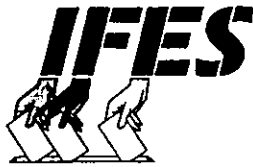


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**Report on the First Tunisian
Multiparty Legislative Elections**

April, 1989

by William Zartman

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REPORT ON THE FIRST TUNISIAN MULTIPARTY LEGISLATIVE ELECTIONS

I. William Zartman

A. Introduction

After a third of a century's experience in single-party elections, Tunisian voters were offered their first multiparty electoral choice in the general elections of 2 April 1989. The elections were free and fair, and the results were probably reported accurately. Out of a population of about 8 million and a voting-age (over 18) population of about 4 million, 2.7 million, or 76.46%, voted. Candidates from the ruling party, the Democratic Constitutional Rally (RCD), averaged about 1.7 million votes. All of them were elected. Although none of the 353 opposition candidates were elected, the vote effectively endowed Tunisia with a two-party system plus an unusual twist: The second "party", the Islamic Fundamentalist Nahda or Renaissance Party, still remains to be recognized, and its religious nature poses a serious problem to the Tunisian self-image in the current context. However, continued rejection of the party's request may well revive equally serious problems for domestic peace and stability in Tunisia.

ODT (أحزاب راد)
RCD
MD (مترقي)
APC (NPPD) (معقول)
MUP (سويلاوي)
RSP (كبير تاني) (gauche laïque)
UDU (Arab-soc: (بالتربية تيلي)
PSP (Manshawde (مدرسة تيلي)
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B. Contemporary Political Scene

The 1989 elections were the most important in Tunisian political history to date. By the announced intentions of the government itself, they mark the first clear step toward democracy. Unfortunately, they also show clearly that transition to democracy from a single-party system is much more difficult than the usually-considered transition from military rule. Unfortunately, too, the Tunisian experiment took place within the very delicate context of a national debate between the secular modernists and the Islamic fundamentalists on the very nature of Tunisian social development. Both the entrenchment of the former single party and the backward social vision of the new opposition put the measures of transition under severe strain.

The legislative elections of 1989 were the eighth general elections since Tunisian independence, and the second early elections in the series. All the previous elections were dominated by the single party which had grown out of the nationalist movement, known as the Neo-Destour (New Constitutional) or, after 1964, the Socialist Destourian Party. The single party elections at least instilled in people the habit of voting, even if there was no choice, and participation was officially listed at over 95%; the popular president and party founder, Habib Bourguiba, was reelected at the same time. However, at the IX Party Congress in 1974, Bourguiba was named president-for-life, electoral participation fell off, and party structures became ossified and distant from public life and appeal. An attempt was made in the general elections of 1979 to bring some life into party politics by permitting multiple candidacies, and then, under Mohammed Mzali, a new Prime Minister, multiparty elections were announced for the first time. Observers have long felt that a multiparty evolution of the single party was a natural outgrowth of its dominant position on the political scene, and a few ex-Destourian factions (liberals, socialists) were allowed to constitute parties and run in the elections. Voting was marred by intimidation and violence, but it is generally agreed that the liberal opposition, the Democratic Socialist Movement (MDS), won as much as 25-30% of the votes. When the time came to count them, however, government and party leaders, bringing Bourguiba with them, got cold feet and the count was falsified. The opposition boycotted the elections of 1986.

Bourguiba, now in his eighties and ill since 1969, became more and more distant from his people. Harsh in his reactions to opposition, he was sheltered by a group of

cronies who governed about him, and was fearful lest the accomplishments of his regime be called into question throughout the decade. In 1986 he replaced Mzali with Rachid Sfar, an economist, because the main problems of the country were economic. One year later, recognizing that security problems far outweighed the economic problems, he replaced Sfar with General Zine Labidine ben Ali, former Interior Minister and head of Military Security. The most important issue of the year was the growing political insecurity created by the Movement of Islamic ^{Revolution} Ways (MTI), a broad fundamentalist organization that challenged the Western secularism of Bourguiba's regime. The MTI drew its strength from two sources - the rising tide of religious fundamentalism present throughout the entire Arab world, and the increased popular alienation in Tunisia from the regime of a leader who had outlived his charisma. In October and early November 1987, a number of issues came to a head. Bourguiba began revoking new ministers at short notice, showing himself incapable of managing government. He demanded the reopening of a trial of MTI leaders who had received moderate sentences, raising the prospect of a public riot. A plot of MTI extremists was in fact uncovered by the security forces, in the process of organizing the assassinations of major government leaders, including ben Ali, on 8 November. On 7 November 1987, acting in accordance with the Constitution, ben Ali deposed Bourguiba and assumed the presidency, after a medical panel had declared him senile.

Ben Ali came to power under pressure to restore the legitimacy of politics and government in Tunisia. The new President owed nothing to the party and recognized that it was a liability to his major tasks. He had tried previously to avoid serving as secretary-general of the PSD as adjunct to the Prime Ministry, but Bourguiba insisted. Ben Ali recognized the need to attract people with political experience who had been pushed out earlier by PSD bureaucracy as well as the need to bring new minds and energies into Tunisian politics. In response to a public appeal, some Tunisians formed new "7 November Clubs" to promote the aims of the new regime, while others returned to the PSD as it set about to renew its structures and cadres.

Ben Ali had thus shown himself to be a skillful master of palace politics, but he had no experience in party and electoral politics. He therefore relied on associates who shared his views, the most important of whom was former Minister and Party Director Hedi Baccouche, a major colleague in the 7 November takeover and the new Prime Minister.

Ben Ali added associates from past party or Interior Ministry experience to form the new party political bureau and other top party offices. His political advisors, in turn, insisted that the 7 November Clubs be limited to the local level and not be allowed to constitute a national organization, and that the major political effort be focused on reinvigorating the party. Nevertheless, at the end of 1987 he announced that opposition parties would be authorized. The existing movements of the opposition, notably the MDS and the Tunisian Communist Party (PCT), expressed vigorous support for the new regime, in favor both of its constitutional coup and of its declared future orientations.

Two electoral events occurred at the turn of the year which had an important effect on the political situation. In December, by-elections were held in a few municipalities. In the town that was the birthplace of the PSD, the party slate was beaten by ex-party members running as independents. The vote was free and fair, with two lists but only one party running. A month later, ^{JANUARY 1988} five parliamentary by-elections were held to replace figures arrested in the November events. 22 candidates from the PSD and PCT plus independents ran in the elections. All of the seats were won by the PSD candidates, generally with 60-80% of the vote in a participation of 70-75% and of 55% in Tunis. However, in Gafsa district in the south, there were "irregularities", as the president himself admitted, yet the leading opposition candidate received half the votes of the PSD winner. Most opposition parties boycotted the elections, calling instead for early elections for the entire parliament. Opposition parties were not reassured by the administrative interference in the by-elections.

In his declaration of 7 November, Ben Ali promised democracy and new laws on the authorization of political parties and on the press. The two new laws, as well as new constitutional amendments, were passed by the National Assembly during the course of 1988 and were quite liberal in character. New political parties are authorized if the government does not object to their petition, with reasons, within 4 months. The press law increased protection of the freedom of the press. The constitutional amendments removed the life presidency clause, limited presidential terms, and stabilized presidential succession. Meanwhile, the PSD, in the process of its own reorganization, changed its name to the Democratic Constitutional Rally (RCD) and prepared for its party congress in July.

Another of ben Ali's liberalization measures involved efforts to deal with MTI and official security hysteria. Over 2,000 political prisoners were released from jail and amnestied, the State Security Court and the position of General Prosecutor abolished, and preventive detention was circumscribed by a new law. In addition to its two Human Rights organizations, Tunisia authorized the establishment of an Amnesty International chapter, becoming the first Arab country to do so. The government also adopted a number of symbolic religious measures, such as the rehabilitation of the famous Zeitouna University (Faculty of Theology) and the use of Qoranic quotations in speeches and ceremonies. Ben Ali started the long process of negotiating with the MTI to secure its support of the Tunisian political system, prior to its recognition as a legitimate organization, whether political or cultural. Two elements were particularly important in the negotiations. First was recognition by the Movement of the past secular accomplishments of the Bourguiba regime. The most important accomplishment was the new family law or Personal Status Code, which accorded women equal status with men in many areas, such as inheritance and marriage, where Islamic law prohibited it. The other element was the government's requirement that no organization claim exclusive use of the Islamic label. These conditions and others were accepted in public speeches by MTI leaders during August and October. MTI leaders sentenced in absentia returned to Tunisia from exile to appeal their judgments. It was not until February 1989, however, that the fundamentalists finally made an official request for authorization of a party, named the Nahda to avoid any use of "Islamic" in the title, too late for the party to be involved in the April elections.

Seeking additional ways to formalize the national consensus behind the new regime and to specify the notion of a loyal opposition, the president announced plans in April 1988 for the elaboration of a National Pact or common national platform. In the fall, a preparatory commission was appointed in consultation with the represented parties and national organizations; a representative of the not-yet-recognized MTI was also included. The commission drew up a broad document of principles that reaffirmed the modernizing programs of the past regime as well as the Arab Muslim nature of the country. The purpose was not to stifle political debate but to provide a common sense of the nature of the political system on which tactical differences could be debated.

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As the political system was being reconstructed, another task for the government was the revision of the electoral law. Elections were originally scheduled for the anniversary of the November government change, but various preparations, including the National Pact and the electoral law, came too late to meet that deadline. One question hotly debated within the government and among the parties was the nature of the elections: Should they be conducted for the entire legislature or merely partial, or municipal elections first before any legislative elections at all. The major problem was the total ignorance of all political figures about the real strength of the various political forces. There was a general feeling that the RCD (ex-PSD) party was well organized, but also a fear that its previous alienation from the public meant that voters would grab onto any opposition party as a protest vote against the PSD of the past. Similarly, there was agreement that the removal of Bourguiba had removed half the support from the MTI, that many Tunisians were put off by its past record of extremist violence and anti-modernist positions, but there was also a fear that it represented a significant portion of public opinion. Finally, it was believed that the liberal MDS could still command the 25-30% of the electorate that it was thought to have won in 1981, but there was also the view that it was merely the PSD/RCD's Tweedledum and not a real alternative to past policies or even past personnel.

Given this context, the debate on the electoral law was an exercise in caution rather than an informed rule-making process. Legislators felt that single-member districts would encourage demagoguery and localism, opening the way for personality cliques and extremist appeals. The past elections were all held using a list system with crossvoting (panachage); in fact, the crossvoting provision has been meaningless, as it is in many countries, and in no way softens the winner-take-all nature of the results. The other possibility was a proportional representation system of lists, which would avoid the problems foreseen in single-member districts, but would allow a greater diversity in results and a better chance for the new opposition parties. However, the fear of Islamic candidates running as independents was predominant, and ultimately the government and Parliament opted in favor of maintaining the list system. This decision was reinforced by the advice of a number of French government and party officials visiting Tunisia at the time, who all emphasized the role of a proportional representation system in "encouraging extremism".

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A second important issue was the question of electoral scheduling. Constitutionally, early elections could be held no more than a year before their scheduled date, but elections were actually needed before 1990. The same consideration also prompted the view that municipal elections, scheduled for 1990, should be held earlier as a test run for the general elections. The scheduling question was also tied to the date of the presidential elections, which were to be held as soon as possible, to benefit from the popularity of the man who solved the "Bourguiba question", but as late as possible to allow him to build up his organization. Opposition parties rejected the partial election proposal, demanding a chance to replace the entire Bourguiba assembly. Although partial elections were favored in party and government circles, ben Ali finally announced full general and presidential elections for November 1988 under the pressure of the opposition and the need to couple presidential with the legislative elections. The need to provide adequate time to revise the registration lists, plus the other legislative preparations for the elections, caused postponement to April 1989.

C. Political Parties

Democratic Constitutional Rally (RCD). The RCD is the refurbished dominant party of independent Tunisia. It was founded as the New Constitutional (Neo-Destour) party in 1934, when Habib Bourguiba, a young French-trained lawyer, broke away from the old conservative nationalist movement, the Destour, so named both as part of the constitutionalist movement which swept the Ottoman Empire at the beginning of the century and in memory of Tunisia's own nineteenth-century constitution. The Neo-Destour, led by Bourguiba, won Tunisia's independence from France in 1956 and became the single party of the regime. In 1964, at its VII Party Congress, it renamed itself the Socialist Constitutional Party (PSD) in tune with its current policies, but after the 1974 IX Party Congress it became conservative, bureaucratized and inflexible. Its lowest point was marked during the January 1984 "IMF riots", when Prime Minister Mzali had counted on the PSD (of which he was secretary) to provide support for the sudden rise in bread prices: instead, Tunisia saw its bloodiest moments since independence.

The government change of 7 November found the PSD ostensibly in control but in fact weak and beleaguered. Its director had been changed 3 times in the previous 6 months, the political bureau was hand-picked by Bourguiba, and its secretary-general, now

President of the Republic, was wary of the party he headed. Nevertheless, the PSD had an infrastructure throughout the country, if it was not popular, and its former director, Hedi Baccouche, was ben Ali's principal co-conspirator and new Prime Minister. A month after taking office, ben Ali appointed a new politburo of 12 instead of 20 members with 4 holdovers from the Bourguiba administration. National organizations were no longer represented, to signal the separation between party and social sector representatives. In February, the central committee was called to accept the new name of the party and to approve a plan to revive its structures. The President appointed new secretaries-general and assistant secretaries-general of the coordinating committees of the country's 14 regions, as well as the members of the committees of the federations, the next level of the party. Newly appointed federation members then recruited new blood for the 5323 party cells. Once the appointment and recruitment phases were completed, the cells elected the officers of their cells, the members of the federal and coordinating committees, the delegates to the Party Congress, and one-third of the new central committee. Although 80% of the committee members were new to their positions, only 20% were totally new to the party. In 1988 the RCD claimed 1.5 million members, 63% of whom were claimed not to have been members the previous year, but many of these were earlier members who had lapsed. The new party organization was thus peopled largely by former PSD members or defeated party factions, much more than by totally new blood; by mid-1988, party reformers admitted that the renovation of party memberships and structures was much less thorough than was desirable. Nonetheless, by party figures the party membership doubled between 1983 and 1988, and increased by 50% between the beginning of 1987, before the government change, and a year later, under ben Ali.

Ben Ali has remained president of the renewed party. As early as December 1987, deputies to the National Assembly pressed ben Ali to declare that he was party president as well as (or more so than) president of the Republic. At the end of July 1988, the party met in congress, named the Congress of Salvation in order to avoid giving it a number in the PSD series, and elected ben Ali its president. He also chose a new, smaller politburo with 10 members, only 3 of whom (including ben Ali and Baccouche) were on the bureau at the time of the constitutional coup. All politburo members except for Abderrahim Zouari, the party secretary-general, are Ministers. It is clear that ben Ali has been unable

to achieve the separation of party and government on the political level to which he committed himself at the start of his administration.

Financially, the party has undergone a greater separation from the state. State subsidies are reduced or absent, and the party budget is now separate from the state budget. The RCD has begun to form businessmen's support groups and to seek private contributions. This has not been difficult to accomplish as a result of its dominant political position, and there is little chance of opposition parties finding similar support. Ben Ali has spoken frequently of a presidential majority, and he received the support of all the parties during the presidential election. Although the RCD is dominant in the government, a large number of ministers have been chosen for their technical competence rather than party affiliation, and a number of ministers are specifically non-RCD members or members of opposition parties. There is at least one MDS member (resigned from the MDS politburo when he received a government appointment) and several members of the non-partisan Tunisian Human Rights League, an organization critical of the RCD.

Democratic Socialist Movement (MDS). The MDS represents a liberal break-away from the PSD, created in reaction to the conservative and authoritarian turn of Bourguiba's party control in the early 1970s. The movement, led by former minister Ahmed Mestiri, requested recognition as a party in 1978 and was allowed to present candidates in the 1981 general elections. However, none of its 110 candidates, running in 19 of the 24 elections districts, was elected and the official vote for the party was given as 3.28%, less than the 5% required for recognition as a party. The MDS and its weekly, al-Moustaqbal, were harassed during the election and then increasingly under Bourguiba's rule; Mestiri was jailed in 1986 as he protested the American raid on Libya.

The platform of the MDS is rather similar to that of the PSD/RCD; the main difference is its insistence on political pluralism and its emphasis on competence and accountability in carrying out the program. As a result, the party has been troubled by internal divisions over the issue of its relations with the government party. In 1980, when Mzali sought to reinvigorate the PSD (and eventually presented its candidates on a "National Front" slate with those of the labor union in 1981), some members of the MDS rejoined the PSD. Following the efforts of ben Ali to revive the RCD, important members

of the MDS rejoined the government party and others joined the government, to the displeasure of the MDS, who felt that their work had not yet been accomplished. The MDS joined in drafting and signing the National Charter in 1988, having been excluded from a similar effort conducted by the PSD alone in 1981.

In the 1989 elections, the MDS presented a slate of candidates in all but two districts (Tataouine, Monastir) but was disallowed in two others because of ineligible candidates and sponsors (Siliana Ben Arous). The candidates received about 4% of the total vote and about 4.7% of the vote in the districts where its candidates ran. The MDS, however, claimed fraud and harassment.

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Tunisian Communist Party (PCT). Tunisia's oldest party, the PCT, was created in 1919 but has never won an election. It presented 69 candidates and 4 independents in 13 of the 18 election districts in the constituent assembly elections of 1956 and 13 candidates in 2 districts in the first legislative elections of 1959, but was banned in 1963 after being implicated in a plot against Bourguiba the previous year. In 1981, all judgments against the party were lifted so that it could participate in the general elections, but it could only present 37 candidates in 6 of the 23 districts. In 1989, the party did not present candidates, in protest against the list system which gave them no chance at a seat. Independent lists were put forward in 3 districts with PCT members among them and they received about 5% of the vote in the districts where they ran. Mohammed Harmel, the PCT general secretary, did run in the 1988 by-election in Tunis, presenting himself as the "real" candidate of 7 November and the best superior of ben Ali, but received few votes.

The PCT has run out of whatever steam it may have had in past eras and is now a household pet of the Tunisian political system. From time to time it publishes cogent criticisms of Tunisian economic practices. Harmel had an audience with Bourguiba in 1981 and has been received several times by ben Ali, thus assuring his support of the regime. Although its traditional centers are in Gafsa and Gabes, towns of some industry, Tunisian workers are organized into the General Union of Tunisian Workers (UGTT) which has a strong history of non-Communist international labor attachments. As a result, the PCT is above all a club of intellectuals.

People's Unity Party (PUP). The PUP is the legalized break-away group from the followers of former Economics Minister Ahmed ben Salah and his socialist program. Ben Salah, also former head of the UGIT, was the main formulator of Tunisian development policies in the 1960s but was arrested after his experiments in forced agricultural collectivization failed in 1969, and he escaped from prison to flee abroad in 1973. ben Salah founded the PUP in exile and it held its first national conference abroad in February 1980, followed by the first national conference in Tunisia in July. Although all members of the Movement except ben Salah were amnestied by Bourguiba in preparation for the 1981 elections, the Movement split in response to Bourguiba's repressive measures. A group led by Mohammed bel Hadj Omar set up its own party to run in the elections, while the original leaders refused to participate until there was a full amnesty and political freedoms. The dissidents, termed MUP II, ran 58 candidates (half of them labor union figures) in 9 districts. By official counts, the party received less than 1% of the total vote.

After the 1987 change-in-regime, the MUP supported ben Ali, signed the National Pact (which the MUP II refused to do, even though ben Salah was finally amnestied and had returned to Tunis), and acted as a leading spokesman for the idea of a national front with the RCD. It presented candidates as the PUP in 6 districts and received 2.4% of the vote in those districts.

The PUP is a socialist party, running mainly on the successes of ben Salah in the 1960s in his state industry and cooperative agricultural programs. It publishes al-Wahda (Unity), a weekly. The appeal of the party is weakened by its split with the MUP I, by the fact that its patron is in the "other" movement and because it is simply out of touch with current Tunisian politics.

Progressive Socialist Party (RSP). The RSP is located between the PCT and the PUP on the political spectrum. It is a new party growing out of the leftist student opposition to the non-socialist government of the 1970s. Led by lawyer Nejjib Chebbi who represents the modernist secular left, the RSP was formed and recognized as a party in 1988. It presented candidates in 4 districts and participated in independent leftist slates

in 3 others. The RSP received 3.5% of the vote in the 7 districts. It aspires to become the labor party of Tunisia but has a long way to go.

Democratic Unity Union (UDU). The UDU is the latest party to be authorized and the one given the greatest chances of growing into a respectable political force. The party was formed by Abderrahim Tlili, head of the state olive oil force and son of the popular labor leader, Ahmed Tlili. Its platform is Arab socialist, based on strong support for greater ties with the Arab east, designed to appeal to voters supportive of socialism and at the same time to undercut the cultural appeal of the Islamic groups. The UDU presented candidates in only 4 districts, where it received 3.3% of the vote. A lot of growth will be required if the party is to live up to the promise some observers ascribe to it.

Social Party of Progress (PSP). The PSP is the one-man creation of Mounir Beji, a law professor, and represents little else. Its platform is liberal, in competition with the MDS. It was recognized in 1988, with no identifiable antecedents, and presented candidates in only 3 districts, where it received only 2.3% of the vote. It is hard to see much future for the party.

Renaissance Party (Nahda). The second most important force in Tunisian politics, still not recognized as a party, is the organization of the Islamic fundamentalists. The movement has undergone important changes throughout its life; some observers see it as strong as ever, although it has certainly lost an important part of its following since the time when it was the only opposition force to the worn-out politics of Bourguiba, while other observers believe that it is in steady decline, with little hope of achieving even its announced totals of 1989 again.

The Islamic opposition to Bourguiba's secular modernism grew from the first state policies in the 1960s and took on a more organized form with the publication of the magazine al-Maarifa (Knowledge) in 1974. In 1979, while Khomeini was coming to power in Iran, the appearance of a second, more political journal brought the arrest of the fundamentalist leaders for a brief period, followed by the first congress of a new political organization, the Movement of the Islamic Way (MTI). Rachid Ghannouchi was chosen president and Abdelfatah Mourou secretary general. The second congress was held in April 1981, at the same time as the PSD congress where Bourguiba announced plans for a

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multiparty election. The MTI announced its existence in June and requested legal recognition, which was denied. Repression, clashes with the police, attacks on public places, and trials immediately followed. By 1984 the repression was relaxed, prisoners had been released, and the movement held its third congress at the end of the year. Discussion of legal recognition was revived and Mzali granted an audience to Ghannouchi along with other opposition leaders at the end of 1985. At the end of the following year, the fourth congress faced stricter government policy led by the successor of Mzali, and the MTI pulled back from its hope for a legal role while its more militant wing rose in importance. 1987 was a year of mounting confrontation between MTI groups and the government, as Bourguiba vowed to stamp out the movement that increasingly called his secular measures of modernization into question. The year drew to an end with increasing trials and sentences, including death sentences.

Ben Ali's arrival to power brought about important policy changes by the government. MTI members were released from jail, except for small groups associated with the 8 November plot. Long and often-interrupted negotiations were carried on with the Movement's leaders over the conditions for reentry to the Tunisian political scene, centering around three issues: renouncement of violence, renouncement of the exclusive claim to an Islamic title, and recognition of the secular measures of modernization. Ghannouchi made important statements in 1988 on all three issues. An MTI figure joined in signing the National Pact. However, neither side was fully confident that the other was bound by its pronouncements. Finally, in February 1989, the party asked for recognition under a new name that did not carry an explicit religious reference. When the time came for the registration of candidates, at the beginning of March, a large number of independents appeared, and gradually it became apparent during the 13-day campaign that the independent lists were supported by the Nahda, even though not all of the independent candidates were Nahda members. By presenting a broad list of candidates, the Nahda benefitted from a wide appeal and could claim to be the voice of the real alternative, but it suffered from incoherence and contradictions in its campaign. In the elections, Nahda workers were extremely well organized, a machine equal to the machine of the RCD. Runners, poll-watchers, and candidate services were all provided, and the party organization monitored voters and results as well as the RCD.

In the 1989 elections, Nahda independent lists were presented in all but one district (Zaghuan); lists were invalidated in six more, but three invalidations were overturned. Only three districts (Siliana, Ariana, and Jendouba) had no independent slate. Official figures gave the independents about 17% of the vote in the districts where they ran. They did especially well in the cities, where they appeared to attract proletarian and lower middle-class votes, the usual source of support for fundamentalist groups. In Tunis 2 and Ben Arous, independent slates received 30% of the vote. This is a showing worthy of a strong opposition party, and real results may well be even higher.

D. Election Process

President ben Ali insisted that the 1989 elections should be free and "transparent". To this end, the elections were conducted according to a revised set of regulations that would meet any standard; registration, campaigning and voting were open and free of restriction or intimidation. There were certainly scattered irregularities of the sort found in a free contest between two or more political machines, but they did not affect the results. Challenges to the reporting of the results were denied through the regular appeal process. It is less certain that these challenges were in fact unfounded, but it is not certain either that they would have affected the results. The worst blemish on the election was not its conduct, but the electoral system under which it operated, and the decisional dilemma in which it placed the parties at the beginning of the campaign.

The Tunisian Constitution provides for free, competitive elections, and has done so even under the single-party regime. Voting is voluntary. The electoral law is voted on by the national assembly, all of whose members belong to the RCD. The election districts and the number of seats are established by a presidential decree prepared by the Interior Ministry. Under ben Ali, the government made a point of maintaining a separation between the Ministry and the parties. For example, for the first time, detailed results were not available to the RCD after the elections, although the Interior Minister is a member of the Political Bureau of the RCD. The date of the elections is also set by presidential decision. Election commissions are established to conduct registrations; they were composed of RCD members since other parties did not propose members. Poll-watchers can come from all parties. In the 11,794 polling places (one for every 230 voters), there were 25,720 poll-watchers, with some polling places having two, some having only one. There were also 140

foreign journalists and various embassy observers. The constitutional council, an innovation under the new constitution with the right of judicial review, is the ultimate appeal body on the conduct of elections. It is composed of eminent lawyers and judges, all members of the RCD, and presided over by a trusted law professor and dean, who was the former director of the PSD.

On election day, the voter enters the polling place to find stacks of ballots representing each party list with a different color: RCD red, MDS green, PUP gray, UDU brown, PSP orange, RSP yellow, independents white. Any citizen, male or female, properly registered and without a criminal record, has the right to vote. The voter presents his or her voter and identity cards, is checked off on the voters' roster, receives two envelopes (white for the presidential election, tan for the assembly) plus the ballots, and goes into the voting booth. The voter puts the ballot (or ballots in case of crossvoting) into the envelope, emerges from the booth and inserts the envelopes into separate ballot boxes. If the voter cannot read or write, he may be assisted by another voter of his choice. Since the campaign has officially ended two days previously, no campaigning is allowed in the vicinity of the polling place.

At 6 p.m., the close of the vote, the count is taken by the three-person electoral commission appointed by the governor, which administered the election during the day, augmented by other commission members added by the chairman if necessary. The count is public and party poll-watchers are present. Each envelope is opened and the ballot passed to a second commission member, who reads it aloud to two commission members keeping count. The results are then tallied and sent to collection points, where they are totaled and sent to the central office of the province (election district) where the final tally is made. One candidate from each list may be present at each tallying stage. The final count is then sent to the Interior Ministry, the president of the Constitutional Council, and to the provincial files. The results are announced by the Interior Ministry on the day after the vote. Detailed results lower than the district level are not made public, and the control at the tallying stages above the initial polling place is more difficult to effect than at the initial level.

The most significant decision of the campaign came before its opening, at the beginning of February. Even at this late date, the RCD was uncertain whether it was going

district = province

to sweep the polls or face a vote of rejection in favor of an opposition list, variously estimated to be either the MDS or the independent candidates. On the president's side, the notion of a "presidential majority" and a common adherence to the National Pact suggested that the uncertainties of the vote could be overcome by a common list, an old Tunisian practice used as early as 1956 and as recently as 1981. The common list would assure opposition parties a place in Parliament, thus providing a multiparty result as well as a multiparty election, although it would certainly remove choice and competition. Informal estimates were that the RCD would be allotted about 110 seats, the MDS about 25 seats, and the remaining parties, including an Islamic independent, would receive one seat each. The option was discussed at RCD political bureau meetings on 31 January and 7 February, and approved at a central committee meeting on 10 February. The signatory parties of the National Pact met with the President and Prime Minister three days later and agreed to support ben Ali's candidacy, but wanted a week to discuss the matter of the common list. The PCT and the independents (MTI, Nahda) were immediately in favor of the common list, and the PUP, PSP and RSP concurred. The MDS political bureau was also in favor of the measure save for its president, who insisted that choice and competition were the meaning of his whole partisan activity. The MDS thus rejected the offer, and the RCD withdrew it a week later. The MDS decision was a principled but unrealistic response to a genuine dilemma, and it would have consequences filled with ironies. Instead of the 30% vote that Mestiri expected or the 25 seats representing 18% of the vote that he had been offered, the MDS received 4% of the vote and no seats. Instead of a pluralist assembly with a seat for the Communists and Islamists among others, the new Parliament was as monocolored as its predecessors, elected without opposition. Had a proportional representation system been adopted, the results would have been the same as offered under the common list, except that the MDS' and independents' results would have been reversed.

The election began with the registration of candidates between 4 and 10 March. Each candidate had to be nominated by 25 voters of his district. A review of the legal qualifications of the candidates and their nominators resulted in the elimination of a number of lists, some of which were restored on appeal, on 14 and 15 March. The campaign opened on 19 March and ran until the end of the month. In addition to public meetings, all parties had equal time on state television, without cost. Although the law

stipulates that each party provide their own ballots, the President decided on 12 March that the state would supply them. Although there were some contests and incidents in the campaign, it was overall free and open, with no restriction on any party's activities. Tunisian observers underscore this important difference from the campaign of 1981, which was marred by continued violence against the opposition parties, ultimately forcing them to call off campaigning before the rigged results were announced.

~~It is certain that there was pressure in some cases outside and inside the polling places. Employers brought truckloads of workers to the polls, particularly in rural areas, and sometimes demanded the unused ballots. Party workers brought out their vote. Voters and even officials made partisan declarations ("Who needs a voting booth? Why take any ballot but the red?"). Such activities favored the RCD and the independents, and assailed smaller parties. However, it is most unlikely that they had any significant effect on the results, or that they went much beyond normal competitive election behavior.~~

This year, there were two major challenges to the vote-counting process. On the afternoon of election day, the MDS political bureau decided to withdraw its poll-watchers and contest the proceedings. It claimed that there were serious infractions and that to call attention to them in the polling places would have brought a reaction of violence from the RCD agents present. However, when called upon to cite specific incidents, the examples were few and not very significant. It is clear that the MDS was shocked by the low vote that it was receiving (a surprise shared by the RCD), which may have been an element in the decision to withdraw. More serious was the legal challenge brought before the Constitution Council by the independents (Nahda), who claimed large-scale fraud in the count and reporting results once the polls were closed. Although they provided much evidence to support their charges, it was legally inconclusive, and both officials and opposition admitted that the RCD had enough experience in organizing elections not to be caught red-handed in its activities. The Council rejected the charges for lack of evidence. That judgement is unassailable, but whether or not it disposes of the issue is unclear.

E. Post-Election Observation

The results of the election can be characterized by the following two conclusions:
 (1) they were an important experience in a free and fair multiparty election system with a

frustrating single party result, and (2) they represented the creation of a new 2-party system in the country. The implications of the first conclusion call for a revision of the electoral system, as is widely but not universally recognized in Tunisia. There is now some sort of feeling about the relative strengths of the various forces and parties, even if the figures are open to debate and interpretation, as well as evolution. There is an open newspaper discussion about the merits of various systems, but the conclusion that the common list based on no knowledge of the strength of the parties would have given the "best" results is of no help. The most likely outcome of the debate will be that any change will have to await the results of the next elections for municipal councils, in mid-1990, where the Nahda/independents should do well. The other conclusion for electoral practices is that a mechanical voting system which does not permit party machines to demand unused ballots from their followers after the vote is of high priority. This conclusion is not widely recognized in Tunisia.

The impact of the 2-party system is different for different parties. For the Nahda, it underscores the importance of recognition as a party. The government's refusal to recognize Nahda, based on the ineligibility of some of the petitioners, is a delaying-and-negotiating tactic, and it sends an obvious signal. It is doubtless infuriating to the Nahda leaders, who have been playing along with such tactics since November 1987. Beyond a point which may have passed, delay-and-negotiating strengthens the militant extremists, who can claim that enough is enough and that the time for a tougher response is at hand. Such a response would start an escalation spiral that would take the country back to the fall of 1987 and civil violence. Recognition, on the other hand, would bring the party into the open, where it can be observed and controlled. It would force Nahda to turn toward the moderate middle, since it would have to compete with the RCD for the votes of the population, both those who voted in 1989 and those who did not. It would also necessarily open tensions between the Islamist moderates and radicals over tactics, whereas non-recognition would hand the tactical decision to the radicals. The government is divided on the recognition question, and the delay is as much a sign of its own indecision as it is a tactic of dealing with the Nahda. It is also a bet that the Nahda has peaked, the Bourguibist issue being gone and the religious issue being softened by the government response, and in various ways the Tunisian public has pronounced itself to be in favor of secularist modernism, at most

preceded by a verse from the Qoran. However, this conclusion is not and can never be certain, and it is put seriously in doubt in case of an economic downswing. ✓

For the RCD, the outcome is both exhilarating and troubling. The worst fears of the party have been eliminated, and the party feels justified in its claim that it is acting like any majority party, forgetting that the spoils system is a response to party coalition, not to party permanence. Its behavior, in the absence of the kind of accountability that only the democratic alternative can bring, may well lead it back to the problems of ossification and alienation that it underwent in the 1980s. The sad dilemma is that the RCD does not know how to act otherwise and there is no good advice to give it. It is only doing its thing; it is up to the other parties to provide alternatives. Hence, the very strong conclusion that transition to democracy is much harder in the case of a single party than it is in the case of a military government.

For the smaller parties, the conclusions are also mixed. For the MDS, the time has passed and the cruel prediction has come true: Observers have often said that the fate of the MDS will be to bring about a multiparty system from which someone else will benefit. The MDS is splitting into pieces and has little chance of providing a clear alternative to the RCD. The other small parties are at the other end of the curve: They can only do better. It is hard to see how any of them has much promise of doing so. The main promise for some force lies in the large untapped segment of the Tunisian voters that is neither rural-cum-middle-class nor urban lower-class nor lower middle-class traditionalist, i.e. neither RCD or Nahda. This option has historic roots in Tunisia, beginning with the UGIT's attempt to form a socialist party under ^{Salah} ~~Shah~~ in 1957. At the present time, as structural adjustment and privatization are current answers to economic problems, socialism is not a popular option; as the weak and faction-ridden UGIT is only just being reorganized and forced to find its own footing autonomous of the RCD, the labor union is not a strong source of support. However, both of these sources of weakness will improve, providing Tunisia with its potential as a three-party system. It is not clear at this point whether one of the baby parties now in existence can tap into this potential, or whether a new party - perhaps directly based on a reinvigorated UGIT - will be necessary.

F. Conclusions

The multiparty experiment of 1989 was a successful exercise from the point of view of electoral practices and also as a first step. It is clear that it is not a last step. It could have been seen as disproving the need for pluralism in Tunisia both for the dominant party, which won handily, and for the nascent opposition, which learned that there was no room for them in the Tunisian political system, even in free and fair competition. Instead, the election is - and is recognized as - an initial step to be followed by others such as the ~~election of opposition members of the Assembly, the election of opposition city councilmen, the election of an opposition majority in Parliament and contested presidential elections.~~ Only at the last step can the system claim to be fully democratic, and democracy thereafter needs to be reasserted at every round.

The elections also show that transitions to democracy operate under specific and unusual difficulties when starting with a single-party regime. The more common discussions are based on transitions from military rule, where an identifiable group decides that governing is not worth the trouble and that it can make its biggest reputation by transferring power to the people. All they ask is a proper retirement; the most they can hope for is a new and responsible successor. In the case of single-party antecedents, the party, which has been trained to use the forms of democracy to keep power for itself, is asked merely to move over and to make room for others, not to retire completely. Nothing prepares it for this exercise; everything has prepared it to take on the opposition, which necessarily criticizes its past stewardship, and which has beaten it at the polls. As Zouari, secretary-general of RCD, has often said, "We will welcome the opposition into the ring, but there will be no free gifts."