

Many Libyans already dismiss next month's elections as illegitimate.

No prominent candidates appear to have support across Libya's regional and political divides.

By Wolfram Lacher and Emadeddin Badi

[Saif al-Islam al-Gaddafi](#), son of the late Libyan dictator Moammar Gaddafi, registered on Sunday as a presidential candidate for Libya's elections scheduled for Dec. 24, complicating an already precarious situation. These elections were originally designed to complete a post-conflict transition that began a year ago, when a U.N.-picked body of 75 Libyan political figures set the December date.

This year, as a key prerequisite for the vote, that body formed a new Government of National Unity — an interim executive designed to unify the country's then-two rival administrations. Since then, an [international consensus](#) has emerged that Libya's elections should take place. Libyan public opinion has also been overwhelmingly [supportive of elections](#) as a way out of the country's long-running conflict.

But are these elections more likely to help Libya emerge from crisis — or deepen its internal divisions?

One big challenge is that electoral laws imposed unilaterally by parliamentary allies of Khalifa Hifter, the leader of the [Libyan Arab Armed Forces](#), make it nearly impossible for the vote's results to be accepted across political divides. Whether elections take place or protesters manage to delay them, the consequences could be similar: the collapse of Libya's post-conflict transition and its return to institutional division.

Libya's elections face deep obstacles

Libya's civil war has been on hold since the yearlong offensive on Tripoli by Hifter's forces ended with their withdrawal in June 2020. [Foreign intervention](#) by Turkey and Russia forced Libya's rival factions to [temporarily suspend](#) their open confrontation, but didn't resolve the [underlying issues](#).

Research on other [post-conflict countries](#) shows certain conditions can raise the risk of a [relapse](#) into armed conflict after elections. Libya faces these conditions and more: There are no provisions for power-sharing after elections, turning the vote into a winner-takes-all contest in a stalemated civil war. No institutional safeguards exist to ensure the vote's integrity — Libya lacks politically neutral [security forces](#), a functioning judiciary and an independent [media](#).

These conditions alone make elections highly risky, but there's also controversy surrounding their [legal basis](#). The U.N.-selected body that set the date for the vote, the Libyan Political Dialogue Forum, failed to agree on a constitutional and legal basis for the vote. And political factions disagree over whether Libya should hold presidential elections in the absence of an agreed-on [constitution](#), and over the candidacy criteria.

Hifter's allies in the eastern-based House of Representatives exploited the deadlock to issue their own electoral laws without a full vote, single-handedly introducing an all-powerful presidency. Western governments and the U.N. [openly supported](#) these laws or silently acquiesced, eager for the vote to take place under any circumstances. But that international backing has, as a fait accompli, set the stage for what will inevitably be a [deeply divisive](#) electoral process.

Libya is bracing for crisis

Hifter's candidacy, in particular, galvanizes the [fears](#) of those who [fought against him](#) in the 2019-2020 battle for Tripoli. These groups and their constituencies see the electoral process as skewed in Hifter's favor, as the presidential elections law allows active military officers to run for president and return to their positions if they lose. Libya's High National Elections Commission has declared that it cannot ascertain whether candidates hold foreign citizenship, which would bar them from running. That determination could in theory bar Hifter — a dual [U.S. and Libyan citizen](#) — from running.

Controversy also surrounds another potential candidate, Abdelhamid Dabeiba, who had committed not to run for elections when he became prime minister in February. For months, he [quietly worked](#) to delay the vote and extend his tenure. More recently, however, his growing popularity has incentivized him to consider a [presidential run](#). Whether he will be able to is uncertain since current laws require office holders to step down three months ahead of the vote. Dabeiba's rivals will cry foul if he runs; if he cannot run, he's likely to throw his weight behind opponents to the elections.

[Saif al-Islam Gaddafi's](#) candidacy exacerbates this polarization. He faces arrest warrants from both the International Criminal Court and the general prosecutor in Tripoli — but this did not bar him from filing his candidacy. Those who fought against Gaddafi's regime in 2011 worry about the threat of revenge and a return to dictatorship.

No prominent candidates appear to have support across Libya's regional and political divides. Should elections take place, the eventual losers are likely to join those who opposed the vote, and contest the results. If Hifter or someone representing him wins, his opponents — mainly in western Libya — are bound to reject his legitimacy, and a rump unity government would likely continue to govern in Tripoli while a Hifter-led administration forms in the east. Hifter and his supporters would react in similar fashion if Dabeiba or another western Libyan candidate wins. Claims of fraud would then provide the grounds for the east-based rump parliament to form its own government. A Saif al-Islam victory would be certain to provoke rejection in the west, but Hifter could also prevent him from taking power in the east.

But postponing the elections is risky

The dispute over the elections' legal basis raises the risk that some opponents and prospective losers of the vote could boycott the elections — or prevent them from taking place in areas under their control. With Saif al-Islam's candidacy, calls for a boycott are becoming louder.

In eastern Libya, Hifter is [threatening](#) to return to war should elections be deferred, vindicating his opponents' fears. Conversely, postponing elections would allow Hifter to exploit the divisions in western Libya, and provide a new pretext to [solicit military support](#) from foreign powers. Even if Turkey's military presence in western Libya rules out another Hifter-led offensive, the result would still likely be a return to polarization and institutional division.

In western Libya, the legal controversy pits election proponents against opponents. Some of these opponents are primarily acting to hold on to their current positions; others fear the consequences of flawed elections. Proponents include many who hope to gain from the elections — but may join opponents in rejecting the results if they lose.

Tensions — and the potential for violent clashes — will likely rise in the lead-up to Dec. 24. Between the hammer of botched elections and the anvil of postponing them, Libya's prospects appear eerily similar.

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https://www.washingtonpost.com/politics/2021/11/16/many-libyans-already-dismiss-next-months-elections-illegitimate/?utm_medium=social&utm_campaign=wp_monkeycage