The legislative elections in Tunisia - The start of a new phase or continuation of trench warfare?

By Hafedh Chekir *

The Tunisian elections of 2011 were the first democratic elections in the history of modern Tunisia. The post-election period, however, did not meet public expectations for achieving the goals of the revolution, including the improvement of employment prospects, reduction of social and regional disparities and the provision of security for citizens. The political rhetoric of the early post-revolution period emphasized a divided society, forced to choose between modernity and Islamic civilization or between secularism and adherence to religion (framed differently according to the party). This division dominated the political discussion in the place of important debate over the political and economic programs of the parties. The division also affected the work of the Constituent Assembly tasked with creating a post-2011 constitution and electoral laws for electing a parliament and president.

This paper reviews the heavy legacy of the 2011 elections, which led to the formation of "Call for Tunisia" (Nidaa Tounes) movement as a reaction to political defeat at the hands of the conservative Ennahda movement in 2011. Under the leadership of the founder of Nidaa Tounes, Beji Caid el-Sebsi, it has grown from a relatively weak position in the 2011 Constituent Assembly to a major political force today, finishing first in the 2014 parliamentary elections as part of a wide alliance of different political groups.

The paper also highlights the essential role of civil society in the political process, from its engagement in the National Dialogue that has help reduce political polarization, to the supervision of the 2014 elections, partly compensating for the weak performance of the independent electoral authority. Despite shortcomings and problems, the acceptance of the 2014 election results by everyone reflects the relative transparency of the process. Although the electoral process had imperfections, it is not believed that these affected the election results.

The paper concludes by emphasizing the importance of overcoming three challenges: first, the exclusion of young people from economic development and participation in political and civic life; second, the excessive focus of political leaders on achieving political goals and seats in parliament rather than developing a program for the country; and third, the exclusion of disadvantaged groups who have boycotted the elections, and been encouraged to do so by the idea of the 'useful vote' based on fear of the other and an interest in perpetuating political polarization.

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The first legislative elections in Tunisia following the January 2011 revolution came in late 2014 in the wake of weak performances by consecutive post-revolutionary governments. These governments were unable to fulfill public expectations regarding the goals of the revolution: to improve conditions of employment, reduce social gaps and provide security for people. Initially, it seemed that the legislative elections had achieved at least some important goals, such as the election of a pluralistic parliament and the laying of foundations for the peaceful transfer of authority. But an essential question remains: were these elections an opportunity for citizens to express real participation in building democracy, or did the attempts by political parties to undermine each other lead to political alienation, as seen by the low turnout and the emergence of Nidaa Tounes' "useful vote"?

The heavy legacy of the 2011 elections

The 2011 elections were seen as the first democratic elections in the modern history of Tunisia. These elections, and especially the electoral campaigns that preceded them, consolidated public polarization in views about models of society. Some political parties presented a view of society as divided between a modern model and an Islamic model with deeply rooted beliefs, or, expressed differently, between a secular model and an Islamic model that clings to its religion. When a private TV channel screened *Persepolis*, an Iranian film, with the language dubbed into Arabic with a Tunisian accent, the public reaction seemed to tip support in favor of the Ennahda (Renaissance) movement and its allies in the elections.[1] This and other similar incidents, such as the failure to keep mosques neutral, and a series of attacks against artists, dominated public discussions. As a result, debate about the future of the country and about the political and economic programs of the parties was absent. This gave an opening to populist parties such as the Popular Petition, which won a large number of votes and surprised all observers of Tunisian electoral affairs. The same can be said of the independent lists surrounding the Ennahda movement, which also won places in the constituent assembly. This was one of the factors that led to disappointing results for democratic, secular and modern movements. The result of the 2011 elections was a constituent assembly comprised of several individuals holding academic degrees (of various levels and specializations), but lacking experience, political know-how and knowledge of state affairs.[2] This had a negative impact on the work of the assembly: the drafting of the constitution was obstructed and there was a delay in issuing laws on the electoral process for the parliament and the president, including the main Elections Law and matters relevant to the Independent High Authority for Elections. It also had a significant impact on the logistical preparations for the next elections, which were ruled to take place no later than the end of 2014 so as not to violate the provisions of the constitution. Moreover, the weak performance of the troika governments that ruled until February 2014 contributed to the unsatisfactory climate because they were incapable of leading or creating a minimum level of trust and confidence between social groups.

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[1] David D. Kirkpatrick. Broadcast of an animated film roils Tunisia before election, The New York Times, October 17, 2011.
[2] Hamadi Redissi, Hafedh Chekir et Asma Nouira. *La Republique des Clercs*, [The Republic of Clerics] Diwan Editions, Tunis 2014.

The political response to the 2014 election results

The formation of Nidaa Tounes (Call for Tunisia) was a political reaction to the defeat of the forces that had opposed the Ennahda movement in 2011. Nidaa Tounes included political figures who wanted to desert the zero point parties (those that did not win even one percent)[3] to form a major democratic movement composed of four components: trade union activists, leftists, constitutionalists (belonging to the Democratic Constitutional Rally, the regime party under the rule of Bourguiba and Ben Ali) and independent figures. The personality of the founder of this movement, Beji Caid el-Sebsi, contributed to making Nidaa Tounes the destination for independent individuals who were not interested in joining the other democratic parties. Nidaa Tounes also contributed to the formation of the "Alliance for Tunisia" with some parties positioned to its left. This took place following the 2013 crisis sparked by the killing of constituent assembly member Mohamed Brahmi. This alliance formed a political front but never actually became an electoral party because Nidaa Tounes felt there was a significant difference in size between itself and the parties within the alliance. Soon, despite its weak presence in the constituent assembly, Nidaa Tounes became an important player in the political life of the country and a significant support for the democratic parties represented in the assembly. The influence of Nidaa Tounes increased as a result of its role in the National Dialogue and its strong showing in public opinion polls. In addition, the personality of its leader and the roots of one of its allies (the Democratic Constitutional Rally) helped it to infiltrate the rural areas monopolized by the Islamists in 2011.

Civil society repairs the damage caused by politicians

Civil society played a special role in determining the political scene, as it was able to impose itself as a partner in the process of democratic transition. This was clear in the National Dialogue during which those opposed to the troika became engaged to save the transitional stage from crisis. It was also apparent following the assassination of Brahmi and the halt in deliberations about the constitution of June 1, 2014 on the grounds that it failed to meet the aspirations of several sectors in Tunisian society. In addition, the events taking place in Egypt during the same period had an impact on the stance of the Ennahda movement.

The National Dialogue was launched under the sponsorship of civil society, represented by the Tunisian General Labor Union (Union Générale Tunisienne du Travail - UGTT), the Tunisian Union for Industry, Commerce and Handicrafts (UTICA), the Tunisian Human Rights League, and the heads of the Tunisian Bar Association. One of the factors that boosted the success of the national conference was a roadmap that defined the basic features of the final draft of the constitution and the elections. The National Dialogue still exists, and in a meeting following the legislative elections, the organizers stressed the need to maintain the Dialogue, especially in light of the election results. The results of the elections, and the new structure of the parliament under the revised political regime established by the 2014 constitution, will make it difficult to form a government without resorting to dialogue.

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[3] This was the term used by the troika parties and parties close to them to describe the opposition parties that had won a small number of representatives.

The Independent High Authority for Elections

The Independent High Authority for Elections was formed following the enactment of the Elections Law in mid-2014. There was considerable debate about the choice of members of this authority; this was normal due to the method for selecting the members. The debate continued throughout the preparations for the elections and focused on the integrity of the body and its effectiveness, since there were attempts to control it by some political parties who "infiltrated" the electoral management. This became apparent when some members belonging to political parties nominated themselves to head or become members of polling centers. The issue of violations taking place during the electoral process arose from the fact that the authority was not neutral and its head and members favored a certain political party. The objective factors that affected the process in various ways were ignored. These included wasting time forming the authority and electing its members without reference to the date set for the elections; the authority was not granted sufficient time to organize the process in accordance with international standards. The Tunisian Association for the Integrity and Democracy of Elections (ATIDE) pointed this out in its report on the legislative elections entitled *Effective Presence of Citizenship in light of the weak Independent High Authority for Elections.*[4]   ATIDE confirmed the need to establish an ethos of an independent elections management which is authorized and commissioned to organize and supervise elections. It pointed to the lack of interaction by the independent authority with the other parties involved in the electoral process and criticized the absence of an executive electoral administration.

Civil society is effective in guaranteeing transparent elections

Civil society designated more than 14,000 observers to supervise the elections. The European Union participated with 28 observers who visited 559 polling centers, and the Arab League also sent a delegation to participate in the observation process. Political parties were able to send their observers to supervise the electoral process. It is probably this large number of observers that rendered the Independent High Authority for Elections incapable of providing them all with the appropriate identification papers. The mobilization of civil society to monitor the elections and guarantee integrity and transparency did not prevent violations. Several reports pointed to violations that occurred during the electoral process; these may be the result of poor preparation or training. Violations started from voter registration day and continued until the day of the elections. The process of registering voters, which was based on voluntary registration, was not undertaken in a professional manner and deprived many citizens of their right to vote, especially those living abroad. There were many violations relating to political affiliation such as instigation to violence, influencing voters, exploiting children in electoral campaigns and tearing down the posters of some lists or placing banners and posters in places where they were not authorized by the authority. There were also violations regarding electoral silence and attempts to buy votes.

Violations occurred in polling stations, such as providing voters with ballot cards from other areas or failing to post the electoral lists (27% of polling stations), and the appointment of individuals belonging to parties or running lists in violation of the principle of neutrality of

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[4] Association Tunisien pour l'Integrité et la democratie des elections, « Elections legislatives 2014 : Entre l'affirmation de la citoyennete et la faiblesse de l'ISIE », Tunis 31 Octobre 2014, www.ATIDE.org

polling station employees. There were also problems in vote counting such as excluding civil society observers from the process of sorting ballot papers.

The scope of these violations may not have been great enough to raise doubts about the election results, but their detection proves that civil society monitored the electoral process carefully and also supported the then newly-established Independent High Authority for Elections in its work to avoid such problems in the presidential elections, followed by local council elections. The reports issued by civil society organizations were cited in debates between influential political figures as proof of the integrity and transparency of the elections, such as the issue of political money. Today in Tunisia we have major organizations with experience of electoral monitoring since 2011 and these organizations have growing numbers, human resources and potential.

Public opinion polls, a new method to guarantee the transparency of elections

Tunisia also has a growing number of organizations conducting public opinion polls. As in many other countries, public confidence in opinion polls is linked to the exercise of democracy. Poll respondents do not feel intimidated and give the required data, expressing their opinions in a serious and honest manner, while these organizations have complete freedom to investigate and publish data objectively.

Voices were raised after the revolution and several politicians and journalists vigorously condemned the results of several public opinion polls. In fact, the public opinion polls were not very accurate from the start. For example, the results of polls led one political party to adopt an erroneous strategy (the Progressive Democratic Party). Public opinion polls have been conducted on a regular basis since the end of 2011 and now point to voting tendencies in a more accurate manner.

How were the data used by the political parties? We cannot answer this question precisely, but according to certain indicators, the electoral strategies of some parties, especially Nidaa Tounes and Ennahda, were determined on the basis of the results of public opinion polls. In the recent elections we noticed some degree of consistency between the results of the public opinion polls conducted prior to elections and in exit polls[5] with the election results. This strengthened the confidence of politicians in public opinion poll organizations.

The following graph of polls shows a rise in the percentage of support for Nidaa Tounes and a decrease in the number of voters for Ennahda. The difference between these two parties was over 10% if we exclude those who did not state their position (46.8% versus 35.4%).[6] This is almost the same difference as that between the two major parties who won first and second place in the legislative elections, taking into consideration the differences between the various electoral constituencies.

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[5] SIGMA advises exit polls, EMRHOD one day prior to the ballot.
[6] Sigma advice

Legend:
- Popular Front
- Nidaa Tounes
- Ennahda
- Position not stated
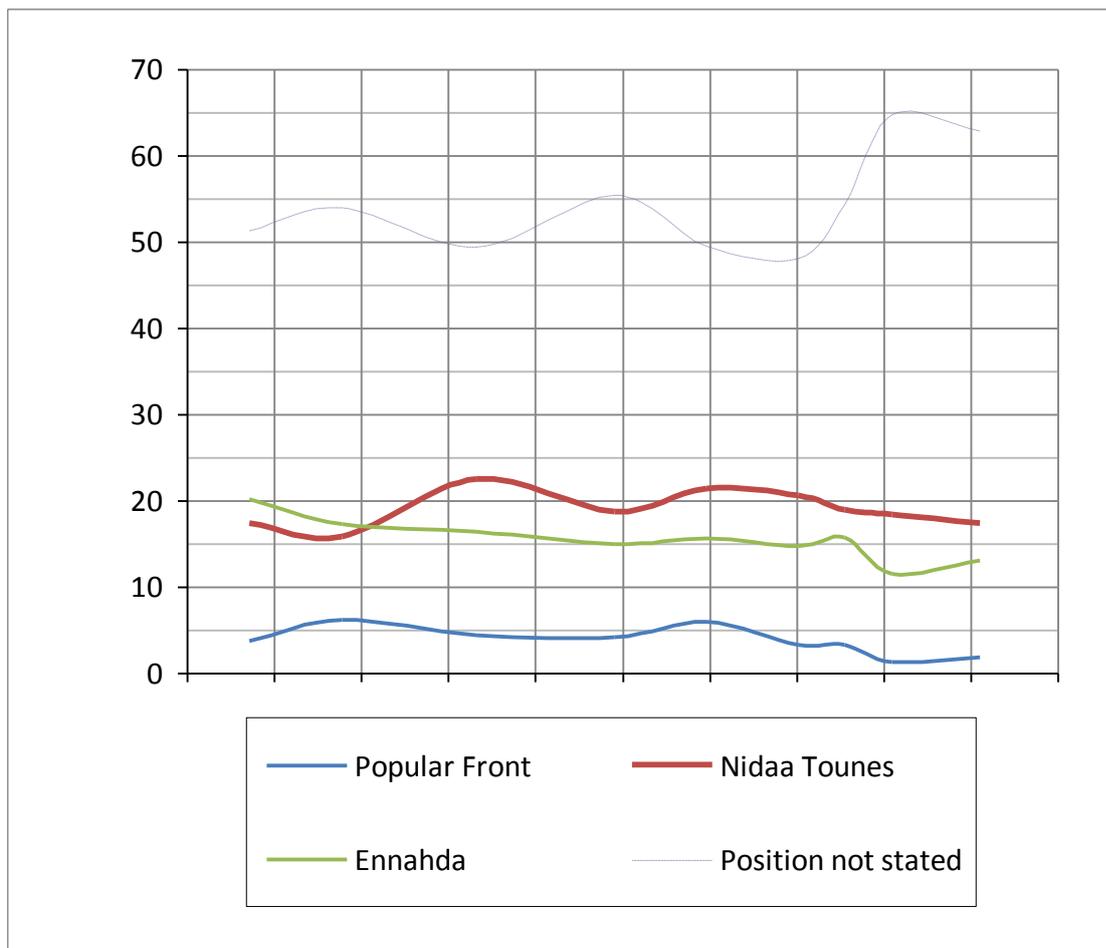
The role of socio-economic conditions in alienating voters, especially young people

The participation rate in the 2014 elections was around 70%, varying among electoral constituencies. The highest rate was in Ben Arous in the capital, followed by other constituencies in major cities such as Sfax and Nabeul. The lowest rates were in constituencies in the interior and south such as Sidi Bouzid, followed by Kasserin, Kairouan and Tétouan, the governorates with the lowest population density. If we add this phenomenon to the violations of voter registration in the electoral lists, we can conclude that many voters were alienated from the election process. We can also note that young people represented the highest ratio of voters who refrained from voting. From the outset, weak registration of young people was apparent, with only 17% of voters aged between 18 and 25 on the lists. Some public opinion polls showed that one quarter of this group knew who they wanted to vote for and half of them had no intention of voting.

The high ratio of young people alienated from voting can be linked to the marginalization faced by youth. Unemployment is high among people ages of 15 to 24, making up 37% of the total number of unemployed. Unemployment rates among young people who hold higher university degrees are around 30% and employment is the most important issue that young

people want to see resolved.[7] Yet the gap is very wide between the aspirations of young people based on what they see on the internet and on TV and the reality in which they actually live.

Youth participation rates are low in the electoral process but also in community and NGO work. A survey conducted by the National Monitor for Youth showed that only six percent of young people participate in civil activities and many young people mistrust NGOs. These results indicate that their concept of citizenship is very weak.

The parliamentary election results

- Support for Ennahda fell by 38%, or 570,000 votes from 2011 (1.5 million votes in 2011 compared with 930,000 votes in 2014).. The decline was recorded in almost all electoral constituencies. The figures reveal different rates of decline; the percentages were low in two constituencies in the south, Tetouan and Medenine, and high in the north and the center. The highest was in Siliana, El-Kef and Tunis, and the decline was moderate in constituencies in Sfax.

- Nidaa Tounes obtained around 1.3 million votes. With the exception of the constituencies in the south, the number of voters for Nidaa Tounes was higher than for Ennahda. The number of voters for Nidaa Tounes was 2.5 times higher in the majority of the constituencies in the north and northwest. Contrary to the results achieved by Ennahda in 2011, which enabled it to form a government with its allies, Nidaa Tounes's results will not allow it to form a government and it will have to engage in negotiations to form alliances.

- Ennahda is the sole remaining survivor from the troika; the Conference for the Republic party won only four seats (around 69,000 votes), while the Ettakatol party won one seat. Of the other parties that supported Ennahda, the sole survivor was the Democratic Current, which split from the Conference for the Republic party.

- The Al Massar party won no seats while the Republican Party and the Democratic Alliance party won one seat each. These parties, which had been instrumental in opposing Ennahda, paid the price of unsuccessful electoral strategies; the Democratic Alliance failed to highlight its unique features compared with Nidaa Tounes, and the Republican Party paid the price of its hesitant relationship with Ennahda.

- Although the number of voters was not high for the Popular Front (124,000) and Afek Tunis (103,000), they won 15 and eight seats respectively. An observer of their electoral campaigns would note that they focused on the party's identity and unique characteristics compared with Ennahda and Nidaa Tounes. They will have a role in the political game in the parliament.

- The Union patriotique libre (UPL, Free Patriotic Union) headed by businessman Slim Riahi won 140,000 votes, enabling the party to take 16 seats. Observers of this party's electoral campaign noted the number of popular promises made by the party to give grants to residents of the border regions or rural projects for the poor. Due to the

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[7] Poll of UNDEF, CSO, CEMAT, Perception de la democratie [Perceptions of democracy]. Tunis, August 2014.

different seats available in the parliament, the UPL can try to push its way into the game between the majority and minority.

Conclusion

Despite the country's economic, social and security difficulties, the success of the elections represents a first step in laying the pillars of democracy. Even with its shortcomings and problems, the fact that all sides accepted the results reflects the relative transparency of these elections. Although there were problems in the electoral process in terms of failing to respect the terms of election campaigning or the use of corrupt political money, we believe that these problems did not affect the results of the elections. The 2014 elections in Tunisia showed that the election or re-election of parties with Islamic terms of reference is not inevitable and, despite what is uttered to them in the mosques, the people can rebel against these parties.

In spite of these points, efforts are required to tackle three phenomena:

- The exclusion of young people from the development process and their weak participation in political and civil life has led to their poor participation in voter registration and in the voting process. Joint efforts are required to encourage young people to engage in the civil and political life of the country. The next government must provide the proper framework for this and work to solve economic and developmental problems. The parties should encourage young people to participate in political activities by establishing models that attract them.

- The focus by politicians on their partisan and political interests, and being represented in the parliament, has led vulnerable sectors to boycott the elections. Political parties have to build their future strategies while taking these sectors into consideration and should not only remember them during elections.

- The 'useful vote' slogan of Nidaa Tounes is based on fear of political polarization and aims to eliminate some political groups. These groups need to review their past options and build themselves and their strategies in a manner that enables them to oppose political circumstances that push towards polarization.

The question that poses itself now is: will the results of the presidential election be the same as those of the legislative elections and will the Tunisian people choose the president from the same majority? Will some political parties who lost the elections succeed in convincing the public of the need to have a president who is not from the parliamentary majority? In both cases, the presidential elections will reflect the maturity of the Tunisian voter.

Finally, we can point to the regional dimension of these elections in terms of 1) the possibility of the peaceful transfer of authority and 2) the possibility that some parties with religious terms of reference will move aside by democratic means even if they previously won power through an overwhelming majority.

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