

The **National Democratic Institute** is a nonprofit, nonpartisan organization working to support and strengthen democratic institutions worldwide through citizen participation, openness and accountability in government.

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David Rolfes in Benghazi June 29, 2011 - [Up-date on Libya](#)

In meetings this week with NDI, Transitional National Council (TNC or the Council) members and advisors described efforts to prepare for a post-Gaddafi Libya—a scenario they are calling “Day One.” The recently formed “Tripoli Task Force” has been asked by the TNC to plan for the security, governance, humanitarian, financial, and communications needs of the transition. Among the security concerns they have identified is how to ensure effective policing and minimize looting and revenge attacks by those who have suffered under the regime in the past and during the revolution. They are also grappling with the question of whether and, if so, how to integrate former regime elements, including police forces.

On the governance side, the TNC has also drafted a national charter, which organizers characterize as a statement of principles to guide the transition until a formal constitution can be drafted, deliberated, and put to referendum. (They are careful to avoid the words “interim constitution” for fear that it will be perceived as a permanent document.) The charter was drafted by the TNC legal committee and sent to the TNC for deliberation and comment, but the process has attracted some criticism. Although NDI heard that at least one citizens group, associated with the Libyan International Medical University, contributed to the charter, a number of civil society organizations and youth groups have expressed concern over the lack of citizen engagement in the drafting process as well as some of the proposed articles. In response to these written complaints, the TNC has postponed the release of the charter, originally scheduled for Saturday, July 2, to allow for a series of public forums to discuss the charter.

The TNC’s approach to the national charter reflects a sensitivity to its role as a caretaker council, not an elected government. With the addition of new members—now up to 45 including representatives from Tripoli, Sirte, Misrata and other areas of the west—the Council has established several new committees and executive-level positions to address planning needs as well as day-to-day governance. This growth has been met with mixed reviews. NDI encountered some Libyans who credited the Council with improving its capacity to represent and serve citizen interests. Others, however, described a TNC hindered by disorganization, opacity in decision-making, and a lack of clear roles. As one activist told NDI, the Council is “acting like a little shop, with everyone doing everything.”

There is a debate within the Council and among civic groups on the structure of a post-Gaddafi interim government. One proposal would expand the membership of the TNC to 75 representatives (one NDI interlocutor suggested as many as 125 representatives) drawn proportionally from across the country on the basis of the 2005 census, with

adjustments to ensure representation of areas that suffered most under Gaddafi. This expanded TNC would serve for a transitional period of no more than 15 months, to allow time for the election of a parliament and a constitutional referendum.

Alternatively, some are proposing to replace the TNC with an elected national conference within three months of Gaddafi's departure. In this scenario, the national conference would be responsible for drafting the constitution and governing the country during the transition period. Anecdotally, NDI has encountered more support for the former approach, in light of concerns that early elections could benefit former members of the regime and open the door to tribalism. In an effort to prepare for elections whenever they take place, the TNC's legal committee has started a discussion of election law development and has expressed an interest in learning from the experiences of other transitional countries,-- exchanges NDI intends to facilitate in the coming weeks.

Political 'assemblies' and 'movements'—buzz words for political parties—are also becoming more prevalent, with as many as 40 reportedly in the process of formation. NDI met with a group of eight activists forming one such group, called the Free Assembly for Equity and Development. Founding members include academics, lawyers, and business leaders, including several young women and a Tripoli representative who has been stranded in Benghazi since the beginning of the revolution. In a sparsely furnished office, the group discussed its mission and asked questions about how to organize a party, recruit members, and elect leadership. Enthusiastic and engaged, they debated the future of Libya and their role in it. NDI has also learned of other political assemblies connected with the diaspora and the Muslim Brotherhood, as well as numerous liberal groups that are said to be forming a coalition. There is still no formal process for registering political parties, although the TNC has begun discussing aspects of a political party law.

There is also an increased awareness of, and interest in civic activity, with the reported number of new NGOs approaching 400. In recent weeks, the TNC's Ministry of Culture and Civil Society released guidelines for the registration of local NGOs, but many activists have criticized them for being too cumbersome and restrictive. Through dialogue between civil society activists and the ministry, the guidelines were modified for the better, although NGOs are still required to file a mission statement, list of key

members, and type of planned activities to the ministry as well as accept an annual financial audit. In a meeting with NDI, the minister articulated a vision of an active civil society, and described the Ministry's plan to establish a center for NGO development and encourage civic education particularly targeted toward youth.

The independent committees that have been set up to advise the TNC are still active, operating from the campus of the Libyan International Medical University (LIMU). There citizens debate transitional issues and provide input to the TNC for consideration. NDI attended the weekly plenary session that brings together representatives from across Libya, including the west. Held in a relatively modern lecture room, equipped with a sound system and LCD projectors, more than 175 participants listened as advisory committees presented their reports on economic, security, political, media, and environmental issues. Committee leaders intend to institutionalize their efforts through the creation of the Libyan Center for Democracy, a NGO/think tank that will provide a forum for discussion of democratic principles and a venue for citizens to develop policy proposals for the transition.

The question of leadership in a new Libya is an ongoing subject of debate, in part because of Gaddafi's legacy of oppression and isolation. As one activist told NDI, "Gaddafi killed leaders, both literally and figuratively, to the extent that most citizens cannot even pronounce the word. There wasn't a political party process to provide a platform for leaders to evolve. Everyone was and continues to be nervous and have a sense of shame when thinking about either identifying leaders or speaking out as leaders themselves." Nevertheless, there are efforts to change that. NDI met with several women, including a judge on Benghazi's Court of Appeals, who are part of an effort to promote and mobilize women to assume positions of leadership and authority. Their group, which has met only informally to date, is exploring how best to institutionalize their mission of encouraging political activity among women.

Along with a burgeoning of citizen groups and political parties, there is an increase in the number of media outlets and availability of information. Several new newspapers have been established and two television stations are now operating in the east—one, currently based in Doha, is soon to move its broadcasting center to Benghazi. Both of these stations reportedly have the capacity to reach viewers in Tripoli and may provide an alternative to the Libyan television stations there that are still under the control of Gaddafi.

While the level of citizen engagement and political debate reflects optimism about the future, it is tempered by some trepidation and concern. The security situation in Benghazi is relatively calm at present, but there is a sense that economic concerns and the prospect of deteriorating living standards as the conflict continues could erode support for the revolution. As a result, many activists are eager to move from talk to action to address these issues. They are interested in learning from the experiences of others and wonder aloud whether the messages they are sending to the international community are sufficient to confirm their intention to form a democratic and civil state.