



Managing Transition

Examining the factors that shaped the first interim governments of Tunisia and Libya, which were formed in the immediate aftermath of the 2011 uprisings that brought down the governments, *Managing Transition* analyzes each interim government to enhance our understanding of how political transition occurred within the two North African countries. Tracing the importance of the key decisions made during these transition periods, Sabina Henneberg demonstrates the importance of these decisions taken during the short period between authoritarian collapse and the first post-uprising elections, including decisions around leadership, institutional reform, transitional justice, and electoral processes. By documenting, in close detail, the important events of the 2011 Arab uprisings, and the months that followed, this study shows that while pre-existing structures strongly influence the design and behavior of the first interim governments, actors' choices are equally important in shaping both immediate and longer-term phases of transition.

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The First Post-Uprising Phase in Tunisia
and Libya

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For mom and dad

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Note about Terms and Definitions

This book is about interim governments. It borrows the operational definition of interim governments offered by Allison Stanger, in her contribution to Yossi Shain and Juan J. Linz's 1995 volume *Between States*, which itself is built on their paper delivered at the American Political Science Association's annual conference in 1991. Stanger defines an interim government as "the administration that rules 'in the hiatus between the breakdown of the authoritarian regime and the selection of a new government as a result of free and contested elections.'" ¹ This book also draws inspiration from Jennifer Seely's work on interim governments (which she calls transition governments) in Benin and Togo. Seely specifies that "A transition government is defined as a temporary leadership body that is appointed by an existing government or occupying authority (rather than popularly elected) to serve for a limited term with the intention of creating conditions for new leadership to be chosen." ² The key elements of an interim (or transition) government are thus that it (1) is temporary (2) is unelected (3) presides over the period immediately following the collapse of an authoritarian regime, and (4) presides over democratic elections. ³

When I first conceived this study, I struggled to differentiate "transition" government from "interim" or "provisional." My work on this project began as dissertation research in 2013, when the uprisings in Tunisia and Libya were relatively fresh and the question of whether or not either country was transitioning to anything – in other words,

¹ Shain and Linz, eds., *Between States*, 256.

² Seely, *The Legacies of Transition Governments*, 11.

³ Although in Libya during the first several months of the National Transition Council's existence, the authoritarian regime it sought to replace had not actually collapsed, it nonetheless meets these criteria, and permits me to study it alongside the transition government in Tunisia. The term "government-in-waiting" deployed by Rangwala is thus also useful for making this distinction between the Libyan and Tunisian cases.

whether either was experiencing a regime change, defined by Ronald Francisco as “major shifts in two or more categories of political structure” – was unresolved.⁴ Indeed, scholars of regime transition or regime change generally agree that identifying the point when this transition has occurred is difficult.⁵ Thus, while I initially avoided calling the processes under study here “transition” and the actors “transition governments,” my decision to apply these terms also acknowledges that both countries examined in this book – as is the case with Benin, Togo, and many other places – have been experiencing *attempted* transition, and have even used the term themselves.⁶

I also struggled to figure out whether I was studying “governments” or “administrations.” Although “administrations” appeared to be the safer choice, if for no other reason than that we tend to think of governments as being elected or formally instated in some way,⁷ I ultimately consider both terms relevant to the tasks and roles of the two interim bodies studied here. Although, as this book will show, both these bodies tried hard to avoid the appearance of having seized power undemocratically, and often did not consider themselves mandated to take many decisions, they indeed both took decisions as a government and executed them as an administration. I term the Tunisian case a “provisional administration” because it was made up of several bodies that collectively – even if not intentionally⁸ – took charge of public affairs. I use this term to refer to all the interim Tunisian institutions and actors discussed here.⁹

⁴ Francisco, *The Politics of Regime Transition*, 3.

⁵ E.g. Linz and Stepan, *Problems of Democratic Transition and Consolidation*, 3–5.

⁶ Tunisia’s Ben Achour Commission, a central institution within the Tunisian Provisional Administration (TPA), used in its name the Arabic word “*intiqali*” (transitional), as did the NTC.

⁷ According to *Webster’s Dictionary*, the definition of “government” includes more emphasis on recognized authority, while “to administer”/“an administration” emphasizes execution of decisions, rather than decision-making.

⁸ This is why they did not give themselves, as a collective, a name.

⁹ This includes the members of the first iterations of the TPA’s interim cabinet. In the Libyan case, the disparate groups that formed tended to call themselves “councils” (*majlis*), but because they did not divide the management of public affairs according to sector or task, as was roughly the case in Tunisia, I do not term them an “administration.”

Abbreviations

AMT	Tunisian Magistrates' Association
ARP	People's Representative Assembly
ATCE	Tunisian External Communications Agency
AU	African Union
CDA	Constitution Drafting Assembly
CNPR	National Council for the Protection of the Revolution
DL	Decree Law
EMB	Electoral Management Body
FDTL	Democratic Forum for Work and Liberties
FIT	Tunisian Islamic Front
GNC	General National Congress
HAICA	High Independent Authority for Audio-Visual Communication
HNEC	High National Elections Committee
HOR	House of Representatives
ILE	Independent Local Electoral Authority
INRIC	National Commission for Information and Communication Reform
IRIE	Independent Regional Electoral Authority
ISIE	Independent High Electoral Authority
ISIS	Islamic State in Iraq and Syria
LCG	Libya Contact Group
LIFG	Libyan Islamic Fighting Group
LTDH	Tunisian Human Rights League
MENA	Middle East and North Africa
MMC	Misrata Military Council
NCA	National Constituent Assembly
NCLO	National Conference of Libyan Opposition
NTC	National Transition Council

List of Abbreviations

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PDP	Democratic Progressive Party
PSC	Peace and Security Council
RCD	Constitutional Democratic Rally
SMT	Tunisian Magistrates’ Syndicate
TDC	Truth and Dignity Commission
TPA	Tunisian Provisional Administration
UGTT	General Tunisian Workers’ Union
UNSC	United Nations Security Council
UNSMIL	United Nations Support Mission in Libya
UTICA	Tunisian Union of Industry, Commerce, and Handicrafts
WMC	Western Military Council