PEACE AND JUSTICE IN NORTH AFRICA: THE CASE OF LIBYA

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ABSTRACT

The African continent is commonly referred to many negative concepts such as war, turmoil, conflict and poverty. The dominant cause of these mentioned concepts is colonialism. When it comes to the colonialism the European states come to mind firstly. These states started the colonial activities in Africa continent. The main purpose of colonialism was to seize fundamental raw material resources and operate them. In fact, having the rich and essential raw material resources in African continent has led the colonial European states to land in the continent. Colonial activities peaked the continent in the 19th century have transformed Africa into an unrecognizable condition. Particularly, the consequence of Berlin African Conference which was held in 1884-85 has deeply affected the fate of Africa. The results of this conference have led to the misrepresentation of Africa in terms of war, conflict, poverty and chaos. Thus, at the beginning of the decolonization process in Africa, African people have heroically fought to gain their independence from the colonialist countries. This struggle has brought honor and glory to African people. The African people have united themselves for their homeland, defending their rights and looking for ways to live together in peace. On the other hand, they have always struggled to ensure justice. In this context, the study deals with the Libya state in the northern part of Africa and also will be discussed how the people of Libya fought for the establishment of peace and justice in Libya.

Keywords: North Africa, Libya, Peace and Justice

1. INTRODUCTION

Africa, the second largest continent in the world consists of five regions. The North Africa is one of the five regions of the continent and the region contains 6 countries in including Morocco, Algeria, Tunisia, Libya, Egypt and Sudan. North Africa has rich and old history. Above all, the history of ancient Egypt is known as the history of Africa. A number of kingdoms were established in this region. The Aksum is one of these kingdoms emerged in the region. Although there is no clear information about when it was founded, it has been thought that the Aksum Kingdom was established in present-day of Ethiopia, Sudan and Egypt. It had been stated that there was Kingdom in Egypt in 25 th centry before christ. In this sense, the history of North Africa is a long history (Phillipson, 2012: 29-32).

The historical background of Africa is very difficult. Colonial activities have gone through an intricate process, such as adventures of independence movements and internal confusion. Before colonialism, there may be a number of initiatives aimed at ensuring peace and justice in Africa. In Africa, where the kingdom was located, it is assured that the people were not very poor or polarized at that time. King Mansa Musa, who lived in the 13th and 14th centuries, is an important example of this issue. Mansa

Musa was an important influential figure of both in the West and North Africa. For the kind and tolerant, the majority of the people were satisfied with Mansa Musa (Levtzion, 1973: 25-29).

The colonial illness that started and spreaded to Africa from the 15th century divided the people as how it partitioned the continent. In other words, it transformed peace into war and confusion. In this context, it can be said that the greatest threat to peace and justice in the continent relates to the colonialism. These activities can be examined in three main stages in Africa. First, It started in BC with the Carthaginian colonies which was established by the Phoenicians in the 9th century and continued untill the Roman Empire. Second, It emerged in A.C. with the Crusades in the 11th century and continued since the 19th century. From the process of 19th century to the present day constituted the third phase of colonialism. During these periods, the 15th century between the second and third phases became the determinant of colonialism. Because it has seen that neither peace nor life of justice was not under a threat. But the 19th century was not the only a summit of colonialism, but also a summit of peace and justice under a great threat. In this sense, the 19th century a new crisis has appeared in Africa, especially in the fate of North Africa (Mazrui, 1993: 11-13).

From the end of the 19th century until the half of the 20th century, Africa was cruelly exploited by European colonialist. After this date, African states have begun to gain their independence one after one. Libya was one of these states and gain its independence on 24 December 1951. The country was ruled by the 1st Idris Senusi Dynasty untill 1 September 1969 when the adminstration was overthrew by Muammar Gaddafi with military coup and rulled the Libya from September 1969 till 23 August 2011. Gaddafi had been the office for forty two years and attempted to enssure the peace and justice in Libya for a time. However, the Arab Spring which took place in 2011 has wasted all these steps. In the light of theses developments, the article tried to examine the from period of Libya's independence untill today (1951-2018) in the context of peace and justice (Jacobs, 2015: 1-2).

2. GENERAL INFORMATION ON THE CONCEPTS OF PEACE AND JUSTICE

There are always obstacles a head on acheiving peace initiatives . Peace studies have shown greater influence since the Second World War. Because peace researches seemed to be so rarely until the World War II. Initiatives relates to the peace studies, academic programs and scientific research institutes have become widespread in global after 1950s. Kenneth and Elise Boulding Initially establish the Center for Research on Conflict Resolution in the United States at the University of Michigan In 1950. The International Peace Research Institute was established by Johan Galtung in Norway in 1959. The present programs of peace studies in Bradford University in England shows initiatives for peace in 1973. However, this situation has become widespread in many countries up to day (Cortright, 2008: 2-3).

The concept of peace reflects as situation where there is no war, conflicts do not arise and essuring justice. In particular, it aimed to pervent crimes committed against humanity, genocide, massacre and armed conflicts. For this reason, it can be said that concept of peace has an important role in the formation of a fair society. Where there is no peace, war, intimidation, armed and unarmed conflicts and many other events are influential. The road to peace is not uneven and there are always obstacles. Sometimes these obstacles come out when states commenced to intervene other states dealing with their internal problems. So peace is not a simple matter. The fact that Africa has remained under colonialism for many years has caused to be the biggest obstacle a head on peace studies. However, it is also seen that peace can not be achieved in spite of being liberated from colonialism. This is the internal issues experienced by African states. Tribalism in African peoples has been the biggest chanllenge to peace studies and Libya is of the main examples about that matter. The independence of Libya did not mean that peace had been achieved. Because tribes in Libya struggled with each other to come to power. In this situation, the internal disturbances have turned the matter into war and prevented to achieve peace and the same has been the case for justice (Galtung, 1969: 168-171).

The concept of justice is a fundamental factor in ensuring peace. Because the rights and the law means equalit of citizens. On the other hand, it also functions as observance and fulfillment of the right. The German philosopher Immanuel Kant evaluated the concept of justice based on three basic arguments. Honorable life, don't harm anyone and give its share everyone. Kant, speaking about these arguments also expressed how a peaceful environment could be achieved. Hugo Grotius, a Dutch lawyer has

considered equity as a form of commitment. The so-called commitment principle also contributes to peace other than it can lead to confusion and disputes (Bhandari, 2014: 1-3).

According to these developments, it is possible to treat the concept of justice in two different ways. The first can be expressed as a distributor and the second as equating or corrective justice. Distributive justice means that everyone performs his/her responsibilities and does not interfere in the sphere of others. The aim here is to regulate the relationship between the individual and society, society and the state and to pervent any problemthat may occure. Equalizing justice means that everyone in legal affairs (business) will be treated in an importial manner and that everyone will be treated equally. In this way, a transition from a subjective situation to an objective situation could be achieved. There have been many incidents in Africa to promote justice. In a place where justice and peace can not be ensured, the people are either out on the road or creating an atmosphere of turmoil and Libya is the best example of this situation. However, Justice and peace have not been found in the most basic causes of the Arab Spring, which started in 2011. The economic and political reasons as well as the lack of a fair attitude have upset the people and the Libyan leader Gaddafi has removed from his 42-year rule. These developments have been an important factor in North Africa and have also influenced the countries like Tunisia, Egypt, Algeria and Morocco (Dukor, 1997: 502-503).

3.   ESTABLISHMENT OF PEACE AND JUSTICE: LIBYAN STATE

It will be appropriate to consider Libya's history in three contexts in the context of peace and justice. Starting with the first period of the Ottoman Empire with interest in North Africa in the 15th century, the second period with the withdrawal of the Ottoman Empire and the colonial states (Italy-England) with the domination of Libya in 1911 and finally with the independence of Libya in the context of its own rule of law (Raza, 2012: 11-12).

3.1.   Peace and Justice in Libya During the Ottoman Empire

The Ottoman Empire's interest in North Africa began in the 15th century. Trablusgarp, that was in Spain's occupation at that time, sent delegations twice to the Ottoman Empire to get rid of Spain. The first delegation in 1510 and the second delegation in 1519 asked for help from Istanbul. The Ottomans, on the other hand, provided help to Tripoli. Admiral Turgut Reis, who sustained Ottoman dominance in the Mediterranean, also organized a cruise to Tripoli. Thus, on 15 August 1551, Tripoli was captured and bound to the Ottoman Empire and Tripoli was ruled for a while from Istanbul. However, it was decided that the changing economic balances of the 16th century would be governed by Libya, not by Istanbul (Elmangoush, 2015: 7-8).

Libya has been intertwined with turmoil and conflicts in the occupation of Spain. With the settlement of the Ottoman Empire in Libya, both the atmosphere of turmoil has been reduced and a peaceful enviroment has been established. In other words, the foundations of peace and justice were laid by the Ottoman Empire. The famous historian Libyan Ibn Galbun says: Libya has experienced prosperity and peace with the arrival of the Ottomans. During Turgut Reis' period of Beylerbey (1553-1565), both the population increased and the peaceful atmosphere created between the people. On the other hand, it has shown that it is fair to try equal treatment for everyone, to take care of everyone's responsibilities, to work for anyone to disturb anyone, and so on. In this sense, during the Ottoman period, Libya had a peaceful and justice structure (Mangan & Murtaugh, 2014: 9-11).

In the 17th century, the Ottoman Empire has been period of stagnation. During this period, the Ottomans didn't give much interest to many provinces and Libya was one of them. On the other hand, the internal turmoil in the Ottoman Empire was not effective in these provinces. In the 18th and 19th centuries, both the decline and the disintegration of the Ottoman Empire reduced the Ottoman interest in North Africa. The ineffectiveness of the Ottomans led to internal disturbances and rebellions. Trablusgarp province in 1864 and Benghazi in 1877 became separate sanjak. The greatest test and defeat of the Ottoman Empire was the war with Russia in 1877-78. Upon the defeat of the Ottoman Empire, the colonial powers came together without losing any time. In 1884-85 the Berlin African Conference was organized under the leadership of German leader Bismarck (Craven, 2015: 36-37). The continent was divided among the colonial powers when the Ottomans were so weak and later withdrawn from Africa. In 1911, Libya was occupied by Italians and war, conflict, turmoil and an unequal environment appeared in it. With this

occupation Libya, II. It will fight with Italy until World War II, then England will face the invasion and in 1951 it will gain its independence (Ballinger, 2015: 3-5).

3.2. Peace and Justice in Libya during Period of Italian Colony

The area where colonial Italy was predominantly influenced was the North African region. In 1911, Libys esd invaded. In fact, Italy had taken the decision to invade before 1911. However, due to the presence of the Ottomans in the region, the colony did not enter the region. Not only Italy, but other European colonial powers were also frustrated by the existence of the Ottoman Empire and could not intervene much in Africa. But with the withdrawal of the Ottomans, the entire continent has encountered a situation that has never happened. Ruthless violence, crimes against humanity, etc. The proliferation of events has put Africa in an unexpected state. All this was done by the colonial European states. Already the meaning of the colonial word comes to mean such as conflict, confusion, war, unrest, causing people to squeeze each other and cause genocide. For this reason, the colonial word is the identity of the European states. No peace or justice is sought here (Gazzini, 2009).

The main purpose of the colonialism is to seize the raw material resources and contribute to the economy of the colonial states. Libya's oil wealth has also caused to be exploited and subjected to all kinds of maltreatment. Shortly after Italy invaded Libya, World War I began. In World War I, Italy was originally beside the Triple Alliance (Germany, Austria-Hungary and Ottoman Empires), but purely due to the conflict with Austria-Hungary, Italy joined the war alongside the Triple Alliance (England, France and Russia). The Triple Alliance group, in which Italy also participated, won the First World War. It was founded at the end of the war instead of Ottoman history and involved the Republic of Turkey. In the same way, Austria-Hungary has also been separated from each other. Italy is profitable. Italy has tried to increase its activities in North Africa even more (Hamilton & Herwig, 2003: 1-7).

After the war, a treaty was signed between Italy and Libya. According to the treaty that the Tripoli rebels had made with Italy, a new parliament had been established for the Tripolians. On the other hand, Italian citizenship will be granted and tax exemptions will also be granted. However, this is entirely a colonial mindset. Because, given the Italian citizenship of Libyans, it means to be alienated in their own land. Therefore, Libya has been tried to be subservient to an understanding of government that is far from peace and justice. Against this, the Idris of the Senusi Dynasty (1951, the first dynasty of Libya) and a group of them issued a declaration stating that they would not accept such an agreement. Italy has not stepped back, resistance movements have accelerated in Libya. One of the most important figures of this resistance is Omar Mokhtar (Cresti, 2017: 29-35).

Omar Mokhtar organized the tributes in small groups in order to make a resistance against the Italians. This plan has left Italy in difficulty many times. In fact, the Italians were fighting against all Libyans, not just tribes organized in small groups. These small tribal groups had to be well organized against Italy. It needed economic and military assistance. Omar Mokhtar and Idris, secretly, went to Egypt and asked for assistance. Idris, however, abandoned his help, thinking that Italy might be a danger to Egypt. Italy, who learned this secret visit, contacted with Omar Mokhtar and made some promises if he stops the struggle movement against Italy and acts peacefully, he will be allowed to give himself the best opportunities and live in Libya. In response to these promises, Omar Mokhtar has tried to expand the resistance movements even more. However, Italy, which suppressed the resistance movements, both dispersed the groups and executed the Omar Chamber in 1931. In the direction of these developments, neither the peace environment nor the justice manifested in Libya during the colonial Italian period. There was peace and justice in Libya during the Ottoman period. Because the Ottoman Empire was not a colonial empire. Despite being an emperor, he has never resorted to colonialism anywhere in the world's geography. If it had been colonial, it would have been dominant in Ottoman language in many regions (Dhont, 2012: 95-96).

The distance of Italy from peace and justice has led to the death of many people in Libya, the emergencing of civil wars, and the rise of disputes among the tribes. Until World War II, Libya was under Italian occupation. The expansion of Italy has moved both Britain and France in to the action . The outcome of the disputes between England, Italy and France and Italy has started the occupation of France, the border of Libya with Algeria and the border with Egypt in England. As a result, Italy was removed from the region. Libya was ruled by the British until 1951. In the administration of UK

colonialist, peace and justice are two concepts which was yearnly wanted. In other words, Libya's most difficult period of peace and justice has been in 1911-1951. Libya, which gained its independent in 1951, passed a more peaceful and justitarian transition than the colonial period. However, it is not possible to talk about peace and justice here (Chivvis & Martini, 2014: 13-16).

3.3. Peace and Justice After the Independent of Libya

Libya gained its independence on December 24, 1951, under the leadership of Sidi Muhammad Idris al-Mahdi known as Idris I. Libya was among the poorest countries in the world. Two years after independence, he signed the Treaty of Friendship with England in 1953. Under the terms of this treaty, Britain promised to protect Libya against any attack from outside and will support Libya. On the other hand, Britatin allowed for Libya to set up a base in the UK as well as British military commanders will support Libya to train their soldiers. All these situations have damaged both peace and justice by hosting the British in Libya, which is known for its colonial past. But according to the conditions of that period Libya seems to follow such a policy (Berry, 1989: 32-37).

On the other hand, Libya did not only signed an agreement with Britain but also it has signed an other agreement with the United States. According to that agreement, the United States pledged to provide financial support to Libyan government, in other side Libya also has allowed that United States will have a military base in Libya. Thus, both Libya and US bases were being established. Libya's agreements with both the United States and the United Kingdom have ensured that France withdraws from Libya's west. The Italy's occupation of Libya, Italy acquires about 50 citizens. This opened the way for the relations between Libya and Italy and Italy opened its embassy in Tripoli in 1953. Thus the relations between Libya and Italy have resumed. Libya has not forgotten the Ottoman Empire, which looks after peace and justice well. From this point has been established as a legacy of the Ottoman endeavor to establish good relations with Turkey. As a result, on October 1953 Turkey will open embassy in Libya and bilateral relations begins (Winter, 2011: 2-7).

I. Idris's policy has been towards peace both at home and abroad. For this reason, it has tried to act in line with the principles of peace and justice. However, the presence of oil deposits in 1959 negatively affected peace and justice in Libya. Because the colonial and non-colonial states have begun to benefit from this situation. Raw material sources discovered in the rest of the continent, particularly in North Africa, have led to a second colonial climax. However, this colonialism did not attempt direct intervention but by political and indirect methods. In 1957, Kwame Nkrumah, an important leader in Ghana's independence, said the following words for colonialism: a way of giving Africa a hand with its independence and the other way back. It is a pseudo-independence that has given the former colonialism of the new colonial state some kind of sovereignty in order to make it a customer-state and to control it with non-political methods. In these words, he stated that colonialism changed the cover and aimed for a second summit (Nkrumah, 1965: 18-24).

The oil deposits in Libya have changed the course of peace and justice. Because the sources of raw materials, peace and fairness have caused considerable damage. The role of colonial and non-colonial states was great. This situation should not be addressed only in the context of colonial states. It is also necessary to address opposition groups within the country. Libya is made up of tribes. It is quite easy to make internal disturbances where there is tribalism. It is a simple political situation to take advantage of the conflicts between the tribes and the civil war. In this sense, dissident groups in Libya were disturbed by Idris's policies. Muammer Gaddafi, who served as an officer, was one of them. In 1969, Gaddafi and his colleagues, who had the opportunity to be in Idris's visit abroad, seized the rule and made a military coup. After that date, Libya was ruled by Gaddafi until 2011. Gaddafi's 42-year rule ended with the outbreak of the Arab Spring and he was lynched and killed by the people. These events show neither peace nor justice (Blanchard, 2018: 14-16).

Since 1911, the people of Libya have been looking for a peace and justice. Colonialism has a great influence on this. It can be said that in Gaddafi period peace and justice prevailed in Libya. However, even if the peace environment is mentioned, it is not possible to talk about a just environment. Because in a just policy, you can not talk about a 42-year power. Justice is the most basic concept of law and right. Justice means law. It means equality. It means democracy. It means innovation. It means peace. So it is not possible to talk about peace where there is no justice. Gaddafi may have seemed peaceful

and just with his speeches and activities. In practice, however, he has not felt this to his own people. The Arab Spring, which erupted in 2011, has transformed Libya into an environment of conflict and turmoil. From 1911 until 2011, peace and justice could not be fully established and a democratic environment was not established approximately in 100 years. Among the main reasons for all of these are *tribalism, direct colonialism* and *indirect colonialism*, which was effective from the 1960s till today. On the other hand, the role of Gaddafi's in the saddle for 42 years is also great (Rozsa, 2012: 7-8).

3.4. Peace and Justice in Libya After Muammer Gaddafi

After Gaddafi's overthrow, Libya went to the elections. The elections were an important milestone in the political history of Libya. Because, Libya which was ruled 42 years by only one hand went to democratic elections for the first time. The development started with the Arab Spring. With the overthrow of Gaddafi, a multiparty system was established in the country and general elections were conducted. Some of these parties included the Party of National Forces Alliance, the Justice and Building Party, the Homeland Party, the Justice and Development Party, the Democratic Party and the National Action Party of Libya (___, Libya protests, 2011).

A National Transition Council was established on February 2011 shortly before Gaddafi's overthrow. The main purpose of this council was to ensure the democratization of Libya. It was seen as the first step which had been taken towards to democracy. Before the Gaddafi period Libya weakened in many ways. However, a number of improvements were made during the Gaddafi's period. The most important of these were education and the economy. Although Gaddafi was against the people of Libya's freedom of expression he passed the exam in education and economy. However, in the context of democracy, it goes without saying that that the country was place where a democracy was not practiced, justice and peace cannot be mentioned. Therefore, one of the most important reasons for the Gaddafi's overthrow is pointed to be the lack of a democratic environment (Chivvis & Martini, 2014: 24-30).

Immediately after Gaddafi's handover, the political vacancy was filled by the National Transitional Council. The Chairman of the Executive Board of the National Transitional Council was Mahmut Jibril and he was also the Prime Minister for seven months. Jibril was also the leader of the National Forces Alliance Party; he resigned while serving as Prime Minister's office. Jibril met with Mustafa Abdel Jelil and some of his friends explained why he resigned, he stated that the Council should be enlarged in the coming period to include soldiers who are fighting for the emancipation of women, young people and Libya, so he resigned for a change. The National Forces Alliance won the elections, and Mustafa Abdul Jelil took the office from March 5, 2011 to August 8, 2012 (___, beyond, 2011).

After Jalil, Muhammad Ali Selim came and served only one day (August 8, 2012- August 9, 2012), Mohammed Mekerif replaced worked nine months (August 9, 2012- May 28, 2013), Juma Ahmet Atike came the office and remained approximately one month (May 29, 2013 to June 2013) while Nuri Ebusehmen (June 25, 2013 - April 5, 2016) has been in office about three years, and since March 30, 2016, Fayiz al-Saraq is in office. It is clear tht there was a complicated situation in these elections in Libya. After the Gaddafi administration, the rise of internal rebellions negatively affected the administration. The continuation of tribalism especially has caused significant problems in the establishment a government in Libya. Because of during the absence of Gaddafi's seven-year period, seven heads of state have passed Libya. This situation shows that the establishment of government in the country is not so simple (Ladjal, 2016: 2-7).

In the light of all these developments, it is not possible to talk about the ensuring of justice in Libya after Gaddafi. Although a democratic process has been taken, it has been seen that democracy is fully committed. Justice and peace cannot be established in a country without democracy. Thus, when Libya's historical background is examined, it is seen that the best period of justice and peaceful environment was the period of Ottoman Empire. However, tribalism is most fundamental problem of Libya. The disputes, wars and conflicts between the tribes give great harm to the country's peace and justice. Therefore, in this period of 2018, there is no peace and justice in Libya (Doufani, 2013).

4. LIBYA IN MERGER AND SPLIT DILEMMA

One of the most important events of the 21st century for the people of Libya is the end of 42 years of Gaddafi power, which resulted in a massive rebellion. However, the rebellion movement that started on

17 February 2011 faced the strong resistance of Gaddafi and was suppressed. The fact that Gaddafi's individual decision that was not to leave the power and the support of some of the tribes to Gaddafi's administration led to Libya to be dragged into civil war, which differentiates Libya from other Arab states. These events of Gaddafi administration have negetively affected both Libya and international system. Because Gaddafi's actions in the form of crimes against humanity and against the civilian population have both led the reaction of the international community and also caused to lose the legitimacy (Ladjal, 2016: 17-19).

The arming of some tribes in the Gaddafi's administration and supporters for the idea of rebels' eradication had met a great reaction of United Nations. On 17 March 2011, the United Nations Security Council envisaged the adoption of Resolution 1973. This decision prohibited the use of any kind of force against the civilian population. In this respect, on19 March 2011, NATO began military intervention against Gaddafi and his followers, mostly under the leadership of France. With the intervention of NATO on 20 October 2011, Gaddafi and his supporters were defeated and removed from power. Gaddafi's hometwon Sirte was captured and was murdered by lynched and related unsuppoerted tribers (Blanchard, 2018: 15-17).

After Gaddafi's overthow, it was not realistic approach for waiting peace and justice in Libya in a short time. The marks left by a 42-year government cannot be immediately erased. On the other hand, the experience of the absence of power has negatively affected the state administration and even the turmoil in the country. Gaddafi's fall from power has both put into effect the plans of the different power elements and has led to increase fighting among the tribes. In this sense, Libya is between the dilemma of unification and division. Even though they are not divided into territories, divisions have increased even more because of the differences between the tribes. In countries that are generally in civil war or cannot suppress the conflict between the people, the expectations of the people in the presence of justice are relatively peaceful after the conflict, because peace means justice. The meaning of peace is union. Peace means without partition. Peace means that the state's authority is smooth (___, Libya protests, 2011).

In the light of these concepts of peace, the most important definition for Libya is that the state authority must be forceful, because the damage power in Libya has not brought peace and justice to Libya. When we look at the demographic structure of Libya, the majority of people have tribal structure. This situation plays an important role in the distribution of political power. In this sense, the position of the tribes in state authority is primary importance. On the other hand, when we look at the formation of African states, states are not based on national interest, but on the political interests of purely colonial powers. This has caused people from the same family to move in order to obtain the citizenship of different states. This situation has also been observed in Libya. Because it is seen that Kaddafi's use of force against his people, tribes opposed to Gaddafi, were supported by neighboring countries and acted together. This shows that Gaddafi is not only in Libya, but also in conflicts with neighboring countries (Doufani, 2013).

It is possible to divide these conflicts in Libya into two; conscious conflict and unconscious conflict. It can be said that external forces are behind conscious conflicts. During the World War II, in 1941, the external powers who signed the Atlantic Charter initiated the decolonization process of the African continent. A new evolution of the African continent with the decolonization process has led to the division of people from the same tribe and the coexistence of different tribes. This situation has caused conflicts between tribes in independent states. The states and divided nations, which are formed entirely in the direction of political interests, have emerged as a product of conscious confusion and have led to the continuation until the day. This conscious confrontation brings four arms of African continent. The conflicts between tribes in Libya are also examples of this situation. The unconscious conflict is that the African peoples have not realized the plans of these external forces. The unconscious conflicts of the tribes against each other harmed both of the peace and justice. Therefore, Libya gives its greatest test, which remains between the unification and division dilemmas. It seems, however, that there is a process beyond which division is more effective than unification (Nkrumah, 1965: 13-26).

One of the most frequent situations in states emerging from large-scale conflicts is that the space of authority created by the conflict environment produces a layer that will later lead to gang and like Mafia

organizations. The fact that these gangs and mobsters act on their heads does not reduce the conflict scene from the country agenda at all. This situation is observed in the conflicts in Libya after Gaddafi. On the other hand, the existence of organizations acting in the form of a large number of gangs has had a negative impact on the turmoil in the country for a long time. In this context, it has also been observed that some people seek the administration of Gaddafi (Ladjal, 2016: 18-21).

In the conclusion, the main factor in the long-term outcome of events in Libya is the disagreements between the tribes. In other words, they are unconscious conflicts. The increasing scale of these conflicts in Libya also prevents peace and justice. In Libya, it is mentioned the presence of a large number of tribes, whose arms extend to Egypt, Chad and Algeria. This suggests that the country is trying to regionalize the conflict. The most fundamental reason for this is the brutal plans of external forces that actively play an active role in the formation of unconscious clashes. As long as such actions exist, the conflicts will continue and there will be conflicts between the tribes. In Libya, the issue of tribal struggle needs to be addressed and peace must be established among the rival tribes. Otherwise a positive result will not be obtained from the peace that will be provided in some parts of the country and the future of the country will be like Somalia. Somalia remained at the center of the conflict after the fall of Muhammad Siyad Barre in 1991. The most basic reasons for this was disputes between tribes. Despite the fact that the tribes in Somalia are from the same ethnic group, the outcome of conscious provocations of external forces and neighboring countries (Ethiopia-Kenya) for state authority is conflicting with each other unconsciously. For this reason, state authority is not fully functioning in Somalia. The same is likely to be the case for Libya in the future. For this reason, the tribes in Libya have a negative effect on the state authority as well as the peace and justice. In this direction, the tribes will determine the future of Libya, which lies between the unity of division and division (Chivvis & Martini, 2014: 28-31).

5. CONCLUSION: THE EFFECT OF PEACE AND JUSTICE OF TRIBALISM IN LIBYA

In the examining of the historical background of Libya, from 19th century when it was exposed to colonialism till today can be seen that the country went in to a very complicated period. The Ottoman Empire seems to be dominant in Libya from the 16th to the 19th century and almost any of colonization activity hasn't been observed in Libya for a period of about 300 centuries. Because the Ottomans have always struggled against the colonial European states and defended the continent of Africa. A peaceful environment was created in the areas where the Ottoman Empire dominated. In this context, the Ottomans did not interfere with the language, culture, customs and customs of any people, especially religion (Elmangoush, 2015: 9-12).

The 19th century was not only affected negatively the African continent, but also led a negative depression to Ottoman Empire in terms of the disintegration. From this century until the First World War (1914-1918), the Ottomans came to the brink of destruction after gradual dispersion. The Ottomans, who were completely withdrawn from Libya in 1912 with the Uchi Treaty, had leaved this region to the colony of Italy. The confusion, rebellion and turmoil in the internal affairs of the Ottoman Empire made the Ottomans as a weak state. Therefore the Ottomans withdrew from Africa. With the beginning Italy, colonialism negatively affected Libya's social, political and economic balances. The justice and peace environment in Libya has been shaken and replaced by turmoil, conflict and war and this is the case today (Liberti, 2011).

The independence of Libya in 1951 did not lead to a positive development in terms of the establishment of peace and justice. The understanding of tribalism, peace and adherence in Libya has always been a great danger. In particular, the overthrow of Gaddafi shows how clearly this is a danger. Since 2011, the emergence of very serious conflicts among tribes and the loss of lives at hundreds of people have made the dangerous situation clear. More than a hundred people lost their lives in ten days in the tribal conflicts in Libya's south east. On the other hand, the inability of the government to re-establish the country has flared the conflicts in the country and spread it to many regions of the country (Apps, 2011).

The majority of people in Libya consist of Muslims affiliated with the Maliki sect. There is also a sense of tribalism among the people. The tribe has a very long historical background. This date goes as far as fourteen centuries ago. However, there are significant differences between the old tribalism of that period and the present tribalism. Fourteen centuries ago, tribalism had the idea of being the only body

against destruction and fragmentation in order to maintain unity and solidarity among the people. However, in the understanding of tribalism in the 20th and 21st centuries, it is influenced by factors such as individual self-interest, destroying unity and solidarity, leading to conflict and initiating power struggles. The best example of this is Libya (Myers, 2013: 3-8).

The Libyan society is totally based on tribalism. In this sense, the formation of the Libyan state built on institutions has been a major influence of tribalism. However, this situation has led to serious negativities in present-day of Libya. In pre-colonial period of Libya, the numbers of tribes were very few. But from the colonial period until the 21st century, a large number of cousins appeared. It is because the tribes are dismembered one by one and new tribes have emerged in each tribe. This can be expressed as divide, divide, and rule. At the beginning, three main tribes are mentioned. These are known as the Suleiman, Benu Hilal and Seadi tribes. However, these tribes gradually become fragmented among themselves. Seadi tribe is divided into three main branches that contains Harabi, Jabarine and Beragis tribes. The tribe of Harabi is divided into five as Ubaydat, Hasse, Derse, Evlad Fayet and Evlad Hamd. These tribes that is getting become smaller groups have caused conflicts and power struggles. The main reason for civil war in Libya is tribalism. In countries where the *tribal* dominates, the brutal plans of *foreign powers* always work. Therefore, no peace or justice is provided in Libya (___Is Tribalism, 2016).

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