

A weak diplomatic hybrid: U.S. Special Mission Benghazi, 2011-12

G. R. Berridge (January 2013)

In the widespread coverage of the brutal murder of US Ambassador to Libya Christopher Stevens and others in the US mission in Benghazi on 11 September 2012, there has been much confusion over the character of the post. It has been repeatedly described in the media as the American ‘consulate’ but the official position, recently stated emphatically by the Report of the Accountability Review Board for Benghazi (ARB) convened by secretary of state Hillary Clinton, is that ‘the U.S. Special Mission in Benghazi was never a consulate and never formally notified [in any character] to the Libyan government.’¹ Indeed, it added at another point, its lack of formal character (‘non-status’) left it as nothing more than a ‘temporary, residential facility.’² This quality of the mission was certainly significant because it had bureaucratic consequences which contributed to its vulnerability.³ But it tells us insufficient about the character of the mission and how and why this changed over its short, unhappy life. In an attempt to contribute to a fuller picture it is as well to begin with a brief look at Libya before Colonel Gaddafi seized power in 1969, because it is not difficult to find in ‘Special Mission Benghazi’ a clear echo of the mode of diplomatic representation in the country in those days.

The bifurcated state

What is now known as Libya but used to be known by the British as ‘Tripoli-in-Barbary’ was until shortly before the First World War an Ottoman province or *vilayet*.

Please cite as: G. R. Berridge, ‘A weak diplomatic hybrid: U.S. Special Mission Benghazi, 2011-12’, January 2013 <http://grberridge.diplomacy.edu/>

¹ ARB Report, pp. 14, 30.

² ARB Report, p. 5.

³ It led to a rapid turnover of staff and also meant that the minimum security standards which had to be met at permanent US missions, notably physical obstacles to pedestrian access, did not apply to the post. This made it more difficult for it to obtain funds for security upgrades and forced it to rely on what appear to have been ad hoc arrangements with CIA ‘cavalry’, Lieberman and Collins, *Flashing Red*, pp. 13-17; ARB Report, pp. 4, 14, 30-1; *The Wall Street Journal*.

At that juncture it was seized by the Italians and was their colony until Italy was in its turn expelled from north Africa during the Second World War. The chief of Libya's three provinces, the coastal ones of Cyrenaica in the east (of which Benghazi was the provincial capital) and Tripolitania in the north-west (the capital of which was Tripoli) then came under British military administration, while the interior and wholly desert province of Fezzan in the south fell under French control. But separatist traditions were strong in all of these provinces, especially among the Senussi in Cyrenaica, and it is not surprising, therefore, that it was only as a loose federation that Libya achieved its independence at the end of 1951 and that it was 1963 before it became a unitary state. Furthermore, under the new constitution it was settled that Libya would have two capitals, Tripoli and Benghazi.⁴

Tripolitania was the most populous of Libya's provinces and Tripoli – its largest city – had been the governmental seat and military headquarters not just of the province but of the whole of the Ottoman vilayet⁵ and subsequent Italian colony. Compared to Cyrenaica, by the end of the Second World War the population of Tripolitania was also believed to be at least 'partially detribalized,' and it was certainly less nomadic and had more European settlers, chiefly of course from Italy.⁶ It was chiefly in Tripoli, therefore, that formal preparations were made for Libyan independence in 1952, which Britain, having determined on Cyrenaica as the strategic anchor of its preponderance in the Middle East in place of Egypt, had decided to promote and then subsidise in collaboration with the UN.⁷ It was there that the UN Council for Libya had established itself, that the Libyan National Assembly announced its arrival in November 1950, and that the members of the provisional Libyan cabinet assembled. And in these circumstances it was taken for granted that, notwithstanding the constitutional provision for two capitals, Tripoli would be the 'more equal' of the two.⁸

Thus, while Libya's principal territories were still under British military administration the Americans had a large consulate-general in Tripoli but only a small

⁴ HCPP (Cmd. 8819), p. 17; Candole, *The Life and Times of King Idris of Libya*, pp. 117-18.

⁵ Although significantly the more junior-ranking *mutesarraf* who presided over the Ottoman administration at Benghazi reported directly to Constantinople rather than to the *vilayet's* governor-general (*vali*) in Tripoli, *The Statesman's Yearbook*, p. 1279.

⁶ Memorandum for the NSC Senior Staff, p. 139.

⁷ On British calculations in promoting Libyan independence, see Louis, *Ends of British Imperialism*.

⁸ The alternative proposal before the National Assembly in October 1951 was that 'the seat of the federal government should normally be in Tripoli'; there appears to have been no counter-proposal for sole honours to go to Benghazi, Candole, *The Life and Times of King Idris of Libya*, pp. 117-18.

consulate in Benghazi. And on independence it was in Tripoli that both the United States and Britain opened their legations. Benghazi itself was condemned to relative consular obscurity, although the British, who for the time being the United States remained content to rely on as the paramount external power in Libya, bestowed on it a consul-general.⁹

However, until its government was captured in a coup d'état by Colonel Gaddafi in 1969, Libya was ruled by the pro-Western monarch King Idris I. And, as it happened, the king was a native of Cyrenaica, indeed the spiritual as well as secular leader of its Senussi sect. As a result, he preferred to run his government not from Tripoli but from Benghazi – and sometimes Tobruk, where he also had a palace.¹⁰ The upshot of this tug of war between Tripolitania and Cyrenaica was that in the course of the 1950s it became customary for the Libyan government to alternate at two-year intervals between Benghazi and Tripoli.¹¹

Eventually realising that the expense and administrative dislocation caused by this political merry-go-round was insupportable, at the end of the 1950s King Idris decided to build a new capital (officially an 'administrative centre') at Baida on the high plateau of the Jebel (also in Cyrenaica), the summer climate of which in any case he much preferred.¹² But it was 700 miles by road from Tripoli and 150 even from Benghazi, and it had no airport. Unpopular with government officers, it is no surprise therefore that it proved even more difficult for King Idris to shift the centre of Libyan power to this remote new spot than it did for the great Atatürk to transfer the Turkish capital from Istanbul to Ankara some decades earlier.¹³ The consequence was that by the 1960s, instead of replacing two capitals with one, the king had given his country a third.¹⁴ He was likened by diplomats to the medieval ruler who periodically moved his court from one place to another, whether in order to find gentler weather and fresh entertainment, demonstrate affection for all of his subjects, savour the delicacies with

⁹ Department of State, *Foreign Service List*, January 1 1951, p. 78; Department of State, *Foreign Service List*, January 1 1952, p. 76; *Foreign Office List 1953*, p. 93.

¹⁰ Newsom, *Witness to a Changing World*, pp. 190-1.

¹¹ Jones and Kormann interviews.

¹² *The Times*, 7 August 1958.

¹³ Candole, *The Life and Times of King Idris of Libya*, p. 132.

¹⁴ Lane interview; Reeve, *Cocktails, Crises and Cockroaches*, pp. 158-9.

which their larders were stuffed, or remind those with short memories of the man who was really in charge.¹⁵

The diplomatic response: a balancing act

Confronted by a monarch with fidgety medieval habits, the ambassadors accredited to the Libyan government were under pressure to ape the habits of their own medieval precursors and up sticks and follow him whenever he moved. In order to resist this or at least mitigate its effects should they find it prudent to succumb, most of the states which attached importance to their relations with Libya established permanent *diplomatic* posts at Benghazi as well as at Tripoli, and a few – including the United States – later did the same at Baida.¹⁶ This usually meant something more than just notionally upgrading a consulate on the analogy of giving ‘local rank’ to an officer higher than his pay-grade in order to inflate his importance in local eyes and give him better access to circles of influence. It meant instead giving real substance to a Benghazi mission as a diplomatic post, not least by giving it diplomatic officers with political experience and no doubt one or more intelligence officers under diplomatic cover.

After Libya’s independence, the most important foreign mission in Benghazi was that of Britain. This was the successor to the pre-independence British Residency, which had adopted this modest title following the grant of internal self-government to Cyrenaica in autumn 1949.¹⁷ It regularly had several diplomats on its staff trained at the Middle East Centre for Arab Studies at Shemlan near Beirut, and the head of the post almost always had diplomatic as well as consular rank.¹⁸ Indeed, since the general rule was that he always had the high diplomatic rank of counsellor (in addition to that of consul-general) while the number two at Tripoli was only a first

¹⁵ The parallel between Idris – as also King Saud – and the peripatetic habits of the typical medieval ruler was well drawn by William Stoltzfus, who was at the US consulate in Benghazi at the time of Libyan independence in 1951-2, Stoltzfus interview.

¹⁶ In the 1960s Belgium and the Republic of China also had embassy offices at Baida but instead of having them at Benghazi. They were all extremely small. Even the US post consisted only of two American staff, one officer and a communicator, Newsom, *Witness to a Changing World*, p. 190. See also Jones and Steigman interviews; Kingdom of Libya, *Diplomatic List 1967*.

¹⁷ Previously, the British proconsul in Benghazi had been known – as at this point he still was in Tripoli – as the ‘Chief Administrator’, HCPP (Cmd. 8819), pp. 12-13; Candole, *The Life and Times of King Idris of Libya*, p. 106.

¹⁸ *The Foreign Office List*, various.

secretary, in the absence of the ambassador the head of mission at Benghazi became at least nominally chargé d'affaires over the whole British mission in Libya.¹⁹ In May 1967, the month before the 'Six-Day War' in the Middle East in which the United States and Britain were accused by Egypt of colluding with the Israelis and which as a result led to attacks on their diplomatic premises in Libya, this mission had a diplomatic staff of five. The US mission in Benghazi had four diplomatic staff, which was significantly fewer than its earlier level (in 1962 it was nine-strong, including two counsellors²⁰) but in view of the violent assault it suffered this was just as well.

The diplomatic staffing of Benghazi missions generally avoided the need for the wholesale removal of an embassy's staff and equipment each time the Libyan government moved and made it easier for an ambassador to function in Benghazi (or Baida) should he still consider it expedient to spend time there himself, as some certainly did.²¹ By the end of the 1950s states with diplomatic posts at Benghazi as well as Tripoli already included Egypt, France, Italy, Turkey and Tunisia as well as the United States and Britain,²² and by the middle of the following decade – by which time high grade oil had been discovered in Cyrenaica – West Germany, Morocco, Saudi Arabia and the Soviet Union had followed suit. By this time the largest diplomatic post in Benghazi was actually that of neighbouring Egypt, with six diplomatic staff.²³

The Benghazi mission of these states was generally known either simply as an 'embassy', which was the British practice, or an 'embassy branch office', which became the habit of the Americans.²⁴ For its part, throughout the reign of King Idris the Protocol Department of his foreign ministry gave to them all the title of 'Benghazi Chancery.' This tradition did not immediately come to an end even with the coup d'état which brought Colonel Gaddafi to power in 1969 and the beginnings of a vigorous assertion of centralized power from Tripoli. As late as 1972 the British government was still maintaining a substantial presence – 8 UK-based and 20 locally

¹⁹ *The Foreign Office List*, various. This fell to the lot of Peter Wakefield, counsellor and consul-general at Benghazi at the time of Colonel Gaddafi's coup in September 1969: Gore-Booth interview; *The Times*, 5 September 1969. However, sometimes the first secretary and head of chancery in Tripoli became 'effectively chargé d'affaires', Lucas interview.

²⁰ Department of State, *Foreign Service List*, January 1962, p. 57.

²¹ Jones interview; Newsom, *Witness to a Changing World*, pp. 190-1.

²² United Kingdom of Libya, *List of the Diplomatic Corps*, December 1859.

²³ Kingdom of Libya, *Diplomatic List 1967*. This post had been suspected of 'subversive' activities by the British at least since 1947, when it was a consulate, Candole, *The Life and Times of King Idris of Libya*, p. 86.

²⁴ Kormann and Lane interviews; Newsom, *Witness to a Changing World*, p. 192.

engaged staff – at what it was still calling the ‘British Embassy’ in Benghazi.²⁵ In the following year what were by that time being variously described in the Libyan foreign ministry’s diplomatic list as ‘embassies’, ‘embassy branches’, ‘chanceries’, and ‘offices’ were being maintained by about ten states in Benghazi.²⁶ And in 1978, the last year for which the Libyan *Diplomatic List* was acquired by the Foreign Office Library in a collection subsequently transferred to the University of Leicester, four diplomatic posts were still retained at Benghazi, namely those of Saudi Arabia, France, and Italy (each described as a ‘chancery’) and Syria (with a ‘branch office’).²⁷

It is notable, however, that not all states adopted the practice of creating a diplomatic post or second chancery in Cyrenaica. For example, in 1978 the four Soviet-orbit states with missions in Benghazi styled them either a consulate or a commercial office. Furthermore, those that did formally have a diplomatic post there, among them the United States, Britain and France, were engaged in a balancing act between the demands of Tripolitania and Cyrenaica even in the manner in which they staffed these posts and presented them to different audiences.

In the case of France, for example, the Quai d’Orsay was evidently content for King Idris’s foreign ministry to describe its mission in Benghazi as its ‘Benghazi Chancery’, although this small post was described in its own diplomatic service list as a ‘*consulat*,’ not so its mission in Sebha, the capital of its sphere of influence in the Fezzan, which was very much a ‘*chancellerie détachée*.’²⁸ Similarly, although the British might have described their Benghazi mission as an ‘embassy’ in their own published diplomatic service list and happily countenanced this in the diplomatic list published in Libya, it is perfectly obvious that privately the Foreign Office treated it as a consulate-general. For example, this is how it is repeatedly described in the memoir of James Reeve, first secretary (commercial) at Tripoli in the late 1960s,²⁹ and in presenting evidence on overseas expenditure to the House of Commons in an obscure table headed ‘Subordinate Post Reductions 1969-79’ in an equally obscure document, the Foreign Office described its status quite unambiguously as that of a

²⁵ HCPP (295-iv), p. 103; FCO, *Diplomatic Service List 1972*, p. 75.

²⁶ Libyan Arab Republic, *Diplomatic List February 1973*.

²⁷ Socialist People’s Libyan Arab Jamahiriyyah, *Diplomatic List November 1978*.

²⁸ *Annuaire Diplomatique, 1959-60*, p. 237; United Kingdom of Libya, *List of the Diplomatic Corps*, March 1960. The Fezzan, the part of Libya most proximate to francophone Africa, was then being opened up by a new road to the coast.

²⁹ Reeve, *Cocktails, Crises and Cockroaches*, pp. 154, 155, 165.

‘consulate-general.’³⁰ As for the Americans, they were equally consistent in the *published* descriptions of their Benghazi mission in the Idris years. However, not only did they – like the other states – generally preserve the main part of their diplomatic operation in Libya in the Tripolitanian capital (it was upgraded from legation to embassy status in November 1954) but they also formally styled as ‘principal officer’ the chief of their embassy branch office in Benghazi, which is the traditional designation of the head of a US *consular* post. At one point in the early 1960s, when the embassy office was created at Baida, their Benghazi mission was even temporarily returned to the status of consulate which it had possessed until 1953.³¹

In short, the uncomfortably bifurcated nature of the Libyan state during the Idris period and the first, nervous years of the young Colonel Gaddafi rendered it expedient for those states with important interests in the country to give the title of ‘embassy’ or something similar to their missions in Cyrenaica and periodically staff them and run them like embassies. As a rule, however, even the Americans and the British were evidently keen to make sure that the Tripolitarians understood that Benghazi was a post *subordinate* to Tripoli, and the best way to do this was, now and again, to refer to their Benghazi missions, and treat them, as consulates. It was also as well that their own diplomats understood this, especially in the case of those posted to Benghazi, over 600 miles away from Tripoli. For even the chief of a formally designated consular post, particularly a consulate-general geographically remote from its ‘sovereign’ embassy, could give himself airs of independence and be disposed to go his own way.³² To call such a post an ‘embassy’ for local reasons without some emphatic private qualification would be asking for trouble.

The Tripoli-Benghazi balancing act ceased to be necessary – at least for the United States, Britain and the Soviet Union – a few years after the arrival in power of Colonel Gaddafi, who disliked diplomats in general³³ and those from the most powerful outside states in particular. In 1972 his foreign ministry instructed their embassies to reduce their home-based staff to 15 and, faced with this cutback, at this

³⁰ HCPP (295-iv), p. 103. The staff were chiefly consular or commercial, FCO, *Diplomatic Service List 1972*, p. 75.

³¹ Department of State, *Foreign Service List*, April 1 1953, p. 65 (‘Benghazi Consulate’), and April 1 1954, p. 40 (‘Benghazi Office’).

³² On the tensions between Britain’s ambassador in Ankara and its consul-general in Istanbul, where the British embassy was formerly located, see Berridge, *British Diplomacy in Turkey*, pp. 261-71.

³³ Miles interview; *The Times*, 29 June 1973.

juncture they closed their operations in Benghazi altogether.³⁴ At this point let us fast-forward.

The liaison office, April-September 2011

In conditions of escalating civil war the US embassy in Tripoli, in which Gene Cretz was ambassador, was closed at the end of February 2011 and thereafter Washington had no political presence in Libya until the beginning of April. At that point Christopher Stevens, an Arabist who joined the US Foreign Service in 1991 and had served as deputy chief of mission in Tripoli from 2007 until 2009, disembarked from a Greek cargo ship at rebel-held Benghazi. He had become one of America's allegedly new species of 'expeditionary diplomat' and the point man of his country's 'surge in civilian power' into strife-torn Libya.³⁵ Diplomats like Stevens were now being seen as the State Department's own 'special forces': tough, brave, energetic, charismatic, good at languages, experienced but still relatively young, and impatient with regulations which might delay attainment of their goals. Stevens was not the only foreign diplomat from states prominent in the anti-Gaddafi ranks to land in Cyrenaica's capital at about this time but he was possibly the only one to arrive with quite this kind of mantle.³⁶

There is no mistaking why it was to Benghazi that these diplomats were sent. As the ARB Report observed:

Benghazi, the largest city and historical power center in eastern Libya, was the launching point for the uprising against Qaddafi and a long time nexus of anti-regime activism. It also served as the rebel-led Transitional National Council's base of operations. Eastern Libya (Cyrenaica) had long felt neglected and oppressed by Qaddafi, and there had been historic tensions between it and the rest of the country. Throughout Qaddafi's decades-long rule, eastern Libya consistently lagged behind Tripoli in terms of infrastructure and standard of living even as it was responsible for the vast majority of Libya's oil production. Stevens' presence in the city was seen as a significant sign of U.S. support for the TNC and a recognition of the resurgence of eastern Libya's political influence.³⁷

³⁴ Josif interview; Libyan Arab Republic, *Diplomatic List February 1973*. For the subsequent history of US-Libya diplomatic relations until 2011, see U.S. Department of State, Office of the Historian.

³⁵ On 'expeditionary diplomacy', see Barton, 'Message from the Coordinator'; Grossman, 'Diplomacy before and after Conflict'; and Cordesman, 'The death of Ambassador Chris Stevens'.

³⁶ Mittelstaedt and Windfuhr, 'Benghazi Mission.'

³⁷ ARB Report, p. 13.

It added that Benghazi was also the place from which Gaddafi had started his own revolution against King Idris in 1969. Subsequently, too, the ‘marginalization’ of the city to which his combination of oppression and neglect had led had fostered the growth of a Salafist jihadist movement in the eastern province.³⁸ Clearly, there were many reasons for an active US presence in Benghazi, not least for a major CIA operation requiring diplomatic cover.³⁹

Together with one political officer and a security contingent, Stevens installed himself initially in a hotel and shortly afterwards in a private walled compound containing several villas.⁴⁰ (The CIA station was very discreetly set up in an ‘annex’ a little over a mile away.)⁴¹ He had been sent as ‘Special Envoy to the Libyan Transitional National Council (TNC)’ and it subsequently became usual for the American administration to refer to his post either as the ‘Expeditionary U.S. Special Mission’ in Benghazi⁴² or more simply as ‘Special Mission Benghazi’. However, this sort of language was always misleading because as well as being temporary a special mission has a narrow remit. In reality the US mission in Cyrenaica’s capital, which soon had a large staff provided by the State Department’s Bureau of Conflict and Stabilization Operations, was – like those of Germany, Switzerland, Malta, the UK and the EU – simply a liaison office,⁴³ a de facto embassy to or from an unrecognized state or government. The object of this office was to assist the TNC to prepare for ‘a post-Gaddafi democratic government.’⁴⁴ As well as providing the State Department with eyes and ears on the ground and consolidating the goodwill earned by the US government for supporting the anti-Gaddafi rebellion, among other things this meant

³⁸ ARB Report, p. 13.

³⁹ *The Wall Street Journal*.

⁴⁰ Montoya, ‘Mission to a Revolution,’ *New York Times*, 17 September 2012; ARB Report, p. 14. The State Department’s Bureau of Diplomatic Security stated at the end of 2011 that ‘Even before U.S. Embassy Tripoli was evacuated, DS was actively looking, along with the Department’s Bureau of Overseas Buildings Operations, for a secure location where the Department could safely conduct diplomacy in Libya’, Bureau of Diplomatic Security, *Tested in Times of Transition*, p. 9.

⁴¹ *The Wall Street Journal*; *The Seattle Times*.

⁴² Bureau of Diplomatic Security, *Tested in Times of Transition*, p. 28.

⁴³ *The Washington Post*, as far as I can see, was the only organ of the press to get this right (see ‘References’ below). See also Bureau of Diplomatic Security, *Tested in Times of Transition*, p. 15. The UK mission was never officially described as a ‘liaison office’ either but variously as a ‘diplomatic team’, ‘diplomatic mission,’ or simply ‘office.’ It was headed by a ‘permanent special representative’ and included ‘diplomats, development and stabilisation advisers, defence attachés and military mentors’; see for example HCDeb., Burt, and HCDeb., Hague.

⁴⁴ ARB Report, p. 13; State Department Daily Press Briefings, 30 March and 7 April 2011.

facilitating ‘the delivery of non-lethal military assistance’ and launching a programme to collect dangerous weapons.⁴⁵ No time limit could be put on such a mission.

The hybrid mission, September 2011-September 2012

On 15 July 2011 the United States recognised the TNC as the ‘legitimate governing authority’ of Libya, although the TNC remained in Benghazi because Gaddafi’s forces were not yet beaten. But the US liaison office was not simultaneously transformed into an embassy, presumably because the Libyan situation remained fluid and the State Department anticipated gaining nothing from the TNC by such a change in status of which it was not already assured, that is, little if anything. Besides, the former rebels wished to move to Tripoli as soon as Gaddafi was defeated, and on top of this the United States already had an ambassador to Libya waiting to be sent back.

In the event, Tripoli fell at the end of August 2011 and the TNC immediately began shifting the government to this city, traditionally the more important of Libya’s two capitals. On 22 September it was there that Cretz officially re-opened the American embassy.⁴⁶ But, as the ARB Report noted, many of the ‘influential players’ in the TNC remained in Benghazi.⁴⁷ It was also by no means certain that the Libyan state would remain united. Indeed, in March 2012, against a background of weak TNC control from Tripoli, loud calls began to be heard from the Cyrenaican capital demanding a return to the 1951 federal constitution and even for independence; these were muted in the July elections for the national assembly but did not go away.⁴⁸ What was to become of the US mission in Benghazi in these circumstances?

The liaison office had almost immediately been denuded of personnel at the expense of the embassy, which is not surprising. (USAID moved its own permanent presence to Tripoli.)⁴⁹ But what *is* surprising, even astonishing, is that at this point, September 2011, it was decided to close it altogether by the end of the year,⁵⁰ even though Stevens himself believed that the United States needed a long term presence in

⁴⁵ Montoya, ‘Mission to a Revolution.’

⁴⁶ ARB Report, p. 14.

⁴⁷ ARB Report, p. 14.

⁴⁸ Al Arabiya News; BBC News Africa, 7 March 2012; Reuters; France 24; Cafiero, ‘Beyond Libya’s election.’

⁴⁹ House Oversight Committee: Feltman to Kennedy, 27 December 2011.

⁵⁰ Lieberman and Collins, *Flashing Red*, p. 13.

Benghazi.⁵¹ No explanation of this decision has been given and it must be assumed that it was chiefly a result of the disposition, so lamented by the ARB Report, of ‘a few State Department managers to favor restricting the use of resources as a general orientation.’⁵² In mid-November Stevens was withdrawn and no new ‘special envoy’ was appointed.⁵³ Shortly after this the regional security officer at the embassy in Tripoli Eric Nordstrom learned that no replacement had been earmarked for his junior counterpart at Benghazi, who was due to leave on 19 December. Failing a replacement, he said, the number of Diplomatic Security agents would drop to a perilous level. ‘Is there a plan for a closure of operations in Benghazi or will we be at this level for some time?’ he asked.⁵⁴

At the end of December Nordstrom got his answer. It was decided, after all, to extend the life of the Benghazi mission, albeit on a reduced scale compared to the level at which it had peaked prior to the shift of the TNC to Tripoli. The reasons for this were spelled out in the recommendation in support of this action made by the head of the State Department’s regional bureau concerned, Assistant Secretary for Near Eastern Affairs Jeffrey Feltman, who had visited Benghazi in May 2011 (on that occasion inviting the TNC to open its own ‘liaison office’ in Washington⁵⁵) and again in August. According to Feltman, a ‘small State-run presence in Benghazi’ would emphasise American interest in Cyrenaica and thus reassure the population that it would get a better deal in the new Libya than it had enjoyed under Gaddafi; for this reason, he said, many Libyans ‘strongly favor a permanent U.S. presence in the form of a full consulate.’ In addition, some government agencies remained in Benghazi and others, such as the National Oil Company, might be expected to move their headquarters to it; reporting on political developments in eastern Libya, especially during the ‘critical summer elections period’ in 2012, would be facilitated; finally, some of the benefits of US programmes only recently launched, for example to strengthen civic society groups, might be lost if the mission were no longer to be there to nurture them. Although, admitted Feltman, whose argument was underpinned by

⁵¹ This is a reasonable inference, although the only extent evidence of his view is contained in an email of a year later, Lieberman and Collins, *Flashing Red*, p. 20 (citing an email of 31 August 2012).

⁵² ARB Report, p. 3. See also House Oversight Committee: Feltman to Kennedy, 27 December 2011. In the ‘Background’ preamble to this important memo there is a reference to the ‘budget constraints’ which had reduced the Diplomatic Security ‘footprint’ at Benghazi.

⁵³ ARB Report, p. 14.

⁵⁴ House Oversight Committee: Nordstrom to Hill, 30 November 2011.

⁵⁵ BBC News Africa, 24 May 2011.

the unspoken assumption that the post would foster US influence in Cyrenaica, there was a question mark over the intention of the British, French, EU and UN to preserve their own missions in Benghazi, nine states plus the Palestinian Authority had ‘consulates’ in the city.⁵⁶

In view of the force of Feltman’s argument and what appears to have been its prompt acceptance, why was the opportunity of this reassessment not used to seek the consent of the TNC in Tripoli to conversion of the liaison office into a consulate, which consent would have been required by Article 4 of the Vienna Convention on Consular Relations (1963), to which the United States and Libya were both parties?⁵⁷ After all, the idea that it should become a ‘full consulate’ seemed implicit in Feltman’s memo. Indeed, it is obvious that he – like just about everyone else – regarded it as *in effect* already a consulate. (Following the departure of Stevens it was headed by a ‘principal officer’,⁵⁸ which is the traditional State Department term for the number one in a consular post; and in discussing the host state’s legal obligation to give special protection to the Benghazi mission, the later Senate Report on the attack which killed Stevens chose to emphasise the Vienna Convention on *Consular*, not Diplomatic, Relations.⁵⁹) Conversion of the liaison office to a ‘full consulate’ was also what Feltman believed the Libyans in the east wanted. Furthermore, it could hardly have displeased the TNC because it would have reassured them of Washington’s view that Benghazi was subordinate to Tripoli and that Cyrenaica was part of a unitary Libyan state – as a rule, states do not usually have un-notified ‘special missions’ to provinces of other sovereign states, especially those with a history of separatist sentiment, unless they want to make trouble.

But Feltman did *not* recommend that the liaison office should be formally converted to a consulate. Instead, he urged simply that the life of this ‘U.S. presence’ should be extended for one year, this period apparently having been chosen on the grounds that the leases on the properties it occupied were renewable on an annual basis.⁶⁰

There seems little doubt that this decision was prompted chiefly by worry about money. Creating a formal consulate would have implied an indefinite and

⁵⁶ House Oversight Committee: Feltman to Kennedy, 27 December 2011.

⁵⁷ Gaddafi’s Libya had acceded to this convention on 4 September 1998, one of the last states to do so.

⁵⁸ ARB Report, p. 14.

⁵⁹ Lieberman and Collins, *Flashing Red*, pp. 9-10.

⁶⁰ House Oversight Committee: Feltman to Kennedy, 27 December 2011.

therefore perhaps costly commitment and Feltman seems to have concluded that prolonging the mission in its existing form was the most to be hoped for. There were certainly no *legal* advantages in continuing to designate this post ‘Special Mission Benghazi’, for neither the United States nor Libya were parties to the Convention on Special Missions (1969) and the weak arm of the TNC government meant that it would have made little difference to the protection afforded to the post if they had been and the mission had been formally admitted under its terms.⁶¹ On the other hand, it might have been thought that there were *political* compensations in retaining this designation. After all, as we have seen, during the Idris years the embassies in Tripoli had found it expedient to disguise their consulates in Benghazi with a diplomatic colouring, as ‘embassies’ or ‘embassy branch offices’, in order to curry favour with pro-autonomy sentiment in the Senussi province. And in light of the chaotic condition of Libya in late 2011 and the widespread fear that this would both encourage and facilitate Cyrenaican separatism, the State Department might well have seen advantage in similarly maintaining a ‘diplomatic’ post in Benghazi. Its institutional memory of Libya, not least as recorded in the oral history records of US diplomats who had served there in the earlier period and on which the first half of this article has drawn, was well enough informed of the precedent. But no direct evidence of this has yet emerged.

Whatever the full explanation, it was thus that the liaison office became a diplomatic hybrid: part *de facto* consulate by virtue of its varied workload and provincial subordination to the Tripoli embassy and still part special mission by virtue of its ‘temporary’ status and ‘expeditionary’ *élan*.

Conclusion

During Libya’s years under King Idris, when for most of the time it had a federal constitution, many embassies in Tripoli found it necessary, sometimes for practical and always for symbolic reasons, to perform a balancing act with Benghazi by maintaining ‘diplomatic’ posts in that city which they regarded as really consulates. Although not chiefly for the same reason, the Americans adopted a similar practice

⁶¹ There remain today only 38 states which are parties to this treaty, UN Treaty Collection.

immediately prior and subsequent to the fall of Colonel Gaddafi in 2011. However, even after they recognized the TNC as the government of Libya in July, they remained much vaguer about the character of the post than they had been in the 1950s and 1960s, although it was clearly a liaison mission to the rebel leadership to begin with and then a hybrid of an unlicensed consulate and a special mission. Well conceived hybrids produce stronger growths. This one seems to have been one into which the State Department stumbled, with the lamentable consequences documented in the ARB Report.

Diplomatic hybrids of this sort, otherwise known as ‘*temporary residential facilities*’, are swiftly established in chaotic, lawless environments and are clearly expected to be the main feature of expeditionary diplomacy. Can they be made more secure? The ARB Report believes so, urging that this can be achieved by giving them minimum security standards, together with more money, better training for their occupants, and so on. But, because of the supreme value of knowledge of local conditions, it also argues for the assignment of ‘critical personnel’ to *all* posts in high threat environments for at least a year and of others for no less than 120 days.⁶² Ergo, ‘temporary’ means a minimum of 12 months. Perhaps, therefore, since this adjective at once conjures up the prospect of the waste of any resources invested in a project prefixed by it, and therefore simultaneously stimulates a reluctance to produce them, it would be better to abandon the category of ‘temporary residential facility’ altogether. It also sends out all the wrong signals to the local population. If residential facilities are needed for diplomats in threatening environments they should be set up on the announced assumption that they will be there for the foreseeable future and staffed and protected accordingly, or – if the risks become too great – retained as offices for occasional use by staff withdrawn to a safer distance, as in the case of the British mission in Benghazi following the attack on the British ambassador’s convoy in June 2012.⁶³ ‘Temporary’ is a dangerous word.

⁶² ARB Report, pp. 9-10.

⁶³ *The Guardian*.

REFERENCES

Abbreviations employed in the following list (with URLs):

BDOHP: British Diplomatic Oral History Programme

<http://www.chu.cam.ac.uk/archives/collections/BDOHP/#A>

FAOHC: The Foreign Affairs Oral History Collection of the [US] Association for Diplomatic Studies and Training <http://memory.loc.gov/ammem/collections/diplomacy/>

FRUS: *Foreign Relations of the United States* <http://uwdc.library.wisc.edu/collections/FRUS>

HCDeb: House of Commons Debates <http://www.parliament.uk/business/commons/>

HCPP: House of Commons Parliamentary Papers

<http://parlipapers.chadwyck.co.uk/marketing/index.jsp>

Al Arabiya News, 6 March 2012

<http://www.alarabiya.net/articles/2012/03/06/198900.html>

Annuaire Diplomatique et Consulaire de la République Française pour 1959-1960

(Imprimerie Nationale: Paris, 1960)

‘ARB Report’, Unclassified (Report of the Accountability Review Board for

Benghazi) <http://www.state.gov/documents/organization/202446.pdf>

Barton, ‘Message from the Coordinator’, Civilian Response Corps

<http://www.civilianresponsecorps.gov/who/message/>

BBC News Africa, 24 May 2011 <http://www.bbc.co.uk/news/world-africa-13516446>

BBC News Africa, 7 March 2012 <http://www.bbc.co.uk/news/world-africa-17284313>

Berridge, G. R., *British Diplomacy in Turkey, 1583 to the present: A study in the evolution of the resident embassy* (Martinus Nijhoff: Leiden and Boston, 2009)

Bureau of Diplomatic Security (U.S. Dept. of State), *Tested in Times of Transition: Diplomatic Security. 2011 Year in Review*

<http://www.state.gov/documents/organization/189611.pdf>

Caffero, Giorgio, ‘Beyond Libya’s election’, *Foreign Policy in Focus*, 18 July 2012

http://www.fpif.org/articles/beyond_libyas_election

Candole, E. A. V. de, *The Life and Times of King Idris of Libya* (Mohamed Ben Ghalbon: Manchester, 1990)

Cordesman, Anthony H., ‘The death of Ambassador Chris Stevens, the need for “expeditionary diplomacy”, and the real lessons for U.S. diplomacy’, CSIS, 11

October 2012 <http://csis.org/publication/death-ambassador-chris-stevens-need-expeditionary-diplomacy-and-real-lessons-us-diplomac>

Department of State, *Foreign Service List*, January 1 1951 (U.S. Government Printing

Office: Washington, March 1951)
<http://archive.org/stream/foreignserviceli1951unit#page/n5/mode/2up>

Department of State, *Foreign Service List*, January 1 1952 (U.S. Government Printing Office: Washington, February 1952)
<http://archive.org/stream/foreignserviceli1952unit#page/n5/mode/2up>

Department of State, *Foreign Service List*, April 1 1953 (U.S. Government Printing Office: Washington, June 1953)
<http://archive.org/stream/foreignserviceli1953unit#page/n5/mode/2up>

Department of State, *Foreign Service List*, April 1 1954 (U.S. Government Printing Office: Washington, June 1954)
<http://archive.org/stream/foreignserviceli1954unit#page/n5/mode/2up>

Department of State, *Foreign Service List*, January 1962 (September 1962)
<http://archive.org/stream/foreignserviceli1962unit#page/n7/mode/2up>

FCO (Foreign & Commonwealth Office), *The Diplomatic Service List* (HMSO: London, dated as in title)

Foreign Office, *The Foreign Office List and Diplomatic and Consular Year Book* (Harrison & Sons: London, dated as in title)

France 24, 2 July 2012 <http://observers.france24.com/content/20120702-libya-benghazi-election-offices-attacked-pro-autonomy-protesters-parliamentary-vote-swiftly-approaches>

Gore-Booth, Sir David, interview 4 March 1999, BDOHP

Grossman, Marc, 'Diplomacy before and after Conflict', *Prism* 4, no. 1, December 2012 <http://www.ndu.edu/press/diplomacy-before-after-conflict.html>

The Guardian, 12 September 2012
<http://www.guardian.co.uk/world/2012/sep/12/chris-stevens-us-ambassador-libya-killed>

HCDeb., Burt, 11 May 2011, cols. 1214-15W
<http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm110511/text/110511w0001.htm>

HCDeb., Hague, 16 May 2011, cols. 60-1
<http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm110516/debtext/110516-0002.htm>

HCPP (Cmd. 8819), 10 April 1953: *Report on the disposal of the former Italian Colonies in accordance with the terms of the Treaty of Peace with Italy of 1947*

HCPP (295-iv), 5 June 1985: *House of Commons Foreign Affairs Committee. Overseas Programme Expenditure 1985-86. Minutes of Evidence*

House Oversight Committee: Documents Release, October 2012
<http://oversight.house.gov/wp-content/uploads/2012/10/DEI-to-BHO-10-19-2012-attachments.pdf>

Jones, John Wesley, interview 11 May 1988, FAOHC

Josif, Harold G., interview 4 October 1999, FAOHC

Kingdom of Libya, MFA (Protocol Department), *Diplomatic List*, May 1967 (Poligrafico: Tripoli, 1967)

Kormann, John G., interview 7 February 1996, FAOHC

Lane, George M., interview August 27 1990, FAOHC

Libyan Arab Republic, MFA (Protocol Department), *Diplomatic List*, February 1973 (Alhurria Press: Tripoli, 1973)

Lieberman, Joseph I. and Susan M. Collins, *Flashing Red: A Special Report on the Terrorist Attack at Benghazi*. US Senate Committee on Homeland Security and Governmental Affairs, 30 December 2012
<http://www.foxnews.com/politics/interactive/2012/12/30/latest-senate-report-flashing-red-on-benghazi-attack/>

Louis, Wm. Roger, *Ends of British Imperialism. The Scramble for Empire, Suez and Decolonization: Collected Essays* (I. B. Tauris: London and New York, 2006), ch. 18 ('Libya: the creation of a client state')

Lucas, Ivor T. M., interview 25 January 2005, BDOHP

Memorandum for the NSC Senior Staff, Washington 12 September 1952: 'The Current Situation in North Africa', US Department of State. *FRUS, 1952-1954. Africa and South Asia* (in two parts) (1952-1954)

Miles, Oliver, interview 27 August 2004, BDOHP

Mittelstaedt, Juliane von and Volkhard Windfuhr, 'Benghazi Mission: Diplomats flock to Rebel City', *Spiegel Online International*, 21 June 2011
<http://www.spiegel.de/international/world/the-benghazi-mission-diplomats-flock-to-rebel-city-a-769470.html>

Montoya, Mario, 'Mission to a Revolution', *State*, December 2011
<http://www.state.gov/documents/organization/178204.pdf>

Newsom, David D., *Witness to a Changing World* (New Academia Publishing: Washington, DC, 2008)

Reeve, James, *Cocktails, Crises and Cockroaches: A diplomatic trail* (Radcliffe Press: London and New York, 1999)

Reuters, 19 May 2012 <http://www.reuters.com/article/2012/05/19/libya-benghazi-council-idUSL5E8GJ1BJ20120519>

The Seattle Times, 12 November 2012
http://seattletimes.com/html/nationworld/2019670396_benghazi13.html

Socialist People's Libyan Arab Jamahiriyah, Secretariat of Foreign Affairs, Protocol Department, *Diplomatic List*, November 1978 (Al Hakika Press: Benghazi, 1978)

State Department Daily Press Briefing, 30 March, 2011
<http://iipdigital.usembassy.gov/st/english/texttrans/2011/03/20110330190325su0.2574971.html#axzz2HYZtwnSK>

State Department Daily Press Briefing, 7 April, 2011
<http://www.state.gov/r/pa/prs/dpb/2011/04/160298.htm>

The Statesman's Yearbook: Statistical and historical annual of the states of the world for the year 1910 (Macmillan: London, 1910)

Steigman, Andrew, interview 28 April 1989, FAOHC

Stoltzfus, Jr., William A., interview 18 May 1994, FAOHC

Talmon, Stefan, 'Recognition of the Libyan National Transition Council', *ASIL Insights*, Vol. 15, Issue 16, 16 June 2011
http://www.asil.org/insights110616.cfm#_ednref19

United Kingdom of Libya, Ministry of Foreign Affairs (Protocol Department), *List of the Diplomatic Corps*, December 1959

UN Treaty Collection: Convention on Special Missions, 1969. Status as at 21 January 2013 http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=III-9&chapter=3&lang=en

U.S. Department of State, Office of the Historian, 'A Guide to the United States' History of Recognition, Diplomatic, and Consular Relations, by Country, since 1776: Libya' <http://history.state.gov/countries/libya>

The Wall Street Journal, 1 November 2012
<http://online.wsj.com/article/SB10001424052970204712904578092853621061838.html>

The Washington Post, 29 September 2012
<http://www.washingtonpost.com/world/national-security/in-libya-security-was-lax->

prior-to-deadly-attack/2012/09/29/a56ffca0-0992-11e2-aff-d6c7f20a83bf_story_2.html

© G. R. BERRIDGE 2013