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Transition in Libya: The Next Steps
Carnegie Endowment for International Peace
1779 Massachusetts Avenue, NW, Washington D.C. 20036
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On Thursday, the Carnegie Endowment for International Peace hosted a panel on the transitional steps that Libya needs to take towards democracy. The speakers were **Azza Kamel Maghur**, a Libyan lawyer and democracy advocate, and **Fadel Lamen**, president of the American Libyan Council. The event was moderated by **Marina Ottaway**, a senior associate at the Carnegie Endowment for International Peace.

Ottaway opened by stating that before former Libyan President **Muammar Gaddafi** was ousted from power the National Transitional Council (NTC) was already discussing a post Gaddafi future. Despite the discussions in advance, there are still several legal and political problems facing the transition to democracy, due to the way in which Libya was liberated. Therefore, these next stages in the steps towards democracy are critical.

Maghur began with the analogy that Libya is currently in a "bottle of glass" transitional period. This "bottle of glass" is the period between a dictatorship and a democracy, and the most important step in the democratic process. At this time, Libyans are embarking on electing a temporary constituent assembly to draft the constitution, but before a permanent parliament and constitution can come into existence, there are several hurdles to overcome. Two major roadblocks are a dysfunctional judiciary and internal security challenges - such as integrating the militias and establishing a reliable police force. **Yet in Maghur's estimation, the largest obstacle to democratic transition currently is the NTC itself.** With the NTC keeping its distance from the militias, its failure to adequately address human rights offenses, and its reluctance to encourage a needed national reconciliation process, NTC leaders are creating a "dangerous" environment that jeopardizes the success of the transition. **Maghur stated that the NTC's consolidation of both legislative and executive power is problematic, particularly given the glaring lack of transparency in which it operates.** She further stated that the NTC is acting undemocratically as its leaders are not seeking participation and involvement from the people they are meant to represent, and the subsequent laws they are enacting (that do not incorporate popular sentiments) will come into conflict with the future constitution. While the formation of the General National Congress (GNC) is good beginning to counter the power NTC, Maghur feels there needs to be more attempts to create three equal divisions of power. She concluded on a somewhat positive note, stating that although a political crisis resulted from the NTC's attempt to pass an election law without popular input, this incident has also been a healthy and important "crash course" in democracy for Libyan citizens.

Lamen acknowledged that Gaddafi created a strongly centralized authority without a meaningful central government, so for progress to continue in Libya today the opposite must now take place. **Lamen believes there needs to be institutions in place to "solve problems bottom up, not top down."** An example can be made from the NTC not being able to project power at the local level and deal with the militias. Lamen felt the NTC needed to reinvent itself after the war to maintain legitimacy, **and is skeptical of the NTC's ability to lead Libya through democratic transition because it is an inherently undemocratic body (whose representatives were not elected).** He also noted that the NTC is filled with holdovers maintaining Gaddafi's mindset in dealing with problems- limit transparency and force something down someone throat because "it is good for them." **Lamen said the NTC is not an elected body, and compared it to a bus: it rolls along and some people get on, although it is unclear why others get off.** Given these current shortcomings, he suggested an alternative model of holding elections for all local councils, and then selecting two members from each local body to serve as representatives of that region within the NTC.

During the question and answer session, Maghur said that postponing election deadlines is not an issue, but the reasons of the postponement are. As long as there is a dialogue regarding the delay everyone will be accommodating, since everyone is "learning democracy while it is going on." Lamen stated the future leadership has to represent the people. The NTC cannot change from the methods of governing they learned from Gaddafi, and the people "need a body, but not the bodies in it." The transitional government is a good start but there needs to be a de-monopolization of forces so that the transitional government is given more authority. **Maghur addressed that while militias are filling the current security vacuum in Libya, local social pressures need to be used to bring them back into society.** Finally, Maghur stated that the best support for Libya from the international community would be more for it to interact more with not just the NTC, but with a wider range of important Libyan actors, including the country's quickly-developing civil society.