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الحقل السياسي والسلوك الانتخابي وحراك النخب



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Mehdi Mabrouk (ed.), *al-Intikhābāt al-Tashrī'iyya wa-l-Ri'āsiyya fī Tūnis 'Ām 2019: al-Ḥaql al-Siyāsī wa-l-Sulūk al-Intikhābī wa-Ḥarāk al-Nukhab* [The 2019 Legislative and Presidential Elections in Tunisia: Politics, Electoral Behaviors, and Elite Mobilization] (Doha/Beirut: ACRPS, 2022), pp. 624.

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In the years following the Arab Spring protests in Tunisia, it has become clear that while elections in the MENA region function as political and constitutional mechanisms that enable democratic transitions, they can also exacerbate political and social conflicts.<sup>1</sup> They can also facilitate the rise of actors with undemocratic agendas, as illustrated in Tunisia after the 2019 election of President Kais Saied.

This raises important questions about the function and purpose of elections during democratic transitions.

Are free and fair elections merely foundational components of the democratic process, or do they also contribute to the strengthening and consolidation of democratic governance? If so, why and how do some elections, even when democratic in form and substance, offer a starting point for democratic regression or authoritarian backsliding?

These questions are taken up in *The 2019 Legislative and Presidential Elections in Tunisia: Politics, Electoral Behaviors, and Elite Movement*, published in 2022 by the Arab Center for Research and Policy Studies as part of its series on democratic transition studies. Edited by Mehdi Mabrouk, the volume examines the Tunisian presidential and legislative polls of September and October 2019,<sup>2</sup> their profound impact on the country's political landscape, and the subsequent trajectory of President Saied, which has widely been viewed as authoritarian.

Several chapters in the book analyse the institutional and legal frameworks, as well as the broader political and social context, that shaped the 2019 Tunisian legislative and presidential elections. This lays the groundwork for assessing whether the elections met the objective conditions of a democratic process, and for interpreting their results and implications.<sup>3</sup> Chapters 1-3, along with Chapters 6 and 10, address the electoral system and its impact on the political landscape before and after the vote. The 2014 electoral law, amended in 2017 and again in 2019 to govern that year's elections, was widely viewed as providing a suitable foundation for conducting democratic elections consistent with international standards and best practices.

Despite this, the electoral law exhibited several shortcomings in its drafting. These included imprecise definitions of political advertising and campaign activities, the absence of a legal framework for opinion

<sup>1</sup> Taleb Awad et al., "al-Dīmuqrāṭiyya wa-l-Intikhābāt fī al-'Ālam al-'Arabī," in: Karam Khamis (ed.), *Proceedings of the International Conference on Democracy and Elections in the Arab World*, Alaa Shalabi (intro.) (Cairo: Arab Organization for Human Rights, 2014), p. 7.

<sup>2</sup> Between its independence and 2023, Tunisia has held 16 elections to legislative or constituent assemblies.

<sup>3</sup> To achieve this goal, the researcher employed various methodological tools, including analysis of the legal texts framing the elections, descriptive statistics, qualitative methodological tools, and cartographic analysis as used in electoral geography.

polling, and the limited powers granted to the Independent High Authority for Elections (ISIE) to annul results. While ISIE and its subsidiaries fulfilled their duties in managing the overall electoral process efficiently and effectively, their performance was not without flaws. For example, they failed to inform the public and stakeholders about the details and justifications of their decisions, did not publish minutes of their internal deliberations in a timely manner, and occasionally issued contradictory public statements, all of which diminished public confidence in the integrity of the electoral process.

Several aspects of the legal framework could have been improved. These include establishing clearer timeframes for the various stages of the electoral process, revising legislation governing campaign practices, clarifying the provisions of the electoral law that authorize ISIE to modify preliminary results in response to reported violations, reviewing the division of electoral districts, and adopting a system of voter endorsements in the registration process for presidential candidates.

In the book's second chapter,<sup>4</sup> Mohammed El Imam discusses the political climate surrounding the 2019 Tunisian elections, the dynamics that accompany electoral cycles, and the strategies of various actors amid shifting national and international conditions between 2011 and 2019. He analyses the post-2011 political landscape by focusing on what he calls the "active political elite"<sup>5</sup> and on the role of consensus politics in sustaining the transitional phase despite the fragmentation of Tunisia's political forces. El Imam highlights the rise of a populist current that positions itself as the authentic voice of the people, mobilizing support primarily through criticism of the "traditional" consensus-based political elites that have shaped Tunisian politics since 2011. Based on this analysis, he concludes that Tunisia's experience, although marked by instability, falls within the broader patterns commonly observed in democratic transitions.

By contrast, an examination of voter turnout and election results reflects changes both in the leading political currents and in the factors determining voting behaviour among Tunisians. These changes were driven by several factors. In Chapter 3,<sup>6</sup> Naji al-Arqoubi notes that the 2019 parliamentary elections saw a turnout of only 42.8%, a decline of 26 percentage points compared with the 2014 elections. The subsequent election of Saied in the presidential runoff reflected, broader dissatisfaction with the political elite and its failure to achieve the goals of the revolution or meet citizens' expectations since the 2014 poll.

The 2019 elections resulted in a fragmented parliament. The Assembly of the Representatives of the People (ARP), which convened on 13 November, included representatives from 16 political parties, including seven new parties, 4 coalitions, and 11 independent lists. None secured enough seats to form a government independently. In Chapter 5, Munir al-Kashou<sup>7</sup> describes this complex, intricate parliamentary landscape in which newly formed parties occupied a significant position, while left-wing and Baathist parties experienced a marked decline. He attributes this to several factors: an electoral law based on proportional representation, the adoption of the "highest remainders" method for seat allocation, the absence of an electoral threshold, pervasive party fragmentation, and excessive pluralism. Al-Kashou argues that these factors collectively misled voters and influenced their choices.

According to Mohamed El-Imam in Chapter 2, the factors determining voters' choices in Tunisian elections shifted markedly across the electoral cycles held between 2011 and 2019. This evolution reflects a broader transformation in the public's priorities: whereas many early post-revolution voters sought an elite capable of establishing a democratic system, breaking with authoritarianism, holding the former

<sup>4</sup> Mehdi Mabrouk (ed.), *al-Intikhābāt al-Tashrī'iyya wa-l-Ri'āsiyya fī Tūnis 'Ām 2019: al-Ḥaql al-Siyāsī wa-l-Sulūk al-Intikhābī wa-Ḥarāk al-Nukhab* (Doha/Beirut: ACRPS, 2022), pp. 83-130.

<sup>5</sup> *Ibid.*, pp. 87-98.

<sup>6</sup> *Ibid.*, pp. 131-184.

<sup>7</sup> *Ibid.*, pp. 235-288.

regime accountable, and ensuring justice and equality, subsequent elections revealed a preference for actors perceived as credible, honest, serious, and able to govern effectively, improve economic conditions, promote development, and guarantee security and stability.<sup>8</sup> This underlines the role of the media, tribal and regional loyalties, and political money in shaping voter behaviour.

In Chapter 6,<sup>9</sup> Amin Ben Messoud explores the results of the 2019 elections through an analysis of media discourse and its impact on the electoral process. Notably, the 2019 presidential campaign featured, for the first time in Tunisia, live, televised debates, an unprecedented development that shaped both public engagement and candidate visibility.

The election results also reflected the persistent challenges facing Tunisian women in terms of political participation and the realization of gender parity in electoral representation. In Chapter 4, Asma Nouira<sup>10</sup> examines the 2019 results from a gender perspective, advancing two premises: first, that women possess limited substantive political power despite the high levels of representation that democratic systems can, in principle, provide; and second, that women enjoy little representation in the early stages of democratic transitions. Nouira highlights women's political participation as a theoretical indicator of democratic consolidation, concluding that the Tunisian electoral experience has not been fair to women, and that gender has not been a decisive factor in elections since 2011.

Free and fair elections are undoubtedly influenced by several factors. Those include the prevailing political system, social structures, the extent to which voters enjoy their fundamental rights, the consolidation and application of public freedoms, the rule of law, the separation of powers, the public expression of opinions, an independent judiciary, a free press, and a civil society that can monitor the integrity of the electoral process, ensure fair competition among candidates, and promote civic awareness. Abdel Salam Al-Kikli discusses these and other pillars of a democratic system in Chapter 9.<sup>11</sup>

At this level, the 2019 presidential and legislative elections appeared to reaffirm the democratic system in Tunisia, making it a true Arab exception. This resulted in the country's second peaceful, smooth transfer of power from one democratically elected president to another (following the 2014 transition from incumbent Moncef Marzouki to Beji Caid Essebsi), as well as a smooth handover from one elected parliament to the next. Together, these developments marked important milestones in Tunisia's post-2011 democratic transition.

Signs of a political crisis began to emerge with the formation of the new government immediately after the 2019 legislative election results were announced. As Tarek Kahlaoui explains in Chapter 10, this process quickly became mired in political bargaining.<sup>12</sup> He traces the sequence of negotiations among the political parties, its mechanisms, the parties' positioning strategies, and the formation and collapse of alliances throughout the process of government formation. Kahlaoui also demonstrates how, within this context, President Saied became the *de facto* leader of the political elite, despite coming from outside the established elite and the parties that had dominated Tunisian politics since 2011. During his early months in office, Saied cultivated a populist discourse with authoritarian tendencies, manifested in his monopoly of constitutional interpretation, his rejection of parliamentary initiatives to resolve the crisis surrounding the appointment of judges to the frozen Constitutional Court, and his persistent efforts to usurp the powers of the prime minister.

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<sup>8</sup> *Ibid.*, pp. 83-130.

<sup>9</sup> *Ibid.*, pp. 289-374.

<sup>10</sup> *Ibid.*, pp. 185-234.

<sup>11</sup> *Ibid.*, pp. 519-574.

<sup>12</sup> *Ibid.*, pp. 575-608.

This process produced a government with a vague and ambiguous political identity,<sup>13</sup> particularly regarding economic and social policies, as coalition actors prioritized positional bargaining and the distribution of ministerial portfolios over the articulation of a clear government agenda. This exacerbated public discontent and distrust toward political actors. These circumstances enabled the president, who had been democratically elected with a substantial majority, to consolidate power through a series of measures that amounted to a constitutional coup against Tunisia's democratic trajectory.

In his quest to consolidate power, Saied sought to control the outcomes of the electoral process and determine which political parties could participate by amending the electoral law. The legislative and local elections of 2022 and 2023, marked by the lowest voter turnout since 2011, revealed that public debate and the engagement of political and social actors are essential to overcoming Tunisia's far-reaching crises. The 2022 legislative elections underscored a significant decline in public trust in one of the central mechanisms of democratic governance: electoral representation. Although the new authorities succeeded in administering the elections despite meagre turnout, this only highlighted the severity of the challenges facing Tunisia's democratic experiment amid an accelerating authoritarian turn. Meanwhile, opposition parties failed to attract public support and found themselves confronting the president's decisions alone, without reliable broad popular backing.<sup>14</sup>

In Chapter 7, Hafez Abdel Rahim argues<sup>15</sup> that four main forces opposed to the democratic transition have brought down the Tunisian democratic experiment: the Tunisian General Labour Union (UGTT); media outlets owned by businessmen hostile to the transition; power centres within the state bureaucracy; and external actors. He identifies four additional factors that exacerbated the setbacks undermining the transition: the failure of transitional justice and reconciliation processes; the inability to establish the Constitutional Court and most other constitutional bodies; the limited effectiveness of civil society in supporting the transition; and the rise of populist rhetoric. He concludes that the setbacks of the democratic experiment cannot be attributed solely to the economic situation but must be understood in relation to the interplay of domestic struggles.

President Saied, despite his promises, has remained unable to resolve the economic and social crises plaguing Tunisia. This presents the country with two possible scenarios. The first is that mounting economic, political, and potentially even security crises will push Tunisian society, in its civil and political components, toward forms of rebellion and civil disobedience, as citizens demand improvements in living conditions and the political landscape. Such pressures could compel the president either to accept a political compromise with his opponents or to relinquish power. The second scenario is that the president manages to consolidate his rule as a hybrid regime, absorbing the weakened opposition and compelling it to accept participation within the narrow limits permitted by the regime, even while recognizing that the electoral process remains deeply flawed.

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<sup>13</sup> The administration of Ennahda's Habib Jemli.

<sup>14</sup> The UGTT has taken weak and ambiguous positions compared to its role in previous periods, and the Coordination of Social Democratic Parties and the National Salvation Front rejected the results of the constitutional referendum and boycotted two rounds of legislative elections in December 2022 and January 2023.

<sup>15</sup> Mabrouk (ed.), pp. 375-440.