

Is the Tunisian Political Transition in Danger?

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Once it took up the leadership position of the coalition government following the election of a National Constituent Assembly (NCA) on 23 October 2011, the Islamist party Ennahda began progressively taking apart the institutions set up since the first stage of the post-Ben Ali transition process. Since early 2012, Ennahda leaders have demonstrated that they are not greatly in favour of maintaining these structures, whose main figures, members of the “progressive” left, are perceived as political adversaries. Availing itself of its electoral legitimacy from the 23 October 2011 elections, Ennahda and its two “secular” allies in the Tunisian troika – the Congress for the Republic (CPR) and the Ettakatol party – have undertaken to completely revise the system set up by the authorities that, between 14 January and 23 October 2011, initiated the judicial and institutional framework of the transition. In so doing and in refusing to capitalise on the experience acquired by these institutions, those governing would create the conditions for a crisis of confidence among actors of the transition process, fuelled by the deteriorating economic and social situation (rising young graduate unemployment, rampant inflation and falling investments),¹ the absence of a precise political agenda

and Ennahda's temptation to exercise its hegemony on the state apparatus and the media sector. Incapable – or not desirous – of completing the draft of the new constitution within the one-year deadline, the period indicated in the NCA's writ of election, Ennahda has instilled doubt as to its real political intentions in a sector of the Tunisian population among whom the Islamist party's victory had already caused agitation.

The development of violence and the deterioration of the security situation, phenomena against which the ruling troika seems strangely passive, are stoking political tension that is contributing to splitting Tunisian society into two diametrically opposed factions: one 'Islamist' and the other 'progressive.' The political assassination on 6 February 2013 of Chokri Belaid, one of the emblematic leaders of Tunisia's far left, the aborted initiative of the former Prime Minister, Hamadi Jebali, to constitute a 'government of technocrats' and the controversial ministerial reshuffling of 8 March are not contributing to clearing up the horizon for Tunisia's political transition, today quite obstructed.

A Transition that Is Dragging on, or the Progressive Emergence of a Crisis of Confidence

The accomplishments, whether of the government or the NCA from which it came, are quite sparse and fuel suspicion with regard to the troika's political intentions, in particular those of its main member, Ennahda. The latter has shown its penchant for controlling the levers of the state apparatus. In

¹ According to the National Statistics Institute, 33.2% of university graduates are currently unemployed, the inflation reached 6% in the month of January 2013 only, and the investment rate has gone from 8% in 2012 to 6.8% in 2013.

2012, capitalising on the struggle against corruption and asserting its electoral legitimacy, the ruling coalition appointed senior civil servants in accordance with criteria of allegiance much more than skills or competence: eight out of ten of the State's thousand senior civil servants appointed by the government were from the Islamist party.² The secular opposition sees these appointments as the prelude to the institutionalisation of an authoritarian political regime. Indeed, policy with regard to the media is not at all reassuring. Although Decree-Laws 115 and 116 regulating the information industry were published in the Official Bulletin in November 2011, the troika has been particularly reticent to "activate" these legal texts of liberal inspiration on the grounds that they were drawn up in collaboration with a "non-elected government," in this case that of Béji Caïd Essebsi, during the first stage of the transition. But the success of the 17 October 2012 journalists' strike (the first in the country's history) obliged it to allow them to become effective. Also, everything would indicate that frame of reference or meaning of notions such as media independence or human rights are not the same for Ennahda leaders as they are for the so-called "progressive" elites.

The discrepancy between the secular opposition and the adepts of political Islam is growing all the more significant as the work of the NCA lags on, lending the sense to the opposition that the political Islamists are using delaying tactics in order to create the conditions for a definitive takeover of power at the end of the transition process. The fact that the bill of law on the provisional judicial system has not yet been completed due to Ennahda members' refusal to make it an independent institution lends fuel to the opposition. Though the law on the High Independent Authority for Elections (ISIE) was recently enacted (December 2012), it has been strongly criticised by Kamel Jendoubi. The latter, President of

the former ISIE who had organised the 23 October 2011 elections, finds that the text does not lend the future authority the means to ensure honest, transparent elections.³

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The final text of the constitution has not yet been drafted. Moreover, secular intellectuals are not hiding their concern regarding the first drafts of the constitutional text. The "rough draft" of the Constitution drawn up by the six constitutional commissions of the NCA and disseminated in August 2012 contains repressive stipulations limiting freedoms, such as those establishing that the State "protects sacred things" and that it shall "punish any violation of the sacred values of religion." In addition, the Ennahda refusal to mention the universality of human rights in the preamble has only increased their fears.⁴

Last but not least, the troika, and more particularly its CPR and Ennahda components, plan on excluding their most dangerous political adversaries from hypothetical future elections. The rise of Nida Tounes, a party founded and led by Béji Caïd Essebsi, prompted Ennahda to present a bill of law in November 2012 to the NCA on the so-called political immunisation of the revolution. Said law would ban the former leaders of President Ben Ali's party, Constitutional Democratic Rally (RCD), from running for posts or exercising high-level political

² LABBAOUI, Abdelkader. "87 % des nominations administratives en faveur de la troïka," interview in *Shems FM*, 6 March 2013.

³ The members of the future High Independent Authority for Elections (ISIE) will be elected by a special commission constituted in proportion to the seats in the NCA and therefore dominated by Ennahda, who will have the last word on the choice of members of said Authority. Moreover, by instituting an executive organ, the law establishes a structural duality detrimental to the future action of the ISIE: the broad powers attributed to the executive director are liable to make the executive organ an authority competing with the ISIE's president. Cf. "Kamel Jendoubi analyse la nouvelle loi sur l'ISIE," *La Presse de Tunisie*, 19 December 2012.

⁴ BEN ACHOUR, Yadh. "Religion, révolution et constitution : spécialement d'après l'exemple tunisien," www.leaders.com.tn/article/religion-revolution-et-constitution-specialement-d-apres-l-exemple-tunisien?id=9831

⁵ Cf. the text of Organic Bill of Law No. 85 on the political immunisation of the revolution (in Arabic), www.anc.tn/site/main/AR/docs/projets/projets.jsp?n=85&a=2012

or administrative functions for a period of 10 years.⁵ The main goal of the text is to prevent the president of Nida Tounes and certain of its senior party members having belonged to the RCD from running in the next elections. It is true that the rise in Béji Caïd Essebsi's popularity rating in surveys, as well as this movement's current capacity to attract both the disillusioned from opposition parties and those from the CPR and Ettakatol, make Nida Tounes the Islamist party's only credible contender.

Ultimately, the actions of the government and the NCA have even more deleterious effects because certain components of the troika in power seem to endorse the violent acts of both radical Salafists and the Leagues for the Protection of the Revolution.

The Rise of Political Violence

Violence has taken a firm hold of the Tunisian political arena. It is expressed through the actions of so-called Salafist groups and the behaviour of members of the National League for the Protection of the Revolution. Since Ennahda's rise to power, Salafist acts of violence have multiplied, experiencing two peaks in 2012. The first took place in June, when the Salafists attacked a painting exhibit in La Marsa, an upscale suburb of Tunis. Riots and confrontations with the forces of order ensued, resulting in the temporary reinstatement of the curfew. But it was above all on 14 September that the Salafist groups attracted attention: to protest against the dissemination of excerpts from the Islamophobic film, "Innocence of Muslims" on YouTube, hundreds of Salafist demonstrators invaded the premises of the US Embassy in Tunis and destroyed the neighbouring American school.

Since the beginning of 2012, parties of the secular opposition such as human rights associations have not ceased to denounce Ennahda's complaisance towards these Salafists, whom they consider the Islamist party's armed wing. Some consider Ennahda's lax attitude the result of a political dilemma:⁶ on the one hand, if the movement led by Rached Ghannouchi, itself divided into two trends,

condones the Salafist wrongdoings, it will cause concern among those opponents quick to suspect the Islamists of wishing to institute a religious dictatorship; on the other hand, if it carries out a repressive policy, it runs the risk of alienating the sector of its grassroots members sympathetic to the Salafist movement.

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But above and beyond this dilemma, there is no denying that political violence is not solely practiced by these radical religious groups. Indeed, 2012 saw the dramatic entrance of the Leagues for the Protection of the Revolution (LPRs) into the Tunisian political arena. Though according to their founder, Mohamed Maalej, their goal is to preserve "the acquis of the revolution" and "strengthen Arab-Muslim identity," they only go after the troika's opponents, in particular Nida Tounes, a party accused of being a frame of reference for the henchmen of the former Ben Ali regime. The LPRs are the successors of the Committees for the Protection of Neighbourhoods, informal groups born of the security vacuum created by the sudden departure of President Ben Ali on 14 January 2011. Thereafter they turned into Committees for the Protection of the Revolution and these local organisations, apparently infiltrated by Ennahda militants, received legal cover through the creation of the National League for the Protection of the Revolution on 14 June 2012.⁷ The Committees for the Protection of the Revolution thus became regional leagues affiliated with the National League and not hesitating to disrupt meetings and demonstrations by opposition parties or the main labour union actor, the Tunisian

⁶ INTERNATIONAL CRISIS GROUP (ICG). *Tunisia: Violence and the Salafi Challenge*, Middle East and North Africa Report No. 137, 13 February 2013.

⁷ BARAKET, Hedia. "14 Janvier 2011 – 14 Janvier 2013 : Révolution – Contre-révolution. Propagande, intrigues et religion," *La Presse de Tunisie*, 14 January 2013.

General Labour Union (UGTT).⁸ Their first feat of arms took place on 18 October 2012 in Tataouine, where, with the support of Ennahda and the CPR, they carried out a “cleansing march” to “do away with the enemies of the people and of the revolution.” Directed against Béji Caïd Essebsi’s party, this demonstration ended in the lynching of Lotfi Nagued, the co-ordinator for Nida Tounes in Tataouine.

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Buoyed by this feat, the Leagues have made “cleansing” the UGTT of its “counter-revolutionary residue” their new war horse: on 4 December, they went after UGTT organisers who were preparing to commemo-

rate the 60th anniversary of the assassination of the historical labour leader, Farhat Hached. Several days later, on 22 December, protesters claiming to be members of the League prevented a Nida Tounes meeting from being held in Djerba.⁹ The assassination of Chokri Belaïd on 6 February sparked numerous calls for their dissolution and contributed to suspending declarations of support to the LPRs by certain leaders of Ennahda and the CPR.

Tunisia seems to be less and less able to meet the conditions of a negotiated transition. The bipolarisation of Tunisian society (“Islamists” versus “progressives”) regarding the issues considered non-negotiable by one or the other of the two parties is jeopardising the scenario of a political transition leading to the construction of a democratic regime; all the more so since the strongest political movement on the Tunisian stage, i.e. Ennahda, seems willing to use its capacity to harm the vital interests of its partners/adversaries in order to remain in power. Over the past months, their recourse to “outsiders” (the LPRs and radical Salafists) or at least the indulgence they have displayed towards them has thrown suspicion on the Islamist party’s will to undertake “new commitments to resolve future conflicts” arising between actors of the transition.¹⁰

⁸ Its criticism of the troika, its proposals for national dialogue in order to advance the transition process and its collective actions make the UGTT Ennahda’s main partner/adversary in civil society.

⁹ DAHMANI, Frida. “Tunisie : ces milices qui vous veulent du bien,” *Jeune Afrique*, 28 January 2013.

¹⁰ O’DONNELL, Guillermo and SCHMITTER, Philippe C. *Transitions from Authoritarian Rule*, Baltimore and London: The John Hopkins University Press, 1986, p. 37-38.