

Tunisia: Authoritarian Downfall or Democratic Rebirth?

A commentary from Tunis discussing the latest socio-political developments in the country, after President Kais Saied's announcement on the 25th of July.

RETHINKING SECURITY IN THE 2020s SERIES – COMMENTARY

By Yasmine Akrimi – BIC North Africa Research Analyst

In the night of the 25th of July, Tunisia's president, Kais Saied, announced unprecedented measures that attracted worldwide attention and, perhaps, drastically changed the course of the country's post-2011 transition. Saied, in a personal interpretation of Article 80 of the constitution, froze the parliament, lifted its immunity, sacked the Head of Government, and announced a 30-day transition where he will essentially oversee all three powers.

The same night, an impressive number of Tunisians spontaneously went out in the streets to celebrate the dismissal of a much-resented parliament and political elite that notoriously failed at representing the interests of the people that have elected them since 2019. Since, Tunisia has been living in a certain state of limbo. Saied announced no clear roadmap and there seems to be no communication strategy whatsoever. In parallel, the arrest of MP Yassin Ayari ¹ and the assignment to

¹ Ayari has been arrested in execution of a final court judgment rendered against him by the Military Court of Appeal on December 6, 2018. The controversy revolved around the way he was

home custody of the former public prosecutor of Tunis, Bechir Akremi ², were largely covered by foreign media while Ennahda and its regional allies have been conducting a fierce counter-discourse campaign to frame the process as an interruption to democracy. So, what is really happening in Tunisia?

THE PREMISES: BEFORE THE 25TH OF JULY 2021

Since the 2019 legislative and presidential elections, Tunisia's situation was, to the least, chaotic. The parliament was unable to function; a scene of daily physical and verbal altercations between parliamentarians that made it impossible to discuss a draft law, let alone pass one. The constitutional court, meant to be implemented by 2015 and the only real guarantor of the constitution, was nowhere to be seen. Major ministerial cabinets were functioning by interim since Saied refused a list of ministers – appointed following the partial ministerial reshuffle of January 2021 – to take the oath before him ³.

The government's management of the pandemic plunged the country into a dire sanitary crisis. Tunisia has the worst death rate in the continent and the highest rate of circulation of the delta variant in the world ⁴. It now counts more than 20,000 fatalities due to the pandemic in a country of roughly twelve million.

arrested (according to his spouse, violently), the timing, and the fact a civilian was trialed by a military court (the law has never been reformed). See: https://www.aa.com.tr/fr/afrique/tunisie-le-d%C3%A9put%C3%A9-yassine-ayari-condamn%C3%A9-%C3%A0-deux-mois-de-prison-et-%C3%A9crou%C3%A9-/2319798?fbclid=IwAR3nWWkYW6ZSmTH9MvOp9pbQKfzGBKoVQS2S15ovwkLaXemyKjTO0CG_vh8

² Akremi is suspected, including by the report of the General Inspectorate of the Ministry of Justice, to have intentionally mishandled the political assassination cases of Chokri Belaid and Mohamed Brahmi, as well as major terrorism cases.

³ A procedural constitutional requirement that Kais Saied used as a leverage to prevent Hichem Mechichi, the head of government, to form one.

⁴ <https://news.gnet.tn/la-tunisie-premiere-dans-le-monde-en-termes-de-propagation-du-variant-delta/>

The government notoriously enforced measures it did not respect itself, a disregard that many observers believe was the straw that broke the camel's back. The Minister of Transport posted a story on his personal social media account of a hotel pool in a coastal city ⁵, while there were measures preventing Tunisians to move between cities and a lockdown in the capital during weekends. The indecency of a Minister and a Head of Government enjoying vacations while the country was counting its death became symbolic of a corrupted and incompetent ruling elite. This paralleled Ennahda's pressure on the then-Head of Government, Hichem Mechichi, to activate the compensation fund for victims of dictatorship, implemented by an already controversial transitional justice process.⁶ The move sent a wrong signal at a time when the country struggled to provide enough oxygen concentrators for COVID-19 patients. On the morning of the 25th of July, thousands of Tunisians, mainly youth, braved extreme heat and a lockdown to shout their anger at the ruling power and demanded the resignation of the government and the parliament.⁷ Tunisia was on the verge of explosion.

KAIS SAIED'S MOTTO: "THE PEOPLE WANT"

"Political parties are outdated. They have been saying the same things for the past 40 years. We must rejoin the path traced by Tunisia's youth, yet without a new thought, we will not be able to establish a new system."

Kais Saied during the 2019 presidential electoral campaign.

Saied expressed at multiple times his belief that the era of political parties is over, and the system of governance should drastically transform. He believes in radical decentralization while also maintaining the argument for strong State institutions. In a clear top-down approach to decision-making, Tunisians, in his view, should be able to directly voice their concerns to their elected officials, and revoke their mandates when needed.

⁵ <https://www.businessnews.com.tn/Hasdrubal-Gate---Des-d%C3%A9put%C3%A9s-d%C3%A9noncent-latitude-du-gouvernement-Mechichi,541,110255,3>

⁶ The Tunisian state only contributes to 10% of the fund, the rest is from foreign donors.

⁷ <https://www.france24.com/fr/afrique/20210725-en-tunisie-des-milliers-de-manifestants-d%C3%A9filent-contre-leurs-dirigeants>

Rather than monopolizing power, his narrative since the beginning has been that of giving it back to the people. In the last televised debate organized before the elections, Saied summarized his thought as such: “I will organize the means for Tunisians to express their wishes to those who govern them”.

Current discussions about how to change the political system – since most observers have noted the fall of the second republic since the 25th of July – will probably lead up to a tool of direct democracy, a referendum, if Saied maintains the lead. In a recent intervention, he reiterated his attachment to Alexis de Tocqueville’s notion of self-government.

How to achieve decentralized democracy is undoubtedly the biggest challenge, and perhaps weakness, to Saied’s intentions. His plan intends to start by electing, in each imada (district), a representative in an uninominal two-round ballot, from among candidates sponsored by an equal number of women and men, to form local councils in each of the 264 delegations. In these local councils would also sit, but without the right to vote, representatives of local administrations, as well as a security official, appointed by the central administration, invested by the delegation council. These councils would be responsible for drawing up local development projects. They would designate, by random draw, a representative to sit on a regional council for a limited period, alongside directors of state services (still without voting rights) to harmonize local and regional projects. Finally, these regional councils would in turn choose a representative from each local council to form the National Assembly.⁸

Kais Saied never hid his intention to propose this constitutional revision project to a referendum once elected. Following numerous references to “a moment that will come”, it seems the night of the 25th corresponded to that.

WHAT NOW?

Now, we wait, while remaining vigilant and understanding the multi-layered complexity of Tunisia’s current transition. Advancing that Tunisia was a “happy democracy” that has been suddenly interrupted is misleading. Allowing Saied a blank cheque is dangerous. Understanding Tunisia cannot be equated to

⁸ <https://www.middleeasteye.net/fr/decryptages/kais-saied-un-projet-de-democratie-radicale-pour-la-tunisie>

neighboring contexts is crucial. There is a clear intention to hold politicians accountable and bring before the law those who hid for a very long time behind parliamentary immunity. There is equally a clear risk of a slide towards authoritarianism. Tunisia's strong civil society and history of consensus should constitute pillars during this delicate phase, yet they should not impede Tunisians' desire for radical change in the way their country is governed.

About the BIC

The BIC is an independent, non-profit, think-and-do tank based in the capital of Europe that is committed to developing solutions to address the cyclical drivers of insecurity, economic fragility, and conflict the Middle East and North Africa. Our goal is to bring added value to the highest levels of political discourse by bringing systemic issues to the forefront of the conversation.

Rethinking Security in the 2020s Series

This project takes critical aim at yesterday's approaches to security and defence, with a view towards developing proactive solutions to the evolving nature of insecurity and hybrid warfare. The series has three overarching themes, namely "New Geopolitical Landscape in the MENA Region", "Peacebuilding and Conflict Prevention" and "Transnational Challenges to Water and Energy"



Author

Yasmine Akrimi | BIC North Africa Research Analyst



 @BICBrussels  @bicrhr  BIC

 www.bic-rhr.com  info@bic-rhr.com

 Avenue Louise, 89 1050, Brussels, Belgium  Tel:+32 027258466