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## **Views: Have We Understood Transformations in Tunisia over the Last Decade?**

Kamel Jendoubi

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**Keywords:** Tunisia; Revolution; Democratic Transition; Arab Uprisings; Human Rights

This text offers a critical reading of the perspective from which many human rights activists have understood transformations in Tunisia over the last decade following the revolution. How can we understand that the management of this post-revolution transitional phase was and still is being held hostage by anti-democratic forces? These are forces that played no role in Tunisia's revolution; indeed, some have continued to openly express their hostility to it (remembering that the revolutionary public is not synonymous with the voting public). This observation leads us to another question: How should we understand the relative success or failure of the Tunisian experience a decade later? To answer these questions, we need to look back to see how we read the situation in the past.

Before the outbreak of Tunisia's revolution in December 2010 through January 2011, the conversation in political and rights circles was not about how society should be structured, the nature of the political system, or the type of democracy we wanted, since all of this required foundations, policies, and institutions that had to be reformed or rebuilt. We thought only in terms of an alternative to dictatorship based on party pluralism and respect for fundamental liberties (particularly collective ones). In short, our discussions revolved around a basic common ground of defence of human rights, supported by free elections to guarantee the peaceful rotation of power. After the revolution, we took up individual freedoms as well, when these were threatened not only by the potential return of tyranny but also by political Islamist forces, both moderate and extremist, and finally, by various forms of populism.

Practically speaking, the aim of what we called 'the democratic process'—which was supposed to turn us all into democrats—shifted because the reality proved to be more complicated. The same goes for anyone who naively put their faith in the support and solidarity of major democracies, especially in Europe, for emerging democracies. It became clear that the transition from dictatorship to democracy, even in the formative phase, was more difficult than social actors and

political scientists and experts of all stripes had imagined. The question of how to transition was not posed and perhaps not even considered.

The time is right to rethink how we conceptualise and implement the transition, a term that became a fixation after the revolution. Although the Tunisian revolution did not conform to the democratisation paradigm of scholars and international institutions, our excessive focus on this word, ‘transition’, led to the side-lining—and indeed, eclipse—of the social question. The logic of transition led to a differentiation in the post-revolution period that prioritised institutions over economic reform, and freedom over society. The prioritisation of democracy over economic and social change in turn brought about two failures: The democratic structure itself was imperilled and change was indefinitely postponed. Events transpired so quickly that there was only space for action and reaction, with little time afforded for contemplating about how to foster or guide political action. Even political parties, which ostensibly have the infrastructure for effective supervision, discussion, and organisation, did not have time to organise their ranks and develop a political proposition to mobilise around.

President Zine El Abidine Ben Ali, the head of Tunisia’s dictatorship, was brought down by the struggles of youth, rights defenders, the feminist movement, and trade unionists. Political Islam played no active role; it merely took advantage of the vacuum left by political system’s collapse, drawing on its superior organisation and support from abroad. Political Islam found itself facing what remained of the state apparatus—the army, the repressive organs, and the administration—and a newly awakened ‘street’ which was moved to action largely by its rejection of the authoritarian police state and its symbols, and by the call for dignity and work. It was the so-called street that compelled the election of the National Constituent Assembly, which for three years oversaw the country’s affairs and wrote a new constitution. This adoption of councils as legislative instruments is typical for new or newly independent states—for instance, following Tunisian independence in 1956—in which a total break is made with the old regime or system, including its legislative and legal entities.

A new constitution was adopted in 2014, yet liberty-depriving laws passed during the dictatorship remain in force. Although a bill was drafted to reconcile the country’s laws with the new constitution, it has not been ratified. Nor have institutions provided for in the new constitution been formed, among them the Constitutional Court, even as the old political system continues to afflict the country. Most crucially, this system enables political Islam to control the levers of power with an electoral law that gives rise to a fragmented, dysfunctional political landscape easily controlled by political Islamist forces.

### **Democratic Transition Held Hostage by Anti-Democratic Forces**

Anti-democratic forces, both Islamists and other conservative forces, have instrumentalised Tunisia’s transition process through elections as a means of sweeping to power. This is the context for the rise of the Free Destourian Party and its leader Abir Moussi in the polls and on the ground. Champions of the old regime devised a clear, effective strategy targeting mainly political Islam in

an attempt to create an either-or polarisation without a third option, as was the case under Ben Ali; although political Islamist forces, flailing and reckless, are spurned by broad segments of the population and represent at most twenty per cent of the electorate. The goal of this strategy is to reshape the landscape and create a new balance of power in which the old regime—or the old guard—plays the pivotal role around which politics is structured. Of course, their drive to isolate Islamist forces does not preclude a possible future alliance with these same forces. The electoral system, at least in its current form, compels the top vote winner in legislative elections to form a coalition with other parties in order to form a parliamentary majority and thus ensure a stable government.

The rise of the Free Destourian Party—which does not recognise the revolution and indeed venerates the history and accomplishments of constitutionalists over the past century, among them Ben Ali—does not necessarily signal the return of the Democratic Constitutional Rally (RCD) in a new form, if for no other reason than a significant part of the constitutionalists and RCD cadres either allied with Ennahda or other parties or have withdrawn from politics. In this context, the Free Destourians can be seen as a reconstitution of a political force drawing on the Bourgeois legacy, which will no doubt be reflected in the party's coming platform. Despite some shifts in the party's language and rhetoric, its supposed political liberalism is barely skin deep because it is structurally grounded in the authoritarianism of the Ben Ali era. This deeply entrenched legacy is reflected in various slogans such as 'saving' or 'liberating' the nation, or 'responsible democracy'.

The Free Destourian Party relies on a model of popular mobilisation behind the leader, making inroads among the public and state or professional institutions thanks to the sheen of party legitimacy given to its actions and stances. Yet, it is not a political party whose popular base guides its political and ideological orientation; the party's internal institutions are undemocratic and its leaders are appointed from on high rather than elected from below. In this way, the Free Destourian Party is advancing through its branches and feeders in every city, neighbourhood, and province, and in grassroots actions. It combines this with its parliamentary strategy of obfuscation and denunciation, which is disseminated through its propaganda machine, social media networks, and a segment of the media. The question of who funds this machine, and who are its domestic and foreign backers, remains an open one.

Though seen by some as an exception, Tunisia is nevertheless raising concerns and questions about the future of Tunisians' democratic choice. How long will this experiment last - will the democratic choice be preserved? Election results in recent years sound a clear warning, particularly levels of voter participation. At best, only half of eligible voters turn out for elections, undermining the legitimacy of elected institutions. Political actors are still preoccupied with power politics: elections, the conflict over the political system, the electoral law, and occasionally and partially the judiciary, security apparatus, and constitutional bodies. Meanwhile, other essential issues—economic, social, and health conditions, culture, and the environment—are ignored. Much of society is overcome with despair, especially youth, marginalised people, and the middle classes. Emigration has become a widespread consideration despite the risks. Islamists have gained the

most from this situation, managing to stay in power for the last decade despite seeing their votes shrink from one and a half million to less than half a million.

It is worth noting that many electoral winners have no conscience whatsoever. They took up the mantle of the revolution—or counterrevolution—to take power and take advantage of the precariousness of the state, undermining the rule of law and thwarting popular will with their corruption.

Even so, Tunisia's successful organisation of several important elections allowing for the peaceful rotation of power was a genuine exception compared to other Arab Spring countries. Despite terrorism, recurrent and profound economic and social crises, and a fraught regional situation, the state did not collapse. The military, too, remained faithful to its republican role, and freedom of expression and assembly are still guaranteed despite the conservative, repressive climate.

On the other hand, despite some piecemeal reforms, the courts maintain their pre-2011 punitive practices, similar to the internal security services, which have alarmingly reverted to their repressive practices. In this context, the role of police and security unions is a symptom of state weakness with terrifying consequences. These unions have grown increasingly arrogant as the Free Destourian Party and its leader have climbed in the polls. Even more serious, some democrats see Abir Moussi and her party as the last bulwark against the Islamists, which in my view is delusional.

### **Explaining the Relative Success or Failure of Tunisia's Transition**

Firstly, one theory of democratic transition or democratisation attributes a successful transition to specific prerequisites, most significantly a broad, educated middle class and a level of economic development that can support this class and thus shift its attention away from basic economic necessities to political and social rights. To what extent is this theory applicable to our understanding of Tunisia? This is a country in which our interest is currently focused upon the poor and vulnerable classes and their social indicators, and upon the social and civil movements of many segments of young people in a country where syndicalist action is a fundamental pillar of social peace and political stability.

Others tend to see democratic transition as a manifestation of a crisis within the political system rather than as the outcome of pressures from oppositional political forces. The political opposition may successfully escalate or deepen the crisis, or it may exploit it to create an opportunity for change if it is astute enough to do so. Nevertheless, the main thrust of this theory is that revolution is a reflection of a crisis in the political system rather than a reflection of the opposition's success.

A third consideration is a challenge facing emerging democracies, particularly those arising from the fall of a dictatorship or authoritarian one-party system: How can the past be grappled with, or more accurately, how can the legacy of the old regime be dismantled in order to build a new democratic order? This is a particularly vexing question when the old regime has persisted for years, seeping into every aspect of political, economic, social, and cultural life. In this case, dismantling that legacy poses more of a risk to state stability and may be met by orchestrated chaos

from beneficiaries of the old regime. Despite criticisms of the transitional justice and accountability process in Tunisia, it did demonstrate Tunisian society's need for such a process after the revolution.

The issue here is how to address these challenges: the preconditions for democratic transition, the internal crisis of the system, and the dismantling of the old regime. How - in this tumultuous, hostile climate - do we build or contribute to building a nation of laws and democratic institutions? How do we preserve democratic gains?

Firstly, it may be necessary to answer a pivotal question that has not been asked: Which kind of democracy is possible in countries like Tunisia? What democratic practices can be adapted to the reality of these countries? This is a broad, acrimonious debate, the broad outlines of which are drawn by those with nationalist/populist/religious visions versus those who are motivated by humanist, universal values; proponents of a centralised state who advocate the state's role in the protection of society versus proponents of decentralisation who favour communal ties as a method of governance, and those who support political democracy versus others who defend social democracy.

Secondly, a primary feature of the current phase is the peaceful nature of political and social forces, which chose dialogue and negotiation and drew a clear red line that rejected state collapse and the spectre of civil war. This may have been the price of political participation, guaranteeing broader participation in the political system and drawing in political forces that were previously excluded in exchange for their renunciation of radical positions and their embrace of moderatism.

For the sake of building a new political system, Tunisian elites entered into 'constitutive negotiations'. Given the feebleness and fragmentation of the political opposition and its subordination to the logic of exclusion for more than a half century during President Ben Ali's era—and even before that, under President Bourguiba—the challenges facing negotiations were substantial. Nevertheless, moderatism, or what some call 'centrism'—a complex, vague, and at times meaningless discourse—cost these moderate forces dearly, particularly in their dealings with political Islam, the sole beneficiary of this stance. As a result, populists and extremists were able to dominate the political landscape and score stunning victories.

To take one example, Kais Saïed won the presidential election with a populist discourse encapsulated by the slogan 'The people want'. Even more serious is the ascent of the Karama (Dignity) Coalition, which has ignited what had been a relatively calm political scene. The coalition's rise is a harsh consequence of the catastrophic way in which the conflict with political Islam was managed, which veered between naiveté and the seductions of outright eradication. The populist winds now blowing from all directions—from Abir Moussi to Seifeddine Makhoulouf to 'politicians' like Safi Saïd who are pure media creations—may sweep away all achievements that have thus far held firm in the face of backlash.

Finally, we must think about the role of civil society. The process of democratic transition is organically tied to the growth of the concept of civil society as a decisive factor. The rising forces of civil society, championing values at odd with those popularised by the old authoritarian regime or up-and-coming Islamist forces, can lead and direct the popular and elite transition toward a new

value system undergirded by citizenship, freedom, equality, accountability, and pluralism. The relationship between the regime and society is vital to guiding the process of democratic transition. What role did Tunisian civil society play in the transition, during the elections of 2011, the national dialogue of 2014, in the independent bodies, and in other phases? Is there a political role for civil society? Can civil society be the bearer of a political project? Does it have a role in the rejuvenation of the political elite? These are the main concepts or questions that should be explored with the goal of finding a way out of the current situation.

### **About the Author**

*Kamel Jendoubi* is a rights activist.

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