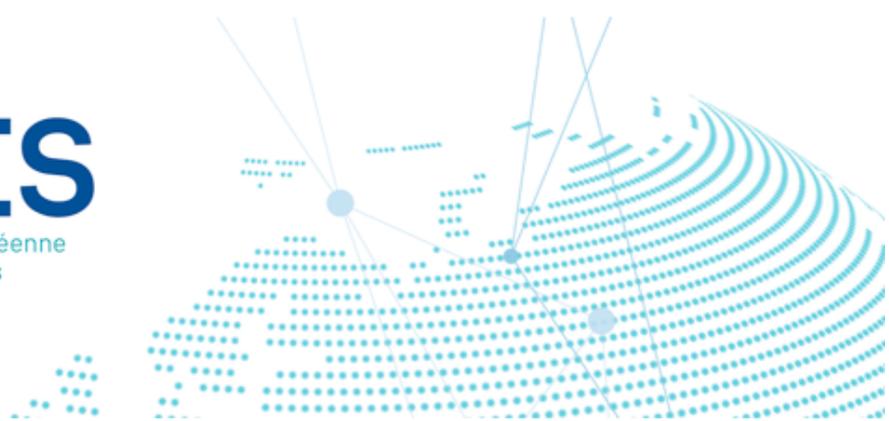




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## Tunisia: “the sick man” of political Islam, or of democracy?

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### *Summary*

On 25 July 2021, President Kais Saïed suspended the Tunisian constitution to put an end to the constitutional impasse between himself, Prime Minister Hichem Mechichi, and Rached Ghannouchi, speaker of the parliament and leader of the Muslim Brotherhood movement. This decision, which took Tunisians by surprise, came about in a seriously deteriorating internal situation and a tense regional context. It removed the Islamists from power, portraying them as intriguers who were seeking to use the institutional impasse to their own advantage. While the population gave President Saïed’s initiative massive support at the start, hoping it would allow a return to a fair, effective, democratic, peaceful and socially just Republic, that is not to say it has retained its confidence in the president who has on his own authority just taken the decision (23 September 2021) to arrogate full powers to himself in the longer term, effectively putting an end to democratic representation. If he were to lose his internal credibility a number of disaffected young Tunisians could go into exile or be tempted to take the route of Jihad.

Is Tunisia fated always to swim against the tide of its neighbours in a crisis-ridden Maghreb? After its revolution in 2011 that put an end to autocracy, a first in the Arab world, Tunisia turned in part to the Islamists of Ennahda (the party of 'Renaissance'). It did not however sink into a purely Islamist regime, and in 2014 forced the Islamist partisans to accept a constitutional compromise that guaranteed public and individual liberties; again, a first in the region.

After three democratic changes of power (2011, 2014 and 2019), the decision of 25 July 2021 put a sudden stop to the process of democratisation: without violence, and with the support of the population, the President of the Republic, Kais Saied, put an end to the disputes within parliament and government by suspending their powers. This state of constitutional exception was supported by the immense majority of the population, exasperated for months by political disputes, growing corruption and the inability of their leaders to enforce the rights of the state, its society and its citizens.

The country that initiated the Arab Spring in January 2011 with the revolution that chased President Ben Ali from power after 23 years of autocratic rule, the Republic of Tunisia, since the coup in Egypt of July 2013, has by virtue of its institutional legality stood out as the exception. Everywhere else the post-revolutionary chain of events has led to a resumption of power by authoritarian regimes, civil war, or a counter revolution. Until the summer of 2021 Tunisia had not descended into any of these scenarios. In a country disillusioned by its economic and social situation, encouraged by all its Arab neighbours to return to autocratic rule, one can only remark that the country appears completely immune to these temptations. Tunisians are profoundly attached to freedom of opinion and expression, values that are not compatible with autocracy.

### **From January's historic pact to the clumsy compromise of August 2014**

To understand what is happening now we need to go back to 2014, the crucial year where Tunisians escaped the worst. After two and a half years of a Constituent Assembly led by a Troika, whose mission had been to come up with a constitution for the Second Republic within a year, the transition seemed imperilled. The president of the republic who had been elected at the end of 2011, Moncef Marzouki, respected because of his role as a human rights activist and exiled during Ben Ali's regime, ended up by making a pact with the Islamists of Ennahda who dominated the Troika. Ennahda's leader, Rached Ghannouchi, the head of Islamism in Tunisia and an active member of the international Muslim Brotherhood, had created the issue by manoeuvring the president, a renowned conservative democrat, into what was judged an unnatural alliance. The president's political advisor, Aziz Krichen, published a fascinating account of the president's divergence in a celebrated book. As leader of the CPR (Congress for the Republic), the ambitious president realised he could not be elected with a convincing mandate without Ennahda. Strengthened by the president's Achilles heel, R. Ghannouchi was able to keep two irons in the fire: one for his party and its militants (to whom he opened the state's doors, recruiting 150,000 of them into public service with no other qualification than having been Islamist opponents of Ben Ali); the other iron was revolutionary in nature, aiming as it did to impose a parliamentary regime that would break with the laicity of Bourguiba's heritage.

To pressurise the democrats, he allowed great leeway to his activists who fomented unrest in the country with their acts of violence and murderous attacks. Finally, to put pressure on the president and the parliamentary allies he needed - the constitution required a two-thirds majority - he relentlessly negotiated for the fundamentals of the Islamist party, in particular ending equality between Tunisian men and women. Civil society, shocked and repulsed by violence in the streets and by the eroding of

its rights, organised a concerted countermovement outside parliament. A 'quartet' (composed of the UGTT trade union, UTICA, the employers' federation, the society of advocates and the league of human rights) succeeded in extremis in January 2014 in imposing a constitutional compromise that respected Bourguiba's political heritage.

The Egyptian military coup in July 2013, led with great brutality against the Muslim Brotherhood who had been running the country, forced Ghannouchi to recognise Ennahda's weaknesses and the danger of a return to repression. Thus, within six months, Ennahda under pressure from the quartet, accepted the constitutional compromise: Tunisia's transition to democracy had been saved and the Second Republic was promulgated on 7 February 2014. As the autumn legislative and presidential elections approached Ghannouchi realised that the winner of this process would be Bourguiba's former minister Beji Caid Essebsi, the founder in 2012 of a secular catch-all party, Nidaa Tounes, formed to stand up to Ennahda. But the coming battle was not without serious risk, the nationalist block risking a confrontation with the nahdaoui block, against a background of ideological war, acts of violence and an economic crisis that had become structural.

In August 2014, the two adversaries secretly agreed in Paris that after an autumn election in the prescribed form and manner, there would be a compromise between Nidaa Tounes, the probable holder of the presidency and the largest parliamentary group (which is what happened), and the parliament's second largest group, Ennahda. Once the elections were over the two adversaries would form an alliance (with Ennahda's benevolent neutrality), in order to avoid violence and to establish the constitutional compromise. Ennahda profited from this since it was assured of retaining its positions in the administration, part of the leadership of the country and the public services it had been involved in since 2011. The party now had the opportunity over a period of five years to allow the Tunisians' anger against the violence they had suffered to subside, to paralyse the justice system's proceedings against its activists, and to restore itself to electoral health. Ennahda had lost a third of its voters between 2011 and 2014. For all its declarations of peace, soon followed by the affirmation of its belief in democracy, there was no question of Ennahda making life easy for a government and a president that were inheritors of the Bourguibism it despised.

### **Populists against populists in the 2019 elections**

This legislature and Beji Caid Essebsi's (BCE) five year term from 2014-2019 were not, therefore, peaceful. The improbable political alliance revealed itself over the months that followed the general election, creating extensive confusion that impeded good governance. The semi-parliamentary constitution seized by Ghannouchi in extremis did not help to produce a clear governmental line. Assailed by multiple crises (economic, security, social), the government needed its hands free if it was to take drastic action. But subject as it was to an alliance that pulled it hither and thither, it could decide on very few things. The only unity was on the decision to reinforce the armed forces against terrorism, and to task them with the help of foreign allies, with taking the fight to the maquis of Mont Chaambi on the Algerian border, securing the Libyan border, putting an end to the deadly attacks aimed at ruining the tourist industry and stopping the haemorrhage of thousands of young Tunisians heading for Jihad in Syria with the support of Islamist groups and the Turks. Tunisia has still become the largest source of Jihadists in the world (around 5,000 ).

The Islamists of the Ennahda party hated the presidential rule of the First Republic (1957-2011) and wanted to impose a regime that was assembly led (called shura in Arabic). That it did not succeed in

doing so was due in part to President Beji Caid Essebsi who, although limited in his powers, still had some indirect room for manoeuvre, for the president can name his own prime minister; although he in turn needs the support of parliament, and is therefore weakened. He was therefore incapable of restarting economic growth – despite quite substantial international aid - of battling against the strikes and go-slows that were hitting businesses and the administration, of pushing through the votes on constitutional reform that were still outstanding and of making the justice system work. Not only were those responsible for terrorist attacks not pursued because the justice system had been deliberately brought to a standstill, but corrupt officials and intriguers of the ancien régime, now with no one in charge of them, understood very well what they stood to gain from the situation: corruption grew, fortunes were made amongst the Islamists (notably due to the injection of Turkish, Qatari and Kuwaiti capital) or simply grew on the backs of a population impoverished by the fall of the dinar. In a few years the Tunisians lost half of their purchasing power, the dinar having entered a long-term process of devaluation. And as for the state itself, it was in debt up to the allowable limits for a dependant country (nearly 100% of GDP).

To put a halt to this poor governance would have required the setting up of the independent regulatory body provided for in the constitution, and parliament had theoretically one year to put that in place. This court of arbitration never saw the light of day, not without giving rise to polemical arguments that sealed its fate: Ennahda and the president preferred this opaque situation that allowed for government in the shadows. BCE, 88 when he started his mandate, was not at the top of his game. Feeling the end coming, he allowed his son to try to take control of the party which only weakened his credibility and fractured Nidaa Tounes. Only one important reform was passed, the creation of communes, that led to the local elections of May 2018. Ennahda had read things correctly. Although its share of the votes continued to decline (losing a second third of its 2011 votes), the party gained control of several local executives, including some of the most important ones (such as Sousse). With no interest in working to help the country recover - which would only have brought credit to the president - Ennahda waited for 2019. The elections were precipitated by BCE's death on 25 July 2019.

There then emerged, against a background of persistent crisis, a veritable dance of the populists. Three forces appeared out of the short electoral campaign from August to October 2019. Sheikh Ghannouchi, who knew the presidency was unattainable for him, concentrated his efforts on parliament, in line with his doctrine. In doing so he hoped to win on two counts: by supporting a president, who he could presume would be weak and conservative, and by becoming the largest group in parliament.

The presidential election was between two 'populist' candidates: the billionaire television boss, Nabil Karoui, who spent the campaign in prison awaiting a verdict for alleged corruption; and an unknown assistant professor of constitutional law, Kais Saied, who used a poetic Arabic appropriate for arousing the emotions of his audiences. The latter candidate, riding on a wave of integrity, won the election easily with the support of young people and Ennahda. In parliament on the other hand, Ennahda came first, in front of Qalb Tounes, Nabil Karoui's party. Rached Ghannouchi was elected speaker of the parliament.

### **Three presiding officers: the source of Kais Saied's institutional logjam**

The country was now led by three men, who presided over the three seats of power in Carthage, Le Bardo and the Kasbah; a sort of new troika that no regulatory body could oversee. Of these three presiding officers, the one from Carthage (the presidential palace) was the most legitimate, elected by

a clear majority in direct suffrage (72% of the votes). But in a semi-presidential system the new 61 year old president was far from having the final say on political decisions . He had the authority to name the prime minister, but very quickly ran up against the opposition of the assembly which did not accept his first nomination, so that the new presidency started with a political crisis. Once the president of the republic had been elected it took four months for Prime Minister Elyes Fakhfakh to establish his government at the end of February 2020.

From the start, this second presiding officer, the Prime Minister, 'le chef de la Kasbah', was the weakest of them all. Nominated by the president, who could sack him, he was just as dependant on parliament which could dismiss him, and whose approval he needed for his parliamentary bills. In this way the leader of the government (Saied nominated three in a year and a half), and even more so his ministers, were in a situation of political weakness; and the decisions that had to be made were painful.

With the country on the verge of bankruptcy, international lenders insisted that imports be cut back, no more civil servants be employed, and the payroll be greatly reduced. These were policies that risked an extreme reaction in the country and that the government could only consider under extreme duress. In health matters, the Covid crisis that broke in March 2020, forced the imposition of drastic measures that the government was incapable of maintaining in the long term. With the closure of Tunisia's borders having immediately ruined the tourism and transport industries (from spring 2020), the government had no money to spend on supporting workers and families struggling with unemployment. The upshot was that it constantly oscillated between the medical professionals who wanted lockdown, and the workforce who wanted nothing to do with lockdowns. Almost unable to act, the two governments of Fakhfakh (dismissed after 7 months) et Mechichi, although continuously supported by France, the European Union and international lenders (other than Turkey) contented themselves with dealing with day-to-day matters, putting off things that required urgent decisions or structural reforms.

Throughout this year and a half, the situation did not seem to displease the speaker of the parliament, R. Ghannouchi in Le Bardo, and his group of loyal deputies. Allied at the heart of the majority coalition with Qalb Tounes, the party of its former adversary N. Karoui, Ennahda which wished to be seen as a respectable party subcontracted the role of agitators to a small extremist parliamentary coalition that had emerged from its own ranks, Al Karama . For Ghannouchi, to be the Speaker of the Parliament of the Republic was equivalent to a coronation, for to him parliament is the sole legitimate governing body. At the start of 2020 he believed that having got Saied elected, this new president without a party and who with an essentially female entourage appeared weak, would be under an obligation to him. The fact is that after a year in office, and despite the best efforts of the Qataris and the Turks, the President of Carthage has turned against those who (in part) were responsible for crowning him. "Commander of the armed and civilian forces" (as he stated in April 2021), he is not there to have his agenda dictated to him – he is instead there to watch over the independence of the Tunisian nation.

The speaker of the parliament considered the prime minister to be beholden to him as well, since it was he who had had him elected. Having got rid of the engineer E. Fakhfakh for an alleged conflict of interests – which also allowed him to be held responsible for the terrible initial lockdown of the Covid 19 pandemic - Ghannouchi now chose the jurist Hichem Mechichi, whom he hoped to control. A threesome dance now began between Carthage, the Kasbah and Le Bardo, whose evolutions between September 2020 and July 2021 were reported daily in the press and on Facebook. Saied and Ghannouchi wrangled over the prime minister: the former forbade him to constitute the Court of

Jurisdiction and the latter undermined his efforts to rectify the social and economic situation. Having to deal with the IMF and international lenders, the government's efforts to manage the twin crises of Covid and the economy unravelled under the eye of its two masters; the first conspicuously drawing closer to the military and the people, while the second became ever more unpopular as it tried to reassure its base with financial compensations that were ignominious in the current climate. The impasse became total as the summer of 2021 approached .

### **The convergence of crises and the disarray of Tunisians in the first half of 2021**

As summer 2021 approached Tunisia was sucked into a spiral of crises: powerless institutions, a stalled economic recovery (-8.8% in 2020, -2% in the first half of 2021) and a brick wall of debt approaching . Due dates on payments of \$2.5 billion in the summer of 2021 seemed insurmountable and led to fears of bankruptcy following on from that of Lebanon . For months the government had been reduced to finding lenders, donors, or simply expedients in order to pay its employees (and a number of payments, monthly or even quarterly salaries for civil servants and state contractors had not been made). In fact, the Tunisian state has one of the largest payrolls in the world in relation to its official wealth.

In the view of several economists the country's GDP is double the official GDP, which explains the 'relative' stability of a country whose official income would not allow the majority of its citizens to survive. The scale of the informal economy and of smuggling is such that the tax revenue is taken from a narrow base. According to Aziz Krichen, the private economy based on monopolies and imports has ended up suffocating the country . About fifteen large fortunes built up since the 1970s have ended up holding the country's economy to ransom, a situation aided by a political system powerless to tax these fortunes accordingly.

There followed a veritable collapse of production and industry. Strikers, unions, and importers ruined the country's production of phosphates and hydrocarbons that were held at a standstill until summer 2021, while agriculture struggled because of imports from Europe and Turkey.

Since then, public opinion in Tunisia intensified against the regime which was perceived as being incapable of seeing to its basic needs, including health and education, both of which had been strong points of the former socialist regime of Habib Bourguiba. In 2020, 6,000 young doctors left the country and since the revolution 100,000 pupils a year have left school without any qualifications, which poses a dramatic threat to a small country without any major resources.

In 2021, a wave of insurrection spread through the country, relayed by hundreds of public debates on radio or television stations, on social media and in society in general. Abir Moussi was the standard bearer for rancorous criticism of Ennahda which, according to opinion surveys, has placed her party in pole position in any future elections. Many Tunisians have declared their nostalgia (verbally, at any rate) for Ben Ali's regime – in other words for a strong man, feelings that the current president has perfectly understood.

### **The president's options on 25 July 2021: Maghreb's Bonaparte, or de Gaulle?**

The pronouncement of the 25th of July only surprised those who were out of touch with Tunisia. For weeks, the 25th of July, the 63 anniversary of the Republic – and two years since the death of BCE - had been announced on social media as a day of veritable uprising against Ennahda. On the evening

of that day of gatherings, that had seen large numbers of women attending, the president's decisions were given a rapturous welcome by the many popular demonstrations.

Despite internal criticism (in particular from Ennahda and some constitutional experts) and external (particularly from French intellectuals and Islamist circles), the president's seizure of power, by virtue of Article 80 of the Constitution, met with approval. The same applied to the banning of foreign travel and the removal and transfers of officials close to the Islamists, or of those who were infamous for their corruption.

Nonetheless, part of the elite began to ask questions once the legal threshold of one month's special powers (as provided for in the constitution) had been passed: no general decision had been made, neither had a prime minister been nominated, nor had a date for new elections been announced. Speculation and rumours ran riot. Scheduled bank debt repayments were unexpectedly met in the middle of summer by lenders. But these lenders expected a return to constitutional legality as a follow-up.

On 14 September 2021, President Saied suddenly became resolute and peremptory. Presenting himself as being in the "service of the Tunisian people", he denounced the "thieves, mercenaries and traitors" accused of "paying money to foreign agencies to harm their own country"; he concluded by saying: "I will never engage in dialogue with such people". Politicians were put in their place, even Abir Moussi's party which could have helped him to form a new majority. As far as the small Tunisian army goes, professionalised to a large degree, it has never become involved in politics. Contrary to other Arab countries it is unlikely that it will try to apply pressure on the president, although it will of course have to engage in dialogue with him. In this autumn of 2021, it is therefore with Kais Saied alone that the decisions as to how to escape the height of this crisis remain.

History was in everyone's minds. Was it necessary to finish the revolution in order to save it? Should there be a counter-revolution, even if peaceful? Could it be that the president, a constitutionalist by profession, had gone back on his word and developed a taste for personal power? Without a party, who could he rely on to govern and what would he do when it came to making unpopular decisions? Amongst others, the researcher Mohamed Kerrou looking back into history asked the question: would Saied be the Bonaparte who saved the revolution by (in part) sacrificing liberties? Others called for a counter-revolution like the one in Egypt, without the violence of the masses, thanks in part to Ennahda's weakness. In everyone's minds were the memories of the coup d'état of Bourguiba in 1957 which destroyed the monarchy to create the republic, and Ben Ali's coup in 1987, which declared itself to be the liberator from Bourguiba's authoritarianism, but that within two years had installed a police state that subjugated the population.

Without any previous experience, the isolated president had to feel overwhelmed by the scale of the challenges, both economic and financial, pressures that left him uncommunicative. Then all speculation was cut short by the government decree of 23 September 2021, announced by the president from Sidi Bouzid, a place symbolic of the revolution of 2011: although civil liberties were (still) in effect in the country, the president was freeing himself from the constitution of 2014 and arrogating full powers to himself, even to the extent of naming a government and ministers responsible only to him. He was gathering executive and legislative powers to himself, putting an end to representative democracy. Parliament had ceased to exist; this new regime would be a phase that was institutionally "exceptional and provisory", but which disregarded the unions, political parties and intermediary

bodies, something that could rapidly become dangerous in the context of Tunisia. It was “what the people want” proclaimed Saied, but the Bonapartiste option appears to have supplanted the Gaullist option of a reset of democratic systems.

The Covid pandemic has calmed with the announcement of the end of the curfew, mining along with oil and gas production have restarted: but the next twelve months that are just starting for education, society and politics risk being explosive because bankruptcy is more imminent than ever and international lenders will not go out of their way to help a risk taking individual who is isolated and has embraced personal dictat.

Finally, as he reflects, President Saied must also consider the regional situation of his country, whose every action and gesture is under its neighbours’ attentive gaze. Since the revolution of 2011 and the risk of Jihadist insurrection in the country – which materialised in the violence that cost the lives of hundreds of the security forces, particularly during the violent attack on Ben Guerdane on the Libyan border in 2016, where 11 of them were killed – Tunisia has been supported by Algeria. That country’s authorities, as a ‘sister state’, are on good terms with Tunisia and with its army (that it had helped to train) in particular. Ennahda’s influence in Tunisia’s politics, up to 25 July 2021, was never able to prevent close cooperation. For Algiers, which hates instability, the essential thing is that the revolution of 2011 had been coped with relatively calmly and that Tunisia remains stable, thus keeping Libya’s potentially very dangerous eastern border secure.

If Algiers, a long-standing mediator in the Libyan crisis, had hoped for a while that Marshal Haftar would overcome Tripoli’s Islamist militias and throw Erdogan’s Turkish militias back into the sea, it has since accepted the new order under international and UN oversight. The Tunisians, economically very dependent on Libya and due to their geography much more vulnerable, have always acted as mediators between the Libyan clans that share power and the country, without ever declaring their preferences. The presence on their borders of thousands of Islamist fighters transported by Erdogan to the north-east of the country is not taken lightly, but the Tunisians know they can count on Algeria, with Morocco’s support (both countries declared enemies, as it happens) to stand by them in the event of problems. Since Turkey has protested against the removal of Ennahda’s Islamists and the affair of 25 July, it is likely that Erdogan will try to get involved again in order to prevent the Tunisians falling into the arms of the Emiratis and their Arab allies.

It will not have escaped the Tunisian president’s notice that the last elections in Morocco on 8 September 2021, allowed the Moroccan monarchy to separate itself from – not to say get rid of – the Muslim Brotherhood members of the Justice and Development Party in the country, and that Turkey which for all that it had been the JDP’s inspiration, studiously avoided any protests and indeed distanced itself from them. Seen objectively, after Egypt in 2013, the side-lining of the Muslim Brotherhood through the summer of 2021, firstly in Tunisia and then in Morocco, has isolated Turkey and Qatar that little bit more at the heart of the Arab world. The line of Emirati monarchies allied to Egypt cannot quite extend to Tunisia and Algeria, if only because of the Abraham Accords which are an absolute casus belli for those two countries due to the rapprochement with Israel. For this reason there is a kind of objective alliance between Algiers and Tunis – that could be described as loyalty to the notion of Arab nationalism – who are neither in one camp nor the other. The presence of an Islamist power close to the Turks, based in Tripoli – until further notice – and with ramifications linked to the Sahel and the Sahara, will induce both countries to display great caution. This is especially so as there is nothing to say that the Muslim Brotherhood have had their last word in Tunis – although they have

certainly been greatly weakened – or in Algiers where the Movement of Society for Peace (MSP) and its allies have a following that is probably greater than their poor showing at the elections in June would suggest. More than ever, little Tunisia, wooed simultaneously by Rabat, Istanbul and the Libyans, but also feared by all of them because of its democratic fervour, has thus found itself in a dispassionate and paradoxical alliance with the Republic of Algeria.

To conclude, on 29 October 2021, President Saïed ended up naming a prime minister, a woman as it happens; Mme Najila Mouden, an academic specialising in geology (modernity) and who comes from Kairouan (tradition). This confirmed the priority given to the economy. The Tunisia that likes to capture the imagination will be delighted that a woman unknown in public has become the first female Arab “prime minister”. For the president this piece of news will reassure feminist opinion, a movement that is very vigorous in Tunisia (particularly amongst his supporters), while pulling the carpet from under the feet of another woman, the leader of the Free Destourian Party, Abir Moussi, who had been hoping for the post and who not long ago had been quoted by the polls as a favourite in the event of new elections. In doing this he is also flattering the Democratic US administration that is very much in favour of the defence of women’s rights in Islamic countries. Does this act presage a revolution in government, or is it only a smokescreen as some commentators are already claiming? Not everyone can be a Bourguiba.



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