

PUBLIC

ANNEX 9.93

INTERNAL POLITICS

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Until 1951 Libya was under foreign domination. In November 1949 the United Nations (UN) General Assembly passed a resolution calling for the establishment of a sovereign Libyan state comprising three historically diverse regions: Tripolitania, Cyrenaica, and Fezzan. The UN commissioner for Libya, Adrian Pelt, suggested the formation of a preparatory committee of twenty-one Libyans (seven from each region) to initiate the framing of a constitution. The committee created the National Constituent Assembly, which first met in November 1950 and subsequently formed committees to draft a constitution. On October 7, 1951, the new constitution was promulgated, and on December 24, King Idris proclaimed Libya's sovereignty and independence.

The constitution established Libya as a monarchy; succession was to pass to Idris's designated heirs. Because of its historically distinct regions, the new country was organized as a federation, each region becoming a province and maintaining its own autonomous administration and legislature. Benghazi and Tripoli alternated as the federation's capital. As do many European parliamentary systems, the constitution provided for an executive branch--the Council of Ministers (or cabinet)--headed by a minister and responsible to the lower house, or Chamber of Deputies, of the bicameral legislature. The number of deputies was 55, later increased to 103. The upper house, or Senate, comprised twenty-four members, eight from each province. The king held considerable executive authority; he formally appointed the Council of Ministers and half of the senators and had the right to veto legislation and dissolve the lower house.

The king endorsed legislation, passed in April 1963, that produced a major constitutional revision; the federal form was replaced by a unitary structure that emphasized centralized national authority. Provincial boundaries were erased, and ten smaller governorates (*muhafazat*; sing., *muhafazah*) were created, each headed by a governor appointed by the central government. The constitution was also modified to provide for the extension of suffrage to women and for the royal appointment of all senators. Also, whereas the 1951 constitution had vested sovereignty in the nation and declared the nation to be the source of all power, the 1963 revision proclaimed that sovereignty belonged only to God (Allah) and that it was given as a sacred trust to the state, which was the source of all power.

The 1951 constitution, as amended in 1963, remained in effect until September 1, 1969. At that time a group of military officers and men headed by Captain (later Colonel) Qadhafi overthrew the monarchy and proclaimed a republic instead. The supreme organ of the revolutionary regime, the RCC, replaced the existing constitution with the Constitutional Proclamation of December 11, 1969, which was to be superseded by a new constitution at some future, unspecified date. Meanwhile, existing laws, decrees, and regulations not in conflict with the December proclamation remained in effect. The proclamation confirmed the RCC as the supreme authority, officially renamed the country the Libyan Arab Republic, and provided for a system of government. It vested sovereignty in the people, made Islam the state religion, and declared Arabic the official language. Education and health care were specified as constitutional rights.

The December 1969 proclamation declared the Libyan people to be part of the Arab nation, dedicated to "the realization of socialism through the application of social justice which forbids any form of exploitation . . . [The state's] aim is to eliminate peacefully the disparities between social class[es]." Furthermore, the 1969 proclamation charged the state with endeavoring "to liberate the national economy from dependence and foreign influence." Public ownership was proclaimed the basis of social development and selfsufficient productivity, but nonexploitive private property would be protected, and inheritance would be governed by the Islamic sharia. Freedom of opinion was guaranteed "within the limits of public interest and the principles of the Revolution."

On the same day that the RCC issued the December 1969 proclamation, it also issued the Decision on the Protection of the Revolution. The decision established the death penalty for anyone attempting to overthrow the revolutionary regime and stipulated imprisonment for "anyone who commits an act of aggression" against the new government. Aggressive acts were defined as propagandizing against the regime, arousing class hatred among the people, spreading false rumors about political and economic conditions in the country, and demonstrating or striking against the government.

On March 2, 1977, in a novel approach to democratic government, Libya adopted a provision known as the Declaration of the Establishment of the People's Authority. The declaration changed the official name of the country to the Socialist People's Libyan Arab Jamahiriya (sometimes seen as Jamahiriyah). The word *jamahiriya* is derived from the Arabic word "*jumhuriya*," meaning "republic." Qadhafi coined the word Jamahiriya; it has no official translation but unofficially has been translated as a "state of the masses," "people's authority," or "people's power." According to Qadhafi, the jamahiriya system was to be "a state run by the people without a government," and it heralded the dawn of a new, more advanced stage in humanity's political evolution, just as the phase of republics represented an advancement over the age of monarchies.

[The Revolutionary Command Council \(RCC\)](#)

[The General People's Congress](#)

[Subnational Government and Administration](#)


[The Arab Socialist Union](#)

[The Cultural Revolution and People's Committees](#)

[The Basic People's Congress](#)

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