

Rebuilding Libya: The Importance of Bridging Formal and Information Structures of Power

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The capture of Muammar Gaddafi on the 20 October, 2011 marked the symbolic end of the Libyan Civil War. In one of its swiftest calls to action, the international community came to the defence of the people of Benghazi from state-led violence. While the international community's involvement in the reconstruction of Libya is of great importance, it is beyond the scope of this paper. This paper is concerned with the ability of Libyan leaders, most notably the National Transitional Council (NTC), to unify the Libyan people around common aspirations of nation-building. Despite initial revolutionary fervour following the end of the war, the NTC now faces critical security and governance challenges in its efforts to transition Libya from a rigid authoritarian state to a transparent, participative framework. With tribal leaders and armed factions beset by rivalries and deep-seated jealousies, building national consensus for Libya's democratic transition will be a difficult undertaking. Therefore, it is the purpose of this paper to advise the NTC on the challenges to national unity it faces from social tensions in the Libyan population, as well as to provide policy recommendations to ensure that such tensions do not derail the nation-building process over the course of the following year in the lead-up to democratic elections.

Introduction

The capture of Muammar Gaddafi on the 20 October, 2011 marked the symbolic end of the Libyan Civil War. In one of its swiftest calls to action, the international community came to the defence of the people of Benghazi from state-led violence.¹ After 272 days, an estimated 8,000 aerial sorties and 30,000 deaths, Libyan revolutionaries, along with NATO support, have fought and won a future free of Gaddafi (Laub, 2011). People took to the streets with triumphant jubilation not just in Libya, but around the world. "But now," notes American national security correspondent Yochi Dreazen, "its leading powers – the United States, France, Britain, and Germany – will be expected to do most of the heavy

¹ United Nations (UN) Resolution 1973 was adopted by the UN Security Council on 17 March, 2011 after only two weeks of deliberation. Forming the legal basis for military intervention in the Libyan Civil War, aerial sorties began enforcing the no-fly zone and destroying pro-Gaddafi targets beginning on 19 March. See (UN News Centre, 2011) for more detail.

lifting and pick up much of the tab for reconstruction” (Dreazen, 2011).

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Background

A bifurcation has existed in Libyan politics between formal and informal structures of power dating back to the Gaddafi regime. Formally, the Popular Congress and the People’s Committee within Gaddafi’s Revolutionary Authority constituted the legislative and executive institutions of the Jamahiriya [state of the masses] and were empowered to make and act upon a wide range of decisions (Vanderwalle, 2011, 119). Informally, however, a complex network of tribal patronage subverted the formal power of the Jamahiriya. Even Gaddafi, through the expression of his own political philosophy in his Green Book, noted that “theoretically, this [the Jamahiriya] is genuinely democratic. But realistically, the stronger part in society is the one that rules” (Vanderwalle, 2011, 119). While the Jamahiriya has been replaced by the NTC, informal social networks still hold a great deal of power within the country.

In this sense, it must be understood that there are two processes underway in Libya simultaneously: a process of state-building, aiming at the development of a democratic

system of government, characterized by greater transparency and accountability; and a process of nation-building, which may threaten the integrity of existing informal structures of power. In so doing, this may cause internal instability that could threaten the NTC's ability to foster a strong and united Libya.

Focussing exclusively on formal processes of state-building, then, does not reveal equally important challenges the NTC faces in nation-building. As noted by Ali Ahmida, scholar of North African Studies, "the failure to account for social structures from ignorance of local dynamics, which look either 'chaotic' or 'traditional', can be highly dangerous to formal structures of authority" (Ahmida, 2000, 143). Prior to offering policy recommendations, then, the NTC must clearly understand the importance of existing social tensions and informal power structures in order to build a nation that reflects, and can survive the political will of the Libyan people.

Tribalism

Since gaining independence from Italy in 1951, Libya has been marred by inter-tribal tensions.² The administrative system adopted left autonomy to the provinces which were largely established according to tribal divisions. In the south were the Toubou, the west the Tuaregs and the north and east of the country was largely in the control of the Arabs and Arab-Berbers (See Appendix A).³ Each province had its own administration, customs, and even militia forces (Baldinetti, 2010, 144). Evidently, it quickly became clear that the feeling of a new-found national unity was meaningless to the majority of the population, except those Tripolitanian political forces administering formal, state-led institutions.

Importantly, however, religion was used by Libya's monarchy to overcome regionalisms and build a national identity. As a common religious value, Libyans of virtually all tribes

² By "tribe" this paper refers to a social grouping that is larger than the family, but somehow not the same as a nation. It is tied together by complex bonds of kin and duty. It represents a sharing of *asabiya* (solidarity) which, although often based on a common descent, can be shared by people not related by blood, but by long and close contact as members of a group. See (Obeidi, 2008, 108) for more detail.

³ In reality, Libya has over 140 tribes of various sizes. While the interplay of all Libyan tribes is beyond the scope of this paper, a general understanding of tribal tensions will suffice. See (Godfrey, 2011) for more detail.

supported the Maliki tradition of Islam which emphasizes al-maslaha al-mursalah, or the social benefit of a common public interest (Kasm, 2011). Moreover, post-independence Libyan nationalism also drew its stock of heroes, martyrs, and legends from its anti-colonial resistance (Ahmida, 2000, 107). Despite recurrent tribal tensions, religion and anti-colonial sentiments provided common ground for the monarchy to build a sense of unity within the Libyan population.

Likewise, since the coup of 1969, Gaddafi continued to consider Islam and anti-colonial struggles as the key constituent factors of national identity. In contrast with the monarchy, however, Gaddafi attempted to use the formal powers of the Jamahiriya to force the tribes to support the Revolutionary Authority. Although tribalism was officially abolished when Gaddafi came to power, one of the pillars of Gaddafi's regime was his ability to control Libya's tribes. Gaddafi maintained his "centralized grip on power through a system of entrenched patronage and shifting tribal alliances" (Kasm, 2011). Gaddafi played on ethnic divisions in an attempt to co-opt or forge shifting alliances with powerful representatives of rival ethnic groups in order to garner support for state-led initiatives. Largely, this was accomplished through the disproportionate allocation of oil revenues. Until the downturn of oil revenues in the mid-to-late 1980's, the country's hydrocarbon income was primarily distributed to keep a large array of tribal coalitions loyal to the Jamahiriya (Vanderwalle, 2006, 167). This "Machiavellian game of constant duplicity" (Kasm, 2011) served to disarm internal threats from informal tribal structures of power.

With oil revenues declining in the early 1990's, Gaddafi found it increasingly costly to bribe tribal leaders to obtain support from informal structures of power. Therefore, in 1994, Gaddafi established the People's Social Leadership Committees (PSLCs) in an attempt to integrate informal power structures within the Revolutionary Authority. Consisting of like-minded tribal leaders, heads of families and other local persons, PSLCs were tasked with maintaining social stability, as well as distributing state subsidies and issuing legal documents within their locality (St. John, 2011, 75). Gaddafi acknowledged that "society has a number of social structures central to its vitality; they are the family, the tribe and the nation, all of which are non-political in nature" (Obeidi, 2008, 116).

In this way, Gaddafi attempted to offer a part of the state's formal power to informal social groups across the country in order to consolidate his own power as the national sovereign.

PSLCs are also important insofar as they created "ingroups" of Gaddafi supporters. Any person who obtained a licence for the distribution of subsidies, security or legal services, or any other number social and political activities controlled by PSLCs, their success was tied to the Gaddafi regime. Therefore, with the collapse of the Gaddafi regime, the NTC must be aware that there are a number of well-organized, informal networks of disenchanted Libyans who have lost all success at the hands of the revolution. In this sense, the former "ingroup" of PSLC supporters under the Gaddafi regime have now become the "outgroup" under the NTC. If the NTC is to successfully build support for the purpose of nation-building, it must ensure that these groups are not marginalized by the state.

More generally, this policy of tribal division has also left a legacy of entrenched disillusionment within the Libyan population's conception of national identity. Based on 2008 data collected from surveys distributed by Amal Obeidi, Professor of Political Science at the University of Garyounis-Benghazi,⁴ 63% of respondents saw their greatest attachment to their tribe, 12% to the state, and 25% to other, including family, city or province.⁵ In this sense, although attachment to the state has likely increased since the 2011 revolution, the NTC must acknowledge that without the ability to foster the support of a critical mass of the Libyan population, there is the strong potential for people to withdraw their support of the nation-state in favour of historical lines of tribal patronage.

Institutional Challenges

Like tribalism, the attempt to control Libyan civil society through state institutions has created a profound distrust of formal structures of power. Along with the creation of the

⁴ All data was collected through a scientific survey of 1,000 participants distributed randomly across the country.

All data is statistically significant at the 5% level (Obeidi, 2008, 115).

⁵ Interestingly, there were no statistically significant difference in responses from people living in urban or rural areas, nor was there a difference between sexes (Obeidi, 2008, 125).

institutional bodies of the Popular Congress and People's Committee, Gaddafi also established the Unions of Professional Association. Similar to trade unions within the Soviet Union, these bodies would delineate people's belonging, both professionally and functionally, into categories (Obeidi, 2008, 144). People received their pay, subsidies and social standing based on their affiliation with a particular union or professional association. All citizens above the age of eighteen had to belong to unions or professional associations registered within the state's National Trade Union's Federation (United Nations Refugee Agency, 2010). In this sense, power was stacked within the formal institution of the National Trade Union Federation. Formal recognition by the state of that person's social standing was determined by which particular trade union or professional association with which they belonged.

Informally, however, people often scoffed at participating in such formal institutions. While all citizens above the age of eighteen belonged to a particular trade union or professional association, participation in such groups remained low. In fact, even when participation was made formally compulsory in 1994, many people did not attend meetings regularly. In data collected by Professor Obeidi on trade union and professional association meeting participation from 1994 to 2007, she found that those people belonging to professional associations, such as medical or legal professions, 6% of people attended regularly, 40% from time to time, and 54% never attended meetings. Likewise, among those belonging to trade unions, most notably agriculture and heavy industries, 10% attended regularly, 61% from time to time, and 28% never attended (Obeidi, 2008, 145).

For the NTC, such apathy for participation in formal institutions must be avoided to foster a national effort in the rebuilding of Libya. Like tribalism, the NTC must find a way to garner the support of civil society, particularly existing powerful organizations such as trade unions and professional associations. Otherwise, social disillusionments have the potential to spill over into conflicts organized around existing power structures, most notably the tribe or like-minded professional associations. In this sense, the NTC must look to failures of the Gaddafi regime to foster social cohesion and build a national identity to ensure the same mistakes are not repeated.

Policy Recommendations

For the democratic transition in Libya to be successful, the transformation of government requires a different breed of leadership, one that does not rely on classic notions of power from the Gaddafi regime (Sanders, 1998, 30). At the core of the leader-follower relation is a sense of psychological connection in terms of shared social and psychological memberships, where leaders are those group members who are seen to best embody “shared goals, values, beliefs, and aspirations” (Reynolds, 2011, 176). Leadership goes beyond management. As noted by John Kotter, Professor of Business Administration at Harvard University, leadership is the development of vision and strategies; “the alignment of relevant people behind those strategies; and the empowerment of individuals (groups and societies) to make the vision happen despite obstacles” (Adei, 2004, 17).

The Libyan people have not simply fought for the change of leadership. They, with the assistance of the international community, have demanded wholesale change of the country’s formal structures of power. This transformational spirit and focus toward the future affords the NTC with a ripe opportunity for success. But this window is narrow. As has been shown, if the NTC cannot unify informal structures of power around the rebuilding of formal state-led institutions, the aspirations of the revolution may be in jeopardy. The NTC must have a clear vision and strategy that informal structures of power within the country can buy into for the democratic transition to be successful.

This section aims to outline three key policy recommendations for the NTC that are essential to achieving the support of the Libyan people. These include: ensuring security; the inclusion of informal groups within state institutions; and the provision of material prosperity. While each recommendation is important, they require proper sequencing to be most effective. As noted by prominent Afghan politician Ashraf Ghani, “sequencing is the critical link between idealism and pragmatism” (Ghani, 2008, 201). From conception to implementation, state-building is a time-consuming activity that requires the cooperation of a number of actors. Rushing to decisions before proper preconditions are in place can lead to unintended consequences that can undermine the entire transformation. Therefore, it is advised that the NTC seek to build each recommendation

upon the one before it.

Security

Despite the end of the civil war, Libya is not yet secured. As recently as December 12th, 2011, three people were killed in a gun battle near the international airport in Tripoli. The violence was between a brigade calling itself “Libya’s National Army” and former rebels who control the airport. It is widely believed that these attacks were protests by pro-Gaddafi supporters against the NTC’s first conference on national reconciliation (Jackson, 2011).

Such attacks signify to the NTC the importance of gaining a monopoly over the means of force in the country. Reconstruction efforts will come to a quick halt if Libya descends back into chaos. The victorious rebels could incite new bloodshed by conducting widespread reprisals against former regime officials, while those tribesmen loyal to Gaddafi may regroup to wage a guerrilla war against the new government (Jackson, 2011).

Of course, such outcomes are hypothetical. Nevertheless, the point is important. Put simply, Tripoli is filled with impatient men holding guns. This creates fear, and also carries with it non-state force that undermines the legitimacy of the NTC. If the NTC cannot secure the country within the coming months, to the average Libyan, their security is no better than under Gaddafi or during the civil war. As such, to secure their own well-being, families may turn their loyalties inward against the NTC, toward those who can best ensure their safety. In the case of Libya, this is likely to be the tribe.

Here important lessons can be drawn from the war in Afghanistan. In a survey conducted by the Asia Foundation in 2011, 56% of Afghan respondents indicated they fear for their own safety on a daily basis because of instability in the country. The majority of respondents, 57%, also indicated that they are fearful to vote in national elections because of the possibility of reprisal attacks from the Taliban (Tolentino, 2011). Afghans also indicated that without insurance of their security by Afghan security forces, they may have to “support the Taliban to ensure their own safety” (Tolentino, 2011). This highlights

the connection between security and support for democratic transformation. Without the proper insurance of security, many Afghans are forced to turn against the state to find security in their day-to-day living.

Similarly in Libya, albeit under different circumstances, such insecurities in people's day-to-day life may undermine popular support for the democratic transition. As a first condition to the democratic transition then, the NTC must establish a monopoly over the means of force to build legitimacy and trust in formal, state-led institutions. Recent efforts by the NTC regarding security have been a positive first step. In public announcements, the NTC has given armed groups in Tripoli until 31 December, 2011 to disarm or face persecution (Jackson, 2011). Interestingly, this is largely a plea by the NTC for the people of Libya to allow them the legitimate use of force. With Libyan security forces in disarray at the moment, public calls for the people to willingly legitimate the NTC's control over national security forces is the only policy lever available to them at the moment.

Recognizing this, the NTC must do more with their limited means to ensure security. While working toward the establishment of well-trained security forces is important, within the one year timeframe with which this paper is concerned, it is unrealistic to expect such developments. Therefore, the NTC must seek to dispel potential sources of conflict before they erupt. Drawing on the case of Iraq, the dissolution of the Royal Guard created a well-organized opposition group to the democratic transformative process.

The same mistakes cannot be repeated in Libya. Even with limited resources, the issuance of a guarantee by the NTC to former Gaddafi security forces that they will not face persecution is imperative. The reason is two-fold. Firstly, it is likely to pre-empt potential sources of violence by dispelling Gaddafi supporters' fear of the NTC, thus mending the cleavage in Libyan society between revolutionaries and the old guard. Secondly, not allowing the old guard positions in the new security institutions would deprive the country of much-needed expertise in the rebuilding of Libya's security forces.⁶

⁶ Of course, there are a multitude of security concerns the NTC must address which are beyond the scope of this paper.

Therefore, as an initial priority, the NTC must obtain the legitimate monopoly over the means of force.

The Inclusion of Informal Groups

While the international community's involvement in the Libyan civil war may be born out of the protection of civilians, the conflict has much deeper meaning. It is true that resistance fighters were called to arms to protect their fellow brothers and sisters from Gaddafi's oppression, hence the sequencing importance of security. The conflict, however, was much more than a defence against tyranny. It was a revolution that sought the overthrow of the Gaddafi regime. As such, a critical mass of Libya's informal groups, individual citizens and tribes are awaiting democratic change that gives power back to the people. In this sense, the inclusion of informal groups into formal structures of power should be the second most important item on the NTC's agenda.

Libya's transition to democracy is a difficult process, with a number of important policy priorities that are beyond the scope of this paper. Over the course of the next year, however, the NTC can seek to enhance mutually supportive linkages between formal and informal structures of power that demonstrate its commitment to democracy. Aside from the issuance of a draft constitution which outlines basic provisions of a democratic system of government,⁷ the NTC can draw on locally-recognized sources of legitimacy to enhance its own. Although politically shrewd, such initiatives can quickly solidify the legitimacy of the NTC and subsequent democratically-elected governments.

Firstly, the NTC must further its constitutional commitment of upholding Islamic jurisprudence as the "principal source of legislation" (National Transitional Council, 2008, Article I). As aforementioned, historically, Islamic faith has served as a unifying force for different informal groups within Libya. By identifying Islam as the principle source of legitimate authority within the new regime, the NTC can pull together informal networks around commonly agreed upon national values and traditions. In this sense, the NTC

⁷ Libyan Constitutional Declaration, Article IV, "The State shall seek to establish a political democratic regime... in the view of achieving peaceful and democratic circulation of power" (National Transitional Council, 2011).

must continue to speak to and reinforce those common values, no matter how few they may be, that speak in a unified voice to the entire population.

Secondly, the NTC can utilize low-cost technological advancements such as social media to instill a sense of democratic confidence in the people. During the Arab Spring, the free flow of information through the use of social media reshaped the political landscape and contributed to an unprecedented opening to sharpen public accountability. Creatively rebuilding Libya's infrastructure by leveraging information and communication technology may be the most effective method of building linkages between informal networks and formal institutions once rule of law is established. Here, social media could play a pivotal role in enhancing civil engagement; keeping Libyans informed of significant government decisions, and serving as a transparency mechanism that allows Libyan civil society to remain involved in the democratic transition (Kasm, 2011).

Material Prosperity

Once security is established, and people feel included in the democratic process, it is imperative that the NTC offer the Libyan people real signs of material prosperity. Despite the importance of fostering a sense of security and inclusiveness, people will eventually demand advances in their own wealth in order to give their support to the new regime. Prior to the war, Libyans enjoyed the fourth-highest standard of living in Africa. While on one hand a blessing, it is also a curse for the NTC. Tribal leaders have lost their patronage wealth that was tied to Gaddafi, while many shop-keepers and professionals that supported the revolution must now rebuild their personal assets. In this sense, both supports and opposition forces will quickly grow impatient with the NTC if their material situation does not improve (Chossudovsky, 2011).

The challenge for the NTC is that expectations are high. In reference to the transformation of public leadership, Newt Gingrich once said, "when you deal with really large-scale change, there is a biological principle that is often overlooked. It is the principle that lions cannot afford to hunt chipmunks because even if they catch them, they starve to death" (Gingrich, 2007, 27). That is to say, given the extreme sacrifices made

during the civil war, many Libyans expect large improvements in their standard of living to validate their revolutionary support.

Realistically, however, this is not possible. Hydrocarbon processing expert Robert Thinnies expects that it could take up to thirty-six months to recover to the pre-conflict level of oil production at 1.6 billion barrels per day (bpd). At present, Libya is producing approximately 400,000 bpd, or roughly one quarter of its pre-war output (Thinnies, 2010). The point is that the NTC lacks sustainable revenue to finance large-scale projects at the moment, even with the short-term influx of foreign aid and the liquidation of Gaddafi's financial assets.

Over the next year, the NTC will have to be creative in the ways that it gives back to the Libyan people. Given revenue constraints, these are likely to be "small bite-sized pieces so people can get a taste of it [material improvement]" (Sanders, 1998, 45). Importantly, the NTC has already demonstrated a commitment toward this end. Once revolutionary fighters began their final push into Tripoli, they provided a US\$20 credit to cell phone plans nationwide (Carrey, 2011). Similar initiatives related to utility services could help to restore people's confidence in the government's commitment to enhancing people's standard of living.

The NTC will of course, have to do more. While Libya's most important economic resource has the potential to serve as a catalyst for economic growth, over the course of the next year oil production will be limited. As such, the NTC must work to secure future oil revenue for the population. Through its constitutional commitment to "provide an appropriate standard of living for all citizens" (National Transition Council, 2011, Article VIII), the NTC must clearly outline a fair, and transparent process for the diversion of oil revenue into the finance of public goods. By establishing a sovereign-wealth fund of a pre-determined percentage of Libya's oil revenue, similar to Norway's "Oil Fund,"⁸ the NTC can demonstrate its commitment to funding public goods across the country once oil

⁸ Officially referred to as the Norway Pension Fund, the Norwegian Government has committed to placing surplus oil revenue in sovereign wealth funds for investment in future public goods. See (Norwegian Ministry of Finance, 2009) for more details.

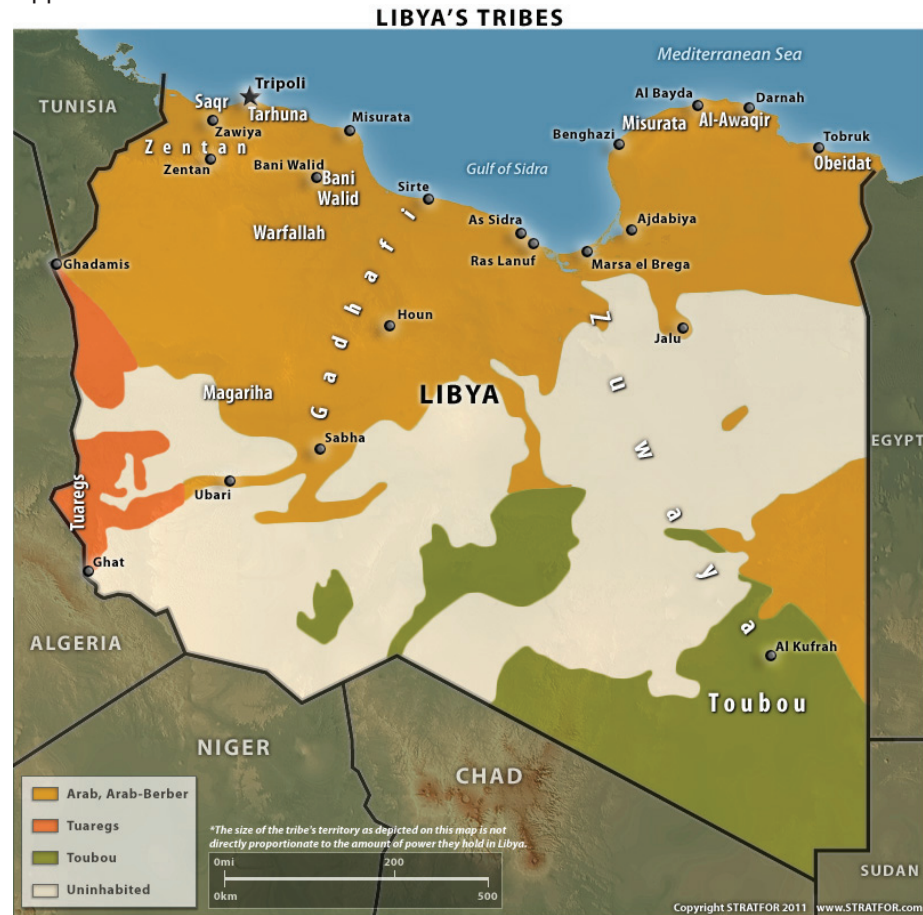
production resumes to its productive capacity. These funds can then be allocated to local participatory networks on the basis of bids for public projects. In this way, the NTC can mitigate fears from informal structures of power, such as tribes, that they will no longer receive funding from the state. Likewise, it will help to maintain the confidence of the Libyan population as a whole that the revolution remains controlled by the people, for the people.

Conclusion

The late French politician Francois Mitterrand once likened political leadership to the act of riding a tiger; “despite outward impressions of control, leaders spend much of their time trying to hang on to the tiger” (Westlake, 2000, xiii). While the NTC faces a number of challenges, this paper has drawn the NTC’s attention to the importance of nation-building. While issues of state formation are important, the NTC must also seek to build trust and accountability with informal structures of power, particularly tribes, to be successful. This first involves offering genuine security to all Libyans, even those previously supportive of the Gaddafi regime. Secondly, it involves building linkages between formal and informal structures of power. Finally, the NTC must work to mitigate fears of declining wealth by reinforcing its commitment to material prosperity. While the NTC must look forward in its transition toward democracy, it must also look to lessons in the informal networks of Libya’s past to determine how best to hold on to the tiger.

Appendices

Appendix A



Source: STRATFOR, "Special Report: Libya's Tribal Dynamics", February, 25, 2011.

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