

# **Libyan Parliamentary Election Study**

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## **1 Executive summary**

The purpose of the study is to gain an in-depth understanding of Libya's 2012 General National Congress (GNC) election. The study analyzes the process of developing the election system as well as the system's impact on the GNC election. The analysis is based on election data released by the Libyan High National Election Commission (HNEC), 2006 census data, and interviews with key Libyan electoral officials and international organizations involved in the process of developing Libya's electoral system.

The study was prepared for the National Democratic Institute (NDI) and designed to assist political parties in understanding the 2012 electoral system and designing strategies for future electoral contests. It was designed and implemented by JMW Consulting (represented by Alexander Kjærum, Line Fly Pedersen and Jakob Wichmann) and Ellen Lust (Associate Professor of Political Science at Yale University) with support from Libya consultant firms Diwan Market Research and Consultants Alliance. The study was funded by the Danish Ministry of Foreign Affairs.

### **Contentious process of drafting the election law**

The drafting of the GNC election law commenced in early 2012 under the auspices of an election committee. Given the longstanding stigmatization of political parties, the committee initially proposed a majoritarian electoral system comprised solely of individual candidates, thus excluding political parties from the election. Public debate following the submission of the first draft heavily contested this exclusion. The Justice and Construction Party (JCP) and the National Front Party (NFP), two of the better-established parties, were among the critics of the majoritarian system. Civil society organizations and experts also opposed the exclusion of political parties, on the grounds that inclusion of political parties could minimize the effects from tribal and regional differences across Libya. Women's rights groups also preferred inclusion of parties in order to incorporate a women's quota ensuring greater inclusion of women in the GNC.

Following public debate the electoral system was amended to include a parallel system of proportional representation along with the majoritarian system. The electoral system as stated in the final election law of January 28, 2012 was comprised of 120 individual seats elected by majoritarian vote and 80 list-based seats by proportional representation. The law included a women's quota in the form of a requirement to alternate women on the lists.

### **Distribution of the 200 seats was established through mathematical formula and intense negotiations to ensure representation and consensus**

The 200 GNC seats were distributed across Libya's 13 districts so as to ensure representation and consensus among districts. The 200 seats were initially distributed among the 13 districts according to population numbers. Due to its densely populated cities, the districts of the western region of Libya were assigned approximately twice as many seats as the eastern and southern regions combined. In order to address this, the committee took the regions' areas into account and distributed seats across the regions according to the formula:  $(3 * \text{population} + \text{area in km}^2) / 4$ .

Following the mathematical distribution of seats the election committee and representatives of each district negotiated the seat distribution in order to ensure consensus. Then the 73 sub-districts requested either individual and/or list-based seats for their assigned seats. However, many districts – especially large and rural districts with many localities and tribal or ethnic affiliations – requested individual seats in order to guarantee representation in the GNC to these diverging interests. This resulted in sub-districts requesting more individual seats than the 120 stipulated in the election law.

A round of negotiations ensued. These negotiations resulted in some districts being assigned mainly or solely individual seats, while others had a mixture of individual and list-based seats, a seemingly complex and uneven distribution.

The complex and uneven distribution of individual and list-based seats across districts created technical difficulties in implementing the elections, but was perceived by officials as necessary in order to ensure a peaceful and inclusive election. The final distribution of individual and list seats was issued on March 12, 2012.

### **Seat distribution led to significant variations in the number of votes candidates required to win a GNC seat, and the level of representation citizens enjoy.**

Citizens' representation varies greatly across Libya due to the higher number of seats awarded to less populated regions of the South and East. Each of the 106 seats for Tripolitania, the western region, represents 31,988 persons, while each of the 34 seats for Fezzan in the south represents 11,880 persons. Had the committee relied solely on population size, each seat in the GNC would have represented roughly 26,000 persons.

The distribution of list and individual seats also resulted in great variations in the average number of votes political parties and individual candidates required to win seats in the GNC. The Tajoura list-based district in Tripoli had the highest average required number of votes per party seat, 52,256, while the Al-Shati list-based district had the lowest average required number of votes, 3,629, per party seat. This variation increased requirements for political parties in districts where it took a higher number of votes to win a seat, as these districts required more resources to win seats.

Similar variations existed in the average number of votes that it took for individual candidates to win a seat. In the district of Tripoli it took an average of 24,566 votes to win an individual seat compared to the district of Gharian where it took an average of 8,154 votes.

Lastly, some of the parties were better equipped to compete in individual seat races, while others performed better when running for list seats. The National Forces Alliance (NFA) dominated the races for list seats winning roughly 50% of the seats, while the Justice and Construction Party did better in the races for individual seats. The JCP won 34 individual seats thereby doubling their representation in the GNC. Salafi parties performed the best in the individual candidate races, winning 23 of its total 27 seats.

### **The political parties of Libya competed in widely different environments due to variations in the socio-demographics profiles of the 13 districts.**

The 13 districts of Libya vary greatly in terms of their socio-demographics and are thus highly heterogeneous. The western districts of Libya (i.e. the region of Tripolitania) cover 17% of the area of the country but contain 74% of the total population. In contrast, the southern districts of the Fezzan region cover 42% of Libya's territory but contain only 8% of the population. The eastern districts of the Cyrenaica region cover 41% of Libya with 28% of the population.

Levels of education, employment, and development also vary between districts and regions. The districts of Fezzan generally have the highest illiteracy rate (23 %) compared to those in Tripolitania and Cyrenaica (17%). On average Tripolitania districts have higher employment rates than the districts of Cyrenaica and Fezzan. The districts vary greatly in terms of development.

### **Socio-demographics impacted voting behavior in districts, especially support for major parties.**

The variations in the socio-demographic environment pressured political parties to adapt to local realities. In Fezzan, parties generally found it hard to compete, since voters tended not to vote for large parties; major parties won only 38% of the votes in this region. Generally, areas that were more rural and had a lower education level voted less for major parties, instead casting ballots for local parties. For the major parties, the development level in a district did not affect support, although the JCP had higher support in less developed districts.

In the 2012 GNC election parties faced several challenges: limited list-based seats, uneven distribution of seats, large differences in the votes required to win a seat, and socio-demographics that impacted voting behavior.

## **2 Introduction**

The National Transition Council (NTC) drafted the GNC elections law and then presented it for public debate in January 2012. Following deliberations with civil society actors, the law was amended to have a parallel proportional representation and majoritarian electoral system. Of the 200 seats in the GNC, 120 are filled by the majoritarian system in 69 sub-districts. Of the 69 sub-districts, 40 of them had one seat for a total of 40 elected representatives, and the other 29 had multiple seats for a total of 80 elected representatives. Proportional representation among competing lists in 20 list districts filled the remaining 80 of the 200 seats.

This study aims to gain a better understanding of Libya's 2012 GNC election by analyzing the influential factors in the development of the election system and the impact the system had on the elections.

The study is based on election data released by the High National Election Commission (HNEC), 2006 census data and interviews with key Libyan electoral officials and international organizations involved in developing Libya's electoral system.

The study has the following structure:

- Section 1: The political system and the legacy of Gaddafi
- Section 2: Libya's post-revolutionary election system and socio-demographic description of districts
- Section 4: The impact of the election system and district socio-demographics on election results

### **3 Political institutions under Gaddafi**

The political structure installed under the Gaddafi regime was divided into two sectors: the Jamahiriya sector (State of the Masses), which held de-jure political power; and the informal Revolutionary Sector, which held de-facto political power.

Gaddafi established the Jamahiriya sector in 1976, inspired by other socialist states of the time. The masses channelled their demands up through the sector's political structures through bottom-up popular rule. The lowest level was the Basic People's Congresses (BPCs), which corresponded with geographical sub-divisions. By 1987, over 2,000 BPCs had been created. They met on a quarterly basis and elected their representatives for the General People's Congress (GPC) once a year. They also appointed a 10-member Basic People's Committee to run the local administration and report to GPC representatives. The GPC consisted of 2,700 representatives from the BPCs and acted as the legislative branch. In turn, the GPC also elected a 20 member General People's Committee—the executive branch.<sup>1</sup> The General People's Committee set the agenda for the GPC meetings and ran day-to-day affairs in Libya.<sup>2</sup>

In theory, the Jamahiriya system installed some level of popular democratic representation through direct elections for the BPC. However, in effect, the power of the Jamahiriya sector was limited and the system mainly served to maintain the rule of a narrow elite surrounding Gaddafi, the Brotherly Leader of the Revolution.<sup>3</sup>

The BPCs lacked any bureaucratic support apparatus that would enable them to function as a local government/administration.<sup>4</sup> Likewise, while the GPC had the official power to elect members of the General People's Committee, in reality, the Gaddafi regime picked the members. Finally, a number of important areas laid outside of the GPC and the General People's Committee jurisdiction, including foreign policy, the state budget, the army, the police, and petroleum. Instead, these central policy areas belonged to the jurisdiction the revolutionary sector under Gaddafi.<sup>5</sup>

Introduced in the late 1970s, advisors and Revolution Committees supported Gaddafi's rule. The stated purpose of these committees was to supervise and guide the Jamahiriya. In effect, they monitored work in the BPCs and ensured that oppositional politics did not emerge in the Jamahiriya sector.<sup>6</sup> In part, Revolution Committees did so through killing and eliminating potential political opponents to the regime.<sup>7</sup>

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<sup>1</sup> (Eljahmi, 2006) (Carnegie Endowment for International Peace / FRIDE, 2008)

<sup>2</sup> (Vandewalle, 2012)

<sup>3</sup> (Carnegie Endowment for International Peace / FRIDE, 2008) (Pargeter, 2006)

<sup>4</sup> (Byman, 2011)

<sup>5</sup> (Vandewalle, 2012)

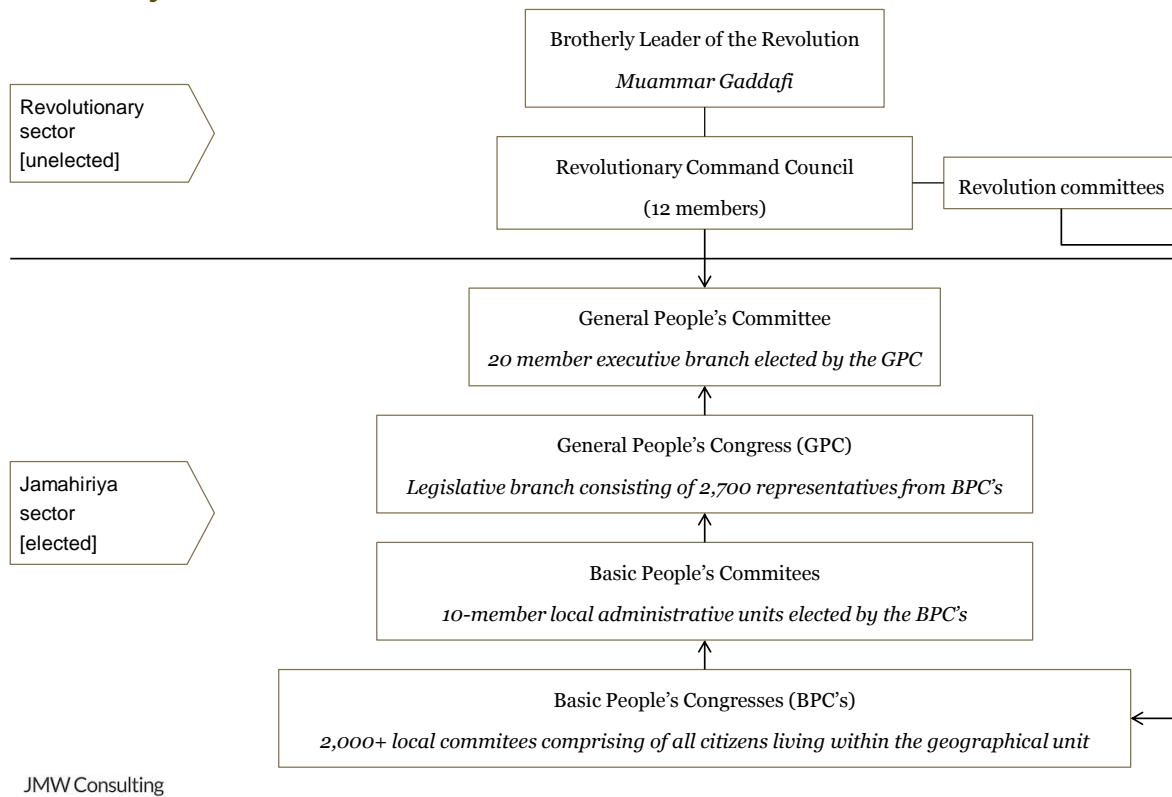
<sup>6</sup> (Eljahmi, 2006)

<sup>7</sup> (Pargeter, 2006)



**Figure 1: Libya's political structures under Gaddafi**

**Two sector political system under Gaddafi: *Revolutionary sector & Jamahiriya sector***



The establishment of a political system where power was vested in informal, narrow elite networks and combined with the suppression of oppositional forces, political parties and civil society organizations, left Libya with ineffective and limited political institutions.<sup>8</sup> Following the revolution in 2011, Libya started from nothing in building its political institutions.

<sup>8</sup> (Chivvis, Crane, Mandaville, & Martini, 2012) (Byman, 2011)

## **4 Libya’s post-revolutionary electoral system**

This section describes the post-revolutionary electoral system and its development process. The section’s first part describes the drafting process of the GNC election law and the public debate over whether to have a solely majoritarian system or to incorporate proportional representation. The section’s second part describes the process of distributing the GNC seats across the 13 districts of Libya—a process involving mathematical distribution, followed by several negotiation rounds among the various districts and sub-districts. This section concludes with a detailed overview of the final election law and the law specifying electoral districts followed by an analysis of the impact on the election results.

### **4.1 Developing the election law**

#### **Drafting the election law**

In the early weeks of the Libyan revolution, a number of local representatives in various rebel cities formed the National Transitional Council (NTC). In the aftermath of the revolution, the NTC appointed an interim government until elections for a General National Congress (GNC) could be conducted. In August 2011, the NTC promulgated a constitutional declaration outlining the basic requirement for the election law. The constitutional declaration called for the establishment of a democratic political regime and abolished restrictions on political party formation enacted in 1972.<sup>9</sup>

The primary goal of the NTC was to ensure elections were held on time and peacefully, ensuring consensus, representation, and involvement of all local districts of Libya.<sup>10</sup>

In accordance with the constitutional declaration, the NTC established an election committee in November 2011 which was responsible for drafting the election law, identifying the electoral districts, and distributing GNC seats across districts. The election committee consisted of eight NTC members and was led by Mr. Othman Amgerhi and Mr. Lamin Belhaj working in cooperation with the United Nations Support Mission in Libya, headed by Mr. Ian Martin and later replaced by Mr. Tarek Mitri.<sup>11</sup>

#### **The first draft of the election law proposed a solely majoritarian system**

The election committee submitted its first draft of the election law to the NTC on January 6, 2012. The draft law proposed a majoritarian electoral system, with 200 GNC seats elected among individual candidates in single-member districts (SMD) or single non-transferable vote in multi-member districts (SNTV MMD). It excluded political party participation. The draft proposed an age criteria of 25 for candidates running in the elections, and 21 for voters. It also introduced a women’s quota of 10% which was critiqued by some civil society organizations for being unclear and too low.<sup>12</sup>

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<sup>9</sup> (POMED Backgrounder, 2012)

<sup>10</sup> Interview person 1

<sup>11</sup> (POMED Backgrounder, 2012), (Salem & Kadlec, 2012)

<sup>12</sup> Interview person 2, Interview person 3 (Democracy Reporting International, 2012)

Since the ban on political party formation and the suppression of political opposition during Gaddafi's rule resulted in a public distrust of political parties, compounded by the fact that only a handful of Libya's newly created political parties had truly established themselves by late 2011, the committee excluded political parties in the first draft of the election law.

**Public debate and criticism of the majoritarian system resulted in an amendment to include a parallel system of proportional representation in the electoral system.**

The first draft of the election law was distributed via the media for public debate between January 6 and January 21, 2012. The two better-established parties prior to the drafting of the election law: the Muslim Brotherhood and its affiliated Justice and Construction Party (JCP); and the National Front Party (NFP); critiqued the law. Civil society organizations and experts also opposed the exclusion of political parties, arguing that political parties would minimize the influence of tribal and regional differences. Several women's rights groups also preferred a list-based system, arguing this would make it easier to incorporate gender quotas and ensure greater inclusion of women in the GNC. Parties largely supported the proposal for a women's quota.<sup>13</sup>

Due to the public debate and criticism during January 2012, the NTC established a commission of legal experts to revise the draft and incorporate proportional representation into the electoral system. This commission wrote a second draft that included a mixed electoral system with 136 list-based seats and 64 individual seats, deleted the women's quota on individual candidates, and created a zipper quota for the list-based system (i.e., list candidates to alternate by gender). The amended election law also lowered the age restrictions to 21 for candidates and 18 for voters in order to mobilize the youth.<sup>14</sup>

Local political elites in areas where political parties were not prevalent favored a greater share of individual seats, while members of the JCP and NFP favored a maximum of list-based seats. Following debates and negotiations in the NTC, a distribution of 120 individual seats and 80 list-based seats was approved by a majority vote. The final draft of the election law was issued by the NTC on January 28, 2012.<sup>15</sup>

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<sup>13</sup> Interview person 4, Interview person 2

<sup>14</sup> Interview person 2

<sup>15</sup> (POMED Backgrounder, 2012), Interview person 2

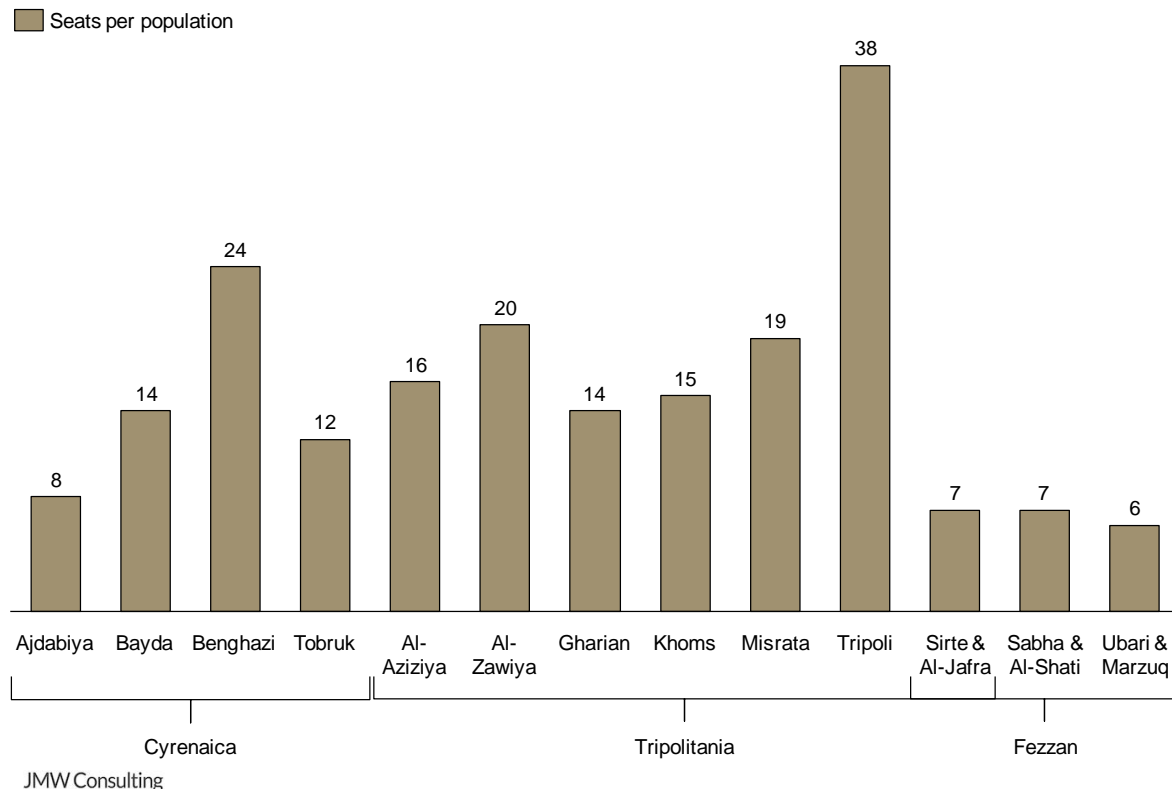
## 4.2 Process of distributing the GNC seats across districts

The debate included the geographical distribution of the seats across Libya's 13 districts. The use of a mathematical calculation based on population and area, followed by several negotiation rounds between the election committee and NTC members representing each district resolved the debate. The negotiations sought to ensure consensus between districts and local elites on seat distribution, in the hope of alleviating potential conflicts.<sup>16</sup>

The election committee first proposed a distribution of the 200 seats across Libya's 13 districts according to population. However, as shown in Figure 2, this would have resulted in the districts of the region of Tripolitania, receiving nearly twice as many seats as Fezzan and Cyrenaica combined. The Fezzan and Cyrenaica districts vigorously opposed this.

**Figure 2: Distribution of the 200 GNC seats across Libya's 13 districts according to population numbers**

### Seats per population in the 13 districts



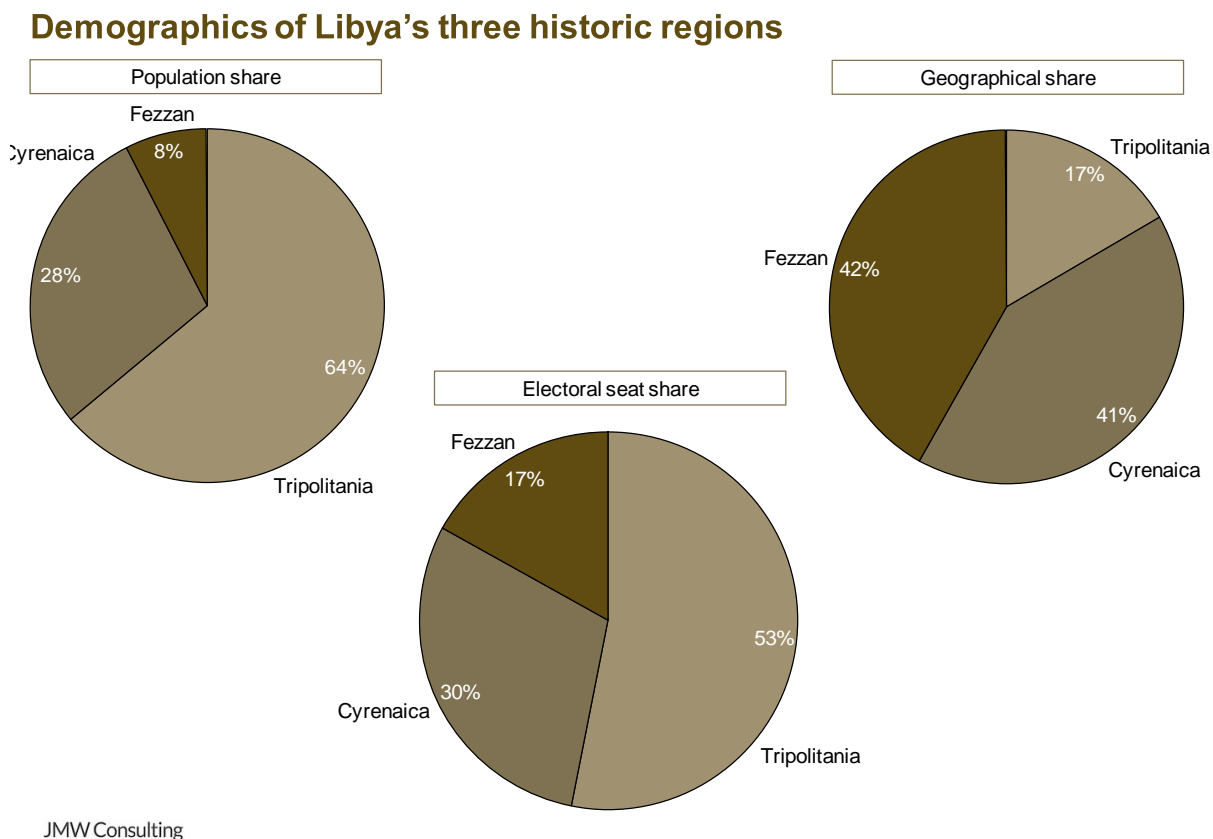
The committee thus decided to take the areas of the regions into account to accommodate the concerns of large districts with small populations. The seat distribution was calculated by distributing the seats according to population and areas.<sup>17</sup> In the figure below, the

<sup>16</sup> Interview person 1

<sup>17</sup> Interview person 2

Population, areas, and share of electoral seats are shown across Libya's three regions: Tripolitania in the west; Cyrenaica in the east; and Fezzan in the south.

**Figure 3: Share of population, geographic size and electoral seats across Libya's three regions**

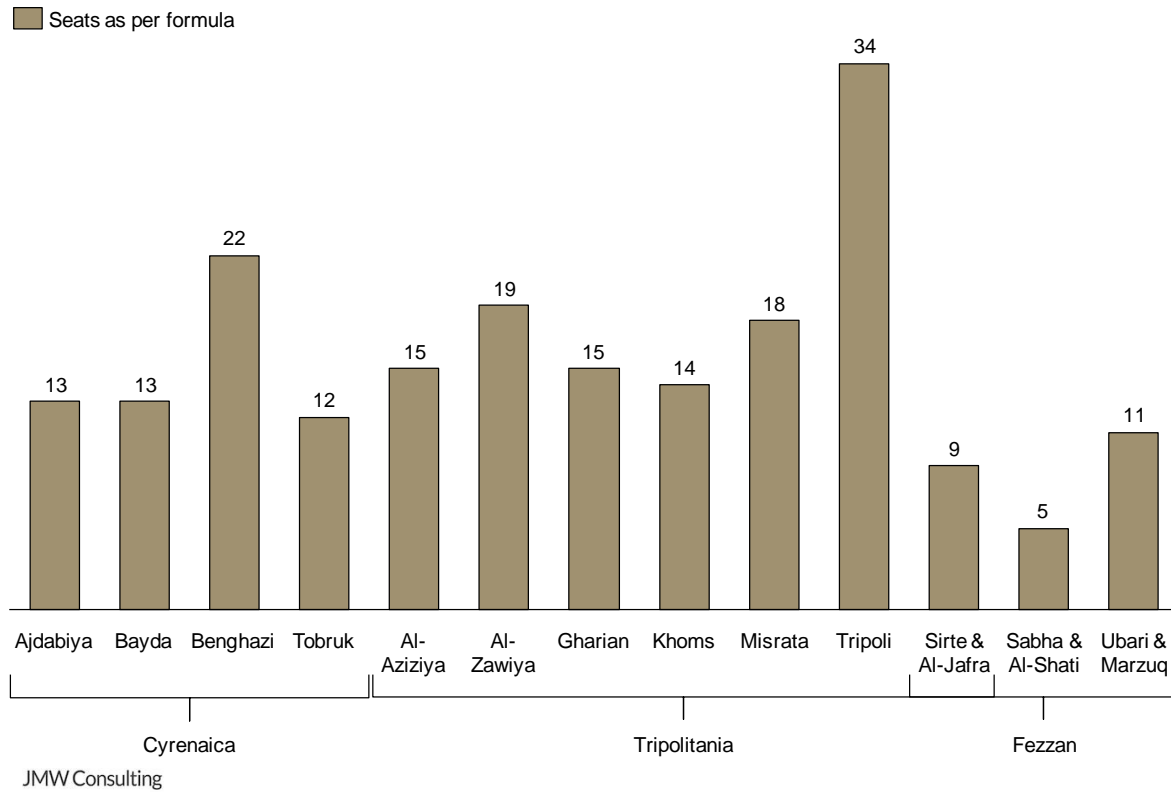


The figure shows that population density and the areas of the three regions differ greatly, especially between Tripolitania and Fezzan. Fezzan covers 42% of the area of Libya and is largely rural mountain areas with only 8% of the Libyan population. In contrast, 64% of the Libyan population lives in the western region of Tripolitania, which covers 17% of the country. By incorporating area in the calculations, the districts with small areas and high population density lost seats to more rural and less populated districts. The figure below shows the distribution of the 200 GNC seats according to the mathematical formula used:  $(3 * \text{population} + \text{area in km}^2) / 4$ .<sup>18</sup>

<sup>18</sup> Interview person 5

**Figure 4: Distribution of the 200 GNC seats across Libya’s 13 districts according to the mathematical formula comprised of the districts’ population numbers and area sizes**

**Seats per formula in the 13 districts**



**The exact distribution of seats among the districts of Libya was negotiated.**

After employing the mathematical approach combining population and area to distribute seats across regions, negotiations on seat distribution between each of the 13 districts and the 73 sub-districts were conducted to ensure consensus and representation. Negotiations even resulted in trades of seats among districts, in order to ensure representation and thereby consensus on the seat distribution.

In the sub-districts with large areas and low population density, difficulties arose regarding the distribution of seats. As one interviewee explained:

*“The distribution of assigned chairs for each district on their sub-districts was easy in areas like Tripoli, but in other areas like the Western Mountain (Gharian), it was very difficult. Gharian was assigned 15 chairs at first for the whole mountain area, but because it consists of many small towns each different in race, tribe, and history and with heated conflict between them following the revolution, they had to give each small town a chair regardless of its size. For example Kabaw only has a population of 5000 Libyans, but we had to give them a chair, as they insisted on their representation in the GNC. In order to balance representation, Tripoli waived two of their seats to the mountain area so the total seats assigned amounted to 17, where each town in the mountain area got its own representation in the GNC.”*

**The distribution of individual and list-based seats was negotiated among the sub-districts.**

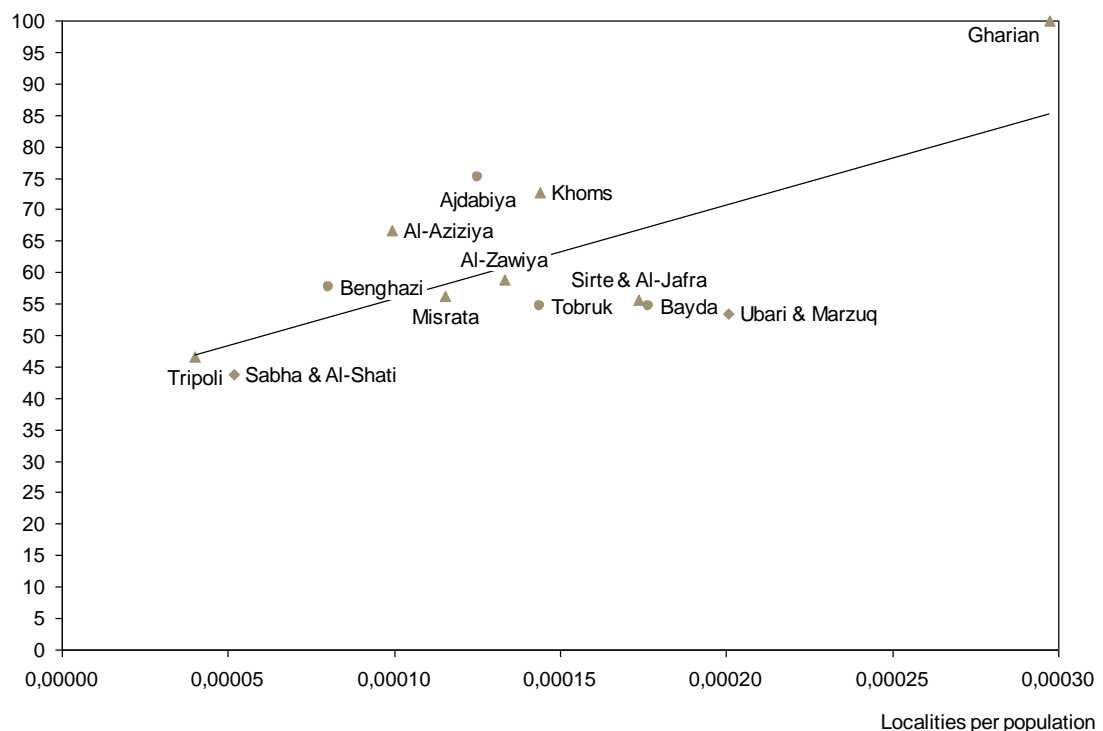
Following negotiations over the distribution of seats among the districts, the 73 sub-districts announced their desired type of seat or seats, whether list-based and/or individual seats. The total request of 158 individual seats and only 62 list-based seats exceeded the election law’s 120 individual seats and did not meet its 80 list-based seats. Sub-districts, especially those with many different tribal groups, rival towns and remote areas, requested individual seats, causing the imbalance.

The figure below shows how this relation impacted the distribution of individual and list-based seats. The share of individual seats within a district tended to increase with the number of sub-localities per population within the districts.

**Figure 5: Relation between district's number of localities and number of individual seats**

**Relationship between number of localities controlling for population and distribution of individual seats**

Individual seats share of total (%)

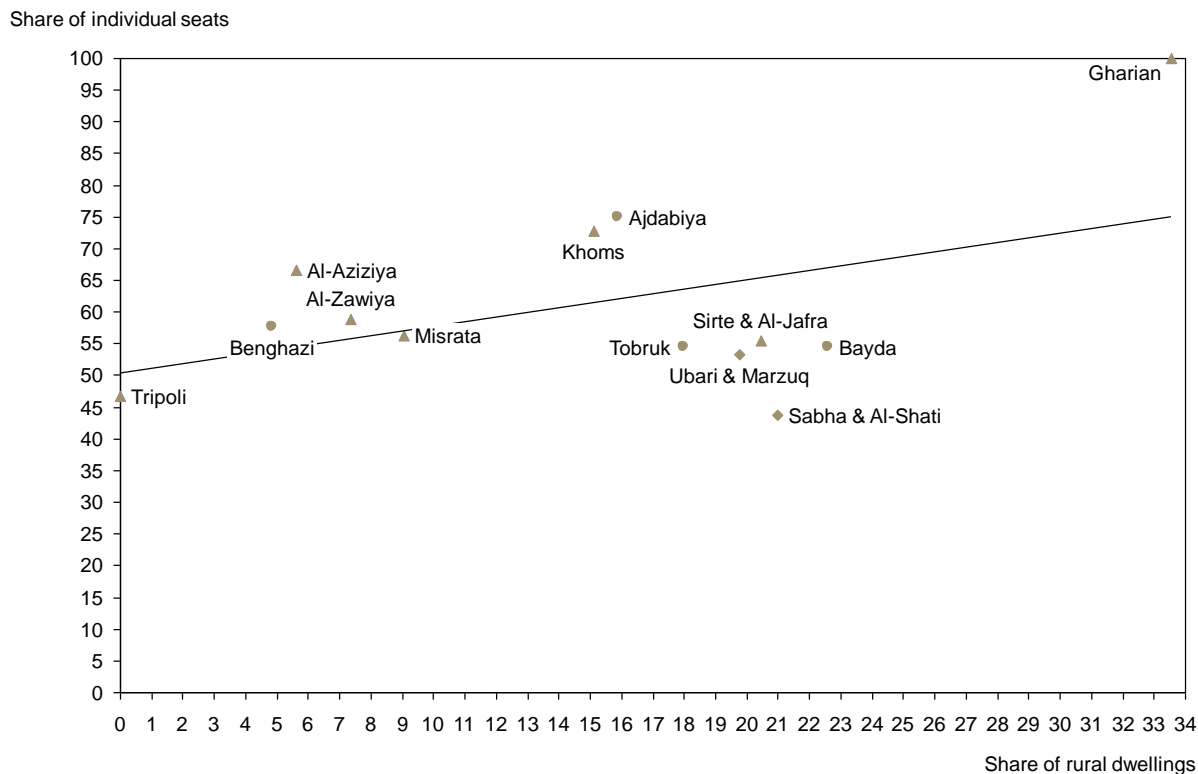


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Districts that had a larger share of rural dwellings also demonstrated a preference for individual seats. Figure 6 shows the positive relationship between the share of individual seats and the share of rural dwellings within districts.

**Figure 6: Relation between share of rural dwellings and share of individual seats**

**Relationship between share of share of rural dwellings and distribution of individual seats**



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The sub-districts’ requests for 158 individual seats and only 62 list-based seats can be explained by the perception that individual seats guarantee representation in the GNC. As one interviewee described it:

*“At the beginning they had the local districts decide how to distribute their assigned seats between them, but due to the fact that individual seats guarantee representation of each district, and the fact that there is a risk associated to proportional representation that candidates from other districts might participate, many sub-districts wanted individual seats.”*

Since the total distribution had to align with the election law distribution the NTC could either change the number of seats in the constitutional declaration to 238 seats instead of 200; change the election law to the 158 individual seats and 62 list-based seats as requested by the sub-districts; or convince the districts to negotiate a distribution in alignment with the 120 individual seats and 80 list-based seats mandated by the election law.<sup>19</sup>

The NTC chose the last option and initiated a second round of negotiations to convince more districts to accept lists. Some sub-districts, such as Janzour, agreed to have their seats elected by proportional representation instead of individual races. Other sub-districts

<sup>19</sup> Interview person 1



insisted on their individual seats, and refused to share representation.<sup>20</sup> An example given by an interviewee is Al-Aziziya:

*“Because of the conflict between Aziziya and Wergfana they could not share representation.”*

Negotiations continued until consensus was reached on a final distribution, which aligned with the 120 individual seats and 80 list-based seats stated in the election law.<sup>21</sup> According to an interviewee:

*“Some districts ended up having many or solely individual seats and others ended up with more list-based seats than individual seats, like Tripoli, but this was the only possible solution in order to reach consensus while aligning with the election law.”*

The NTC issued Law No. 14-2012 on March 12, 2012 formalizing the final agreement regarding distribution of seats across districts as well as distribution of individual and list-based seats among sub-districts.<sup>22</sup>

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<sup>20</sup> Interview person 2

<sup>21</sup> Interview person 1

<sup>22</sup> (POMED Backgrounder, 2012)

### **4.3 The outcome: A mixture of elements from different electoral systems and a complex districting.**

This section describes the details of the election law, followed by an overview and explanation of the final agreement on the distribution of seats in the GNC.

#### **The final election system included list-based seats as well as individual seats elected by first-past-the-post and single-non-transferable vote.**

The election law of January 28, 2012 established a parallel electoral system with seats distributed in 13 districts and 73 sub-districts. The system includes 120 individual seats elected in majoritarian races and 80 list-based seats elected through closed-list proportional representation in 20 list districts. The electoral law used the largest remainder system to apportion list seats. Among the 120 individual seats, 80 seats were elected by single-non-transferable vote in 29 sub-districts, and 40 seats by first-past-the-post in 40 sub-districts.<sup>23</sup>

The election law also established voter and candidate eligibility requirements: Eligible voters must be Libyan citizens, at least 18 years of age, legally competent, registered to vote, unaffiliated with military institutions, and never convicted of a felony or misdemeanour involving moral turpitude (unless rehabilitated). To be able to run in the GNC elections, candidates and list members had to be at least 21 years of age and literate. They were not eligible to run if they were a member of the NTC or the interim government, a former member of the Executive Office, a chairperson of a local council, or a member of the commission, its sub-committees or pooling centres. Further, candidates were required to fulfil the National Integrity criteria and conditions adopted by the NTC.

The election law established a women's quota based on the proportional representation system. The system included a vertical and horizontal zipper system: Candidates on the lists had to alternate between male and female candidates, and when a group ran lists in more than one district, the candidates heading the lists had to alternate genders.

In total, 2,639 individual candidates for the majoritarian system, and 142 lists for the parallel proportional representation system registered for the July GNC elections.<sup>24</sup>

#### **The negotiations on the distribution of seats across districts resulted in some districts receiving additional seats and others giving up seats.**

Figure 7 below shows the various steps in the distribution of the GNC seats along with the final and agreed distribution across regions. The figure shows the distribution of seats according to both population and area. The figure shows that when area was included in the formula to distribute seats, districts with dense populations like Tripoli and Benghazi lost 4 and 2 seats, respectively, while districts with large area sizes were given additional seats.

Following the distribution of seats across regions, the distribution was negotiated between the districts as described in the previous section. The result is shown in the last column of

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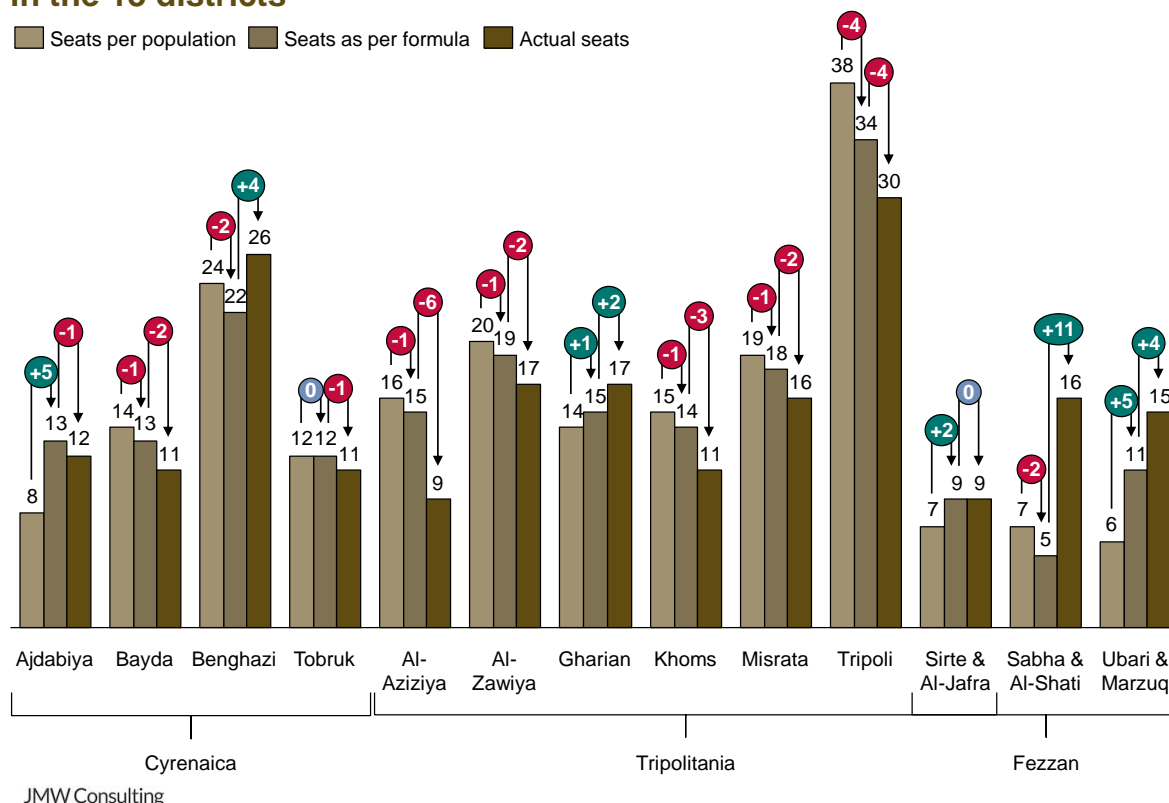
<sup>23</sup> (POMED Background, 2012)

<sup>24</sup> (POMED Background, 2012)

the figure. As Figure 7 shows, Tripolitania received 106 of the seats corresponding to 53% of the total 200 seats in the GNC, while Cyrenaica received 60 seats (30%) and Fezzan 34 seats (17%).<sup>25</sup>

**Figure 7: Overview of the steps in the distribution of the 200 GNC seats across Libya's 13 districts**

**Relationship between seats per population, per formula and actual seats in the 13 districts**



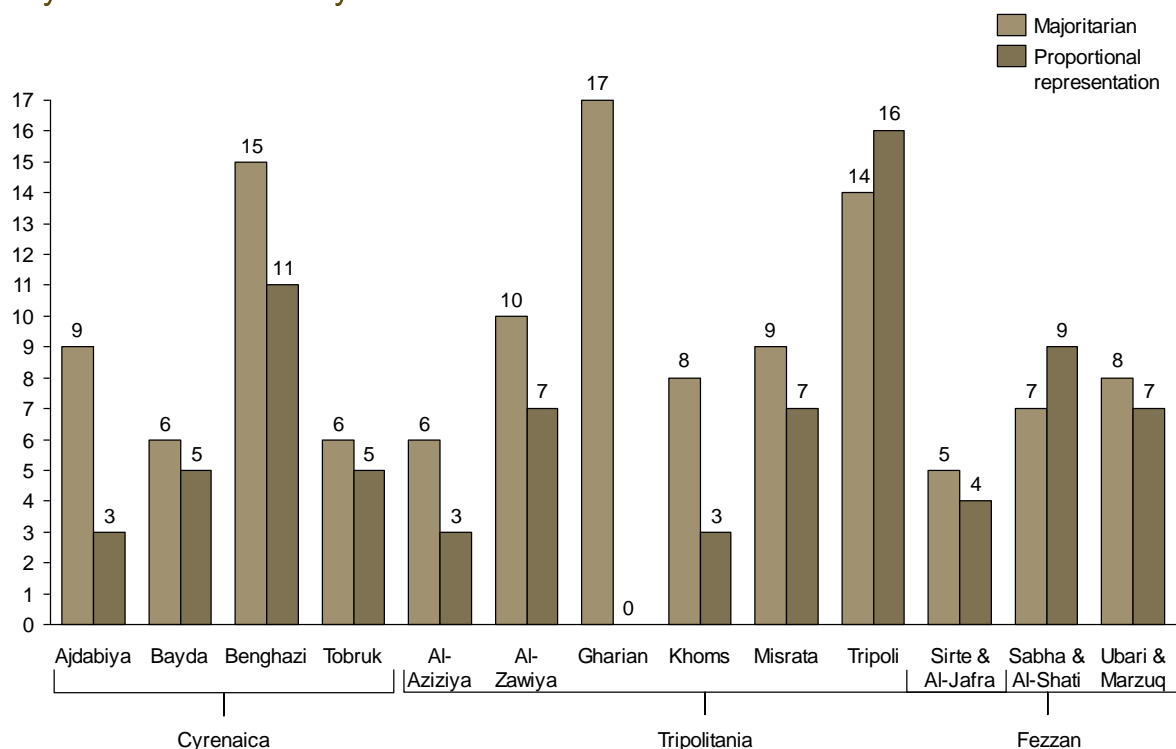
**The negotiations on the distribution of individual and list-based seats resulted in an uneven composition of the two types of seats within the various districts.**

In order to reach consensus on the distribution of the 120 individual and 80 list-based seats, districts adopted different compositions of individual and list-based seats. The district of Gharian only had individual seats since the district covers a large area comprised of various tribal lines. Every sub-district of Gharian requested an individual seat in order to ensure GNC representation. Other districts, such as Tripoli, had a bigger share of list-based seats than individual seats in order to compensate and align the final distribution with the election law.

<sup>25</sup> The exact distribution of seats between Fezzan and Tripolitania is unclear, as the Sirte & al-Jafra district covers both Fezzan and Tripolitania. While the 2 of the individual seats in this district were elected in al-Jafra and therefore are Fezzan seats, the 4 party seats were elected in a single district. The distribution of seats is that 3 of the party seats in Sirte & al-Jafra district belong to Tripolitania and 1 party seat belongs to Fezzan.

**Figure 8: Overview of the distribution of individual and list-based seats across districts**

**Uneven distribution of individual and party seats across districts**  
System breakdown by district



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**The complex and uneven distribution of GNC seats was necessary in order to ensure inclusion and consensus**

The complex and uneven distribution of the 200 GNC seats shown in the figures above appears irrational. No obvious logic or parameter guides the distribution of seats across districts, nor is there an even composition of individual and list-based seats across districts. Some districts are solely comprised of individual seats, while others have a mixture of individual and list-based seats. Further, the number of seats distributed to each district cannot be calculated according to any international standards for a mathematical distribution, such as population.

The apparent complex and uneven seat distribution results from the overall goals for the GNC elections. NTC wanted first and foremost to ensure a peaceful and inclusive election, making negotiations over representation and the resulting distribution necessary.

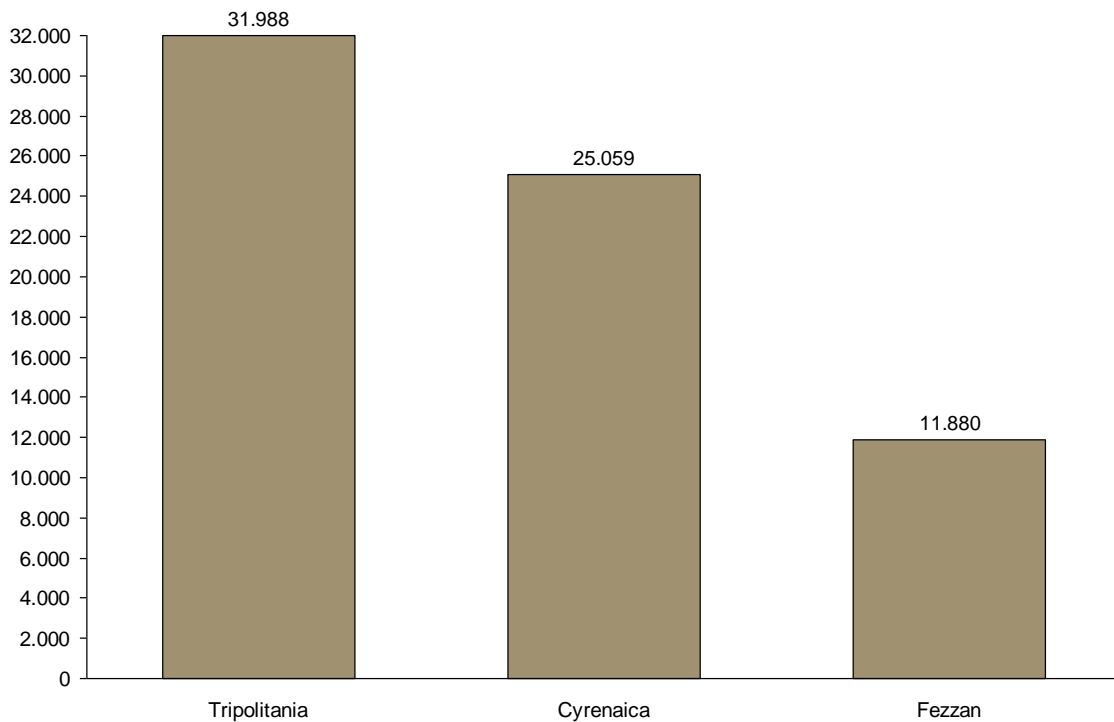
Guided by the goals of peacefulness and inclusiveness, the drafting of the seat distribution law focused primarily on ensuring consensus, especially amongst local elites. The variations among and within districts, both in relation to population density, area, and tribal and local conflicts, made it unfeasible to rely solely on a mathematical formula to distribute seats.

#### 4.4 Impact of seat distribution on elections

The introduction of geographical size in the formula for distributing seats meant that instead of having an even representation of the populations in the three regions, the regions were represented at different rates. Each of the 106 seats for Tripolitania represented 31,988 persons, while each of the 34 seats for Fezzan represented 11,880 persons. Citizens of Fezzan are overrepresented in the GNC, while Tripolitania citizens are underrepresented. The best represented Tripolitania district has 22,160 people per GNC seat. At the other end of the spectrum, Al-Aziziya, Khoms and Tripoli are the least represented districts within Tripolitania. Had the committee relied solely on population size, each seat in the GNC would have represented roughly 26,000 persons. The district of Ubari & Marzuq in Fezzan was the most overrepresented district with only 10,970 people per seat—roughly four times less people than the number of people per seat in the Al-Aziziya district.

**Figure 9: Representation of the seats in the three regions**

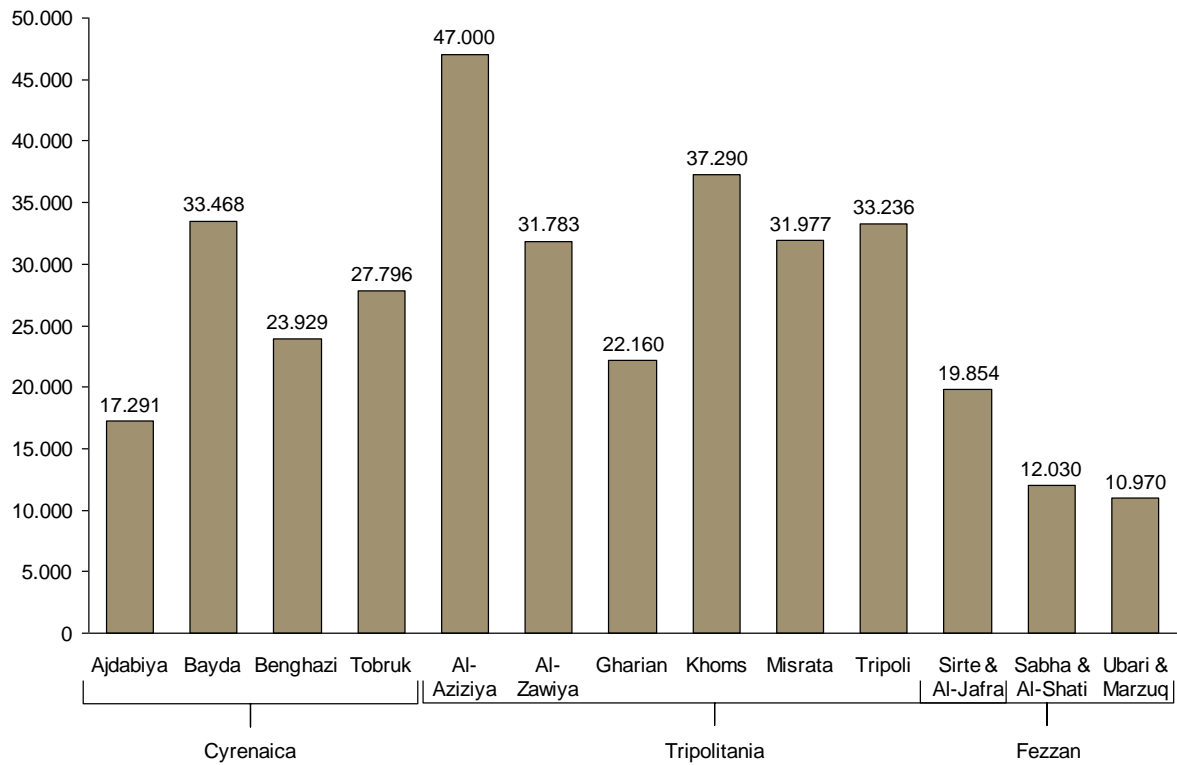
#### Population per total number of seats



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**Figure 10: Representation of the seats in the 13 districts**

**Population per total number of seats**

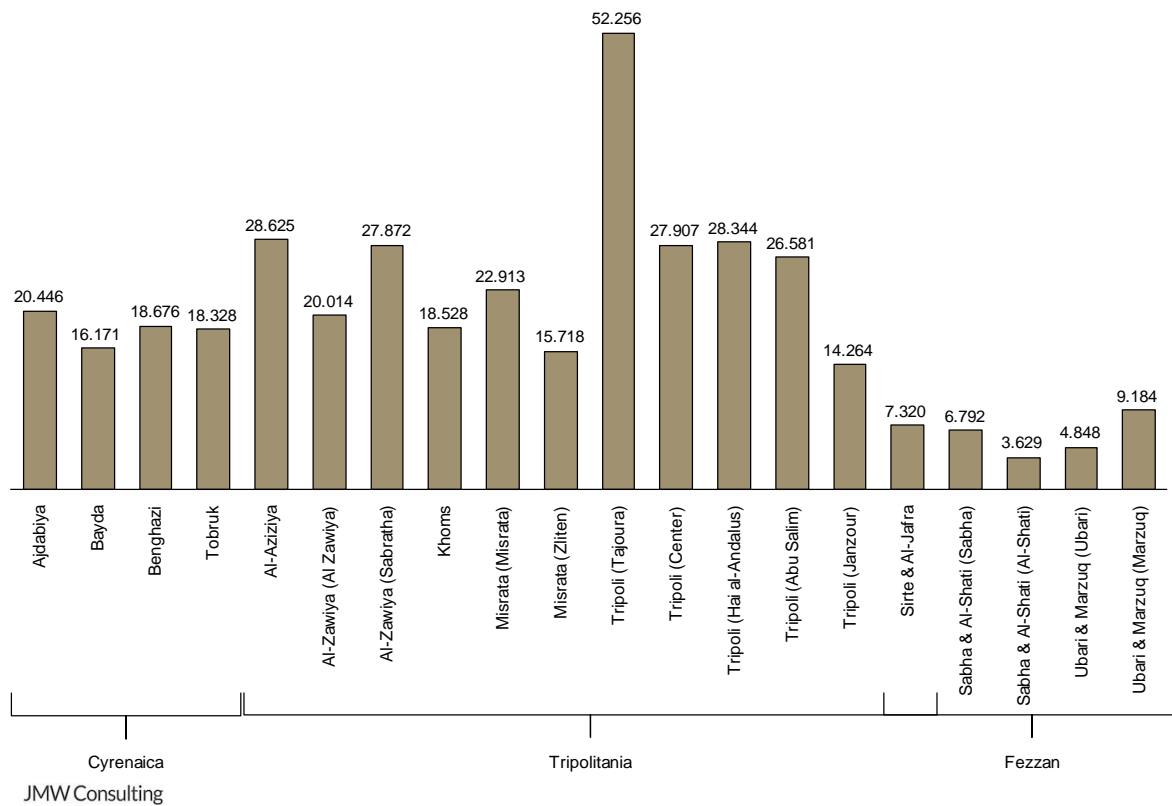


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The distribution of seats impacted the average number of votes it took to win a seat in the GNC. In the Tajoura party district in Tripoli, the average votes per party seat was 52,256, compared to an average of 3,629 votes per party seat in the Al-Shati party district. These variations put significant constraints on political parties competing in districts where a larger number of votes were required to win a seat. The variations also meant that political parties could focus their resources on districts where fewer votes were required to win a seat.

**Figure 11: Average vote requirements in 20 party districts**

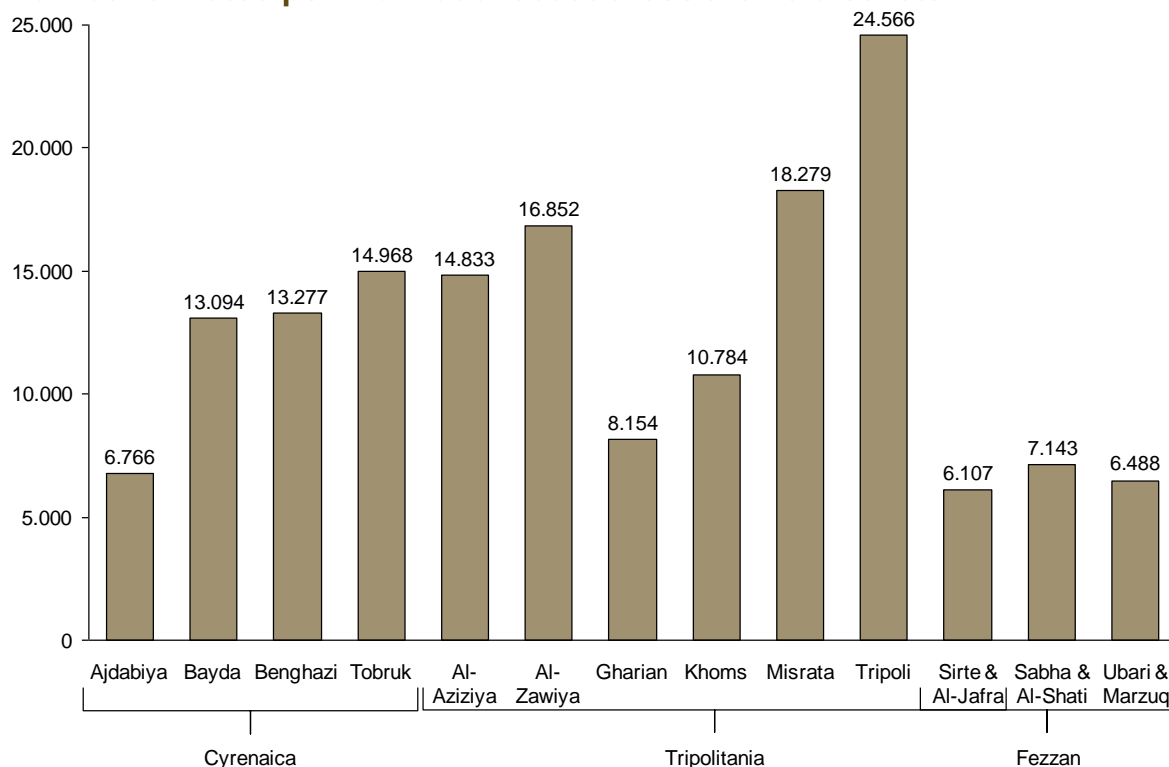
**Number of votes per party seat across 20 party districts**



The same variation applied to individual seats. Again, the district of Tripoli required the most votes, with an average of 24,566 votes to win a seat. As Gharian had a total of 17 individual seats, the average number of votes required in this district was only 8,154 votes — roughly one-third of the votes required in Tripoli. As with the parties, these large variations put different levels of pressure on the individual candidates and their ability to mobilize voters and gain support. To win, individual candidates in Tripoli had to convince approximately four times as many voters than individual candidates in Sirte & Al-Jafra.

**Figure 12: Average vote requirements in 13 individual candidate districts**

**Number of votes per individual seat across the 13 districts**



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Lastly, the overall distribution between individual and list-based seats, as well as the distribution of these seats between the different districts, meant that the political parties had to compete in different races. Some of the parties performed better in races for the individual seats, while others performed better in races for the list seats.

The National Forces Alliance (NFA) dominated the races for list seats and won roughly 50% of these seats (39 seats). However, in the race for the individual seats, the NFA only won 21% of the seats (25 seats) and the individual seats only contributed to 40% of the NFA’s total seats.

The JCP won the second highest number of party seats (21%). However, they were able to double their number of seats in the GNC through the individual candidate races, where they won 17 seats or 14% of the total seats.

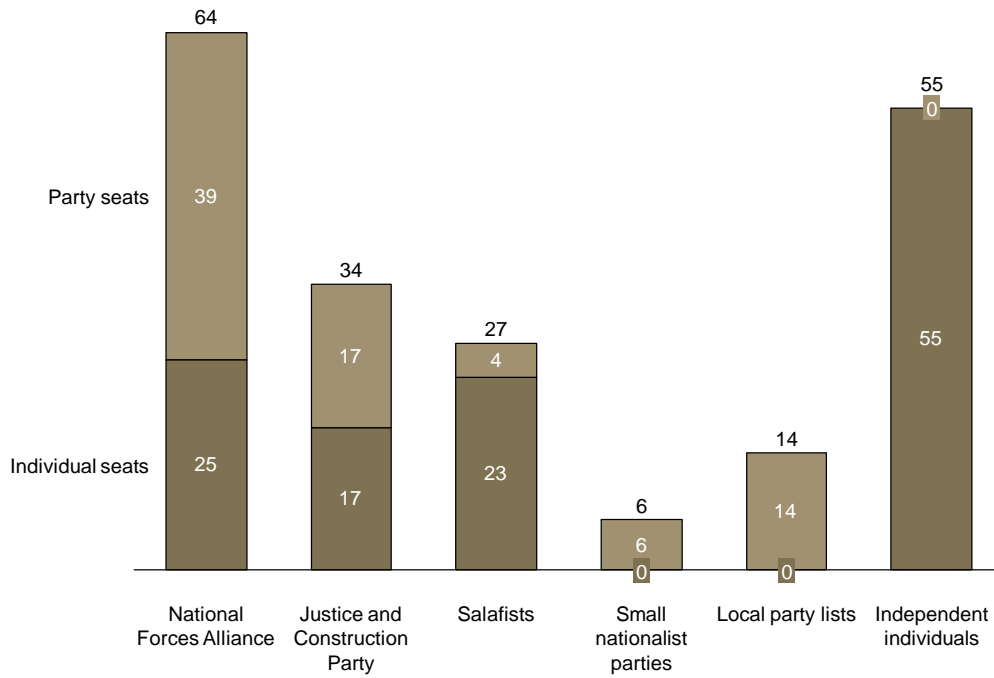
Salafi parties had a relatively poor performance in the party seat races, winning only 4 seats. However, through the individual candidate races, the Salafists were able to boost their GNC representation winning 23 seats or roughly 19% of the total seats. They outperformed the JCP in the individual candidate races and performed nearly as well as the NFA. The individual candidate seats accounted for roughly 85% of the Salafist GNC seats.<sup>26</sup>

<sup>26</sup> The affiliation of the individual candidates is based on the report by Wolfram Lacher: Bruchlinien der Revolution. Akteure, Lager und Konflikte im neuen Libyen.



Figure 13: Party seats and individual candidate seats of major parties

**Parties' seats won through proportional representation and individual seats**



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## 5 Socio-demographics impact on voting behavior

This section focuses on the impact of the distribution of seats as well as districting on the outcome of the election. The rate of representation for the Libyan population varies because of the seat distribution. The distribution also changed the required number of votes for political parties and individual candidates to win a seat by district.

The districting also meant that the parties competed in widely different social environments. This had a significant impact on the outcome of the elections especially for the party lists: the National Forces Alliance, the Justice and Construction Party, the Union for Homeland Party, the National Front Party, and the National Centrist Party.

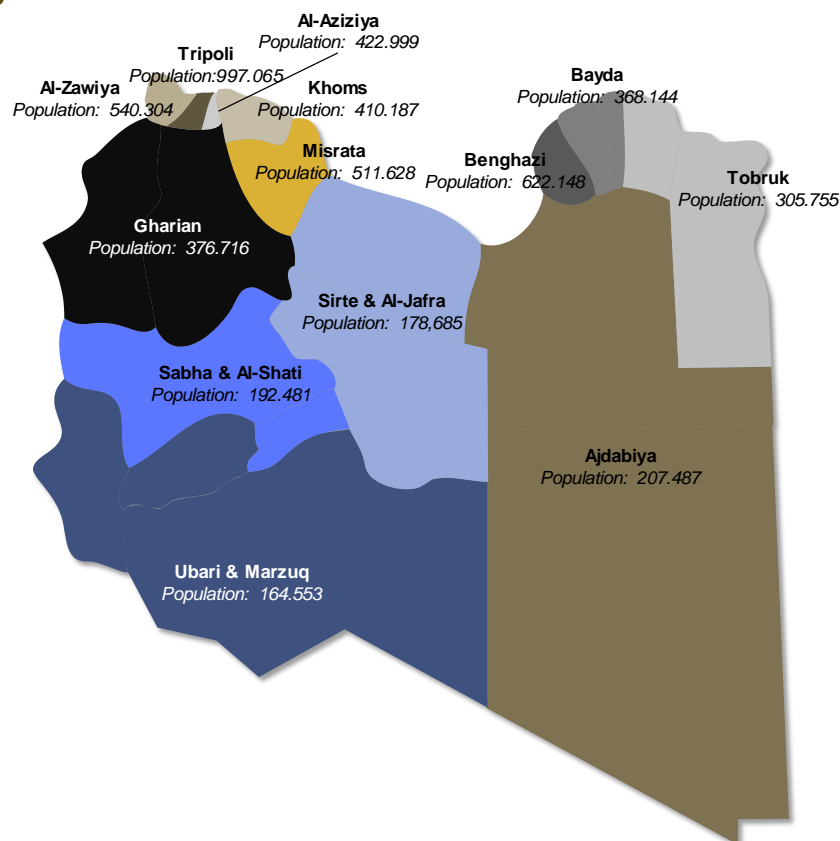
This section first describes the electoral districts of Libya in more detail and secondly analyzes the impact socio-demographics had on voting behavior.

### 5.1 Socio-demographic profiles of districts

The geographical distribution of the 13 districts and their population numbers are shown in the following figure.

**Figure 14: Map of Libya's electoral districts**

#### Map of Libya's electoral constituencies



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Libya's electoral districts vary greatly in population and area, as described in the previous section and shown in Figure 9. This means that the political parties competed in widely different environments. Some districts, such as Tripoli and Benghazi, are densely populated,

while others are less populated, such as Sirte & Al-Jafra, Gharian, and districts within Fezzan.

The education level also varies from district to district and region to region. Generally, the rate of illiteracy ranges from 12% to 33%. Fezzan is the region with the highest illiteracy rate (23%), although the districts with the highest rate of illiteracy are Al-Zawiya and Khoms in Tripolitania. Tripolitania is also host to the districts with the lowest rate of illiteracy, such as Misrata and Tripoli, with 12% and 14% respectively.

The region with the highest employment rate (81%) is Tripolitania. In Cyrenaica and Fezzan, approximately 75% of citizens are employed. The district with the highest employment rate is Al-Jafra in Fezzan (90%). It should be noted, however, that these numbers are based on the 2006 census data and, thus the employment rates were recorded before the outbreak of the financial crisis and the fall of the Gaddafi regime.

Fezzan is the least urbanized of the three regions, with 19% of dwellings in rural areas. The level of “ruralisation” ranges from 0% in Tripoli to 34% in Gharian— both situated in Tripolitania.

Lastly, districts show large variations in development levels. The level of development is measured by the extent to which dwellings in the district are connected to a public sewage system, which is an indicator for the level of investments in public infrastructure in the different districts. Poorer districts are expected to spend less money on public infrastructure and they therefore have a smaller share of dwellings connected to a public sewage system. In general, the districts development levels range from 14% in Gharian, to 76% in Tripoli.

The table below shows the socio-demographic profiles of the 13 districts and the three regions of Libya.

**Table 1: Socio-demographic profiles**

**Socio-demographic profiles of the 13 districts**

	Geographical size (sq. km)	Geographical size, pct	Population	Population, pct	Rural dwellings, pct.	Urban dwellings, pct.	Illiterate/read & write, pct.	Employed, pct.	Dwellings connected to public sewage system, pct.
Ajdabiya	542.134	32%	207.487	4%	16%	84%	21%	81%	55%
Bayda	24.944	1%	368.144	7%	23%	77%	17%	84%	58%
Benghazi	11.372	1%	622.148	12%	5%	95%	15%	84%	67%
Tobruk	116.507	7%	305.755	6%	18%	82%	16%	73%	68%
Cyrenaica	694.957	41%	1.503.534	28%	13%	87%	17%	78%	63%
Al-Aziziya	2.666	0%	422.999	8%	6%	94%	16%	85%	20%
Al-Zawiya	8.842	1%	270.751	5%	7%	93%	33%	87%	15%
Gharian	143.908	9%	376.716	7%	34%	66%	19%	85%	14%
Khoms	6.796	0%	269.553	5%	15%	85%	32%	76%	19%
Misrata	29.172	2%	921.815	17%	9%	91%	12%	84%	22%
Tripoli	835	0%	997.065	19%	0%	100%	14%	83%	76%
Sirte	86.399	5%	131.786	2%	25%	75%	20%	81%	42%
Tripolitania	278.618	17%	3.390.685	64%	9%	91%	17%	81%	36%
Sabha & Al-Shati	107.310	6%	192.481	4%	21%	79%	30%	76%	69%
Ubari & Marzuq	456.275	27%	164.553	3%	20%	80%	19%	74%	35%
Al-Jafra	139.038	8%	46.899	1%	11%	89%	17%	90%	44%
Fezzan	702.623	42%	403.933	8%	19%	81%	23%	76%	52%

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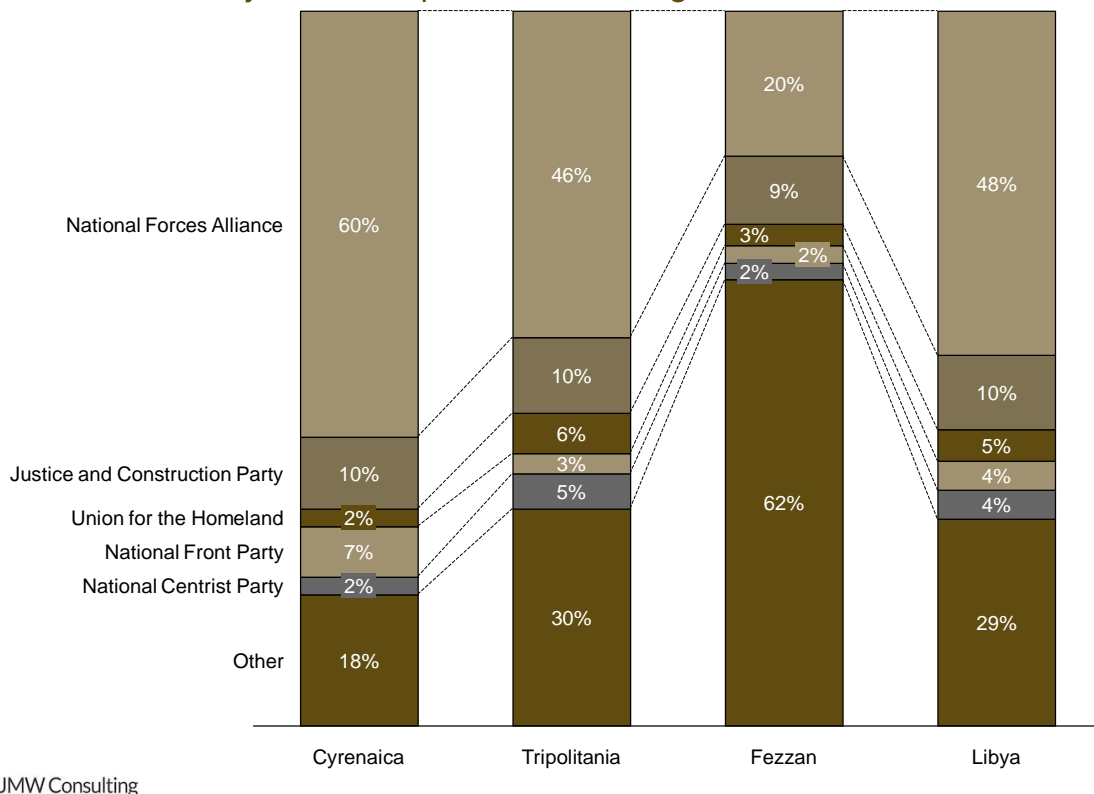
## 5.2 Impact of socio-demographics on voting behavior

Not only were political parties constrained by the number of list seats in the different districts and the distribution of seats per population, they also faced electoral districts with diverse socio-demographic profiles. This affected voting behavior in several ways. The extent to which the major national parties were able to gain support in the different districts seems to have been a significant dividing line in the elections<sup>27</sup>

Collectively, parties seem to have had difficulty gaining votes in less urbanized educated areas, such as Fezzan, where major parties were only able to win 38% while they had strong results in Tripolitania (82% of the total votes) and in Cyrenaica (70% of total votes). This indicates that in Fezzan local party lists instead of national party lists gained the support of the voters.

**Figure 15: Election results across the three regions**

### Large differences in party size across regions in the GNC 2012 elections % of votes for major national parties across regions

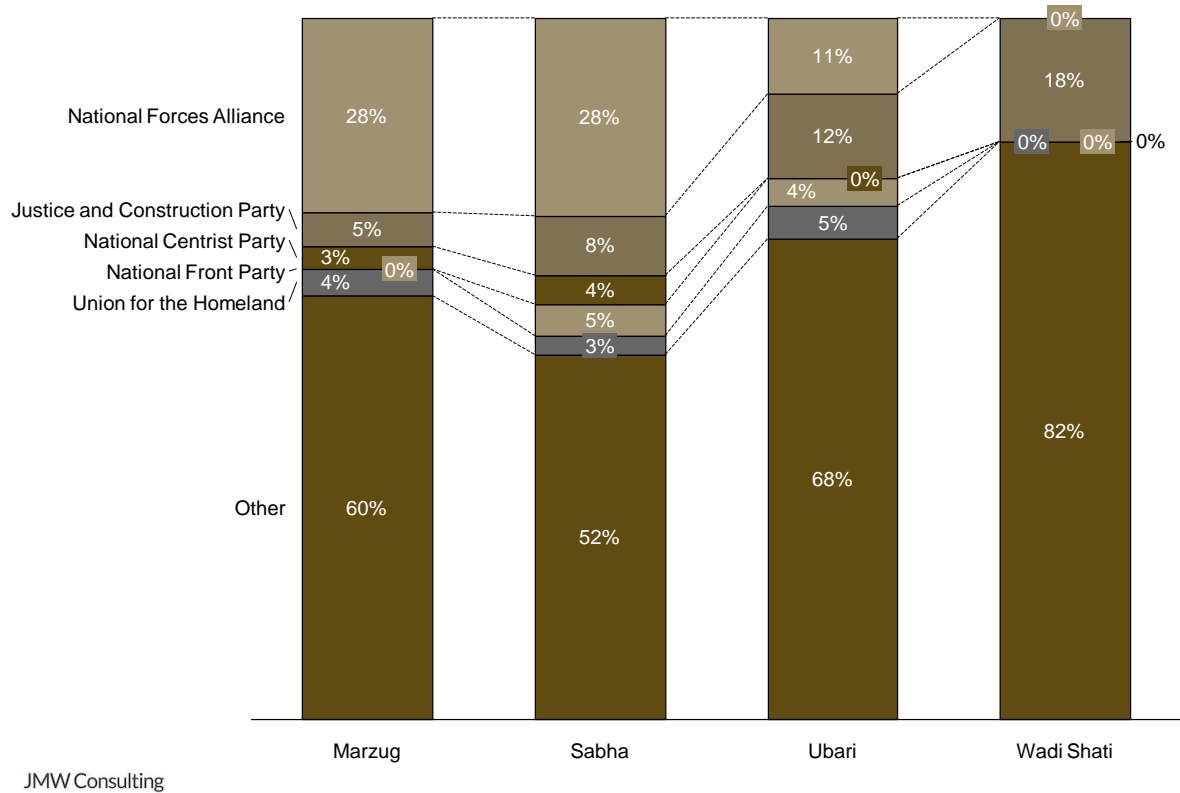


In Fezzan, it appears that major parties were particularly weak in the districts of Al-Shati and Ubari. Here, major parties won 18% and 32% respectively. One explanation seems to be that the NFA did not run in Al-Shati, but in Ubari. The NFA did comparatively worse, only gaining 11% of the votes compared to their overall 48% of the votes. In Marzuq and Sabha, the NFA also performed below average, gaining 28% in both districts.

<sup>27</sup> The major national parties are National Forces Alliance, Justice and Construction Party, National Front Party, Union for Homeland and National Centrist Party all gaining more than 3 % of the votes and accounting for 71 % of the total votes in Libya

**Figure 16: Support for major parties in Fezzan**

**Fezzan voting patterns**

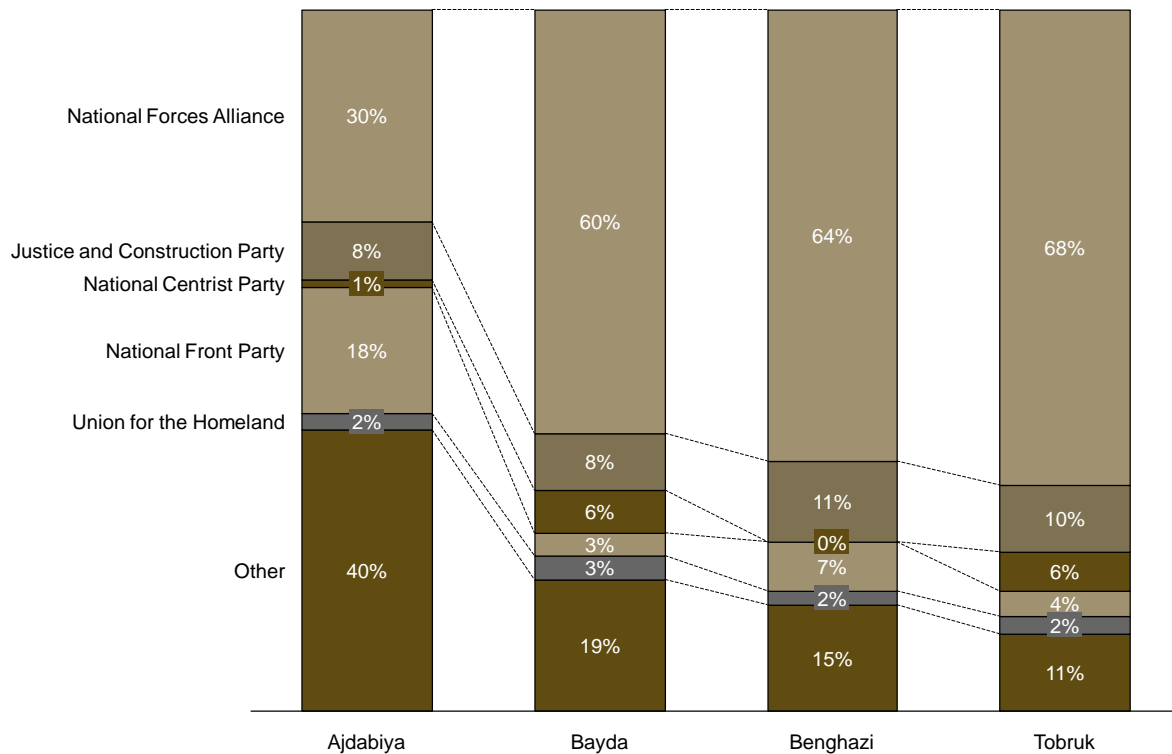


In Cyrenaica, the major parties fared better, winning 70% of the votes. Ajdabiya was the only district where the major parties performed below average, winning only 60% of the seats. The NFA performed below average in this district, winning only 30% of the votes. In contrast, the National Front Party performed very well in this district winning 18% of the votes compared to their national average of 4%. The National Front Party generally performed above average in Cyrenaica and has focused activities in this region, and held their party conference in Benghazi.<sup>28</sup>

<sup>28</sup> (Khan, 2012)

**Figure 17: Support for major parties in Cyrenaica**

**Cyrenaica voting patterns**



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In Tripolitania, major parties had their strongest levels of support, winning 82% of the votes. Despite this, there were significant variations between the different party districts in Tripolitania.

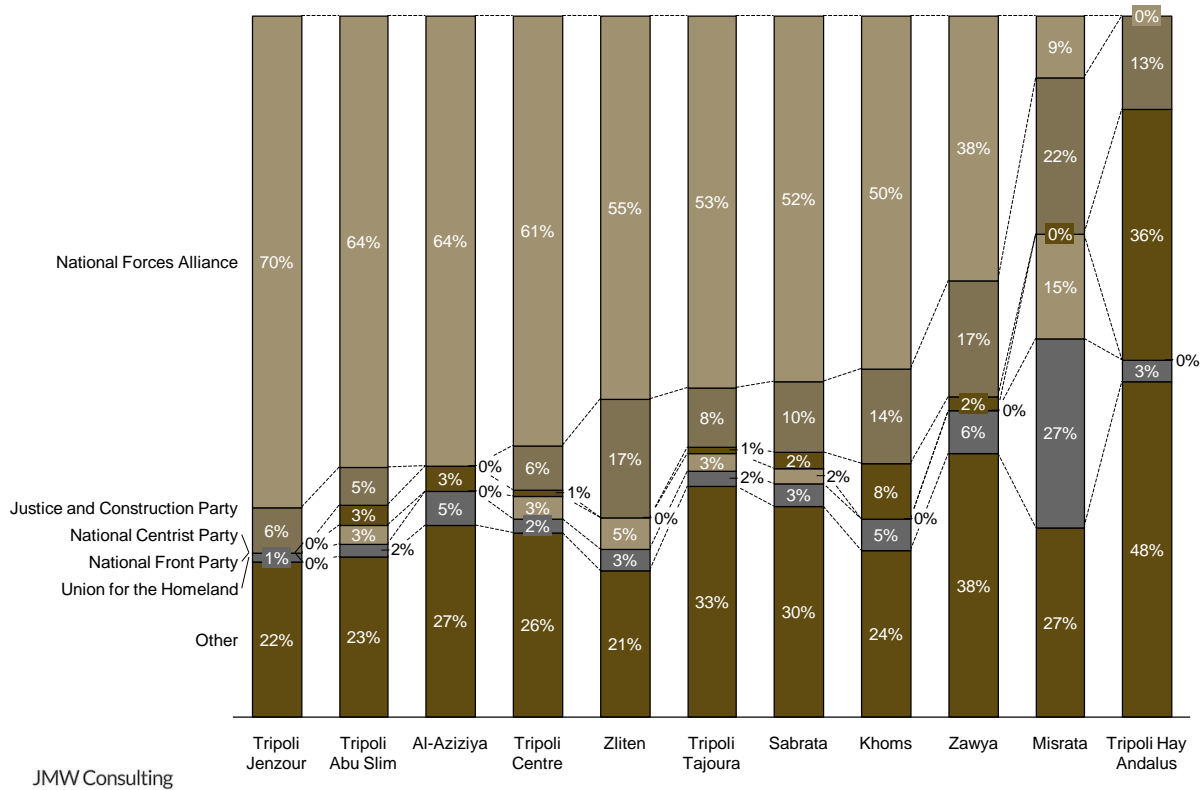
In Misrata, the NFA had the lowest support of all districts, winning only 9% of the votes. The Misrata voters seem to have favoured the other major parties, especially the Union for Homeland Party, which won 27% of the Misrata vote. This strong result was likely due to the local ties of party leader Abdurrahman Sewehli, who is a descendent of a prominent Misrata family.<sup>29</sup> The JCP also had a strong result in Misrata, winning 22% of the votes, likely because their leader Mohammed Sowan is also from Misrata.<sup>30</sup> The National Front Party also performed above average in Misrata, winning 15% of the votes.

<sup>29</sup> (Cousins, 2012)

<sup>30</sup> (Khan, 2012)

**Figure 18: Support for major parties in Tripolitania**

**Tripolitania voting patterns**



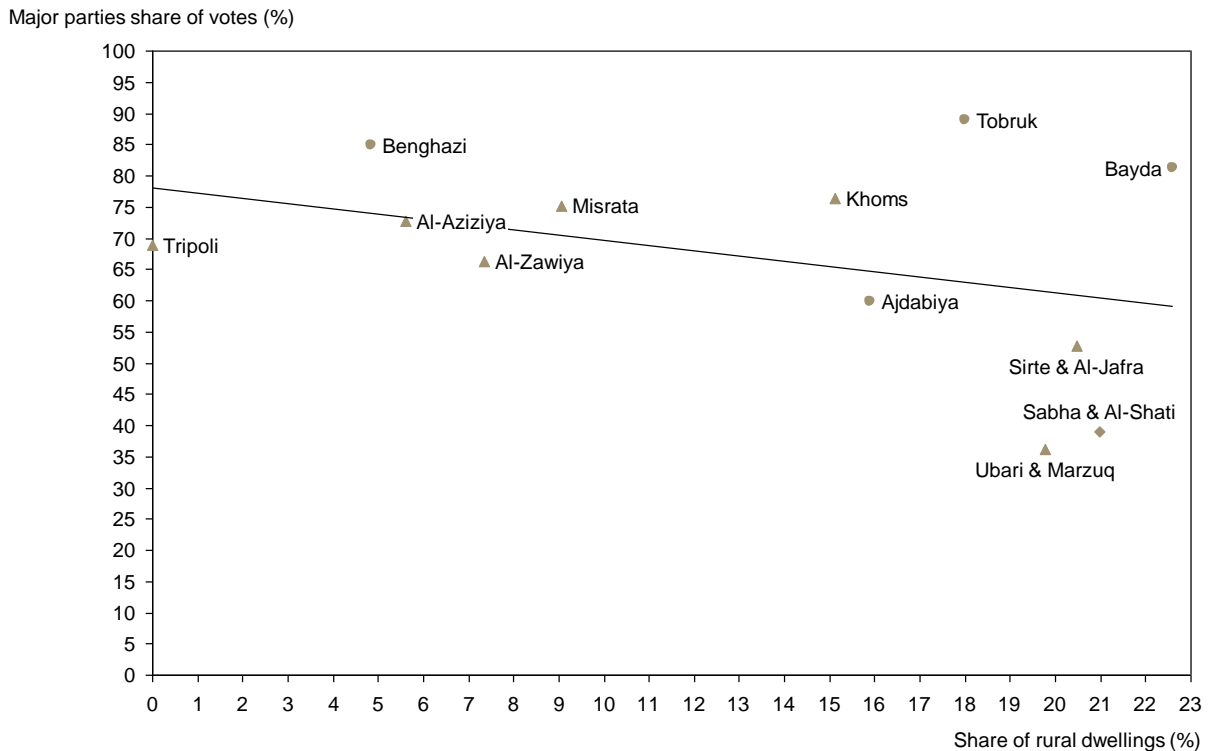
The regional and district level differences in support for the major parties can be explained by different factors. It seems that the origins of the party leader make a significant impact on party support in the districts.

In general, major parties were also less able to attract voters in more rural districts. The support for major parties was lowest in districts such as Sirte & Al-Jafra, Sabha & Al Shati, and Ubari & Marzuq, which have between 20% to 21% share of their dwellings in rural areas, with vote totals ranging from 36% to 53%. At the other end of the spectrum were districts such as Tripoli, Benghazi and Al-Aziziya where between 0% - 6% of their dwellings are in rural areas and major parties gained between 69% and 85% of the vote. That the major parties found it difficult to establish a presence and outreach in more remote areas of Libya, and that local lists were more prevalent in these areas, may explain the impact of urbanization on voting behavior.



**Figure 19: Correlation between major party support and "ruralisation"**

**Relationship between share of votes for major parties and share of rural dwellings**



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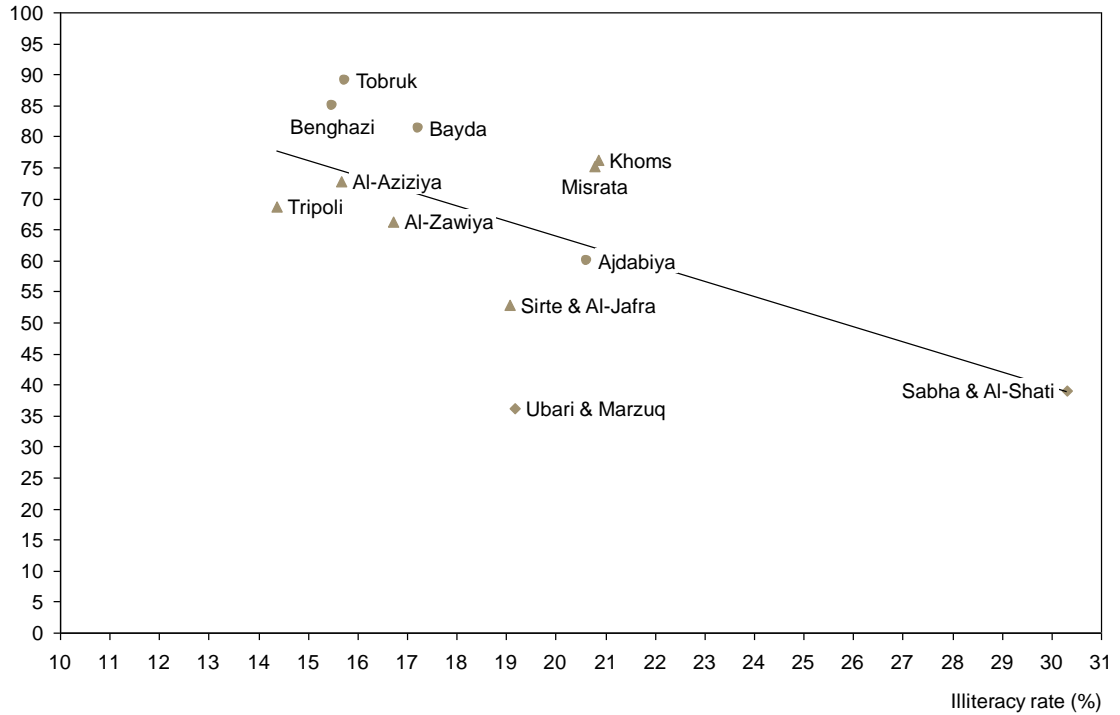
Another factor that seems to have influenced the voting behavior in Libya is the education level. This factor correlates positively with the share of rural dwellings, meaning that the higher the rate of rural dwellings, the higher the rate of poorly educated. However, education does seem to be a key determinant of voting behavior in Libya.

As shown in the figure below, the higher the share of poorly educated persons in the district, the lower the share of votes for the major parties. This disparity is most clearly visible in the Sabha & Al-Shati district, where the illiteracy rate is roughly 30%; and major parties won only 39% of the votes. At the other end of the spectrum are areas such as Tobruk, Benghazi and Tripoli, whose illiteracy rates are between 14% to 16% and major parties gained from 69% to 89% of the votes. The fact that poorly educated people are less able to understand political campaigns and material may explain the impact of education levels on voting behavior. They may be less likely to trust national political parties and more likely to vote for people they already know.

**Figure 20: Correlation between major party support and education level**

**Relationship between share of votes for major parties and share of illiteracy rates**

Major parties share of votes (%)

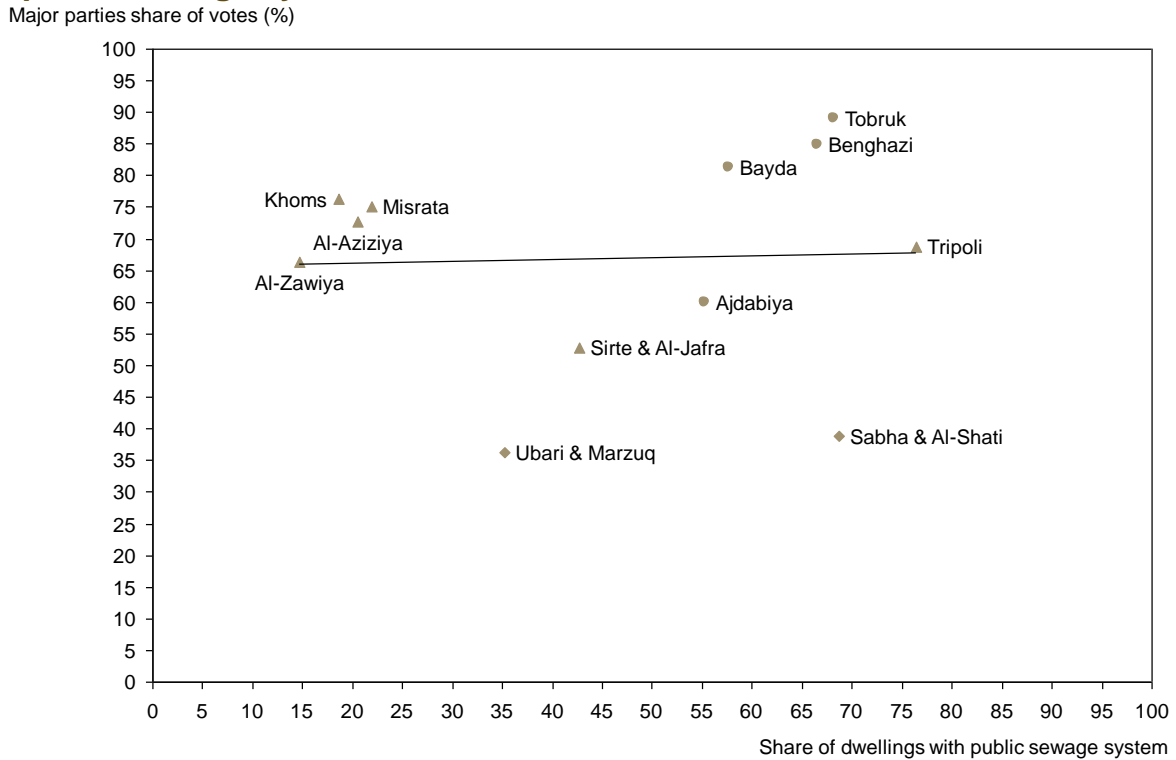


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While the level of urbanization and education seems to have impacted voting behavior and had a negative impact on the votes for major parties in Libya, development levels does not seem to have made a significant impact on collective support for the major parties.

**Figure 21: Correlation between major party support and dwellings connected to public sewage system**

**Relationship between share of votes for major parties and dwellings with public sewage system**



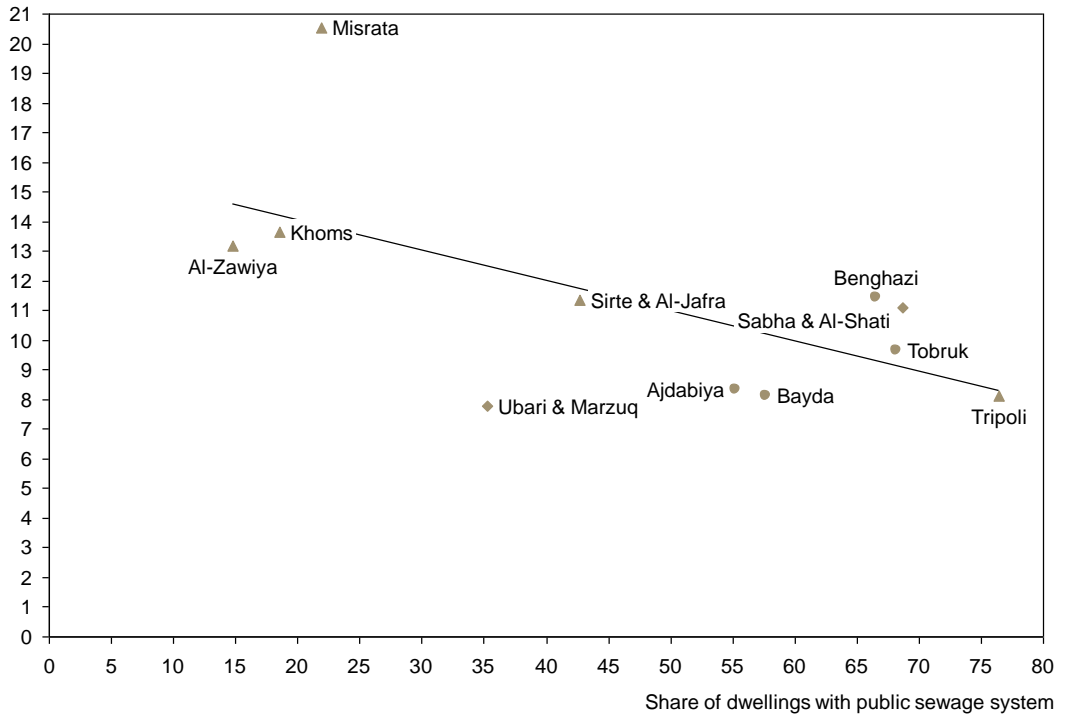
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The development level did not impact support for the major parties, but it did vary between parties. The Justice and Construction Party attracted more votes in less developed districts. While the high level of support in Misrata is likely attributable to the Misratan origin of JCP party leader Mohammed Sowan, the high level of support for the JCP in areas such as Khoms and Al-Zawiya—where only 15% to 19% of the dwellings are connected to a public sewage system—is likely attributable to the underdevelopment of these districts. Similarly, the JCP has the lowest levels of support in Tripoli, where 76% of the dwellings are connected to a public sewage system—the highest rate in Libya.

**Figure 22: Correlation between Justice and Construction Party support and dwellings connected to public sewage system**

**Relationship between share of votes for Justice and Construction Party and dwellings with public sewage system**

Justice and Construction Party share (%)



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## **6 Conclusion**

The process of developing the election law and distributing the seats to be filled by the 2012 GNC election was a comprehensive and complex political process. The study provides an in-depth understanding of the process of developing the election system as well as the system's impact on the GNC election.

The study provides important insight into the impact the election law had on election results and provides guidance for future elections including the upcoming election for a 60 people constituent assembly (C-60) responsible for drafting a new constitution in Libya

Lastly the study provides tentative explanations of the impact socio-demographics had on voting behavior, which political parties can employ in designing their election strategies for upcoming elections.

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