Arab Reform Initiative

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Tunisia's Parliament: A Series of Post-Revolution Frustrations

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Kasbah Square (Tunis Town Hall) ©Wikimedia/Sami Mlouhi

Introduction

The long reign of Bourguiba and Ben Ali sparked in 2011 a revolution that seemed to usher in a definitive break from authoritarianism and dictatorship. Although the democratic transition was launched and a new constitution was adopted, the country experienced a major reversal in 2021. Following the 25 July coup, the Assembly of Representatives of the People (ARP) has been the focus of the President of the Republic's frustration and anger – not missing a chance in his speeches to point out that he speaks on behalf of the people when criticizing the ARP.

How does the Assembly of the Representatives of the People really work? How did it manage in just a few years to become the symbol of Tunisia's failed hopes post-2011? How do we explain the hashtag #TnZoo, which became one of the most famous hashtags of the Tunisian community on Twitter? Is the popular jubilation on the evening of July 25 an expression of anti-parliamentarianism linked to the poor output of this institution, or do we stand before a profound opposition to representative democracy? To make sense of these questions, we will focus on the logistics of ARP everyday life – an institution that has failed to prove its "usefulness." We will also try to identify the multiple transformations of the parliamentary political landscape between imposed consensus and progressive fragmentation.

1. A Dysfunctional Parliament in Context of Ongoing Institutional Tensions: How Do Logistics Affect the Role of the Legislative Branch?

Multiple publications[1] have been focused on the National Constituent Assembly (NCA) or the Assembly of the Representatives of the People. The vast majority of them were interested in the MPs, their backgrounds, their actions, and the issues

that were addressed by these two institutions. However, only few tackled the functioning of the Assembly of the Representatives of the People.[2] What means were available and how was parliamentary work organized?

With a 30 to 35 million[3] dinar budget depending on the year, the ARP has the most modest budget compared to other state bodies.[4] For example, in 2020, the Presidency of the Government had nearly 200 million dinars[5] for a smaller staff. As for the Presidency of the Republic, the Ministry of Finance has preserved its pre-revolutionary balance: it is therefore the institution has the biggest budget for its scope of intervention. Its budget was increased from 110 million dinars in 2018 to 170 million dinars in 2022.

The issue of resources available to the ARP is not only that of logistics. This problem, which may appear as a political choice, has damned the legislative power to collapse. The logistical question is focused on two elements: the space and the human resources.

With each new mandate, the newly elected members are surprised by the lack of means at the ARP. While veterans elected since 2011 know that there are neither offices, nor secretariats dedicated to MPs, others ask about the space that should house them for the entirety of their mandate. Once out of the plenary room, an MP can either sit in the cafeteria in the Parliament's basement or try to find a free seat in one of the many corridors of the Bardo Palace. Only the parliamentary blocs have their own rooms, generally dedicated to bloc meetings. Long conference tables have often been let go to rearrange spaces and create several small corners. One will be dedicated to MPs, another for administrative assistants or parliamentary assistants when a bloc is lucky enough to have them. It should be noted that the lack of work spaces had a major impact on the productivity of MPs, but also on their self-esteem. It is never easy for an elected representative of the Nation to explain why he can only receive people in the corridors of the Assembly. The lack of confidentiality, but also of solemnity, has had some repercussions on the pace of work of the elected representatives at the core of the parliamentary institution.

Many have preferred to work from their constituencies where they have offices, either in their respective governorates, or at the premises of their political parties.

During the different mandates, inequality between the different members of the ARP was rather striking. Some, who were at the helm of prosperous economic groups, had personal drivers to take them from one meeting to another. They could hire personal assistants, secretaries, photographers, or community managers. Others, simple civil servants, often having to pay two rents (one in their constituencies where they live with their families, the other in the vicinity of Bardo where they reside during the week), often relied on the metro and cab services. Some political groups had a car with a driver for their meetings with MPs. Moreover, the disparity in the remuneration of MPs affiliated with political parties and independents is significant. This may seem like a footnote in the greater scheme of the important issues addressed by the institution, but the daily accumulated pitfalls had a very concrete impact on the poor performance of elected officials.

Throughout the seven years in power of the parliament elected based on the 2014 constitution, it was impossible for MPs to attend trainings, hire parliamentary assistants, or benefit from digital equipment without resorting to international aid. We must not forget that the responsibility falls first and foremost on the elected officials who have failed to defend their prerogatives and organize themselves within political parties to compensate for this problem. The law on the financial and administrative independence of the ARP[6] never saw the light. It was extensively discussed at the commission level and was added to the agenda of the plenary session. However, it fell short in stoking sufficient interest from the elected representatives. The objective of this regulatory text was to break the ARP free from the grips of the executive power – both in defining its budget and being able to appoint and manage the administration without referring to the Presidency of the Government. Even though the Official Gazette of the Republic of Tunisia and the Official Printing Office of the Republic of Tunisia are under the control of the Head of Government, the idea was that the legislative branch could also publish regulations justifying appointments and expenditures without depending on the bottleneck represented by the executive branch.

Therefore, there were still opportunities offered by the international community and cooperation programs. The NDI, IRI, UNDP, UN Women, the French Court of Auditors, the Venice Commission, the Carter Center, and the European Union are

all examples of organizations that have funded parliamentary governance assistance programs since 2011 – either directly or by supporting initiatives led by local civil society. These funds have generally been spent on organizing trainings or conducting political dialogues. They have provided experts on legislative issues, particularly in the fields of institution-building, human rights, and freedoms. This generally falls under policies aimed at consolidating the democratic transition. For instance, UNDP will spend 4.5 million euros between 2015 and 2022[7] for this purpose.

Until 2020, having parliamentary assistants in the ARP was only possible through NDI and UNDP programs. The employment contracts were precarious, the remuneration was often symbolic, and the work was more like an internship because of the very limited time frame. Such programs haven't been able to fulfill the needs of the ARP and its legislative work; on one hand, because of the volatility of the projects and the lack of follow-up and mutual commitment, and on the other, because it would have required much greater resources and political management of operations. However, the parliamentary administration was resistant to these programs. It did not always see the interest in them.

Parliamentary advisors were not too fond of young experts who came in speaking several languages, unversed in the inner workings of the Tunisian parliament and paid by international organizations. The parliamentary advisors had been to the Ecole Nationale d'Administration (ENA) or had a master's degree in law. They had been given a place in parliament after a national competition. Many of them were on track to become public service advisors.[8] There was a lack of collaboration and the administration grew closed-off, trying to resist to what it deemed as an external threat. Moreover, this issue was the subject of a major controversy in March 2021 when one of the opposition leaders, Abir Moussi addressed the subject by accusing the Speaker of Parliament, Rached Ghannouchi, of conspiring against state security by opening the door of Parliament to foreign powers.[9]

2. Transformation of the Parliamentary Political Landscape: Effects of Consensus and Impact of political

fragmentation.

The ARP was further destabilized by the role played by the parliamentary blocs and, by extension, the political parties they represented. The rules of procedure stipulate that seven MPs can create a parliamentary bloc, enjoying the rights and benefits thereof. It is seven because at the time that the text was written, Afek Tounes – one of the parties in the majority's quartet from 2015 to 2016 – had only managed to secure seven MPs.

Arrangements and agreements made in Parliament usually had one ulterior motive: to safeguard political stability at all costs. This has undeniably helped blur the boundaries between the various political blocs. The ongoing pursuit of consensus was also due to a context where it was difficult to guarantee voting discipline and MP attendance.

Every year, when the annual report[10] of Al Bawsala – the parliamentary watchdog – is released, the public is shocked by the revelation of the enormous absence rates of (too) many MPs or their lack of participation in votes. It was difficult to understand how a person who is paid ten times the minimum wage and who has taken an oath to be at the service of the people does not dedicate him/herself entirely to this mission. The importance of voting discipline has been demonstrated during the different legislatures by Al Bawsala which calculated the percentage of voting discipline of each elected representative.[11]

In an effort to preserve the consensus, the MPs were prompted to adopt a draft law as criticized as that of the economic reconciliation, driven by Béji Caid Essebsi and approved by Ennahdha. That is in spite of the clear opposition of both the civil society and the militant bases of a party like Ennahdha. This situation clearly illustrates the impact of consensus on the Parliament's image. On a completely different note, in some years we found ourselves in situations where "opposition" parliamentary blocs voted on the State budget to give a boost to the majority. In return, they could obtain advantages at the level of regional appointments or in public administrations – always in the name of consensus.

In addition to the confusion (and sometimes discontent) caused by this approach, there has been a fragmentation of political classes. This has been the case since

the early days of the National Constituent Assembly. A political party like Nidaa Tounes first created a parliamentary bloc by taking MPs from different groups before participating in the 2014 elections. It is true that the management of MPs within political parties was not equal across the board. For instance, for groups like Jabha Chabiya or Ennahdha, the strength of the membership and the longevity of the organization have facilitated the imposition of a voting discipline and a political line. However, the fluidity of political affiliation made it difficult to build a solid majority. Many parties have been created to participate in elections without thinking about the sustainability of the political project, and sometimes even without having a political project. The impact on the parliamentary landscape was very real, as groups were created and dissolved based on the clan conflicts in the political parties. For example, the split of the parliamentary group of Nidaa Tounes in 2016 and the split of Qalb Tounes in 2020 have caused upheaval inside Parliament.

This is the image that will remain in public opinion, carved in the minds of the majority of Tunisians. The image of a fragmented political class, at the mercy of the interests of each caste. This may also explain the very timid reaction to the freezing and dissolution of Parliament. The MPs, through the accumulation of the aforementioned, had become indefensible.

Conclusion

As a result, the disconnect between the parliament and "the people" has grown with time. Political expectations were as high as ever, but the capacity of the people's elected representatives to act did not improve. More than a disengagement from politics, the low turnouts in the legislative elections in 2014 and 2019 seem to express a protest against the inertia of parliamentarians. Finally, there were no satisfactory answers to the traditional question that were often heard in the public sphere: "What have the MPs done for us" / "ech-'amloulna el noueeb"?

On the contrary, the situation worsened until Tunisians saw a bloc leader being savagely stricken by another MP live on television. This was undoubtedly a point of no return in terms of image and perception. The public opinion stirred up by a

pandemic with dramatic consequences and a severe economic situation was ready to give in to the promises of a better tomorrow, even if they had to accept it in the form of a military tank parked in front of the Bardo Palace along with a rise of absolute power of the President of the Republic.

Endnotes

1. **Déborah** Perez, « Faire la loi à l'Assemblée nationale constituante tunisienne. Recomposition et formation d'un nouveau personnel parlementaire tunisien » (Making Law In The National Constituent Assembly Of Tunisia. Recomposition And Establishment Of A New Tunisian Parliamentary Staff), *L'Année du Maghreb*, 14 | 2016, 187-204.

2. DEFORGE Quentin, « Une expertise internationale sans « bonnes pratiques » : soutenir la professionnalisation du travail parlementaire dans la Tunisie d'après 2011 » (International Expertise Without " Good Practices ": Supporting The Professionalization Of Parliamentary Work In Post-2011 Tunisia), Critique internationale, 2019/2 (N° 83), p. 127-145.

3. With a forecast of 42 million dinars for 2021, the budget was revised downward in the complementary finance law of December 2021 to 35 million dinars after the suspension of salaries of MPs following the freeze of parliament before collapsing to 22 million dinars for 2022 (page 42) http://www.finances.gov.tn/sites/default/files/2022-02/ANNEXE_01_0.pdf

4. For example: the State Budget Report for 2018 (page 47) http://www.finances.gov.tn/sites/default/files/2019-10/%D9%82%D8%A7%D9%86%D9%88%D9%86%20%D8%A7%D9%84%D9%85%D8%A7%D9%84%D9%8A%D8%A9%20%20%D9%84%D8%B3%D9%86%D8%A9%202020_0.pdf

5. See the State Budget Report for 2021 (page 52) http://www.finances.gov.tn/sites/default/files/2020-10/Rapport%20LF%202021_0.pdf

6. https://majles.marsad.tn/fr/media/show/1809

7. https://www.undp.org/fr/tunisia/projects/consolidation-de-la-transition-d%C3%A9mocratique-en-tunisie-appui-au-parlement-tunisien

8. For further analysis of this socio-professional category, see the highly interesting: Eric Gobe, Michaël Bechir Ayari. Les cadres supérieurs de la fonction publique tunisienne : réalités d'une condition socioprofessionnelle. (Senior Managers In The Tunisian Civil Service: Realities Of A Socio-Professional Condition.)Dec 2006, pp.87-100. ffhalshs-00120096f

9. https://www.businessnews.com.tn/abir-moussi-denonce-la-presence-dassistants-parlementaires-payes-par-le-ndi,520,106782,3. NDI's response : https://www.ndi.org/publications/tunisia-ndi-responds-questions-about-arp-internship-program

10. https://www.albawsala.com/en/project/marsad-majles

11. This information is available for each MP below his/her overall vote participation score at majles.marsad.tn/en. For example, for the MP Echab Abderazek Aouidet, his voter turnout rate is 73% while his voting discipline rate is 32%. As for Ennahdha MP Hajer Bouzemni, she has a voter turnout rate of 98% and a 100% voting discipline rate.

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About the author



Saida Ounissi

Saida Ounissi, aged 35, was a member of the Tunisian Assembly of People's Representatives, elected in the October 2019 legislative election, to represent Tunisians living in the North of France.

Saida Ounissi was born on February 03, 1987 in Tunis. Her family fled the dictatorship of Ben-Ali for France in 1993. She joined the University of Paris 1 Panthéon Sorbonne for a double degree in History and Political Science. She obtained her Masters at the Institute for the Study of Economic and Social Development at Panthéon Sorbonne.

In 2011, she began a doctoral thesis on social policies in Tunisia with the support of the Research Institute on the Contemporary Maghreb. As part of her research, she moved across Tunisia, where she acquires in-depth knowledge of the challenges of post-revolutionary Tunisia.

She was invested in September 2014, head of the list in the constituency of North of France by the Ennahdha party. She also becomes executive member and international spokesperson of the Ennahdha Party in 2016.

On 29 August 2016, she joined the national union government as Secretary of State in the ministry of Employment and Vocational Training, charged with Vocational training and private initiative. On 5 November 2018, she was promoted as the minister for Employment and Vocational Training. She is today a consultant and expert in public affairs, political economy and politics in the MENA region.

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