

EUROMED SURVEY: GOVERNANCE ISSUES

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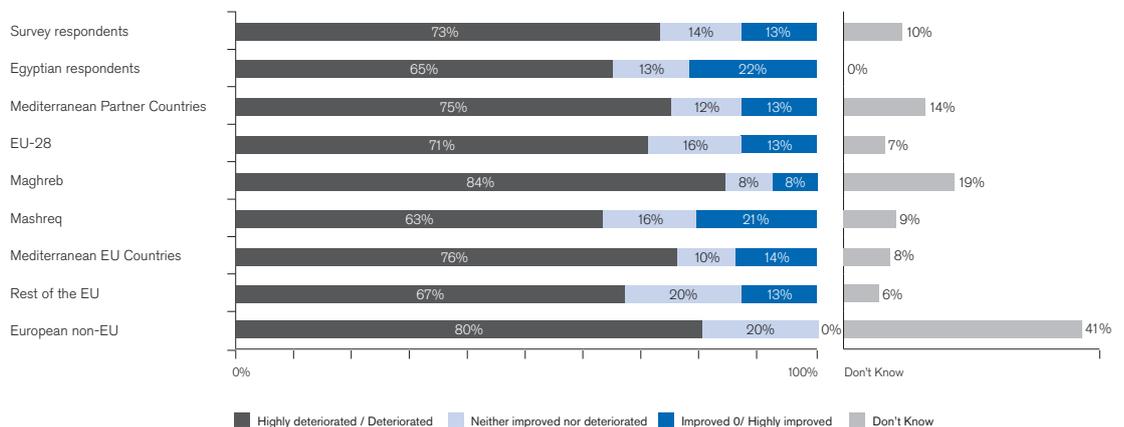
Since the Arab Spring, almost no progress has been made on matters such as rule of law, independence of the judiciary and corruption.

The rule of law has suffered two setbacks: the judiciary has been politicised and is unable to translate its rulings into action due to a lack of internal security forces.

While governance issues stood at the centre of the Arab Spring, the years since the toppling of governments in Tunisia, Libya and Egypt have technically not brought much progress on matters such as rule of law, independence of the judiciary, corruption and the like. The fact that the Survey shows comparatively optimistic results might be due to the fact that it is concerned with a long-term prognosis (a time frame usually defined as more than 25 years) rather than a short-term one. Cautious optimism is perhaps the best description of this outcome, which stands in contrast to developments on the ground.

In general, governance issues across the board have deteriorated in the years since the Arab Spring. The rule of law for instance (see graph 1) has suffered setbacks on two accounts: on the one hand, the judiciary has been politicised in countries; on the other, it is unable to translate its rulings into action due to a lack of internal security forces. In Egypt, for instance, the previously comparatively independent judiciary has become part of the current antagonism between the Muslim Brotherhood and the government. This followed a strained relationship during President Morsi's reign, including the dissolution of the 2011 parliament on technical grounds and Morsi's decree that placed his own decisions above legal review. Now, after a new constitution which brings in greater autonomy, the judiciary is handing down harsh rulings in mass trials on civilian demonstrators, and comparatively lenient ones on police officers involved in the 2013 clashes.

Graph 1: Assessing the improvement or deterioration in the last three years of the rule of law and good governance in Egypt



Source: Compiled by the IEMed based on the results of the 5th Euromed Survey

Not a single officer has been convicted regarding the killings that occurred during the 2011 or indeed the 2012 protests; although a ministry for transitional justice was created in 2013, its agenda or goal is unclear. Things do not look better in Libya, where the judiciary has become a target of assassinations and intimidations in the absence of a functioning police. Prisons are under the control of militias, whereas the Political Isolation Law seeks an extensive purging of the judiciary. Things look slightly better in Tunisia, where the new constitution seeks to redefine the previously highly politicised judiciary.

Civilian-military relations continue to be challenged throughout North Africa.

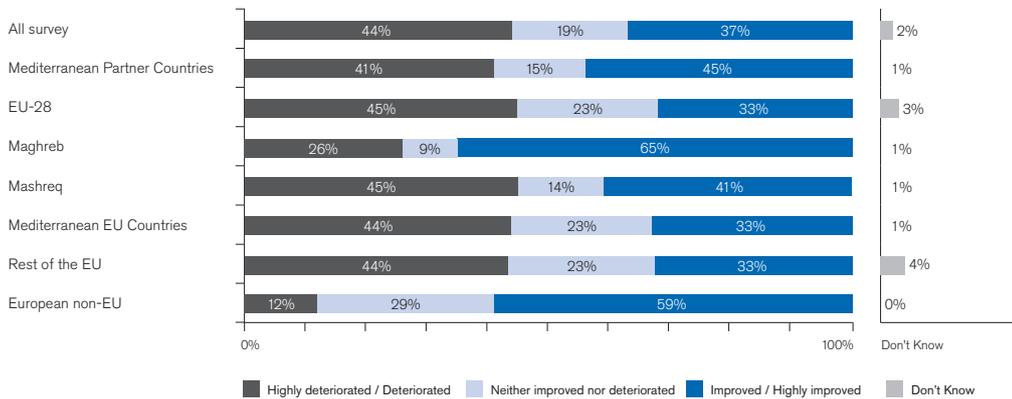
Civilian-military relations are equally challenged throughout North Africa. The return of the Egyptian armed forces to the political arena began with the ousting of President Morsi in summer 2013 and ended in the election of Abdul Fattah al-Sisi, its previous commander, as president. In the new constitution, the armed forces enjoy even more independence from civilian control than before, although marginal restrictions have been applied to the possibility of trying civilians in military courts. In Libya, the implosion of security has been flanked by the partial siding of the armed forces with retired general Khalifa Haftar, and a loss of control over internal as well as external security forces. In Algeria, the reshuffling of several security portfolios indicates an enhanced grip over the security services that are struggling with terrorism in the country's South, but full civilian control is still to be established.

Freedom of expression and press has suffered a back-and-forth development without a clear end in sight.

Although freedom of expression and press has improved since the pre-Arab Spring years, it has been a back-and-forth development without a clear end in sight (see graph 2). The Press Freedom Index has particularly deteriorated in Egypt compared to 2010, in spite of a brief opening in 2011. The detention of journalists on terrorism charges, intimidation of journalists and an overly biased media landscape resulted in the 2013 classification of "Not Free" by Freedom House. The legal context for the media has not changed in the constitutions of 2012 or 2014. Things are slightly more positive in Tunisia, where the new constitution enshrines freedom of the press, and even Libya, although in the latter case journalists are now being targeted in a worsening security situation.

Economic prospects are still dim throughout the region.

Graph 2: Assessing the improvement or deterioration in the last three years of freedom of expression and press; respondents from:



Source: Compiled by the IEMed based on the results of the 5th Euromed Survey

In spite of some worrying trends in terms of governance issues, there are grounds for cautious optimism about the future.

Lastly, economic prospects are still dim throughout the region. Urgent reforms relative to subsidies and investment have been postponed by internal upheaval; and deterioration in security throughout the region has worsened the climate for business activities altogether. The main drivers leading up to the unrest of 2011 – unemployment, poverty and corruption – have not been tackled and continue to deteriorate across the region.

Three years into its transition, the Mediterranean region is facing a series of governance issues head on. Positive developments continue to be counterbalanced by worsening security conditions and polarising politicisation of state institutions. In spite of these sometimes worrying trends, the experiences of 2011 and the perceived opening of the political sphere cannot be turned back, and certainly explain the continued yet cautious optimism when it comes to long-term development.