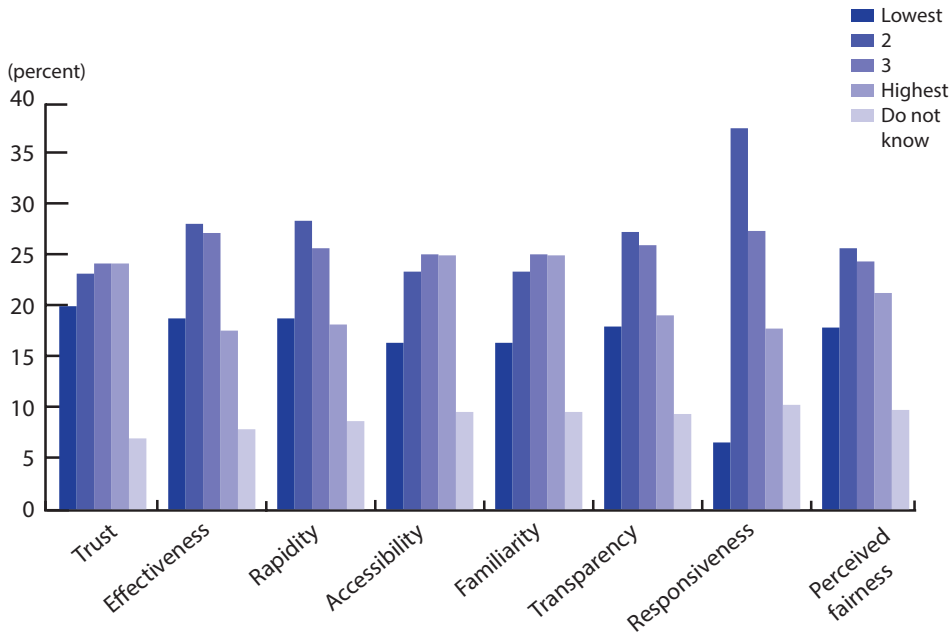


Figure 10. Rating of Religious Leaders



Since the revolution and the transition, the traditional role of tribal leaders, community wise men, and religious leaders has greatly expanded in many locations. Their legitimacy comes from family lineage and tribal alliances. As an interviewee explained, the shura councils are grounded in the historical conventions of Libyan society—they work through "ethical convention in which all Libyans will be united and governed by. . . . Through seeing individuals through a family, and family through the tribe, people are controlled easier through this." Other people, however, feel that tribes protect their own who commit crimes, thus undermining the criminal justice system or even triggering intertribal conflicts. Yet those from small, weak tribes or living away from their tribe have no access to nonstate mechanisms.

After the Revolution

Surveying the security and justice landscape as it has unfolded during and since the revolution reveals a number of concerning realities that have important implications for state consolidation, democratization, human security, and peace. Despite the existence of numerous security providers, Libya continues to see repeated waves of instability and violence. Armed groups and militias have repeatedly threatened and used force to influence political processes, leading ordinary citizens to question the validity of their supposed new democracy. A split frustration has developed toward both the state and armed groups. Libyans are impatient with the government for failing to bring thuwar under control, and are angry—at times fearful—as thuwar supposedly serving the new Libya have slipped more toward serving their own interests instead, consolidating power bases and aligning with political groups, powerful elites, and others engaged in criminal and extremist violence. The postrevolution period has been characterized by a gradual second bottom-up rejection of thuwar and new security providers, who have both failed to demonstrate competence and lost their legitimacy. Citizens, with no clear idea of where to turn, have turned inward, to the tribe, to religion, and to themselves.

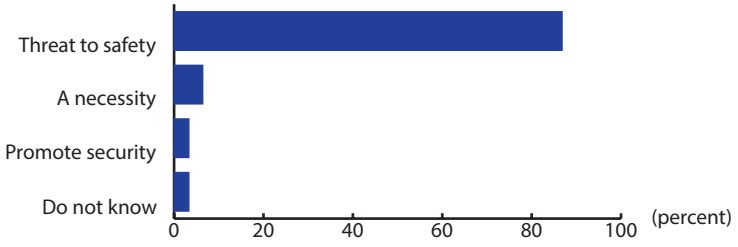
Despite the existence of numerous security providers, Libya continues to see repeated waves of instability and violence. Armed groups and militias have repeatedly threatened and used force to influence political processes, leading ordinary citizens to question the validity of their supposed new democracy.

Realities

No Disarmament

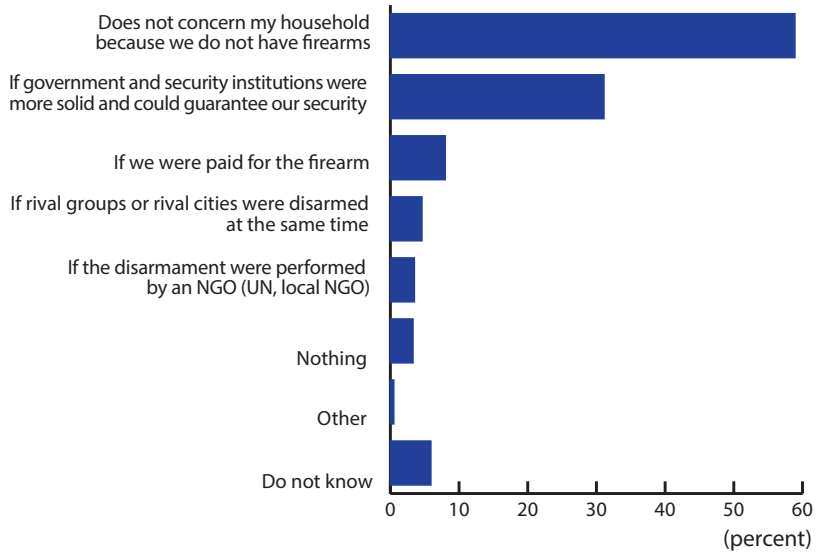
In Libya today, a growing challenge for security is the number of small arms held by the people. The government's decision to carry out an integration rather than a comprehensive disarmament and demobilization program has left individuals, families, and militia groups in possession of an extremely high number of weapons. Only 4 percent of Libyans express awareness of local efforts to register firearms, and only 16.8 percent acknowledge disarmament programs aimed at collecting weapons.[51] Although almost all interviewees noted that they had weapons, most also felt that weapons were a threat to their safety (see figure 11).[52]

Figure 11. Perception of Firearms



Yet even with the acknowledgement of little to no government efforts at disarmament and an overwhelming perception that weapons are a threat to security, one in three Libyans would give up their weapons only if a stronger, state-based security system existed (see figure 12).

Figure 12. Incentives to Surrender Weapons



A more concerning trend than the prevalence of small arms is that heavy weaponry largely remains beyond state control and is generally in the possession of militia groups. Since the revolution, few disarmament efforts have been made.

Failures of Integration

Integration offered the prospect of infusing the police and army with the firearms and legitimacy of the revolution's fighters, bringing armed groups under government control, and reinvigorating the nation's security sector.[53] In theory, the idea was sound—offering salaries, purposeful engagement, and containment. The state, however, failed to craft clear guidance for the integration. The result has been a jumbled process that failed to demobilize armed groups, created skewed incentives, and produced a multitude of security providers.

The first key error was the decision to integrate brigades as intact groups rather than as individuals. Commanders were tasked with creating lists of group members, who were then assigned government identification and salaries. This resulted in the registration of numbers far beyond those who realistically fought in the revolution, because commanders inflated numbers for profit and influence. Thuwar were not vetted as individuals and the state failed to uniformly carry out background checks, meaning that a number of individuals poorly suited to roles in security provision—including some with serious criminal records—slipped into the ranks. Significantly, group integration preserved the internal structures and allegiances of thuwar as ketiba groups rather than requiring individuals to choose to join state security structures or placing them in freshly formed units of similar new recruits. Consequently, integrated thuwar have continued to identify more with their ketiba groups than with the new state institutions they represent.

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There is little incentive for true integration. The state failed to establish well-defined roles and responsibilities for newly recruited thuwar. Salaries are provided without a clear expectation of

work in return. Interviewees indicated that even requests to be removed from payrolls, by individuals who initially registered as SSC but who have opted to return to civilian life and do not report for duty, are often denied, in the belief that this will buy youth compliance and promote stability. Thuwar assigned to new roles in the police, judicial police, and military often receive salaries regardless of attendance. Interviewees also noted that individuals in the SSC and Libya Shield earn higher wages than police and army cadets for less work, though some adjustments have been attempted recently. Given the sudden oversupply of manpower from integration, many thuwar work in shifts—one day on, followed by four days off. Ample free time has allowed many to work other jobs, collecting multiple salaries, some even repeat registering with multiple integration programs: "Some have surprised us—even the good thuwar or so we thought. I spoke to a friend today and he's taking four salaries from the government."

Militia groups also saw little incentive to break down their powerful command structures and integrate into state ones after it became apparent that their lack of formal security training and experience might restrict them to serving in lower grades at security institutions. Having wielded significant power during and since the revolution, thuwar resisted assuming lowly cadet roles subservient to more experienced, old-order police, whom they viewed as representative of the old regime. The SSC has struggled to address these concerns and this balance and revamp the integration process by making space for some ketiba commanders in police leadership roles.

The ultimate result of integration is that state expenditure on integration far exceeds state control of armed groups. In failing to dismantle brigade structures or to set clear roles and responsibilities for integrating thuwar, the state essentially began bankrolling the uncontrolled activities of armed groups.

Shifting Attitudes

Thuwar, whether nominally under the state or not, have remained largely beyond control. Many youth do not identify with the new state they fought for and resist giving up the power and freedom from authority gained by the gun. Without an accessible political forum for expression of political desires through peaceful means, frustrations have played out through security threats, violence, and control of strategic bases, oil, and state infrastructure. Complex networks of armed groups representing dominant tribes, cities, and neighborhoods have descended on Tripoli and elsewhere, commandeering government buildings, storming the GNC, and undermining and pressuring the political process. In the east, particularly Benghazi, extremist militias have terrorized citizens and fractured the rule of law in an unrelenting campaign of assassinations and attacks directed at police and judicial staff. Additionally, armed groups have exploited the state's current weakness and tenuous control of its periphery to engage in trafficking and smuggling, an end that itself is a disincentive to statebuilding[54] The state is not capable of holding thuwar accountable for misbehavior and thus remains vulnerable to strong-arm tactics. As one official put it, "It's the one with the long arms that speaks."

Without an accessible political forum for expression of political desires through peaceful means, frustrations have played out through security threats, violence, and control of strategic bases, oil, and state infrastructure.

Attitudes toward the thuwar have evolved considerably since the initial elation following Qaddafi's ouster. Numerous interviews revealed divided views of armed groups. Interviewees often viewed the groups in their neighborhood as good and necessary to protect themselves and their families, but saw others as a threat, and drew an increasingly sharp distinction between what they called real and fake thuwar. Some armed groups have been able to win acceptance through intimidation and violence, but acceptance is more often determined by a group's level of soft power, particularly the strength of their bond to the community. In addition, such groups with deep community roots can more often be held accountable at least to the community where they operate:

"They speak in the name of freedom but they're not real thuwar. The more they attack their own revolution the more they lose legitimacy. To me the true thuwar have gone home already. They went back to their real lives after they achieved their goal."

Just as an initial wave of discontent rejected state institutions for their lack of competence, legitimacy, and trust, a second wave shows marked disapproval of thuwar groups for their motives and validity. Sentiment shifted significantly in mid-November 2013 after a militia attack on civilians. As discontent in Tripoli rose over the continued presence of militia groups from other cities, citizen groups began holding peaceful protests. On November 15, an armed thuwar group from Misrata opened fire on a nonviolent community protest in the Ghargour neighborhood.[55] This incident shifted the public discourse away from support of the groups and strengthened desire for the restoration of state actors as the sole security providers. Although dramatic, the change in public opinion has yet to have much meaningful impact. Following the incident, the militia widely believed to have fired on the protest has left the city. However, calls for all nonstate armed groups to leave have largely been ignored. In interviews after November 15, many residents said they felt that any changes have been cosmetic. Rather than leave, armed groups are now appearing in new uniforms, but they are the same individuals with the same commanders.

Justice System Failure

In the currently unstable environment, there is little to no security for the judiciary. Courthouse security has deteriorated progressively, affecting judges' progress on even the most basic of criminal cases. Reports of threats to, attacks on, and murders of justice system professionals are now common. An atmosphere of fear was pervasive, particularly among judges interviewed.[56] Judges noted that a culture of silence generally surrounds judicial kidnappings and threats, and that numbers are far greater than those being reported. For judges, even ordinary day-to-day activities are hampered by the risks their position entails. Many reported limiting their movements between work and home, avoiding public places for fear of exposure. One observed, "I travel in collective taxis and sometimes they won't take me because they know I'm a judge and therefore a target."

In Libya's violent and chaotic atmosphere, militias, tribes, and families have used threats and violence to influence judges' rulings. The result is that few cases are being heard in Libya, and pretrial detention rates are mounting.

The impact of the security situation on judges' and prosecutors' ability to hear and to rule on criminal and transitional justice cases is clear. In Libya's violent and chaotic atmosphere, militias, tribes, and families have used threats and violence to influence judges' rulings. "I know someone who was kidnapped by a ketiba," one judge explained. "Another…was beaten and tortured until he died. How can a judge be independent in these circumstances?" The result is that few cases are being heard in Libya, and pretrial detention rates are mounting. Court sessions are ongoing but mostly involve delaying trial through extension of detention periods. "There is backlog everywhere. Cases are simply not being heard." One justice sector actor interviewed in Zawiya estimated that though 80 percent of cases have pretrial hearings, only 30 percent of those result in a full trial and court decision.

Judicial strikes in response to potential lustration have also affected justice sector effectiveness. In May 2013, under pressure from armed actors, the GNC passed the Political Isolation Law, which seeks to exclude anyone that held a position of authority under the Qaddafi regime from positions of power.[57] The new law has the potential to broadly affect the public service and judges, and prosecutors fear it will significantly affect them as well, given the power they hold. The Public Officials Standards Commission (POSC), a body created by the law and charged with operationalizing it, has yet to implement the law relative to justice sector officials. Nonetheless, many judges and prosecutors have periodically gone on strike in response, causing further delays in the judicial process.

Impact of Postrevolution Security and Justice Dynamics

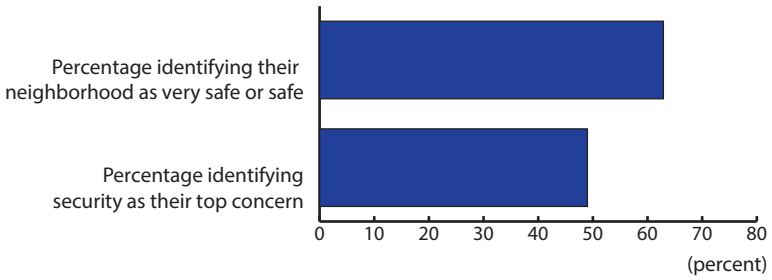
The Libyan people's main concern is (in)security, stemming from the fact that a majority of people in Libya would not know to whom to turn for protection or a just outcome if they were threatened or subjected to violence. Rather than contributing to a sense of security, the state's growing web of overlapping and competing security providers adds to citizen confusion and feeds uncertainty. The lack of streamlined government policies to address insecurity and the continued dysfunction of the justice system further undermine citizen confidence and have resulted in an increased reliance on quasi- or nonstate security and justice providers largely based on social connections. The effect is a Libyan society that feels increasingly insecure and can trust only those closest to them—neighborhood, community, or tribe—to provide security and a sense of justice.

Understanding the impact of the ongoing security and justice dynamics is vital. It allows the state to design systems and processes that address the needs and concerns of the people. Giving voice to the experiences, perceptions, and attitudes of citizens democratizes the rule of law, allowing a state to listen, adapt, and craft legitimate needs-driven responses.

Citizen Perceptions of Safety and Security

Libyans interviewed and surveyed expressed broad fears about the present security situation, conscious of the quantities of weapons in the street, unpredictability, and frequent failings of security providers. Despite these concerns, the majority of Libyans viewed their neighborhoods as generally safe. Conversely, interviewees noted they felt less safe when they were outside their community, in unknown cities or neighborhoods, or when traveling distances between cities. These rather divergent perceptions result in part from localization of security and justice provision. Nonstate armed actors formed on the basis of tribal and community identities, and thus protection is linked to identity. The correlation between safety and social connections with communities is strong. In a nationwide survey, 62.9 percent of respondents felt that their neighborhood was safe, yet the primary concern for the country at large was security (see figure 13).

Figure 13. Comparative Perceptions of Security



Where people expressed significant connection to their neighborhood or city, they often noted that they felt safe within that community.

In Zuwarah, for example, people largely described their community as a shell, saying that everyone felt protected and safe inside yet vulnerable to external threats. One community member remarked, "I'm not comfortable and Zuwarah is not free yet from [the] areas surrounding us and neighboring us." Yet overwhelmingly, people said that within Zuwarah, the close social connections resulted in people feeling safe when inside the community.

By comparison, in Jamil, a small town near the border with Tunisia, people reported murder rates and intracommunal attack rates as high. An uneasy tension is at play between the minority anti-Qaddafi in town, who now find themselves on the right side nationally, yet remain vulnerable to attacks and low-level conflict, and the majority pro-Qaddafi population.

Although crime levels have not skyrocketed, the nature of the crimes and citizen responses to crime are a concern. Interviewees thought that violent crime involving weapons has surged, including armed robbery, carjacking, slander escalating to armed confrontation, firefights between rival tribes and neighborhood gangs, revenge killings, property damage, and kidnapping.

Unequal Access

Although access to security and justice is an issue for all Libyans, the current provision arrangements have compounded the situation for certain members of the community. Just as divergent perceptions of safety in part result from the fact that nonstate armed actors formed on the basis of tribal and community identities, protection and access to justice are linked to a sense of belonging and personal connection. This has meant that security and justice are not provided to all people evenly. Where a personal, tribal, or community connection is lacking, people are more vulnerable, living outside protection spheres and often blocked or disconnected from remedies. Minorities, migrants, and those "not originally the area," for example, expressed feelings of insecurity and, in the case of Misrata, have at times been targeted, delinked from the duty to protect one's own.

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Women have also had greater difficulties in accessing security and justice since the revolution. In their eyes, neither state institutions nor nonstate security and justice providers are trustworthy or in a position to protect them. Additionally, the women interviewed said that because of cultural norms, their access to security or justice is generally through relatives or male middlemen and therefore constrained.

Increased Reliance on Self-Help, Tribal Structures, and Local Communities

Under the prevailing sense that the law no longer protects them, Libyans have turned away from the state system and further inward to their neighborhood, community, and tribe in search of response and remedies. Through a progression of failed security and justice restoration attempts, both state and community driven—localization, formation of new state and quasi-state security providers, and state integration of thuwar—Libyans' needs have not been met, and security and justice providers have failed to demonstrate competence or gain trust.

Although interviewees indicated willingness to report crimes to police, they no longer expect resolution there, instead engaging in self-help, involving local militia contacts, resurrecting tribal structures, or simply turning to religious supports for advice. When faced with a dispute, a third of people would first go to tribal leaders, family members, or the local council.[58] This creates an environment of deal making, protection arrangements, brinkmanship, and cycles of violence outside state control and oversight. Tribes and neighborhoods have become central to both perpetrating and reducing revenge violence, and instructing and controlling militias. Rivalries and power balances have become important. Small-scale incidents involving individuals can escalate to major interneighborhood and intertribal violence as each group weighs in to protect its own.

> If he is committing murder and his tribe is not a big tribe, if they find him they will kill him. His house will be burned. If he is from a big tribe, he will kill and then hide in his tribe and nobody can catch him. If your tribe is not strong then your rights will be lost. If your tribe is a strong one they will probably catch him and hand him over to another tribe.

Moreover, tribal influences have crept into formal criminal justice processes, wherein tribal alliances of integrated thuwar and pressure on officials influence whether to pursue an arrest, who remains incarcerated, and who is released. Tribes and militia have exploited accountability gaps to evade the law, protecting their own from arrest when implicated in crimes, arranging resolution outside the state, or taking the law into their own hands.

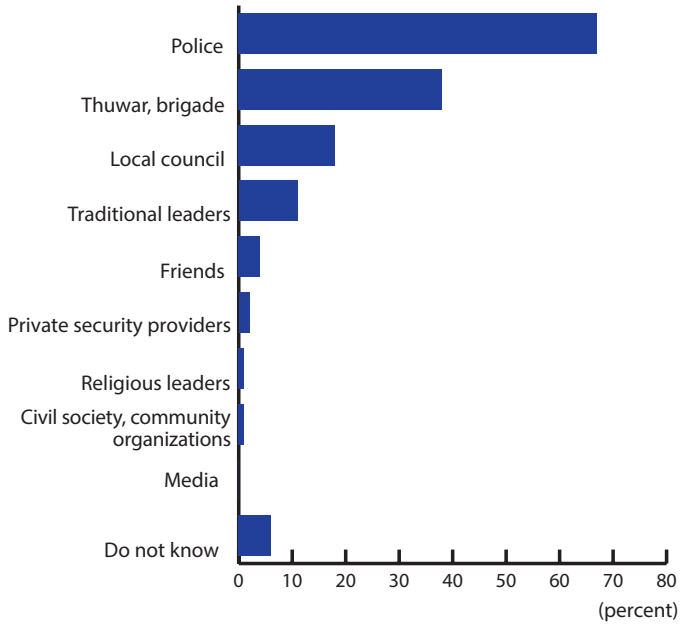
Libyans are cognizant of the positive and negative roles that tribes and neighborhood protection structures can play. Even when issues are referred to traditional dispute resolution mechanisms, as discussed, tensions can be either calmed or fomented, depending on the nature of individual elders, history, and communities. When peaceful solutions are sought, few elders feel they can truly resolve disputes, instead recognizing that they are often limited to halting or quelling violence, meaning that tensions frequently reignite over time.

With a formal justice system stalled due to insecurity and lack of capacity, and an informal dispute resolution system focused on preventing retribution and revenge from escalating into large-scale violence, justice is hard to come by in Libya today. As one interviewee noted, "There is not a straight system to find justice. There is not just one way. My friends…have the same experience of not knowing who to call. I wouldn't know where to go to find justice. There is no system."

Desire for Formal Security and Justice

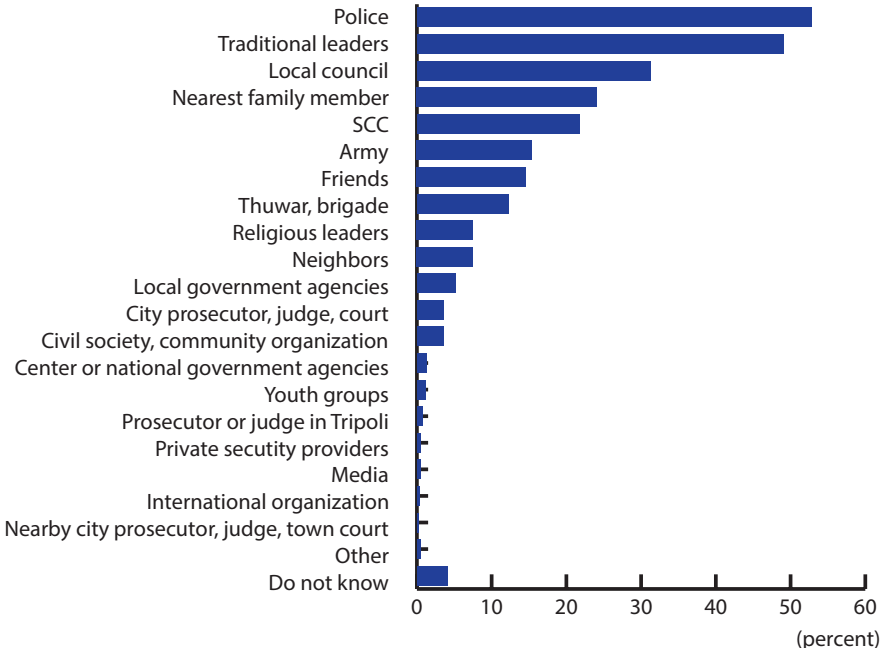
This inward shift toward neighborhood, community, and tribe has come through despondency rather than desire. Most Libyans perceive state security forces as the most appropriate and legitimate security providers (see figure 14). When asked what institution they would go to for security, the vast majority of interviewees identified the police.

Figure 14. Institutions Perceived as Providing Neighborhood Security



Moreover, when asked what provider an individual would go to if faced with a crime or dispute, the vast majority again identified the police.

Figure 15. Institutions for Resolving Crimes or Disputes (percentage of cases)



In each community analyzed, individuals said that they would go to police stations to open a case file if they found themselves the victim of a crime, despite viewing the police as currently incapable of carrying out an investigation, making an arrest, or resolving the case.

The continued readiness of citizens to turn to the police, at least in some form, gives reason for hope. Interviewees noted that one should be able to turn to the police but that they are simply not yet fully "activated." This readiness indicates a potential for reinvigorating the institution and a desire for the formal model to continue to document complaints, in the hope complaints may be pursued at a later date. Another positive indicator is that many interviewees expressed a preference for seeing police in uniform in the street to militias and that, though limited, some resumption of police visibility was well received.

The need to empower state mechanisms could not be more timely. Although Libyans have thus far been willing to formally file complaints, the growing impunity of the police force may lead to a trend in which filing a case puts individuals at risk when no entity can protect them from retribution.

Conclusion

At first sight, the rule of law is absent in postrevolution Libya today. In the three years since the revolution, the security situation has been characterized by instability and unpredictable upsurges in violence. The criminal justice system remains semiparalyzed, unable to cope with ordinary

criminal cases and the complex transitional justice decisions it must make. Reform efforts have failed to reassert the legitimacy of state security providers and failed to make citizens feel secure. Rather than improve security conditions, integration programs for the thuwar have empowered a multitude of parallel state and quasi-state security providers who in fact feed insecurity in the country. Ongoing dysfunction, distrust, and inaccessibility of the formal justice system have pushed citizens toward informal justice or retribution.

As this report neared completion, Libya was once again plunged into crisis with the launch of Operation Dignity in Libya's east, intermilitia fighting in and around Tripoli International Airport, the dissolution of the GNC in favor of a new congress, and a weakened executive branch that has been largely quiet in the midst of increasing violence in both Tripoli and Benghazi.[59] The movement has gained support from defecting military brigades and an array of regionally linked militia groups, carrying out military-style interventions in the east while threatening and using force to influence GNC decision making, contributing to a political stalemate between the supposedly outgoing and incoming prime minister.

If Libya can survive these latest crises and overcome its tumultuous political transition, reasons for hope seem warranted. Broadly, Libyans demonstrate belief that the state is the proper provider of civilian security, a willingness to turn to the police to register their concerns, and faith that the system will be restored and capable of addressing their needs. In the interim, individuals are turning to providers with whom they have a personal tie until more systemic approaches emerge. Communities have demonstrated resilience in resolving justice concerns, emboldening—and in places resurrecting—traditional dispute resolution mechanisms to address gaps left by the formal system. Support for nonstate armed actors is fading. Regardless of the legitimacy armed groups once commanded and the role they currently play, grassroots rejection of militias is growing. It is thus timely for the state to refocus its attention on state security and justice systems.

Recommendations

Craft a national vision for the security and justice system. A national vision for Libya's security and justice system needs to be forged, cognizant that national-level solutions will be accepted only if they address on-the-ground realities. Libya's transition has produced a mismanaged and confusing array of security providers, all of whom have failed in their principal function—Libya is not safe.

Break the cycle of political deadlock. The new Libyan parliament, the Council of Representatives (COR), must break out of the zero-sum politics that characterized its predecessor, the GNC. The COR should assume an active role in providing civilian oversight and guidance to state security and justice organs.

Give particular attention to civilian security. Libyans need assistance to engage in a detailed thinking through of an inclusive process to design a security sector for the new Libya.[60] Particular attention should be given to civilian security providers, who must undergo careful examination; reordering structures; differentiating mandates; and setting out roles, responsibilities, and lines of authority. Across the board, both basic and specialist training is required to shape security institutions capable of responding to citizen needs.

- Supreme Security Committee. Integrated officers should report to their newly assigned institutions and be removed from payrolls in instances of persistent absenteeism.
- Anticrime Unit and Libya Revolutionaries Operations Room. The official status and ongoing role of new security providers, such as the ACU and LROR, need serious consideration. Security provision should not be decided on the basis of ad hoc decisions

of different political factions in control of government ministries but instead through detailed discussion and design based on empirically assessed security needs.

- Libya Shield. The MOD needs to clearly define the role of Libya Shield and set clear limits for its involvement in civilian security provision.
- General Purpose Force. As yet another new military security provider is added—a joint Libyan and foreign donor governments' initiative—careful consideration should be given to how they are positioned within the broader state security framework, their role, and the limits of their engagement in civilian security provision.

Improve security for justice actors. Urgent attention must be given to improving security for justice actors. Justice cannot properly function in the face of violence.

Dismantle reliance on negative parallel structures. As the international community continues its efforts to partner with Libyans, it is ever more important to ensure programming through engagement with formal institutions and not around them. Although such endeavors may be more time-consuming, Libya's history with parallel systems and diverting power from the main security and justice actors is an important legacy to understand, but not duplicate.

Use dialogue to build back trust. Dialogue must be used to rebuild relationships between justice, security actors, and the community. The legitimacy of the state requires improving not only the competence of the state justice and security providers but also trust in and among those actors.

This report has sought to identify a core set of challenges emerging broadly nationwide, but the truest picture of Libya's function and dysfunction comes from the local level. Appendix 1 provides city-level case studies of communities interviewed in detail for this study. Understanding postconflict Libya requires understanding in turn the different sets of actors, dynamics, perceptions, concerns, and threats affecting communities across the country. In Libyan cities, towns, and neighborhoods, rebuilding justice and security systems will require recognizing needs and developing responses tailored to meet them.

Giving voice to justice and security experiences, perceptions, and attitudes is a key part of establishing and maintaining the rule of law. The goal of this report has been to provide insights into the state of the security and justice system—the legacy of erosion and parallel power structures left by Qaddafi and those that have developed in the wake of the revolution. The research sought to establish a basis for understanding security and justice as experienced by ordinary Libyans to inform locally crafted solutions. As Libya continues to develop, ongoing analysis and participatory processes at local, regional, and national levels need to drive reforms. Policy decisions need to be based on empirical research that draws on the expressed needs, desires, and hopes of Libyans. Establishing the rule of law for a new democratic Libya is ultimately a goal that only Libyans can achieve.

Appendix 1. Case Studies

Capturing City and Neighborhood Dynamics

To develop a comprehensive picture of justice and security as experienced by Libyans the team picked six cities in which to carry out in-depth qualitative research (see map 1 and table A1.1).

Map 1. Case Studies on Justice and Security in Libya

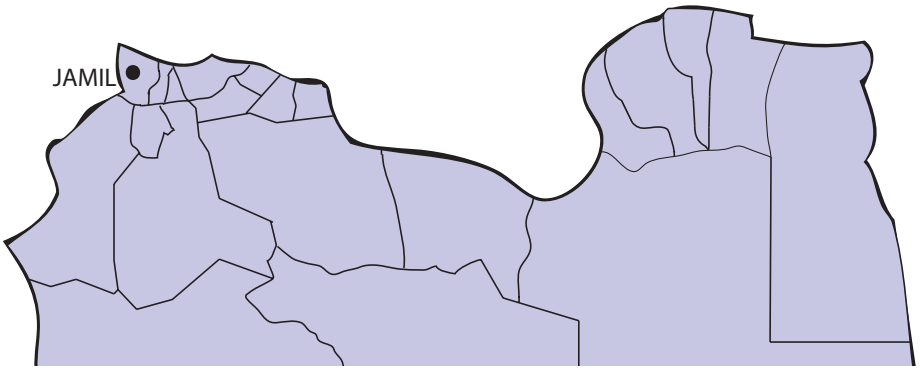
Table A1.1 Cities Researched

City	Population	Description
Tripoli	2.2 million	Large sprawling capital, microcosm of Libya's justice and security successes and ills
Misrata	281,000	Influential port, besieged during the revolution; uneven access to justice and security
Zawiya	200,000	Medium size, adjacent to Tripoli, large oil refinery, strongly affected by revolution
Zuwarah	180,000	Coastal, predominantly Amazigh (Berber), quiet city, internal stability, conflict with neighbors
Jamil	102,000	Border town adjacent to Zuwarah along Tunisia's border, traditionally a Qaddafi stronghold and smuggling town
Sebha	130,000	Capital of southern region of Fezzan, suffering instability fomented by tribal tensions

Jamil

Jamil is a small but sprawling town inland of Zuwarah and near the border with Tunisia (see map 2). It is well known as a smuggling town and has a predominantly Arab, pro-Qaddafi population. Many families in Jamil have relatives in Tunisia, which, given the geographic position, creates an ideal environment for cross-border illicit activity. Jamil was one of the last towns to fall following the revolution and had many pro-Qaddafi volunteer brigades, giving it an uneasy relationship with the new political order in Libya. Similarly, within the town, power dynamics have inverted, the few families who were anti-Qaddafi now holding the cards and the majority fearful of what the new "free Libya" will mean for them. Even the few who now hold power note frustration with their reputation as a pro-Qaddafi enclave and the implications that may have.

Map 2. Jamil



Jamil has a conflicted relationship with its neighbor Zuwarah, in part because they took opposing sides during the revolution, but also because, in the security architecture and power balance shift, each is staking out its piece of the smuggling pie. After skirmishes in and on the periphery of the towns between youth, a strained truce exists, with the recognition that neither should enter the other's town. Research teams observed the shift in tensions. In January 2013, skirmishes were still notable; by March-April, elders had brokered a base-level respite; by summer the hostility seemed to have abated.

Security Provision

State security provision in Jamil is minimal and a sense of self-reliance, the law of the gun, and family bonds prevails. A number of security providers are semioperational within the town but give no sense of control or real competition between them.

The police in Jamil had been part of a five-area policing district that included Rigdalin, Jamil, Assa, Zuwarah, and Zultan, from which Zuwarah has now withdrawn. The station reopened in late 2012, its current chief collecting the few pro-revolution policemen in the area and gradually urging others to also return to work. Numbers, however, remain depleted. The police chief self-identifies as a wrongly convicted prisoner who escaped when Qaddafi opened the prisons during the revolution. He was awarded his position by the head of the military council in recognition of his anti-Qaddafi stance, replacing a pro-Qaddafi former head. There has been no integration of thuwar into the police in Jamil, only a few additions to the traffic police, none of whom were visible in the streets.

Although the police claim to have a high arrest rate, boasting that "in the West we're the only station that makes this number of arrests," others in town refuted the assertion. In reality, the police are not yet fully operational and, as in other locales in Libya, mainly serve the bureaucratic function of creating a case file.

Similarly ineffective, the ACU in Jamil was more an aspirational than an actual security provider. Although a large group was accepted for training by the MOI in July 2013, its head admits that its "presence has mostly been about raising awareness but [they have] had no major impact yet." The group has served primarily as an integration tool for large numbers of unemployed youth in Jamil. Even this strategy, however, has had limited success because the group has failed to garner funding support from the central government. In response, the ACU youth mutinied against their leader and burned down the basic building serving as the headquarters when they were not paid. From late summer 2013, most opted to integrate into the police, primarily serving in the CID.

The ACU was led by a self-described moderate Salafist keen to offer an alternative to the weak Jamil police force, an institution he felt had been irreparably damaged by Qaddafi-era policies and would benefit from reinvigoration. Though on occasion it coordinated locally with police to assist with arrests, the ACU sees its line of command as the ACU in Tripoli: "I report to the ACU in Tripoli. It's the HQ but it's also the moral authority. We're not more than the law."

Libya Shield is mainly operational along the Tunisian border near Jamil rather than within the town. Interviewees noted it as a force respected and feared in equal measure:

> When they enter even the people stop talking in the street. Those doing bad things here fear them but those doing good are fine. Most problems come from those who are pro-Qaddafi. People know Libya Shield are true thuwar so they fear them.

The local Libya Shield units are stationed nearby in the al-Jailat–Sorman area and coordinate in exceptional cases with the police regarding serious crimes, border issues, and arrests. A few youth from Jamil have joined the western branch of Libya Shield, having integrated from the thuwar. They, however, were formerly border guards and also self-confessed smugglers, wearing different hats on different days. They noted their preference to serve on the border as Libya Shield rather than as MOI border guards because they now receive better status, better pay, fewer hours, and minimal supervision or control command: "To be honest we don't have much contact [with commanders]."

The military council in Jamil still plays a role in security coordination, problem solving, and control over security providers. Key to this has been their function in gathering and assigning positive duties to Jamil's ketibas. Given Jamil's role as a holdout against the revolution, ketibas do not have the same positive reputation as they do elsewhere in Libya. Many are composed of pro-Qaddafi volunteers, released prisoners, and persons involved in smuggling. The local council was concerned to discover that the Qaqa brigade came to Jamil in spring 2013 and absorbed one of the main and more concerning ketibas. Interviewees implied that this was to gain access to or control of the desert border areas; comments included "the Qaqa…integrated them and put them in a place that's not right…it's strategic. The main reason is that they want access to the border," and "You get a lot of extras in the desert."

Justice Provision

Because of its small-town status, cases from Jamil are referred to the nearest court and prison, which are based in nearby al-Jailat. The court is for the most part inactive, however, causing a considerable backlog.

An additional blockage exists at the prosecutor's office. Although he still reports to work, the prosecutor is on strike because of the potential impact of the political isolation law and the unstable security situation. Under current conditions, his remit extends only to dealing with high-profile murder cases. Even before the current strike, the impact of weak law enforcement meant that few criminal cases could go to trial. The prosecutor's office is currently unwilling to work with the ACU unless it agrees to integrate with the police, noting that ACU members simply do not have the necessary authority or expertise for their role. "When they bring you even a strong case you see the evidence is not collected."

In the absence of functioning formal state justice structures, most cases in Jamil are resolved through traditional dispute resolution mechanisms—decisions between local families, the shura, houkema, or the mosque. "Police stations are open and they take complaints, but usually the disputes are really solved by the houkema—the wise men sit together." The prosecutor noted that once these mechanisms are in play, judges will often bow out of proceedings unless required. Most serious disputes in Jamil are dealt with this way, though some interviewees noted a desire to "get the judges back to work properly," insofar as the traditional system tends to favor dominant local families and powerful tribes.

Common Challenges

For a town of its size, Jamil has a high murder rate, and accidental killings are also high, owing the escalation of small arguments into use of arms. Correspondingly high rates of revenge killings and burning of property are a serious problem as well, both examples of the kinds of quick justice and law of the gun common in Jamil. Along with such gun violence, rates of armed robbery, slander leading to armed violence, and land and property conflict, including instances involving use of force, have risen.

Smuggling at all levels is common and a core talking point in Jamil, where people will admit with pride that "in this community, if you're not a smuggler, you're not a man." Violence and other criminality is attendant on the smuggling culture, with theft of copper cables and sheep common as are frequent outbreaks of violence at the petrol stations, where long lines and busy pumps feed lucrative fuel smuggling to Tunisia. As one interviewee remarked, "Smuggling. It's the normal work here. If you don't deal in illicit materials you would at least be dealing in groceries…Everyone does something…TVs, fridges, ovens, tires."

Tribalism is strong in Jamil, and families are heavily armed. The police are no match for the strength of clashing tribes, one interviewee explaining that "police may want to arrest, but when the tribe comes out they will refuse to let the [suspect] go with the police. Even if they do arrest they will come after them."

Weapons

Almost all interviewees noted the spread and mass ownership of weapons as a core source of insecurity in town. Almost all felt that there were too many rather than too few weapons, and all admitted to holding some in their possession, whether in the home or with them in the street. The most common weapons owned were AK-47s, hand grenades, pistols, and sniper rifles.

Despite the large amount of weaponry in circulation, interviewees in Jamil noted that some weapons had been confiscated in October 2011 by powerful Misrata brigades, which took between thirteen and twenty thousand AK-47s and loaded them into trucks. This move was believed to be in response to pro-Qaddafi leanings within the town and an effort to control Jamil's influence in the postrevolution period.

Safety

Most of those interviewed in Jamil said that they do not feel entirely safe, and a number admitted having received verbal threats or threatening phone calls. This included justice and security actors, one reporting that "someone threatened me and said not to come back or they'd break my legs."

An uneasy tension is at play between the minority anti-Qaddafi in town, who now find themselves on the right side nationally, yet remain vulnerable to attacks and low-level conflict with Jamil's majority pro-Qaddafi population. One such family had experienced nighttime shootings at their compound, expressing both fear and bravado in response.

Although some in Jamil see positive improvements in security, for businesses are now open until late in the evenings again, most still spoke of common poor security indicators, such as women being unable to go out in the evening and the need for most persons to travel with a weapon in the car. Many in Jamil have begun to question the positives of the revolution with even security providers, saying, "We haven't felt safe for a long time…People say security was better before the revolution. No one even comes to check on us."

Misrata

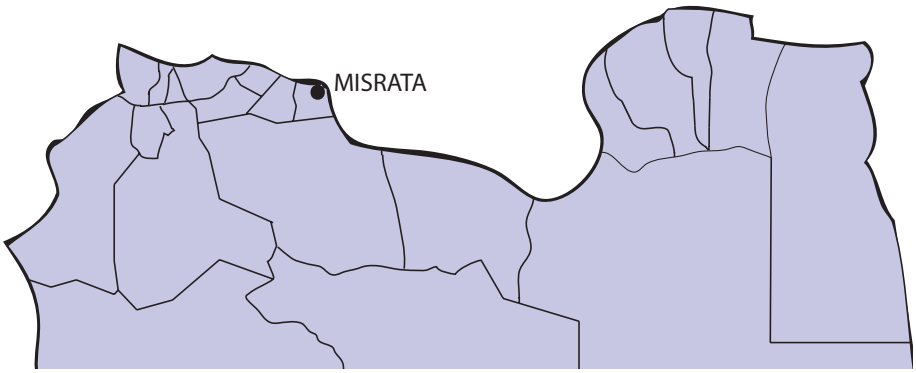
Misrata is a major coastal port city that lies some 130 miles west of Tripoli (see map 3). It is Libya's third largest city after Tripoli and Benghazi. Owing to its natural deep-sea port, Misrata developed a culture around sea trade and business. It now operates a large, modern port and free trade zone, attracting significant overseas investment.

Misrata was at the forefront of the revolution against the Qaddafi regime in 2011. During the revolution, the city experienced heavy fighting and destruction. In the aftermath of the revolution, Misrata's wealth has allowed for a comparatively quicker rebound, and many of its conflict-damaged buildings are now renovated. Because of its role in the revolution, Misrata developed powerful militia groups that continue to assert a strong influence both within the city and nationally.

Governance

The local council is the primary mechanism for governance and plays a key role in overseeing local security mechanisms. In May 2012, Misrata held local governance elections—the first in postrevolution Libya. A minimum of two councilmen were elected from each neighborhood, with larger neighborhoods electing three or four members. A number of members work as thematic specialists in areas such as security or law, and one councilman per neighborhood focuses on constituent outreach.

Map 3. Misrata



> They were dividing the work according to specialty. For example, they have PhDs from the university, they took the education issues. They have legal people, who take the legal issues. They have one elected member that has two sons that were martyrs, so he took the martyrs cases.

The council created a legal advisory body and gave formal legal status to the houkema, both providing the council with oversight and advice in its work. The local council also works closely with the military council in controlling the large number of ketibas. Although the local council holds significant weight, there is also some discontent among community members, one interviewee remarking that the council uses its money to take trips overseas but does not act on community complaints.

Security Provision

The police in Misrata are in theory the primary entity for civilian law enforcement, but they have been slow to fully redevelop. Before the revolution, the majority of police cadets and officers came from outside Misrata. Because many of these individuals returned to their communities, the police have been understaffed since the revolution.

Community members do not have high regard for police, considering them weak and untrustworthy. Officers themselves admitted many limitations and expressed feeling insecure and fearful of attack. Interviewees and focus group participants said they did not turn to the police for security. One interview remarked that "the police open reports to prove the incident [happened] and [carry out] necessary procedures, but they do not have the power to enforce security." Thus, many Misratans simply take matters into their own hands or seek justice and security elsewhere. One interviewee who had to retrieve his own stolen car was told by the police, "You're a lucky man because we wouldn't have done much to find it." Other interviewees complained that the police do nothing, too fearful to address even small incidents like public drunkenness.

The ACU in Misrata was formed on January 26, 2013, and consisted of more than four hundred volunteer members. Although its primary focus is tackling drugs and alcohol, the ACU identified its role more broadly as encompassing security provision, in which it cooperates with other providers, often making initial arrests but handing over suspects to the police. Like other units, it has begun to wind down and join the police CID but is still not fully integrated.

Before the revolution, the primary military contingent in Misrata was the air force, which had a large base on Misrata's outskirts. The base has not reopened for its previous purpose but is instead now occupied by a number of other armed actors, and parts of the base were renovated to house a new prison for conflict-related detainees, which opened in summer 2013.

To address the lack of military presence in Misrata, the army chief of staff ad hoc drafted individuals to form the new No. 154 Brigade. Similar in function to a gendarmerie force, it is tasked with providing security-related support when large insecurity incidents arise. Unlike most integration efforts, the No. 154 Brigade carried out individual recruitment from its inception. Individuals were chosen based on their professionalism and achievement within their thuwar brigades. Community members had positive views of the brigade in comparison with other armed actors, finding them more effective and professional than other units within Misrata.

In the aftermath of the conflict, thuwar stepped in to fill the justice and security vacuum left when the state-run justice and security system ceased to function. It is estimated that between 250 and 300 thuwar ketibas were formed in Misrata and had close to four thousand members. Not all of these remain active, many members returning to their jobs but maintaining loose alliances. As part of the integration process, a number of the units came under the MOD, through the central front of the Libya Shield, or under the wing of the military council.

Discontent is growing in Misrata with the role of thuwar in the administration of justice and security, despite public awareness of no fully viable alternative. The first reason for the discontent is that the thuwar have themselves engaged in criminal conduct and thus increased the feeling of insecurity in Misrata. The thuwar are often distinguished as "good" or "bad" brigades, depending on when they were formed. Views of the local thuwar varied:

> People know them. They are there and they are the ones with power but they misbehave. They are drunk. They smoke. Women have been beaten by thuwar.

> Some ketibas were established after the revolution, there was no need for them. They were established only to protect their own businesses and themselves. But those who were established during the revolution are the good ones, they have well-established men, and they have respect from the people. The recent ones are the ones who commit bad things.

The second reason for the growing discontent is that "thuwar only support their own people and not others." If a person has connections with the thuwar, then he is afforded justice and security. Non-Misratans are afforded no protection whatsoever, and some are even targeted and attacked. The final reason is the government cannot control them. Despite local council and military council assertions otherwise, community members found that the brigades were not well controlled.

Misrata maintains a military council that reports to the MOD. Immediately following the revolution, the military council was formed under the leadership of the local council, controlling the activities of Misrata brigades. As the MOD regains control, the military council's role diminishes.

The SSC was established in the immediate aftermath of the revolution, but over the course of the two years since then, the integration of brigades into security mechanisms and the oversight by the local council has made the SSC less relevant in Misrata.

Security actors, including the police, the ACU, the No. 154 Brigade, army intelligence, immigration police, airport security, port security, and traffic police, conduct weekly meetings as one of their coordination mechanisms. In spite of such efforts, challenges arise with communication between the various security units. For example, ACU maintained that the police, do not "support us. [The chief of police] doesn't want this unit, he tried to push me out. So I have the head office in Tripoli, and I only communicate with him."

Justice Provision

The justice system in Misrata has been significantly affected by the conflict and has yet to cope with the challenges, which include suspension of court sittings during the conflict, rebuilding the court infrastructure, and the many detainees who will need to be processed.

There is a perception in Misrata that the judiciary is not active because no security is in place to protect them. "If you go to the court, you will not find a lawyer or a judge because of the lack of security." In one incident, an armed group attempted to break in during a judgment by the Misrata judge: "This is one of the reasons why people do not lodge their complaints to the court. There is no protection for judges."

The court in Misrata was largely destroyed during the conflict. In May 2012, researchers observed the rebuilding of the courthouse itself. By May 2013, the building was fully renovated, but the overall perception was that the court was not yet fully active: "The prosecutors are dragging their feet in many ways. Many cases have been transferred to the general prosecutor but nothing has been done yet!…There is no mechanism to take it to court, it stops there."

Misrata maintains a strong, nonstate dispute resolution mechanism. The most notable entity is the houkema council, which is made up of elders. The primary areas the houkema council ad-

dresses are land disputes, intertribal or family violence, and intercity disputes. The council uses social pressure to enforce its rulings, though families have the option to take their issue to court if they are not happy with the informal resolution.

In addition to the houkema council, religious leaders resolve family-level disputes. Religious leaders noted that they carry out informal dispute resolution when both parties consent, and largely rely on religious texts to create a common agreement among the parties.

Given the stalled criminal justice process, some interviewees noted the use of vigilante justice. Vigilante justice was discussed as an ad hoc mechanism, not a robust system, but quite prevalent in Misrata.

Common Challenges

A common challenge noted throughout the research was crime, including assaults, aggression, robbery, and car theft and accidents, largely fueled by the use of alcohol and drugs. As one interviewee noted,

> The main problem is drugs. …[The youth] commit crimes and they have no control on what they are doing. …[T]hey take pain killers. And we know that people came out of the war with psychological effects so they take more than tramadol [a strong painkiller], so there is a big market in all Libya, not just Misrata. We say that our youth is being destroyed.

Similar to other communities in Libya, when the use of drugs and alcohol in Misrata came under discussion, the underlying cause was seen to be trauma experienced by both fighters and the community during and after the conflict.

Members of the community considered non-Misratans have endured lack of security, harassment, seizure of land and property, and unequal access to justice and security. As in other cities, the revolution prompted many Libyans to return to their city of origin and the protections of tribe and family that afforded. In Misrata, population displacement primarily occurred in the area adjacent to the air base, given that many residents were non-Misratans who had moved to the area to work on or service the base. As the revolution came to an end, displaced families returned to a cold reception.

> They say if you were a Misratan you should not have left the city. So they occupy the properties. No one can do anything about it.
>
> I lived here for thirty years and they still ask me "what is this accent?" and "where are you from?"

Interviewees identified harassment, violent attacks, and a sense of inequality, showing anxiety in even expressing frustrations for fear of reprisal. Attacks were more prevalent in the immediate aftermath of the revolution, and those identifying as non-Misratan noted that they are gradually subsiding.

Another deeply sensitive subject in Misrata was the issue of violence and harassment of women. Misrata was famously the site of alleged use of rape as a war crime by pro-Qaddafi forces, though few cases have been prosecuted.[61] Interviews and focus groups with women revealed a sense of insecurity, incidents of harassment, and alleged violent incidents, particularly from misbehaving thuwar. Women observed that issues have "been kept quiet because of the social stigma."

Weapons

Owing to the amount of fighting that took place in Misrata, the city and its militias have accumulated large stocks of weapons. Over time, heavy weaponry has been contained within key

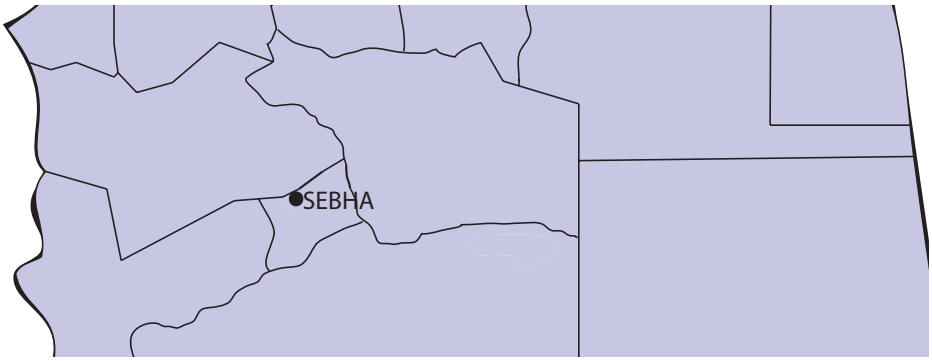
brigade headquarters. In addition, armed groups signed an agreement "that they should keep their weapons and ammunition in safe…and that they should not bring their weapons out on the street without an authorization." The general perception from community members was that gunfire and the visibility of weapons has significantly decreased. Despite this, most interviewees believed that weapons were a source of insecurity, only a few maintaining the opposite.

Sebha

Sebha is the largest city in Fezzan, southern Libya (see map 4). It is a major transit hub for goods and people, both licit and illicit, and a core smuggling and migrant center for movement across the desert to either the coastal cities or Europe. Powerful pro-Qaddafi families held much of the political and economic power until the revolution. Today, influence remains in flux, tribal tensions contributing to an insecure and unpredictable security situation. Conflict has sparked on numerous occasions since the revolution, particularly between dominant Arab tribes and the Tabu. Prison breaks, including a mass escape of all prisoners, have also contributed to an insecure and unstable environment. Most recently, in January 2014, the Libyan government declared a state of emergency in southern Libya, including Sebha, launching a number of air raids and other larger-scale military operations.

When the research team was in Sebha, three major car bombs were placed in a café, a shopping street, and outside the researcher's hotel, resulting in a number of civilian injuries and one fatality. The team was forced to abandon planned interview schedules mid-trip and return to Tripoli. Thus research in Sebha was curtailed and represents a more limited spectrum.

Map 4. Sebha



Security Provision

The security situation in Sebha is fragile, and the government in Tripoli provides little control and scant communication. Nominal justice, security, and governance structures are in the hands of a military ruler who theoretically controls what is called the southern militarized zone. In reality, this enhanced security plan has not succeeded in bringing the south fully under state control, and the government has cycled through numerous southern military governors over the past year, each with little improvement in stability to report. Opinions of the military rulers varied from "done good so far" to bad—"the military ruler is not really in charge"—to terrible. One interviewee ranted in disgust at their inefficacy, insensitivity to local traditions, and corruption:

> There is a lack of security in the South and they bring in military rulers from outside but they don't know the traditions of the people or the people's thinking. We've had two military rulers and the second one took all that he brought with him when he left. He came in a huge airplane and when he went back he returned with three hundred vehicles. At least one of them . . . came with a small group of people and he's a colonel and became military ruler and he refurbished the base and made it luxurious and when he was handing over he ordered his people to take everything—the AC, the carpet, the chairs and he looted a lot. I say this with regret because it shows a lack of patriotism. . . . I mean, do they think it's their stuff?!

Police in Sebha are understaffed, underresourced, and lack the authority to conduct arrests. They are currently incapable of playing a significant role in local maintenance of security. Unlike in other cities, little to no progress has been made on integrating thuwar into police ranks, though relationships between the police and thuwar exist. Local officials noted that this is acknowledged and an ongoing concern. One stated with exasperation that "the invitation is open. But it's not happening. The thuwar want to be free but they want power and it should be happening but it's not happening." At times of heightened insecurity, police stations have been locked and abandoned.

Police cannot make arrests without assistance from ketibas. One community leader observed the limitations they face and the perceived lack of governmental planning and support:

> [The police] are working hard with nothing. All they have is their cars. There is only a small number. They are always explaining to me that criminals are a greater number than police. They are much bigger and stronger. It is very hard for them to face those who are outside the law. So they just solve problems and they have to withdraw when it's serious because they don't have weapons. The government needs to have a plan. Maybe the government does have a plan but we're not advised of it.

In spite of this, interviewees were still motivated to report crimes to the police in order to have a case file opened, which might be pursued at a later date when police function has been restored. One interviewee said, "I would go to the police and make a report but they would just put it on the shelf," adding that he would then seek to handle matters through tribal connections.

The tribal ties of the police to certain families was also mentioned as a feature of policing in Sebha, potentially undermining dependence on and trust in the police. The Awlad Suleiman are seen as dominant within the police force and have links to certain ketibas, which assist them in their work. If this situation is allowed to continue and grow in strength, it could lead to both problematic community relations for police in the city and unequal power balances.

Police visibility in the streets of Sebha was reported as almost nonexistent, an observation confirmed on both this and previous trips to the area. "The lack of policing in the street is an issue because the police are afraid themselves."

In Sebha, interestingly, the secret police were mentioned as still active in providing security. They were said to be a mix of old regime officers "who have their hands clean," currently working to integrate a number of thuwar and headed by the military ruler.

Ketibas are both a key contributor to problems and a major security provider in Sebha. Most militia and brigade groupings are broken down by tribe and neighborhood and are not cohesive, nor is there any way to bring them under state control. They play a big role as the primary entities locals turn to for security but are often pitched against each other in tribal clashes.

The SSC plays a role in coordinating and assisting the police but its presence is more of an exception than a constant, providing assistance for events such as elections or dignitary visits. A few ketibas have come under the SSC after signing contracts with the MOI, but their connection to any larger security provision scheme is weak, and their position does not hold the same significance as it does elsewhere in the country.

Following serious outbreaks of conflict in and around Sebha in the spring of 2014, the Libya Shield from Misrata was dispatched to the city to serve as an alternative security provider. This has been a calming force within the city and a deterrent to low-level conflict.

Justice Provision

The courts have not returned to full function in Sebha, with criminal courts almost entirely halted and civil courts significantly curtailed. This stituation is the result of both of the judges' strikes precipitated by the political isolation law and the frequency of prison breaks. As in other cities, primary level courts held basic hearings, and most functioned consistently, but some concern over their ability to endure was raised in interviews.

Over the course of 2012 and 2013, prison breaks at Sebha prison were frequent, some with the suspected involvement of judicial police. Many judges, prosecutors, and even private lawyers were unable to carry out their jobs without fear of reprisal from prison escapees. One private lawyer spoke of being attacked a number of times, once at his home and on another occasion outside his office: "They usually come after the sentences. The threats are usually verbal—people lack education and manners. But I've also been threatened with a syringe outside my office."

Court officials noted that, in the few scenarios when cases were moving forward, implementation of court decisions was nearly impossible from both a security and an administrative perspective: "When a ruling is passed against the government it is very hard to implement and the problem is made worse by how the judicial police are."

Judicial corruption was raised as a serious issue, exacerbated by a small-town atmosphere in which social pressures are often brought to bear on justice system officials. Wealth and social and business connections were named as the primary way to exert influence in cases before the court. More positively, the existence of a newly free media potentially capable of investigating and highlighting corruption was raised as a potential counterbalance to the current scenario.

The role of elders in dispute resolution in Sebha is significant, often running in tandem with the more formal justice system. In particular in civil cases, lawyers and elders often work together, much like mediation, characterized by ongoing discussions and court proceedings to motivate mediated settlement.

Although positives can be attributed to this blending of formal and informal justice systems, interviewees noted that it also has the effect of skewing the justice system in favor of certain more dominant families. Most opt instead for "quick justice," that is, taking matters into their own hands. These inequalities of might and access to justice often mean that those from significant tribes or families operate above the law. As one interviewee noted, "We need to work with the tribalism and the houkema to resolve situations but if it involves certain people they will contain and some imprison." Unequal access to and uneven application of the law are particularly apparent in the cases of smaller tribes and families, Libyans not originally from Sebha, and immigrants.

Common Challenges

The most common crimes discussed by interviewees included murder, armed robbery (including carjacking), smuggling, revenge killings and attacks, and a small but rising prostitution rate involving "mostly Palestinian or displaced Arab women." The lack of security at night is particularly a concern.

Tribal conflict has broken out in Sebha as power balances have shifted in response to post-Qaddafi realities. The powerful Qaddadfa and Awlad Suleiman families have clashed, often with heavy artillery and shelling, as the two battle to assert dominance and control over smuggling economies, which have opened significantly with the collapse of the regime.[62] The Qaddadfa lost significant power with the loss of their privileged position under Qaddafi, and the Awlad Suleiman have sought to fill and distinguish their authority in response. Firefights have also erupted between Arab Sebha families and Tabu ketibas, and include accusations of influx of Tabu populations, control of oil, and arguments over youth stealing cars.[63]

Discrimination and backlash against Tuareg, Tabu, and the immigrant population is common in Sebha, one interviewee justifying it by noting, "We respect the Tuareg and Tabu who are Libyan—those who were born here." Fearmongering in relation to the Tabu is significant, interviewees noting that "some don't even speak Arabic." The notion that Chadian Tabu are moving into southern Libya is rampant across the south. The Tuareg, meanwhile, are suffering losses associated with their backing of Qaddafi (a mix of perceived and actual) during the revolution. Tuareg and Tabu concerns emerged in interviews in Sebha with persons of Arab extraction: "With the Tuareg and the Tabu, they should cleanse them and find the real Libyan Tuareg and Tabu among them and remove those who are not Libyan—those in the desert—they live between the countries. They're from nowhere."

Weapons

Almost all interviewees noted that there were too many rather than too few arms in Sebha, but some believed that the ownership of arms by all groups created a "sort of balance of power." When asked about the prevalence of weapons ownership, one civilian interviewee noted that there were "more than the hairs on your head" and that he in fact owned more than twelve AK-47s. The weapons mentioned as in possession during interviews were AK-47s and pistols.

Safety

Most interviewees admitted to not feeling safe in the current security setting. One prominent individual who had met the interviewer on a number of occasions noted, "If you don't hear from me, worry for me," and reported that thuwar had threatened his security repeatedly. Despite the many challenges that Sebha faces, interviewees indicated as much hope as fear, however. Although justice and security conditions are extremely difficult at present, faith remains that security can be restored. "People believe the situation will not stay like this—they believe these problems will pass. And I'm one of those people," one interviewee remarked.

Tripoli

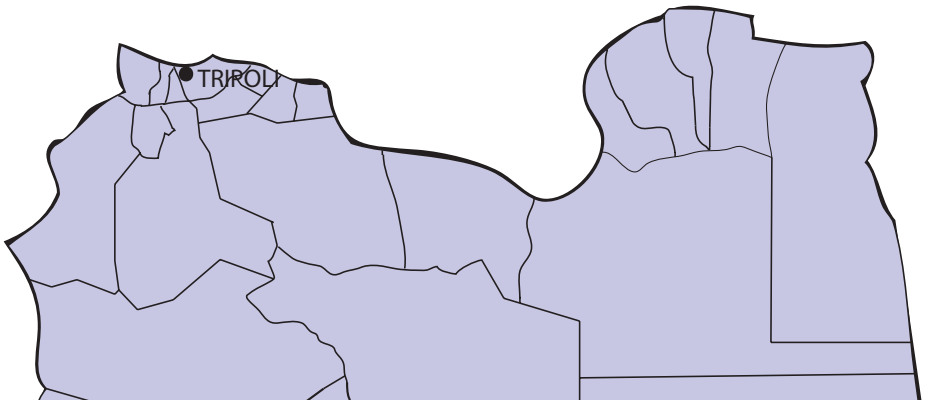
As the capital and most diverse city in Libya, Tripoli faces the mélange of problems experienced in other cities but with distinct features in certain neighborhoods. Situated to the west of Libya's coastline (see map 5), it remains a vibrant, bustling city whose population can generally move about and continue with day-to-day activities, but security is unpredictable and the justice sector is diminished. Moments of violence periodically pierce this veiled normalcy to reveal both persistent volatile security threats as well as state justice and security structures incapable of mounting an adequate response.

During and in the wake of the revolution, Tripoli's population rose and fell repeatedly. Internally displaced communities came in search of refuge; politicians from different parts of the

country descended, hoping to be part of the new democratic Libya (and claim their piece of the political pie); and attendant militia groups poured in, occupying strategic locations in the city and seeking to exert influence. These changes have contributed to new security dynamics and an added sense of the unknown within the city.

To understand some of the dynamics at play, the research team sought to capture the justice and security outlook at the city level as well as to carry out detailed neighborhood-level interviews and analysis in four areas: Dahra, Gargaresh, al-Hadbha, and Souk al-Juma.

Map 5. Tripoli



Security Provision

Tripoli has many of the same concerns as other cities, a lack of full state control of security and a confused and shifting mixture of formal and nonstate security providers overlapping, assisting, and undercutting each other in turn.

Although Tripoli's police stations are active, the Tripoli police are not the primary provider of or responder to civilian security needs. As elsewhere in Libya, their main role is administrative at present, primarily preparing case files. Confidence in the police and among police officers is extremely low, one officer admitting, "I don't have any confidence in the police, even though I am police." Citizens remain skeptical of the resurrection of old-order police and the creep of old-order habits. One remarked, "Obviously they aren't all [bad but] what's left over from the old regime and are used to the corruption." Nevertheless, most citizens wanted to see the police out on the streets again and want the government "to make the police active and the police stations capable… [so] there won't be a need for the SSC."

In the absence of a fully equipped and functioning police force, the Tripoli SSC units have a relatively clear assistance role. If a resident contacts the SSC for assistance, it in turn contacts the local police or prosecutor to inform them and advise the resident to open a case file at the police station. Investigation and arrest are then carried out either by the SSC or by a combination of the SSC and the police. Without the SSC's physical force behind them, the police feel incapable of safely carrying out their job. This cooperative formula provides some semblance of reactionary civilian security force; however, the same issues of incorrect arrest procedures, poor coordination with prosecutors, illegal detention, and lack of proper investigatory capacity mar the criminal justice process. In addition, the SSC lacks proper command control. Linked to

this is the flawed decision to integrate thuwar in their ketiba groups, a major mistake that SSC senior leadership admits.

As in many Libyan cities, the ACU was for a brief time a significant new state security provider. It operated under the MOI and had links to the police but was outside the police chain of command. It was made up mainly of former thuwar integrated into the specialized unit, most of whom have now received basic police training but lack any background in specialized organized crime detection or tactical policing. Unlike municipal police, who are assigned policing districts within the city, the ACU works across all neighborhoods. Raids on drug dealers, alcohol manufacturing and distribution facilities, and believed crime syndicates were conducted with little supervision or planning and often involved youth picking an area, charging in with weapons blazing, and experiencing losses from their ranks during firefights with more sophisticated criminal groups. Initially coordination with the prosecution service was poor, as one young interviewee reported: "Sometimes there are mistakes because we don't have permission by the prosecutor to make arrests. Or maybe our way of making arrests is not adequate because we don't have the proper things." However, as the unit has progressed, communication and coordination with the prosecution service have improved. The ACU has now been dismantled and folded into the police, but the continued ineffectiveness of the police and surging violent crime levels have led to calls for the ACU to be resuscitated.

The army has increased its presence in Tripoli, largely through the Libya Shield, which was called in by the GNC in August 2013. The number of checkpoints was increased, largely staffed by the army, Libya Shield, and police at key traffic locations. Following issues with ketiba and Ghargour in November 2013, residents noted that the military increased its visibility, but largely only immediately after serious security incidents, or when foreign dignitaries traveled within the city.

Security provision in the city still primarily falls to the ketiba, and, though much of the population is tiring of their ways, they are still far more capable of dealing with security issues than the police: "If you disband the ketiba you have to have a replacement." Their popularity varies from ketiba to ketiba and neighborhood to neighborhood and even within, but many interviewees noted that they would turn to the SSC with security issues. Nonetheless, the thuwar's lack of knowledge of the law, especially concerning methods and corrupt practice, was raised in numerous interviews:

> Thuwar don't even know what they are doing according to the law. Freedom is not just to capture somebody and torture him or to beat him and then tell him sorry. No you capture under circumstance. Like crime, like breaking the law, wanted. But they don't …go by the law. Even your victim you carry an issue or you pay.

Although many of Tripoli's thuwar ketibas have come under some level of government and are receiving state pay, a number are still operating entirely outside government remit, carrying out their own patrols and using their weapons to engage in criminal activities or with tribal, neighborhood, religious, or power motivations underpinning actions. Difficulty distinguishing between "good" and "bad" thuwar contributes to citizens' sense of insecurity and confusion in dealing with the security sector. As one young woman remarked, "I cannot say that all of them are contributing to the problem and I cannot say that all of them are protecting the city."

Justice Provision

Court function is mixed in Tripoli. Civil and administrative courts are proceeding with cases, but criminal courts are not yet fully active. All courts are affected by backlog, both because of security issues but also because the limited time allotted for sittings, which is primarily between 9 a.m

and 1:30 p.m. each day. As in other parts of the country, criminal court function is appreciably curtailed by lack of security for sitting judges. Interviewees spoke with fear and expressed unwillingness to continue under current conditions, noting that "because [of] the lack of security…the judge cannot judge [the cases] put in front of him." Judicial kidnappings are a significant driver of fears, interviewees noting that it is a more common occurrence than reported, many instances concealed and not spoken about openly.

The prosecution services are also not fully functioning and experience similar security threats and concerns in carrying out their functions. Access to prisoners for interviews was cited as challenging and exertion of pressure on prosecutors to either release or detain individuals is commonplace. Judges and prosecutors expressed serious concerns over treatment of persons held in detention: "[When] we decide whether to detain or release and now when we see the bad security situation for the person, we fear that when they're brought in they'll be attacked and you just don't have the protections…and there's no solution nowadays."

Failure of police, or those carrying out policing functions, to adhere to proper arrest procedures leads to frequent friction between prosecutors and arresting authorities. As a result, many cases never make it into the formal system. Quick justice and alternative punishment are used by families and ketibas, who place little faith in the justice system to resolve their case. A number of secret prisons detain individuals the SSC or thuwar wish to hold outside state control.

The role of identity through tribe, family, ketiba, or neighborhood has become heightened in the absence of state protection and is a key factor in security and justice matters. Under a prevailing sense that the law no longer protects, tribes and ketibas seek to evade the law, protecting their own from arrest or taking the law into their own hands. One law-abiding civil society member noted in response to a violent assault on his family that it is often hard to resist turning to the more effective means provided by the tribe:

> I could take my revenge. I want you to listen to this one very carefully to what I'm going to say. I could solve that problem in the matter of two hours, three hours. I could get them arrested or get them hijacked or things like that but I would like to support or encourage the law in this country.

Another interviewee explained the tribal system thus:

> If he is committing murder and his tribe is not a big tribe, if they find him they will kill him. His house will be burned. If he is from a big tribe, he will kill and then hide in his tribe and nobody can catch him. If your tribe is not strong then your rights will be lost. If your tribe is a strong one they will probably catch him and hand him over to another tribe.

In terms of traditional dispute resolution, use of elders, houkema, or shura varies by neighborhood, but broadly is less significant a dynamic in Tripoli than in other towns and cities.

Common Challenges

As Libya's largest city, Tripoli suffers from a broad range of justice and security issues, chief among them carjacking, robbery, murder, revenge (including burning of property), kidnapping, and land and property issues. Interviewees noted that illegal ketibas or criminal gangs working at night were a key contributor to insecurity and criminality, and that areas such as the airport road and darkened outskirts of town with large farm areas were to be avoided in the evening hours.

A spike in drug use by youth combined with ready access to weapons also contributes to community level insecurity and unpredictability.

Weapons

Most interviewees felt that there were too many rather than too few weapons in circulation in Tripoli. Possession of arms was mentioned as a major driver for escalation of small security issues and accidental deaths and injuries. Most admitted to ownership of weapons, including some females. Weapons mentioned as in possession included AK-47s, pistols, RPGs, grenades, machine guns and mounted technicals, and tanks. Most heavy weaponry lies in the hands of ketibas.

Tripoli Neighborhoods

Dahra

Dahra is Tripoli's city center area, an old neighborhood with a mixture of the very wealthy alongside dilapidated parts, old crumbling Italian buildings, and a population of lower socioeconomic standing. It is occupied by traders, a variety of businesses, cafés and restaurants, foreign residents, upmarket international hotels, and embassies.

Police in Dahra operate much as they do across the city. Although they have for the most part returned to work, police remain incapable of security provision, experience authority issues in dealing with the community, and mainly record case files within their stations. A new diplomatic police unit also has a noteworthy presence in the area given that Dahra houses the Ministry of Foreign Affairs as well as numerous embassies, and hotels housing international guests. Equipped with new uniforms and distinctly marked vehicles, the diplomatic police are both funded and overseen by the Ministry of Foreign Affairs. Their main function is to occupy strategic locations adjacent to the ministry, embassies, and hotels, providing additional surveillance and security.

Police visibility within Dahra is markedly higher than in other parts of the city. The constant presence of the diplomatic police, combined with traffic police working daily to keep traffic on the city's narrow streets and junctions flowing, and a small presence of regular police, gives some semblance of state security provision within the neighborhood.

Nonetheless, public confidence and relations between police and the community remain weak, and the sense prevails that security provision is not fully controlled. As one young female resident remarked, "The police should be the hand of the law but in this situation there is another hand." Police noted that though most of the community stood with them, they struggled to maintain authority over neighborhood youth, who view the police as emblematic of the old regime.

As in other neighborhoods, police rely heavily on thuwar assistance to carry out their work. Security and authority issues are such that one former police officer commented, "You can't see officers without revolutionary guys." A relatively smooth cooperative relationship has developed between police and thuwar in Dahra, based on police recognition that they now "know each other well" and the self-awareness to admit that at present, they simply "don't have the force to make arrests." Although police stations now have a number of thuwar officers newly integrated into their ranks, senior officers admitted that in reality, they had no command control over them and only limited ability to reprimand them for failure to follow orders or report for duty.

Residents of Dahra indicted willingness and a desire to turn to the police but had a prevailing sense that "there is no law." When neighborhood security issues arise, people do not turn to the police or to state or nonstate security providers. Families and neighbors assist each other, often preferring to deal with petty crime issues and disputes among themselves. Interviewees presented colorful realities of what really happens when a security incident arises:

> If we know the man, for example, if it is someone drinking or smoking weed and we catch them we would normally just punish him and let him go. Even if this seems strange. We would punch him in the face first and then send him to the police. Or punch him in the face and then hand them to their family to deal with them. If that person is given to the police it would be seen as bad if we knew them. Usually the family would prefer you to punch him in the face and they would thank you for not going to the police station.
>
> People go inside, they go upstairs and they watch and that's it. No one really resolves issues—maybe just the people in the neighborhood.

Gargaresh

Gargaresh is a neighborhood in western Tripoli with an interesting mix of issues. On the one hand, it is an upwardly mobile major shopping hub, a hive of coffee shops and fancy restaurants with side streets of large villas, lavish compounds, offices of international organizations, and a number of embassies. On the other hand, it is awash with the proceeds of organized crime and home to significant heads and operatives of criminal gangs, imported and local brew alcohol manufacturing and sale, and drug consumption and dealing. As a result, interviewees held mixed views regarding its safety and position within the city.

As experienced broadly across Tripoli and Libya, police are perceived as afraid to leave their stations and maintain low visibility in the streets. Rather than serving as a protection force for citizens, they are seen as withdrawing when issues arise, with one interviewee commenting that "when they hear a shot gun they just leave."

Although thuwar are occasionally called on to assist police, there is a sense of less ketiba presence in Gargaresh than in other neighborhoods, no local ketiba, and less cohesive thuwar neighborhood identity. Integrated thuwar from the ACU, however, see Gargaresh as a core target area for work, with numerous raids on compounds and regular sweeps of alcohol vendors on its side streets.

Al-Hadbha

Spread along the airport road in Tripoli, the al-Hadbha neighborhood is considered predominantly pro-Qaddafi, as a result experiencing some different access of justice and security issues. The local council is run by one of the few anti-Qaddafi, former thuwar from the neighborhood, who expressed frustration with their reputation as a pro-Qaddafi enclave and the repercussions it has.

Al-Hadbha is also associated with drug consumption and drug dealing. One resident noted in frustration that with "99.9 percent of the youth unemployed [and] no infrastructure, the youth have nothing to do, so they used drugs."

Security provision differs markedly in al-Hadbha. The SSC, Libya Shield, and the military are not allowed to enter al-Hadbha. Thuwar have not been integrated into the neighborhood police ranks. Because of the neighborhood's pro-Qaddafi leanings, the population is fearful of thuwar integration and the potential for thuwar groups such as the SSC and Libya Shield to carry out reprisals.

Police are present but lack the numbers and equipment necessary to carry out their job. One resident noted that though other Tripoli stations have had some refurbishment since the revolution, theirs remains in a poor state, remarking that "they have no stationery and the interrogation guy literally has no pen—I gave him mine!"

Filling the security gap, the Youth of al-Hadbha ketiba—al-Hadbha's main ketiba—have become the primary security provider and protection force for the neighborhood. The group operates outside MOI control but under the guidance of the local council, which remains closely engaged with the youth on all security and justice issues.

Although the neighborhood local council relies on some support from the central Tripoli council, the community expressed feelings of isolation and vulnerability within the city. The recent decision to issue new neighborhood identity cards has led to problems for residents seeking to move around the city, noting that certain neighborhoods would be risky to access as an al-Hadbha resident. One incident highlights these feelings. A neighborhood house was set alight in a revenge attack. The Tripoli fire service was called but initially refused, responding, "Let them finish each other off." After arguments with the fire chief, a truck was sent to the scene but with empty water tanks. Three residents died in the fire.

Souk al-Juma

Souk al-Juma is an expansive neighborhood on the east side of Tripoli, lying along the coast and extending inland. Its reputation as an anti-Qaddafi stronghold is now famed across Libya and its role during the revolution garnered it respect and influence within the city. Originally composed of compounds with small family farms and businesses, Souk al-Juma has grown into a bustling hub with a busy weekly street market. Many local families have been resident in the area for generations, creating close societal bonds and a tightly knit community. A number of interviewees noted that the area tends to be more socially conservative than others in Tripoli.

Souk al-Juma provides a particularly interesting case study of justice and security dynamics. On the one hand, citizens reported a higher perceived level of security than in many other areas. On the other, the neighborhood is policed by a number of heavily armed ketibas, one of which, the Nawasi, extends control and patrols all over the city. Though respected by many, the Nawasi are in equal measure feared by Tripoli residents and reputed to use concerning heavy-handed tactics rooted in religious conservatism: "Souk al-Juma is one of the strongest neighborhoods in Tripoli and the consequences are great for stepping out of line."

The Nawasi, the Shuhada, and a number of smaller ketibas are considered the strongest security providers in Souk al-Juma and contribute to security provision within the city. The units also counterbalance city militias such as Misratan and Zintani forces. The Nawasi in particular are a powerful force with large stores of both heavy artillery (including tanks, missiles, technicals, and machine guns) and control of strategic locations in Tripoli. Chief among these is Mitiga, a large airbase with aircraft runways designed to accommodate military and commercial flights. The base is known to accommodate at least one prison, which came under military police control in June 2013.

The Nawasi, like other brigades, joined the SSC as a ketiba and thus most thuwar within its ranks have contracts with the MOI and receive wages from the state. A number of those involved with the Nawasi and other Souk al-Juma thuwar groups have resisted state security integration and consider themselves volunteers associated with a ketiba or a smaller platoon unit. One such interviewee described a concerning vigilante-style role he played, operating patrols around the city, detaining persons for activities such as blowing up a green balloon while praising Qaddafi, young men and women associating together, or consuming alcohol or drugs. Despite having no association with the state, he discussed regularly conducting arrests and using physical force during initial interrogations. Depending on the nature of the case, a decision is made to either detain in a nonstate prison on the Mitiga airbase or hand over to police. One platoon, in discussion

with commanders, took a collective decision to implement its own punishments for unacceptable behaviors, under the belief that "It's a correction. It's not really imprisonment. If we hand them to the police they would go to prison with real criminals." Corrections described for alcohol and drug consumption involved beating, shaving the suspect's head, imprisoning for between a week and a month, and religious instruction.

Perceptions of the police in Souk al-Juma mirror those within the city. Police visibility in the streets is marginally better than in other neighborhoods, though one resident's sentiment that "there's no real point in seeing the police in the street because they're not effective" was echoed by many. To conduct arrests, police coordinate with an operations room on the Mitiga airbase and SSC support is provided. Interviewees noted some positive progress in integrating thuwar into the local police, a process perhaps eased by the removal of Qaddafi-era senior ranking officers from the neighborhood police station. Police expressed their desire for advanced training, better equipment, and broad reinvigoration of the force, moving away from its old institutional reputation. Exemplifying this, one officer who served under Qaddafi and has returned to the police noted that he wears fatigues when carrying out his work "because there is no respect for the old uniform."

The local council in conjunction with houkema is also notably involved in coordination and provision of justice and security in the neighborhood. Because of the more traditional nature of Souk al-Juma society, the local council refers certain incidents to the elders, who are involved in civil and family law disputes, in addition to using interfamily negotiations to contain violence and revenge attacks following violent clashes, murder, or accidental death. As one local said, "Truthfully, they use a mix of law and religion and morals, and the wise men use their own initiative to solve things, and it allows us to contain a lot of problems."

The formal justice system is operational but curtailed by common justice sector problems. Prosecutors experience problems working with SSC, only some of whom have been trained to carry out effective arrests and others of whom "take justice into their own hands." Most cases are referred to the courts in Tajoura, but as in other areas it was observed that "most do not proceed and are postponed. It's going but very slowly. Even simple cases." Justice sector officials have experienced security threats similar to those exprerienced by colleagues elsewhere in the country, noting with a mix of anxiety and cynicism that in modern-day Libya, "It's the one with the long arms that speaks."

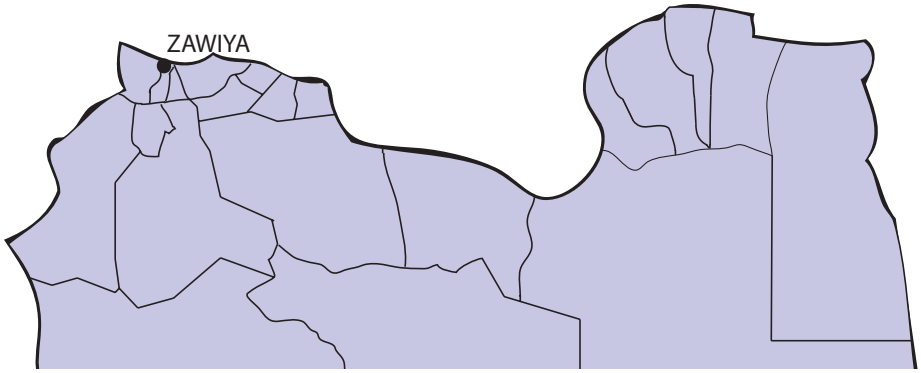
Zawiya

Zawiya, "corner" in Arabic, is a medium-sized town approximately 50 kilometers west of Tripoli, lying along the Mediterranean Sea, with the Nafusa Mountains to the south (see map 6). Zawiya experienced a lot of fighting during the revolution. The city nearly wholesale rose up in February 2011 and ousted Qaddafi forces, only to be retaken in the late spring. It was finally liberated in August 2011.

The effects of decades of neglect under Qaddafi and significant fighting during the revolution continue to plague Zawiya's infrastructure. Community members commonly raised poor infrastructure as a challenge, one interviewee noting it as his primary issue: "the bad infrastructure, the roads, which were broken and smashed or ruined." Others noted frequent power failures. Like other cities in Libya, Zawiya has issues with neighboring towns as a result of historical differences, the treatment of cities by Qaddafi, and the role of cities during the revolution. Clashes have occurred particularly with the Warshafana tribe, which lives to the southeast.

Zawiya is also well known for its large oil refinery. It is one of the only facilities operating at capacity in Libya at present, most other facilities being shut down for long periods because of power struggles involving militia groups.

Map 6. Zawiya



Governance

Following the revolution, Zawiya created a local council tasked with handling local governance issues. The council's role "covers everything that acts as a link between the government and the people in Zawiya." In addition to linking the government with the people, it "acts as a social authority in order to solve all of the problems of the citizens of Zawiya. It acts as an instructional body rather than an executive authority." Finally, it takes individual complaints and works with the line ministries to address the individual needs.

The line ministries also have branch offices in Zawiya, but these currently "have low capacity," and therefore people in Zawiya do not expect them to take action. The primary entity carrying out governance is thus the local council.

Security Provision

The police in Zawiya are currently limited to carrying out administrative functions. They see their role as "collect[ing] information, open[ing] inquiries, investigat[ing] cases, and implement[ing] the law." In addition, they are tasked with protecting key buildings. They are, however, neither fully visible in the street nor viewed as an effective, trusted security provider. Community members noted that they do not carry out regular patrols and are not responsive to the public.

> The police are there. Police stations do their work. But they are not very effective. Either because of lack of training or phobia because weapons are there so they cannot work as normal.
>
> Those policemen were scared to exercise their general tasks. . . . They said "we could not do our work" because they were afraid of being insulted. "We are afraid of retaliation or revenge." For example, if [they] give a ticket to someone, maybe they will retaliate against someone. Their reaction cannot be foreseen. Violence could be expected.

Before the revolution, Zawiya police were largely officers from surrounding areas. Most remained in their hometowns and have not returned to work, leaving a force of fewer than a dozen officers. The remaining few largely identify as revolutionaries, having abandoned their posts and

fought to take back Zawiya in August 2011. Following this, they worked with judges, prosecutors, and lawyers to establish an investigation center, responsible for gathering evidence and compiling cases against conflict-related detainees. The investigation center was run by a mixture of thuwar and police, and was widely believed to have used dubious interrogation techniques.[64] Following the reestablishment of the police, the investigation center has gradually been folded under the chief of police and integrated into the CID, which handles regular felonies in addition to the conflict-related detainees and recapture of released prisoners.

In addition to the police, Zawiya has a relatively small ACU. Established in January 2013, it has jurisdiction over regular criminal cases and felonies, but its focus is on drug and alcohol cases. Zawiya's ACU has a religiously conservative leadership, is made up of former thuwar groups, and has little to no previous training in law enforcement. State control over its actions has been limited, with "most…just volunteers." Police integration of the unit has been limited but there is some coordination.

Zawiya has a military force but "the units in Zawiya are to support the police for riots and things like that." Although in many cities the army units play a significant role in providing local security, they do not within the city of Zawiya. A major base for the Libya Shield is in Zawiya, but it provides security primarily between cities in the west of Libya and along the western border.

In Zawiya, the concept of good, bad, or fake thuwar was a significant topic of discussion among interviewees. Over the two years since the revolution, the positives associated with being thuwar have faded. In Zawiya, individuals largely differentiate between "the real thuwar [who work] for the sake of Libya… [and] fake thuwar…who work only for their own interests." This largely follows the trends in other cities.

Integration of thuwar into the local police has been carried out with relative success. Force numbers were originally very depleted, but now number more than a thousand officers and cadets, many of whom have received basic training in Libya or abroad. Zawiya no longer has an SSC because integration has advanced to a stage where an entity to coordinate ketibas is no longer needed. Units of integrated thuwar, nonetheless, are not seen as professional in how they carry out their roles.

Justice Provision

Zawiya has primary and secondary courts, both located in one main justice building. The judiciary resumed work within months of the revolution, and aimed to begin proceedings for detainees in summer 2012. Initially it was one of the only courthouses in operation, and so covered most of the region west of Tripoli. As other courts are reestablished, its primary and secondary courts are moving back to their traditional geographic scope.

As proceedings in Zawiya got under way, two critical challenges arose—lack of security for justice actors and lack of public support for the judiciary. The combination has resulted in a stalled justice system. Prosecutors and judges have been the subject of a number of serious security threats, one member of the judiciary noting that he was attacked twice while in the courthouse. One community member spoke of his perception: "The first court effective in Libya was in Zawiya. But not very effective. Sometimes cases or incidents took place at the court building. When someone is sentenced, people are not very happy so they interfere with weapons. This is what I have heard."

Community members expressed divided views on the judiciary in Zawiya. Individual "known" judges are trusted, but the judiciary as an institution is seen as corrupt and tainted by association with the Qaddafi regime. Both citizens and members of the judiciary noted that

some judges would need to be removed owing to their ties and actions during the Qaddafi era. One interviewee commented that

> Most of the ideologies of those judges when they issue sentences and try to implement them have the agenda of the past regime, that is, they were biased to some cases. Sometimes there was corruption also and sometimes there was lack of knowledge [as] to how to deal with cases properly, justly, and fairly. All of these can be referred to the bad agenda that used to be applicable in the country for forty-two years.

Justice and security actors and community members alike noted that the courts in Zawiya are not yet fully functional: "The prosecutor is idle because police can't do their job." Members of the judiciary admitted that though approximately 80 percent of cases go from the police to prosecutor and are filed with the court, fewer than 30 percent receive a final decision. The criminal justice system is faring worse than the civil justice system, which has slowed but is processing cases.

Zawiya maintains robust informal dispute resolution mechanisms, which build on the social cohesion within Zawiya. One interviewee noted, "Zawiya is a small city where people know each other.…Disputes are settled, or recognized, by all parties." Informal routes are generally the first resort for an equitable solution; seeking recourse through the formal justice system comes only if resolution cannot be reached informally. The informal system in Zawiya involves three sets of actors: religious leaders, tribal leaders sitting on the shura council, or houkema. The use of shura councils in particular was resurrected during the revolution to cope with emergent justice and security matters. In Zawiya, they are composed of three members from each of the thirty-eight tribes. Community members described the process and its limitations:

> I resort to my father or uncle or elder, if they cannot solve the issue, then [you] go to the Sheikh of the tribe. If no one can reach a solution, then you go to the justice [system] to solve.

> The social solutions only quiet the issues, they don't solve them. We are a Bedouin society. We have always had this. This doesn't contradict with the implementation of the law. Whoever offends the law should be referred to the courts and trial.

The perception of informal mechanisms varies. Most individuals interviewed had a positive view, noting that sheikhs are seen as powerful and able to resolve large incidents. Younger community members tended to have greater reservations. One thought that "their role is not that important. From my experience, they are obsolete now. We used to live with them in ancient times, and they were effective, but now they solve no problems."

Common Challenges

Zawiya does not have a high crime rate. Interviewees repeatedly pointed to drugs as the primary underlying reason for the crimes that do occur—whether homicide, robbery, or property crimes. One interviewee notes that "90 percent of crimes, especially murders, are by drugs—the pills—and alcohol."

Given the extent of violence in Zawiya during the revolution and the high participation rate of its citizens, trauma and post-traumatic stress disorder (PTSD) are common: "Youth have been traumatized from the war. [They] have not been psychologically evaluated or even interviewed by psychologists." In addition, an increase in drug consumption was aligned with trauma. As in other parts of Libya, interviewees highlighted the lack of available services to deal with trauma.

Women from Zawiya generally expressed happiness with their new independence and freedom, observing nonetheless that "harassment is always there." As broadly experienced in Libya, access to justice and security for women tends to be through the male members of the family.

Weapons

Almost all individuals interviewed in Zawiya noted that either they or their families owned weapons. Views of weapons ownership varied. Many observed that weapons significantly contributed to insecurity, small disputes often escalating to arms use given ready access. On the other hand, many believed that ownership levels and carrying weapons openly in the street had declined, and that heavy weapons had mostly been secured.

> Generally speaking, I think the situation is good and I think the number of arms and weapons is getting less and less, especially for ammunition and heavy and medium-sized weapons, guns and artillery.
>
> Most weapons are found in safe hands. For example, our brigades don't show their weapons. They are kept under lock and key. As for weapons, let me clarify, you mean weapons owned by the people. There aren't many anymore.

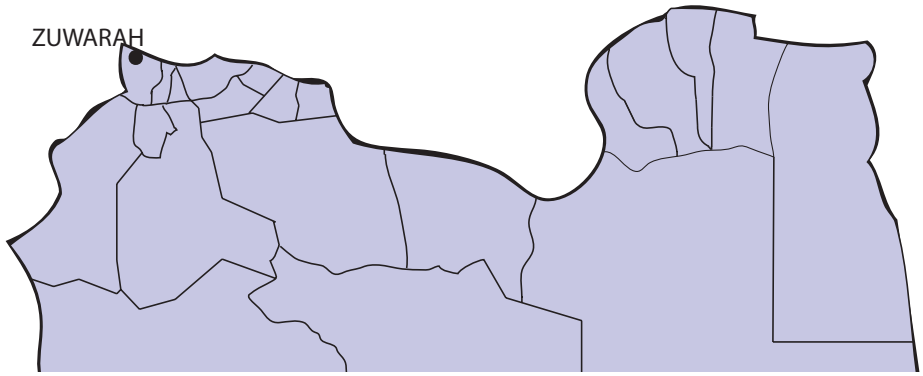
Zuwarah

Zuwarah was one of the first towns in Libya to join the revolution, with its local military outpost opening weapons depots to the thuwar. Couched between the Libya-Tunisia border and with 90 kilometers of Mediterranean Sea front, Zuwarah's geography, ethnic makeup, and history have brewed an interesting set of security and justice challenges (see map 7).

Zuwarah is an Amazigh-majority town, and conversely a minority in Libya. One resident commented, "We are Amazigh, the culture, language, and traditions of Zuwarah are different from others in Libya in general." Zuwarah consists of a small population representing seven tribes. Amazigh are generally Muslim, but a significant number identify as atheist. Under Qaddafi, Zuwarah and Amazigh traditions were maligned. These ills may have served to unite Zuwarans and Libya's Amazigh, as an interviewee remarked: "Qaddafi tried to oppress Amazigh culture, so this made us closer."

The location and geographic history of the town are other vital components of Zuwaran identity—especially regarding relationships with surrounding majority Arab towns, including Rigdalin and Jamil. Zuwarah joined the revolution almost immediately, but the surrounding towns were Qaddafi strongholds and among the last holdouts as the revolution progressed. The conflict intensified differences between Zuwarah and its neighboring cities, resurrecting historical grievances and mistrust related to land distribution.

Map 7. Zuwarah



Skirmishes between Zuwarah and neighboring towns have broken out a number of times since the revolution and at present a brokered peace is in place. The complex dynamics between Zuwarah and its neighbors, however, led to significant insecurity for the people of Zuwarah: "At any moment we are expecting war because of all the pressure we are getting from the neighboring cities, and if the government doesn't find a solution for this there will be rivers of blood and we are ready for war at any time."

Governance

The primary governance body in Zuwarah is now the local council, the town's military council having dissolved. Although Libyan ministries in theory have line departments in towns around Libya, the departments in Zuwarah are either weak or not operational. The council established itself in September 2012, originally consisting of seven members and taking on the majority of governance and decision making for the town of Zuwarah.

The council plays an important justice and security function, stepping in to resolve local disputes, addressing wounded warrior complaints, working with the central government on governance and security gaps, and overseeing the local ACU, including supplying funds, inviting new members, and at times issuing commands. Its other core duty is providing services to the community, the local council funding efforts to clean up the beaches for families to enjoy. Other small projects include empowering a group to conserve and protect rare turtles on a nearby island.

Security Provision

Unlike in other towns studied, the perception of Zuwarans is that their main security threats are external rather than internal. In terms of security providers, Zuwarah maintains a police force, army brigade, ACU, and thuwar. Although each entity contributes to security, the most trusted mechanism is the ACU.

The police in Zuwarah cover the geographic region within the city limits and carry out investigations, issue arrest warrants, make arrests, and provide witness appearance requests. Following the revolution, the police role has been significantly curtailed: "The police are not active—even here we can't control people, but police are weaker than the militia, who have to help the police." They face difficulty carrying out basic duties. "We face problems for example if we send police to bring someone it is difficult for them to [arrest people] or even [obtain] witnesses for investigation. The police are not at full capacity."

Before the revolution, the majority of officers and cadets within the police service of Zuwarah came from surrounding towns: "People working in the office here were from Jamil and Rigdalin. So now people here are all new." Following the revolution, those from neighboring towns did not return to work, leaving a police force of just eight officers. Over the past two years, the force has grown to sixty men, largely from integrated thuwar, but they lack training, equipment, and knowledge of proper procedures. One individual noted the reason they "distinguish between the police and other units [is that] the general look of people towards the police will take time to change because all of what they did in the old regime." Thus, as in other locations, the police are largely limited to writing and filing paperwork at headquarters.

Zuwarah maintains a volunteer-based ACU known locally as the Masked Men after they adopted black ski masks to disguise their identities during operations. Beginning in January 2013, youth and the local council developed a unit of approximately a hundred people to improve the security situation in the absence of an effective police and army. Officially, the Zuwarah branch

lies under the authority of the MOI and the ACU in Tripoli. In reality, however, they are primarily controlled by the local council, which "made and has supported the group financially since February 2013."

To recruit for the ACU, the local council took

> three months [to] choose respectful people; and it is a secret selection. The person could find a letter on their car, it will tell them to call the number listed if they want to join the masked group, and if not they must rip up the paper and not speak of it.

The local council took strides to recruit a diverse group, which they have found removed familial identity issues and created a unit that reflects the diversity of the town. Although the ACU is an enthusiastic and diverse mix of the population, its members are also primarily youth, students, and young professionals with little to no training in law enforcement.

The ACU's role often overlaps with that of other security providers. It secures buildings, prevents crime and intertribal fights, and handles cases involving weapons. After completing an operation or arrest, the ACU will take suspects to the police station to open a case, whereupon the police carry out the paperwork and relay information to the prosecution service. One comment often made was that the procedures taken by the ACU or even thuwar do not matter once police create the formal report. This situation raises criminal procedure issues, potentially empowering the ACU and thuwar to violate procedures under the notion of absolution once handover takes place.

Although its members have little to no training in law enforcement, the ACU is broadly seen as the most effective security unit within Zuwarah. Having little faith in old policing structures, some see this force as a possible "solution for Libya…or at least for Zuwarah," whereas others, including the local council, are quick to note that the group is merely an interim measure until the state can establish security through the police and army. Although some plans have been made to integrate the ACU into the local police, no concrete progress has been made, and the two remain separate and operational.

Given Zuwarah's strategic location along the border with Tunisia, Army Brigade no. 105 has long been posted there. Before the revolution, it had a skeleton staff. Over the past two years, however, the army has slowly begun to rebuild itself within the new security sector, integrating two of the main ketibas in Zuwarah into the command structure of Army Brigade no. 105, bringing numbers to more than a thousand men. The brigade receives commands from the chief of staff of the army. Whereas the role of the army before the revolution was protecting Libya from external threats, Army Brigade no. 105's role is now the security of the town of Zuwarah. The role has been pared back to controlling the city borders, protecting zoned areas (such as the chemical plant or health clinic), and coordinating with police following security or criminal incidents. Given the challenges with neighboring towns, as well as the location along the border, the men protecting the gates generally focus their time on preventing illegal checkpoints, often set up by criminals attempting to rob or carjack individuals along the highway, and checking cars for illegal or trafficked goods. The army views itself as an integral component to security in Zuwarah, but community members do not.

Within Zuwarah, the thuwar continue to carry out security functions beyond those carried out by state bodies. Their role, however, is relatively limited, and they mainly step in to carry out arrests for the police when and where called upon. They continue to work from and maintain their own ketiba base within the town. Within the thuwar ranks are a number of known criminals from the town who were released during the revolution and then recruited to join. Zuwarans noted that their intent was to restore social cohesion and contain criminals by providing them

roles in security provision, also encouraging them to use their knowledge of criminal activity in the area to instead combat illegal smuggling and rebuild the state.

Because of four security actors operating with similar or competing roles, the security space within Zuwarah is crowded. Actors noted that they have standing weekly meetings, all coordinated through the chief of police. However, when an incident arises there is in fact little real coordination. "If a bang [explosion or violence] happens, they all go to the same place to respond." There is neither a clearly established role nor any line of authority of the security actors within Zuwarah. In conversations, the police noted that the ACU falls within the chief of police's jurisdiction, but that the ACU identifies its command structure as the local council and head ACU office in Tripoli.

Justice Provision

Zuwarah houses a primary court, addressing small civil and family disputes, and in theory some misdemeanor cases. Courts in nearby al-Jailat and Zawiya handle any larger crimes or civil cases. There is no prison in Zuwarah, although a limited number of holding cells exist at the police station. Zuwarah has three prosecutors working with law enforcement authorities on minor felonies and misdemeanor crimes. The main types of cases are traffic accidents, small fights, administrative cases, land registration problems, and alcohol offenses, with prosecutors referring the majority of cases to the courts in al-Jailat.

Given Zuwarah's size, it neither historically nor currently houses a criminal court, meaning that transfer of detainees is an issue. Suspects are generally held in holding cells in Zuwarah for up to three days during investigation, at which point they are transferred to the court and prison in al-Jailat. Individuals cannot be held at the police station jail because it is not secure enough, nor would police have the capacity to withstand attacks. Instead, the thuwar or ACU detain the suspects, keeping them in unofficial jails and providing a statement to police to create the official report.

From April 2011 to January 2013, all suspects had to be taken to Tripoli or Zawiya because the roads between Zuwarah and al-Jailat were too insecure and the court was not yet fully operational. Since January 2013, a number of cases are now transferred to al-Jailat, but there does not seem to be a set protocol or factors that determine whether someone is taken to al-Jailat or to Zawiya. As noted in the Jamil case study, al-Jailat is also significantly backlogged and not fully active.

Consistant with Zuwarah's homogeneous ethnic composition and small town nature, residents repeatedly noted that social cohesion and exerting the right social pressures are important in coping with justice and security incidents. Informal dispute resolution of this nature was listed as used in all cases, whether civil or criminal, and by almost all actors. The use of informal mechanisms to address disputes and crimes counterbalances challenges faced within the formal criminal justice process, many interviewees noting that they would rather inform family or teach the offender a lesson than risk sending them to prison, where they might get stuck in the system and learn criminal behaviors:

> If anybody does anything unacceptable he will know that he will be punished for what he will do.
>
> If there was any problem in Zuwarah, it will be dealt [sic] with really quickly because Zuwarah is one big family.
>
> There is security not because of the government, but because everyone knows everyone here.

Elders and religious leaders play a limited role in resolving disputes in Zuwarah:

> There are two cases that go to them: minor cases go to them to resolve socially without causing additional problems, and social problems like divorce, especially with Sharia cases. These go to elders and religious people. If they can't solve the case, [the court is] the ones with the official powers. But major cases [the court] work[s] on alone.

The local council also self-describes itself as being "responsible for any disputes that come up." In addition to addressing disputes within Zuwarah, council members are also working with other mechanisms to address the disputes with neighboring towns, admitting, however, that they "don't have a solution."

Common Challenges

As noted, external security threats from sporadic violence and tension with neighboring towns remain the key concerns of Zuwarans. Many remarked that Zuwarah is like a shell, everyone inside protected and safe, yet susceptible to external threats. Rumors prevail that pro-Qaddafi sleeper cells still exist in neighboring towns, but many people feel that their individual, city, and national security are threatened, and thus resist disarmament.

A second challenge is violence targeting key landmarks. The primary target is the Mleita chemical factory. In March 2013, a large firefight went on for several days between the Zintan-related Qaqa brigade and Zuwarah security actors. More recently, Zuwarah residents have been controlling the factory and preventing it from producing products as a political message.

Youth unemployment and underemployment also contribute to justice and security challenges. Since the revolution, many youth view freedom as the ability to have anything they want and resist the authorities and any duties imposed on them, including Qaddafi-era laws. The mix of frustration and access to weapons has occasionally contributed to the escalation of simple, small-scale incidents into larger fights and insecurity. It has also manifested in an increase in alcohol and drug use by youth.

Libya remains a notably traditional society and women do not have the same freedoms as men, though most women feel that they have equality. Zuwaran women bear some additional pressures because of the Amazigh culture and traditions. Women who marry outside of Zuwarah, unless to an Amazigh in another community, risk being banished by their tribe.

Weapons

Zuwarah is proud of its reputation as safe and secure within town borders, and weapons are no longer carried publicly. Heavy weapons in particular are under the control of primarily the army, thuwar, and ACU. Small weapons, including AK-47s, SPG-9s, RPGs, and both 23-millimeter and 14-millimeter pistols, remain abundant, though people generally leave them in their homes. This is largely credited to work by the ACU, which pushed to detain anyone carrying or using a weapon.

Appendix 2. Objectives, Methodology, and Research Challenges

Research Objectives

The overall objective of this report is to provide national and international policymakers with the information, ground truths, and data they need to improve justice and security in Libya. By understanding the system as it currently functions and asking citizens to explain their views, needs,

and hopes, a true consultative process of change can begin prioritizing, shaping, and implementing a new justice and security system for a free and democratic Libya. The report aims to

- provide information on the plurality of actors and mechanisms currently delivering and controlling justice and security in Libya;
- increase knowledge and understanding of how Libyans perceive, assess (in particular in terms of legitimacy and efficiency), and use various actors; and
- improve understanding of the main justice and security issues ordinary Libyans face and how they attempt to frame and address them.

Fieldwork Methodology

This report is based on a mixed methodology of quantitative and qualitative data, including a nationwide survey, semidirective interviews, and focus groups across Libya. It is also augmented by staff observations over the two years of study in the country.

The U.S. Institute of Peace (USIP) has been implementing programming in Libya since 2012. Rule of Law Senior Program Officer Fiona Mangan and consultant Mark Shaw conducted comprehensive assessments of prisons and organized crime in the country. The information gathered through these other projects backs this research on perceptions and systems of justice and security.

Nationwide Survey

To measure public perceptions of security and firearms in Libya, USIP and the Small Arms Survey subcontracted the Gallup organization to carry out a nationwide household survey of 1,506 people age fifteen and older. The survey used face-to-face interviews at the respondents' homes and was carried out between June 22 and August 4, 2013. A local partner—Diwan—administered the survey under the supervision of and following training by Gallup and the Small Arms Survey. The sample was a probability-based clustered sample covering all areas of Libya; the sampling units were stratified by geographic region. The results presented were weighted for geographic region, gender, and age.

Results are valid within a statistical margin of error, also called a 95 percent confidence interval. This means that if the survey is conducted one hundred times using the exact same procedures, the margin of error would include the true value in ninety-five of the hundred surveys. Given a sample size of roughly 1,500 (i.e., for results based on the total sample of adults), the margin of error for a percentage at 50 percent is about ±2.5 percentage points. For results based on subsamples in terms of sociodemographic characteristics (such as gender, age, and level of education), the margin of error varies between ±3.5 and ±6.5 percentage points. The results by geographic location (three largest cities, other urban areas, and rural areas) are based on the smallest subsamples. This increases the margin of error to about ±8 percentage points; some caution should therefore be exercised when interpreting the results of this survey in geographic terms.[65]

Semidirective Interviews

USIP Consultant Beatrice Pouligny assisted with the design of the semidirective interview (SDI) methodology, which included eight interview guides for different types of actors in the justice and security systems. Actors interviewed include the following:

City- and neighborhood-level providers

- city council
- neighborhood council
- policemen
- police chiefs
- judges
- prosecutors
- lawyers
- civil society
- journalists
- national military
- local military
- Supreme Security Committee
- militia/thuwar
- sheikhs and imams
- elder

Users

- inhabitants (male and female) from a broad range of sectors and socioeconomic groups
- youth
- elders
- victims of crime
- SDI interviewers

Initially, through development of the SDI methodology, a group of seven male and female Libyan researchers were selected and trained to conduct interviews. They conducted a portion of the interviews. Researchers originally worked in tandem with USIP Rule of Law staff to conduct interviews in all locations (see Challenges section for more information). USIP staff from Washington, D.C., then completed the research and conducted approximately one hundred additional interviews between May and August 2013.

SDI Questions

The structure of the interviews was semidirective in that interview guides were provided with questions specific to different actors. Interviewers then adapted the guides and questions based on each interview. At the outset of each interview, we introduced USIP's work and purpose in Libya. A sample of the questions explored throughout the SDIs follows.

[Personal or professional role]

- Would you mind sharing how it is to work today as a [job/role] in your area today?
- What are the main challenges you face in your work?
- Do you feel personally safe carrying out your role/job?
- Who are the main people you interact/work with in carrying out those functions?
- What are the main difficulties you encounter when interacting with the main justice and security actors?

[Militias]

- Do you have any interaction with militia members? How so?
- Do you think that these militias operate/work with the state authorities, or independently?
- Do you think militias/militia members are contributing to or detracting from security? How so?
- Do you think people would feel safer if they disbanded?
- In your opinion, should they remain or be disbanded?
- How do you view the justice system? Police? SSC?

[Justice and legal framework]

- Is the justice system effective?
- What type of legal framework do the justice and security actors refer to in their work? Is it adequate?
- Have you faced any interferences or pressures from other actors or know others who have? What happened?
- Corruption is an issue in many countries; do you feel it plays a role in justice and security in Libya today? Have you personally been confronted with a situation of corruption?

[Security and safety in the city]

- How has your neighborhood or city changed since the revolution?
- Do you feel safe in your city? Neighborhood?
- Do you view some parts of your city or neighborhoods as safer than others? Which parts?
- Which neighborhoods are considered safer and what makes them so safe?
- What are the main concerns in terms of security in the city?
- Have there been any security problems for you recently?
- What would you consider to be a crime?
- What types of disputes or other civil issues are common in your neighborhood/city?
- If a crime is committed in this city, how likely would you say it is that those responsible will be found and punished?
- Have you been a victim of a crime?
- When incidents happen, whom do you go to? Who shows up?
- Who carries out arrests?
- What role do the police have? Other actors?
- What will they do to handle the issue?

[Arms]

- Are there many arms circulating in the city? Your neighborhood?
- Do you feel there are too many or too few arms?
- Has the revolution had an impact on this, and how would you describe it?
- How often are weapons used in acts of insecurity?
- What types of weapons are used?
- Do you own weapons?
- Do you feel it is necessary to own arms?

[Closing/Future]

- What do you think should be the top priorities of the Ministry of Justice and Ministry of Interior?

To providers of justice and security services:
[Chain of command]

- Whom do you report to?
- How do you see your superiors? Do you trust them?
- Do you see your superiors as role models? Can you explain?

[Cases/Role]

- What type of cases or issues do you address? How do you proceed?
- Whom do you work with?
- Do you feel safe in carrying out your role?

[Closing/Future]

- Do you envisage a need for a different model of justice and security in Libya? If so, what features would that have?

Focus Groups

The focus groups were designed to be used for a range of relevant justice and security stakeholders, including youth, women, police, thuwar, and other community members. Each group generally consisted of between five and ten participants.

After designing the focus group methodology, USIP consultants Beatrice Pouligny and Moncef Kartas formulated and implemented a five-day focus group training that took place in Misrata. Ten Libyan women and men from across the country were trained, and developed into a cohesive team of group facilitators.

Focus groups were conducted between July and November 2013 in Jadu, Misrata, Sebha, Tripoli, Zawiya, and Zuwarah. Each focus group was led by two facilitators and had at least one notetaker present specifically to observe and write. Facilitators began focus groups by laying out some ground rules and using an icebreaker question to encourage safe and respectful communication among participants. Facilitators used a variety of activities and questions to lead discussions on justice and security.

A sample of the type of questions explored throughout the focus groups follows:

- What are the obstacles to security in your city or area? In Libya?
- Can you give an example of a recent security incident?
- What does justice mean to you?
- Are the courts and judges active?
- Whom do you go to and why, if you feel unsafe? If you are a victim of a crime? For security incidents? To obtain justice?
- What role do the police have? Other actors?
- Do you have other security actors in your city? Who are they, and what are their roles?
- What would you like to see change in the future in your neighborhood or city and Libya generally?
- What differences do you see with security in the postrevolution era?
- Are there certain places you cannot go, or places that are considered unsafe, in your city?

- Do you feel comfortable going out with your family, to the beach? Late at night?

All focus group participants gave feedback that they felt comfortable, greatly enjoyed the discussions, learned a lot, and would like to see more focus groups conducted.

Research Challenges

Gathering information on justice and security in Libya was not without its challenges. Delving into the complexities of state and nonstate security provision, interviewing members of armed groups, probing attacks on judicial staff, and simply visiting communities whose residents may feel inhibited or concerned to be seen sharing their thoughts with outsiders—whether Libyan or non-nationals—are all aspects the team took very seriously in program design and adaptation.

Research challenges can be broken into four broad categories: sensitivity of research, retention of local researchers, translation, and security impediments.

Sensitivity of Research

The themes and questions explored in the interviews and focus groups are sensitive topics in Libya. Selecting research participants and arranging times, dates, and discreet locations for interviews were important factors to consider. In the case of some prospective interviewees, how they would be seen if speaking to community outsiders or foreigners was of great concern. For a variety of reasons, women, victims of crime, and judges were particularly hard to interview.[66] Significant precautions have been taken to ensure the confidentiality of interviewees and protection of data.

Retention of Local Researchers

A mixed group of local interviewers were selected and trained to carry out the research. Retention of these researchers was a core challenge. Although project requirements were laid out up front, when work began, Libyan interviewers were often either unable to travel or uncomfortable with traveling to certain cities. This response is natural, given Libya's complex alliances and security dynamics. For example, sending an interviewer of Zintani origin to a former Qaddafi stronghold such as Jamil would neither be safe for the researcher nor likely to elicit good interview content. Similarly, female Libyan interviewers sitting alone with male interviewees can be problematic. Additionally, although enthusiastic to begin with and confident that they were comfortable with the nature of the work, interviewers dropped off the research team out of concern for their personal and family safety. Interviewees were given the option of speaking to either a foreign interviewer (through a translator) or a local Libyan interviewer. Interestingly, most preferred to speak to the foreigner. All these factors were given careful consideration and the methodology adapted accordingly. For these reason, and to avoid delays in the research, the majority of the interviews were conducted with the assistance of translators.

Translation and Interpretation

Working through translators always presents challenges in gaining strictly literal translation rather than edited or corrected interpretations. Obtaining reliable translators to assist interviewers was challenging. Translators were not always neutral, and some tended to interject commentary and personal opinions in the midst of interviews. We overcame this challenge by taking time to carefully explain translation needs and to not work with translators ill-suited to the project.

Security Impediments

Security risks and incidents placed some limitations on mobility in carrying out research in Libya. Security particularly affected data collection in Benghazi, Sebha, and Jamil:

- Benghazi. Throughout the research period, serious security incidents in Benghazi, including the deadly attack on Ambassador Chris Stevens and fellow Americans at the Benghazi compound, as well as assassinations of key security and justice actors, limited research possibilities for that region. A full Benghazi case study was therefore not possible.
- Sebha. While conducting research and staying in Sebha, Fiona Mangan was affected by a car bomb that exploded in front of her hotel—one of three detonated in the city that day. Travel to the southern regions has since been further restricted. Thus the Sebha case study represents only partial coverage of the actors intended to be interviewed, but focus groups and earlier research trips were used to augment interview data.
- Jamil. Finally, following trips to Jamil, USIP was informed by key local informants that people were suspicious of USIP's research on justice and security. USIP staff were advised not to return to Jamil for a while.

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65. In addition to sampling error, question wording and practical difficulties in conducting surveys can introduce error or bias into the findings of surveys; these error sources would also inflate the margin of error.
66. Researchers were informed that judges had been ordered not to speak to foreigners after ICC interference in the cases of Abdullah Senussi and Saif al-Islam Gaddafi.

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Three years after the revolution that toppled Qaddafi's repressive regime, Libya continues to struggle to reassert the rule of law. Violence is on the rise and political groups increasingly turn to the power of the gun to make changes, stalling the security and justice systems from reforming. Security providers grow more numerous, overlap, and compete, feeding feelings of insecurity among the population. Both state and nonstate dispute resolution fail to meet the needs of Libyans, and thus self-help and vigilante justice are on the rise. Many Libyans see no end in sight. This report tracks security and justice from its existence before the 2011 revolution, the transition during the revolution and postrevolution period, and the realities of security and justice provision today and its impact on ordinary Libyans.

Related Links

- *Customary Justice and the Rule of Law in War-Torn Societies*, Deborah Isser, ed. (USIP Press, 2011)
- *Illicit Trafficking and Libya's Transition: Profits and Losses* by Mark Shaw and Fiona Mangan (Peaceworks, February 2014)
- *Detention Standards and Non-State Armed Groups* by Bruce 'Ossie' Oswald (Peace Brief, July 2013)
- *Security Sector Transformation in the Arab Awakening* by Donald J. Planty (Special Report, September 2012)
- *Security Sector Transformation in North Africa and the Middle East* by Mark Sedra (Special Report, November 2011)
- *Stakeholders of Libya's February 17 Revolution* by Susanne Tarkowski Tempelhof and Manal Omar (Special Report, December 2011)

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