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Background papers

The rocky path from elections to a new constitution in Tunisia:
Mechanisms for consensus-building and inclusive decision-making

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The rocky path from elections to a new constitution in Tunisia: Mechanisms for consensus-building and inclusive decision-making[1]

Christopher Thornton
2014

In a landmark moment in the Tunisian democratic transition process, the National Constituent Assembly (NCA) adopted the new Tunisian Constitution on 26 January 2014. The Constitution's adoption by 200 votes against 12 (with 4 abstentions[2]) was not a triumph for one particular party or bloc, but the outcome of a long and difficult search for political consensus and compromise. The Constitution's adoption paved the way for a successful vote of confidence on 28 January 2014 for the new technocratic government of Mehdi Jomaâ, itself the result of a national dialogue process between political parties. This caretaker government is destined to lead Tunisia until its next democratic elections by the end of 2014.

Like in many other countries undergoing democratic transitions, political polarisation in Tunisia has periodically translated into violent and crippling protests, which have had serious political repercussions. At several points, notably following the assassinations in 2013 of opposition politicians Chokri Belaïd and Mohammed Brahmi, it looked possible that the democratic transition would be derailed. Both assassinations catalysed widespread protests and both resulted in the resignation of the Prime Minister and reforming of the government. At some points during the last two-and-a-half years, it looked likely that the elected NCA would be dissolved before completing its primary task of drafting the new Tunisian Constitution. To many, a "hard" or "soft" coup overthrowing the government was the most likely end to the democratic experiment in Tunisia.

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Many in the secular opposition were categorically opposed to any cooperation or compromise with the Islamic political party Ennahda. Many within Ennahda, confident in their popular support, believed that it would be better to match opposition protests in the street or call a popular referendum to renew their democratic mandate, rather than make too many concessions to the secular opposition and risk alienating their conservative Muslim base. Nevertheless, although not accepted by all, the search for consensus and compromise has characterised Tunisian post-revolutionary politics.

This paper outlines some of the innovative mechanisms for consensus-building and inclusive decision-making deployed in Tunisia since the 2011 elections.[3] Much interest has been generated by the Yemeni national dialogue, with countries from Libya to Myanmar looking

to develop similar processes. Tunisia also used national dialogue to seek consensus and compromise during its transition process. However, the national dialogue processes in Tunisia took a radically different form from that in Yemen or most other countries. Moreover, national dialogue was only one mechanism used to broaden consensus and find compromises during the transition process. As we will see, other mechanisms, including different types of coalition governments and mechanisms rooted in existing legislative institutions, were also used.

This paper touches upon the role of the international community, the somewhat ambiguous role of Tunisian civil society organisations in the transition process, and briefly considers the role of popular protests in pushing for greater inclusiveness in political decision-making: points which deserve further consideration and more detailed treatment. Finally, it considers whether these mechanisms can be deployed in other contexts, instead of more traditional power-sharing mechanisms.

Post-electoral coalition government

By mid-2011, it was evident that the Islamic political party Ennahda would not seek to govern alone following Tunisia's first democratic elections. Ennahda's president, Rachid Ghannouchi, and other prominent figures in the party stated that Tunisia's ongoing transition demanded the formation of a coalition government. They insisted that, even if Ennahda secured a majority at the ballot-box, they would not govern alone and, despite some opposition within the party, would build a coalition across ideological divides, rather than seeking to align exclusively with like-minded parties.

Ennahda identified social and political polarisation as a serious threat to the transition process. Initially, calls for a broad, ideologically diverse coalition were cast in terms of revolutionary forces uniting against the former regime. Some figures within Ennahda and other parties saw the fierce division between secular and Islamist parties as a hangover from the divide-and-rule tactics which allowed Ben Ali to remain in power for so long.

Ennahda viewed the elections as only the first step towards the irreversible creation of a political system in which it had the right to compete.

Initially, Ennahda believed cross-ideological alliances of revolutionary forces would enable the far-reaching reforms it deemed necessary. Later, it realised that the support of forces associated with the former regime would also be needed to realise this transformation. More cynically, one could suggest that Ennahda was (and is) aware of the challenges which the transition period would present and preferred to spread the responsibility for governing during this turbulent time.

In the elections of 23 October 2011, Ennahda won 37% of the popular vote and 89 seats in the 217-seat NCA, far ahead of the party in second place. Ennahda then made good on its promises and opened negotiations for a coalition government with several other parties. Ennahda was split over whether to seek a coalition with the third-placed Popular Petition[4] – a controversial populist party with socially conservative values – or to stick to the more difficult strategy of forming a coalition across ideological divides.

Ultimately, the more challenging but inclusive approach won out: a coalition was negotiated with the Congress for the Republic (CPR), a nationalist, centre-left party, and Ettakatol, Tunisia's largest social democratic party. With 8.7% and 7% of the popular vote respectively, CPR and Ettakatol were the second and fourth largest parties in the NCA.

In what became known as the Troïka system, it was agreed that each coalition partner would hold one of the three so-called "presidencies": until late February 2012, Hamadi Jebali from Ennahda held the post of Prime Minister; Moncef Marzouki of CPR was President of the Republic; and Mustapha Ben Jaafar from Ettakatol became President of the NCA. Other ministerial posts were mostly distributed between these three parties, or given to an ostensibly apolitical technocrat.

Further efforts to broaden the coalition were unsuccessful. Ghannouchi recently stated that the failure to bring more parties into the coalition and establish a "Government of National Unity" was Ennahda's biggest mistake following the 2011 elections. Nevertheless, the decision to enter into coalition with two secular

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4.   The Popular Petition initially held 26 seats in the NCA, but was subsequently plagued by a high number of defections.

parties to some extent allayed some of the fears that an Ennahda victory would bring a new authoritarian theocracy. In other transitional contexts where trust is low and political polarisation high, ideologically mixed coalitions may provide a means to encourage parties who cannot win majorities at the ballot box to buy in to the political process.

Despite its benefits, this system was not without its difficulties. As in other contexts, large coalitions make decision-making difficult, and conflicts arise concerning the roles of different actors. For example, during the 2013 negotiations between Tunisia and the International Monetary Fund (IMF), it was unclear whether the Tunisian negotiation team should take orders from and report to the Ministry of Finance, the Ministry of Foreign Affairs, or the Presidency (each of which was headed by different parties). These questions were resolved through dialogue between coalition partners but, in future, and in other contexts, a clear division of roles and rules of procedure would be desirable.

Mixed technocratic-political government

The assassination of opposition politician Chokri Belaïd, presumably by Salafist Jihadist militants, on 6 February 2013 catalysed a period of political and social unrest which at times looked likely to derail the transition process. Chokri Belaïd was a prominent leader in the leftist secular Popular Front. Some opposition actors suggested that the government was directly implicated in the assassination, others stated that government policies had encouraged the radicals responsible for the assassination, and a greater number felt the government was simply responsible for failing to provide security.

Following Belaïd's assassination, protests engulfed Tunis and other towns such as Mezzouna, Sidi Bouzid and Gafsa. Police forcefully dispersed these protests, resulting in several injuries and the death of one police officer.[5]

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In a badly orchestrated (however well-reasoned) plan to reduce tensions following the assassination, Prime Minister Jebali announced that he would seek to form a non-partisan, technocratic government to steer the country out of the political crisis. However, Jebali allegedly made this announcement without consulting his own party or the other parties in the coalition. Jebali consequently resigned on 19 February, following his failure to secure sufficient support for his planned technocratic government.

In a compromise to solve the political crisis precipitated by the assassination, the Troïka agreed to form a mixed technocratic-political government, with the so-called Ministries of Sovereignty (Defence, Foreign Affairs, Interior and Justice) being led by neutral, technocratic ministers, and other ministries being allocated to the various coalition partners. For the time being, this sufficiently reassured the opposition that the Troïka would not be able to use its position in government to fix the next elections, which were, at this time, expected to be held before the end of 2013.

As it had since 2011, the governing coalition continued its attempts to expand to include other political parties. Intense negotiations were held primarily with the Wafa Movement (a centre-left breakaway from the CPR), and the Democratic Alliance (a secular, liberal breakaway from the Progressive Democratic Party – PDP[6]). These negotiations ultimately failed, mainly because the positions on offer were outweighed by the anticipated political cost of forming an alliance with Ennahda. Polls indicated that both CPR and Ettakatol had suffered politically owing to their association with Ennahda, which alienated their secular bases.

On 22 February 2013, Ali Larayedh, a member of Ennahda and former Minister of the Interior under Prime Minister Jebali, was designated as Tunisia's Prime Minister. On 13 March, the NCA passed a vote of confidence in Prime Minister Larayedh's new government by 139 votes to 45.

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5. Police officer Lotfi Alzaar died of a heart attack after being hit by a stone thrown during the protests.
6. The PDP itself morphed into Al-Joumhouri following the 2011 elections, with several members leaving the party to form or join other political entities.

Dar Dhiafa national dialogue: April–May 2013

As part of the agreement to resolve the political crisis, a so-called "national dialogue" under the aegis of the Presidency was planned in which all political parties represented within the NCA would be invited to participate. Its objective was to develop a broad consensus on political decisions of national importance related to security, the economy and the next steps in the democratic transition. Unlike in many other contexts, the term "national dialogue" in Tunisia was not used to refer to a mechanism to expand "political participation beyond political and military elites",[7] but rather to a forum for discussions among political elites.

The first meeting was held on 15 April 2013 in Dar Dhiafa[8] in Carthage, a suburb of Tunis (subsequently the process became known as the Dar Dhiafa national dialogue process). Representatives of the Troïka attended, along with four major opposition parties: Nida Tounes,[9] Al-Joumhouri,[10] Al-Moubadara[11] and the Democratic Alliance. In an oversight which risked causing a major public relations incident, an invitation was not sent to the Popular Petition. President Marzouki was forced to apologise publically for this before the party agreed to participate in subsequent rounds of the dialogue. Efforts were made, most notably by Maya Jribi, the Secretary-General of Al-Joumhouri, to bring other parties to the table, but these were unsuccessful. Some parties, including the far-left Popular Front, felt that the President, as the leader of a political party in government, was not an appropriate figure to convene a national dialogue and refused to participate. Nida Tounes also subsequently retracted its participation, ostensibly due to the failure of this process to bring together the entire Tunisian political spectrum.

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Tunisia's powerful general trade union (*Union Générale Tunisienne du Travail* – UGTT) also refused to participate in the national dialogue. The Presidency had invited the UGTT to organise a parallel but linked process involving Tunisian civil society, but the UGTT refused on the basis that such a process could not be inclusive and would be politicised due to its association with the Presidency. The UGTT's refusal to participate was more likely due to its desire to convene the national dialogue process itself and due to perennial tensions between the government and the UGTT. These tensions result from the UGTT's secular tradition and the Islamist ideology of Ennahda.

However, the UGTT did decide to organise a "National Conference on Dialogue" on 16 May 2013. The UGTT publically stated that this event was part of a national dialogue process which it had launched on 16 October 2012. Ennahda and CPR had not participated in October 2012, but did participate in the May 2013 event. In a striking example of "constructive ambiguity", the UGTT considered this event the second round of this separate process launched in October 2012 (without the support or participation of Ennahda or CPR), while the governing coalition viewed it as a complementary and parallel process to the Dar Dhiafa process, and decided to participate.

The Dar Dhiafa national dialogue process run by the Presidency held frequent meetings (often daily) between 15 April and 15 May. Most discussions focused on timing of the next steps in the transition process: deadlines for the adoption of the Constitution, drafting of the electoral law, creation of the independent commissions necessary to organise the next elections (notably, the electoral commission – *L'Instance Superieure Independente pour les Elections* – ISIE), and the dates for the next elections.

The dialogue also covered some substantive issues, notably the question of the socially conservative

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7. Papagianni, Katia (2013), "National Dialogue Processes in Political Transitions", *Civil Society Dialogue Network Discussion Paper* No. 3, p.1.

8. Note the choice of a neutral location, rather than the Presidential Palace itself.

9. A secular, liberal Bourguibist or neo-Destourian party founded by Beji Caid Essebsi, former Minister of Foreign Affairs under Habib Bourguiba, and President of the Chamber of Deputies under Zine El-Abdine Ben Ali. Nida Tounes unites many members and sympathisers of the former regime party, the Constitutional Democratic Rally (known by its French acronym – RCD).

10. The successor party to the Progressive Democratic Party (PDP); a secular liberal party with a long history of opposition activism under Ben Ali and now the largest opposition party in the NCA.

11. A centrist party, led by Kemal Morjane, former Foreign and then Defence Minister under Zine El-Abdine Ben Ali. Al-Moubadara also unites many members and sympathisers of the former regime party, the RCD.

Leagues for the Protection of the Revolution (LPRs), and the separation of powers between parliament, government and president. Neither of these issues was categorically resolved during this process, although the discussions laid the groundwork for subsequent agreements in other forums.

Problematically, rather than addressing substantive blockages, the dialogue process focused on securing consensus on timing of particular steps. For example, several parties had concerns about the independence and selection process of members of the ISIE. However, rather than clarifying ambiguities in the law to address these concerns, the national dialogue process simply decided on a deadline to form the new ISIE. Perhaps as a result of this focus on timing over substance, almost all deadlines agreed upon during this process were missed.

The Dar Dhiafa national dialogue process petered out rather than formally ending. However, it laid the groundwork for subsequent agreements and provided a first real experience of the atypical form of national dialogue which would soon be re-deployed to resolve another political crisis in Tunisia.

NCA Compromise Commission

Aside from being the legislative branch of government, the NCA's primary task was to draft the new Constitution. This was never going to be easy for a body of 217 individuals, many with no legal training. Following the publication of the third draft of the Constitution in July 2013, it became evident that significant differences remained on key articles and principles. While each article of the Constitution could be adopted by a simple majority, the Constitution as a whole required a two-thirds majority to be passed in the NCA. If two-thirds could not agree, the draft would be put to a popular referendum.[12] All political parties recognised that the need to hold a referendum would symbolise the failure of the NCA, Tunisia's only democratically elected institution, and consequently wanted to avoid that eventuality if at all possible.

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In an effort to resolve the differences, on 29 June 2013 the President of the NCA, Mustapha Ben Jaafar, convened the first meeting of the Compromise (or Consensus) Commission. Informally established and presided over by Ben Jaafar personally, and having 22 other members representing all the main political forces within the NCA (including 6 independents who did not belong to any parliamentary bloc), this Commission considered the most controversial and contentious constitutional questions and sought to find mutually acceptable solutions to them.

Many conflicts on key constitutional questions were apparently resolved in this commission. For example, agreement was found on the preamble and certain articles pertaining to the character of the state and the role of Islam. The Commission also tackled the complex and divisive question of the separation of powers, finding agreement for example on the role of the president in the dissolution of government.

However, it should also be noted that bilateral and multilateral consultations continued alongside the work of this commission, leading some to question the extent to which issues were actually resolved within the NCA or in other informal fora outside the NCA. After publication of its "final report" on 28 December 2013, the NCA decided to incorporate the Compromise Commission formally into its internal rules of procedures. Thus, what was intended as a temporary mechanism for consensus-building was transformed into a permanent feature of the Tunisian parliamentary system.

On 25 July 2013, another political assassination, this time of Mohammed Brahmi (an NCA Member also associated with the Popular Front until shortly before his death), triggered a political crisis. This assassination by suspected Salafist Jihadists took place in a context of heightened political tensions following the ouster of Egypt's Islamist President, Mohamed Morsi, on 3 July 2013. Some opposition figures began to ask openly whether Tunisia needed an "Egyptian solution" to its problems and the Troïka began to fear a coup.

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12. See Article 3, Loi constituante n° 6 – 2011 du 16 décembre 2011, relative à l'organisation provisoire des pouvoirs publics.

By the end of July, more than 70 members of the NCA had suspended their participation and joined a mass sit-in at Bardo, close to the NCA building. The protesters called for the resignation of the government and the dissolution of the NCA. A rival sit-in of pro-government activists was organised 100 metres from the first, with larger pro-government demonstrations being organised occasionally in Kasbah Square.

Ennahda undertook intensive negotiations to attempt to enlarge the coalition, or create a "Government of National Unity" to resolve the crisis without dissolving the government or NCA. Overtures were even made by Ennahda to Nida Tounes, by now believed to be Tunisia's main opposition party, which has links to the former ruling party of Ben Ali. Most famously on 15 August, Ghannouchi met in Paris with Beji Caid Essebsi, the President of Nida Tounes, leading to widespread speculation about a power-sharing agreement between the two parties, with Essebsi taking on the role of President of the Republic.

Meanwhile, following the failure of his own efforts to resolve the crisis, Ben Jaafar took the drastic step of suspending the work of the NCA on 7 August until the opening of a national dialogue. Moreover, he expressly called on the UGTT to convene this dialogue. His decision to suspend the NCA precipitated unprecedented tensions within the Troïka, with some members of Ennahda accusing him of participating in a *coup d'état*.

At the international level, the payment, expected in September, of the much-needed second tranche of a $1.74bn loan from the IMF was also delayed. This delay was perceived by some within the Troïka as being designed to precipitate the collapse of the government.

Quartet national dialogue initiative

Intense negotiations continued while the country remained paralysed. Then, on 17 September 2013, a document entitled "Initiative of Civil Society Organisations for the Resolution of the Political Crisis" was released by Tunisia's leading national civil society organisations: the UGTT, the Tunisian employers' association (UTICA – *Union Tunisienne de l'Industrie, du Commerce et*

de l'Artisanat), the Tunisian League for Human Rights and the National Order of Advocates. This document, known as the Roadmap, envisaged the creation of a national dialogue process incorporating all political parties represented in the NCA, under the aegis of these four organisations, known as the Quartet. Additionally, the document outlined in detail the agreements which would emerge from this "dialogue" and the timing of the next steps in the transition process. The vision outlined in the Roadmap closely corresponded to the demands of the opposition protest movement, but stopped short of calling for the dissolution of the NCA. The Roadmap envisaged three parallel streams: constitutional, electoral and governmental.

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The constitutional stream envisaged the recommencement of the work of the NCA and its finalisation of the Constitution. The electoral stream required the selection of the members of the independent electoral commission, the finalisation of the electoral code, and the fixing of the date for the next elections. All these tasks were to be completed in "a maximum of four weeks after the first meeting of the national dialogue process". This timeline was not only unrealistic, but technically impossible: for example, the Roadmap envisaged the adoption of an electoral code before the Constitution, without recognising that the exact system of government decided upon in the Constitution would have a profound impact on the drafting of the electoral law.

The timing of the governmental track was similarly optimistic: the selection of an independent figure to lead a technocratic government within one week; the formation of a technocratic government within two weeks of his designation; and the resignation of the current government, a maximum of two weeks *from the first meeting of the national dialogue*. This final point proved the most technically problematic: the deadline for the resignation of the incumbent government was delinked from the other steps, theoretically necessitating that the government resign without the new government being in place and without guarantees regarding the date of Tunisia's next democratic elections.

Ennahda immediately announced its "reservations" concerning the initiative, but not an outright rejection. It and its coalition partners were concerned about the impartiality of the Quartet and feared a "soft coup", in which a technocratic "caretaker" government would

postpone elections and remain in power indefinitely. Even before the UGTT officially joined the anti-government protest in Bardo, following a decision of its executive bureau on 6 August 2013, it was evident that a significant number of its members were involved in the protests and that they enjoyed close links with the Popular Front and the other parties leading the protests.

This national dialogue initiative was perceived by many to be a weapon in the opposition's battle to discredit the government. Some commentators suggested that the Quartet's initiative was launched in order to prevent a political deal being reached between Ennahda and Nida Tounes to the exclusion of smaller political parties, including the Popular Front. Others believed that the Quartet's initiative was designed to fail from the beginning, in order to justify an intensification of anti-government protests or place opposition parties, particularly Nida Tounes, in a better negotiating position with Ennahda. In any case, most did not think that Ennahda would be able to accept the Roadmap.

However, due to the unified position of the UGTT and UTICA, the Quartet was able to exert significant pressure on the government to accept the terms of the Roadmap. Large-scale protests continued and the UGTT discussed the possibility of organising a national strike during its executive bureau meeting of 21 September. The UGTT has over 400,000 members and is regularly able to impose crippling strikes or mobilise tens of thousands of supporters for protests. A national strike supported by the UGTT *and* UTICA could have quickly brought the government to its knees. Consequently, on 24 October, Prime Minister Larayedh signed a carefully worded pledge to resign after three weeks of talks led to the selection of a caretaker technocratic government. The first round of the national dialogue was held the following day.

Two representatives from each of the political parties represented in the NCA were invited to participate in the national dialogue. Unusually, although presided over by civil society organisations, there was neither an attempt to include parties (political or otherwise) outside the NCA in the process, nor to seek public inputs into the process. Despite its problems, this choice simplified selection of participants and ensured that the national

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dialogue continued to maintain a link to the democratic legitimacy of the NCA.

If the national dialogue of the Presidency was predominantly concerned with dates, the Quartet's national dialogue focused on names. Most discussions centred on the name of the would-be technocratic Prime Minister. The names of the ISIE members and the next Minister of Interior were also discussed. Agreement on the new Prime Minister proved elusive, and on 4 November the Quartet decided to officially "suspend" the national dialogue. This move theoretically stopped the count-down to the deadline for the government's resignation and allowed negotiations to continue.

Then, on 14 December the national dialogue restarted, and immediately, deviating from the previous emphasis on consensual decision-making, a vote was held on who would become the next Prime Minister. Mehdi Jomaâ, the non-partisan Minister of Industry in Prime Minister Larayedh's government, won by nine votes to two against Jalloul Ayed. Only 11 of 19 parties participating in the national dialogue voted and major opposition parties (Nida Tounes, Al-Joumhouri and the Popular Front) immediately announced their opposition to a candidate coming from the government of Prime Minister Larayedh. However, these opposition parties did not block Jomaâ's appointment due to the strong support he enjoyed from the UGTT, UTICA (and reportedly several European governments), as well as Ennahda.

This decision further underlines the key role played by the UGTT and UTICA in finding a solution to the crisis. Far from being impartial facilitators of an inter-party dialogue process, the UGTT and UTICA were key protagonists, alongside Ennahda, with the ability to actively make and impose decisions. Once this major issue was resolved, it was only a matter of time until the Constitution was adopted and Mehdi Jomaâ's technocratic caretaker government was formed.

Several days after the formation of the new government, the IMF released more than $500m of Tunisia's loan, which had been blocked since the summer of 2013. Some government officials feel that this incentive was central to pushing for a solution to the political crisis.

Tunisia's national dialogue processes more closely resembled an elite crisis-management committee than a typical national dialogue. However, although atypical, the process successfully resolved the political crisis and ensured broader participation in political decision-making by heading off a bi-partisan "deal" between the most powerful political parties in Tunisia. Such mechanisms, whether entitled "national dialogue" processes or otherwise, in which equal weight is given to all elected political parties can be useful in finding as broad a consensus as possible around controversial issues in a democratic transition process.

Conclusion

Although messy and turbulent, Tunisia's transition process so far offers many lessons for other similar contexts.

Tunisian civil society organisations, most notably the UGTT, played a central but ambiguous role in the phase of the Tunisian transition described in this paper. Although characterised as the facilitator of a national dialogue process, the Quartet played a more active, and arguably partisan, role than a traditional facilitator or mediator. It became evident that a political deal would be difficult to find without the UGTT behind it, hence the Presidency's interest in associating the UGTT to the Dar Dhiafa national dialogue process and the importance of its role as one of the "convenors" of the Quartet's national dialogue process.

Popular protests brought the transition process to a complete standstill at various points, prevented the government from being able to govern and led to the downfall of two Prime Ministers. However, some believe that the vigilance of Tunisian civil society, combined with its capacity to mobilise large numbers of people, played an important role in pushing the government to broaden the basis for decision-making, accept compromises and establish the various consensus-building mechanisms described in this paper. It is difficult to tell whether Ennahda would have been so open to compromise solutions, had the opposition not had this capacity to block decisions which went against its fundamental interests. Conversely, it is difficult to

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determine how far the opposition would have gone, had the government not enjoyed such strong popular support. This subject deserves further consideration.

The impact of regional dynamics and the role of the international community during this difficult period in Tunisian history also require deeper examination. The regional climate, notably the ouster of Mohamed Morsi in Egypt and the chaos in Libya, likely encouraged Ennahda to make greater concessions in search of consensus. At several points, the Algerian President, Abdelaziz Bouteflika, held meetings with the principal Tunisian political protagonists. The European Union Special Representative for the Southern Mediterranean region, Bernardino de Leon, also made multiple trips to Tunisia in the latter half of 2013 to push for a solution to the political crisis.

Economic carrots and sticks were also seemingly deployed by international actors. The delay, and subsequent release, of the second tranche of Tunisia's IMF loan was felt by many to be a decisive factor in pushing for a compromise solution to the political crisis which followed Mohammed Brahmi's assassination. Others saw this as a form of blackmail, designed to push the government to resign. Similarly, the provision of €250m of macro-financial assistance from the European Union, agreed on 5 December 2013, was made conditional on Tunisia's respect for "effective democratic mechanisms, including a multi-party parliamentary system and the rule of law",[13] which made it clear that European aid would be contingent on the successful continuation of the democratic transition.

In post-revolutionary societies, populations have a legitimate desire to express their political choices through democratic elections. However, in fragile democracies it may be useful to leave open the possibility of broadening political decision-making in order to avoid transforming into spoilers those who find themselves in the minority. The mechanisms described in this paper sufficiently reassured former elites, whether networks of former regime supporters in the state administration or members of the leftist and/or secular elites, that the newly emerging Tunisian political system would not exclude them.

13. Article 2, European Commission, Proposal for a decision of the European Parliament and of the council providing macro-financial assistance to the Republic of Tunisia, 2013/0416 (COD), 5 December 2013.

However, although providing these groups with opportunities to contribute to political decision-making, these mechanisms were largely able to reinforce rather than undermine the democratic process. They relied to a certain extent upon the democratic legitimacy of the October 2011 elections by using a party's presence in the democratically elected NCA as a yardstick to determine its entitlement to participate in other decision-making forums, such as the national dialogue processes. The NCA was also maintained as the principal legislative body and allowed to continue drafting the new Tunisian Constitution. As the Troïka was composed of parties with strong electoral support, broad and ideologically diverse coalition governments provided another effective means to move away from majoritarian politics while maintaining democratic legitimacy.

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The insistence on maintaining a link to the democratic process (namely the 23 October 2011 elections) differentiates the Tunisian democratic transition from other contexts where "power-sharing" agreements have been reached without reference to, or in opposition to, the results of democratic elections. These mechanisms are particularly relevant in post-revolutionary contexts where the need is not simply to share power between two or three groups but to ensure that manifold political actors have a stake in the democratic transition.

Tunisia's experiment with consensus-building and inclusive decision-making is by no means over: Ennahda and other Tunisian political parties have announced that they will still not attempt to govern alone following Tunisia's next democratic elections, scheduled to take place before the end of 2014.

"It is too early for Tunisia to be governed by concepts of majority and minority. We need to continue to search for consensus," said Rachid Ghannouchi at a recent conference.[14] This all bodes well for Tunisia continuing to be the lasting success story of the so-called "Arab Spring".

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14. Rachid Ghannouchi, Opening remarks, "The democratic transition in Tunisia: Achievements and challenges", Centre for the Study of Islam and Democracy, Carthago Thalasso Hotel, Gammarth, Tunisia, 28–29 March 2013.

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