INSTITUTIONALISED (IN)SECURITY:

Exploring the MENA Region's Governance Crises

edited by **Andrea Cellino** and **Eleonora Ardemagni**
introduction by **Thomas Guerber** and **Paolo Magri**

ISPI

DCAF Geneva Centre for Security Sector Governance

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Introduction

After a decade of uprisings and civil wars, the Middle East and North Africa (MENA) region is facing numerous "governance crises": In many countries internal conflicts, hybrid security arrangements, and external interference are hampering the legitimacy and functioning of state institutions. In fact, in most Middle Eastern countries, such governance crises have been the consequence of either a weakening or a full-blown collapse of state institutions themselves, in a feedback loop that appears to have no end in sight. In many MENA countries a context of insecurity, consisting of fluid actors and rules, pervades most daily practices, meaning that insecurity has been de facto institutionalised. As formal and informal security actors have developed complex and intertwined relationships, many "traditional" security orders have turned into hybrid ones, where the line between state and non-state institutions is blurred. Far removed from traditional state-centred patterns of security sector governance, numerous actors now contribute to fostering a form of "governance of insecurity" at both the national and local levels. Fluid and often dysfunctional networks, rather than fixed and accountable hierarchies, are now at the core of security governance structures.

Libya and Yemen are two key examples of the growing importance of studying the "governance of insecurity" in the MENA region. In both countries, a situation of protracted conflict and stalled negotiations has fostered the growth of pockets of institutionalised insecurity, where segments of formal

armies and armed groups have merged, generating new armed entities. Even when these new entities acquire legal status, they mostly operate outside of state chains of command and do not comply with good governance rules. And while Disarmament, Demobilization and Reintegration (DDR) and Security Sector Governance and Reform (SSG/R) processes are paralysed by political disagreements, mistrust and foreign interference, multiple military forces on the ground are prospering in-between legal statuses and operational autonomy. This unstable balance generates confusion, as the remit and power of many actors overlap. While not new, this phenomenon needs to be taken into account by analysts and policymakers who attempt to make sense of reality and design viable proposals for SSG/R. Since SSG/R is first and foremost a political process, it can be easily politicised for geostrategic goals, especially in contexts marked by institutional weakening and with a strong reliance on hybrid forms of security provision. With these elements in mind, this Report tries to fill a vacuum in the literature by providing policymakers and analysts with some key tools to understand the increasingly complex reality of the security sector in MENA countries, especially those marked by high levels of institutionalised insecurity.

In the opening chapter, Emadeddin Badi and Roberta Maggi outline patterns of governance crises across the MENA region: with state capacity waning over the last decade, classical concepts such as centralized authority and the state's monopoly of violence are challenged. In a broader view, state-centred analytical frameworks are no longer adequate to shed light on the region's institutional reality, nor to design sustainable models of SSG/R. Moreover, the emergence of hybrid security orders across the region has contributed to eroding state sovereignty in many MENA countries, thus opening domestic arenas to direct and indirect intervention by foreign actors. In such a complex and nuanced context, policymakers need to move away from "one-fits-all" approaches and embrace "the realm of the possible for meaningful reform".

Moving on, Eleonora Ardemagni aims to reassess the SSG/R landscape in Yemen and the MENA region by focusing on the evolution of hybrid actors. According to Ardemagni, the conceptualisation of hybridity needs to be reconsidered, as fractured states in the MENA region have turned into multi-governed spaces. In fact, two interconnected dynamics have transformed the landscape, urging a recalibrated policy approach to SSG/R. First, over the past decade hybrid security actors have evolved into re-generated military forces in which "the army-militias dichotomy is no longer salient to frame reality", as new forces are the product of bottom-up decentralisation processes. Second, the rise of new external players supporting re-generated military forces maximizes post-state centred models of security governance as well as diverse approaches to security assistance, thus further reducing prospects for a cohesive and national reconstruction of the security landscape in the MENA region.

Ranj Alaaldin then reflects upon peace building in hybrid security orders, focusing on the accountability issue in Iraq. Hybrid security orders are resistant to change: They are underpinned by interconnected political and economic dynamics that formal authorities and external actors are ill-equipped to manage. As unconventional security providers proliferate, a grey area of security players co-exists alongside formal state actors. In such a context, the accountability challenge is multi-layered, as demonstrated by the Iraqi case: While making structural changes aimed at improving accountability is "a long-term endeavour", policymakers should start "looking at creative ways to equip activists with the capacity to hold militias accountable", for instance by reducing the scope for such actors to operate with impunity – in other words, strengthening forms of informal oversight over hybrid security providers.

In the fourth chapter, Jacqueline Stomski sheds light on the impact of political elites and institutional actors on good governance, with particular reference to Libya. The political arena in today's Libya is marked by protracted hybridity: In this setting, elites are incentivised to rely on violent networks to preserve the

political status quo, giving rise to so-called "privilege violence". Having emerged during Qadhafi's dysfunctional rule, "privilege violence" has crystallised across Libya in the last decade, shaping the relationship between state institutions and armed groups. This dynamic creates a narrow-based and exclusionary ruling system in which economic and political elites run the state for their own benefit, encouraging corruption and cronyism to that end. The "privilege violence" intrinsically tying Libya's political arena to the security sector leaves "both democratic and security sector reform prospects grim at best".

Finally, Hamza Mighri analyses the inclusivity issue in Tunisia's security sector. The consistent path of reforms in Tunisia of the last ten years risks being overshadowed by recent events, notably the suspension of the Parliament in 2021. In fact, although significant work has been done to improve SSG/R inclusiveness and empowerment, many obstacles hinder its potential, especially regarding the effectiveness of parliamentary oversight. In Tunisia, the existence of a solid constitutional and legal framework has not yet produced an effective SSG, which would be all the more urgent given that the military and other security institutions have risen in prominence in recent years. Several elements, such as political divisions, lack of a unified security strategy and trust among institutions, have hampered the effectiveness of the work performed so far, particularly at the parliamentary level.

Reflecting on novel ways to improve the region's SSG/R fits neatly within redoubling efforts to stabilise a highly unstable region. However, what all authors highlight is clear: No reform is possible without the willingness of domestic stakeholders, from civil society to the political and economic elites. As the region's future remains uncertain, we hope you will enjoy reading this report and will find some answers in the various authors' work.

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1. Surrogate Governance: The Impact of Institutional Weakening on Security Sector Governance

Emadeddin Badi, Roberta Maggi

In the past two decades, Security Sector Governance and Reform (SSG/R) doctrines have been gradually or partially operationalised across the MENA region, with varying degrees of success. Despite such efforts, however, governance crises remain pervasive and have not only been brought to light in the aftermath of the Arab Spring, but in many cases have been exacerbated by subsequent waves of hybridisation, corruption, impunity and overall institutional weakening. A partial explanation may lie in the rather traditional Weberian understanding of bureaucracy, and bureaucratisation more broadly, in which this century's rational-legal forms of governance still have their roots. Key features, such as hierarchies, merit-based career advancement (or professionalisation), rigid regulations and hierarchical structures are generally seen as desirable qualities for most institutionalised forms of authority. By and large, this understanding remains at the core of governance reforms, including when it comes to countries' security sectors.

In increasingly fragile and volatile contexts – not least amid the ongoing COVID-19 pandemic – governance crises can take many forms. In some countries, the public sector's bureaucratic structures were progressively overstaffed, to the point that they remain a consequential drain on state budgets, while still lacking the capacity to effectively function from an institutional

perspective. In others, weak state institutions are struggling to cope with the increasingly complex reality in which they operate, thus failing to meet expectations of efficiency and transparency demanded by local populations. It is within this context that across the region's most fragile contexts non-state hybrid actors filled the void in service provision by taking over state functions and blurring the lines between formal and informal roles and responsibilities as they progressively entrenched themselves within the "state". This dispersal of state capacity has challenged concepts such as the monopoly on the use of force, and the SSG/R blueprints premised on a centralised use of force are increasingly considered outdated in conflict and hybrid environments. Instead, they are narratively traded for more decentralised and people-centred approaches to SSG/R that favour informal civilian forms of oversight. These, however, are extremely complex to operationalise and present their own unique sets of challenges.

Such a doctrinal shift, however significant, is but the latest conceptual lens through which the region is seen, and still struggles to fully reckon with the reality of hybridity and its long-term impact on governance structures, security sectors and beyond. To lay the foundations for the chapters to come, this introductory chapter focuses on outlining, in a non-exhaustive way due to the regional lens adopted, key patterns of governance failures and notable emerging trends in security governance policy.

Regional Patterns of Governance Failures Since the Arab Spring

"It is hard to have a say in how you are governed in a system that tries to prevent it".[1] Dysfunctional governance structures underpin key governmental failures across the region prior to

[1] "No Cause for Celebration: The Arab Spring at Ten", *The Economist*, 16 December 2020.

the revolutionary wave. Yet, those same structures have endured despite the fall of some of the region's most ruthless leaders in the first decade of the XX century, carrying with them not only a terrible track record of civil liberties restrictions and authoritarian abuses, but also a proneness to intentional and embedded inefficiency. These legacies have contributed to deteriorating state-society and civil-military relations (still too closely associated with the ruling authority), and a general climate of lack of trust.

Such a climate is unsurprising, however: For instance, the outrageously corrupt Lebanese government not only failed to preserve its citizens from the catastrophic explosion at Beirut's port on 4 August 2020, but also failed to provide even a modicum of accountability to the victims, in the midst of a social, energy and financial crisis of unspeakable proportions worsened by the political elite's very existence, interests and responsibility.[2] In Libya, succeeding leaders of divided authorities are rarely seen as anything else than more of the same, continuing the legacy of previous politicians and/or elites. In Palestine, the Authority, "governing" for years beyond its mandate,[3] struggles to demonstrate any political will to fight for the rights of its own population in the face of violations committed by Israel. In Iraq, activists and academics keep hoping for more than window-dressing arrests to result from the investigations into the assassinations of prominent scholars known to speak out against militias across the country – yet, their fight for accountability continues.[4] These examples barely scratch the surface of the ways in which institutional authorities with varying degrees of national (il)legitimacy, despite receiving international recognition, have failed their home constituencies in a profound – yet unsurprising – way over the past decade. The root causes of revolutions or

[2] A. Ibrahim, "Lebanon: What life is like in a 'failed state'", *Al-Jazeera*, 26 September 2021.

[3] "Palestinian elections: Abbas postpones rare polls", *BBC News*, 29 April 2021.

[4] H. al-Shakeri, "Without accountability, al-Hashimi's assassination will not be the last", *The New Arab*, 10 July 2020.

protests – whether manifested during the Arab Spring or in the years since – remain largely unaddressed to this day, not least owing to these authorities' unwillingness to compromise their own power-sharing and interest-seeking *modus operandi* for the sake of meaningful reform.

Against the backdrop of increasingly openly malfunctioning governance structures prioritising personal profit over national survival, anti-government sentiments have grown exponentially among disenchanted segments of the population. In some cases, this has led to protests re-emerging, even in the most constrained conditions – such as in Morocco, Lebanon, Libya, Algeria, Egypt, Tunisia or Iraq. In some instances, however, such sentiments have been harnessed by violent extremist groups, leading to an overall expansion of violent extremist networks in the MENA region since 2011. Several efforts have been funded on the "prevention" of violent extremism but all too often they have been received as yet another version of a failed 9/11-reactionary approach to socioeconomic youth empowerment[5] to curb the spread of "radicalisation". This issue also transpired in the Countering/Preventing Violent Extremism (C/PVE) doctrines deployed across the region and beyond: Radicalisation being motivated by a myriad of factors and extremely context-specific and subjective, doctrinal approaches to C/PVE, oftentimes undertaken as regional efforts in response to transnational terrorist networks' recruitment practices, failed to gain the needed traction to trigger meaningful change on the ground. Such efforts – and notably their failures as well as their perception at country level – are reflective not only of the doctrinal shortcomings of

[5] The lack of socioeconomic opportunities is identified as one of five primary drivers conducive to violent extremism in the Violent Extremism Action Plan (UN GA A/70/674 available at https://www.un.org/en/ga/search/view_doc.asp?symbol=A/70/674). However, the lack of a common understanding on the core definition of C/PVE doctrines – reflective of the lack of a universal definition of "violent extremism" – is considered the main barrier to successful implementation of such doctrines.

some development programmes designed and implemented in the region, but also of the broader disenchantment with easily replicable efforts led by global multilateral organisations with little regard for contextual specificities or root causes.

Botched transitions, governance vacuums, deficiencies and failures have also directly affected patterns of security governance in the MENA region. Before the 2011 revolutions, most of the *loci* of control over the region's artificially sustained "monopolies on violence"[6] were centralised in the hands of individual personas. The legacies of these authoritarian setups were bloated security sectors, weak formal institutions and an inherent inability to respond to the hybrid threats brought about by the collapse of the regimes that some dictators individually sustained. These emerging hybrid threats included, inter alia, transnational terrorism and organised crime, foreign-sponsored efforts to use state and non-state actors for subversive goals as well as the instrumentalisation of media to encroach on the public and private spheres with the purpose of impacting the transitional landscape. Domestically, a deeply rooted challenge inhibiting security sectors' ability to tackle these emerging threats was that democratic control over security forces was all but non-existent in Syria, Lebanon, Libya, Egypt, Tunisia and Iraq. Instead, most of these countries' security sectors became fragmented, and control over individual 'fragments' of these sectors was tenuously sustained through alternative mechanisms such as patronage, or communally agreed via informal and local arrangements. This manifested itself as a *smorgasbord* of security governance patterns across the region, with some domestic political or military actors informally exerting direct, unchecked and centralised control over the security sector (or aspects of it), while other localities saw security sustained through informal or clientelist relations between state and non-state actors.

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[6] The German sociologist Max Weber, in his 1918 essay *Politics as a Vocation* and subsequent writings, defines the state as a political organisation which successfully upholds a claim to the monopoly of the legitimate use of physical force over a delimited geographic territory.

Post-2011 Policy Shifts and Emerging Trends

The emergence of acute forms of hybrid – or hybridised – security orders across the region has undoubtedly contributed to the erosion of the MENA states' sovereignty, thus opening their domestic scene to foreign interventionism. This development overlapped with, and perhaps even catalysed, a global disillusionment with globalisation and liberalism, a worldwide *malaise* that had a negative knock-on effect on multilateralism and the rules-based international order on which it was premised. Together, these two dovetailing dynamics had a direct ripple effect in the realm of security governance in MENA states, with new modalities of proxy interventionism and warfare becoming prevalent across the region. In essence, multiple foreign states leveraged MENA states' eroding sovereignty and fragile new security orders – and the affiliated state and non-state actors within them – to deploy a mixture of conventional and unconventional methods, as well orchestrating coercive and subversive activities, in the pursuit of their own interests. These regional states also took advantage of the decay of multilateral tools, ill-fit to deal with the changing international peace and security landscape, to guarantee themselves impunity by opting to remain below the threshold of formally declared intervention when needed.

This dynamic was also concomitant with a general aversion towards unpopular and politicised interventions by Western powers, a direct result of long-term interventionist failures in the better part of the past six decades. This trend may have stemmed from the national security-motivated conception that this approach, perhaps deemed sound from a geopolitical and financial perspective, saw instead foreign policy priorities being increasingly predicated upon military contracts rather than ideological or policy principles. In turn, this shift paved the way for the prioritisation of short-term stability over long-term peaceful transitions, in a moneymaking game that transcends national borders. Maintaining plausible deniability by covertly

intervening only in the form of technical assistance or material support to carefully selected regional partners clearly constitutes a distinct emerging trend of war in the MENA region.

With the two abovementioned dynamics in mind, this shift towards inter-state conflicts on a regional scale thus catalysed the emergence of new proxy dynamics, with key players such as the United Arab Emirates (UAE), Saudi Arabia, Iran and Turkey vying for control of key conflict arenas across the region, effectively sidelining "usual suspects" such as the United States and European powers from political significance owing to their voluntary backseat role which had replaced direct interventionism. In Yemen, for instance, proxy dynamics and – oftentimes – direct military involvement of Iran, Saudi Arabia and the UAE[7] led to the internationalisation and progressive worsening of the conflict and precipitated a catastrophic humanitarian situation in the region's poorest country. This new form of interventionism, however, would not have been possible if the country's sovereignty had remained intact – in other words, if its institutions had remained resilient and uncorrupted. As in other similar contexts across the region, however, the pattern of institutional weakening initiated by the country's former leader Ali Abdallah Saleh paved the way for those same institutions' increased hybridisation after his fall, and the country's inevitable descent into civil war. Warlordism and the increasing embeddedness of armed factions into the country's split institutions was the final nail in the sovereignty coffin of the Gulf's most fragile territory.

At the macro-level, over the past decade, while the Western powers invested large amounts of development/aid funds in top-down Security Sector Reform and Governance (SSR/SSG) programmes across the region, regional proxy actors financed both institutional and non-state train and equip efforts aimed at creating a new form of security-related dependence

[7] A. al-Ashwal, *Where is the Yemen War Heading?*, Carnegie Endowment for International Peace, 15 April 2020.

and strengthening their regional clout. Such train and equip efforts have become increasingly targeted over time, with easily measurable results being sought in short periods of time – a service which has become fully monetised, and in so doing completely bypassed the key challenges of state-centred, technocratic SSR assistance in fragile contexts. Iraq remains a salient example of this phenomenon, with bilaterally empowered militias having taken control of key "fragments" of the security sector, while two-decades of international multilateral security assistance funds were mismanaged owing to weak public financial management and widespread corruption.[8] In Libya, this is best exemplified by Turkey's engagement on capacity building efforts for Libya's security sector following their military intervention to halt Khalifa Haftar's offensive on Tripoli, and their political role in the negotiations of a ceasefire agreement between the conflict parties in 2020.[9] In both cases, such dynamics emerged owing to multilaterally-sponsored assistance programmes failing to address the root causes of the institutional dysfunctionality that followed the dictatorship's demise, leaving the door open for regional powers to fill the gap and grow their clout in fragile contexts.

This dynamic is only made worse by the gradual privatisation of military action, and the outsourcing of military services to private companies – including in matters of training. This pattern contributed to bringing a relatively vicious market logic into a realm which was previously largely defined by foreign policy imperatives. Private security entrepreneurs, who marketed their security expertise in increasingly volatile settings, did so in most cases with little legal or regulatory frameworks, a dynamic which created no incentive for

[8] These issues, for instance, were raised as key barriers to implementation in the Evaluation of the Security Sector Reform Programme of UNDP Iraq for the programme period August 2015-December 2018, available for download at time of writing at https://erc.undp.org/evaluation/documents/download/13650.

[9] E. Badi, "To Advance Its Own Interests, Turkey Should Now Help Stabilize Libya", *War on the Rocks*, 24 May 2021.

preserving basic civil and human rights across their operations. The result is a shift in states' foreign policy imperatives, where the further weakening of principles-based policies was catalysed by the emergence of a culture of impunity that some Private Military Security Companies (PMSCs) have thrived on. In a ruthless market in which war technologies can be provided by an increasing number of actors, military contractors become foreign policy agents, in turn relieving the state of responsibility and accountability at times, all the while ensuring profits made and engagements sustained remain to some degree coordinated with their respective governmental patrons. Such is notably the case with Wagner's operations in Libya: Guided with a twenty-foot pole by the Russian government, strategically aligned with its policy imperatives abroad yet entirely covert in its capacity-building and train and equip engagement benefitting Khalifa Haftar's LAAF.[10]

Concluding Remarks

These are only some among the many trends which the MENA region's security arenas have witnessed since the advent of the XXI century, through wars, revolutions and foreign interventionism in different forms. The challenges brought about by these dynamics, whether overcome or not, have led the populations of the MENA region to rethink and challenge the very notion of the "nation state" and the validity of this model of governance in the contexts they live in. The complexity of the region's woes all too often led to consciously binary readings of its conflicts, such as for instance the exclusively ethno-religious focused takes, orientalist in nature and defended by numerous prominent Western media outlets since they are easier to digest by self-interested policymakers and their constituencies. Such oversimplifications, however, also provided regional leaders with

[10] I. Barabanov and N. Ibrahim, "Wagner: Scale of Russian mercenary mission in Libya exposed", *BBC News*, 11 August 2021.

the discursive tools to sustain the "nation state" in its imported[11] form, a move that proved detrimental for the region's stability. In this sense, the increasingly strong call to move away from this trend fully coincides with an effort to rethink what reform means in fragile contexts, and what level of adaptability should be adopted from the vantage point of policymakers to finally begin moving away from "one-fits-all" formulas.

It has thus become worth asking whether the nation state ever was. The mere fact that this question has come to the fore should also elicit a revaluation of the various understandings of reform, and their implications for attempts to reform security sector governance. While the answer to this question remains elusive, this edited volume's subsequent chapters point in the direction of some of the ways in which current governance structures should be conceived of, supported and progressively reformed. Using specific country case studies – notably Tunisia, Libya, Iraq and Yemen – the chapters tackle the ways in which hybrid actors, political elites and corruption, as well as the lack of accountability, inclusive governance and oversight all shape collective action and the realm of the "possible" for meaningful reform.

[11] In *Nationalism and the State* (1993), John Breuilly studies external influences in terms of "nation state" formation in the MENA region and beyond. The author notably explores how post-colonial legacies in the developing world left behind some centralisation-related imperatives in the immediate aftermath of nationalist struggles and colonial resistance. It is in this sense that the import of governance models from Western colonial powers in the early days of post-colonial contexts' coming of age is assessed as detrimental to social cohesion in the MENA region writ-large, as it provided the space for consolidation of power through othering and coercion. This phenomenon is tackled with specific reference to the Libyan context by E. Badi in "Of Conflict and Collapse: Rethinking State Formation in Post-Gaddafi Libya", *Middle East Law and Governance*, vol. 13, no. 1, March 2021, pp. 22-48.

2. Reassessing the SSG/R Landscape in Yemen: Post-Hybridity and Non-Western Players

Eleonora Ardemagni

The conceptualisation of hybridity needs to be reconsidered, as fractured states in the MENA region – such as Yemen – have turned into multi-governed spaces. In fact, two interconnected dynamics have transformed the operative landscape, urging a recalibrated policy approach to Security Sector Governance/Reform (SSG/R). First, post-2011 hybrid security actors have evolved into re-generated military forces in which the army-militias dichotomy is no longer salient for framing reality because these forces are the product of bottom-up decentralisation processes. Second, the rise of non-Western external players supporting re-generated military forces maximises post-State centred models of security governance, as well as different approaches to security assistance, including among non-Western players (network vs pyramidal). In this way, Western and non-Western efforts produce segmented and competing security projects, narrowing further prospects for a cohesive and national reconstruction of the security landscape in the MENA region.

Post-Hybridity and Non-Western External Players: Two Pressing Issues Arising in Multi-Governed Spaces

Since 2010, the Middle East and North Africa (MENA) region has been going through a major governance crisis, especially in Iraq, Syria, Libya and Yemen, following a widespread crisis in the legitimacy of governments. As a result of several regimes collapsing and civil wars, these governance crises often turned into anarchy. But anarchy did not crystallise into a power vacuum. Rather, it was gradually filled by a myriad of local, but often externally backed, armed groups performing formal security provider duties and beginning to behave as governance actors in a broader sense. Many of these bottom-up non-state actors then developed hybrid characteristics, presenting intertwined formal and informal features after top-down institutional legitimisation processes. Therefore, despite at times lacking universally recognised governments, fractured states in the MENA region cannot be considered *ungoverned spaces*, but rather *multi-governed spaces* in which local armed groups and authorities have re-set the rules of the "governance game".

Yemen is an example. As a national peace agreement is far from being finalised, the country has *de facto* divided into a series of micro-states, statelets or "militiadoms",[1] geographical areas run by armed groups which combine fighting activities, security provision and governance, each one with distinct, often competitive agendas and different external backers. Inside its political boundaries, Yemen has turned into a multi-governed space. At the time of writing, most of the north-west (included Sana'a) is held by the *de facto* Houthi state supported by Iran; the Saudi-backed internationally-recognised government

[1] E. Ardemagni, *Beyond Yemen's Militiadoms. Restarting from local agency*, EUISS Conflict Brief Series 8, The European Union Institute for Security Studies, April 2020.

struggles to keep Marib city, plus the oil and gas fields located in the Marib Governorate; political and military forces affiliated with the Saudi and Qatari-backed Islah party,[2] and supporting the government, control areas of Taiz province and city; the military-political group loyal to Tareq Saleh (nephew of former President Ali Abdullah Saleh) governs Mokha city and the Bab el-Mandeb area as part of the UAE-backed West Coast Forces; pro-Emirati forces affiliated with the secessionist Southern Transitional Council (STC) still control most of the Aden, Lahj and Abyan governorates; finally, the UAE-backed Hadhrami Elite Forces control Mukalla and coastal Hadhramaut.

More than 10 years after the critical juncture of the Arab Spring and its immediate aftermath, it is time to find new analytical lenses to make sense of the MENA region's multi-governed spaces, advancing solutions to address the widespread crisis of governance. Pursuing this goal, the conceptualisation of hybridity needs to be reconsidered, as does, consequently, the policy approach to Security Sector Governance/Reform (SSG/R). Such a conceptual step must pre-date policy options, since: A) in fractured states, the actors and power balance in defence structures have changed since 2011, when the hybridity phenomenon began to spread exponentially; B) in fractured states, non-Western external players are on the rise and compete overtly with Western external players on broadly-understood stabilisation activities, including security assistance and reshaping the actors and power balance in the defence structure. The emergence of post-hybrid military forces – forces in which segments of armies and militias cannot be clearly identified as distinct poles – and the rise of non-Western external players in fractured states are new barriers to effective SSG/R in the MENA region. These obstacles have to be added to traditional, chronic barriers to SSG/R in the area, which still persist (e.g. the politicisation of the security sector; corruption

[2] Rallying the Muslim Brotherhood, the conservative-tribal milieu and part of the Salafis.

and patronage; limited or lack of civilian oversight in the security sector). However, these are primarily related to the old, exclusively state-centred model of governance, a pattern that has been broadly overcome in the post-2011 reality with multi-governed spaces.

In this framework, two prominent issues have to be clarified by research analysis and then addressed by politics to better deal with governance crises in the MENA region. A) As post-2011 civil conflicts drag on (Yemen) and are partially or intermittently constrained by political agreements (Syria, Libya and to a lesser extent Iraq), hybridity is no more "real hybridity", as it is now difficult to distinguish between "armies" and "militias", "regular" and "irregular" forces. B) Different approaches between Western patterns of SSG/R and non-Western models of security assistance and "train and equip" produce competing, fragmented security projects in MENA countries, with implications for post-hybrid military actors and the likelihood of stabilisation.

Into a New Reality: Seeking Other Approaches and Terminologies

An updated reflection on hybridity cannot bypass terminology. In fact, accurate terminology helps us identify and then convey concepts, revealing the ontology of the spread of military actors in today's fractured MENA states. In the hybrid pattern, the presence of an "army" and "militias" is fundamental: Only the existence of two poles – the formal army and informal militias – make hybridisation possible. However, as fractured states – and institutions above all – have emerged deeply transformed from years of conflict, the context is in flux and poles are now vague and hard to identify. For this reason, some scholars are starting to question analytical approaches, terminology and, to a lesser extent, the hybridity issue. In today's institutional landscapes, "categories such as state or non-state, informal or formal no longer are useful", notes Mareike Transfeld et al., referring

directly to Yemen.[3] Selecting Afghanistan, Syria and Iraq as research cases to investigate how the United States can mitigate the risks of partnering with "irregular actors", Erica Gaston chooses to avoid classification and to analyse together "forces that span different categories and statuses", thus opting for the comprehensive acronym LHSFs (Local, Hybrid or Substate Security Forces).[4] Some authors are refocusing the analysis away from hybridity in military forces to the nature of the state. For instance, Renad Mansour applies a "network of power" approach to overcome the "hybridity compromise" which separates the state from society, with regard to Iraq. In fact, "nodal connections" between state and society make it possible to transcend the debate on the formality and informality of military agents, tracing power connections "regardless of where they [groups] sit".[5] On the same wavelength, Tim Eaton's recent research on Libya adopts a socio-institutional approach based on networks to analyse the Libyan Arab Armed Forces (LAAF) and what remains of the state defence structure. In this way, the armed groups are better conceived "as networks competing against other networks for power". Such framing makes it possible to compare the structures of armed groups "beyond the classical distinctions of regular and irregular forces" stressing, for instance, other policy-relevant features such as horizontal or vertical ties between leaders and social bases.[6] Reflecting

[3] M. Transfeld, M. al-Iriani, M. Sultan, and M.-C. Heinze, *Local Security Governance in Yemen in Times of War. The Cases of al-Hudayda, Ta'iz and Aden*, Yemen Policy Center-Center for Applied Research in Partnership with the Orient (CARPO), Policy Report, 15 April 2021, p. 5.

[4] E. Gaston, *Regulating irregular actors. Can due diligence checks mitigate the risks of working with non-state and substate forces?*, Global Public Policy Institute-Centre for the Study of Armed Groups at ODI, Working paper 608, May 2021, paragraph 1.1; previously, see the research project *Local, Hybrid and Substate Forces in Afghanistan & Iraq*, The Global Public Policy Institute (GPPi).

[5] R. Mansour, *Networks of power. The Popular Mobilization Forces and the state in Iraq*, Chatham House, Research paper, 25 February 2021, pp. 9-10.

[6] T. Eaton, *The Libyan Arab Armed Forces. A Network analysis of Haftar's military alliance*, Chatham House, Research paper, 2 June 2021, pp. 7-8.

on how to classify post-2011 armed groups, Benedetta Berti adds another piece to the mosaic. As the difference between the traditional state-centred model of governance and network, hybrid-style, mediated models widens, armed groups can be divided between "dynamic spoilers" versus "contributors to stability", thus highlighting their opposite behaviours in the political process.[7] All these reflections reveal the need for new approaches and new words, as internal scenarios are undergoing major transformation.

Beyond Hybridity. Making Sense of Re-Generated Military Forces[8]

In fractured MENA states, as Yemen, Syria, Libya and Iraq, defence structures are no longer army-centric. We are witnessing the sunset of the armies as pillars of national defence because of a broader context in which state institutions have lost capacity and legitimacy. The hybrid model has been key to understanding the complex forms of security delivery that emerged after 2011. However, after a decade of expanding hybridisation, can we still portray the military realities of fractured MENA states in binary terms, thereby stressing the dichotomy between "armies" and "militias"? On the ground, it is increasingly difficult to draw boundaries between them since they cannot be categorised as opposite poles of a continuum any longer. On the one hand, armies integrate some militias and so they acquire legal status and technically become part of the army itself. In Yemen, for instance, this is the case with the Hadhrami Elite Forces, which have been part of the army since

[7] B. Berti (panel speech), "Winning the Peace: Armed Groups and Security Sector Challenges", The Brookings Institution, Initiative on Non-State Actors, 3 June 2021, online event.

[8] This paragraph is adapted from E. Ardemagni, "Beyond Hybridity: Making Sense of Re-Generated Military Forces", in E. Ardemagni (ed.), *Understanding Arab Armies in the Security Hybridization Age*, ISPI MED Dossier, ISPI, 3 June 2021.

2016. On the other hand, segments of armies coalesce with militias, thus turning into new entities. In Yemen, this occurred to Ali Abdullah Saleh's loyalists of the Republican Guard with Ansar Allah, the Houthis' movement-militia. Therefore, the fragmentation and, later, the hybridisation between segments of the armies and legalised militias have shaped new military entities which now stand a step beyond hybridity, and can be analysed as something else – and more – than two single parts. These entities can be framed as *re-generated military forces*, where re-generation does not refer to "quality", but only to the "outcome of an ongoing process". In fact, protracted and stratified hybridisation has produced new, re-generated military forces compared to both pre-2011 military actors and the emerging hybrid umbrellas that formed immediately after the 2011 uprisings. For instance, in Syria, Russia has integrated "various irregular and rebel groups"[9] into Syrian Arab Army units, as in the case of the Local Defence Forces, which were institutionalised into the army as auxiliary forces. In 2017, the Fifth Corps was created as a volunteer-based force under the Ministry of Defence to be deployed alongside army units and other foreign-supported groups. In Libya – where the national army was extremely weak before 2011 – the paradigm is reversed as militias have exploited their state affiliation to co-opt segments of the formal security apparatus into their ranks (in the west and in the south of the country). Meanwhile, in the east, the LAAF, the "would-be national army", comprises formal units along with varied tribal compositions and auxiliary local forces. Due to hybridisation, Iraq's military trajectory has reached a precise form: Duality. In fact, the Iraqi Security Forces (ISF) and the Hashd al-Shaabi embody a dual military system. The Hashds were legalised in 2016 and the Prime Minister issued a decree ordering their formal integration into the national armed forces in 2019, but they continue to be independent

[9] A. Lavrov, *The Efficiency of the Syrian Armed Forces: An Analysis of Russian Assistance*, Carnegie Middle East Center, 26 March 2020.

players in the country. In terms of re-generated military forces, the Yemen case is especially insightful. Two Emirati-backed and secessionist Southern militias, the Hadhrami Elite Forces and the Security Belt Forces, have been technically part, respectively, of the Yemeni army and the Ministry of the Interior since 2016. Under the Houthi' *de facto* authority, members of the disbanded pro-Saleh Republican Guard and the Ansar Allah militia have progressively merged, since 2015, into a new military entity. Therefore, the boundaries between "who belonged to the army" before 2011 and "who later received legal status" are narrowing in terms of organisation, status, benefits and accountability, as power relations reshape within all the aforementioned states. Contamination between fractured armies and militias generates new military forces, which reassemble within loose and fluid defence structures.

Re-generated military forces show five recurrent features:

1. Multiple and competing power centres: Re-generated military forces lack an agreed and unified chain of command, opting instead for ad hoc schemes depending on the battlefield.
2. De-structured and localised organisation: Re-generated military forces blend the hierarchical structures of armies with the decentralised and horizontal shape of bottom-up militias. Such mixed organisations are highly dependent on local balances and identities, with particular regard to mobilisation.
3. Combination of military capabilities with militarised police tasks: Re-generated military forces manage coercion and patrolling and are better equipped – and motivated – to counter internal threats rather than external challenges. Furthermore, "the policing scene is highly-fragmented, with the police having been infiltrated by militias".[10]

[10] F. Gaub and A. Walsh, *Relationship Therapy: Making Arab Police Reform Work*, EUISS Chaillot Papers, The European Union Institute for Security Studies, 2020, p. 40.

4. Strong role in welfare provision: Re-generated military forces are governance-oriented and actively engaged in service delivery, thus joining military and economic/social tasks across the same territory.
5. Major external influence and penetration by foreign state powers: Re-generated military forces are often supported by external state actors vying for influence. This dynamic enhances competing SSR projects, feeding internal instability.

Given these features, two factors suggest re-generated military forces are likely to persist in the medium-to-long-term. First, re-generated military forces are widely governance-oriented. They are not only able – and willing – to conquer territories but also to hold them and to provide emergency responses, as occurred during the COVID-19 pandemic. This is telling of the contested nature of the State in fractured MENA countries. Second, re-generated military forces are the outcome of incomplete integration processes. Despite formal legalisation, the armies are often unable to integrate militias, due to mutual mistrust, continuing rivalry, external interference and a lack of political will. Moreover, financially exhausted governments in fractured MENA states cannot provide regular salaries to soldiers, or if they can, they cannot compete with those offered by militias, especially if these militias are backed by external powers, as occurs in Yemen, Iraq, Syria and Libya.

Dealing with Reality. Overcoming the State-Centric Model of SSG/R: Re-Generated Military Forces as Products of Bottom-up Decentralisation

Re-generated military forces in Yemen, Libya, Syria and Iraq reflect a post-State centred model of security provision and governance. From a political-institutional perspective,

re-generated military forces are symptoms of highly decentralised states. The transfer of power to local authorities did not follow, in these cases, top-down processes of power devolution, but rather bottom-up trajectories in which local armed groups gained power by capitalising on the weakness of central institutions and war time uncertainty. As a result, *de facto* federalism has materialised from the ashes of central institutions, not as the product of centre-periphery formal renegotiations of power. The hyperlocal trend in fractured MENA states has deeply affected defence and security actors. In Yemen, for instance, Security Committees at governorate and district level continue to operate in war times. These are widely perceived as institutions despite operating in informal contexts, with structures and mandates that are not legally defined.[11] Security Committees are platforms to debate local security challenges and decide measures to be implemented locally. In such a framework, a pure state-centred model of SSG/R (and security assistance) is no longer able to answer the reality on the ground. Conversely, such reality is increasingly hybrid, network-oriented and decentralised, following horizontal patterns of recruitment, interaction and command. As re-generated military forces emerge, the local factor prevails – as a salient dimension – over the "regular" vs "irregular" cleavage that marked the previous hybridity phase, and that has mostly vanished now.

Non-Western Security Players in Fractured MENA States and Their Train and Equip Efforts: Tracing Patterns, Seeking Remedies

Fractured states where hybrid forces have evolved into re-generated military forces are highly-permeable to external powers. In the last decade, non-Western states (Iran, Russia, Turkey, UAE, Saudi Arabia and Qatar) have dramatically

[11] Transfeld et al. (2021).

increased their direct – and indirect – role abroad. Since SSG/R is first of all a political process, it can be easily politicised by foreign players seeking geostrategic gains. Despite some of these states being NATO members (Turkey) and NATO partners (UAE and Qatar), different goals, approaches and patterns have clearly emerged *vis-à-vis* those of "traditional" Western players (US, EU and single European states). Pursuing SSG/R, Western players mainly focus on state and institutional (re)building, complying with rule of law and good governance principles. The political conditionality tool aims to build human security through the observance of standards. Differently from the previous approach, non-Western players focus, first, on the stabilisation of fractured MENA states. This is a broad concept encompassing nuanced and multiple understandings[12] that can conceal zero-sum goals on the ground. Regarding re-generated military forces, non-Western players have shown they have the upper hand over Westerners so far, providing pragmatic and often self-interested support to local forces. In fact, non-Western actors deal directly with local armed groups through train and equip programmes. These are often disconnected from institutional (re)building, presenting limited, or even absent, space for human security standards and goals. From their perspective, local armed groups eye "easy" short-term gains on the ground against local rivals. Most of all, the train and equip efforts by non-Western players are often detached from the broader, national-oriented SSG/R framework, focused only on a specific geographical area or a local armed group. This occurs since non-Western players tend to pursue short to medium-term stabilisation goals in fractured MENA states for geostrategic gains, not medium to long-term objectives related to state and institution (re)building as Western players do.

[12] N. Quilliam, "Saudi Arabia, the UAE and Turkey: The Political Drivers of 'Stabilisation'", in V. Gervais and S. van Genugten (eds.), *Stabilising the Contemporary Middle East and North Africa. Regional Actors and New Approaches*, Palgrave MacMillan, 2020, pp. 139-61.

Train and Equip Patterns Adopted by Non-Western Players: Network (Iran, Saudi Arabia) versus Pyramidal (UAE, Turkey, Russia)

Compared to Westerners, non-Western players show different security patterns *vis-à-vis* local armed groups, primarily aimed at maximising geostrategic gains. However, non-Western train and equip patterns are not all the same. Iran follows a *network approach*. Tehran stands at the centre of interconnected armed groups, most of them crafted by Iran and sharing – to varying degrees – convergent ideologies, regional perceptions and operative goals in the Middle East. Alternatively, Saudi Arabia's network approach is based on local intermediaries in third countries to extend or enhance its influence over local security sectors. Conversely, the UAE, Turkey and Russia have developed a *pyramidal approach* in which their centralised command mostly shapes patron-client relations abroad, with each country-patron displaying specific features (for instance, in the relationship with identity-markers). Different patterns of bilateral security assistance add further obstacles to coherent SSG/R in each country.

Iran (network pattern, pivotal). Tehran's transnational network abroad can be described as an "influence structure" in which Iran stands as the *pivot* and the structure is mainly built on the Shia identity-marker. The network displays weak cohesion among armed groups, although sufficient to fulfil Iranian geopolitical goals in the MENA region. On train and equip programmes, Iran (a dual state) works abroad especially with armed groups, not with armies, although security hybridisation has narrowed the distance between these typologies. The relationship between Tehran and the players in its network varies from "organic" to "opportunistic". In Iraq, Syria, Lebanon and Yemen, Iran's operative framework provides: The training of third-party armed groups; the deployment of senior Quds force officers as advisers; and the deployment of small numbers of Islamic

Revolutionary Guard Corps (IRGC) and Hezbollah's specialists.[13]

Saudi Arabia (network pattern, through intermediaries). Riyadh's security assistance pattern follows a network model too, although it is different to the pattern used by Tehran. Saudi Arabia leans on *local intermediaries* to exercise influence abroad, capitalising on doctrinal and tribal identity-markers. In Yemen, the intermediaries are the internationally-recognised government, General Ali Mohsin Al Ahmar (Vice President and Deputy Commander of the armed forces), the Islah party and tribal groups. For instance, the Saudis used to provide equipment and salary to Yemeni militias through the Yemeni government or Riyadh contributes to half of the salary (or to the salary but not to the equipment, as in the case of the Amajid Brigade in Abyan). In Libya, Saudi networks in the defence sector are more informal than in Yemen. These are built on education, clerics and travel connections between intermediary groups and Riyadh, as in the case of the Salafi Madkhalis, who have partly supported and fought alongside Khalifa Haftar's forces since 2011.

UAE (pyramidal pattern). In Yemen, the UAE's train and equip pattern is pyramidal as the Emiratis have direct control of armed groups which are often placed under their central command during operations. With the exception of the Counter Terrorism Unit, the UAE prefers to cooperate with those (former) informal forces that it played a decisive role in organising, training, equipping and, often, funding, as was the case with most of the Yemeni Southern armed groups (Security Belt Forces; Hadhrami Elite Forces; Shabwani Elite Forces; Giants Brigades). Most of the armed groups backed by the UAE have been subsequently legalised by the Yemeni security sector. The Emiratis usually work with local identity-driven forces, marked by an anti-Muslim Brotherhood stance. Mobilisation

[13] *Iran's Networks of Influence in the Middle East*, International Institute for Strategic Studies, Strategic Dossier, 2020, chapter 1.

and recruitment follow a "province by province" criterion, shaping regionally homogeneous groups. In Libya, the UAE's pyramidal support of the LAAF can rely on Egypt's knowledge of the tribal fabric and territories. As such, it focuses on a specific geographical area (Cyrenaica) and includes equipment provision but, differently from Yemen, not systematic training so far.[14]

Turkey (pyramidal pattern). In Syria and Libya, Turkey's train and equip pattern is mostly pyramidal. It cooperates with both formal and informal military actors, with a centralised command under the Turkish army on the ground. In Libya, "Ankara has sought to amalgamate its proxy architecture … by merging Syrian mercenaries into GNA aligned units in groups"[15] placed under the Turkish army. This provides confirmation as to how non-Western state players skilfully build power relations with re-generated military forces abroad. Turkey gradually institutionalises militias and it "has centralised many revolutionary groups under an Islamist-nationalistic vision and partnered them with its own military". In this framework, the identity – and the nationalist – dimension is primarily exploited to pursue geopolitical goals.

Russia (pyramidal pattern). In Syria and Libya, Russia's train and equip pattern is pyramidal, with a single, vertical chain of command under the Russian military. Private Military Contractors/Companies (PMCs), such as the prominent Wagner Group, are part of this effort. These are "semi-state informal security organizations",[16] "paramilitary"[17] groups operating and coordinating with the Ministry of Defence

[14] E. Ardemagni and F. Saini Fasanotti, *The UAE in Libya and Yemen: Two Tactics, One Goal*, ISPI Analysis, ISPI, 31 July 2020.

[15] E. Yüksel, "Turkey's approach to proxy war in the Middle East and North Africa", *Security & Defence Quarterly*, 2020, p. 11.

[16] K. Marten, "Russia's use of semi-state security forces: the case of the Wagner group", *Post-Soviet Affairs*, vol. 35, no. 3, 2019.

[17] C. Rondeaux, "Decoding the Wagner Group: Analyzing the Role of Private Military Security Contractors in Russian Proxy Warfare", *New America*, 5 November 2019.

and the Russian military. Although Moscow usually works abroad with armies, its flexible and opportunistic approach has pushed it – for instance – to integrate groups of rebels into the Syrian army, crafting quasi-regular military formations. Russia works locally, but without stressing local identities in order to emphasise national belongings in third countries.[18]

The Yemen case helps us to understand both the network (Iran; Saudi Arabia) and the pyramidal (UAE) approaches to security assistance and governance, and how they have accompanied the transformation of hybrid actors into re-generated military forces. Ansar Allah, pro-Saudi and UAE-backed groups can be framed as re-generated military forces, since they evolved from hybrid forces and present the five features discussed above. The relationship between these forces and their external backers sheds light on different patterns of security assistance and governance. Ansar Allah and Iran display a network approach, with the Houthis as the most peripheral node of the pro-Iranian constellation; pro-Saudi forces in Taiz and Marib rely on Riyadh's network of Yemeni intermediaries, especially government officials, Islah and tribes; UAE-backed groups affiliated or close to the secessionist STC have a pyramidal relationship with the Emiratis, who keep a leading, vertical posture *vis-à-vis* the groups they helped to organise – which has continued after the Emirati military withdrawal from Yemen in 2019. The co-presence of different and fragmented patterns of security assistance and governance in Yemen means there will probably be competing SSR efforts once (and if) a political settlement is agreed. This maximises *segmented SSRs* within the boundaries of Yemen's multi-governed space, thus reducing the prospects of a cohesive, national SSG/R.

[18] Many thanks to Federico Donelli and Chiara Lovotti for valuable insights on Turkey and Russia.

Conclusions and Policy Options. Working to Operationalise New Approaches and Terminologies

In fractured MENA states, post-2011 hybrid forces have turned into re-generated military forces. At the same time, non-Western players have increased their military presence and geopolitical leverage in third countries, promoting an alternative security assistance framework compared to the most widely established SSG/R approach adopted by Western players. These combined factors have significant implications for broader SSG/R efforts. The fragmentation and, later, the hybridisation between segments of the armies and legalised militias have shaped new military entities which now stand a step beyond hybridity and can be analysed as something going beyond the traditional duality of their conceptualisation. Traditional categories such as formal/informal, regular/irregular, armies/militias have been widely superseded by the reality of post-state centred governance. Re-generated military forces are products of bottom-up decentralisation processes: Yemen, Libya, Syria and Iraq have turned into multi-governed spaces, as a result of regime collapse and civil wars. In these contexts, non-Western players interact and build train and equip programmes directly with local forces, leveraging their political and territorial aspirations. As a result, geopolitical and local agendas prevail over institution-building and human security goals. This phenomenon is a growing problem for Western players that are partnering with local forces to reduce their direct military presence and engagement abroad. Moreover, decentralised, non-Western train and equip programmes could disempower the Western approach, which is mainly state-centric and centrally oriented, based on good governance and needs time to be effective. This is also occurring while the US is redesigning its security strategy in the MENA region to align interests and values. For the US, the empowerment of local military forces is essential to the success of its defence recalibration strategy. But

segmented approaches to security assistance increase internal differences and strengthen proxy actors in fractured states, thus consolidating micro-powers, statelets, and "militiadoms" in multi-governed spaces, to the detriment of national frameworks. This could open up further space for non-Western players while reducing the room Western players have for engaging regenerated military forces in long-term and nationally-oriented institution-building.

Given this framework, SSG/R efforts in fractured MENA states, including Yemen,[19] should focus on:

- Before planning SSG/R, invest time and resources in knowledge about the "security governance map",[20] tracing updated local power connections, chains of command, territorial grievances and aspirations that embolden violence. This preliminary effort should highlight both vertical relations between local military chiefs and fighters, as well as horizontal relations between armed groups and local communities.
- Before planning comprehensive SSG/R, design cooperative transitional security arrangements. These should be firstly designed to prevent/downplay/handle competing SSRs by external players, through inclusive policy formats.
- In planning and implementing SSG/R, overcome exclusively state-centred models in SSG/R opting for community-centred patterns able to reinforce security at the level closest to local communities. This should contribute to engaging and coordinating with traditional security players (e.g. tribal chiefs in Yemen),

[19] For detailed policy recommendations on Yemen, E. Ardemagni, "A Network Approach to Yemen's SSR: From Army-Centric to Community-Oriented", in A. Cellino and A. Perteghella (eds.), *Conflicts, Pandemics and Peacebuilding: New Perspectives on Security Sector Reform in the MENA Region*, ISPI-DCAF joint report, ISPI, December 2020, pp. 83-102.

[20] See on this S. Mohammed, *How to do smart security sector reform in Yemen*, Yemen Policy Center, June 2021.

who have territorial influence and extensive knowledge of the social fabric, with an eye also to reconciliation mechanisms.

- In planning and implementing SSG/R, frame it within a decentralised state architecture. A locally-oriented SSG/R should be part of a comprehensive, national agreement to decentralise powers and governance, included security governance (e.g. the federal principle approved during the Yemen National Dialogue Conference in 2013-14 and expressed in the Outcome Document).
- In planning and implementing SSG/R, start from the air force, navy and coast guard, not from ground forces, thus opting for a step-by-step approach.[21] The latter are traditionally game-changers when mutinies and coups are ordered, and the primary targets for external players' appetite for influence and leverage abroad.
- In planning and implementing SSG/R, Western players should engage re-generated military forces in community-oriented security projects, under a national horizon. This should support trust-building and local ownership in highly-permeable and competitive settings, thus diminishing the operative space of non-Western players in these countries.
- In planning and implementing SSG/R, create occasions/institutions for ad hoc cooperation between Western and non-Western players. For instance, multinational initiatives and teams supervised by multilateral organisations (e.g. UN, EU, NATO, GCC) should be created to involve both Western and non-Western players in positive-sum stabilisation activities.

[21] See A. Gupta, "Reintegrating Warring Yemeni Forces: Lessons from Other Cases", *Forum of Federations*, 2021.

3. Peace-building & Accountability in Hybrid Security Orders

Ranj Alaaldin

Security Sector Reform (SSR) has come under significant pressure in the conflict zones and transitioning societies of the Middle East and North Africa. SSR is an expansive and multi-layered concept, an aspirational process aimed at transforming the security environment into one that enables and strengthens accountability, respect for human rights and the rule of law. But the local processes and mediums through which civilian populations seek redress and reprieve from conflict have undergone transformational changes in recent years, and in ways that either challenge or are ill-suited to the traditional avenues and structures through which SSR processes are undertaken.[1] Specifically, civilian populations find their political and security orders increasingly inhabited and dominated by unconventional security providers, armed non-state actors that, on the one hand, occupy spaces where formal state institutions have either collapsed or have become severely weakened and, on the other, straddle a grey area where these actors either work and co-exist alongside formal state actors (like the military, police, intelligence or counter-terrorism services) or are formally integrated into such institutions without submitting to state authority and civilian oversight.

[1] A. Cellino and A. Perteghella (eds.), *Conflicts, Pandemics and Peacebuilding: New Perspectives on Security Sector Reform in the MENA Region*, ISPI-DCAF joint report, ISPI, December 2020

This chapter explains why the state-centric approach to SSR, focused as it is on structural reforms and wholesale changes to governing structures, no longer corresponds to the political and security dynamics that shape post-conflict transitioning societies. While, for external actors, the contours of governance and security that have taken shape in recent years may constitute anomalies, for the local populations and elites that comprise the post-war political order, these are permanent fixtures that need to be accommodated. The chapter also describes the political and socio-cultural dynamics of post-conflict societies and hybrid security orders that require closer appreciation, both to better inform policy-makers and guide SSR processes in a manner that makes them compatible with the character of warfare and governance today.

Adapting to the Realities of Hybrid Security Orders

One of the fundamental and enduring features of the post-9/11 international order is the marked shift in how conflicts are fought and the proliferation of both proxy wars and armed non-state actors.[2] Hastened but not enabled by the 2003 invasion of Iraq, and then expanded by conflicts in Syria, Libya and Yemen after the 2011 Arab Spring, proxy warfare has radically transformed governance and security structures in the Middle East. Proxy wars are conflicts that tend to be inherently protracted, owing to the decentralised organisational structure of non-state belligerents and the involvement of outside actors. The latter, in particular, create a balance between external proxy powers that increases the durability of the conflict. It is only when all parties perceive their involvement as offering limited returns and intolerable costs that they contemplate ending their involvement or becoming more amenable to a settlement. These costs include both human and material costs along with

[2] For more, see A. Ahram, *Proxy Warriors The Rise and Fall of State-Sponsored Militias*, Stanford, Stanford University Press, 2011.

the financial and reputational costs (among others) that lead external actors to re-consider the support and resources they have invested in a conflict and its aftermath, particularly as local and external actors undertake stabilisation and reconstruction processes. Such stabilisation and reconstruction processes *in* and *of* themselves have the potential to shift the pendulum of power for local actors and their sponsors.

As observable in Syria, a conflict can endure for almost a decade and still fail to yield an opening that might provide for a lasting settlement. The notion of a lasting settlement is in itself a difficult concept in the case of civil wars. The second-order effects of conflicts are often understated and, as a result, fail to be integrated into post-conflict SSR processes; this includes their impact on the public consciousness and the collective memories of injustice and repression they create, conditions that establish the grievances and conditions for conflict relapse.[3]

The weakening of institutions and the collapse of the rule of law as well as state authority pave the way for alternative authorities, including militias, warlords and criminal enterprises to fill the resulting gap, producing war economies that these actors are determined to preserve and that expand their recruiting pool. If SSR is to adapt to these arguably permanent features of warfare, then SSR processes, both conceptually and in practice, must accommodate the operational elements of proxy warfare and armed non-state actor interactions with the local population, their political rivals and external actors. More fundamentally, adapting such processes could help develop and institute policies that are better fitted to both bottom-up and top-down conflict dynamics and to containing or preventing the second-order effects of conflicts that impede SSR processes from fulfilling their goals or, worse still, from materialising. A large part of the problem is that the international community is fixated on the same statist doctrine that has underpinned

[3] See R. Alaaldin, *Devising a Consensus-Driven Security Architecture for the MENA Region*, Istituto Affari Internazionali (IAI), December 2020.

foreign policy and international relations more generally. The authority and legitimacy of the state has been deemed paramount, irrespective of that state's ability to carry out its duties and functions. Excluding armed groups from formal peace-building efforts – during and in the immediate aftermath of conflicts – and the uncertainty over their formal and legal status in the absence of long-term political and constitutional settlements will continue to complicate peace-building efforts in the Middle East and North Africa region. Indeed, armed non-state actors continue to straddle a grey area and legal lacuna when it comes to their interactions with state powers and authorities, at both the national and global level.

The problem with Syria's failed and countless truces and peace negotiations was to a large extent attributable to the dishonest commitments of the Assad regime and Russia, who used peace-talks as a smokescreen to intensify their atrocities. However, it was also the case that peace talks were mired in disagreements over who should and should not be in attendance. Russia rejected the participation of opposition groups that it labelled as terrorist, while Turkey rejected the inclusion of the Kurdish PYD.[4] More often than not, peace talks were dominated by Syrian exiles as militia groups on the ground dismissed their legitimacy and credibility. Excluding proxies and armed groups from participating formally in the drafting of multilateral treaties and agreements is counter-intuitive and poorly positions policy-makers, donor organisations and local civil society groups as hybrid security orders begin to take shape. It renders agreements between conventional and formal actors futile because such agreements have limited applicability in the conflict environment that exists and emerges.

In short, an agreement cannot be enforced if it excludes the belligerents. Fundamentally, it signals to these groups that they are bound by neither the terms of such agreements or the international norms they seek to protect, particularly where these

[4] "Turkey threatens to boycott Syria peace talks", *AFP*, 26 January 2016.

relate to the protection of civilians. The counter-argument is an important one but is outdated and ill-fitted to geopolitics and conflict dynamics today. Formal law-making is still dominated by statist doctrine and there will be apprehensions in relation to the practical difficulties and potential criminal implications of involving armed groups, potentially even the enrichment and enhancement of militias who look to exploit formal negotiations to secure recognition and resources. However, integrating armed groups into political and constitutional exercises on this basis is detached from the reality that such actors are not necessarily dependant on whatever legitimacy may be conferred to them by being included in negotiations, while any such legitimacy pales in comparison to the legitimacy, recognition and influence they have established on the ground within the territories they control.

Alternative Approaches

When attempting to conceptualise these groups, the least useful angle is that of security while the most useful is sociological and political – dynamics that are directly shaped by the political economic environment.[5] The availability of outsized budgets has traditionally been deemed a crucial component of peace-building, stabilisation and SSR efforts; but Libya and Iraq show that this can have a regressive impact: The number of fighters increase in direct correlation with the availability and distribution of resources. Rather than seeking to shift the landscape in favour of one side of the conflict, it may be far more effective to focus on enhancing the self-governance capabilities of local actors and achieving conflict reprieve for a population that would otherwise be engulfed in further conflict if alternative designs were imposed on them. However, this also requires securing acceptance of the status quo from

[5] See S. Heydemann, "Civil War, Economic Governance & State Reconstruction in the Arab Middle East", *Dædalus*, vol. 147, no. 1, 2018.

precisely those actors that seek to upend existing arrangements. The key point here is that it is far more plausible to first secure consensus in relation to the existing status quo in any conflict context, than to fuel the drivers of conflict and reinforce the zero-sum approach belligerents have adopted. As Ariel Ahram notes, "the challenge of managing hybrid security in MENA is not to privilege states and prepare them for eventual supremacy but to negotiate the immediate devolution of functional responsibilities".[6]

Secondly, securing a consensus in relation to localised spheres of influence and control can provide the momentum and stepping-stone for a broader national agreement. By zooming in on and prioritising the local, parties to the conflict can at least enable conflict reprieve that provides breathing space and an opening for viable negotiations to materialise and strengthen the perception that no single actor will be capable of achieving an outright victory. This shift in approach involves a stronger nexus and a mutually beneficial relationship between sponsor and client, one that could pave the way for development assistance and funding and that helps ensure that these do not become weaponised and do not discriminate between different sections of local communities.

The proposal here is to start small and local, engaging the reality that has emerged over the course of conflict as opposed to imposing alternative designs that will either be resisted or that are ill-fitted to the political and conflict landscape. For starters, there are alternatives to traditional state-building modalities that could have a direct influence on how peace-building strategies are pursued, namely by engaging in conflict mediation or resolution efforts that are not incompatible with the political and governing structures that have emerged from the ruins of conflict. This is also needed to pre-empt resistance from actors that have a vested interest in maintaining the status

[6] A. Ahram, *Hybrid Security, Frozen Conflicts, and Peace in MENA*, POMEPS Studies 42, MENA's Frozen Conflicts, November 2020.

quo. For example, traditional disarmament, demobilisation and reintegration (DDR) and SSR approaches look to persuade militia fighters to put their weapons down and equip them with the skills needed to enter the job market. More often than not, however, that does not correspond to the fact that these individuals have limited alternatives in the economic environment in which they operate, and it raises the risk calculus as a result of the plethora of threats that these actors face, not least from rival groups that could potentially move to consolidate and expand their positions once other actors have engaged in DDR.

For example, Iraq has transitioned from seeing a wide range of militias actively engaged in conflict to a stage where the common enemy – Islamic State – is largely defeated. Groups that once had a straightforward purpose must now figure out what their relationship to the state and society is; the dilemma is exemplified by the rivalry between militia groups of the Popular Mobilization Force (PMF). The most established and powerful of militias within the PMF, namely the Iran-aligned armed factions that have operated and mobilised for the past two decades, have moved to expand their hold on the state and society since the onset of the war on ISIS. However, militias tied to Grand Ayatollah Sistani, who have long detested the influence and autonomy of Iran-aligned militias but were only established in 2014, are still in the process of establishing their relationship with the state and society, and must choose between either enhancing their status as militias that operate outside of the state or integrating into the army and effectively surrendering their territorial influence, access to informal economies and, potentially, even fighters to their rivals.[7] In the case of Libya, disparate militia groups include those aligned with the Government of National Accord (GNA) in Tripoli and those that form part of Khalifa Haftar's Libyan National Army

[7] "Pro-Sistani 'popular mobilization units' break with pro-Iran militias in Iraq", *Al-Monitor*, 29 April 2020.

(LNA). While in the case of Iraq the country's militias have for the most part avoided full-scale conflict for at least a decade now, militia groups in Libya continue to be in a state of war, the recent peace agreement notwithstanding. In this respect, the notion of SSR and DDR practices in such volatile and high-stakes environments faced with the prospect of imminent conflict is a counter-intuitive one.

The British experience in Sierra Leone between 2000 and 2002 is instructive, providing an example of how effective SSR processes may require the provision of a guarantee of security that is trusted, or is recognised as being credible, by all the warring parties, one that also protects the local population from predation.[8] While the role of external actors as arbiters of peace raises a number of questions and challenges, it is also often the case that peace agreements in post-conflict societies have a poor track-record, as notably portrayed by the numerous political agreements instituted in Libya, Syria and Yemen. Mutual distrust, expedient deals between armed groups, and the failure of international actors to restrain warring parties underscores the failed mediation attempts that in and of themselves become unfortunate legacies of recent conflicts in the MENA region. For example, the US troop surge in Iraq between 2007 and 2008 saw stabilisation take place alongside local military actors in Anbar and other Arab Sunni provinces; augmented by US forces, local actors were able to open up the space for civilian-led SSR efforts, drawing on the augmented military capabilities to encourage the integration of militias into the Iraqi national army. However, this is largely relevant to post-conflict environments in which external actors are already deployed or have operational capabilities that allow them to formulate SSR processes alongside a commitment to actively ensure such processes do not empower or take place at the expense of any one particular actor.

[8] K. Mitton, "Elite Bargains and Political Deals Project: Sierra Leone Case Study", *UK Stabilisation Unit*, February 2018.

Accountability

SSR in Iraq and Libya has been premised on the principle of inclusivity, the notion that key stakeholders must have some degree of ownership of the state, and on the basis of constitutional settlements or negotiations that identify the provisions and foundation for governance. Indeed, armed groups, ranging from Southeast Asia to the Middle East, emerge and function not necessarily because of state failure but because of historical animosities, long term oppression, and perceptions of injustices and denial of rights. However, the state-building process is a political exercise, one that forms part of a complex network of shifting dynamics that cements the status of preeminent political and security actors, creates a hierarchy of political and security players and sets the stage for rivalries to play out through the use of force – the state itself becomes the instrument, and objective, rather than the medium through which to govern.

Hence, though local and external actors look to execute DDR and SSR processes in the midst of pre-existing, pre-war legacies and rivalries, bypassing or supplanting these is implausible in the absence of consensus and political will. The two are not substitutes but compliments. In their absence, building an army becomes a conflict-producing exercise, one that in itself could become its own resource-rich patronage network, prompting resistance from formidable, pre-existing militias that see the emergence of such national institutions as existential threats. If SSR is essentially aimed at promoting democratic norms, then policy-makers in hybrid security orders must afford closer attention to how armed actors interact with other groups and stakeholders, rather than aim for wholesale structural changes. Indeed, existing research posits that the study of armed groups should not be confined to their interactions with their host states but also with society, other movements and other ideologies. Ruling elites – including those aligned with or that control armed factions – will continue to solicit and encourage

foreign money and resources, including military equipment and capacity-building, but it is now evidently the case that resistance from these actors will emerge once outside support develops the potential for structural reforms that would inhibit their ability to capture state institutions and functions or that undermines their patronage networks.

What little can be done about actors that are ingrained in the socio-political landscape should inspire outside actors to focus on suppressing the space that could allow for the mobilisation of additional armed actors looking to capitalise on political instability and the influx of external resources. This will require difficult choices, including, at least initially, working with pre-existing groups that have a dominant influence over local political and security orders to prevent the growth of new armed non-state actors seeking to exploit a combination of instability, disorder and the influx of external resources.

Civil society can hold politicians and militias accountable and engineer the space that enables change. While it is generally accepted that empowering civil society can build the resiliency of societies and equip activists with the capabilities to moderate armed groups and hold them accountable, evidence in Iraq, Libya and Syria indicates that in hybrid security orders the fragmentation of authority and the sophistication of the most powerful armed groups results in the adoption by these actors of strategies that see them seize control of – or establish – civil society organisations to complement their influence over other social, economic and political structures.

What works best in practice is a willingness to adopt dynamic policies that capitalise on the episodic opportunities that present themselves in the form of civic action: The protest movement in Iraq, for example, has made important strides in forcing through political and social change, and has rallied the most powerful religious and socio-political actors, but the movement has not transitioned into a sustainable political force capable of building on its initial gains. As it stands, civil society across the MENA region's post-conflict countries has been effective in mobilising

large swaths of the population for protests against ruling elites but has also proven disorganised and ineffective when it comes to influencing public policy and accountability. Civil-society actors, except those co-opted by political parties or forming part of religious and family networks, face political interference, intimidation, and have weak fund-raising capabilities. Activists are often assassinated, attacked and intimidated, and the actors that are culpable of such crimes are insulated by their political allies, or operate in environments that lack robust accountability processes, including weak judicial systems and a free press. That means the challenge is a multi-layered one; while making structural changes that improve accountability is a long-term endeavour, policy-makers need to start looking at creative ways to equip activists with the capacity to hold militias accountable, to reduce the scope for such actors to operate with impunity and to prevent them from operating with carte blanche. Civil society is perfectly capable of producing evidence of militia culpability in crimes and, while there may be limited scope for achieving justice locally, such evidence should be utilised by the international community or individual states to support civil lawsuits and criminal cases in foreign courts; this could be particularly effective in countries where militias and their political allies hold assets and other resources.

Armed non-state actors, together with their political allies and patrons, no longer operate within the confines of formal governing bodies and institutions that were once impervious and sacrosanct. Hybrid security orders are, therefore, resilient and resistant to wholesale change, and are underpinned by inter-connected political and economic dynamics that formal authorities and external actors are ill-equipped to manage. Shaped by the legacies of war, communal conflicts and foreign intervention, such orders will present a range of challenges to international security. Managing these challenges and achieving reprieve and good governance for the populations that are afflicted by them requires addressing arguably outdated policy prescriptions and urgently re-formulating them in a manner

that makes them compatible with the character of warfare and governance today while also grounding them in the principles of peacebuilding and human rights.

4. Institutional Actors: Security Governance and the Role of Politics in Libya

Jacqueline Stomski

Amidst increasingly internationalised armed conflict, Libya has faced a myriad of governance challenges since 2011. Spiralling civil wars, foreign-fed insecurity, and hyper-localised patterns of conflict have continuously underscored the urgent need to rebuild and strengthen national institutions, reform a fragmented security sector, and shore up reputable sources of local authority. And though a number of international and Libyan-led initiatives have sought to generate a road map – grounded in stability and security – to an internationally recognised political future, violence and militarisation continue to play a prolific role in the fracturing of domestic political systems. In light of these seemingly entrenched cycles, the power of institutionally embedded political elites has become increasingly apparent. As in other conflict-affected MENA states, the Libyan security sector extends beyond non-state armed group conflict with state authorities. Since the 17 February Revolution in 2011, irregular armed actors have emerged as key supporters of government institutions – at times even operating alongside government authorities or integrated into their structures.[1] While the precise typology

[1] J. Drevon, "The Challenge of Hybrid Actors on Security Governance Structures in MENA", in A. Cellino and A. Perteghella (eds.), *Conflicts, Pandemics and Peacebuilding: New Perspectives on Security Sector Reform in the MENA Region*,

of security sector hybridity varies across Libya's environs, the existence of hybrid actors – individuals involved with non-state groups providing security parallel to or in competition with state institutions – is undeniable. This protracted hybridity has come to frame Libya's political arena: Elites are incentivised to rely on violent networks to maintain the political status quo. Resultingly, what emerges from years of intractable conflict and hybridity is the exceedingly violent competition for control of Libya's most central and influential institutions.[2]

Shaping Libya's post-2011 trajectory, opportunistic political elites have capitalised on the drawn-out chapter of contestation for state authority. Both international and Libyan influence networks over cultural, religious, economic, and political institutions are deeply intertwined and often backstop their power struggles with support from different actors in the security sector. Through this decade of tumult, Libya's political groups have not only maintained their status but benefited from the protracted wartime economy – largely of their own creation. Despite repeated international and domestic efforts to fortify the role of democratic and participatory political systems, the current UN-led Libyan Political Dialogue Forum (LPDF) has further empowered the entrenched political class.[3] Ultimately, political elites have used enduring structures – like the institutional-relationship between executive power and the military – to facilitate the securitisation of all aspects of governance. With insulation from the global community, the actions of these elites have undermined Libyan rule of law.

Compounding political dysfunction, privilege violence has crystallised across Libya. Privilege violence, a system defined by

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ISPI-DCAF joint report, ISPI, December 2020.

[2] For example see F. Wehrey, "Libya's Factional Struggle for the Authority of Islamic Endowments", in F. Wehrey (ed.), *Islamic Institutions in Arab States: Mapping the Dynamics of Control, Co-option, and Contention*, Carnegie Endowment for International Peace, 7 June 2021.

[3] T. Megerisi, *Spoiler alert: How Europe can Save Diplomacy in Libya*, European Council of Foreign Relations (ECFR), 22 January 2021.

Dr Rachel Kleinfeld, begins with the economic and political elite running the state for their benefit – especially through exploitation of their economic dominance – to preserve their political control, leading to corruption, cronyism, and an increasingly exclusionary group of political elite and decision makers, shaping the relationship between state institutions and armed actors.[4] Though these systems existed (and flourished) under Qadhafi's rule, the past decade has been defined by their solidification in Libyan socio-political life. The relations between armed actors and the state that are often described as hybrid[5] – wherein weak central institutions attempt to co-opt non-state armed groups in an effort to provide security – have degraded any Libyan state authorities' monopoly on the use of violence. But as has been observed in Iraq, Syria, and Yemen, this power-sharing between state and non-state armed actors has become inherently political, impeding democratic prospects. Today Libya's system trends toward transactional politics – a political marketplace based on supply and demand. As defined by Alex de Waal, in Libya's political marketplace today, governance has become monetised and politics transactional, where loyalties are sold to the "highest bidder", eroding the rule of law and institutional authority.[6] And though these dangerous political developments seem a product in Libya's modern crisis, they can be traced to Qadhafi-era structures, policies, and enduring networks of political elitism that continue to shape Libya's futures – economic, security, and political.[7]

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[4] R. Kleinfeld, *A Savage Order: how the world's deadliest countries can forge a path to security*, New York, Vintage, 2008, pp. 50-60.

[5] Mark Sedra defines hybrid security arrangements as "co-governance agreements between state- and non-state authority…" however Jérôme Drevon has elucidated that in many conflict-affected MENA contexts, security sector hybridity often has deep political ramifications. See M. Sedra, *Security Sector Reform in Conflict-Affected Countries: The Evolution of a Model*, New York, Routledge, 2016, pp. 10-11, and Drevon (2020).

[6] A. de Waal et al., *A Theory of Change for Violent Political Marketplaces*, Conflict Research Program and World Peace Foundation, 19 February 2020.

[7] For an exploration of Qadhafi's pursuit of continental security through

A History of Political Elites and Violence in Libya

The structures framing security sector hybridity, and the lack of a monopoly over the use of force, are rooted in Qadhafi-era authoritarian governance mechanisms and patronage networks. From 1969 through 2011, while Qadhafi conceptualised his figure as outside of governance structures, Libya's Jamahiriya was run by political elites in Qadhafi's inner circle. The authority of state institutions was drawn from their proximity to Qadhafi and his close supporters.

Qadhafi repeatedly reformed the domestic political system during his rule. These government overhauls resulted in the establishment of new political elite and of political relationships solely on the basis of implementing regime goals as a coup-proofing measure.[8] Qadhafi's governance manipulation paired with extreme government narrowing and increased emphasis on recruitment of political elites from the military. Increasingly, the ties between political and military spheres blurred. In fact, one of the most influential structures in Qadhafi's government, the Revolutionary Committees, comprised of appointed members to safeguard the "ideology" of the "revolution", transitioned from a body spreading revolutionary ideas to a main source of recruitment for elected positions in the local Popular Committees, national General Peoples' Committees, and most notably, a local security force integral to the repression of any opposition to revolutionary ideals.[9] Between 1969 and 2011, as Qadhafi crafted a government based on decentralisation and superficial "popular" power, the overlap between empowered military actors and decentralised governance had huge effects on both political elites and the security environment.

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political marketplace systems see A. de Waal, "African Roles in the Libyan Crisis of 2011", *International Affairs*, vol. 89, no. 2, March 2013, pp. 365-79.

[8] A.S.M. Obeidi, "Political Elites in Libya Since 1969", in D. Vandewalle, *Libya Since 1969: Qadhafi's Revolution Revisited*, Springer, 2008.

[9] Ibid., pp. 109-12.

In linking military and political opportunity, Qadhafi seeded Libya's security sector for extreme political influence, perhaps even dangerously desensitising civilians to the state's pluralistic employment of force across a range of institutions and actors. But Qadhafi's governance architecture did not stop with the mere empowerment of military elite as political actors, rather a deliberate hybrid security apparatus intentionally weakened state security institutions – a coup-proofing measure – and displaced the monopoly on the use of force from the state to Qadhafi himself. Qadhafi engineered a two-pronged approach to secure his role in this establishment. Through security structures parallel to formal state institutions – like the Revolutionary Guard, the Security Brigades, and the People's Militia – Qadhafi established an apparatus loyal to his persona, rather than the state itself, and armed and empowered local constituencies – often leaning into the tribal dimensions of Libyan politics – that he thought he could control.[10] The legacy of these parallel structures, and opportunistic empowerment, endures in Libya's modern conflict. Direct lines can be drawn between Qadhafi's security policies and the path of Libya's post-2011 conflicts.

2011: Evolving Political Contestation

Following the 2011 revolution, Libya experienced the rise of a new political order and the entrenchment of zero-sum politics. This was accompanied by a dramatic societal reorganisation and the blossoming of armed groups. Under the harsh influence of the revolutionary ideology – which sought to achieve a complete overhaul of Libyan authority by introducing accountable politicians – social legitimacy took on greater meaning for all stakeholders. Between 2011 and 2012, these emergent armed groups were either associated with the revolutionary political

[10] E. Badi, "Devolution of Informality: Legacies of State Engineered Hybridity in Libya", *the Brown Journal of International Affairs,* vol. 27, no. 1, 2020.

ideology or independent of any centralised authority.[11] Armed groups, regardless of formal command structure, overlayed with existing social divisions and rifts, and easily drifted into the political realm.

The need for social legitimacy, or locally embedded popular support, has defined (and continues to define) Libyan armed actors and state authorities' relations. In the early days of the revolution, many of the armed groups mobilised around shared social anchors – geographic area, kinship ties, or ideology – but the plurality of their motivations to secure narrowly defined interests hinted at the challenges of the coming political and security splintering.[12] Localism, which had always factored into Libyan politics, became increasingly weighty in national politics, and led to opportunistic alliances between local political figures and affiliated armed groups. Despite this fragmentation, and the warnings of observers about the potential of these armed actors to disrupt progress toward new state authority, Libya seemingly accelerated along a path to participatory democracy.[13] But amidst political contestation, this process has faltered due to the provision of quality security's increasing dependence on political will and capital.

On the national level, deepening political divides quickly reflected heightened polarisation, affecting all aspects of the Libya order, a dynamic that would serve political elites and militias. The political participation of the new class of politicians – legitimised by different social anchors and tied to different armed forces – would solidify the country's path to division. Abd al Hakim Belhaj and Ali Sallabi, for example, based their Qatari-funded networks on Islamism and traditional enclaves

[11] B. McQuinn, "After the Fall: Libya's Evolving Armed Groups", *Small Arms Survey*, vol. 11, October 2012, pp. 17-32.

[12] E. Badi, *Exploring Armed Groups in Libya: Perspectives of Security Sector Reform in a Hybrid Environment*, the Geneva Center for Security Sector Reform (DCAF), Fall 2020, 43-45.

[13] F. Wehrey, "The Brave New World of Libya's Elections", Carnegie Endowment for International Peace, 26 June 2012.

of resistance, whereas Mahmoud Jibril and Ali Aref Nayed utilised less-socially embedded sources of support (Emirati) to counterbalance the better-trained fighters in the Belhaj network. In the lead up to Tripoli's fall, these newly minted political actors positioned themselves along opposite poles to establish control over Libya's revolutionary future and blurred the lines separating political, military, religious and cultural elites.

Mahmoud Jibril established himself as Libya's interim Prime Minister and Head of the National Transitional Council (NTC) in March of 2011. When meeting with western heads of state, Jibril presented the then Benghazi-based NTC as lacking technocratic experience but seeking to establish a state guided by democratic ideals.[14] But during the era of open conflict in 2011, Mahmoud Jibril – with the integral partnership of Emirati-based religious elite Aref Ali al-Nayed – fell into the high-level political jockeying between foreign powers, particularly the United Arab Emirates and Qatar, that would come to frame Libya's internationalised conflict.[15] As a conduit for Emirati interest, the 2011 alliance between Nayed and Jibril pointed to the coming practice of Libyan elites turning to violence as a political tool – subverting state security norms and any prospects for reform. Amidst internal NTC competition for influence and control, Nayed and Jibril leaned heavily on their Emirati connection for materiel support, and even solicited the United States for weapons to support their political ambitions.[16] Concurrently, Abd al Hakim Belhaj and the Doha-based cleric Ali Sallabi capitalised on Qatari support to forcefully propel their own vision for Libya's future. Belhaj, the patriarch of the defunct Libyan Islamic Fighting Group, drew his legitimacy

[14] S. Raghavan, "Rebel Council Seeks to Transform Libya", *the Washington Post*, 15 March 2011.

[15] F. Wehrey, "This War is Out of Our Hands", *New America*, 11 September 2021, pp. 12-14.

[16] F. Wehrey, *The Burning Shores: Inside the Battle for the New Libya*, Farar Staus & Giroux, New York, 2018, pp. 56-59.

from prior conflict experience, and was reinforced by Sallabi's instrumental support in steering Qatari aid to his network.[17] Dismissing the plans of Nayed, Belhaj disseminated his own plans for the liberation of Tripoli – fanning the already charged disconnect between the Qatari and Emirati factions.

Jibril's interim governance under the NTC was widely critiqued as inefficient on the grounds of security and justice sector corruption – a dichotomy perhaps most alarming in its willingness to contract security provision to an array of independent militias. Its legacy of polarisation couples with high-level political dependence on independent armed groups to impede the meaningful reintegration of Libya's vast array of factional fighters through Disarmament, Demobilisation, and Reintegration (DDR) initiatives like the Warriors' Affairs Commission (WAC) – which failed in part due to its branding as a Muslim Brotherhood initiative. Though Jibril resigned on 23 October 2011, his replacement Aburrahim el-Keib would continue his legacy of neglecting security sector reform (SSR). Though the challenges to Libya's security sector were inherently political at their outset in 2011, December 2011 militia protests outside Keib's office pointed to nascent state's coming struggle in managing the fragile relationship between political authority and newly armed and empowered actors.

From the outset, lack of political will and capacity for SSR paired with the emergent political actors' close relations with unique and highly factional security apparatuses to fragment the state's monopoly on force. A majority of the armed groups created in 2011 would gain state affiliation, and as they pursued broader support, their actions compounded existing hybridity challenges and delegitimised new state institutions.[18] And though no single political leader set the precedent for state relations with non-state armed actors, collective political inaction on SSR under the influence of these interim leaders

[17] F. Wehrey, "This War is Out of Our Hands"…, cit. p. 14.
[18] Badi (2020).

seeded the volatile situation for the protracted dependence on independent armed actors for the provision of meaningful security. The rise of religious ideology in this chapter of Libya's conflict cannot be understated, but it is this overlay with international adventurism and interventionism that has proved particularly poignant through the engagement of foreign actors like the United Arab Emirates, Qatar, and Turkey.

An Evolution in Security Sector Governance? The Case for Privilege Violence

In the immediate aftermath of the February 17 revolution, Libyan political elites with strong alliances to armed actors shaped the post-Qadhafi security sector along their personal priorities and networks of patronage, neglecting desperate needs for reform. In the decade since, charting Libya's path to privilege violence since 2011 can offer support to policymakers and implementers seeking to break cycles of violence and implement effective security sector reforms. Identifying the hallmarks of a privilege violence system in Libya emphasises the principle that Libya is not merely a weak state, but rather constrained by elite political actors' manipulation of state institutions to intentionally weaken the rule of law – a direct barrier to any SSR prospects.

Today in Libya, political, military, and economic elites are symbiotically intertwined. Where once technocrats could be separated from their bureaucratic, armed, or wealthy counterparts, the hybrid security environment has dissolved nearly all boundaries separating these classes. Undoubtedly, technocratic elites still play a role in the futures of Libyan governance, but both their legitimacy and persuasion are underpinned by their access to violence. And though influence over armed forces has been a characteristic of Libyan political elite since the start of the 20th century, today's class almost universally depends on their economic weight to create new armed forces when facing a threat to their hold on power. Not

only does this phenomenon further splinter Libya's security sector and induce hybridity, but it reinforces transactional politics propelling Libya's descent into a political marketplace. As such, any SSR initiatives in Libya are inherently political processes.

From the onset of the revolution in 2011, and the prospect for Libyans to participate in meaningful representative democracy, political elites successfully established a functional privilege violence system to maintain the status quo and obstruct true democracy and justice. Even before the first national elections, self-described politicians set the stage providing early impunity to violent armed actors. Finding itself in-need of domestic legitimacy, the self-appointed National Transitional Council struggled to provide security amidst the myriad of active armed groups in 2011. Claiming to speak on behalf of the emerging Libyan state, NTC representatives, turned to international patrons for assistance in organising national elections. But amidst the disintegrated security environment, and receiving contested social support, the NTC turned to a number of heterogeneous *thuwwar* groups to provide national security in the face of the upcoming elections.[19] In the General National Congress elections of July 2012, the interim Defence Ministry and Ministry of the Interior deputised the security of urban polling places to police and rural polling stations to local military councils and their affiliated militias.[20] Though 2012 elections were considered a landmark success, violent opposition (and political rivalries) to the electoral process forced the closure of some polling centres, and undeniably deterred some voters from participating in the political process.[21]

Amidst this atmosphere of extreme political contestation, Libya's politicians continued to push the country along the

[19] *General National Congress Elections in Libya: Final Report*, the Carter Center, 6 May 2013, pp. 19-20).
[20] Ibid., pp. 74-75.
[21] D.D. Kirkpatrick, "Braving Areas of Violence, Voters Try to Reshape Libya", *the New York Times*, 7 July 2012.

slippery path of privilege violence. After 2011, culpable politicians leading weakened state institutions sacrificed the Libyan economy to unruly and unregulatable armed groups. Benefiting from the state's war economy, Libyan armed groups linked violence and profits, launching what would become a flourishing illicit economy that largely persists today on the basis of human, narcotic, and petroleum smuggling.[22] Libya's institutions were ill-equipped to manage this widespread corruption and insecurity, but their challenges were compounded by political competition for control of Libya's justice and security institutions.[23] Lagging efforts to build a national justice system were exacerbated by widespread militia control of the majority of Libya's prisons – from which reports of targeted torture and abuse would emerge.[24] New hybrid security structures, the Libya Shield Force (LSF) and Supreme Security Committees (SSC), emerged and were subject to political jockeying and granted excessive autonomy – undermining their engineered potential to serve as transition forces.[25] Initially created by the NTC in 2011, the SSC was an umbrella organisation for revolutionary brigades and local military councils, that would later compete with the Misratan-founded and nationalised LSF for popularity from 2012.[26] Despite the backbone of state-funded salaries for both the LSF and SSC, these auxiliary actors were increasingly viewed as corrupt and arbitrarily violent by 2013.[27] And by 2013, unable to regulate, demobilise, disarm, or reintegrate non-state armed actors – who outnumbered state forces – Prime Minister

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[22] T. Eaton, *Libya's War Economy: Predation, Profiteering and State Weakness*, Chatham House, 12 April 2018.

[23] Y. Sayigh, *Crumbling States: Security Sector Reform in Libya and Yemen*, Carnegie Endowment for International Peace, 18 June 2015.

[24] "Libya: Lagging Effort to Build Justice System", Human Rights Watch, 22 January 2012,

[25] F. Wehrey and P. Cole, Building Libya's Security Sector, Carnegie Endowment for International Peace, 6 August 2013.

[26] N. Abou-Khalil and L. Hargreaves, *Perceptions of Security in Libya: Institutional and Revolutionary Actors*, United States Institute of Peace, no. 108, 2015, pp. 21-23.

[27] Ibid., pp. 21-24.

Ali Zeidan's government introduced the General Purpose Force (GPF) – a new, internationally trained, and non-partisan force under the prime minister's authority – then a baseline option for the state's multitude of political actors.[28]

But Zeidan's GPF was ill-equipped to advance the nation's strategic interests – especially as they related to internal security. Since Jibril's 2011 travails in the NTC, the lack of police at the disposal of state authority presented a perennial challenge. But from 2013, emboldened non-state actors emerged in durable, parallel structures to state security apparatuses, marketing themselves as capable of providing justice and security to civilians neglected by state establishments like the GPF. One such example, in Tripoli, is Abdulraouf Kara's Special Deterrence Forces' (SDF) capitalisation on the anti-criminality sentiments, leading to its rise to the fore in 2013.[29] Kara, an SSC commander, established the SDF under the umbrella of the SSC where it acted as a police force for the Sug al Juma neighbourhood of Tripoli, but the group became affiliated with the Ministry of the Interior as the SSC was dissolved.[30] With the increasing legitimisation of armed groups through affiliation with state establishments, or political figures leading said state institutions, violence become ubiquitous and normalised across much of the country. The lack of accountability for political violence targeting state security figures evolved into violence targeted toward civil society leaders in 2013.[31] This trend remains entrenched today, where a clear lack of accountability has perpetuated privilege violence in a system where political violence has become systemic and normalised as a form of score-settling.[32]

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[28] B.P. Nickels, "Pitfalls for Libya's General Purpose Force", *Sada Journal*, 10 October 2013.

[29] Badi (2020), pp. 29-32.

[30] *Resolution No. (191) of 2011 Dissolving the Supreme Security Committee*, National Transitional Council, 18 December 2011.

[31] *Libya: Wave of Political Assassinations*, Human Rights Watch, 8 August 2013.

[32] For example, see H. Salah, "To End the Killings in Libya, the Cost Balance

The privilege violence intrinsically tying Libya's political arena to the security sector leaves both democratic and SSR prospects grim at best. In 2014, intensifying violence in eastern Libya overshadowed one of the country's most recent prospects for free and fair national elections.[33] And in 2018, violence directly targeted the Tripoli election headquarters, communicating a clear message of intimidation against upcoming elections.[34] But the perpetuation of privilege violence in Libya points to a more worrying emerging trend: A political marketplace where state leaders' dependence on cash and violence to maintain power is systemically reinforced.

Conclusion

In some of the darkest moments of Libya's decade of conflict, politicians have colluded with warlords for political self-preservation – endowing non-state actors with legitimacy and impunity. Rather than merely a quagmire of weak institutions and politicians playing warlord, the last decade has seen Libyan political elites utilise personalistic patronage networks directly counter to DDR and SSR objectives. In 2011, violence was cemented as a political tool with the NTC's dependence on non-state actors to guard the status quo. Subsequently, Libyan politicians with external support intentionally weakened state institutions, increasing their access to violence and economic opportunity. These manoeuvres were initially rooted in concepts of privilege violence but have since broken down into a political marketplace to the benefit of Libya's political elite and to the detriment of the monopoly of force and political environment.

By examining Libya's security sector through the lenses of privilege violence and the political marketplace, SSR

Needs to Change", *Manara Magazine*, 15 December 2020.

[33] K. Fahim and S.A. Zway, "Violence and Uncertainty Mar Libyan Election for New Parliament", *the New York Times*, 25 June 2014.

[34] "Libya Violence: Twelve Killed in Election HQ Attack", *BBC News*, 2 May 2018.

practitioners can navigate and acknowledge the realities of state power in Libya. Since 2011, Libyan SSR has fallen flat when political actors have utilised state power to create new military structures – embedding the use of violence as a governance tool. With incumbent politicians able to manipulate state forces along their discrete goals, political opponents have been incentivised to equip and support their own armed actors. And without acknowledging personalistic factors shaping Libya's security sector, practitioners implementing reforms can easily separate political and security solutions into distinct interventions. However, in acknowledging the intersection between politics and security, implementers seeking to support Libya's transition to a representative democracy can be clearer eyed about the decreasing role of ideology and the rise of patronage networks over the past 10 years. Furthermore, at their nexus, the frameworks of privilege violence and political marketplace offer a window into elites' incentives to disrupt SSR and the effects of political elites on downward accountability across the security sector. Acknowledging the value of patronage networks to socially embedded actors, political leaders, and armed cadres emphasises not only the interconnection between these groups, but also their truly enmeshed and inseparable nature.

When violence is utilised as the primary tool of political legitimacy, the barriers between politics and force are eroded. The corrosion of these barriers can result in a violent political marketplace, where transactional politics, reinforced by the use of force, usurp the role of state institutions. As such, for a state in either a political marketplace or privilege violence system, conflict resolution cannot rest on institutional strengthening alone. Whole of society approaches that connect security and political solutions are the most promising pathway to holistic and lasting SSR. By isolating security sector reforms from their political counterparts, the duplicity of elites acting in both spaces are easily overlooked – perpetuating the securitisation of governance, institutions, and society.

5. Inclusivity and Empowerment in Tunisia's Security Sector Reform

Hamza Mighri

Although significant progress has been achieved in improving inclusiveness and empowerment in the reform of the security sector in Tunisia, several obstacles hinder its potential, with specific reference to the work of parliamentary committees. The restoration of Parliament is critical to ensuring that citizens' voices are heard in security sector reform (SSR). It is likewise essential to establish the Constitutional Court, to rule in decisions – including the freezing of Parliament – and to ensure their alignment with the Constitution's democratic values.

Over ten years have elapsed since the Arab Spring began in Tunisia following the self-immolation of a street peddler in the Midwest city of Sidi Bouzid. The subsequent nationwide protests, which resulted in the ousting of Ben Ali, had far-reaching effects in the Middle East and North Africa. Despite conflicting opinions around the constitutionality of the recent decision taken by President Kais Saied to freeze Parliament, remove parliamentary immunity, and seize the power of public prosecution, the country is still hailed as the only Arab Spring success story. To date, Tunisia has held successive peaceful and democratic elections (2014 and 2019), and unanimously voted the 2014 Constitution after laborious negotiations between opposing political factions. Inter alia, the Constitution emphasises the civic nature of the Tunisian republic and grants extended rights to sections of society such as women and children, while

enshrining the freedom of association, unionisation, and the creation of political parties. As the country faced several national security threats tied to the rise of violent extremism between 2013 and 2016, parliamentarians and citizens alike came to realise the need to review the modus operandi of their security and political institutions. Equally importantly, multiple questions were raised around civil-military relations and the democratic nature of both the Army and the Ministry of Interior (MoI) forces. This chapter aims to discuss the path taken towards SSR and governance in Tunisia and analyses the country's potential for greater inclusivity and empowerment in SSR.

Inclusivity in SSR encompasses a set of laws and practices that guarantee the inclusion in decision-making, reform, and oversight of the security sector particularly of the actors directly or indirectly impacted by the conduct of security operations and roles. An inclusive approach to SSR therefore requires the involvement of various state and non-state actors including citizens, civil society organisations, government agencies and sub-agencies, independent experts, and Members of Parliament. In this chapter, empowerment in SSR is intended as the authority of citizens – particularly through their parliamentary representatives – to hold institutions accountable for ensuring security for all Tunisians alike, notwithstanding party affiliation. In this regard, special attention is given to the practice of parliamentary oversight and reform of the security sector.

Inclusion of Non-State Actors in Security Sector Reform

The goal of SSR is to build the trust of citizens in their representatives and in the government bodies responsible for ensuring their security. In Tunisia, security institutions have long suffered from public discontent due to their exploitation by authoritarian regimes, but recent efforts have succeeded in countering that image through the inclusion of various actors in reform plans.

Access to information constitutes a prerequisite for informed citizens to engage in and contribute to reforms. Since 2014, non-state actors (NSAs)[1] – Civil Society Organizations (CSOs) in particular – have lobbied for access to public information. These efforts have resulted in Parliament passing the Access to Public Information law.[2] Along with the establishment of a National Authority of Public Information Access (NAPIA), this law shall, in the long-term, institutionalise a culture of public accountability and governance. A Tunisian citizen is therefore entitled to obtain public information from the Tunisian administration, and in case of a refusal to cooperate or unusual delay, he/she could file a complaint to the NAPIA to rule in the case.

Citizens' opinions on security related issues have been voiced through CSOs. The boom in civil society organisations since the revolution has helped amplify the voices of citizens who otherwise were forgotten and marginalised. CSOs played a key role in combatting the return to a police state, especially in pushing back against the state of emergency law[3] and the law on the protection of security officers. This latter was proposed by the government following multiple attacks on police officers and was supposed to provide an extension of the rights of police officers which could lead to the abuse of their power.[4] The Parliamentary Committee on rights, liberties, and external relations which led the discussion of this draft law involved several CSOs in discussing its possible negative implications on human rights protection and citizens' well-being. This

[1] Non-state actors (NSAs) can be defined as individuals or organised groups of citizens (CSOs) whose interests and agendas are independent and free of all government affiliations.

[2] La Loi Organique no. 2016-22 Du 24 Mars 2016, Relative Au Droit D'accès à l'Information, Instance D'Accès à l'Information, 6 November 2018.

[3] *Tunisie. Un projet de loi répressif relatif à l'état d'urgence menace les droits humains*, Amnesty International, 15 March 2019.

[4] " La commission de la législation générale approuve le projet de loi sur la protection des Forces de sécurité intérieure et de la Douane ", *Webmanagercenter*, 4 July 2020.

led to multiple revisions to reflect the interests of both sides: Citizens and police unions. While the law is yet to be voted in Parliament, this exercise demonstrates the complexity of the actors involved in SSR and the necessity to deploy additional efforts and resources to ensure fair representation of all actors.

In 2013, the Ministry of Interior, in partnership with international donors, began involving citizens in defining security strategies at the local level as part of a proximity policing model. Through regular meetings with local inhabitants at municipalities, trust was gradually rebuilt between the police institutions and citizens; the effectiveness of police officers in providing security has subsequently been strengthened through crowd-sourced intelligence from regular citizens.[5] This approach has shown promise after being implemented at two municipalities: Tunis and Médenine. As a result, the Parliamentary Committee on Security and Defence held a hearing with donors to discuss a draft law to institutionalise proximity policing and other anti-extremism initiatives aimed at involving citizens in the improvement of security services.[6]

To achieve inclusive SSR, women must be involved, and their voices heard. The equal involvement of men and women in decision-making should be a general rule but is particularly necessary when defining policies and strategies to deter violence and discrimination against women. To date, despite considerable advances in institutionalising electoral parity, women remain under-represented in Parliament (only 27% of the total number of MPs). Such discrimination hampers the chances of women's opinions being echoed in political and decision-making circles to define gender-inclusive national and local security strategies. Note that both parliamentary security committees are characterised by low female participation.

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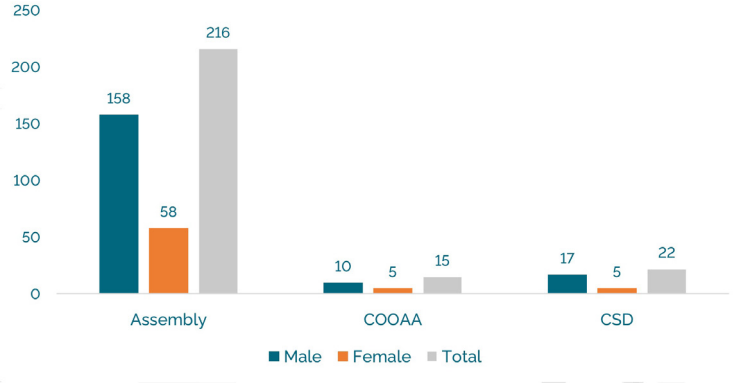
[5] *Vers la généralisation du modèle de police de proximité sur tout le territoire tunisien*, UNDP Tunisia, 4 December 2018.

[6] "Tunisie: la police de proximité bientôt généralisée à toutes le municipalités", *Webdo*, 9 March 2021.

Fig. 5.1 - Gender breakdown of parliament and committees' membership (2019 term)



Source: Author's calculation based on 2019 parliament's composition available at https://www.arp.tn/ar_SY/commissions

To reverse these trends, women's associations are stepping up their efforts to tackle security issues at the local and national levels. This was first seen in campaigns to fight against women's radicalisation in terrorist groups in cities like Kasserine and Sidi Bouzid.[7] Moreover, at the decision-making level, feminist associations like *Aswat Nisaa*, in conjunction with the Geneva Centre for Security Sector Governance (DCAF), are providing training to female parliamentarians and politicians on how to lobby for and incorporate a gender component into security sector reforms and their party platforms.[8] These ideas for reforms emanate from members of *Aswat Nisaa's* regional offices working directly with marginalised women in interior regions.

[7] Y. Maro and H. Mighri, *Women's Groups Take on Radicalization in Tunisia*, Carnegie Endowment for International Peace, 26 March 2019.

[8] *DCAF and Aswat Nissa cooperate on the implementation of 1325 Resolution and gender mainstreaming in Security Sector Reform* (Collaborating with Women's Voices for the Implementation of Resolution 1325 and the Inclusion of a Gender Approach in the Geneva Center for Military Control of Armed Forces Security Sector Reform Geneva), Centre for Security Sector Governance (DCAF), 24 June 2018.

The lobbying efforts of Tunisian women's associations have proven critical for the issue of more gender-inclusive reforms. In 2017, several secular and Islamist women's associations joined efforts to contribute to a draft law protecting women against all forms of violence. This has resulted in the passage of a historic law criminalising all forms of violence against women, currently unique in the Arab world.[9]

The Parliamentary Committee on Security and Defence (CSD) has also led inclusive reform initiatives by incorporating inputs from various actors in decision-making and reform proposals. When discussing the proposed law on the police code of conduct, the committee consulted with the Ministry of Interior, the Ministry of Family, Women, Childhood and Seniors, international organisations such as the United Nations Development Programme (UNDP), Tunisian media outlets, civil society organisations and Members of Parliament. In preparing recommendations for the draft law on the police code of conduct, the gender component was given prominent consideration. To that end, the consultation involved the participation of the Ligue Nationale Tunisienne des Femmes Policières (LNTFP) to ensure that women's voices are echoed in security sector legislation and reform.[10]

With the post-2011 period providing greater freedom, the security sector has seen new actors emerge. Between Tunisia's independence and the 2011 revolution, defence and security institutions remained under the strict control of the President of the Republic to sustain and strengthen his power. Since 2011, however, efforts have been made to build bridges between the military on one side and civilians and Parliament on the other. Propelled by a desire to render military affairs less opaque to the

[9] "La Tunisie adopte une loi historique pour mettre fin à la violence envers les femmes", *ONU Femmes*, 10 August 2017.

[10] *Le DCAF soutient la Ligue nationale tunisienne de la femme policière (LNTFP) dans l'organisation d'un atelier portant sur l'importance du code de conduite des forces de sécurité intérieure relevant du ministère de l'Intérieur pour les femmes policières*, Geneva Centre for Security Sector Governance (DCAF), 1 January 2017.

public, groups of retired army officers established think-tanks aimed at providing advice on military and security affairs. The Association of Retired Officers of the National Army (AAOAN) spearheaded by former Colonel Mahmoud Mezhoughi, is one of the most prominent think-tanks specialising in security studies in Tunisia.[11] Over the years, the AAOAN has held multiple seminars and workshops and hosted international security sector and geostrategic affairs experts to discuss emerging actors in the region, regional threats to Tunisia's security, as well as the modernisation of its army. Throughout their activities, members of the AAONA have expressed their dissatisfaction with the reforms undertaken by Parliament's security legislation and oversight committees, and the latter's reluctance to accept technical expertise. It is a well-established practice in many countries to benefit from the expertise of security and defence think-tanks and retired military officers, and it would be advisable for Tunisia to follow suit as part of its path towards democratisation, especially considering the limited technical knowledge of parliamentarians.

The Tunisian Center for Global Security Studies (CTESG) is another think-tank formed in 2013, that brings together expertise from former high-ranking military and security officers, as well as social science researchers and practitioners seeking to promote global security through a citizen-based approach, bridging the gap between citizens and security decision-makers. In a partnership with DCAF, the CTESG organises regional consultations on the subject of human security in all the 24 governorates. At the end of these consultations, assessments of the most urgent security needs expressed by citizens are provided and recommendations conveyed to both local and central authorities.[12]

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[11] H. Mighri, *Barriers to Tunisia's Security and Defense Reform*, Carnegie Endowment for International Peace, 11 September 2018.

[12] N. Harzallah and N. Masson, *Human Security Challenges in the Tunisian Northwest*, Geneva Centre for Security Sector Governance (DCAF), 10 December 2014.

The Role of Parliament in Strengthening Inclusivity and Empowerment in SSR

As representatives of their respective regions and governorates, Members of Parliament play a key role in conveying their constituencies' demands for reform. Since 2014, oversight of the security sector has been entrusted to two main committees: The Committee on the Organisation of the Administration and Armed Forces Affairs (COAAA), and the Committee on Security and Defence (CSD). The COAAA is a permanent committee with legislative power in the following areas: (1) the general management and organisation of the Tunisian administration; (2) administrative decentralisation and local authorities and (3) the Tunisian Armed Forces. The Committee on Security and Defence (CSD) is a special committee with prerogatives covering all security and defence affairs including the proposal of reforms, and oversight of the executive's implementation of national security strategies.[13] Together, they constitute a two-body system tasked with reform, oversight, and monitoring of security and defence institutions, including the alignment of civil-military rapprochement with democratic values and respect for human rights as enshrined in the 2014 Constitution.

The Committee on Security and Defence (CSD) uses a variety of methods to fulfil its role of overseeing implementation of the national security agenda. Among these methods are field visits to troops stationed at various military facilities,[14] reports of which are made publicly available. The aim of these field visits is to check on the condition of the Tunisian military and security troops, to ensure their preparedness against potential terrorist threats, and to listen to the needs of local officers and citizens. The results of these visits are usually presented

[13] Règlement intérieur du Parlement tunisien, Assemblée des représentants du peuple.

[14] "Tunisie: La Commission de la sécurité et de la défense décide d'auditionner le ministre de la Défense et le directeur de la Douane", *Tunisie Numérique*, 1 June 2020.

in summary reports including main observations and final recommendations.

Audits of security officials also play a key role in incorporating citizens' opinions on security. The public's dissatisfaction with the performance of certain officials and their nominations, and with security issues in general, is conveyed through the questioning of high-ranking officers summoned by Members of Parliament – particularly members of the two committees. One of the most recent audits conducted by the CSD was in response to the rising conflict in neighbouring Libya, to inquire about what practical steps and strategies the Ministry of Defence had undertaken or planned to avoid any spill-over in Tunisia's southern provinces.[15] More broadly, all parliamentarians have the right to oversee the work of the government and the implementation of its policies. On a monthly basis, discussions are held with relevant government ministries, on the request of Members of Parliament, to discuss their work and address questions or concerns from their regional constituencies. MPs are also entitled to one-on-one communications and inquiries with the government. They can send their inquiries directly to ministers and are guaranteed, at least according to the rules, written responses within a 10-day period.[16]

In summary, Tunisia has distinguished itself as a nation where military and security affairs deserve public trust by establishing structures whose raison d'être is to build a culture of good governance in security and defence institutions. This is part of the general commitment to democratisation and public accountability that informs the articles of the country's 2014 Constitution. Nevertheless, the existence of a favourable constitutional and legal framework has not yet produced effective security sector governance. Political divisions, lack of a unified security strategy and trust between institutions, among other elements, have so far hampered the effectiveness of the work performed by the two committees.

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[15] "Audition à huis-clos au sein de la commission de la sécurité et de la défense sur la Libye", *Gnet News*, 3 February 2020.

[16] Règlement intérieur du Parlement tunisien…, cit.

Persistent Obstacles To Inclusive Security Sector Reform

The level of inclusivity in SSR is largely determined by the power and structure of Parliament, and particularly the COAAA and the CSD. The challenges faced by these two committees have so far hampered the chances of citizens' effective participation in the reform process.

The standing committee (COAAA) deals with a large array of proposed laws and affairs, particularly those regarding the structure of the Tunisian administration. Most of the work accomplished thus far has been predominantly related to administrative matters. During the 2014-2019 legislature, out of 20 draft laws processed by the standing committee only one was related to the security sector.[17] For the most part, these draft laws concern the assignment of benefits for retired public officers and fulfilment of the decentralisation process. Due to the worsening economic recession in Tunisia, it is likely that this trend of predominance of administrative affairs will continue to overshadow any serious effort to reform the security sector and enhance its governance.

The oversight committee (CSD) also faces serious structural and legal issues that limit its power to scrutinise the work of security institutions. Firstly, the background of the committee's members is generally unsuited to the effective conduct of their mission. In other words, the lack of technical knowledge concerning security sector legislation and the technicality of the fields involved substantially limits their reform and oversight efforts, especially compared to similar committees in western countries. No technical knowledge is required to sit on a given committee. This is made even more problematic by the constant rotation of members between different committees, making it almost impossible to institute a continuous learning process

[17] La Commission de l'organisation de l'administration et des affaires des forces armées, Assemblée des représentants du peuple.

for committee membership. In some cases, members also sit on multiple committees at the same time, and their focus on reforms and security related matters might therefore be diverted by other urgent issues.

Internal regulations stipulating the prerogatives of the various committees also present a major weakness. While all committees have the right to request and obtain documents and information from government bodies, nowhere is it specified how interactions between committees and the government should take place. Article 74 of the internal regulations states that Parliament should enact a law that lists the rights of the committee vis-à-vis the government's agencies and officials.[18] In the absence of this law, the power of parliamentary oversight remains minimal. Such a law can indeed be considered indispensable, for there is little to no trust between security institutions and Members of Parliament.[19] All too often, military officers and other high security officials refuse to divulge information to parliamentarians as they claim this could put national security at risk.

In consideration of the above, the decision to freeze Parliament taken by President Saied on 25 July 2021 casts a shadow on the potential for effective SSR and risks undermining the country's democratisation progress. Removing the immunity of MPs constitutes a perilous move, considering that their work reflects the will of Tunisian citizens, and should therefore be carried out without fear of reprisals or prosecution. According to articles 68 and 69 of the Constitution,[20] Members of Parliament may not be prosecuted or tried for opinions/positions held in relation to their parliamentary work, and the process of lifting that immunity can only be the result of a scrupulous investigation, ordered by the Speaker of the Assembly and conducted through the Committee on Internal Regulations, Electoral Laws and

[18] Règlement intérieur du Parlement tunisien…, cit.

[19] Based on the author's interviews with Members of Parliament (2020).

[20] La Constitution de la République Tunisienne, Imprimerie Officielle de la République Tunisienne, 2015.

Parliamentary Immunity.[21] Overall, the Executive's decision has not yielded the effect citizens hoped for. Article 80 states that all decisions taken should aim at returning to normalcy as soon as possible. However, political and economic processes have been stalled for over 50 days (at the time of writing), without any clear plan or proposal for a new government. In the absence of the Constitutional Court to rule on the President's move, and a frozen Parliament, the stakes for the Tunisian people are high. Supressing the power of their representatives not only undermines the people's voice and demands, but also apparently does not improve their economic situation. Several financial engagements from international donors, for instance, require a full-fledged government and a functioning parliament to be approved and enacted.

The Road Ahead

The democratic transition helped shed light on the importance of reforming the security sector to align with the democratic values enshrined in Tunisia's 2014 Constitution. While commendable steps have been taken, the effectiveness and sustainability of SSR to meet citizens' needs remain fragile and hinge upon the establishment of the Constitutional Court, as mandated by the Constitution. The court's role is essential in ensuring the alignment of all laws with the democratic values enshrined in the Constitution, and in ruling against any action that would hamper Tunisia's path towards democratisation. The court's rule is essential in gaging the constitutionality of controversial decisions made by the President of the Republic such as his recent move to freeze Parliament and lift parliamentary immunity.

Recent discussions on reforming the internal regulations of Parliament also promise more effective SSR. One of the proposed actions is to merge the CSD and COAAA into one

[21] Règlement intérieur du Parlement tunisien…, cit.

committee to deal with all security related affairs, i.e., legislation and oversight. Such a new unified body would concentrate the efforts of members on tackling pressing issues and improving citizens' engagement in proposing reforms. With more resources available, such a newly created committee would be better able to organise regional consultations to inquire into citizens' security concerns and needs. If created, the new committee could also build the capacity of its members through training programs such as the Parliamentary Academy.[22] The annual training provided by the National Defence Institute (NDI) to members of the Committee remains a good source of understanding for Tunisian military institutions; however, its content could be improved to capture the real complexity of the security and defence systems. International organisations could also improve the competencies and capacities of Parliament by providing training and consultation by international experts. Other initiatives such as visits to security committees in European parliaments, provided that their scope and specific goals are clearly delineated, could be an opportunity to learn from best practices and inspire reforms that are aligned with the highest standards of democracy. Strengthening capacity building and internal regulations, however, requires either the immediate restoration of Parliament's powers and the formation of a new government, or the organisation of early elections to ensure an effective representation and empowerment of citizens through their representatives.

[22] "Naissance d'une Académie au sein de l'ARP", *Business News*, 12 December 2016.

Conclusions and Policy Recommendations

Andrea Cellino, Eleonora Ardemagni

After a decade of uprisings and civil wars, the MENA region has experienced a multifaceted governance crisis resulting, in most countries, from the collapse or weakening of state institutions. At the national level, as in a matryoshka, governance crises affect various aspects of public life, including security.

The crisis in the sphere of security governance, with which this report is primarily concerned, has many implications: It is directly connected to political and social inclusion, financial and economic stability, education and good governance. Moreover, ineffective and undefined security sector governance paradigms can also threaten regional stability, fuelling transnational threats, among others.

As this report highlights, (in)security has been *de facto* institutionalised in the MENA region. In fact, many security orders have become hybrid due to blurred lines between formal and informal security players, with a myriad of actors contributing to (in)security by way of overlapping and contentious mandates in already vulnerable contexts. In this framework, alternative patterns of hybrid security sector governance have emerged in conflict settings, and what remains of political elites across the region often rely on violent networks to preserve their power.

Governance crises can be seen in highly fractured states (Libya, Yemen, Iraq), as well as in countries that, despite increasing difficulties, are following the path of reform (Tunisia). How to manage the "public realm" most effectively is therefore the big

issue in capitals from Tunis to Sana'a, Tripoli to Baghdad. The chapters in this report were written with a view to identifying ways to design, develop and implement improved Security Sector Governance/Reform (SSG/R) policies and strategies across the region, taking into account the apparent inadequacies of traditional doctrinal approaches in this area.

Across the report's chapters, various examples of governance crises help us make sense of what is at stake in the MENA region, and the implications of governance failures for SSG/R. In Libya, one face of the coin depicts the dependent relationship between political elites and the violent networks that perpetuate conflict. In war-torn Yemen, the presence of segmented and competing security projects among Western and non-Western players, in a context of post-hybridity in which the simple dichotomy between army and militias is inadequate to describe the nature of local military forces, is the main source of insecurity. In Iraq, there is a persistent lack of accountability of informal and hybrid actors, especially *vis-à-vis* activists, though the militias have turned into structural features of the governance system: This makes daily life unbearable for those seeking to bring about change and reform. In Tunisia, the crisis of governance emerges from political divisions, lack of a unified security strategy and trust among institutions, to the detriment of parliament and inclusivity.

Other considerations stemming from our authors' analyses deserve mention for their impact on the region's governance. As stressed by Ranj Alaaldin, the armed non-state actors who have emerged as hybrid security providers have both occupied "ungoverned spaces" left by severely weakened state institutions and created "a grey area" where they "work and co-exist alongside formal state actors (like the military, police, intelligence or counter-terrorism services)". Such hybrid actors have turned into "re-generated military forces", Eleonora Ardemagni outlines, and have benefited from the more or less overt support of external players in all regional conflicts.

This has created "multi-governed spaces" in Yemen, Libya, Syria and Iraq, as a result of regime collapse and civil wars. In addition, international geopolitical shifts have favoured increased interference by non-Western players seeking to bolster their influence and leverage in MENA countries through security support (train and equip) rather than SSG/R proper. Indeed, as Emadeddin Badi and Roberta Maggi argue, "such train and equip efforts have become increasingly targeted over time, with easily measurable results being sought in short periods of time – a service which has become fully monetised, and in so doing completely bypassed the key challenges of state-centred, technocratic SSR assistance in fragile contexts".

An additional challenge for renewed SSG/R strategies across the region derives directly from the system of "privilege violence", as reapplied by Jacqueline Stomski, who emphasises that "Libya is not merely a weak state, but rather constrained by elite political actors' manipulation of state institutions to intentionally weaken the rule of law". Not only in the case of Libya, this represents a "direct barrier" to any security sector reform (SSR) prospects. Even in the case of Tunisia, where, as Hamza Mighri explains, concrete steps were taken towards meaningful and inclusive reform, recent events have made it so that any further progress "requires either the immediate restoration of Parliament's powers and the formation of a new government, or the organisation of early elections to ensure an effective representation and empowerment of citizens through their representatives". This is clear evidence of the importance of oversight and the weakness of checks and balances on executive authority, the ultimate legacy of authoritarian times.

Institutionalised (in)security is a complex reality that requires reckoning with on a regional scale. Such an uncomfortable truth necessarily entails new obstacles and barriers for policymakers to overcome – as an exclusively state-centred approach to security governance is no longer able to grasp the reality on the ground, nor to form the basis for durable reform blueprints. As new regional trends emerge, notably proxy warfare through the

empowerment of non-state actors, the gap between warmakers and victims widens on national and regional scales, and the line between those meant to protect and those exerting violence becomes increasingly blurred. Against this backdrop, this report offers some broad yet valid recommendations for navigating this crucial juncture in the global understanding of SSR/G, its imperatives, and its future:

- **Democratic transition by itself is not enough, and its existence should not be taken for granted.** The case of Tunisia shows that even when there is a democratisation process under way, without the direct involvement of the civilian population in security governance matters through *meaningful* democratic representation, a disconnect will grow between perceptions of security and degrees of representation (largely due to practices involving the use of force against civilians). In the case of Tunisia, part of the reason for the collapse of state-society relations is due to the fact that corrupt parliamentarians became politically self-serving. More broadly, combatting the phenomenon of widespread corruption on a regional level is central to restoring a semblance of trust between governments and their constituencies.
- **There is a need to work with *all* institutions, otherwise SSG/R programmes will fall short.** Narrowing the scope exclusively to regalian ministries prevents the implementation of holistic approaches to SSG/R. Independent oversight institutions (anti-corruption mechanisms, national preventive mechanisms), media, civil society, and even local-level actors (municipalities, community leaders) can all become meaningful players in an SSG/R process if given a chance. This is all the more important in contexts in which institutional oversight, intentionally weakened over decades and subsequently hybridised, struggles to properly exercise its mandate and role.

- **A reform project that reckons with hybridity while still accounting for all existing state institutions is of paramount importance.** Idealising hybridity as a new way of conducting SSG/R reforms in the MENA region, given the panoply of armed groups that have emerged in the past decade, can quickly become a slippery slope without the necessary checks and balances. There is a need to further define and explore what an ideal form of hybrid governance should look like, and subsequently assess whether it could work in countries of the MENA region. Hybrid governance – and notably the integration of former non-state combatants into post-conflict state security forces – must not become a one-size-fits-all solution in lieu of reintegration into civilian life. Instead, a proper assessment of the security sector's needs must inform (re)integration schemes and associated policies.
- **Large scale solutions for the entire region do not exist – nor should they.** While the region does suffer from many common challenges such as corruption, weak institutions, and overstaffed security sectors, all work must be context-specific and informed by an inclusive strategy that aims at rebuilding state institutions from their core in a way that models the societies they govern. All of this must be underscored by a deep understanding of the population's security needs, and a strong mechanism for community inputs into the way security needs are prioritised and acted upon at institutional level. The rule of law cannot be properly established without civilian input.
- **The last decade has witnessed the rise of bilateral train-and-equip efforts over meaningful SSG/R programmes.** The rising influence of non-Western powers across the region directly correlates with the increased desire of Western powers to maintain a degree of plausible deniability in their policies. This phenomenon,

however, directly entails that security assistance frameworks be dictated by self-serving, parochial geopolitical interests rather than foreign policy imperatives focused on long-term stability through holistic and meaningful SSG/R. A recalibration of perceptions of long-term technical security assistance must be brought about in order for EU and US foreign policy imperatives to be rethought, away from short-term, business-oriented and self-interested schemes and more into line with democratic governance principles, rule of law and sustainable peace.

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"Beyond Yemen's Militiadoms. Restarting from local agency", EUISS, 2020; "The Huthis: Adaptable Players in Yemen's Multiple Geographies", CRiSSMA-Catholic University, 2019.

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