 CHAPTER TWO


1. INTRODUCTION

Transformative change arrived in Libya on the tide of popular demands for reform sweeping through the region. Libya’s revolution had been long in the making, however, with stirring social unrest an outcome of 42 years of tyranny and oppression. The growing indignation spread so that a critical mass of the country’s citizenry openly expressed their frustration with a corrupt, exploitative, and repressive regime controlled by an absolute ruler who was known for being deeply mentally imbalanced.

As described in Chapter One, Mu’ammar Qadhafi’s patronage system of rewards and punishment created a divided society, and a government run by a corrupt inner circle of Qadhafi’s family and their coterie. Corruption was endemic, spreading to all levels of governance, and into the private sector of the small oligarchy that was part of the leader’s privileged network. The Libyan people not only suffered from oppression, exploitation, and abuse, but also lived in a state of historical limbo without clear direction whether at the national or individual level. The regime effectively reduced the population to dependency by removing any incentives to education, innovation, inventiveness, or entrepreneurship. Additionally, the despotic regime inflicted systematic violence against its own citizens, both within and beyond the country’s borders. The regime’s policy of violence entailed sustained support for international terrorism in addition to political terror against Libyan exiles living abroad.¹

Revolutions historically arrive in the form of small events that ignite larger transformative episodes. That spark occurred when a group of lawyers representing the Abu Salim Prison massacre victims organized a protest in front of the Benghazi courthouse.² The family members of the victims had been politically active for years, demanding justice for the murder of 1,272 prisoners, executed by machine gun fire by security guards under the direct command and control of ‘Abdullah al-Senussi, Qadhafi’s

¹ See Ch. I, Sec. 11.
² See infra Sec. 3.2.
brother-in-law and then head of internal security. Those killed at the prison were deemed enemies of the state and targeted by the security apparatus for their opposition to the regime. They included individuals who employed militant means, along with those who were activists and critics of Qadhafi’s rule. In making no distinction between militants and outspoken dissenters, the regime directly violated citizens’ right to freedom of speech and expression, which are rights legally protected under the International Covenant on Civil and Political Rights (ICCPR).

Subsequent to their arrest, detainees were placed in the prison of 1,600–1,700 inmates where they were harshly treated and kept in a row of cells without access to open air. Their general treatment and conditions were in violation of the United Nations’ Standard of Minimum Rules for the Treatment of Prisoners. Many had become ill, but their protests to the prison authorities went unheeded. They decided to go on a strike and captured two guards in an attempt to force the authorities to meet their demands for better conditions. One of those captured was then killed when guards opened fire, killing six prisoners and wounding a further 20. Libyan security officials headed by Al-Senussi and Nasir al-Mabruk then negotiated with representatives of the prisoners, and agreed to meet their demands, including the provision of medical care for 120 sick prisoners. Instead of receiving medical attention, however, many of the sick were taken away and killed. On 29 June, gunmen on the roofs opened fire on hundreds of prisoners gathered into a courtyard under the pretense that a settlement with the authorities was about to be finalized. By the time the shooting stopped, over 1,200 prisoners had been killed. In an act of cruelty for which he would become notorious, Al-Senussi gave the direct order to continue shooting until all the prisoners were executed.

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4 For more details on the Abu Salim prison and on political prisoners held by the Qadhafi regime, see Ch. I, Secs. 9, 10 & 11.

5 Libya is a state party to the ICCPR and its first optional protocol. See *supra* Basic Facts about Libya, for more details on Libya’s obligations under international law.


9 For more on Al-Senussi, his extradition from Mauritania to Libya, and charges levied against him, see Ch. IV, Sec. 6.3(b)(ii). See also HUMAN RIGHTS WATCH, *Libya: Abu Salim Prison Massacre Remembered*, supra note 3.