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## Political challenges facing state building in Libya "An analytical study for sovereignty and legitimacy after Gaddafi era

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### Abstract

This paper is mainly devoted to outline and describe the challenges facing stability in Libya as a case study since 2011 revolution uprising crisis in general, and those hindering state building in particular that may be collectively mentioned and summarized in security stability, political, economic and social challenges.

The main causes of those challenges also discussed in terms of sovereignty and legitimacy drawbacks that mean incomplete and fragile institutional construction and efficiency especially concerning its legality versus legitimacy, the role of outsider interventions that came to play a something role throughout the conflict and deepen the division between different Libyan partners opinions, and then economic corruption behaviors extended since Qaddafi era that lead to – with the aid of security shortage – to the state fragility that featured in lacking in administrative, social and security capacity.

Finally, discussing the opportunities of establishing safety, economic encouragement and social welfare through the integrated cooperative efforts of the national and international revilers through enhancing the economic, political, and social drivers in Libya.

**Keywords:** Libya, Qaddafi era, security challenges, state building, state fragility, intervention. Tribal, rivalries, regional rivalries

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### 1. Introduction

By considering Libya as a case study, this research article seeks to deeply discuss the State-building in Libya after 2011 and how does this process fit the idea of postmodern theory. In more details, Libya's historical accumulative situation that lead to the crash down point in 2011 that consequently ended by NATO intervention, State-building challenges in terms of external and internal circumstances, and how did the intervention players failed to address the huge and complicated challenges of nation-building in Libya.

Those challenges were primarily originated from and mainly rendered to the wrong estimation and improper realization of the international policy-makers and actors that the ability to overcome the conflict reasons is something completely different than bringing and establishment long-lasting stability to the state. The issue that was clearly identified in the Libyan case since 2011 onwards where the Western NATO forces - that were activated by UN Security Council Resolution 1973- made mistakes that was already identified after earlier nation-building attempts. The action that could be understood as a type of "postmodern imperialism" when one asks himself; how the operation was carried out? And why the Western reluctance later on refers to?

### 2. Political Background of Libya

During the monarchy era (1951-1969), the tribal governance in Libya was the known and well established ruling figure that is characterized by antagonism. During that time, the country was divided into three regional provinces - namely, Tripolitania, Cyrenaica, and Fezzan -Nevertheless, the monarchy.

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“Did little to smooth over the mutual suspicions that” lead to that division (Vandewalle, 2012) <sup>[1]</sup>.

After his military coup in 1969, Qaddafi did nothing towards this pattern of governance, i.e. continue body politic like the Monarchy rule. Moreover, Qaddafi’s depended mainly on the tribal leaders as the actual and deeply influencing manpower, the pattern that in turn considered as a type of non-governmental forms of organization, this behavior lead to the protrusion of tribal character increasingly to be manifested, the issue that resulted on the long run time in weaknesses and even the absence of formal traditional institutional governance in Libya. (Zoubir and Rózsa, 2012) <sup>[2]</sup>.

By the way and according to the national and international political standpoint of view, the ruling policies of Qaddafi how ruled the country for a long period of time, was criticized by the West that the major title that Qaddafi “ran an authoritarian and repressive regime” (Payandeh, 2012) <sup>[3]</sup>. This type of repression was obviously noticed during 2011 popular uprising in Benghazi where he reacted brutally, promising to crush the rebellion without mercy (Zoubir and Rózsa, 2012) <sup>[4]</sup>.

### 3. The central dogma in Libya

Since the overthrow of Gadhafi in 2011, Libya has faced by different challenges in spite of the presence of basic elements needed for the functional economy and governance, but still suffering very weak central institutions and misconnected local arrangements. Instead, militias and other local and foreign factors compete for the rich resources of the state. This figure of tension resulted in a disarranging status in Libya, the status representing a risky source of terrorism, a pivoted way for unregulated and unauthorized migrants to Europe, state of greater foreign interconnected interfering factors.

Consequently, the central dogma in Libya could be summarized in; Preservation of Libya’s unity and national sovereignty based on a consensus constitution taking into consideration the local and cultural differences and decentralization control, strong local governance, rational and effective democratic governance based on competences and direct transparent elections rather than tribal or regional affiliations, strong and unified security and military institutions based on national values, preserving of the national resources against corruption behaviors, balanced, fair and justified distribution of resources and sustainable development, and finally achieving the national reconciliation based on Libyan values and demands of justice <sup>[5]</sup>.

### 4. Libya as a fragile state

Although there is no commonly approved standard criteria for measuring and assessment of the ideal strength of state institutions, but instead, it is considered to be a case by case evaluation, i.e. according to the most ambitious functions of

countries they seek to perform, and how they are efficient in terms of what their governments accomplish the planned tasks, this could be viewed as the functional approved measuring index (Fukuyama, 2004) <sup>[6]</sup>.

Similarly, concerning the strength of various states rating’ overall institutional functionality like the ability of legalizing rules and framing and executing policies, administering the public business efficiently, controlling corruption, approving transparency and accountability in governmental institutions; and enforcing laws, all this parameters should be occasionally assessed also to evaluate the strength of state and governmental institutions (Fukuyama, 2004) <sup>[7]</sup>.

By the way, some countries attempt experiencing governance tasks like running a non-official business, while at the same time failed to provide the basic public needs and goods or to some extent the public infrastructure, the figure that may coincident with Libyan case that is characterized by a four decades of unfamiliar situation that in turn lead to categorizing it as an authoritarian state, the later mentioned situation properly lead to the crash down point in 2011. This “an authoritarian state” could be explained in the light of claiming a monopoly on the use of force that somewhat feed the expression of future conflict because there is no clear accountability, as the true liberal state is ultimately founded on the base of social contract between rulers and the population, whereby the state serve to perform the main core functions including security, welfare and representation (Krause and Jutersonke, 2005) <sup>[8]</sup>.

On the other hand, Libya State fragility represents the primary reason for international intervention. Based on this condition, western intervention makes use of this situation and call UN for covering and supporting the intervention process.

By the time, NATO intervention in 2011 resulted in a new African suspected failed state. As it was mentioned during and after the revolution that “Libya would become the world’s next failed state, as a result of the tribal and regional rivalries and corruption by both oil money and the same divide-and-rule politics that had kept the previous regime for over four decades,” (Kuperman, 2015) <sup>[9]</sup>. Those all factors consequently lead in part to the failed state without a strong government or institutions that keep peace and order (Vandewalle, 2012) <sup>[10]</sup>.

At the end, one can say that; a deep vision on the political situation in Libya from liberation till now revealed that the country division during monarchy period, Gaddafi tribal dependence governance and authoritarian rule in addition to oil resources corruption, post Gaddafi NATO intervention and finally the international and regional rivalries, all this factors lead to the creation of the fragile and unstable case state.

<sup>1</sup>Vandewalle, D. (2012). After Qaddafi: The Surprising Success of the New Libya. *Foreign Affairs*, 19(6), 8-15.

<sup>2</sup>Zoubir, Y. H., and Rózsa, E. N. (2012). The end of the Libyan dictatorship: the uncertain transition. *Third World Quarterly*, 33 (7), 1267-1283.

<sup>3</sup> Payandeh, N. (2012). The United Nations, Military Intervention, and Regime Change in Libya. *Virginia Journal of International Law*, 52 (2), 355-403.

<sup>4</sup> Zoubir, Y. H. and Rózsa, E. N. (2012). The end of the Libyan dictatorship: the uncertain transition. *Third World Quarterly*, 33 (7), 1267-1283.

<sup>5</sup> The Libyan National Conference Process: Final Report. (It was hold under the auspices of the Centre for Humanitarian Dialogue in Geneva at the request of the United Nations mission in Libya).

<sup>6</sup> Francis Fukuyama(2004); The Imperative of state building, *Journal of Democracy* · April 2004

<sup>7</sup> Francis Fukuyama(2004); The Imperative of state building, *Journal of Democracy* · April 2004

<sup>8</sup> Krause, Keith and Oliver Jütersonke (2005), ‘Peace, Security and Development in Post-Conflict Environments,’ *Security Dialogue* Vol. 36, No. 4: 447 – 461.

<sup>9</sup>Kuperman, A. J. (2015). Obama’s Libya Debacle: How a Well-Meaning Intervention Ended in Failure. *Foreign Affairs*, 94(2).

<sup>10</sup> Vandewalle, D. (2012). After Qaddafi: The Surprising Success of the New Libya. *Foreign Affairs*, 19(6), 8-15.

## 5. Theoretical Principles of State-building

For peace to be consolidated in any country there needs to be an effective central state body structure inside the territory. Despite a lot of discussion in the field about the actual meaning of statehood, many scholars drawing on the widely accepted Weberian conception and classical definition where the state is the "A collection of institutions and a human community that successfully claims the monopoly on legitimate authority and use of physical force over a given territory" (Weber, 1919<sup>[11]</sup>; Call, 2008<sup>[12]</sup>).

However, this definition misses crucial elements of post-WWII statehood, especially when applying a nation-building perspective. i.e., successful statehood is built on more elements than just collective security elements.

Five of these components could be outlined in such a manner that; the first element pairs up with Weber's definition that a state needs to be a coercive force. Second, the state needs to be an embodiment of a theory of justice. It needs to appeal to norms about right and wrong ways to use state authority. It should be able to validate its actions and the state's views need to be recognizable for their citizens (Miller, 2013)<sup>[13]</sup>.

Third, a state needs to be a contractor for goods and services, i.e. they should provide infrastructure and effectively collect, administer and spend common resources. Fourth, the state should be aware of its proper economic function. It should collect resources and make use of it effectively. As the state performs in this regard well, the more prosperous the society will be (Miller, 2013)<sup>[14]</sup>. Since economic welfare can catalyze all other societal processes (Cullather, 2002)<sup>[15]</sup>. Fifth and final, a state needs to be a tool that serves human life (Miller, 2013)<sup>[16]</sup>.

The basic fact of the idea of modernization (i.e. classical Western idea) say that traditional and modern societies are fundamentally different in nature. But, at the same time, "all societies historically travel towards the same destination of modernization, even though they are moving at different paces". In addition, and by taking into consideration the personal achievements, individual gains would stimulate creativity and innovation, leading to a more prosperous community. Also, free media will be developed due to the enhanced creativity that would also bring a change in the collective mindset of the population. All these developments would further accelerate political and economic improvement (Latham, 2011)<sup>[17]</sup>.

It is clear, however, that obstacles surely will arise during the transition towards modernization. It seems that Middle East countries would haven't the patience to go through the same historical 'process' as Western societies did, causing that the

Middle Eastern countries would want to do it their own way (Lerner, 1964)<sup>[18]</sup>. Or, as they were drawn toward new routes and risky by-passes, it would be crucial for the West to guide volatile Middle Eastern societies along the correct route to modernity, "Lerner said".

## 6. State building in Libya

### 6.1 First: State building during Gadhafi rule

State-building by the meaning of "creation of new governmental institutions and strengthening of the existing ones is a crucial issue for the world community. The concept that was stamped as "actions undertaken by international or national actors to establish, reform, or strengthen the institutions of the state and their relation to society" (Call, 2008)<sup>[19]</sup>. But, it also critical and principle issue for any country itself, especially when it has the majority of resources enabling it to jump to the fore front of the rich countries.

Prior to Qaddafi's era, Libya was ruled by a monarchy between 1951 and 1969 that divided the country into three provinces – Tripolitania, Cyrenaica, and Fezzan – based on tribal lines (Vandewalle, 2012)<sup>[20]</sup>. There were suspicion and antagonism among the tribes. The monarchy "did little to smooth over the mutual suspicions that" divide the nation (Vandewalle, 2012)<sup>[21]</sup>.

The former Libyan leader, Qaddafi, who came to power "through a military coup in 1969" and ruled the country for such long period of time, was criticized by the West that he "ran an authoritarian and repressive regime" (Payandeh, 2012)<sup>[22]</sup> during this long ruling times. He founded and honors the politic based on tribal basis like the Monarchy regime. This gradually resulted in weaknesses and even the absence of formal government institutions in the country.

As Qaddafi's regime depended more and more on the tribal leaders, other non-governmental forms of organization were increasingly suppressed, while the tribal character of his rule and guidance became increasingly manifest (e.g. the bay'a, "the somewhat election" by the tribal leaders in a written form on show for everyone to see, and his way of living-in a tent-and his way of wearing traditional Libyan clothing, etc. (Zoubir and Rózsa (2012)<sup>[23]</sup>.

### 6.2 Second: State building after Gadhafi rule

Fall down of Gaddafi after 2011 popular uprising erupted in Benghazi-the birthplace of the 2011 Libyan revolution-pointed to the beginning of the era of "an even harder phase to build a polity of good governance, rule of law, respect for human rights, justice and citizenship instead of cronyism, injustice, clientism, violations of human rights and

6 Weber, M. (1919). *Politics as a Vocation*. Munich: Duncker and Humblodt. Retrieved from: <http://fs2.american.edu/dfagel/www/Class%20Readings/Weber/PoliticsAsAVocation.pdf>.

<sup>12</sup>Call, Charles (2008). 'Ending Wars: Building States,' in Charles T. Call and Vanessa Wyeth (eds.). *Building States To Build Peace*. London: LyneRienner Publishers. 1 – 22.

<sup>13</sup> Miller, P. D. (2013). *Armed State Building: Confronting State Failure, 1898-2012*. Ithaca: Cornell University Press.

<sup>14</sup> Miller, P. D. (2013). *Armed State Building: Confronting State Failure, 1898-2012*. Ithaca: Cornell University Press.

<sup>15</sup>Cullather, N. (2002). Damming Afghanistan: Modernization in a Buffer State. *The Journal of American History*, 89(2), 512-537.

<sup>16</sup> Miller, P. D. (2013). *Armed State Building: Confronting State Failure, 1898-2012*. Ithaca: Cornell University Press.

<sup>17</sup> Latham, M. E. (2011). *The Right Kind of Revolution: Modernization, Development, and US foreign Policy from the Cold War to the Present*. Ithaca, NY: Cornell University Press.

<sup>18</sup> Lerner, D. (1964). *The Passing of Traditional Society: Modernizing the Middle East*. New York: Free Press.

<sup>19</sup> Call, Charles (2008). 'Ending Wars: Building States,' in Charles T. Call and Vanessa Wyeth (eds.). *Building States To Build Peace*. London: LyneRienner Publishers. 1 – 22.

<sup>20</sup> Vandewalle, D. (2012). After Qaddafi: The Surprising Success of the New Libya. *Foreign Affairs*, 19(6), 8-15.

<sup>21</sup> Vandewalle, D. (2012). After Qaddafi: The Surprising Success of the New Libya. *Foreign Affairs*, 19(6), 8-15.

<sup>22</sup> Payandeh, N. (2012). The United Nations, Military Intervention, and Regime Change in Libya. *Virginia Journal of International Law*, 52 (2), 355-403.

<sup>23</sup>Zoubir, Y. H., & Rózsa, E. N. (2012). The end of the Libyan dictatorship: the uncertain transition. *Third World Quarterly*, 33 (7), 1267-1283.

tribalism”, the case that needs more and more efforts to be presented, *i.e.* to re-build the state formal institutions after four decades of bloody and aggressive response that not only fueled the revolution, but also provided the justification and basis for Western intervention in the country (Zoubir and Rózsa, 2012) <sup>[24]</sup>.

With all of Libya’s current institutions seen as having questionable legitimacy and effectiveness at best, including even those driving from the Libyan Political Agreement of 2015, the type of outreach and thinking that SRSO Salama is doing is much needed. He has outsourced some diplomatic activity to non-U.N. actors (such as the Centre for Humanitarian Dialogue in Geneva, the Dialogue Advisory Group in Amsterdam, and the Conflict Management Initiative in Helsinki) to be able to test ideas and gather input in ways that would be difficult to do more officially, given Libyan expectations of the United Nations as well as U.N. security requirements for travel.

United Nations mission headed by Lebanese statesman and Special Representative of the Secretary-General (SRSO) Ghassan Salama, with the American diplomat Stephanie Williams as his deputy, is attempting to break the impasse by fostering national reconciliation and supporting Libyan efforts to devise a new governing formula. Those international community efforts were aligned to the efforts of a number of other countries play important but sometimes unhelpful roles as well, such as neighboring Egypt, UAE, Qatar, Turkey, Italy, France and Russia.

## 7. Challenges

Having established that Libyan state building is necessary, how it be done, this needs to turn into the challenges and dilemmas before proposing how it could be managed. But it should be kept in mind that there are really no easy ways to deal with the challenges and dilemmas of state building as they are inherent to the process.

General overview on the most prominent challenges facing state building in Libya could be confined in; reconciling combatants, lack of resources and expertise, legitimacy, coordination and coherence, dependency, and the destabilizing effects of economic and political reform (Paris and Sisk, 2007) <sup>[25]</sup>. Or, in other words, those issues could be collectively confined in; sovereignty, legitimacy, and peace building.

The above mentioned challenges should be recognized by any players on the ground like Libyan leaders or international community politicians who intend to intervene in Libya in an attempt to treat the disrupted situations.

### 7.1 State sovereignty

#### 7.1.1 State sovereignty ....what and why?

Sovereignty, a term that could be defined as 'having supreme power over a body politic, together with freedom from external control and having controlling influence (MWOD) <sup>[26]</sup>.

After a track of inter-state violence during the first half of the twentieth century. Sovereignty framework was designed in the form of the idea that implies governmental central control over the state entire territory, which fits the Westphalian model of state governance. Hierarchically, it represents the fundamental base for all countries at all, regardless of their cultures and religious backgrounds.

At the present time, this view is referenced by the fact that sovereignty is one of the main objectives of the UN, aiming at establishing state independence within the international community order. Moreover, and on the national level, sovereignty is main powering body required to produce order, legitimize existing power arrangements and to stop violence between and within states over religious or any other questions (Weiss *et. al.*, 2016, p.10) <sup>[27]</sup>.

#### 7.1.2 Basic pillars of State sovereignty

In order to overcome all forms of brutal force and establish the well-known form of sovereignty, several requirements are needed so as to eradicate and treat the main causes of this non- conceptualized behaviors, those requirements could be summarized as follow:

Firstly, a central state should to get the coercion force *i.e.* "a state should to be a coercive force" that achieve elimination of the internal opposition forms relaying on the full and structures governing legitimacy.

This force may take the military or/and economic shape in order to resist and dissolve all forms of war or fighting between individuals, groups, through mobilization of central troops (Tilly, 1990) <sup>[28]</sup>. As a consequence, resources should to be centrally collected and managed all over the state in the form of (taxes), which is the first and eventually the actual step of a state's capacity to rule.

Second, the state needs to be the ideal body model behaving and representing the theory of justice in its peculiar and transparent forms. Moreover, it needs to activate and apply norms and international standards towards state authority behaviors and has the capability to validate its actions and to launch and discuss future wellbeing views and demonstrating it for their citizens (Miller, 2013) <sup>[29]</sup>.

Third, the state should to take its responsibility towards services and facilities availability for citizens, provide infrastructure, and even, respect the social contract ethics towards democratic, liberal, majoritarian forms of government and approving elections as an only renewal tool of the social contract and applying all peaceful means for securing actual consent to the state's authority (Miller, 2013) <sup>[30]</sup>.

Fourth, the state should be aware of all what enable and achieve social prosperity through good practice of the economic functionality. The later may be achieved *via* collecting, using, administering and spending common resources in an effective way, where the better performance of the state in this regard is traditionally correlated with social prosperity. The later will in turn catalyze all other societal

<sup>24</sup>Zoubir, Y. H., & Rózsa, E. N. (2012). The end of the Libyan dictatorship: the uncertain transition. *Third World Quarterly*, 33 (7), 1267-1283.

<sup>25</sup>Paris, Roland and Timothy Sisk (2007). *Managing Contradictions: The Inherent Dilemmas of Postwar State building*. New York: International Peace Academy.

<sup>26</sup>Merriam Webster Online Dictionary

<sup>27</sup> Weiss, T. G., Forsythe, D. P., Coate, R. A., & Pease, K. K. (2016). *The United Nations and Changing World Politics*. Boulder, Colorado: Westview Press.

<sup>28</sup> Tilly, C. (1990). *Coercion, Capital and European States, 900-1900*. Cambridge: Blackwell.

<sup>29</sup> Miller, P. D. (2013). *Armed State Building: Confronting State Failure, 1898-2012*. Ithaca: Cornell University Press.

<sup>30</sup> Miller, P. D. (2013). *Armed State Building: Confronting State Failure, 1898-2012*. Ithaca: Cornell University Press.



processes (Cullather, 2002) <sup>[31]</sup>.

Fifth, the human life as a subjective matter, that is needed to be of high quality can be assessed in part according to how the state treats human beings and what effect it has on human life relying on the view that considering state as a tool that serves to strength this subject (Miller, 2013) <sup>[32]</sup>.

Although, all the above mentioned requirements are oblige, other views say that shedding light on economic factors only does not say anything about how humanitarian rights and other circumstances actually are, i.e. there are some things are either directly or indirectly related to resources, such as education accession, racial status, gender relations and political freedom status.

### 7.1.3 Libyan State sovereignty: problem and solution

By considering Libyan case in the light of the five pillars mentioned above, the incomplete sovereignty seems to be represented in the whole picture of Libyan state. This incomplete figure is represented by non-efficient steps towards establishment of the theory of justice in its peculiar and transparent forms, loose coercion force not enabling the governmental authorities to combat internal opposition forms, official government didn't enabled to achieve social prosperity, the availability of services facilities for citizens are not fit, not verified social contract theory ethics respectfulness, and finally, the human life as a subjective matter is not of high quality.

As going ahead towards the treatment process of this incomplete sovereignty, the obligatory first step may be represented by diagnosing the main causes of the problem, i.e. the current state power vacuum. Keeping the internal circumstances in mind, those causes confined in the proliferation of power centers and the traditional activities of jihadist movements as a considerable player among an internationalized struggle for the future control of the country and its state. In details, it seems that the Libya's transition status from militarized to civilian environment is correlated to the following three complicated facts. First, Libya's political environments are mainly customized by Gaddafi's famous ideological pattern, based on anti-western, anti-democratic (i.e., antiparty) and anti-islamitization <sup>[33]</sup> Second and what has been correlated to Gaddafi's ideology, i.e. the democratic experiment, and experimentation with politics in Libyan environment in particular. Third, the political parties alignment and sponsorship to militias. Adding to this, triple dilemma, certain armed wings such as the LNA under Hiftar commander are trying to introduce themselves as a political players in their own right.

When considering the effect of the external factors, i.e. the external parties, ranging from multilateral and regional

organizations to various individual state players that are involved in Libyan transition status, driven by often-competing considerations and objectives. As a result of this competition, both domestic and external actors have come to oppose each other in the country's power struggle, with detrimental effects for the prospect of a negotiated settlement to the conflict. However, such intriguing factors cannot bring a lasting end to the complex conflict and re-establishing fully-fledged sovereignty <sup>[34]</sup>.

In order to treat the so called incomplete-fledged sovereignty issue, the title should to change into demilitarization of the current politics, and to concomitantly avoid the politicization of the future armed forces, i.e. the civilian component of Libyan politics needs to emerge as the primary withstanding basic stem, otherwise, supporting peaceful politics practices under such militarized circumstances often resembles solving "non-thing in anything".

### 7.2 Legitimacy

Relying on the clear definition that the state is the "collection of institutions that successfully claims the monopoly on legitimate authority and use of force over a given territory" (Call, 2008) <sup>[35]</sup> and by taking into consideration the state building obligates and requirements, legitimacy comes to be the first challenge that arises and evoke as an ultimate goal by them self in the countries struggling conflicts.

In contrast, and in the light of the preceding concept, there is a somewhat agreement that functioning states with established legitimacy are suitable and ready to consolidate peace, while ungoverned localities are deep sources to create security threats in the given territory as well as for the international community territories (Paris and Sisk, 2007; <sup>[36]</sup> Fearon and Laitin, 2004; <sup>[37]</sup> Lake and Fariss, 2014 <sup>[38]</sup>).

#### *Origin of the legitimacy:*

Usually, the most obvious and required building blocks of the functional state are coercion, capital, and legitimacy (Rubin, 2008) <sup>[39]</sup>, those elements are either be initiated internally as a consequence of internal political balances and agreements or may be awarded *via* an external outsiders and /or interveners, where coercion refers to the physical security aspect provided to assist in security establishment, disarmament and reintegration. While capital express translation of the financial assistance for recovery and development. At the final, legitimacy come to help state building, that in turn either derived from internal/external legitimacy (Rubin, 2008) <sup>[40]</sup>.

<sup>31</sup> Cullather, N. (2002). Damming Afghanistan: Modernization in a Buffer State. *The Journal of American History*, 89(2), 512-537.

<sup>32</sup> Miller, P. D. (2013). *Armed State Building: Confronting State Failure, 1898-2012*. Ithaca: Cornell University Press.

<sup>33</sup> Implications relate to negative attitudes about Western, post-intervention support, party politics in general, as well as a critical view of Islamic organizations such as the Muslim Brotherhood, in particular when engaged on the path of representative politics.

<sup>34</sup> "How to stop the fighting, sometimes", in *The Economist*, 10 November 2013,

<https://www.economist.com/news/briefing/21589431-bringing-end-conflicts-within-states-exasperated-history-provides-guide>.

<sup>35</sup> Call, Charles (2008). 'Ending Wars: Building States,' in Charles T. Call and Vanessa Wyeth (eds.). *Building States To Build Peace*. London: LyneRienner Publishers. 1 – 22.

<sup>36</sup> Paris, Roland and Timothy Sisk (2007). *Managing Contradictions: The Inherent Dilemmas of Postwar Statebuilding*. New York: International Peace Academy.

<sup>37</sup> Fearon, James and David Laitin (2004). 'Neo-Trusteeship and the Problem of Weak States,' *International Security*, Vol. 28, No. 4: 5 – 43.

<sup>38</sup> Lake, David and Christopher Fariss (2014). Why International Trusteeship Fails: The Politics of External Authority in Areas of Limited Statehood. *Governance: An International Journal of Policy, Administration, and Institutions*, Vol. \*\*, No. \*\*: 1 – 19.

<sup>39</sup> Rubin, Barnett (2008). 'The Politics of Security in Post-Conflict Statebuilding,' in Charles T. Call and Vanessa Wyeth (eds.). *Building States To Build Peace*. London: LyneRienner Publishers. 25 – 47

<sup>40</sup> Rubin, Barnett (2008). 'The Politics of Security in Post-Conflict Statebuilding,' in Charles T. Call and Vanessa Wyeth (eds.). *Building States To Build Peace*. London: Lyne Rienner Publishers. 25 – 47.

### Power behind legitimacy

Despite a lot of discussion in the field about the actual meaning of statehood, many scholars ultimately consider Weberian classical definition that argues that: "a state is a human community that successfully claims the monopoly on the legitimate use of physical force within a given territory" (Weber, 1919) <sup>[41]</sup>. However, this definition misses crucial elements of post-WWII statehood, especially when applying a nation-building perspective. Successful statehood is built on more elements than just collective security. In this respect, Miller (2013) <sup>[42]</sup> outlined five of these components (have been discussed before). The first element pairs up with Weber's definition, that a state needs to be a coercive force. Coercion means the major power to be given to a central state, in order to end the brutal force, this force was said to cause a war of all against all, with individuals solely pursuing their very own interests (Tilly, 1990) <sup>[43]</sup>. Additionally, in order to fight a war between groups, central troops have to be mobilized. For that purpose, resources need to be centrally extracted from a population (taxes), which is the eventual beginning of a state's capacity to rule. Centrally collecting taxes also indicate successfulness of state legitimacy obtained.

### Legitimacy and Political situation in Libya (2011-2019)

To assess Libya's current political, governmental and power institutions, they are seen as having questionable legitimacy and effectiveness at best, including even those deriving from the Libyan Political Agreement (2015). To explore and discuss the origin of this situation, it could be seen that:

Different powers have been competing for the governing position directly after Gaddafi's fall in 2011, but the legitimacy of the official authority from 2011 till now has been derived from different sources, i.e. the procedures and political balances and agreements sponsored by the international community.

Starting by 2011 till 2012, National Transitional Council (NTC) hold the power and accept its legitimacy from the popular revolution acts upraised in 2011, in addition to the international recognition. Consequently, it restored the functions of state institutions.

During 2012, and as a result of the general elections, the General National Congress (GNC)-as a temporary transitional government -replaced the NTC. It took over the defense and budget committees and further influential positions, as a form of legitimacy that has been derived from popular general election elections under the auspices of the international community.

During June 2014, and as a result of the general elections, the House of Representatives (HoR) took over the power. The representatives who were not elected into the HoR formed the 'new GNC' considering them as a continuation of the former one relying on the Libya highest court rule in November 2014, that considered the elections "unconstitutional".

Till that time, the HoR is a relevant and powerful factor in

nowadays Libyan politics. The two opposition governments have different seats, the GNC in Tripoli, while the HoR in Tobruk. Both of the two rival powers derive its legitimacy from general elections and explaining the results of elections depending on his own background view and political and military support retrieved from Libyan National Army and Libya Dawn coalition. This type of conflict leads to a complicated political situation that calls for the international intervention and assistance to resolve disputes between the political actors.

Under international auspices, the two powers signed the Libyan Political Agreement in Sokhrat, in 2015. According to this agreement; the Government of National Accord exercises the executive power, whilst the HoR has the legislative authority supported by the State Council as the highest consultative assembly.

According to this agreement that has been endorsed by the UN Security Council in its resolution 2259 (2015), the Government of National Accord has derived its legitimacy to perform its functions and power activities over the whole territories of Libya.

In spite of the full and recognized international legitimacy covering the Government of National Accord, but this legitimacy still "incomplete" or in other words not efficient due to lack of support-but opposition and even military fighting-from other Libyan political partners and military wing of LNA led by the command Hefter, and in consequence, National Accord not exercising its full executive power (Ibid) <sup>[44]</sup>. This formulation of legitimacy eventually seems to represent the main obstacle towards its implementation. Thus, even after more than three years since signing the agreement, Libya has been facing several challenges, including insecurity, political dysfunction and economic disturbances. (UN, 2017) <sup>[45]</sup>.

### 7.3 Transitional justice and Liberal state building

#### 7.3.1 Liberal Peace building

Relaying on the clear definition that the state is the "collection of institutions that successfully claims the monopoly on legitimate authority and use of force over a given territory" (Call, 2008) <sup>[46]</sup>. During the sequential steps of state and peace building and development, violent struggle come in front to establish a monopoly on the use of force, which once attained, both of the political, economic, and social aspects be normally evolved (Krause and Jutersonke, 2005) <sup>[47]</sup>.

By considering the social reconstruction process, it seems that it is characterized by somewhat difficulties as it "assumes that the international community can retrieve and copy the historical experiences by which contemporary states were built, determine how a stable and secure domestic order was created, and apply that experience-with appropriate adaptation to local circumstance-to post-conflict environments" (Krause

<sup>41</sup>Weber, M. (1919). *Politics as a Vocation*. Munich: Duncker and Humblodt. Retrieved from: <http://fs2.american.edu/dfagel/www/Class%20Readings/Weber/PoliticsAsAVocation.pdf>.

<sup>42</sup> Miller, P. D. (2013). *Armed State Building: Confronting State Failure, 1898-2012*. Ithaca: Cornell University Press.

<sup>43</sup> Tilly, C. (1990). *Coercion, Capital and European States, 900-1900*. Cambridge: Blackwell.

<sup>44</sup>Ibid., Article 1(2).

<sup>45</sup>UN News Centre, 'UN offers up new strategy to advance peace, stability in Libya' (20 September 2017),

<sup>46</sup> Call, Charles (2008). 'Ending Wars: Building States,' in Charles T. Call and Vanessa Wyeth (eds.). *Building States To Build Peace*. London: Lynne Rienner Publishers. 1 – 22.

<sup>47</sup>Krause, Keith and Oliver Jütersonke (2005), 'Peace, Security and Development in Post-Conflict Environments,' *Security Dialogue* Vol. 36, No. 4: 447 – 461.

and Jutersonke, 2005)<sup>[48]</sup>.

On so doing, although the western attempt to install liberal peace in the process of state reconstruction and peace building in post-Gaddafi Libya came from the fact that liberal peace not only is based in Western liberal values and ideals and has an interventionist and universalist approach, but also considered to be an epistemological superiority over the counties of the Global South (Heathershaw, 2013<sup>[49]</sup>; Richmond, 2006<sup>[50]</sup>). But, unfortunately, it is incompatible in post-conflict environments of non-liberal countries of the Global South and unable to transform and manage the conflict in such countries of the region. This obviously explains why the Western liberal peace project failed and has been unable to solve the Libyan crises after the 2011 popular uprising that ousted its long-serving leader, Gaddafi and also explain the wondering why the problem in Libya remains unresolved six years after the fall of Qaddafi's regime.

### 7.3.2 Transitional justice

Another important and crucial issue emerging from within a liberal peace paradigm that prescribes state-building and represent conflict resolution tool is "transitional justice" (Sharp, 2014)<sup>[51]</sup>.

It is known that, over the past decades liberal peace building has become deeply embedded in a state centric peace building practice. United Nations embraced post conflict peace building as a pillar of the post-Cold War (Helman and Ratner, 1992)<sup>[52]</sup>, peace building for the United Nations took on an almost exclusively statist form (Martin, 2016)<sup>[53]</sup>. Nevertheless, despite state building's repeated failures (Richmond and Franks 2009)<sup>[54]</sup>, transitional justice sponsors and the international donor community continue to prescribe state-centric transitional justice processes, within a wider framework of rule of law programming, for societies where the act of state-building and understandings of political authority are highly contested, and draw upon political traditions that contest the legitimacy of the nation-state.

The most updated visions of frames outlined transitional justice interventions in the context of building new

institutions to displace the existing social orders that are framed as coping mechanisms for conflict (Chesterman, 2005)<sup>[55]</sup>. As a consequence, neutral transitional justice norms and standards are integrated into state-building processes that are inherently exclusionary for societies with competing sub-national and supra-national sites of resistances to the state (Arnould, 2016)<sup>[56]</sup>.

On the other side, transitional justice aims both to be responsive to local practices, but also to transform and displace these practices associated with past violence (Leebaw, 2008)<sup>[57]</sup>. In this respect, transitional justice serves the dual goals of legitimation in the context of local practices and legitimation of the state and also has generated a growing interest in local justice practices (Thomson and Nagy, 2014)<sup>[58]</sup>.

Nevertheless, transitional justice focus remains narrowly framed by its dynamics for resolving legal dilemmas emerging from transitional processes following a period of authoritarian rule, conflict or both. Thus, despite efforts to bridge transitional justice practice and peace building, transitional justice remains far from transformative (Lambourne, 2009)<sup>[59]</sup>. As it remains treating the symptoms rather than the causes of conflict (Gready and Robins, 2014)<sup>[60]</sup>.

Several studies have dealt with transitional justice's vulnerability conceptualization on the part of local elites or external actors who fail to take a principled stand when promoting transitional justice abroad (Peskin, 2008)<sup>[61]</sup> and (Subotic, 2009)<sup>[62]</sup>. However, there still some doubting about how thinking about transition within the democratic transition paradigm is (Linz and Stepan, 1996)<sup>[63]</sup> and different theoretical and practical models of human rights norm socialization (Risse and Sikkink 1999)<sup>[64]</sup> and (Sikkink, 2011)<sup>[65]</sup>, that has contributed to the formation of a practice framework that is ill suited to addressing the conflict either in its causes or management.

In fact, democratization, and its contemporary practice models, especially that is emerged from political transitions from military to civilian rule (Latin America), other models

<sup>48</sup>Krause, Keith and Oliver Jütersonke (2005), 'Peace, Security and Development in Post-Conflict Environments,' *Security Dialogue* Vol. 36, No. 4: 447 – 461.

<sup>49</sup>Heathershaw, J. (2013). Towards better theories of peace building: beyond the liberal peace debate. *Peacebuilding*, 1(2), 275-282.

<sup>50</sup> Richmond, O. P. (2006). The problem of peace: understanding the 'liberal peace'. *Conflict, Security & Development*, 6(3), 291-314.

<sup>51</sup> Dustin N. Sharp, D.N. (2014), Emancipating Transitional Justice from the Bonds of the Paradigmatic Transition, *International Journal of Transitional Justice*, 2015, 9, 150-169

<sup>52</sup>Helman, Gerald B., and Steven Ratner. 1992-93. "Saving Failed States." *Foreign Policy*, no. 89: 3-20.

<sup>53</sup>Martin, Laura S. 2016. "Practising Normality: An Examination of Unrecognizable Mechanisms in Post-Conflict Sierra Leone." *Journal of Intervention and Statebuilding* 10 (3): 400-418.

<sup>54</sup>Richmond, Oliver P., and Jason Franks. 2009. *Liberal Peace Transitions: Between Statebuilding and Peacebuilding*. Edinburgh: University of Edinburgh Press.

<sup>55</sup>Chesterman, Simon. 2005. *You, The People: The United Nations, Transitional Administration and State-Building*. Oxford: Oxford University Press.

<sup>56</sup>Arnould, Valerie. 2016. "Transitional Justice in Peacebuilding: Dynamics of Contestation in the DRC." *Journal of Intervention and Statebuilding* 10 (3): 321-338.

<sup>57</sup>Leebaw, Anne Bronwyn. 2008. "The Irreconcilable Goals of Transitional Justice." *Human Rights Quarterly* 30 (1): 95-118.

<sup>58</sup>Thomson, Susan, and Rosemary Nagy. 2011. "Law, Power and Justice: What Legalism Fails to Address in the Functioning of Rwanda's Gacaca Courts." *International Journal of Transitional Justice* 5 (1): 11-30

<sup>59</sup>Lambourne, Wendy. 2009. "Transitional Justice and Peacebuilding after Mass Violence." *International Journal of Transitional Justice* 8 (3): 28-48.

<sup>60</sup>Gready, Paul, and Simon Robins. 2014. "From Transitional to Transformative Justice: A New Agenda for Practice." *International Journal of Transitional Justice* 8 (3): 339-361.

<sup>61</sup>Peskin, Victor. 2008. *International Justice in Rwanda and the Balkans: Virtual Trials and the Struggle for State Cooperation*. Cambridge University Press.

<sup>62</sup>Subotic, Jelena. 2009. *Hijacked Justice: Dealing with the Past in the Balkans*. Ithaca, NY: Cornell University Press.

<sup>63</sup>Linz, Juan J., and Alfred Stepan. 1996. *Problems Of Democratic Translation and Consolidation: Southern Europe, South America, and Post-Communist Europe*. Baltimore, MD: Johns Hopkins University Press.

<sup>64</sup>Risse, Thomas, and Kathryn Sikkink. 1999. "The Socialization of International Human Rights Norms into Domestic Practices: Introduction." In *The Power of Human Rights: International Norms and Domestic Change*, edited by Thomas Risse, Stephen C. Ropp, and Kathryn Sikkink, 1-38. Cambridge: Cambridge University Press.

<sup>65</sup>Sikkink, Kathryn. 2011. *The Justice Cascade: How Human Rights Prosecutions are Changing World Politics*. New York: W. W. Norton.



that is practiced and which were applied to understanding transitions from single party communist rule (Central and Eastern Europe). In the end, those cases provide narrow and limited conceptual framework for understanding contemporary transformations in societies characterized by contested statehood. It is state building's challenge to longstanding social bonds and ideologies, which both precede and supersede the modern state, which makes state building a non-neutral project as an object. Sadiki (2009) <sup>[66]</sup> critiqued the Western democratization policies withdrawn towards the Arab and Middle East countries that these frameworks were too deeply embedded in Western notions of statehood and democratic practice to find transformative attitude. For example, in Libya alone, a myriad of groups ranging from the Libyan Islamic Movements to liberals; ones have all voiced opposition to attempts for making of a new Libya. In addition, the West lack any support over Libya's post-Qaddafi elites (Boduszynski, 2015) <sup>[67]</sup>, even if the West did muster the political will to settle democratic optionalities, this would deepened conflict among Libya's competing political actors who lacked a shared vision of the Libyan state.

#### 7.4 Outsider Intervention.

By addressing the complex peace building operations, aiming to end violence and treating causes of conflict actions. Those operations making difficult task of state building as peace builders are expecting to achieve the impossible goals and tasks under an unfavorable conditions" (Barnett and Zurcher, 2010) <sup>[68]</sup>.

Usually, the most obvious and required building blocks the outsiders to bring in are coercion, capital, and legitimacy (Rubin, 2008) <sup>[69]</sup>, where coercion refers to the physical security aspect of the intervention the foreign military forces provide assist in Security Sector Reform (SSR), as well as Demobilization, Disarmament and Reintegration (DDR) in the failed state. On the other hand, capital is the translation of the international financial assistance for recovery and development, while legitimacy include both of intervener's legitimacy and the internal/external legitimacy of the state they will help build (Rubin, 2008) <sup>[70]</sup>.

On the other hand, derived by humanitarian purposes, some actors - such as Non-Governmental Organizations (NGO), United Nations (UN) - intervene in spite of the risks and hazards of their actions. This second kind of intervention faces challenges as well, but may be the favorable and smooth kind of intervention as the opposition towards it is not as forced one.

From a political aspect of view, the intervener urged to understand local conflict nature and dynamics and recognize that their involvement is a possible incentive for continued conflict, and thus behave in a manner that educe the effects of intervention, and take actions as a state builder that should not be the reason the state failed in the case and in future.

<sup>66</sup>Sadiki, Larbi. 2009. *Rethinking Arab Democratization: Elections without Democracy*. Oxford: Oxford University Press

<sup>67</sup>Booduszynski, Mieczyslaw. 2015. "the external dimension of Libya's troubled translation: The International Community And 'Democratic Knowledge' Transfer." *Journal of North African studies* 20 (5): 735-753.

<sup>68</sup> Barnett, Michael and Christoph Zurcher (2010), "The Peacebuilder's Contract: How External Statebuilding Reinforces Weak Statehood," in Roland Paris and Timothy D. Sisk (eds.). *The Dilemmas of Statebuilding: Confronting The Contradictions of Post War Peace Operations*. Abingdon: Routledge. 23 – 52.

(OECD, 2010)

Since 2011 revolution, Libya has devised a political transition road that was marked by conflict and uncertainty starting by the meddling of external players that increased fragmentation and polarization along multiple emerging political bodies and lines in spite of the United Nations considerable efforts aiming to foster reconciliation and engaging local actors in a political process with the help of some international players in an attempt to establish human security, mediate and mitigate external interests conflict and facilitate dialogue.

Although all of Libya's current institutions seen as having questionable legitimacy and effectiveness at best, including even those deriving from the Libyan Political Agreement of 2015, UN comes on the front of the intervening players in Libya, USA, and others are attempting to break the impasse by fostering national reconciliation and supporting Libyan efforts to devise a new governing formula. A number of other regional countries and players play important but sometimes unhelpful roles as well. For example, neighboring Egypt and the security of its western borders and, to a degree, still fears Islamic movements' dominance in Libya.

The UAE is motivated primarily by a desire to counter political Islamists and to block any inroads into Libya by its regional rival Qatar. For its part, Qatar has economic interests in Libya and has been sympathetic to Libyan Islamists for both pragmatic and ideological reasons.

Turkey has also had long-standing economic ties in Libya, particularly to the port city of Misurata. Italy and France cooperate and compete with each other in Libya. Both are interested in stemming refugee flows and ensuring access to oil. The former has a history of brutal colonial rule that continues to color Libyan perceptions. The latter has special interests, including counterterrorism, in a region that also includes several of its own former colonies.

Russia is engaging in Libya now as well, through outreach to Hiftar elements, among other activities. For all the complications that these foreign actors cause, it should, however, be noted that none plays the kind of deeply malevolent role (Marson, 2018) <sup>[71]</sup> In spite of all those mentioned intriguing factors, the international community can still decide to intervene as we have seen in Libya.

The communal networks and local conflicts in southern Libya have proven to be effective power tools for the GNA and the LNA. Often, underlying grievances (or merely the economic greed of communal leaderships) are redressed as 'revolutionary,' 'Salafist,' 'pro-Gaddafi,' or 'anti-ISIS,' in order to fit within the discourse of the larger Libyan conflict <sup>[72]</sup>.

When considering the post cold war frictions between USA, EU and Russia, one can say that Russia make to hold strategic MENA regional partners to fight "jihadist movements", withstand its military presence in front of NATO's southern borders and keep security for its potential interests in Libya's oil resources (Barmin, 2017) <sup>[73]</sup>. This presence in Libya in

<sup>69</sup> Rubin, Barnett (2008). 'The Politics of Security in Post-Conflict Statebuilding,' in Charles T. Call and Vanessa Wyeth (eds.). *Building States To Build Peace*. London: Lynne Rienner Publishers. 25 – 47.

<sup>70</sup> Rubin, Barnett (2008). 'The Politics of Security in Post-Conflict Statebuilding,' in Charles T. Call and Vanessa Wyeth (eds.). *Building States To Build Peace*. London: Lynne Rienner Publishers. 25 – 47.

<sup>71</sup>James Marson, "After Military Push in Syria, Russia Plays Both Sides in Libya," *The Wall Street Journal*, June 7, 2018.

<sup>72</sup>Interview, Tunis, 21 September 2017.

<sup>73</sup>Russia's oil giant Rosneft signed an agreement with Libya's NOC in February 2017. Cf. Yury Barmin, "Russia in Libya: From Authoritarian



turn represent a problematic issue-from European and Western alliance perspective-due to, first; where involvement in the oil and gas business would potentiate influence over Europe, second; potential military presence in Libya, possibly is detrimental to deterrence in the southern Mediterranean<sup>[74]</sup>.

On the other hand, response of the USA towards Libyan issue seemed to lack substantial direct strategic interests in Libya (i.e. has not evolved much since 2011), exceptionally, fighting ISIS military groups that has been continued, reflecting a specified sustained strategic trend since the lethal attacks against US diplomatic correspondents in 2014<sup>[75]</sup>. But in accordance with economy, USA companies have a potential economic role in the oil and gas sector. This trending of USA intervention in Libya not neglecting Russia's growing influence (Fishman, 2017)<sup>[76]</sup>. Even the role of the US within NATO seems dysfunctional during President Trump era<sup>[77]</sup>.

Objectively, the most prominent challenge that face the outsider interveners is; how to positively reduce or control the confictions, since the causes of the conflict were a competition as to who should control the state in the first place, the main challenge then, is that how to reconcile disparate armed groups who are violently opposing each other's (Paris and Sisk, 2007)<sup>[78]</sup>.

But in general, there are different dilemmas, challenges and situations that arise once outsider's intervention occurs and especially when an intervening state builder has vital interests that conflict with the central core objective of statebuilding. This reason considered to be the most important and considerable one with respect to Libya as intervened state.

In terms of how these challenges can be dealt with, past experiments all over the world creates what could be known as "International State building". In the light of the preceding concept, there is a somewhat agreement that functioning states with established legitimacy are suitable and ready to consolidate peace, while ungoverned localities are deep sources to create security threats in the given territory as well as for the international community territories (Paris and Sisk, 2007<sup>[79]</sup>). Fearon and Laitin, 2004<sup>[80]</sup> Lake and Fariss, 2014<sup>[81]</sup>).

Conclusively, wondering why the problem in Libya remains unresolved eight years after the fall of Qaddafi's regime, as state fragility and failure represent this reason for international intervention, based on this condition, western intervention make use of the fragility status in Libya in 2011 and call UN for covering and supporting the intervention

process. Although liberal peace not only is based in Western liberal values and ideals and has an interventionist and universalist approach, but also considered to be an epistemological superiority over the counties of the Global South (Heathershaw, 2013<sup>[82]</sup>; Richmond, 2006<sup>[83]</sup>), i.e. it is relevant for the liberal countries of the West, it is incompatible in post-conflict environments of non-liberal countries of the Global South and unable to make transformation and to perfectly manage the conflict in such countries of the region. This is why the Western liberal peace project failed and has been unable to solve the Libyan crises after the 2011 popular uprising that ousted its long-serving leader, Muammar Qaddafi.

## Conclusion

In conclusion, and after discussing different aspects concerned with Libyan situation either before or after 2011 revolution, it could be concluded that the political pattern and practices driven since monarchy rule of Libya (1951 -1969) and later on during Gadhafi rule was characterized by non-formal shape in such a manner that it was colored by the authoritarian behaves and depended mainly on regional and tribal public governing system that was commonly characterized by antagonism and oil resources corruption. Later on, NATO intervention and the international and regional rivalries, all this factors lead to the creation of the fragile state. While, after 2011 revolution, Libya was faced by what is called the "central dogma" that is presented by preservation of Libya's unity, national sovereignty, state and peace building as to pull out the state from the fragility situation.

With respect to the national sovereignty, the whole practices of Libyan state still suffering from incomplete sovereignty of Libyan state, i.e. power vacuum features that characterize the transition status from militarized to civilian environment. Those transition that going to avoid Gaddafi's ideological pattern, deepen the democratic experiment, start experimentation with politics in Libyan environment, start militias disarmament and involvement of armed LNA wing. Concerning the legitimacy and the political situation in Libya since 2011 uprising, it could be seen that the legitimacy of the official authority till now has been derived from different sources (internal and/or external). The revolution legitimacy provide the internal sequential and successive "legitimized authorities" starting by NTC, GNC, HoR and ending with the Libyan Political Agreement in Sokihrat, that give the Government of National Accord the executive power, and

Stability to Consensus Settlement", in *Al-Sharq Forum Expert Briefs*, August 2017, p. 3, <http://www.sharqforum.org/?p=5086>.

<sup>74</sup> See, for instance, Barbara Bibbo, "What is Russia's Endgame in Libya", in *Al Jazeera*, 22 January 2017, <http://aje.io/tswd>.

<sup>75</sup> As Obama and his secretary of state Hillary Clinton have been heavily criticized for this incident having occurred, it is worth noting in this context that Obama referred to post-Gaddafi Libya crisis management as one of his "worst [foreign policy] mistakes".

<sup>76</sup> Cf. Ben Fishman, "United States: Reluctant Engagement", in Karim Mezran and Arturo Varvelli (eds.), *Foreign Actors in Libya's Crisis*, Milan, Ledizioni, 2017, p. 91-109, <https://www.ispionline.it/it/node/17224>.

<sup>77</sup> NATO's Secretary General expressed the alliance's concerns regarding possible Russian forays into the Southern Mediterranean ("NATO Chief Warns Russia over Libya", in *Libya Herald*, 12 October 2017, <https://www.libyaherald.com/?p=112103>). Whereas Russia's Foreign Minister continues his narrative on NATO in Libya. See "Russian FM Sergey Lavrov Slams 'Dishonest' NATO in Libya", in *Libya Herald*,

<https://www.libyaherald.com/?p=112264>.

<sup>78</sup> Paris, Roland and Timothy Sisk (2007). *Managing Contradictions: The Inherent Dilemmas of Postwar Statebuilding*. New York: International Peace Academy.

<sup>79</sup> Paris, Roland and Timothy Sisk (2007). *Managing Contradictions: The Inherent Dilemmas of Postwar State building*. New York: International Peace Academy.

<sup>80</sup> Fearon, James and David Laitin (2004), 'Neo-Trusteeship and the Problem of Weak States,' *International Security*, Vol. 28, No. 4: 5 – 43.

<sup>81</sup> Lake, David and Christopher Fariss (2014). Why International Trusteeship Fails: The Politics of External Authority in Areas of Limited Statehood. *Governance: An International Journal of Policy, Administration, and Institutions*, Vol. ••, No. ••: 1 – 19.

<sup>82</sup> Heathershaw, J. (2013). Towards better theories of peace building: beyond the liberal peace debate. *Peace building*, 1(2), 275-282.

<sup>83</sup> Richmond, O. P. (2006). The problem of peace: understanding the 'liberal peace'. *Conflict, Security & Development*, 6(3), 291-314.

guarantee the legislative support for HoR and mandated the State Council as the highest consultative assembly. While, the external legitimacy was derived from recognition of the international community by the Government of National Accord, although this legitimacy still suffering "incompleteness" due to support – deficiency and opposition and even military fighting.

Finally, as taking outsiders intervention into account, Since 2011 revolution, the conflict in Libya started by the meddling of external players that increased fragmentation and polarization of different political bodies in spite of the United Nations considerable efforts aiming to foster reconciliation and engaging local actors in a political process with the help of some international players in an attempt to establish human security, mediate and mitigate external interests conflict and facilitate dialogue.

By the end, one can say that, Libyan challenges can be dealt with while keeping in mind the past experiments i.e. the "International State building" model. This concept assures the consolidation of peace in functioning states that are characterized by or involved in established legitimacy, while, on the other hand, security threats in a given national and international community territories usually deeply sourced, created and evolved from ungoverned and unstable localities.

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