



# The Right to Vote and the Rule of Law in Arab Countries

# A Comparative Approach

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### Introduction

Among the civil and political rights, the right to vote represents a paramount feature to ensure a direct participation of citizens to the course of their country's destiny in a democratic setting, and prevent any infringement on their basic rights and freedoms.

When organized in a fair and democratic manner, regularly held elections ensure proper political representation of the societal corps, hence allowing citizens to hold their elected leaders accountable.

But the simple right to express a political preference through a ballot box doesn't comprise the entire scope of this fundamental liberty. Multiple variables, conditions and criteria need to be fulfilled to ensure fair and free elections during which each can vote without any fear of persecution, and without any tampering with electoral process and results. In Post-war conflicts or those enduring a transitional process, many citizens could question the importance of the act of voting, despite its universally acclaimed feature<sup>2</sup>.

In the Middle East, elections are generally dismissed as a charade, which disregards the basic democratic principles, before the Arab Spring wave brought some new perspectives to the electoral and democratic process. Nevertheless, countries like Lebanon witnessed a serious setback as the right to vote in a general election was exercised last in 2009 since the elections were postponed at three different occasions. Only local elections were held throughout the country in May 2016. Based on the current political situation, Lebanese should be able to vote once again in parliamentary election next May, after 9 years of interruption.

During the same period, Tunisia had held, following the massive protests against the sitting regime, two rounds of elections, one in 2011 for the Constituent Assembly and Legislative elections in 2014. Similarly, in Egypt, two rounds of presidential elections were organized, in 2011 after the outing of President Moubarak, then 2014 after the coup d'Etat of the Army against President Morsi.

The study suggests to look into the political and legal status of the right to vote in a comparative approach in three Arab countries, Lebanon, Tunisia and Egypt amidst the political transformations they have endured respectively since 2005 and 2011 and understand how this particular right impacted the Rule of Law concept in these countries.

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<sup>&</sup>lt;sup>2</sup> Cf. Cyril Kulenovic, Rigobert Minani, Thierry Brésillon, Jean-Jacques Pérennès. Voter, Un Acte Universel? Revue Projet 2012/2 (n° 327), p. 36-45.

# 1. "No Democracy without Democrats": The despotic curse of Arab regimes?

"Where are the democrats" in the Arab World, asks political scientist Ghassan Salame in the landmark scholar reference (Salame, 1994) as the world witnessed a third wave of democratization, excluding nonetheless despotic Arab regimes. The idea of an "Arab exception" (Salame, 1994:8) when referring to accessing to the model of representative democracies was deep-rooted in the democracy and elections literature in the past 30 years, as "culturists" would take the further step as to consider Islam and Arab civilization as incompatible with democratic principles, whereas the advocates of "Process-oriented approaches" would consider Democracy as a mere process regardless of cultures and customs, based on a series of pre-requisites<sup>3</sup>:

- "Effective participation. Before a policy is adopted by the association, all the members must have equal and effective opportunities for making their views known to the other members as to what the policy should be.

Voting equality. When the moment arrives at which the decision about the policy will finally be made, every member must have an equal and effective opportunity to vote, and all votes must be counted as equal.

Enlightened understanding. Within reasonable limits as to time, each member must have equal and effective opportunities for learning about the relevant alter- native policies and their likely consequences.

- Control of the agenda. The members must have the exclusive opportunity to decide how and, if they choose, what matters are to be placed on the agenda. Thus the democratic process required by the three preceding criteria is never closed. The policies of the association are always open to change by the members, if they so choose.
- Inclusion of adults. All, or at any rate most, adult permanent residents should have the full rights of citizens that are implied by the first four criteria. Before the twentieth century this criterion was unacceptable to most advocates of democracy". (Dahl 1998: 37-38)

For "procedural" observers on democratization (procedure here referring to "combinations and sequences of mechanisms that produce some specified outcome, their attention focus mainly on elections" (Tilly, 2007:23), the debate revolves around "whether genuinely competitive elections engaging large numbers of citizens regularly produce changes in governmental personnel and policy" (Tilly, 2007:8). For instance, Freedom House relies on a matrix of criteria to measure how free elections are in a given country as specified in the table here under.

## Freedom House Checklist for Political Rights and Civil Liberties<sup>4</sup>

#### A. ELECTORAL PROCESS

- 1. Is the head of government or other chief national authority elected through free and fair elections?
- 2. Are the national legislative representatives elected through free and fair elections?
- 3. Are the electoral laws and framework fair?

<sup>&</sup>lt;sup>3</sup> On Democracy as Culture and Democracy as Process, cf. Zaki Laïdi (2001, July-August), Mondialisation et Démocratie, Politique Etrangère.

<sup>&</sup>lt;sup>4</sup> Freedom House. Checklist Questions and Guidelines for Political Rights, available at <a href="https://freedomhouse.org/report/freedom-world-2012/checklist-questions-and-guidelines">https://freedomhouse.org/report/freedom-world-2012/checklist-questions-and-guidelines</a>.

#### B. POLITICAL PLURALISM AND PARTICIPATION

- 1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system open to the rise and fall of these competing parties or groupings?
- 2. Is there a significant opposition vote and a realistic possibility for the opposition to increase its support or gain power through elections?
- 3. Are the people's political choices free from domination by the military, foreign powers, totalitarian parties, religious hierarchies, economic oligarchies, or any other powerful group?
- 4. Do cultural, ethnic, religious, or other minority groups have full political rights and electoral opportunities?

Coming back to the Middle East, and as Heydemaan notes, "the research on the Arab world could not settle comfortably in the conceptual frameworks of transitology. But its marginal status became even more apparent in the 1990s. While the other regions went from the collapse of authoritarianism to the formation of democratic regimes, the Arab countries, from Algeria to Egypt via Jordan or Yemen, went backwards: governments further strengthened their repressive character" (Heydemann, 2002:58). Under Middle Eastern regimes, nation-building processes were, above all, vast exclusion operations as the political realm actually fortified State institutions against society, hence allowing autocrats to modernize their control devices. Ataturk in Turkey, Muamar Khaddafi in Libya, Zine El Abidine Ben Ali in Tunisia, Saddam Hussein in Iraq, and Hafez Al Assad in Syria fall among the many illustrations of the "despotic curse" of the region whether in the form of police or military States. As Michel Seurat writes in the 1980's, "a modern State in the Machreq is the success story of a asabiya" (1989:13), with the asabiya being a "solidarity group [...] a recomposition of networks of allegiance in a territorial and political space that has been ultimately transformed through State action" (Roy, 1996:6), in general a clan or a minority.

As stressed by Ellen Lust (2012:110), "elections took place like clockwork under entrenched authoritarian regimes. These elections were not free and fair. They had little impact on policymaking. And they did not threaten to unseat regimes. Only those who would be, at most, 'loyal opposition' were allowed to run in the elections. To many, the elections were insignificant charades". In Arab regimes, elections would be held in timely fashion, but the vote would be manipulated in many ways. The electoral system would have restricted candidates from running through specific conditions (being a member of the ruling party, having a military grade or being from a specific sect like in Lebanon, etc.). On another note, manipulation would happen through the control of the media, oppression of alternative campaigns and candidates, gerrymandering, clientelist votes, preventing access to polling stations etc.

As such, political establishments in Egypt and Tunisia would clinch to power despite the holding of regular elections. For instance, the ruling party in parliament had secured 78% of the House's seats after the 2000 polls, 68.5% after the 2005 elections and even rose to 81% in 2010 prior to the massive street protests. In Tunisia, the situation was relatively the same for the ruling party of president Ben Ali: 81% in the 1999 elections, 80% in 2004 and 75% in 2009. It is relevant to note the results stay similar regardless of the turnout: Egyptians would not vote massively in their parliamentary elections (a maximum of 28.2% in 2005 and 27.5% in 2010), whereas turnout in Tunisia would reach 91.5% in 1999, 86.4% in 2004 and 89.4% in 2009.

From its side, Lebanon might seem free from despotic tendencies. However the country holds a curse of its own, i.e. sectarianism, which counted as an essential factor in its lengthy civil war (1975-1991) and the present political instability<sup>5</sup>. Some actually consider that such political sectarianism has somehow

<sup>&</sup>lt;sup>5</sup> On the specificity of the Lebanese political context, cf. Youssef, Nada, 2013/3 (n° 95): Le Liban : la transition inachevée vers l'État de droit, Revue française de droit constitutionnel, pp. 735-756.

preserved the Lebanese liberal context as written by Hazem Saghiye (2005), "the principle of sectarian balance not only saved Lebanon from military coups and dictatorship; it also led to the development of a political order which ran counter to the two prevailing systems in the region: hereditary absolute monarchy and military rule [...] Lebanon offered an example of how modernization could be achieved peacefully". However, sectarianism, or "claims of distinctiveness" as described by Craig Calhoun (1993), remains at the center of the challenges of State-building and Rule of Law in Lebanon, ruined because of the deficiencies of its political system.

Moreover, the Syrian presence in Beirut ravaged any promise of post-conflict political reform in the beginning of the 1990s. As such, the Christian boycott of the 1992 parliamentary elections could not prevent the control of the Assad regime over the key institutions and decision-making process in its neighbor country. Until 2005 and the outing of the Syrian tutelage, all forms of political interventions occurred under different levels of elections in the country.

With the surge of the Arab Spring at the end of 2010 and 2011, the region initiated what could be the start of the end from its curse and introduce a new long awaited wave of democratization in the Middle East. Lebanon witnessed its own Cedars Revolution a few years earlier as it managed to set free from the Syrian tutelage in April 2005, but at the high price of political violence and instability. This major political shift was labeled as a second independence and the entry in what was presented as a genuine sovereign reign for the Lebanese institutions.

Under such transformative dynamics, the question arises as to how this impacted fundamental political and civil rights in these three countries, and mainly our paper's topic, the right to vote, which will be the subject of our next point.

## 2. Elections in Lebanon, Tunisia and Egypt: A Rule of Bending the Rules?

Prior to their respective embracement of transitional processes, these three countries were openly considered as problematic when dealing with basic political and civil rights.

In Lebanon, the apparent democratic setting with a functioning separation of powers is flawed by political sectarianism and clientelism that find solid relays during elections. Lebanon, Freedom House reported in 2010,

"is not an electoral democracy. Although the 2009 parliamentary elections were conducted peacefully and judged to be free and fair in some respects, vote buying was reported to be rampant, and the electoral system retained a number of structural flaws linked to the country's sectarian political system"<sup>6</sup>.

As such, the Cedar Revolution quickly reached structural limitations as to political reforms. The 2009 general elections, orchestrated by reformist Ziad Baroud as Minister of Interior, brought some changes to the electoral process, such as the holding of the national vote on one single day. Other needed reforms, such as introducing a proportional electoral system, regulating campaign funding or relying on pre-printed ballots were not adopted back then. As a result, these legislative elections, running under a strict majoritarian list system, cemented the political spectrum and the domination of sectarian entrepreneurs on the political realm.

More direct restrictions of political liberties were observed and documented, in particular in Tunisia and Egypt. The right to vote per se was generally respected as elections were held regularly. However, the

<sup>&</sup>lt;sup>6</sup> Freedom House. Freedom in the World, Lebanon Country Report, 2010, available at <a href="https://freedomhouse.org/report/freedom-world/2010/lebanon">https://freedomhouse.org/report/freedom-world/2010/lebanon</a>.

latter usually involved a set of rules that served as covert restrictions, hence twisting the electoral process rendering it undemocratic. At the eve of the Arab Spring, Freedom House reported in its 2010 round that

"Egypt is not an electoral democracy. The political system is designed to ensure solid majorities for the ruling NDP at all levels of government. Constitutional amendments passed in 2007 banned religion-based political parties, ensuring the continued suppression of the Muslim Brotherhood, a nonviolent Islamist group that represents the most organized opposition to the government. President Hosni Mubarak, who has been in power since 1981, serves six-year terms and appoints the cabinet and all 26 provincial governors. The first multicandidate popular election for the presidency was held in 2005, and Mubarak's main challenger, Ayman Nour, was jailed on dubious charges soon after the vote".

Tunisia's account from the same Rights Watchdog also renders analog despotic characteristics:

"Tunisia is not an electoral democracy. President Zine el-Abedine Ben Ali has exercised authoritarian rule since seizing power in a coup in 1987. Beginning in 1989, he won five consecutive five-year terms in tightly controlled elections, either running unopposed or easily defeating token challengers. A 2002 referendum removed the constitution's three-term limit for the presidency and raised the maximum age for presidential candidates from 70 to 75. A package of amendments in 2008 lowered the voting age from 20 to 18 and effectively barred presidential candidates other than the elected leaders of political parties who had served at least two years or those who obtained nominations from at least 30 lawmakers or local councilors. Both before and after the 2009 elections, the authorities cracked down on media outlets and human rights activists to minimize public expressions of dissent".

With the Arab Spring in Tunisia and Egypt, drastic changes were brought on the electoral system, changing the very nature and the scope of the right to vote in these two post-revolutionary contexts. Both instituted a new Constitution in 2014<sup>9</sup> before new elections (see table 1) could be held that restored a sense of dignity to Tunisian and Egyptian voters. The Constitutional reform process involved in its turn an electoral process<sup>10</sup> with the holding in Tunisia on 23 October 2011 of its first ever free and transparent election of a Constituent Assembly in Tunisia, which paved the way in the following months for a Second Republic<sup>11</sup>. One of the first symbolic measures adopted by the transitional government was the legalization of the political parties banned under the Ben Ali regime (Geisser, Perez, 2016/3:22), such as "En Nahda", "Green Tunisia", Communist Party of the Tunisian Workers, Congress for the Republic of known opposition activist Moncef Marzouki...

In Egypt (see table 1), legislative elections were organized from November 2011 to January 2012 before a referendum was held in December 2012 to adopt the new interim Constitution. In between, voters had elected Muslim Brotherhood prominent figure, Mohamad Morsi, as the new Egyptian president in June 2012. Incidentally, post-revolutionary context favored a greater turnout at both presidential and parliamentary elections "in comparison with previous elections during which much fewer voters would bother to participate (15%)" (Perrenès, 2012:45). The same author also noted that "many voters in their fifties had voted for the very first time" during these elections. In May 2012, the State of Emergency that was officially active in Egypt since 1981 was even lifted, symbolically signaling a freer political atmosphere that took

<sup>&</sup>lt;sup>7</sup> Freedom House. Freedom in the World, Egypt Country Report, 2010, available at <a href="https://freedomhouse.org/report/freedom-world/2010/egypt">https://freedomhouse.org/report/freedom-world/2010/egypt</a>.

<sup>&</sup>lt;sup>8</sup> Freedom House. Freedom in the World, Tunisia Country Report, 2010 available at <a href="https://freedomhouse.org/report/freedom-world/2010/tunisia">https://freedomhouse.org/report/freedom-world/2010/tunisia</a>.

<sup>&</sup>lt;sup>9</sup> In Tunisia, the constitution of June 1959, adopted by a National Constituent Assembly elected after the independence of Tunisia in 1956, had established a presidential regime and was amended 16 times as it kept strengthening the presidential prerogatives. It was suspended as of 15 March 2011 following the protests of 14 January 2011.

<sup>&</sup>lt;sup>10</sup> Decree num. 2011-1086 dated 3 August 2011 establishing an electoral body for the election of National Constituent Assembly for the 23 October 2011.

<sup>&</sup>lt;sup>11</sup> Some scholars refute considering the new constitutional order of 2014 in Tunisia as a "Second Republic", such as Rafaâ Ben Achour (4, 2014:783), cf also V. G. Ghrairi, « La Constitution de la lle République : clartés et ombres », <a href="http://www.leaders.com.tn/article/laconstitution-de-la-iie-republique-clartes-et-ombres?id=13304">http://www.leaders.com.tn/article/laconstitution-de-la-iie-republique-clartes-et-ombres?id=13304</a>.

the Muslim Brotherhood to the top of the State's pyramid, based on the "political participation of the forgotten ones" (Catusse, 2012:40) who were given a chance to express their political sensitivities.

Table 1				
Elections in Egypt, Tunisia and Lebanon since 2011				
_		Were parliamentary		
Country	Elections held after January 2011	elections held since		
F	Compatituation of Reference drawn March 10, 2011	2011?		
Egypt	Constitutional Referendum: March 19, 2011			
	Parliamentary: Phase 1	Yes		
	November 28- 29, 2011; Phase 2: December			
	14-15, 2011 and Phase 3, January 3-4, 2012			
	<b>Shura Council</b> : January 29, 2012 and February			
	14, 2012			
	Presidential Elections (1st Round):			
	May 23, 2012 and (2nd Round): June 16, 2012			
	Presidential Elections:			
	May 26 & May 28, 2014			
	Parliamentary: Phase 1			
	October 17- 28, 2015; Phase 2: November 21			
	- December 2 2015			
Tunisia	Parliamentary (Constituant Assembly):	Yes		
	October 23, 2011			
	Parliamentary: October 26, 2014			
	Presidential: November 23 - December 21,			
	2014			
Lebanon	Municipal Elections: May 8 to May 29	No		

As former despotic Arab regimes were venturing into new democratic practices, Lebanon, on the other hand, struggled with maintaining political rights and liberties as the country wrestled with insecurity and political instability. In 2013, the acuity of the political crisis actually froze the electoral process as the Parliament postponed the general elections at three consecutive occasions (in May 2013<sup>12</sup>, October 2014<sup>13</sup> and March 2017<sup>14</sup>). The two first laws (out of the three) extending the mandate of the current parliament were challenged through the Constitutional Council. The first attempt revealed how little independence the Lebanese judiciary retained after years of institutional deficit, since a number of constitutional judges confiscated the needed quorum by not attending the sessions. The second attempt in November 2014 led this time to a formal decision by the Constitutional Council that rejected the challenge motion presented by 10 MPs. It thus validated the extension of the Parliament's mandate,

<sup>12</sup> Lebanon's government to postpone elections until November 2014, *The Guardian*, 31 May 2013, available at <a href="https://www.theguardian.com/world/2013/may/31/lebanon-elections-postponed-2014">https://www.theguardian.com/world/2013/may/31/lebanon-elections-postponed-2014</a>.

<sup>&</sup>lt;sup>13</sup> Lebanese parliament extends own term till 2017 amid protests, Reuters, 5 November 2014, available at <a href="https://www.reuters.com/article/us-lebanon-parliament/lebanese-parliament-extends-own-term-till-2017-amid-protests-idUSKBN0IP18T20141105">https://www.reuters.com/article/us-lebanon-parliament/lebanese-parliament-extends-own-term-till-2017-amid-protests-idUSKBN0IP18T20141105</a>.

<sup>&</sup>lt;sup>14</sup> Once again, disputes delay Lebanese elections, Al-Monitor, 27 March 2017, available at <a href="https://www.al-monitor.com/pulse/originals/2017/03/lebanon-elections-law-parliament-extension.html">https://www.al-monitor.com/pulse/originals/2017/03/lebanon-elections-law-parliament-extension.html</a>.

arguing "exceptional circumstances" 15, even though it didn't elaborate on how the latter would justify a violation of the Constitution.

That said, and despite the undemocratic features of the Mubarak regime, it is worth remembering that the Egyptian judges (High Constitutional Court) were the ones who had invalidated the first round of the presidential elections of June 2012, two days after they had taken place 16, formally revealing the "violation of the equality principle among candidates". The next day, General Tantawi was to dissolve the Parliament. And when President Morsi decided to abrogate the latter decree and call the MPs to resume their legislative activities, the same judges deemed the decision void as the Assembly was to be re-elected to have any kind of legitimacy. This is not to say that the Egyptian judiciary has regained full independence, but it is encouraging as compared to the openly partial decision of the Lebanese Constitutional Council.

The Parliamentary elections in Lebanon are now set to take place in May 2018, this time based on a proportional system, a reform that is yet to prove efficient as to introducing figures bringing alternative representations to the country's parliament.

At the same time, Tunisia and Egypt reconnected with some forms of undemocratic practices, based on a rather poor state of the Rule of Law, despite the political transformations (Catusse, 2012). Aspects of fraud and clientelism were somehow maintained throughout the new rounds of elections, as the "shaping of a new electoral corps" (Catusse, 2012:38), casting an informed individual vote, remains problematic.

In Tunisia, elections were thus postponed (on the municipal level) in September 2017 for at least a year, officials arguing "objective reasons for a delay"<sup>17</sup>. This entrenchment to the electoral regulations comes as both leading political formations in Tunisia (En Nahda and Nidaa Tunis) are in the midst of a political battle for the leadership of post-revolutionary Tunisia.

In Egypt, the elected president Mohamad Morsi was forcefully removed by a military coup d'Etat in 2013<sup>18</sup>, signaling the tendency towards disregarding electoral results and abiding by a constitutionally protected electoral process. President Morsi was replaced by the one who was responsible of his overthrow, General AbdelFattah Sissi, later elected president in the May 2014 Presidential elections. Ironically, the constitution was suspended during the coup as the head of the Supreme Constitutional Court, Adly Mansour, was appointed as interim head of state.

# 3. Scope of Right to Vote in Lebanon, Tunisia and Egypt after the Arab Spring: The Rule of Law Challenge

Despite favorable conditions for reinforcing political and civil rights in Lebanon, Tunisia and Egypt, the few past years actually showed a more complex situation when electoral processes and the right to vote are concerned.

As shown in table 2, the respective constitutions of the three countries hold dearly the notions of democracy, people's sovereignty and the right to political participation.

<sup>&</sup>lt;sup>15</sup> Decision 7/2014 on Motion Challenging Extension Law of Parliament's Mandate, Constitutional Council, 28 November 2014, Beirut, Lebanon.

<sup>&</sup>lt;sup>16</sup> High Constitutional Council Decision, Cairo, June 14, 2012.

<sup>&</sup>lt;sup>17</sup> Tunisia municipal elections delayed until next year, Middle East Monitor, 18 September 2017, available at <a href="https://www.middleeastmonitor.com/20170918-tunisia-municipal-elections-delayed-until-next-year/">https://www.middleeastmonitor.com/20170918-tunisia-municipal-elections-delayed-until-next-year/</a>.

<sup>&</sup>lt;sup>18</sup> President Morsi overthrown in Egypt, Al Jazeera, 4 July 2013, available a <a href="http://www.aljazeera.com/news/middleeast/2013/07/20137319828176718.html">http://www.aljazeera.com/news/middleeast/2013/07/20137319828176718.html</a>.

Table 2 Legal Provisions related to the Right to Vote in the respective Constitutions of Lebanon (1990), Tunisia (2014) and Egypt (2014)

Scope	Lebanon	Tunisia	Egypt
Nature of regime and separation of power	Preamble: C) Lebanon is a parliamentary democratic republic based on respect for public liberties	Preamble: With a view to building a republican, democratic and participatory system, in the framework of a civil state founded on the sovereignty of the people []	Article 1: The Arab Republic of Egypt is a sovereign state, united and indivisible, where nothing is dispensable, and its system is democratic republic based on citizenship and the rule of law.
Sovereignty of the people	Preamble: D) The people are the source of authority and sovereignty; they shall exercise these powers through the constitutional institutions.	Article 3: The people are sovereign and the source of authority, which is exercised through the peoples' representatives and by referendum	Article 4: Sovereignty belongs to the people alone, which exercises it and protects it. They are the source of power. They safeguard their national unity, which is based on the principle of equality, justice and equal opportunity between citizens, as provided in this Constitution.
Equality before the law	Article 7: All Lebanese shall be equal before the law. They shall equally enjoy civil and political rights and shall equally be bound by public obligations and duties without any distinction.	Article 21: All citizens, male and female, have equal rights and duties, and are equal before the law without any discrimination. The state guarantees freedoms and individual and collective rights to all citizens, and provides all citizens the conditions for a dignified life.	Article 53: Citizens are equal before the law, possess equal rights and public duties, and may not be discriminated against on the basis of religion, belief, sex, origin, race, color, language, disability, social class, political or geographical affiliation, or for any other reason []
Voting rights	Article 21:  Every Lebanese citizen who has completed his twenty-first year is an elector provided he fulfills the conditions stated by the electoral law.	Article 34: The rights to election, voting, and candidacy are guaranteed, in accordance with the law. The state seeks to guarantee women's	Article 87: The participation of citizens in public life is a national duty. Every citizen has the right to vote, run in elections, and

representation in elected bodies.	express their opinion in referendums.
Article 54: Every Tunisian citizen aged eighteen years shall be deemed a voter in accordance with the conditions established by the election law	

However, what seems like "a nice course of civic education hides a more complex reality of the Tunisian political transformation" (Brésillon, 2012:43)<sup>19</sup>. In Lebanon, despite post-war constitutional amendments of 1990 which brought "recognition of the importance and protection of fundamental liberties, the latter remain insufficient in the absence of a Rule of Law State that is capable of efficiently guaranteeing these rights" (Youssef, 2013:748). The same flags of skepticism can be observed in Egypt as preparations for the 2018 presidential race are warming up, as many runners up are feared from being barred from taking part to the elections<sup>20</sup>. On 7<sup>th</sup> January 2018, Former Egyptian Prime Minister Ahmed Shafiq, who "was widely seen as the most serious challenger to Mr Sisi"<sup>21</sup>, withdrew from the running for the country's presidency. Two weeks later, a former general Sami Anan was arrested after being "accused of incitement against military"<sup>22</sup>; he had declared intention to run in March poll against current president General Sissi. 30 other members of Anan's campaign were also arrested as well as some of their family members. According to Mahmoud Refaat, spokesman for Anan, "it's not known where any of them are being held"<sup>23</sup>.

However progressive and liberal legislation gets, Arab spring countries, struggling to undo the effects of dictatorship, still have a long road ahead to establish the spirits of the Rule of Law, within the State institutions on one hand, and within the general population on the second. The same goes for Lebanon, a liberal and open country, despite the fact that elections are to resume in May 2018 under a new and encouraging proportional electoral system. Thus fears remain high in the actual implementation of the vote in a country where many flaws are known to occur, from clientelist voting to tampering with ballots ballot boxes and votes counting.

<sup>&</sup>lt;sup>19</sup> See also: Yerkes, Sarah, 2017 (October): Democracy Derailed? Tunisia's Transition Veers Off Course, Foreign Affairs, available at <a href="https://www.foreignaffairs.com/articles/tunisia/2017-10-02/democracy-derailed-0">https://www.foreignaffairs.com/articles/tunisia/2017-10-02/democracy-derailed-0</a>.

<sup>&</sup>lt;sup>20</sup> Egyptian rights lawyer says he'll run for president in 2018, Reuters, 6 November 2017, available at <a href="https://www.reuters.com/article/us-egypt-politics/egyptian-rights-lawyer-says-hell-run-for-president-in-2018-idUSKBN1D6249">https://www.reuters.com/article/us-egypt-politics/egyptian-rights-lawyer-says-hell-run-for-president-in-2018-idUSKBN1D6249</a>.

<sup>&</sup>lt;sup>21</sup> BBC, Ahmed Shafiq: Egyptian ex-PM withdraws from election, 7 January 2018, available on <a href="http://www.bbc.com/news/world-middle-east-42597803">http://www.bbc.com/news/world-middle-east-42597803</a>.

<sup>&</sup>lt;sup>22</sup> Michaelson, Ruth, Egypt arrests ex-general who stood for election against Sisi, *The Guardian*, 23 January 2018, available on <a href="https://www.theguardian.com/world/2018/jan/23/former-egyptian-general-arrested-by-military-after-announcing-presidential-bid-sami-anan">https://www.theguardian.com/world/2018/jan/23/former-egyptian-general-arrested-by-military-after-announcing-presidential-bid-sami-anan</a>

<sup>&</sup>lt;sup>23</sup> Idem.

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