

November 2014

Money, Politics and Elections: Tunisia holds elections

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As anticipated, the preliminary results of Tunisia's legislative elections resulted in the emergence of two major parliamentary groups competing to rule the country. The decline of the Ennahda Movement (Renaissance Movement) in favor of the Nidaa Tounes (Call for Tunisia) party was foreseen by several opinion polls conducted earlier in 2014, but these polls failed to predict that the Union patriotique libre (UPL Free Patriotic Union) would become the third power in the Legislative Assembly, though well behind the two leading parties (Nidaa Tounes and Ennahda).

These events are reminiscent of the 2011 National Constituent Assembly elections when the Popular Petition for Freedom, Justice and Development party (Popular Petition) came third after winning 26 seats. The Popular Petition rose suddenly as an electoral alliance led by Hechmi Hamdi, who addressed voters from overseas via his TV channels and using Skype. Observers failed to notice this party because all eyes were focused on the traditional political parties (Islamist and secular).

Unlike the Popular Petition party that ran in the 2011 elections as an electoral coalition of independent candidates, the UPL ran in the 2011 and 2014 elections as a traditional political party. The results of the 2011 National Constituent Assembly elections and the 2014 legislative elections were very different; the UPL won one seat in the former and seventeen seats in the latter (according to the preliminary results). While the success of the Popular Petition in 2011 was based on multiple factors, most prominently - family connections, an alliance with the dissolved constitutional coalition party and the suspected purchase of votes – however the fingers of accusation pointed to corruption using political funds as a major factor in the success of the UPL.

Slim Riahi, the head and founder of the UPL and president of the Club Africain – one of the largest and most renowned sports teams in Tunisia – is one of the Tunisian businessmen accused of corruption and of amassing a huge fortune from illegitimate sources through his strong relations with the former Libyan regime and through money laundering. Despite several declarations that his fortune is legitimate from activities in oil, real estate and investments in the London stock market, Slim Riahi sought on a regular basis to influence political decision by using his wealth and could not halt speculation about attempts to swamp the political arena with corrupt money.

The success of the UPL in the legislative elections may have an impact on the upcoming presidential elections; after collecting 123,000 nominations, Slim Riahi is one of the candidates running in the 2014 presidential elections, with the first round scheduled for November 23. This is a considerable number, regardless of accusations that he forged some of these nominations. The extent of support for the UPL that was shown in the legislative elections may give an early clue about his electoral base for the presidential race.

In contrast, the Ennahda Movement has not put forward a presidential candidate nor declared support for any of the 27 candidates prior to the legislative elections. This demonstrates that

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selection will be based on the results of these elections. Several names were proposed, including Moncef Marzouki and Ahmed Najib Chebbi, who stated on more than one occasion that he would not reject the support of the Ennahda Movement. However, the parties of these two political figures (Congress for the Republic and the Democratic Progressive Party) achieved poor results and limited seats in the legislative elections. This leads to the conclusion that Slim Riahi could become candidate of the Islamists of Ennahda, with whom he has always sought good relations, in exchange for a parliamentary alliance.

There is no doubt that the Ennahda Movement will seek allies within the parliament, but it is also seeking a candidate who can be a real contender against Beji Caid el Sebsi, the leader of Nidaa Tounes. Political experience suggests that an alliance should not be made with the UPL and its presidential candidate in light of the accusations of corruption. Ennahda should take a stance against him as it did against the Popular Petition in the 2011 National Constituent Assembly elections, although it came in third place. The Nidaa Tounes party has no interest in an alliance with the UPL, but after finishing first in the election and declaring itself open to all parties, may find itself forced to deal with it and allow it to participate in the government. However, Beji Caid el Sebsi linked any coalition with other political forces to the crucial condition that they share the same democratic principles.

Political funding of electoral campaigns, and the possibility of vote purchasing, is a controversial issue and Nidaa Tounes and the Ennahda Movement traded accusations on this subject. Several small parties, such as the Justice and Development party and Wafa Movement, expressed fears about the influence of political funding on the election results. The parties that were defeated in the elections raised doubts about the integrity and credibility of the elections and accused the winning parties of buying votes.

Some civil society organizations who observed the elections, such as the “Observers” association, confirmed that suspicions about the use of political funding exist, but indicated that exaggerated claims about political funding being the primary factor in the victory of the major parties are degrading to voters and raises doubts about their sense of civic responsibility. It could undermine the entire electoral basis for democratic transition because this process was established to ensure the smooth transfer of power.

Aside from the political row, this issue of funding political parties must be addressed because what took place before and during the electoral campaign was merely the consequence of previous factors and an extension of practices that were not curtailed. Political funding existed in the elections for the National Constituent Assembly in 2011, especially prior to the start of the electoral campaign, from charitable religious associations that interacted with some political parties. Monitoring of these associations only started recently in the context of fighting terrorism. More than 100 charitable and religious associations were banned after it was proved that they had received suspicious funds from abroad.

Other factors that may explain the extent of the phenomenon of vote buying are:

- The weak legal framework relating to the law governing funding within parties and the Associations Law. The issue prompted a political crisis inside the High Commission for the Fulfillment of the Goals of the Revolution, Political Reform and Democratic Transition, headed by Yadh Ben Achour, and led to the withdrawal of some parties from the Commission.
- Difficulties in applying some of the laws and decisions taken on this issue, either because of weak institutions or lack of proof. For example, measures were implemented to prevent this phenomenon in a law that commissioned the accountability department (government monitoring apparatus) to monitor the funding of the electoral campaigns. The elections commission was given the right to revoke

the victory of any electoral list if the accountability department found that funding had exceeded the sum permitted by the Elections Law. However, the effectiveness of these measures depends on the capacity to implement them, and the collection of proof of violations relating to the purchase of votes so that the department may hold them accountable. The commission promised to hold accountable parties proved to be involved in this type of violation.

- The transitional course of justice was obstructed, preventing corrupt businessmen from being held accountable. Some of these businessmen were engaged in political life and tried to gain influence in the political and media spheres and in decision-making circles. The scandal of bribing members of the National Constituent Assembly is proof of this. Bahri Jelassi, head of the Openness and Loyalty Party (Parti de l'ouverture et la fidélité), revealed a set of documents that prove that some members received funds from him in order to join his party.

To avoid this phenomenon in the future, and ensure that there will not be a negative impact on the democratic process, the legal texts must be reviewed and institutions created that are capable of monitoring or supporting existing bodies. There is no harm in businessmen engaging in politics on condition that those who are corrupt are held accountable. We do not deny the existence of interaction between money, politics and elections in Western and established democracies, but we must not forget that this interaction is one of the reasons that led to a crisis in Western democracies and vigorous criticism. We must be aware of the dangers of this phenomenon in a rising democracy because it can distort the rules of the game, shuffle the cards, and obstruct the emergence of public awareness.

About the author

Asma Noura is a professor of Political Science and Law at the University of El-Manar and an expert on Islamic studies and official religious institutions in Tunisia. Her special field of research is the relationship between the state and religion and religious actors. In 2011, she was appointed as one of the original members of the Committee of Experts to the Ben Achour Political Reform Commission where she worked on different legal projects concerning the democratic transition, such as the electoral code and a media code. She is co-founder and the current President of the Observatoire Tunisien de la Transition Démocratique (OTTD).

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