Institutional Power Vacuum

Prospects for Democratic Rule in Tunisia and Libya

Dana Saraco

Dana Saraco, of Elkins Park, PA, graduated Phi Beta Kappa and summa cum laude from Saint Joseph's University in 2015 with a B.A. in English and Political Science. Her research interests include the role of domestic institutions in Libya and Tunisia, focusing specifically on labor unions, political parties, and the military in each country. Throughout her time at St. Joseph's, Dana had several internships at both domestic and international nonprofits. Currently, Dana works for a market research and consulting firm in Philadelphia.

Beginning in Tunisia in December of 2010, the Arab world experienced uprisings and protests against authoritarian regimes during the Arab Spring. As a result of these protests, Tunisian President Zine El Abidine Ben Ali was forced to flee to Saudi Arabia in January of 2011 after over twenty years in power. Similarly, in August of 2011, the dictator Muammar Gaddafi was overthrown after over forty years of rule in Libya. Libyans and Tunisians, along with the rest of the world, celebrated these downfalls and hoped for a peaceful transition to a democratic system. Yet, today, Libya is far from a functioning liberal democracy; the country has been plagued by violence, and a stable government has failed to take hold. Tunisia, on the other hand, emerged from the Arab Spring with promising steps towards a peaceful democracy. Why has democracy failed in Libya thus far, in contrast to Tunisia's success? How has Gaddafi's legacy continued to

affect Libyan politics and civil society today, hindering the transition to democracy? And lastly, how can policymakers work to assist Libya in achieving this transition to democracy and ending the violence?

Scholars have long debated the conditions that allow a country to transition to democracy after a revolution. These answers can be broken down into four major schools of thought. The first school of thought argues that strong economies naturally lead to democracy. A second area of research asserts that cultural factors are most relevant to assuring the success of democracy. A third group of scholars, who focus on the role of international forces, emphasizes the effects that these actors can have on promoting or hindering democracy. Finally, a fourth school of thought claims that strong domestic institutions are the most important factor for a successful transition to democracy. This fourth school of thought is the most compelling argument in the cases of Libya and Tunisia: Tunisia's crucial institutions are strong whereas Libya's are practically nonexistent and thus impeded its transition.

To test the idea that domestic institutions are most important to democratic success, Libya and Tunisia will be used in a comparative case study. In this way, Gaddafi's legacy of creating an institutional power vacuum in Libya will be analyzed in comparison to Libya's neighbor, Tunisia, which came out of the uprisings with more societal building blocks for democracy, despite the two countries having a similar economic and cultural makeup. The main domestic institutions of each country will be analyzed, in particular the roles of political parties, labor unions, and the military.

Ultimately, this research indicates that Tunisia outperformed Libya in the strength of domestic institutions: political parties, labor unions, and the military. Additionally, Tunisia exhibited a slightly higher level of democracy than Libya, though Tunisia is still struggling to create a democratic system. Cultural disunity was a major contributing factor to the failure of these institutions and the consequent failure to achieve democracy in Libya. Therefore, while weak domestic institutions have certainly been a major factor in Libya's difficult transition to democracy, they also reflect problems of cultural disunity in Libya. Policymakers will need to consider both of these issues moving forward in Libya, Tunisia, and other former authoritarian states as they continue to work towards democracy.

The Effects of Institutions on Transitioning to Democracy

The transition to democracy is mostly dependent upon the influence of certain types of domestic institutions. If a country lacks strong institutions due to the domination of a single leader, it will have a more difficult time in transitioning to democracy because there is no institutional base to use as a foundation for the new government after revolution. In the case of Libya, Gaddafi controlled every aspect of society and ruled the country for over forty years. There was no space for civil institutions to operate, which hindered the country's transition to democracy. Tunisia, on the other hand, had stronger domestic institutions before the revolution.

The type of existing domestic institutions in a country affects its ability of democratic transition after a revolution. If a country does not have certain types of domestic institutions, including political parties, labor unions, and a functioning military, then it is more difficult for a country to transition to democracy. In Libya, there were no domestic institutions to carry over into the new regime because of Gaddafi's consolidation of power and control. Therefore, in the struggle to create a new, democratic country, there are no in-place structures to aid this process. Tunisia, conversely, had structures in place for political parties and national labor unions.

Evaluating the Impact of Domestic Institutions in Transitioning to Democracy in Libya and Tunisia

The presence of certain types of domestic institutions has been crucial in aiding the transition to democracy in Libya, as well as in neighboring Tunisia; in fact, it is the most pressing condition to assure the success of democracy. These countries provide variation on the dependent variable, as Tunisia has successfully transitioned to democracy after dictator Ben Ali was removed from power after over twenty years, though this process has not been ideal. Libya,

The Tunisian National Dialogue Quartet, which includes the Tunisian General Labor Union and other civil society leaders, was honored with the 2015 Nobel Peace Prize. © STR/epa/Corbis

on the other hand, has plunged into chaos. Of all of the countries that experienced protests during the Arab Spring and attempts to install a democratic government, Tunisia has been most successful and provides the strongest contrast to Libya. Culturally, the two countries are very comparable. Both Tunisia and Libya are relatively ethnically homogeneous, and Sunni Islam is the dominant religion in both countries. Some argue that the presence of various minority groups in Libya, especially the Berbers, has created more discord than in Tunisia. It is difficult, though, to find specific data on the presence of these groups because many Berbers identify as ethnically Arab and many Libyans are of mixed ancestry. While the oppression of the minority groups is certainly problematic, it is also reflective of a lack of institutions that protect minorities in Libya.

The causal factor in democratic transition, the presence of certain types of domestic institutions, is studied here using three indicators: the role of political parties, the role of labor unions, and the role of an independent military. In assessing the role of political parties, I will examine parliamentary elections held in Libya and Tunisia, paying special attention to the organization of oppositional parties and their success in elections. I will employ similar methods for identifying the other two factors, the role of labor unions and that of an independent military, by consulting media sources and secondary research related to these topics. To evaluate democracy, I will utilize ratings and analysis from well-respected democracy-monitoring organizations like Freedom House and Amnesty International.

Together, these three indicators discussed above will allow me to gauge the types and influence of important domestic institutions in Libya and Tunisia. If there are legitimate, oppositional political parties who are given a fair voice in elections, developed and active labor unions, and the utilization of the military independent of the regime, domestic

institutions functioned correctly and played a vital role in democratic transitions. If there are problems with the legitimacy of any of these indicators, there are overall problems with the role of domestic institutions in these nations.

Institutions in Libya and Tunisia

In an examination of the role of the three most important domestic institutions, Tunisia has outperformed Libya in every area for several reasons. Tunisia has clearly defined political parties, which achieve majority and minority roles in parliamentary elections, while Libya has no history of political parties and most candidates run as independents. The Tunisian General Labor Union is a large organization with major political clout in Tunisia since its inception, while there are no functioning labor unions in Libya. Finally, in Tunisia the military saw itself as an independent institution. It did not take control of the transition to democracy nor did it inhibit this process. In Libya the military, deeply fragmented since Gaddafi's removal, has made no meaningful contributions towards democracy and instead has contributed to the country's disintegration.

The first indicator of the strength of domestic institutions is the role of political parties. Libya has several major political parties, including Al-Watan Party, Justice and Construction Party, National Front, National Forces Alliance, and Union for the Homeland.[1] However, during Libya's most recent parliamentary election in June of 2014, "candidates contested parliamentary seats as individuals – a decision taken to reduce tensions" and ran independent of their political parties, signifying the weakened role of political parties in Libya. Additionally, the election saw low voter turnout and was undermined by various security issues.[2] The previous election in 2012, the first after Gaddafi's removal, featured more than 100 parties. Because political parties were banned under Gaddafi, many of these formed only months before the election. In this election, only 80 seats out of 200 were reserved for political parties, leaving the rest for independents.[3] These proportions indicate not only a weak system of oppositional political parties, but also a diminished role for political parties in general.

In Tunisia political parties are much better defined. Tunisia's secularist party, Nidaa Tounes, won 85 seats in the country's 217-seat parliament in October of 2014, while the Islamist party Ennahda won 69 seats.[4] These clearly defined oppositional political parties were able to form a functioning parliamentary government without significant public unrest or security concerns. Furthermore, the 2014 election was a peaceful transition from the previous 2011 elections, in which Ennahda won 90 seats.[5] Tunisia's history of active political parties dates back decades. For example, the Ennahda party was founded in 1981, banned by former-President Ben Ali in 1992, and regained legal status in March of 2011.[6] Nidaa Tounes, which formed in 2013, retains "strong support among the public administration and the Tunisian elites."[7] Ultimately, there is more trust and popular support of political parties in Tunisia than in Libya.

The strength of labor unions is a second important indicator of the role of domestic institutions. While "in the mid-1980s, there were some 275,000 members belonging to 18 trade unions, which together formed the Tripoli-based National Trade Union Federation," these "groups did not have a real political role similar to that such groups play in the Western tradition," largely because Gaddafi firmly opposed labor unions.[8] There is no evidence that Libyan labor unions have ever played a significant role, and it is very unlikely that they will gain political power during the current period of civil unrest.

Founded in 1946, the Tunisian General Labor Union (UGTT) has been an influential organization in Tunisia since its beginning and continues to be a prominent political pressure group today.[9] The UGTT is composed of over 600,000 members, nearly 75% more members than Libya's National Trade Union Federation, and is seen as "one of the most powerful political and economic forces in Tunisia."[10] Additionally, the UGTT has acted as a strong mediator between political parties during Tunisia's ongoing transition to democracy. In 2013, it played a large role in pressuring the majority Ennahda party to reach a deal in creating a new government. While the UGTT is seen as more aligned with the secular opposition, it has played an important role in pressuring both sides to work together.

The final indicator of the strength of domestic

> *"In Tunisia the military recognized its role in the new regime and eased the transition to democracy."*

institutions is the role of the military. Libya's military is "in transition" with the "government attempting to staff a new national army with anti-Gaddafi militia fighters and former members of Gaddafi's military."[11] Conversely, in Tunisia, the military is well structured with a clearly defined composition between the Tunisian Army, Tunisian Navy, and Tunisian Air Force.[12] The Libyan military, no longer under the direct control of Gaddafi, was too fragmented to serve as a legitimate institution. As Gause writes, "In both Libya and Yemen, units led by the rulers' families have supported the regimes, while other units have defected to the opposition, stayed on the sidelines, or just gone home."[13] Anderson echoes this sentiment, stating: "Libyan society has been fractured, and every national institution, including the military, is divided by the cleavages of kinship and region."[14] This fragmentation of the military reflects the disintegration of society as a whole in Libya and the inability of the military to play any role in the country's democratic transition.

In Tunisia the military recognized its role in the new regime and eased the transition to democracy. The military was not an extension of the regime, viewing itself as an independent institution. As Gause states, "Both the Egyptian and the Tunisian armies are relatively professional, with neither serving as the personal instrument of the ruler. Army leaders in both nations realized that their institutions could play an important role under new regimes and thus were willing to risk ushering out the old guard."[15] Anderson, while agreeing that the military did not stand in the way, sees virtually no role for the Tunisian military at all. She states, "the military has not participated meaningfully in managing the transition period and is unlikely to shape the ultimate outcome in any significant way."[16] The military, then, while unified, has not taken an active role in the transition to democracy in either Libya or Tunisia. The difference between these cases is that the Tunisian military has not stood in the way of democracy, while the Libyan military has hindered the movement towards democracy by

contributing to the ongoing fragmentation of society, thus hindering movement towards democracy.

Democracy in Libya and Tunisia: A Comparison

Tunisia clearly ranks much higher than Libya in regards to the three main domestic institutions: political parties, labor unions, and the military. However, the data collected from different sources do not indicate a completely direct correlation between these domestic institutions and successful transition to democracy.

Freedom House offers both a quantitative value of democracy and an analysis of various aspects of liberal democracies. The table shows the "freedom rating" for both Libya and Tunisia from 2010 to 2014. The "freedom rating" is ranked on a scale of one to seven, with one being "most free" and seven being "least free."

Democracy in Libya and Tunisia, 2010-2014		
Year	Libya	Tunisia
2010	7	6
2011	7	6
2012	6.5	3.5
2013	4.5	3.5
2014	4.5	3
Freedom House, Libya and Tunisia, 2014.		

As shown, there is a noticeable difference in democracy levels in Libya and Tunisia. The greatest difference comes in 2012, the year following the revolutions, when Libya only dropped 0.5 points and Tunisia dropped 2.5 points. Interestingly, both Libya and Tunisia have progressively trended towards democracy since the revolutions. Tunisia's total drop was 3 points, while Libya's was 2.5. The two countries have progressed relatively similar towards democracy.

There were a number of positive developments in Libya's politics in 2014 that contributed to its surprising progress. In particular, the rise of citizen journalism, the creation of new print outlets, and the dramatic increase in the freedom of assembly were major contributors to Libya's middle-ground freedom rating. Though Freedom House has acknowledged that both journalists and protesters have been targets of violence, the organization sees their expansion and involvement in spite of the violence as a very positive sign. Additionally, Freedom House characterized the 2012 parliamentary election as "generally free and fair."[17] Thus, while repeatedly pointing out continued problems of violence and corruption, Freedom House has also identified areas in which Libya is succeeding, thus contributing to their higher-than-expected freedom rating.

In contrast to Freedom House, Amnesty International is much more critical of Libya. This is because the organization focuses on different areas than Freedom House; rather than political and civil liberties, Amnesty International focuses on specific human rights violations. In Libya, these include arbitrary arrests and detentions, torture, armed confrontations, poor treatment of migrants, problems with impunity, the use of the death penalty, and extrajudicial killings. In areas of overlap with Freedom House, such as freedoms of expression and assembly, Amnesty International sees the violence against these groups and the press as a much greater issue that prohibits progress. Many of these individuals "faced threats, intimidation, harassment and detention, leading to self-censorship."[18]

Amnesty International is also critical of Tunisia. The organization lists transitional justice, torture, limits on freedom of expression, and the use of the death penalty in Tunisia as problematic. However, Libya and Tunisia's analyses differ in that Amnesty International is more critical of oppressive laws than of the amount of violence in the country. Though there are mentions of violent incidents in Tunisia, much more emphasis is placed on restrictive government actions. They write, "despite their stated commitment to respect freedom of expression, the authorities took action against journalists, artists, bloggers and critics using articles 121(3) and 226 of the Penal Code, which criminalize expression deemed to threaten public order, public morals or sacred values."[19] Several violators of this code were imprisoned. While imprisonment might be an improvement over the brutal violence seen in Libya, it indicates that Tunisia has not yet fully transitioned to democracy, therefore, performing only marginally better than Libya.

The sources utilized above do indicate that Tunisia is more democratic than Libya. However, this difference in performance is not as great as the hypothesis would expect. Both countries have greatly struggled in their respective transitions to democracy, and while Tunisia may have a more promising future, there does not exist a definite or significant positive difference in the country's transition.

A New Perspective on Libya's and Tunisia's Transitions

Since Ben Ali's removal from Tunisia in 2011, Tunisia has shown promising steps towards democracy, though it has struggled. Since Gaddafi's removal from power in Libya in 2011, Libya has faced a challenging transition to a democratic system, plagued by violence and inadequate governance. Scholars and policymakers have struggled to understand what has gone wrong in Libya and what must be done to put the country back on a path towards democracy. The importance of strong domestic institutions offers a valubale explanations as to why Libya has failed to transition to democracy thus far.

In a comparative case study of Libya and Tunisia, Tunisia outperformed Libya in three major indicators of the role of domestic institutions: political parties, labor unions, and the military. This performance correlates with the widespread belief that Tunisia has witnessed the more successful transition to democracy out of all of the Arab Spring countries, greatly outperforming neighboring Libya. However, an analysis of democracy in practice in both countries showed that Tunisia is only marginally outperforming Libya, which has made great strides since 2011. While groups like Freedom House and Amnesty International differ on the level of democracy in each country, both are in agreement that the two countries still face serious obstacles in their transitions to

democracy.

Further research into these two countries' transitions should take into account two aspects: the cultural disunity that affected Libya's transition and a more nuanced investigation democracy and civil society in each country. In Libya, disunity has stymied progress for key democratic institutions; thus, these two issues go hand-in-hand. Tunisia is less culturally fragmented, and it is less impacted by extreme Islamic groups. Additionally, further analysis is needed to determine exactly how well democracy is functioning in the two countries. Though the future of each country remains very uncertain, one thing is clear: the transformation of an institutional power vacuum to a democracy is not an easy task.

ENDNOTES

1   "Libya," CIA World Factbook, last modified 2013: https://www.cia.gov/library/publications/the-world-factbook/geos/ly.html.

2   "Libyan elections: Low turnout marks bid to end political crisis," BBC, last modified June 25, 2014. http://www.bbc.com/news/world-africa-28005801.

3   "Libya election success for secularist Jibril's bloc," BBC, last modified July 18, 2012. http://www.bbc.com/news/world-africa-18880908.

4   "Secularist Nidaa Tounes party wins Tunisia election," BBC, last modified October 30, 2014. http://www.bbc.com/news/world-africa-29828706.

5   "Profile: Tunisia's Ennahda Party," BBC, last modified October 25, 2011. http://www.bbc.co.uk/news/world-africa-15442859.

6   Ibid.

7   "Tunisia election: Secularists set out to oust Ennahda party," BBC, last modified October 27, 2014. http://www.bbc.com/news/business-29793230.

8   "Libya: Unions and Syndicates," Library of Congress, last modified 1987. http://lcweb2.loc.gov/cgi-bin/query/r?frd/cstdy:@field(DOCID+ly0109.

9   "Tunisia," CIA World Factbook.

10   "Tunisian union issues ultimatum to government," Al Jazeera, last modified August 2, 2013. http://www.aljazeera.com/news/africa/2013/08/2013826575134965.

html .

11   "Libya," CIA World Factbook.

12   "Tunisia," CIA World Factbook.

13   Gause, "Why Middle East Studies."

14   Anderson, "Demystifying the Arab Spring."

15   Gause, "Why Middle East Studies."

16   Anderson, "Demystifying the Arab Spring."

17   "Libya," Freedom House, last modified 2014. https://freedomhouse.org/report/freedom-world/2014/libya-0#.VGqhx774ulI.

18   "Annual Report: Libya 2013," Amnesty International, last modified May 23, 2013. http://www.amnestyusa.org/research/reports/annual-report-libya-2013.

19   "Annual Report: Tunisia 2013," Amnesty International, last modified May 29, 2013. http://www.amnestyusa.org/research/reports/annual-report-tunisia-2013.