Tunisian Presidential Elections: Towards Democratic Consolidation or Political Deadlock?

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Abstract: On September 17th, 2019 the Tunisian Independent Electoral Commission announced the result of the first round of the presidential elections. The result sent shockwaves across the entire political spectrum, particularly surprising the political parties in power. Not only because none of these parties managed to get their candidates through to the second round, but also because the two successful candidates appeared almost from nowhere with no previous political experience. The first contender, Kais Said, is an academic with a revolutionary vision and matching discourse. His voters are mostly educated youths who assembled through social media. The second contender is Nabil Karoui. He made himself known to the public through his television channel and charitable work but he is currently behind bars, where he has been since his arrest a few days before the start of the electoral campaign. Regardless of the outcome of the second round, the Tunisian democratic transition has already reached an advanced level and should move on to the consolidation phase. However, the job of the new leadership will not be easy amid predictions of a fragmented parliament, fragile government and isolated president.

Introduction

It has been eight years since the Tunisians toppled their president through a popular movement initiating a process of political change which looks increasingly irreversible. This process, called the Arab spring, quickly spread across the region and involved several other Arab countries including Egypt, Libya, Yemen and Syria. It was a collective uprising, which gave the impression that the time had finally come for the region to transition to democratic rule In contrast with the rest of the Arab spring countries, Tunisia is the only country that has managed to adhere to its democratic transition. In the last eight years, Tunisia has witnessed five consecutive, free and transparent elections in the midst of a turbulent and unstable region.[1]

The 2019 elections are crucial in many respects. Firstly, they mark a new chapter in Tunisia's transitional process and represent a test for this nascent democracy and the validity of its emerging democratic institutions. The elections are also important both domestically and regionally.

Domestically, this achievement brings the democratic transition to its natural end and places this small North African country among 'consolidated democracies,' to use the transitologist terminology. Regionally, this success presents those seeking political change in the Arab world with a third way forward, beyond the dilemma of dictatorship or chaos that has been tearing the region apart for decades.

Twenty-six candidates representing a wide spectrum of sociopolitical and ideological tendencies took part in these elections and for various reasons, no single candidate was able to win outright in the first round. Surprisingly, the two competing candidates for the second round are completely new to politics and have little to no political experience. Kais Said, emerged from seemingly nowhere. He comes from an academic background in constitutional law and made a few media appearances after the revolution. Nabil Karoui was better known to the public through his television channel 'Nesma' and his charitable work in

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recent years. However, accused of tax evasion and money laundering, he was arrested just days before the start of the electoral campaign and is yet to be released. Hence why this result was so shocking, with many describing it as an "earthquake" that has shaken the entire political environment. On the one hand, these elections revitalized the revolutionary discourse and renewed the revolutionaries hopes of acquiring more power and influence. Yet on the other hand, they proved that the divide between the revolution and the old regime is still acutely present and difficult to bridge.

As the second round of voting approaches there are many questions to be addressed: What were the main characteristics of the first round of the 2019 Tunisian presidential elections? How do we understand the impact of this political 'earthquake' on the transitional process? Are we witnessing a democratic consolidation or a threat to derail this process? These are the questions which this paper endeavors to address.

Characteristics of the 2019 presidential elections
The first round of the presidential elections sent significant messages to politicians and analysts alike. To make sense of these messages, we need to go beyond the procedural aspect of the elections and read more into the context and primary characteristics.

1. Revolution vs. old regime - a renewed opposition: The 2014-2019 period was characterized by the policy of consensus and brought together the two main political parties, Nidaa Tounes and Ennahda, to lead the country, but this has now come to an end. This came about in part, because Nidaa Tounes lost its parliamentary majority and split into smaller groups which then pursued competing and conflicting agendas. Additionally, the results of the first round of the 2019 presidential elections showed a massive punitive

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vote against the regime as a whole. These results also meant that the Ennahda party had failed in its attempts to play the role of mediator between the revolution and the old regime during the previous five years in order to achieve national reconciliation. Consequently, the two sides reverted to their original stances and stood again in sharp contradictory positions. The old dichotomy 'revolution vs. old regime' has therefore regained its validity as an analytical tool to examine and understand the current political developments in Tunisia.

2. The rise of independents and the Said phenomenon: Not only did this election include a wide range of independent candidates in addition to those representing political parties,[2] but it also resulted in one such independent candidate (Kais Said) winning the first round, with a real chance of becoming president. This result has shaken the entire political spectrum, sending shockwaves and worrying messages about the future relevance of party politics and the parties themselves. Arguably the most significant indication from the emergence of Kais Said's phenomenon is the limitation of the influence of 'political money' and the failure of party machineries in rallying political support to secure victory for their candidates.

3. Ennahda's first time candidate: Ennahda has been playing a pivotal role in the Tunisian politics for nearly four decades, both in opposition and government. For the first time the movement chose to compete for the president's office with its own candidate, Abdelfattah Mourou. This unprecedented decision was taken under pressure and after failing to agree with other political factions on a 'consensual' candidate. Although Mourou came third, failing to make it to the second round of voting, his candidature has paved the way for Ennahda to change the rules of political engagement in the future and play the political game at all levels for the first time. From now on, the Tunisian Islamists will pay little heed to warnings, which in the past restricted their political maneuvering and kept them away from certain 'taboos,' such as the presidency.

4. Televised debates: For the first time, Tunisians had the chance to watch live televised debates between the presidential candidates. It was a historic moment when those competing for the highest state office stood on an equal footing to answer questions about their plans and promises to the people. Although it is hard to gauge how much these debates influenced the electorates' behavior and choice, they

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nevertheless, marked a new step on the way to establishing a more stable democracy. It is worth mentioning that, in 2014, the late President Beji Caid Essebsi refused to face his opponent, former President Moncef Mrzouki in a televised debate.

5. Less ideology, more politics: Compared to previous elections in 2011 and 2014, where ideology was prevalent and polarized voters along ideological lines (modernists vs. traditionalists etc.), in 2019 ideology receded in favor of more specific issues such as national security, the rule of law, diplomacy and foreign relations. It is true that the constitution restricts the President's job primarily in these areas, but this can also be explained by the maturity of post-revolution political life in Tunisia. We are seeing a gradual move away from confrontational and divisive ideology-based discourse, towards a more inclusive public conversation.

6. Divides on both sides: Unlike in 2014 where the old regime factions united and rallied behind Essebsi, who ultimately won the election, in 2019 divides characterized both sides. The majority of the twenty-six candidates come from, or claim to represent either the revolutionary or the old regime.[3] Although repeated attempts of unification were made in favor of certain candidates on both sides, very little success was achieved.[4] Because of these divides and the comparatively equal chances of winning of the few frontrunners, it was impossible to win the elections from the first round. It was also extremely difficult to predict the winners until the results were officially announced by the Independent High Electoral Commission.

Democratic consolidation or disruption?
Eight years after the revolution, Tunisia's democratic transition has reached a critical point. According to democratization theories, the process of democratization usually goes through two phases: transition and consolidation. Transition comes as "a consequence - direct or indirect - of important divisions within the authoritarian regime itself".[5] It involves compromises between new and old political elites "to institutionalize some crucial aspects of democratic procedure".[6] This phase is characterized by fluctuation, instability and uncertainty, and does not always end with democratic consolidation. Failed transitional experiences are numerous and the Arab spring countries, with the exception of Tunisia, are clear examples in this regard.

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Consolidation, on the other hand, is what makes a democratic transition reach a successful completion. It is a process through which new democracies mature and create political situations in which "democracy becomes the only game in town".[7] Among the conditions required for consolidation to take hold is the consensus of the rules in this game. These rules usually translate into constitutional, institutional and procedural criteria, with the most visible part of the procedural criteria being to hold fair, competitive and inclusive elections periodically. Democracies, which pass a certain number of regular elections during their transitional phase, naturally move to the consolidation phase.

In the case of Tunisia, we have seen five consecutive elections beginning with the National Constitutional Assembly in 2011, continuing with the legislative and presidential elections in 2014, then the municipal elections in 2018, all the way through to the current presidential elections. According to national and international observers, without exception, all these elections were fair, transparent, inclusive and undisputed. If we agree with what the literature on democratization teaches us, the 2019 elections would conclude the transition chapter and open a new era of democratic consolidation. This means that, at least theoretically, Tunisia can now be counted as one of the world's consolidated democracies.

On the ground however, challenges that might hinder this process and disrupt the country's transition to the consolidation phase still lie ahead.

Some of these challenges concern the revolutionary camp, others are related to the role the old regime factions are expected to play if they win the presidential elections and manage to secure a majority in the legislatives. This will allow them to lead the parliament, form the new government and influence the work and agenda of the president. The fate of the democratic process will then be determined by the new balance of power and the type of relations between the different parties in the new setting.

Among the challenges concerning the revolutionary camp is the structural weakness of the political parties supportive of Kais Said. Apart from Ennahda, which has already lost significant segments of its voters during this election,[8] the rest are either small sized parties with meagre parliamentary representation or newly formed groups and independent members. Without a strong political belt around Said, with shared objectives and close coordination, this incoherent block will struggle and may fail to push the democratic agenda forward. However, what looks more disturbing is Said's repeated statements of indifference regarding the upcoming parliamentary elections and the worrying distance he keeps vis-à-vis political parties in general, particularly the ones that declared their support for him.

On the side of the old regime, the risks of hindering the democratic process are even higher. Nabil Karoui himself is a problematic figure, whether

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he wins the presidential elections or forms the government. He has been investigated for the last three years for money laundering and allegations of tax evasion. His commitment to democracy and democratic values is unclear. In this respect, worrying statements have been circulating on social media in which he threatens to curtail public freedoms and use illegal means against his opponents.[9] His party, 'Heart of Tunisia', is new to politics and has never been tested in government or parliament. The other parties likely to enter into coalition with him will mostly come from the old regime, with unproven track records regarding democracy and democratization.

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Scenarios for the post-election setting
Before the second round of the presidential elections is over, the main features of the new parliament will have already started to take shape. The legislative elections on October 6th will determine the winning party which is supposed to form and lead the government. According to opinion polls, no single party will have enough seats to form a stable government alone,[10] therefore whoever wins the elections will be compelled to join hands and work in coalition with others in parliament and government. Relations between the government and the president are another problematic part of the system that the Tunisians are trying to put together for the next five years. The following scenarios are the most likely and will determine how this system will look and function, helping us understand in which direction the situation may develop:

Scenario One -The revolution retaliates:
In this scenario, Kais Said wins the second round and becomes president, with Ennahda coming first in the legislative elections and forming the government with the revolutionary parties and alliances. So far, almost all the representatives of the revolutionary camp in the first round have declared their full support and called on their supporters to vote for Said. This includes, Marzouki, Makhlouf, Mraihi, Abbou, Safi, Jebali, in addition to Ennahda party. With this vast collective

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support, the revolution candidate has a real chance of winning the presidency. Unless this coalition continues to work together in parliament and support Ennahda to form a government, the president will be completely isolated in Carthage. According to the current constitution, the president enjoys very limited executive powers and his legislative initiatives need a majority in parliament to pass. The main challenge facing this scenario is the suspicion with which the rest of the revolutionary spectrum views Ennahda. Ennahda has paid a high price for its policy of consensus with the old regime during the last five years and it still casts a shadow of skepticism over the party's real alignment with the objectives of the revolution.

Scenario Two - The old regime makes a coordinated comeback:
This scenario is also possible but less likely. It requires the full support of all the components of the old regime to secure the presidency for Nabil Karoui, who failed to close the gap between him and Said in the first round of voting. In fact, this support is not yet guaranteed, especially among the 'Tahya Tounes' party, led by Prime Minister Youssef Chahed. However, if the entire system unites and rallies behind Karoui and he becomes president, the chances of a coalition

of the old regime making a strong comeback and dominating the scene for the next term become more realistic.

Scenario Three - Fragmented parliament, fragile government and isolated president:
This scenario is more likely to happen as the overwhelming support for Kais Said gives him the advantage over his opponent and greatly improves his chances of winning the second round. But there are serious concerns that the new parliament will be completely fragmented with many small blocs and a considerable presence of independent members. With only forty to fifty seats each, the first and second parties will struggle to find common ground to work together on or gain support from other smaller parties. In such a fragmented setting, it will be extremely difficult to secure the required majority to pass laws and facilitate government work. If the revolutionary forces manage to get their candidate to Carthage and the old regime forms the government with a volatile majority in parliament, there will be an unstable system with recurring deadlocks. The unsettled legal case of Nabil Karoui adds more complication to the current situation and may open the door for more disturbing scenarios including the possibility of dissolving parliament and calling for new elections.

Endnotes

1- Constitutional Assembly elections (2011), Parliamentary elections (2014), Presidential elections (2014), Municipal elections (2018), Presidential elections (2019)

2- 10 Independent candidates out of a total of 26.

3- The old regime was represented by Youssef Chahed (Prime Minister), Abdelkarim Zoubeidi (Defense Minister), Mehdi Jomaa (former Prime Minister), Salma Elloumi (former Tourism Minister), Naji Jalloul (former Education Minister), Said Aidi (former Health Minister), Nabil Karoui (Heart of Tunisia party), Mosen Marzouk (Machrouu Tounes party), Abir Moussi (Free Destourian party), Salim Riahi (businessman). The Revolutionary camp includes Moncef Marzouki (Harak Tounes), Saifeddine Makhlouf (Alkrama coalition), Mohamed Abbou (Attayar Addimocrati party), Kais Said (Independent), Safi Saeed (Independent), Abdelfattah Mourou (Ennahda party), Ilyas Fakhfakh (Democratic Forum for Labour and Liberties), Hamadi Jebali (Independent), Mohamed Lotfi Mraihi (Republican Popular Union), Hamma Hammami (Popular Front).

4- As a result of these attempts, only three candidates from the old regime camp withdrew in favor of Abdelkarim Zoubeidi: Salma Elloumi, Mohsen Marzouk and Salim Riahi.

5- O'Donnell, G. and Schmitter, P.C. (1986) Transitions from Authoritarian Rule, Vol. 4: Tentative Conclusions about Uncertain Democracies, John Hopkins University Press, p. 19.

6- Rustow, D.A. (1970) "Transitions to Democracy", Comparative Politics, Vol. 2 No .3, p.335.

7- Linz, J. and Stepan, A. (1969) Problems of Democratic Transitions and Consolidation: Southern Europe, South America, and Post-communist Europe, Johns Hopkins University Press, p. 5.

8- In the 2019 presidential elections, 434,530 votes went to Ennahda's candidate Abdelfattah Mourou. Compared to the number of votes in 2011 (1.501,320) and 2014 (947,034) the party lost more than one million votes.

9- Leaked video and audio recordings containing these statements are available online.

10- For example, Sigma Conseil gives the winning party a maximum of 45 out of a total of 217 seats of the parliament. In these polls, we find Heart of Tunisia and Ennahda swinging between the first and the second positions.

ABOUT THE AUTHOR

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