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Ballots Before Peace?

Libya's Cautionary Tale and the Syrian Dilemma

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Introduction

Elections are often seen as a central hallmark of post-conflict political transitions – a decisive step to restore legitimacy and shape the future state. Yet recent experiences show that elections, while tools of democratic renewal, can just as easily reproduce division and violence if they occur without a secure institutional environment, an inclusive national identity, and broad societal participation.

Libya's post-2011 experience stands as a stark warning against rushing into elections amid fragile state institutions, dominant armed factions, and absent legal frameworks. Rather than laying foundations for inclusive governance, early elections in Libya deepened polarization and turned the political process into an extension of the armed conflict.

Syria, now in the early stages of a complex transition, has so far avoided premature elections. Yet its approach to forming a new Parliament under Article 24 of the Constitutional Declaration raises serious concerns about the legal and administrative framework. Opaque standards, weak national consensus, and unilateral appointments risk turning this process from an opportunity for fair representation and institution-building into an instrument of domination that fuels division and heightens the risk of renewed conflict.

In this light, the commentary below examines the risks of elections in post-conflict settings by comparing Libya's transition trajectory with Syria's ongoing process. It warns against replicating failed models unless state institutions are rebuilt and an inclusive national pact is forged – one that ensures genuine representation, participation, and justice.

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Early Elections: Opportunity or Risk?

In the aftermath of authoritarian rule, elections are often positioned as the first step of a democratic transition – a way to restore legitimacy and establish a new political order based on popular will[1]. This view is widespread, but the timing of post-conflict elections remains hotly debated. Some argue that early elections are essential to anchor a new government's legitimacy, while others warn that rushing ahead without first building necessary institutions could destabilize a fragile transition and deepen societal divisions[2].

The Case for Early Elections

Proponents of early elections argue they can accelerate democratic transformation by granting legitimacy to interim authorities and signaling that the nation has regained control of its institutions. Early elections, in this view, also ease the exit of international actors and serve as a cornerstone of peacebuilding efforts[3]. Advocates further contend that elections held soon after conflict help attract international financial and development support by signaling stability to donors and investors[4]. They warn that delaying elections may leave former armed groups without a legitimate political outlet, increasing the risk that these groups will resort to violence[5].

Some scholars (such as Staffan Lindberg) suggest that even flawed early elections can help foster a democratic culture. Early voting familiarizes elites and citizens with democratic practices and lays the groundwork for progressively freer and fairer contests[6]. Likewise, some analysts advocate sequencing elections – for example, starting with local elections before moving to national polls. This approach nurtures participation, diversifies politics, and creates a more stable environment for democratic consolidation over time[7].

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[1] Youssef Mohammad Sawan, "Elections in Divided and Conflict-Affected Countries: A Case Study of Post-Conflict Libya,"

[2] Brancati, Dawn, and Jack L. Snyder. "Time to kill: The impact of election timing on postconflict stability." Journal of Conflict Resolution 57, no. 5 (2013): p. 3.

[3] Reilly, Benjamin. "Elections in Post-Conflict Scenarios: Constraints and Dangers." International Peacekeeping, vol. 9, no. 2, 2002, pp. 118–139.

[4] Terrence Lyons, "The Role of Postsettlement Elections," Ending Civil Wars: The Implementation of Peace Agreements, edited by Donald Rothchild et al., Lynne Rienner Publications, 2002, pp. 215-236.

[5] Larry Diamond, "Promoting Democracy in Post-Conflict and Failed States," Taiwan Journal of Democracy, vol. 2, no. 2, 2006, p. 97.

[6] Lindberg, Staffan I. "The Democratic Qualities of Competitive Elections: Participation, Competition and Legitimacy in Africa." Commonwealth & Comparative Politics 42, no. 1 (2004): 85-86.

[7] Diamond, "Promoting Democracy", p. 105.

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The Case Against Early Elections

By contrast, critics caution that early elections may undermine a transition and even plunge a country back into conflict[8]. In post-conflict contexts, former combatants often retain their organizations and loyalty networks, giving them a decisive advantage over civilian groups in early electoral contests. With superior resources and mobilization capacity, these groups can convert military power into political dominance, reinforcing polarization and bringing wartime divisions into the political arena[9] [10].

Moreover, weak institutional preparedness poses serious dangers. Without effective legal and administrative frameworks, early elections are prone to manipulation, corruption, and disputed results that erode public trust[11]. Premature elections often widen the gap between rulers and the ruled and damage confidence in the transition process[12]. Lacking robust political, administrative, and judicial institutions, a society is at significant risk of sliding back into violence[13]. In a deeply divided country emerging from civil war, early elections can entrench ethnic or sectarian rifts rather than heal them – especially if held without minimal national cohesion or reconciliation. Such elections are more likely to fuel hate speech and extremism, threatening long-term stability.

Empirical evidence supports these warnings. For example, Edward Mansfield and Jack Snyder's study of 164 civil wars between 1945 and 2008 found that the risk of conflict recurrence is 31% higher when elections are held within one year of a war's end, compared to waiting five years[14].

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[8] Mansfield, Edward D., and Jack Snyder. Electing to Fight: Why Emerging Democracies Go to War. The BCSIA Studies in International Security Series, edited at Harvard's Belfer Center, p. 4.

[9] Brancati and Snyder, "Time to Kill," p. 5.

[10] Lyons, "Post-Conflict Elections," p. 4.

[11] Brancati and Snyder, "Time to Kill," p. 11.

[12] Ibid, p.1.

[13] Ibid, p.3.

[14] Ibid, p.24.

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Libya's Post-2011 Elections: Reproducing Conflict amid State Fragility

Libya's experience after the 2011 revolution starkly illustrates the danger of holding elections when state institutions are weak or absent. Instead of promoting political inclusion and national renewal, early elections in Libya became a catalyst for deeper division and a resurgence of violence – the outcome of multiple interrelated structural failures.

Elections as a Vehicle for Division and Factional Quotas

Libya's civil war left a patchwork of armed factions divided along regional and tribal lines, with no single actor achieving decisive victory. This fragmentation left the political process hostage to the balance of power on the ground. Electoral arrangements and the broader transitional framework were subordinated to military dynamics. Armed groups engaged in the political process not to reconcile, but expecting to win at the ballot what they could not win by force. Their willingness to accept election results was conditional on victory; if defeated, they could simply return to violence. In effect, elections formalized temporary military equilibria instead of building a new social contract.

The Domination of Armed Groups and the Absence of the State

Libya's transition demonstrated that without critical conditions for democratization – a state monopoly on force, independent judicial and administrative institutions, agreed rules of competition, and sustained international support[15] – elections were doomed to fail. As militias grew stronger, the interim National Transitional Council lacked the coercive capacity to enforce the transition's rules. With no unified security forces to impose order, militias became the ultimate arbiters of power, imposing their agendas by force and underscoring the vacuum of state authority in the transition.

This dynamic was evident in several dramatic episodes: militias stormed National Congress[16], kidnapped Prime Minister Ali Zeidan[17], and used threats of violence to shape legislation. Elected institutions saw their legitimacy steadily erode as they proved unable to protect themselves or uphold basic rules of governance. Public trust in the transition collapsed. A defining moment came when the Political Isolation Law[18] was passed – not through genuine democratic debate, but under armed coercion in a country lacking national security institutions.

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[15] Brancati and Snyder, "Time to Kill,", p. 2-20-23-25-26-29.

[16] "مسلحون يقتحمون مقر المؤتمر الوطني في ليبيا," الجزيرة نت, March 2, 2014. Accessed June 22, 2025. https://www.aljazeera.net/news/2014/3/2/مسلحون-يقتحمون-مقر-المؤتمر-الوطني

[17] "خطف رئيس الوزراء الليبي علي زيدان في طرابلس وإطلاق سراحه لاحقاً," BBC Arabic, October 10, 2013. Accessed June 22, 2025. https://www.bbc.com/arabic/middleeast/2013/10/131010_libya_pm_kiddnaping

[18] This law stipulated the exclusion from political activity of anyone who held public office during Gaddafi's rule between 1969 and 2011, without distinguishing between those who exercised repressive power and those

The Failure to Forge a Shared National Identity

Libya's political identity fractured along regional, tribal, and ideological lines, with loyalties shaped more by wartime allegiances than by any shared national project. With no genuine power-sharing institutions, exclusionary practices flourished. Elections became instruments of domination rather than true participation. Instead of fostering new civic or economic coalitions, early polls simply reactivated wartime divisions. Militias – not civilian political parties – were most effective at mobilizing support along those fault lines. Islamist factions in particular exploited sectarian and regional grievances to rally followers, deepening social fractures and stripping elections of democratic substance.

The rise of Islamists within the General National Congress provided a conduit for bringing armed groups nominally into the state's structures (in name, if not in practice). Meanwhile, civilian political forces such as the National Forces Alliance lacked the means to counter this militarized expansion of power.

Prioritizing elections without first reforming the security sector or rebuilding state institutions failed to resolve the conflict – instead, it entrenched the military-political standoff[19]. Rather than creating new political dynamics, the elections legitimized and solidified existing armed structures. Unsurprisingly, this laid the groundwork for future conflict: although the 2012–2014 elections did not trigger civil war immediately, they entrenched militia dominance, exacerbated polarization, and foreclosed prospects for genuine national consensus. With weak state institutions and elections serving as arenas for identity-fueled armed rivalry, Libya's relapse into conflict became only a matter of time. Subsequent developments – the emergence of rival governments, dueling parliaments, and opposing military coalitions – confirmed how the flawed electoral transition led back to violence.

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who held neutral administrative positions. This transformed it into a tool for collective exclusion, transcending the logic of transitional justice in favor of imposing a revolutionary puritanism that viewed "purging state institutions" as a means of protecting the revolution and consolidating the legitimacy of the victors.

[19] Sawan, Youssef Mohammad. "Elections in Divided and Conflict-Affected Countries: A Case Study of Post-Conflict Libya." Georgetown Journal of International Affairs, vol. 25, no. 1, p.1.

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Lessons from Libya for Syria: Elections Between Necessity and Risk

The authoritarian nature of Syria's Assad regime shaped both the trajectory of its downfall and the complexity of the transition that followed. As in Libya, Syria's regime was highly personalized and repressive – sustained by pervasive violence and a totalitarian ideology (Baathism in Syria, analogous to Gaddafi's Third Universal Theory in Libya). This approach hollowed out state institutions and replaced them with patronage networks, turning the state apparatus into an instrument of political and security repression. Gaddafi's regime collapsed relatively swiftly after foreign military intervention, but Syria's conflict dragged on for years before the regime eventually fell to a sustained opposition military campaign ("Deterring the Aggression"). That campaign succeeded by exploiting the regime's structural decay, its eroding popular base, the waning support of its allies, and shifting regional geopolitics. The result was an unresolved and complex transitional phase.

Today, after fourteen years of conflict, Syria provides a test case to re-examine the same dilemmas highlighted by Libya's transition – above all, when and how to hold elections in the sequence of political priorities, and whether elections can contribute to a sustainable peace in a deeply fractured society. Some Syrian political elites advocate immediate elections to spur institutional unification and integrate all actors into a national framework. Others warn that premature elections will only entrench divisions rather than overcome them.

Despite differences between the two contexts, Syria shares four structural features with Libya that make early elections perilous: 1) no legitimate monopoly on the use of force, 2) weak sovereign institutions, 3) persistent identity-based divisions, and 4) no consensus on the nature of the future state. These factors form the basis for analyzing the dangers of ill-timed elections in Syria.

Absence of a Legitimate Monopoly on Force

As in Libya, Syria's multitude of armed actors and lack of a unified central authority pose a fundamental barrier to free and fair elections. Despite a transitional agreement under President Ahmed al-Sharaa, efforts to unify rebel factions into a national army remain fraught with challenges. Many groups retain de facto autonomy, and some armed forces lie completely outside any agreement. Control on the ground is still parceled out among competing authorities – including the Syrian Democratic Forces, various opposition militias, local armed actors in Suwayda, and remnants of the former regime's security apparatus.

In this reality, any election would likely reflect the map of territorial control rather than the true popular will. The continued proliferation of weapons and the absence of a legitimate security guarantor mean that defeated factions might again turn to violence, or that elections would simply give a veneer of legitimacy to local power structures built on force rather than consensus.

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Weak Sovereign Institutions

Syria's transition is also characterized by the absence of sovereign institutions capable of organizing or safeguarding credible elections. Like Libya, Syria lacks an independent judiciary, an impartial electoral administration, and agreed legal frameworks. Elections held under these conditions would be highly vulnerable to legal challenges, political manipulation, and even armed interference – fatally undermining any attempt to build a stable social contract between citizens and the state.

Persistence of Sharp Identity-Based Divisions

Years of war in Syria have entrenched subnational identities – sectarian, ethnic, and regional – at the expense of any unifying national identity. Grievances have been mobilized as political tools, raising the risk that elections would become arenas of zero-sum identity competition rather than civic debate. In such a climate, elections could easily serve to exclude rival communities and entrench the privileges of those in power, rather than pave the way toward inclusive national reconciliation.

Lack of Consensus on the State

Despite military and political shifts, Syrians have not yet reached agreement on the nature of their future state or political system. The contours of a new social contract remain vague. There are deep divisions over the structure of the state, the role of religion or secularism, and the form of governance. There are also no agreed constitutional guarantees for community rights, no mechanisms for power-sharing, and no systems of accountability in place. Without a comprehensive political settlement establishing a legitimate constitutional order, any general elections would likely reinforce these divisions and intensify polarization, rather than resolve them.

The Challenge of Forming the Parliament: Article 24 of the Constitutional Declaration

Syria's Constitutional Declaration – hotly debated by both supporters and critics – reflects a view that national elections should be delayed for at least five years after conflict[20]. This aligns with the stance of new President Ahmed al-Sharaa, who has indicated that organizing free and fair presidential elections will require no less than four to five years of preparation[21]. His position underscores the need for extensive political and legal reforms, as well as a period of stability, to enable elections that genuinely reflect the will of the Syrian people.

Instead of rushing to national elections, the transitional plan has favored consensus-based mechanisms for forming the legislative authority. The idea is that building consensus could facilitate institutional reforms and allow new, reform-minded political actors to emerge. Such an arrangement would also reassure potential "losers" by guaranteeing them inclusion through power-sharing, thereby reducing any incentive to return to violence[22]. Crucially, this phased approach includes building robust judicial and administrative institutions to safeguard the integrity of future elections and the credibility of their results[23]. Ignoring these prerequisites – by either rushing into premature elections or using non-inclusive appointment schemes – risks derailing the entire political transition.

However, Article 24 of the Constitutional Declaration (and subsequent Decree 66) present critical challenges that must be resolved if the planned Parliament is to serve as a fair representative body and a gateway to lasting peace. Under Article 24, President al-Sharaa created a High Elections Committee to oversee the formation of the Parliament, but the details of this process raise serious issues, as outlined below.

Centralization of Power and Executive Overreach

Article 24 grants the President sweeping authority to form the High Elections Committee, which in turn oversees the creation of subsidiary electoral bodies. These bodies will elect two-thirds of the Parliament, while the President directly appoints the remaining one-third in the name of ensuring "fair representation and competence." This arrangement places the formation of the legislature squarely in the executive's hands, represented by the President, with no requirement for independent oversight or approval. It undermines the principle of separation of powers and risks reproducing a centralized, unilateral model of governance reminiscent of the old regime.

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[20] Article 54 of the Syrian Constitutional Declaration.
[21] Al-Sharaa: Reaching presidential elections requires between 4 and 5 years.
https://www.cnbcarabia.com/133768/2025/03/02/سنوات-5-و4-بين-ما-يحتاج-رئاسية-انتخابات-إلى-الوصول-الشرع:
[22] Brancati and Snyder, "Time to Kill," p.10.
[23] Sawan, "Elections in Divided and Conflict-Affected Countries," p.7.

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Lack of Clear Standards and Transparency

Decree 66, issued by the President pursuant to Article 24, tasks the High Elections Committee with establishing the electoral bodies that will choose two-thirds of the 150-member Parliament. Seats are to be apportioned by population across provinces and categorized under two vague labels; "notables" and "intellectuals," based on criteria the Committee itself defines. This framework lacks clear and transparent standards, giving the Committee broad latitude to decide how regions, social groups, and other sectors are represented. Similar concerns apply to the third of the Parliament appointed by the President. Without precise definitions for terms such as "notables" and "intellectuals," the selection process invites subjective interpretation and potential political manipulation.

Weak and Exclusive Political Representation

The High Elections Committee itself is not inclusive. It has no representatives from opposition groups, civil society, or major demographic constituencies, making it an unrepresentative body that fails to reflect Syria's societal pluralism. This exclusivity calls into question the legitimacy of the committee's work and any Parliament formed under its guidance.

Institutional Incompetence and Lack of Impartiality

Another concern is the absence of qualified experts in constitutional law and electoral administration within the High Elections Committee. This gap raises doubts about the committee's capacity to manage a complex national electoral process. Given the committee's broad, unchecked powers, many fear it could simply become an instrument of the presidency – one that shapes electoral outcomes to serve narrow political interests.

Threats to Democratic Legitimacy and Transitional Justice

Against this backdrop, there is a heightened risk that elections will stray from their intended purpose of building an independent legislature that embodies the popular will. A non-transparent or unfair process could produce a rubber-stamp Parliament, replicating the political crisis instead of resolving it. Such an outcome would further weaken public confidence in transitional institutions, deepen polarization, threaten the country's fragile stability, and set back efforts at national reconciliation and justice for past abuses.

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Conclusion

Libya's experience offers a clear warning of the consequences of holding elections in a divided society before establishing sound political, legal, and security foundations. In Syria, the same destabilizing factors that undermined Libya's transition are firmly in place: military fragmentation, institutional collapse, the absence of a unifying national pact, and a lack of credible safeguards. Any rush to conduct elections under these conditions is likely to be a step backward – at best merely formalizing post-conflict chaos under the guise of democracy. Elections should emerge from a consensual process that lays the groundwork for sustainable peace, not serve as a superficial exercise masking deep divisions. Otherwise, Syria will most likely repeat the cycles of failure and violence that Libya witnessed, rather than achieve a genuine democratic transition.

Given Syria's complex realities, the Constitutional Declaration's five-year timeline appears prudent – it provides a window to reconstruct state institutions, launch a genuine national reconciliation process, and build the legal and political foundations for a durable transition. Yet Article 24 of that Declaration, and Decree 66 issued under it, contain structural flaws that could turn this window into a lost opportunity if the problems surrounding the formation of the legislative authority are not addressed.

Granting the Parliament exclusive legislative powers is a positive step toward restoring legitimacy, but the current method of forming the Parliament – via a President-appointed High Elections Committee, vaguely defined electoral bodies, and a presidentially appointed bloc of members – threatens to recreate the same centralized, top-down governance model that shattered public trust in the past. The lack of pluralism, genuine representation, technical expertise, and opposition or civil society input in this process heightens the risk that the new Parliament will be seen as a politicized organ of the executive, rather than a neutral framework for managing the transition. Ultimately, the success of Syria's political process hinges on whether its leaders and stakeholders reconsider these arrangements and embrace a comprehensive, inclusive approach to institutional reform.

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Recommendations

- **Sequencing reforms before elections.**
  Prioritize foundational reforms before embarking on national elections. Focus first on building a unified national security structure, establishing an independent judiciary, and creating impartial electoral and administrative bodies. These are essential prerequisites for any future vote to reflect the people's will rather than the balance of power on the ground.

- **Forging an inclusive national pact.**
  Political actors, civil society groups, and community leaders should engage in dialogue to define a shared vision for the future state. Agreement on principles such as power-sharing, decentralization, and the protection of minority rights is critical to reduce the risk of renewed conflict.

- **Strengthening transitional governance mechanisms.**
  Interim legislative and executive bodies should be formed through consensus-driven appointments that reflect the country's diverse communities. These inclusive interim arrangements can drive institutional reforms and reassure marginalized groups, reducing incentives for a return to violence.

- **Mobilizing international support for institution-building.**
  The international community should recalibrate its assistance to focus on strengthening the rule of law, administrative capacity, and reconciliation efforts – rather than fixating on rapid election timelines. Robust international support for building state institutions will create conditions more conducive to a stable democratic transition.

- **Embedding transitional justice.**
  Implement credible transitional justice processes to address grievances and past abuses. By helping rebuild trust between citizens and the state, such efforts will make future elections a genuine opportunity for national renewal instead of a flashpoint for old grudges.

In sum, the path forward for Syria must be rooted in a cautious sequencing of reforms, inclusive interim governance arrangements, and sustained international support for institution-building and reconciliation. Elections, when they eventually come, should be the culmination of this comprehensive political process – not a shortcut to legitimacy. Only through this deliberate, inclusive, and institution-focused approach can Syria avoid a relapse into conflict and achieve a transition that delivers lasting peace and genuine democratic governance.