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The Revolution in Tunisia – an Opportunity for a Real Change

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I. Introduction

After twenty-three years of solitary reign, the regime of President Zine El Abidine Ben Ali collapsed on 14th January 2011 after less than one month of unprecedented contestations. After more than two decades of silence and fear, the Tunisians dared to do the unthinkable. Indeed, only ten days earlier no one had imagined that the dictator's escape would become reality.

Ben Ali became a dictator hardly three years after his accession to power. After deposing Habib Bourguiba in 1987, the first President of the Tunisian republic since 1957, the new President raised a lot of hope, displaying his will to reform the institutions and liberalise political life in an attempt to modernise the country. Academics, intellectuals, and independent political personalities were quick to rally behind him, but were soon disappointed when in the elections of 1989, the President and sole candidate won with more than 99% of the votes (99, 27%). The secular Constitutional Democratic Rally (RCD) manipulated the voting and won a crushing majority, whereas the independent lists, essentially formed by Tunisia's once-banned Islamist movement En-Nahda, claimed at least 17% of the votes. It was the starting point of an era of anti-Islamist repression that would not spare other political opposition groups which refused to enter into the ranks of the ruling party.

The President would increase his voting score even more- to 99,91% in 1994. In 1999, a temporary constitutional amendment permitted the organisation of a mock pluralistic presidential election, where Ben Ali was re-elected with 99,45% of the popular vote.

In May 2002, another Constitutional amendment raised the age limit for candidates and abolished the limit of three presidential terms, which had been added by the constitutional amendment of 1988. This allowed Ben Ali to represent himself once again in 2004, when he was re-elected by 94,4%. In 2009, he received 89, 62% of the votes. Only a few months following the elections of 2009, a campaign supporting his candidacy for 2014 was launched, with the aim of resurrecting life presidency under another form.

Tunisia's vast internal security apparatus, counting more than 30,000 men, and its ruling political party- the RCD - were transformed into one big propaganda machine, entirely and exclusively at the President's disposal, controlling society and preventing any form of dissent. Ben Ali thus knew how to put Tunisia under his yoke - a situation that benefitted the President's clan, his family and his in-laws, who appropriated themselves, by all means, legal and illegal, of large sectors of the Tunisian economy, and robbed the wealth of the country without restraint.

The people, although aware of these abuses, tolerated the dictatorship, perhaps out of fear, but particularly through complacency. The economic and social performances of Tunisia were considered to be exemplary, with Tunisia often being presented as an example of success.

The economic crisis got the better of this compromise: declining spending power, rising prices, growing household debt, high levels of unemployment,¹ particularly youth unemployment (23%), and even more importantly, a very large number of young graduates (37%) unable to find employment. For young graduates, unemployment is generally very badly lived; a drama to which the feeling of injustice is added, coupled with their view that very often jobs are not assigned in a transparent manner, and that the corruption and clientelism are the determining factors in obtaining

¹ The highest in the region varying between 14 and 18%, according to different sources.

work. These factors were, without dispute, the motors of the protest movement in Tunisia that led to the fall of the Ben Ali regime.

II. Uprising, revolt, revolution

Triggered by an individual act -the self-immolation of the young Mohamed Bouazizi- followed by a local reaction in the city of Sidi Bouzid, which was violently repressed by security forces, the movement propagated itself very quickly to other localities in the centre of Tunisia. Beginning in an underprivileged region, which had been neglected by the development efforts witnessed in other regions, the uprising subsequently spread to the rest of the country.

The most remarkable element in this movement was its spontaneity. It developed outside of any political framework, with no evident ideology; hence, the difficulty in calling it a revolution from the first day. Indeed, initially, the protest was essentially social (against unemployment and the cost of living), and it evolved without a clear political agenda into a protest against the regime, and overtly against Ben Ali and his family.

However, two important elements encouraged the fast propagation of the movement in all regions of the country. First, was the adherence of the local and regional structures of the Tunisian General Labour Union (the UGTT, a powerful union) to the demands of the people. Support from the UGTT was lacking at the time of the uprising in the mining district region of Gafsa in 2009, which facilitated its repression by the regime. The positive attitude of these local structures of the UGTT was, thus, decisive for the success of the movement, encouraging the mobilisation and giving an organisational setting to the voice of the street, allowing it also to surpass the strictly local setting. By contrast, the reaction of the national leadership, being close to the former regime, came belatedly and prudently, and it is now attempting to shape the outcome of the revolution in its favour.

III. The fall of the dictator and of the regime

Of the three possible exit strategies from authoritarianism, it is the most unlikely one that took place in Tunisia. Indeed, a transition driven from below, by people calling for a revolution, was completely unimaginable. A concerted transition was also difficult to foresee. The imbalance in political power was so important that no opposition could be expected to counterbalance the Ben Ali regime and achieve a political transition. There were no alternatives, no valid leader; the fragmentation of the opposition parties had completely discredited them in the eyes of the population, and the few parties refusing the rules of the game were almost inexistent. What remained, therefore, was the hope that this transition would come from the top, and that one day the dictator would decide to live up to his promises, which unfortunately never took place.

Some, myself included, always thought that no change would take place in Tunisia without violence (through a *coup d'état* or popular revolution). Moreover, they were convinced that it would never happen. The security lock seemed to be absolute. Alas, they were mistaken and to the contrary the people showed themselves capable, while the dictator proved to be fragile and vulnerable. This is the lesson to be learned from the Tunisian revolution.

However, the *coup de grace*, driving the hastened fall of Ben Ali came from the army, where the army chief refused to follow the orders to repress the demonstrators and to shoot at the crowd. This act of disobedience was the most determining factor in convincing the former President that he could not overcome the popular uprising. (It seems, also according to various accounts, that it was this same army chief who forced Ben Ali to flee Tunisia.)

In the past, the army was called to the rescue of the regime on two occasions: once in 1978, during the events of 26th January and in 1984 at the time of the revolt of 3rd January named "the bread riots". The army saved the regime twice.

Ben Ali himself coming from this institution, as his predecessor Bourguiba, knew how to maintain it. By participating in the development efforts, the army could keep a positive image among the population who considers it to be loyal, lawful and honest.

The President's fall entailed the collapse of his regime based essentially on the internal security forces and on the RCD, the party in power; these two superstructures have, against all expectations, and contrary to what is presented today by some in Tunisia, withdrawn very quickly. The internal security forces immediately rallied around the new leaders (except a small group of the personal guards of the former President), and the high level officials of the RCD quickly opted for an auto-dissolution of the party. The regime was thus only a “castle of cards”. This is the second lesson to be learned from this Tunisian revolution: to distance itself from the past and avoid any possible backlash, the new government opted for wide-ranging changes at the apex of the security apparatus (upper management in the central offices and local chiefs of the police) and the suspension of the RCD, a measure that preceded the judicial decision of its dissolution² following a petition lodged by the Minister for the Interior. The judgment was confirmed on appeal³ and the RCD file was closed. It is also necessary to recall that one of the first decisions of the transitional government was the disassociation between the RCD and the State and the public administration, meaning that all assets of the State which were put at the disposal of the party were to be immediately returned to the State.

IV. New era and transitional phase

The question that insistently arose after the fall of Ben Ali was whether the constitution of Tunisia should be immediately changed. After a certain wavering due to the surprise effect

² Court judgment of the court of first instance of Tunis, of 9th March 2011.

³ Dismissal of the appeal by the appeal courts of Tunis of 28th March 2011.

according to some, or due to calculation according to others, this question was temporarily decided upon during the first six weeks of the revolution, as some of the new actors, in order to quickly restore a measure of stability, opted to follow the existing constitution. As for the first option, pursuant to the declaration by the constitutional court of a permanent vacancy of the presidency and after 24 hours of thumb-twiddling, it became clear that the applicable constitutional arrangements could not be applied to the letter. Indeed the constitutional text of 1959 calls for the holding of new Presidential elections in a delay of not more than sixty days. However, it was unthinkable that the organisation of free elections with a plurality of candidates was possible in such a short time span and within the current constitutional and legislative framework. It would have been necessary therefore to amend the constitution, and this would have taken longer than the sixty days allowed for by the normal procedure.

Finding a compromise to circumvent the constitutional provisions in force at the time, while at the same time defending them with respect to the interim period assured by the President, was a more political than legal solution. There appeared to be tacit acceptance by all parties, as nobody had contested the principle of an interim period or the person assuming the interim presidency. Among the parties, there were a few who had essentially tried to cause the fall of the "government of national unity", since it included ministers who belonged to the former regime. However, the majority agreed that a delay of six months was sufficient for creating the conditions necessary for holding free and fair elections.

This task is unquestionably the most important assigned to the first transitional government, constituted of technocrats which belonged to the previous government prior to the former President's fall, as well as heads of the opposition and independent personalities. However, the government came under pressure, as it was confronted by demonstrations calling for its fall and contesting the presence of ministers as "symbols of the former regime". The government also came into direct confrontation with

the UGTT for the same reasons. While the union of the workers, calling for general and unlimited strikes, had to be part of this government, it decided to withdraw its ministers pushing for the government's fall.

For some, the position of the UGTT was only an unhappy manoeuvre on behalf of its leadership, compromised through its close relationship with the former President and his party, and that consequently sought to reposition itself in relation to its support base and the new political scene. It is true that to some extent the UGTT was never far from the political scene and at the time it was very important for it to secure its position within a more pluralistic system of unions in Tunisia.

In any case, this first government, which was by definition temporary with well-defined tasks, was subject to a political battle and popular pressure without precedent. The so-called "Kasbah 1", referring to the Kasbah of Tunis, was the first sit-in that took place before the government's headquarters that led to changes in the government. At this time of great uncertainty, this battle was considered to be completely out of place and even dangerous for the transition phase, and the blockage of the institutions and the level of insecurity was such that an intervention of the army seemed imminent. Finally on 27th January a compromise was reached: the government would continue to be presided by the last Prime Minister of Ben Ali; there would only be two ministers of the former regime (technocrats, uncorrupted and not in key ministries), and new faces from the university and the private sector outside Tunisia; as well as from the judiciary would be included. This compromise was supported by the UGTT and was particularly accepted by the street, which for a short time had stopped demonstrating.

This respite allowed the government to begin functioning "normally" and it immediately started by taking the first transition measures: the release of all political convicts, the preparation of a general amnesty, the legalisation of all forbidden political parties, the total liberalisation of the media, and the setting up of

commissions on political reforms. Parliament granted the government the authority to legislate through decrees, allowing it to change all laws which violated the principles of democracy and human rights, without the vote of the two chambers of parliament, which remained under the control of the old ruling party.

But this respite hardly lasted one month. Indeed, the Ghannouchi 2 government was slow to find solutions. Free elections had been announced within six months but the transitional government did not fix any date nor give any indications as to the modality of the vote. It also remained confronted with instability and social tensions, while announcing the first emergency social aid. These measures were too slow, however, as a "Kasbah 2" was already taking shape. This second sit-in before the government's headquarters was obviously more politicized than the first. Several opposition parties pushed the participants of this sit-in to urgently request the election of a constituent assembly, or the creation of a council for safeguarding the revolution. The aim was to create a counter-power to the government, which apart from the pressure of the street, was practically acting without any control.

The immediate revision of the Constitution, which was marked by the former regime and contained some provisions which were tailor-made for the former President, had become the main demand of the protestors. While this demand was initially difficult to accept, given the risks entailed by a constitutional void, it was supported by a growing number of actors from both the political sphere and civil society. It therefore became untenable to prolong the situation. The third transitional government was put in place upon Ghannouchi's resignation.

The new head of government, Béji Boss Essebsi considered that it was morally, politically and juridically beneficial for all to call an election of a constituent assembly which would have the legal authority to adopt a constitution for the new era of Tunisia.

He set the elections for 24th July⁴, thus responding to the main demand of the sit-in "Kasbah 2" and bringing it to an end.

The new Prime Minister decided to immediately abolish the constitution in force and to dissolve the two chambers of parliament (which in fact had quit all activity since it authorised the interim President to legislate by decree), and instructed the commission on political reform (which later became the "High Instance for the realisation of the objectives of the revolution, political reform and democratic transition") to put in place the mechanisms necessary for the election of the constituent assembly. Another phase has thus begun; a phase where the High Instance is going to become a key actor of the transition.

V. The construction of the transition

It was imperative at the start to ask what role the army would play in the current process, given its crucial part in bringing about the fall of the former regime. However, there have been practically no indications that the army would seek to play a stronger political role than in the past. It is true that the army's presence in the streets lasted a longer than on previous occasions in 1978 and 1984, and that this will continue for some time. It is also true that the army was welcomed with open arms by the population and that its chief, who subsequently became the chief of all three armies, is considered as the people's saviour and therefore enjoys immense popularity. However, the army has always been faithful and lawful. Its chief, then chief of the land army, addressing the protesters on 24th January who were demonstrating day and night in front of the government with the aim of bringing the interim government down, announced clearly that he would respect the constitutional order and that he would not act against it. However his sudden apparition in the middle of these demonstrators, to whom he also assured the army will be "the guarantor of the

⁴ This was later postponed to 23rd October for technical reasons in order to secure better involvement and legitimacy of all.

revolution", raised a number of questions: was the army chief asked to calm the crowd or did he himself decide to approach it? The difference is crucial.

By affirming that the army will be the guarantor of the revolution, it intends to effectively influence the choices of the political power if they prove to contradict the interests of the revolution. More than six months later, the always disciplined army actively contributed to the maintenance of public order, wherever it was required most. However, several of its senior officers have been nominated to positions that are normally held by civilians. Thus, several governors and general managers in the ministry of the interior and the general manager of customs, are today military personnel. However, it is necessary to underline that this recourse to military officers to occupy these positions is done to create trust in these institutions, rather than to reposition the army and enhance its political power.

Once assured of the loyalty of the army and its "good intentions", the new civilian political actors can focus on ensuring the transition. After the abrogation of the constitution, the dissolution of parliament and the economic and social council and the collapse of the RCD, the dismantling process must give way to reconstruction. After having agreed on the government's composition and role, the new political actors were anxious not to let the government act without control. While they were not able to achieve the establishment of a Council of the revolution, they insisted on the transformation of the commission on political reform, which is composed exclusively of academic jurists, into a High Instance for the realisation of the objectives of the revolution, political reform and democratic transition.

This body was to be representative of the different political powers that existed on the day of its establishment. Thus, it has been agreed that it would comprise representatives of political parties, civil society organisations dedicated to the defence of human rights, as well as unions. Following criticism from the opposition, it was decided to also include representatives from the

youth sector, as well as representatives of the different regions of Tunisia. The High Instance thus became a sort of parliament, composed of 155 members, with the mandate to agree on legislation to be adopted by the interim executive (through decrees) and to "control" it by demanding clarifications if considered necessary.

The main operating principle of the High Instance has been the one of consensus. Indeed, the different political actors, aware of the High Instance's lack of popular legitimacy have put forward the principle of "consensual legitimacy" as an alternative model to move the transition process forward. However, this consensual legitimacy is very fragile by definition, since it is very difficult to maintain at length. Thus, while a consensus concerning the composition of the High Instance could be found, the adoption of the new electoral law for the constituent assembly has been more difficult. Moreover, it is currently impossible to reach an agreement on the law on political parties, since many political movements have rejected the content of the new text, or have disagreed with the transformation of the High Instance into a legislative organ, or have either left or suspended their cooperation with the latter.

These withdrawals have in fact been a manifestation of the exuberance of the actors involved in this process, and the fact that they were taken by surprise by the fall of the dictator and were thus totally unprepared for this phase. It is necessary to underline that out of about fifteen political movements represented within the process, only three had already legally existed before 14th January; the others were created or legalised after the revolution. The latter blame the first for having existed during the period of the dictatorship. The former, on the other hand, challenge the extent to which the latter are representative of and anchored in society, which is creating tensions and further contributing to the suspicions which already existed, and which are currently one of the main obstacles in the transition process.

In fact, the High Instance is flooded by a multitude of ideological currents, many of which are rather anachronistic and have led to disasters elsewhere in the Arab world. Thus, one finds a patchwork composed of Arab nationalistic movements ranging from "Iraqi Baathism" to "Nasserian" or "Gaddafiian" nationalism, as well as socialist movements and extreme left Trotskyists and Leninists. To these are added Muslims and liberals.

The High Instance, which was built on the principle of mutual understanding, thus turned into a site of ideological quarrels and pursuit of partisan interests. The allies of yesterday, who were united in the face of dictatorship, are today competitors who seek, above all, to improve their positions and gain votes. While this has not escalated into outright conflict, real dialogue has nevertheless been practically absent, and the common understanding has been broken.

The first ones to be accused of breaking this common understanding have been the Islamists of the En-Nahda party. For them the fall of the former regime has meant a second chance to re-establish and reorganise themselves. They are trying to occupy a maximum space in the public arena, as they have been doing in the streets in the first weeks after 14th January. They were present in all demonstrations, with their leaders and former convicts appearing at the head of the crowds. Their long-time leader, Rached Ghannouchi, while announcing upon his return to Tunisia that he would not present himself in the Presidential elections, if there would be such an election, declared that his movement could not decline its right to participate in Tunisian political life. The movement was legalised in the month of March, and has been represented within the High Instance for the realisation of the objectives of the revolution.

All this seems legitimate and in conformity with the principle of non-exclusion of any political movement. However, the populist and conservative rhetoric of the Islamists might give them an advantage with large fringes of the population on the basis of religion, contrary to other political formations. There is also

considerable apprehension vis-à-vis the attitude of En-Nahda: many fear that it is hiding behind a moderate discourse to avoid suspicions among its adversaries, but that once in order it would show its true face. Of course, this is only a speculation, as no one will know the truth before experiencing the actions of En-Nahda.

It is true that these fears have been based on contradictory speeches by some of En-Nahda's leaders, who do not necessarily have the same positions regarding the different questions being debated in Tunisia today, or on speeches that do not represent En-Nahda as such, but rather reflect some controversies within, which will remain dormant until after the elections. At that moment, its general congress will be held and one will then know which fraction will win: the radical or the moderate.

Until then, some attitudes of the leaders of En-Nahda nevertheless cause concern, such as their refusal to sign the "Republican Pact", a kind of proposed "terms of reference", debated and adopted within the High Instance, which is to guide the future members of the constituent assembly in drafting the new constitution. This refusal seems to indicate clearly that they will opt for a model of society that is different from the one that has, up to now, been accepted by Tunisians. The "Republican Pact" proposes a pluralistic, free and egalitarian society, and the question can be raised as to how one can be in opposition to such principles without causing distrust. Moreover, En-Nahda left the High Instance in protest to a proposed decree on political parties, which included provisions on the financing of such. One can ask whether refusing this text does not raise doubts on the sources of En-Nahda's funds, and whether it is necessary to eventually admit that this party does not at all help in establishing mutual confidence between the different political forces.

However, En-Nahda is not the only party which can be criticised on this point. Other small formations search for legitimacies they do not have, while raising the stakes on matters that should not be currently on the debating table. Thus, the nationalists in an effort to gain an advantage over the Islamists

raise the question of the Arab Muslim identity of Tunisia as well as the question of the Palestinian cause, and oppose "all forms of normalisation with Israel". They are thus initiating a witch hunt against all those that think differently, while at the same time contributing to the spread of distrust and suspicion.

However, in my view, this does not constitute the main challenge to the transition towards democracy. These partisan quarrels also show the vivacity of the political scene of today's Tunisia. It is understandable that in a phase of post-revolutionary frenzy, wild aspirations are unleashed and the absence of understanding and consensus is not necessarily in itself a danger.

Rather, the real danger might emerge as a result of the disillusionments Tunisians may confront. They expect the revolution to improve their living conditions and provide them, together with liberty and dignity, with some prosperity. They are losing patience and do not understand why they are currently facing such difficulties. They realise that the rate of unemployment is increasing, with the number of unemployed persons about to double. The growth rate is at 0% and purchasing power is in free fall. Under these conditions, one can ask if Tunisians will be reconciled with politics, and whether they will show an interest in the elections and become actively involved in the establishment of democracy. We all hope for it and will endeavour to continue to be optimistic in spite of everything, as long as we succeed.