

## CATCHING THE TREND

# NEW STATEHOOD IN THE ARAB WORLD

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### Abstract

The development of a new legal basis intended to correct the outcome of the Arab spring and to launch new trends in the development of the Arab society in the economic, social and political spheres are some of the consequences of the Arab revolutions. However, the constitutional reform faced some difficulties due to the absence of a civil society and a social consensus in traditional political systems in Arab countries. The elections that followed the reform were controversial and uncovered obvious opposition between secular and Islamic forces. Adopting innovative legislation did not bring about political stability inside the country. Political developments in the years 2011–2014 showed the fragility of the balance that was set after the revolution, as well as the limits of the political consolidation which is vulnerable to any changes which could take place at any given moment.

This article analyses the recovery of the constitutional institutions and the organizing of new governmental authorities in Arab countries after 2011. The authors describe the new constitutions and electoral legislation which emerged after the revolutions and take a look at the presidential and parliamentary elections, assessing their influence on regional stability.

### Keywords:

Arab countries; constitutional reform; electoral legislation; state institutions; Egypt; Tunisia; Libya; Syria; Algeria; Morocco.

The 2011 events in the Arab world (which has been written about extensively)<sup>1</sup> have placed the issues of constitutional reform, modernization of the political process, electoral law and procedures high on the agenda of countries affected by civil unrest, and undergoing a regime change. The close international attention on the socio-political discourses in the Middle East and in Northern Africa was accompanied by various conflicting expectations. Whereas many western observers interpreted the on-going protests as a “democratic revolution” and the prelude to the adoption of liberal values in the countries of the

region (Lynch, 2011), experts feared a potential strengthening of radical Islamist forces and a transformation of the region into a support base for international extremism (Zinin, 2012: 295).

In practice, the transformation initiated in Arab countries in 2011 upsets the excessively optimistic projections as well as the apocalyptic fears concerning these countries’ political development. To a large extent, the reality is dictated by the historical evolution of local communities, unlike what was assumed by many outside observers, who succumbed to the sirens of the revolutionary rhetoric.

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<sup>1</sup> See for example the fundamental work conducted in 2012 by the Institute of Oriental Studies of the Russian Science Academy with the participation of leading Russian scholars and experts such as E. M. Primakova (Naumkin et al. 2012).

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Although Islamists were allowed to legally play a part on the political stage in several countries, they mostly failed to secure long-term control over the state agencies and the process of political system transformation, and to shape the legal framework according to their programme. In the same way, the hopes for a quick stabilisation of pro-western liberal regimes have inevitably been dashed by reality. The transformations in the Arab world appeared to be much more conflicting and multifaceted. Representatives of the security forces play a key role. They can hardly be considered as proponents of democracy, nor can they be regarded as supporters of an enhanced role for Islam.

Despite the existence of common traits, each state experiencing socio-political turmoil subsequently developed according to its own specific logic. The reestablishment of constitutional institutions first started in Egypt. The army was proclaimed the guardian of the constitution, but has been unable to provide a renewed offer in link with the needs of the complex Egyptian society. This situation forced the army to consolidate its position (a move attested by the related articles of the 2014 constitution) in order to keep control of the domestic political situation.

In Tunisia, the democratic aspirations of the people found expression in the new constitution and legislation, which result from a compromise between the different political groups, with first and foremost the secular and Islamic parties. However, the country failed to protect itself from the threat and acts of terrorism<sup>2</sup>. Consequently, Tunisian authorities reintroduced in the country a state of emergency on 4 July 2015 (it had hitherto been lifted since March 2014), therefore strengthening the role of the police and the army.

The situation in Tunisia is strongly influenced by the developments in Libya, where the restoration of national institutions is not advancing in line with the NATO plan. Despite the fact that a constituent assembly responsible for writing a constitution was established in the

country and that a house of representatives was elected in 2014, the Libyan society remains fragmented and appears to be torn on the issue of the future political organisation.

Military activities have been continuing so far in the country. The troops of Khalifa Haftar, a former general of the Libyan Army (who is compared to his Egyptian colleague el-Sisi), fighting other military groups (the Libyan Muslim Brothers, militiamen affiliated to tribes, Al-Qaeda jihadists), consist of more than 1.5 million soldiers. In the spring of this year, the Libyan House of Representatives appointed K. Haftar Supreme Commander of the armed forces, and liberated a significant part of the eastern provinces from the Islamists. Nonetheless, Tripoli remains under the control of Islamist groups united in the coalition "Libya Dawn".

In Syria, a referendum for the adoption of a new constitution took place in 2012, and the presidential election was organised on an alternate basis (the first time since 1963). The national dialogue proposed by the Syrian president, would have been able to involve different political players, and could have become a step towards national reconciliation. Instead, external forces continued to severely destabilize the domestic situation. The struggle in Syria still goes on against terrorist groups, represented by the "Islamic State" and other organisations receiving an active support from outside.

Despite large-scale rallies and demonstrations in 2011, Algeria and Morocco successfully avoided turmoil thanks in part to the operational response of the ruling elite, which initiated constitutional reforms and the liberalisation of their political system.

Hence, questions emerged around the efficiency of the new state structures in the "post revolution" Arab countries and the effectiveness of the political transformations started in 2011. The study of these issues becomes increasingly relevant, explains L. Korolkov, since "the leading world powers will now have to take into account and to listen to local centres of power to a greater extent, than they previ-

<sup>2</sup> In March 2015, terrorists took hostages in the Bardo National Museum. In June, they shot foreign tourists in the resort town of Sousse.

ously did" (Korolkov, 2015). Indeed, in order to set up a sustainable regional system, it is first and foremost necessary to create viable states with solid institutions, capable of resolving domestic tensions, and of confronting internal as well as external challenges and threats.

# 1

The revolutions in the Middle East and in Northern Africa notably resulted in the creation of a new legal framework, designed to follow up the outcomes of the "Arab awakening" and express the new development orientations of the Arab society in the economic, social and political spheres. The constitutional reforms occurring in the years 2012-2014 were introduced with that particular focus.

Any country's political-legal system is closely interdependent and interrelated with diverse social phenomena. Historical continuity appears to be the predominant factor in the regulation of public life, not necessarily in its formal organisation, in political institutions, but rather in its essence.

In Egypt, the army's considerable influence on political life has acquired the status of historical tradition. The election of M. Morsi as new president and the adoption of an "Islamic" constitution had given the impression that the army, as a political player, had disappeared in the shadow. But the updated Basic Law approved in 2014 returned the militaries their traditional functions in the life of the country. The new constitution, which devotes an entire section to the Army, not only expanded the powers of this institution, but turned it into a *de facto* autonomous institution within the state. According to the document, the army will be granted its own budget, without the control of civilian authorities. The article 204 of the Constitution establishes the military justice that will try crimes involving military forces. In addition, the article states that civilians could also be prosecuted if their actions represent a direct threat to the military agencies and their activities.

Moreover, the new constitution established the Supreme Council of the Armed Forces, whose activity and mandate are regulated by a dedicated law. This institution was made constitutional (a precedent in Arab countries) and its mandate does not only cover the armed forces' activities, but also the political process<sup>3</sup>.

Regarding the constitutional strengthening of the role of Islam (the most problematic issue in the previous "Islamic" Egyptian constitution), the 2014 constitution reintroduced an article from the 1971 constitution, which recognises sharia as the main source of legislation. Nevertheless, a provision (art. 3) was added; it excludes Christian and Jewish communities from the jurisdiction of Sharia for issues related to individual status, and grants them the right to settle disputes according to their own laws.

The new Egyptian constitution ensures a large range of rights and freedoms for the citizens, but as before, it does not recognise the primacy of international law over domestic law and does not acknowledge the fundamental human right to life (although its preamble guarantees rights and freedoms in conformity with the Universal Declaration of Human rights). In consequence, Egypt is not legally bound to comply with orders issued by an international tribunal. The main source of legislation confirms the principle of "Shuri" (the fundamental principle in Islamic Law), considered as the basic element of the Islamic democracy (stating that the ruler must consult the most prominent members of the Ummah on issues related to the governance of the state).

In Syria, a similar political tradition influenced the development of the political system. The army also remains a significant political player in this country, where the president and the ruling party continue to dominate the political life despite their renunciation to the single-party system. The new 2012 constitution officially allowed a multi-party system, it changed the procedure to elect the Head of State, and the

<sup>3</sup> According to the article 243, the Defence minister can only be appointed with the approval of the Supreme Council of Armed Forces for two presidential terms (that is 8 years) from the entry into force of the constitution. Hence, this structure already takes a real participation in the political life, but also in the process of state building.

articles establishing Syria as a socialist regime were deleted. Notwithstanding, the new constitution still provides the country leadership with significant powers in various areas.

The 2014 Tunisian Constitution reflects the conclusions of the national dialogue as well as the values established in the country before the political turmoil. Despite the attempt by Islamic circles to bolster the role of religion in the state, they failed to significantly alter the new legislative framework. Moreover, the country confirmed once more its role of flagship for the Arab world by raising the protection of women rights to the constitutional level. The state ensures the protection, support and further development of “the rights given to women”, the equal representation in elected public bodies (art. 45 of the constitution), and “guarantees all the necessary measures” to eliminate violence against women.

Tunisia also became one of the few Arab countries to recognise the primacy of international agreements, approved and ratified by the Chamber of Deputies, over the domestic legislation (art. 19). An article on political parties guaranteeing the freedom of association was introduced. Moreover, restrictions on the activity of parties organised by confessional motives were lifted. It is only mentioned in the constitution that in their charter and through their activities the parties “must respect the constitution and laws, reject violence” and their financial activity must remain transparent.

The form of governance system and the role attributed to the legislative and executive branches were the key issues on the agenda of the constitutional reform in Tunisia. A fundamental choice had to be made between a parliamentary or a presidential system (there are only two parliamentary republic in the Arab world so far: Lebanon and Iraq). This issue became the main topic of political debates and clear divisions emerged among the main political forces. The Islamist Ennahdha Party

stood up for a parliamentary system of government and for a limitation of the executive powers to the benefit of the legislative branch. In contrast, the majority of secular parties advocated for a presidential form of government. The issue was resolved in favour of a hybrid republic, in which the executive power is shared between an elected president and a prime minister nominated by the parliament.

In view of the new Tunisian constitution, one can recognise that the country, presented as a super-presidential republic for many decades, has survived a complete makeover and redistributed power in favour of the legislative branch and the government. Moreover, individual's legal status in the constitution was not directly impacted by the adoption of Islamic norms in everyday life; on the contrary, the constitution enlarges the legal basis for the realisation of citizens' democratic rights and freedoms.

In Algeria, the Islamists failed to take over the role of coordinating body in opposition to the government in 2011. Since president A. Bouteflika's accession to power in the country, on the one hand, he launched a campaign to discredit the Islamist movements, and on the other hand, he allowed moderate Islamists to participate in legislative elections, depriving them of the clandestine political tools and barring them from throwing the same slogans used by Islamists in Tunisia and in Egypt. The 1996 constitution clearly defines the framework of the multi-party system<sup>4</sup>, and marks an important milestone on the road to the modernisation of the country's political system. In addition to the distribution of roles between the political forces and the state bodies, the solidity of the country's leadership was instituted with the creation of a state structure capable of standing and acting effectively against potential destabilisation attempts. The implementation involved changes in the country's electoral legislation, which has been modified again

<sup>4</sup> The 1994 Algerian constitution prohibited the creation of political parties on a religious, language, racial, gender, corporative, and regional basis. Furthermore, political parties are not allowed advocate against the « essential freedoms and values of the Algerian people, national unity, security and territorial integrity, independence of the country and sovereignty of the people, and the democratic and republican character of the state ». Not a single party can resort to violence or forced action to achieve its political goals. Thus, the constitution shapes the image of a “democratic Algeria” committed to the rule of law.

several times to deny radical Islamist parties the access to the parliament.

In Morocco, according to the King, the new constitution adopted in July 2011 aimed at consolidating the foundations of the “constitutional, democratic, parliamentary and social monarchy”. A quick and painless reform was possible in the country thanks to the constitutional amendment procedure already established by the Basic Law. Since its independence in 1956, Morocco has pursued a modernisation process of the monarchy. Through this process, a legal framework was negotiated in order to strike a balance between the different branches of power. The kingdom now comes closer to a parliamentary system, although the Head of State still plays a significant role. This evolution was possible thanks to the long-standing tradition of parliamentary discussion between political and ethnic forces.

Following the constitutional reform, part of the King’s legislative powers were transferred to the Head of Government. Nevertheless, the monarch retains “inalienable” prerogatives, which cannot be subject to subsequent changes. The country’s new constitution establishes the primacy of international law over domestic legislation. It also significantly increases the subjects’ rights and freedoms and includes several articles dedicated to the constitutional status of political parties, unions, organisations and civil society groups. A major constitutional change concerned the Head of Government, who should now be member of the parliamentary majority or from the first political party. In addition, the parliament’s supervisory authority over the government’s activity has been strengthened.

Thus, despite differences in the political process among Arab countries that adopted a new constitution in the aftermath of the 2011 events, their citizens’ rights and freedoms have increased in the social-economic as well as in the political spheres. Firstly, new rights have been introduced, such as the right to water. The fight against corruption has been raised to the constitutional level and states proclaimed

their commitment to combat terrorism. Another common feature of these new constitutions is the redistribution of power in favour of legislative bodies and the elevation of the judiciary’s status.

Constitutional amendments were added to further support the liberalisation of the socio-political process in Arab countries. However, A. N. Medushevskiy notes that the stability of democratic transition is not only related to the adoption of a liberal constitution, but also depends on “the creation of a safeguard system against reversal (to the precedent authoritarian regime)” that requires first and foremost “the creation and constant reproduction of the previously missing social consensus based on the constitution” (Medushevskiy, 2009: 9).

A country’s constitution is a long-term document resulting from the joint efforts of the whole society and it is a symbol of national consensus. Therefore it must reflect the immutable political principles and implementation mechanisms of the state power, instead of the immediate consequences of recent events. This means that the adoption procedure must be unquestionable, that political issues must be resolved to start the constitutional process, and that the society must come to a consensus.

Such a consensus does not exist in the Arab society. It largely remains traditional and “is not socially structured, and resembles a mosaic, bearing features from clan, ethnic, religious, tribal relations”<sup>5</sup>. Hence, the ruling elite, when accessing power, whether it represents secular or Islamic circles, will need to strengthen its position with any available means.

## 2

The specificity of political systems in the Arab world is that they were historically intended at ensuring the Head of State’s dominance, whereas representative bodies were designed to merely conduct the adoption procedure for laws determined by the leadership. Through electoral laws, laws on media, on political parties and associations, the ruling

<sup>5</sup> B. V. Dolgov. Between Democracy and Islamism : the political development in the Arab world/ Perspektivy [http://www.perspektivy.info/history/mezhdu\\_demokratijej\\_i\\_islamizmom\\_politicheskoje\\_razvitiye\\_arabskogo\\_mira\\_2009-03-30.htm](http://www.perspektivy.info/history/mezhdu_demokratijej_i_islamizmom_politicheskoje_razvitiye_arabskogo_mira_2009-03-30.htm)

elite established a rigid single-party system, controlled by the Head of State. Despite the existence of a multitude of political associations in Arab countries, the governance system largely remained monopolistic: ruling faction controlled central and local government bodies as well as municipal governance.

This state of affairs guaranteed maximum sustainability of the regimes, consolidation of pro-presidential forces, and smooth running of the political decision-making mechanism. In Tunisia, for instance, a multi-party system existed since 1987 but the Democratic Constitutional Rally (DCR), headed by the President himself, retained a dominant position in the country.

The new electoral laws and the constitution passed after 2011 are much more democratic than previously. However, the accomplishment of the people's will relies on a system featuring many similarities with the old one.

On the eve of the 2011 parliamentary elections, the Egyptian electoral law was adopted. It established an extremely low threshold (0.5%) aimed at crushing the political coalitions of the time. The Democratic Alliance for Egypt (DAE), headed by the political wing of the Muslim Brotherhood Association and the Freedom and Justice Party (FJP), and the Islamic Alliance, led by the Salafi party Al-Nur, were then the largest coalitions. Following the adoption of the electoral law, many parties emerged from coalitions and formed their own electoral blocks. In large coalitions competing for victory, struggle for the formation of electoral lists intensified.

According to the Egyptian law on the 2014 presidential election, the Electoral Commission's decisions, either before or after the voting, are definitive, and they cannot be appealed. Thus, if the Commission disqualifies a presidential candidate, its decision cannot be challenged in court, nor can a review of the voting irregularities be obtained. The election results (even if forged) are not subject to a judicial assessment (Art. 97 of the new Egyptian Constitution guarantees the rights "of all citizens on trial" and prohibits "any act or administrative decisions without a judicial review").

Yet, public criticism has focused on another

legal provision in the Egyptian electoral law, which stipulates that the electoral campaign shall begin 30 days before and end 2 days prior to the voting day. Hence, candidates have very little time to advocate their political views, promote their programme, and to mobilise supporters (the law covers the printing leaflets and posters, fundraising, organising rallies, appearing on radio, and also the conducting other pre-electoral activities). The law on mass events and rallies provides Egyptian authorities with the possibility to cancel any activities taking place more than 30 days ahead.

Furthermore, the candidates' team are no longer entitled to observe the entire voting process, but are legally granted accesses to the main polling station only (whereas the candidates' team used to obtain a copy of all the voting results in the country).

The main innovations in the Algerian electoral law adopted shortly before the 2012 parliamentary elections correspond to new guarantees given to voters at every stage of the election campaign, that is the provision of polling stations with transparent ballot boxes and the monitoring the electoral operations. Another innovation is the creation of two commissions in charge of monitoring elections. So far, there is not a single independent electoral commission in Algeria, and the Ministry of Interior continues to bear the main responsibility for the organisation of the electoral process. In addition, the Minister of the Interior may (in exceptional circumstances) authorise governors to extend or shorten the voting hours in some areas. Moreover, the Ministry of the Interior is also in charged with the registration of political parties.

In Tunisia, the 2014 electoral law stipulates that electoral lists, which got less than 3% of the votes, cannot enter the parliament and must return to the state the total amount of money perceived from it for the election campaign. Such provision clearly makes it difficult for small parties.

On 16 March 2014, the Syrian parliament passed a bill on the presidential election in the country. Now, the law *de facto* deprives Syrian refugees and representatives of the Syrian opposition abroad of the right to vote. The new

legislation stipulates that Syrian citizens must hold a valid national passport with an official stamp from a Syrian border post indicating legal crossing as well as a stamp from the Syrian diplomatic mission in the country of residence in order to vote abroad. However, in the context of armed conflict, the vast majority of refugees crossed the border without having their passport stamped at a checkpoint. Therefore, almost five millions Syrians in neighbouring countries (primarily in Turkey, Iraq, Jordan) were denied the right to participate in the presidential election.

The Syrian election campaign was held under the supervision of the Supreme Judicial Committee for Elections (SJCE), whose members appointed the country's president after the approval of the Syrian parliament. Executive bodies actively and directly participated in the electoral process. Indeed, the new law on elections allowed the Minister of the Interior and the Minister of Local Government to provide staff to the electoral commissions for the entire campaign period.

In Libya, the electoral law adopted in January 2012 is an interesting document, not only from the point of view of content, but above all vis-à-vis the nature of the former regime – “Jamahiriya democracy” – and the deinstitutionalised status of the Head of State, who had ruled the country for decades. For the first time, Libyan citizens were able elect their representatives to the legislative body, which “the Green Book” described as a “falsification of democracy” since the “Third International Theory” defines democracy as the “power of the people and not the power of those who act on its behalf” [Gaddafi in 1989: 21].

When the Syrian electoral law was adopted, the main problem was the lack of regulation governing the political parties, which were participating in the electoral campaign (no relevant legislation had been designed). Indeed, according to a law from 1972, the formation of political parties is considered as “criminal offence”.

The new electoral law<sup>6</sup> notably prohibited a large group of people to take part in the elections. It featured very strict requirements for candidates in the legislative elections, and defined categories of citizens now barred from running (mainly those who held any position in the Jamahiriya General People's Congress). No minimum level of popular was required to candidates by law, nor were criteria established regarding the formation of constituencies, voting procedures, and judicial review. The strict restriction imposed is an indicator of the legislator's strong will, but undermines the hopes for a future coexistence of the different political tendencies and beliefs, ethnic, religious and clan interests.

### 3

The wide variety of political tendencies during elections (both parliamentary and presidential) held in 2011-2014 played an important role in the political and legal process in post-revolution countries. Elections gauge the political situation by reflecting clash of interests between political forces and opposing views promoted by parties and other political organisations. Moreover, they give legitimacy to the authorities and perform a regeneration function by systematically selecting and replacing political figures, and determining the most successful political programme. The events in Arab countries illustrate how election results can seriously aggravate domestic situation and cause systemic crisis at the state level. The results of some campaigns sprang a surprise due not only to the will of the people, but also to the peculiarities of some electoral systems.

Despite the establishment of a large number of new political parties, the main struggle broke out between Islamist and secular forces, often enjoying equal support from the population, which once again confirmed the absence of consensus concerning the future development of these countries. The events in 2011-2014 revealed the fragility of the post-revolu-

<sup>6</sup> For an analysis of this law, see : M.A.Sapronova. The electoral law of Libya: from direct democracy "1 September Revolution" to representative democracy "February 17 Revolution" // <http://www.iimes.ru/?p=14233#more-14233>

tion balance of power and the limits of the society's political consolidation.

In Egypt, the post-revolution elections held in late 2011 indicated that the majority of voters were in favour of religious traditionalism, which they associate with notions of social justice, national dignity and hope for a better life. The Freedom and Justice Party won the parliamentary elections and received 230 seats out of 498 seats. Consequently, the party leader was appointed speaker of the legislature. The Salafi Al-Nour Party finished second, securing a total of 120 seats. Overall, Islamist parties won 3/4 of the parliamentary seats, and were therefore supposed to determine the future path of the country's development and implement laws, as well as a new constitution.

The triumph of the Islamists in the elections enabled them to gain control of the legislature but brought little change to the overall balance between the political forces. The real levers of power still remained in the hands of the army, which had begun to adapt to the new situation. In addition, the transition and implementation plan of democratic procedures had not been clearly defined.

By mid-2012 it had become clear that the constitutional process was deadlocked and the discussion around the composition of the Constituent Assembly had completely split the Egyptian society. In these circumstances, a temporary public authority – the Supreme Council of the Armed Forces – resorted to the legislative levers, moving the political struggle into the legal field. Cairo Administrative Court decided to dissolve the Committee, which was to develop the Constitution, on the grounds that its composition did not reflect the social and political diversity of Egyptian society.

Consequently, as a result of the presidential elections held in May 2012, the country had the president, but the latter had no constitutional powers. Besides monitoring legislative and executive power, the Islamists intended to implement a constitution “for them”. Egypt entered a period of legal confusion and the actual dual power, with the right of legislative initiative being disputed between two authorities: the Supreme Council of the Armed Forces (an extra-constitutional authority) and the

new president (whose powers had not been defined).

The tension between the military and the Islamists intensified and the second round of the presidential election only took place once the Supreme Constitutional Court stated that the Parliament was to be dissolved immediately. The generals then had the legislative power for themselves. The army's actions caused a new surge of mass protests accusing it of “soft coup” against the “revolution” in an attempt to protract the transitional period.

In addition, further action of the president M. Morsi to strengthen his power began to cause persistent hostility from the majority and eventually provoked a split in the Muslim Brotherhood. In December 2012, the adoption of a new constitution spurred a new wave of mass protests in Egypt, which was called the “second revolution” and resulted into an ideological division in society.

The new Egyptian President Abdel Fattah el-Sisi was elected in May 2014 on the basis of a new electoral law that rigidly limited the candidates to the presidency. The legal base severely restricted the possibility of nominating candidates and contesting the election results, and in fact only gave one candidate a chance to win the election.

During the elections to the Constituent Assembly of Tunisia (in October 2011) the Islamist Ennahdha Party won 89 seats out of 217. In this case, its program included the construction of a democratic society with a multi-party parliamentary form of government, open-market economy and full respect for civil rights, but with the preservation of traditional Islamic values. Secular parties failed to create a single election bloc and therefore went into opposition. However, in December 2011, these parties began to speak out against the threat of religious fundamentalism coming from the ruling party. Choosing the Islamist party as an alternative to the corrupt secular regime, Tunisians were waiting for an economic miracle that did not happen.

During 2012, radical groups intensified their actions: Islamists attacked the US Embassy and Salafis proclaimed an “Islamic emirate” in Sejnane. Secular circles opposed



them. At the end of 2012, Tunisian parliamentarians signed a collective petition to dissolve the Ennahdha movement. In January 2013, the first political assassination took place: the Secretary General of the Democratic Patriots' Unified Party was murdered. He had opposed the Islamist government and actively supported the development of a secular Tunisia. This event fuelled mass protest against those who were responsible for the revolution. Large-scale protests ended with the dissolution of the government formed by the Islamists.

New parliamentary elections were held on 26 October 2014. The main contenders were old rivals: Ennahdha and the secular party "Call of Tunisia" that eventually emerged victorious. The latter won 86 seats in parliament, Ennahdha received 69, and third place went to Free Patriotic Union with 16 seats. Ennahdha's former coalition allies dissolved into smaller parties that shared the remaining seats. The leader of "Call of Tunisia", Beji Caid Essebsi, was then appointed President of Tunisia.

In Libya, the first elections<sup>7</sup> held in July 2012 were immediately won by a broad coalition of liberals and centrists (National Forces Alliance), with the Islamists continuing their consolidation and increasing influence in society. They called on the parliament to pass a law banning former high-ranking officials of Gaddafi to work for public institutions, and in 2013, they implemented the introduction of Sharia as the basis of legislation. The Congress was divided into two camps: secularists and supporters of an Islamic way of development. Reaching consensus among them was hindered because, on the one hand, remnants of the Gaddafi clan kept inciting between tribes, and on the other hand, accepting the help of NATO forces doomed the new Libyan regime to a high degree of dependence on Western countries on issues such as foreign and domestic policies (primarily on the issue of oil).

These contradictions influenced the elections to the Constituent Assembly, which took

place in February 2014. Only 47 of 60 members of this body were elected due to the inadequate level of security provided at the polling stations by the government, which subsequently announced its resignation.

On 25 June 2014, the elections to the Libyan House of Representatives were held, with the latter planned to replace the General National Congress, assign a new government and approve the constitution. Secular parties made up the majority of the new body and the Islamists only won 30 seats. The latter had little inclination to accept this situation and captured the Libyan capital to establish an alternative government, thereby forcing the elected parliamentarians to flee Tripoli to the city of Tobruk (at a distance of 1,6 thousand kilometres east of Tripoli). As a result, a dual system emerged in the country: on the one side – the elected parliament and the prime minister Abdullah al-Thani, and on the other – the illegitimate General National Congress and its elected Prime Minister Omar al-Hassi.

In Syria, the Arab Socialist Ba'ath Party (Ba'ath) took 134 of the 250 seats in the first elections to the House of Representatives held on a multiparty basis, which followed the adoption of a new constitution in 2012. In June 2014, the presidential brought victory to the incumbent president, Bashar al-Assad, who gained more than 88% of the votes. However, these elections did not contribute to a peaceful resolution of the conflict.

Parliamentary elections in Algeria took place in May 2012, but bore no surprise. They comforted the political trend initiated with the adoption of the constitution in 1996: an alliance of pro-government forces secured a majority of seats in the legislature. Nonetheless, 17 new political parties, established and registered in 2011, were allowed to take part in the 2012 elections. As a result the National Liberation Front (FLN) won 221 in the 462-seat lower house of the parliament. The second place went to the National Rally for Democracy (NRD) with 70 seats; the Islamist Green Algeria

<sup>7</sup> Following the overthrow of Gaddafi, the power was transferred to the National Transitional Council (NTC), who had to resign in June 2012 after the elections to the Constituent Assembly of Libya, also called the General National Congress (INC).

Alliance only received 47 seats. Meanwhile, the leaders of the latter position themselves as “the opposition” but support the presidential programme for the country development.

Voting results confirmed once again that Algeria stepped over the “Islamist threat”, opting for a coalition government. In April 2014, the re-election of Abdelaziz Bouteflika as Head of State, receiving more than 81% of total votes, established further this state of affairs.

In November 2011, the parliamentary elections held in Morocco, on the contrary, brought victory to the Islamist Justice and Development Party (PJD) that gained 107 seats in the House of Representatives. The PJD Chairman, Abdelilah Benkirane, was appointed Prime Minister of Morocco. However, the political programme of the PJD was not exactly «Islamist». An increase in gross domestic product growth, privatization and the reduction of state intervention in the economy, the lowering of the maximum tax level from 30 to 25%, as well as other socio-economic measures were announced as part of the programme<sup>8</sup>.

This party will have to build alliances with other parties in the parliament, in particular with the traditional Istiqlal Party, which, together with the secular parties, is in a position to hinder the adoption of any law promoting the Islamisation of the social and political life of the country.

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The adoption of a new legislation cannot guarantee stability of the domestic political situation. The convergence of the constitutional norms and social reality may take a long time in the context of fragmentation characterising the traditional Arab society.

Along with the Shia-Sunni confrontation and the severe political tensions in the Sunni camp, the political development of the contemporary Arab world is also defined by the internal struggle of two projects – one fundamentalist (Islamist) and the other liberal-democratic. Meanwhile, in the ideological sphere

of Islam, religious and traditional norms coexist with reformist and modern views, which reflect the current needs of the extremely diverse social forces. The struggle between these two trends was clearly visible in the constitutional and electoral process as well as in the formation of new state institutions in post-revolution Arab countries. In places, where a political consensus on the legal system was found between ideological opponents (Algeria and Morocco) in the 1990s, political turmoil was avoided or minimised in 2011. In countries, where no such consensus exists, the political stabilization process has been delayed for many years, and efforts from the international community fail to bring tangible positive results.

Currently, the Arab-Muslim world again faces a choice regarding its model of social organisation, which is linked to the historical and civilizational foundations of the society, its cultural, ideological and religious settings, predetermining the behaviour of different social groups and their self-organisation model. However, Islam alone does not provide a clear normative framework regarding the state, governance and the relationship between the state and an individual. It leaves unanswered the question of how Sharia laws should be combined with modern Western values of democracy, and fails to offer a comprehensive model.

The political developments in the Arab countries after 2011 demonstrate that the rise to power of the Islamists does not coincide with the creation of an Islamic state. Their victory often leads to the erosion of the idea of Islamism. It reveals the fragility of the Islamic political structure. In practice, militants from religious organisations that ignore ideological intricacies have proved to be the most successful (as shown by the activities of the “Islamic state”). The Arab society keeps looking for an answer to the question: which is better, stability and security under an authoritarian regime or democracy and freedom in a situation of chaos?

<sup>8</sup> Podtserob A.B. Morocco under the rule of the Islamists // <http://www.iimes.ru/02.02.2012>

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