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# Tunisia after 25 July: Prospects for a Country in Crisis

Unit for Political Studies

## Tunisia after 25 July: Prospects for a Country in Crisis

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### Unit for Political Studies

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Three weeks after what many considered as a coup against the constitution, Tunisian President Kais Saied continues to enforce measures aimed at changing the nature of the political system. On, July 25, 2021, Saied dismissed the prime minister, seized the executive authority and leadership of the public prosecution, froze parliament and removed immunity from MPs. The successive measures taken by the president, in the absence of government, parliament and a supreme constitutional court, raise fears about the future of the democratic process in Tunisia, and the fate of the achievements made during the past decade.

## Institutional Vacuum

President Saied announced that the “extraordinary measures” he took on 25 July would be followed by immediate steps; The most important is the designation of a new prime minister who will work under the supervision of the head of state.<sup>(1)</sup> Three weeks have passed and Saied has not yet appointed a new prime minister, but rather acted as if he were the prime minister, issuing unprecedented executive orders naming those charged with running the ministries of interior, health and justice — the prime minister is supposed to be named before the members of his government team. Although the new members were described as “in charge of running ministries,” a description usually applied to direct ministers who are charged, temporarily with running other ministries in addition to their original ministries in the event of an emergency vacancy, the ministers took an oath, in a move that some constitutional experts considered another transgression of the constitution. Article 89 states that the constitutional oath is to be taken by the prime minister and their members (ministers and state clerks) and not “those charged with running ministries.”<sup>(2)</sup>

The delay in naming the prime minister and his team indicates the difficulties that Saied faces in choosing someone who accepts the position in a difficult political, economic and social context, and who is satisfied with the role of prime minister to a president who explicitly declares his intention to dominate all authorities. The absence of a clear roadmap to escape the current political impasse compounds the repercussions of the administrative and governmental vacuum. Many ministries and sectors are undergoing a state of uncertainty and inactivity; especially after the dismissal of several governors, and the frequent appearance of the president making a show of reprimanding and blaming officials for the difficulties the country is going through, accusing them of corruption and “abusing the people,” and demanding that they take into account the conditions of citizens and reduce the prices of food supplies, medicines, electricity and water services, school supplies, and bank interest rates, without suggesting any practical and realistic policies or solutions that take into account the applicable legislation, production costs, market equations, exchange rates, the country’s trade balance, hard currencies reserve, the clauses of the state budget and the deficit of most public institutions.<sup>(3)</sup>

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1 “Context and Projected Outcome of the Presidential Coup in Tunisia,” Situation Assessment, ACRPS, 28/7/2021, accessed on 11/8/2021 at: <https://bit.ly/2VQfSw9>.

2 “The Head of Government and the members of the government shall swear ... oath before the President of the Republic.” Article 89 of the Constitution of the Republic of Tunisia.

3 President Saied’s meetings with the Minister of Education, the Minister of Trade, the Director General of the Grain Office, the General Director of the Water Company, the Governor of the Central Bank, the President of the Professional Association of Banks and the President of the Tunisian Union of Industry, Trade and Handicrafts, Facebook Page of the Presidency of the Republic of Tunisia, accessed on 16/8/2021, at: <https://bit.ly/2VSIJzC>.



Added to this is the ambiguity surrounding the Tunisian state's obligations towards international lenders and donors. The general budget needs to provide 6.7 billion dollars (18.6 billion Tunisian dinars at current exchange rates) to address the deficit, in addition to 5.6 billion dollars for debt service, including 3.6 billion in foreign exchange. It must also prepare for new rounds of negotiations with the International Monetary Fund to obtain loans in return for a commitment to implement economic reforms<sup>(4)</sup> that include the gradual lifting of subsidies on food commodities, fuel, electricity and water, and the reduction of public sector salaries, amid warnings that Tunisia's credit rating will be lowered once again.<sup>(5)</sup> It seems that the president is counting, according to his own announcements,<sup>(6)</sup> on the promises of Gulf countries to inject financial aid into the Tunisian economy to get out of the current crisis, but these promises have not yet yielded any actual commitments. Experience has shown that economic support in such cases by some Gulf states is subject to political agendas related to the rejection of the democratic model in the Arab region.

## Anti-Corruption: Promises Yet to Be Fulfilled

Before and after 25 July, President Saied has been targeting those he describes as “corrupt,” “thieves” and “vampires,” which is a general defamation that no head of state should throw around arbitrarily. The place to fight corruption is the courts, not in rhetoric. But this continuous slander comes within the framework of a populist discourse aimed at winning over the angry masses and preparing them psychologically to accept the repression of political opponents, and perhaps the parliamentary system in general. Most of his justifications so far have been based on his desire to “dismantle the system of corruption, hold the corrupt accountable, and lift the safety net for them.” These include government officials, judges, businessmen and members of parliament. As soon as Saied announced the dismissal of the Prime Minister, freezing the work of Parliament, and granting himself absolute executive, legislative and judicial powers, his support on social media alleged that widespread arrest and raid campaigns targeting corruption suspects were taking place. In fact, these arrests targeted members of Parliament and figures who were originally known to oppose President Saied (such as MP Yassine Ayari, who is known for his perseverance in fighting corruption) or based on complaints filed by security agencies (Dignity Coalition MPs). It has little to do with the war on corruption.

A number of judges reported that the security authorities prevented some of them from leaving the country and disrupted the travel of others, despite the absence of official written decisions in this regard. This sparked controversy over the legality of this measure, which targeted an entire sector, and whereby judges, as citizens, were denied their constitutional right to freedom of movement. Fears have thus spread among the judicial authority about the motives of these measures, as the Judicial Council had previously rejected Saied's decision to assume the presidency

4 “Tunisia's Economy Paper.. Is Saied Back to Square One” Anadolu Agency, 7/30/2021, accessed on 13/8/2021, at: <https://bit.ly/3lYzkMS>.

5 “Fitch Downgrades Tunisia to 'B-'; Outlook Negative,” Fitch Ratings, 8/7/2021, accessed on 13/8/2021, at: <https://bit.ly/2VMZoEw>.

6 “Kais Saied: Brotherly and Friendly Countries are Ready to Bridge Tunisia's Financial Imbalances,” Jawhara FM Radio, 1/8/2021, accessed on 13/8/2021, at: <https://bit.ly/2VLPK5C>.

of the Public Prosecution,<sup>(7)</sup> while 45 judges and advisors issued a statement condemning what they described as “arbitrary measures” and an “infringement on the authorities of the judiciary and courts.”<sup>(8)</sup>

In the same context, so far, no significant prosecutions that are linked to corruption among officials against whom the President has regularly brought charges have been recorded. The former Minister of Communications, a leader in the Ennahda movement, Anouar Maarouf, was placed under house arrest without the reasons being disclosed,<sup>(9)</sup> while 14 former officials were arrested on suspected links to corruption cases in the Gafsa Phosphate Company; an action that was promoted on pro-presidential social media pages as being carried out by presidential orders. But it was based on a complaint submitted by former MP and head of the corruption monitoring body, Imed Daïmi, months ago and has nothing to do with the recent presidential procedures.<sup>(10)</sup>

## Freedoms and Human Rights: More Unfulfilled Pledges

Although President Saied, since 25 July, has asserted his keenness to protect public rights and freedoms, human rights organizations have pointed out abuses and harassment of bloggers and media outlets; More than one blogger has been imprisoned for their activity on social networks, press teams have been prevented from working, satellite channel offices have been closed, and media officials have been relieved of their duties, including the director general of state television. Also noticeable is a change in the editorial line of both state television and private channels, with news bulletins and talk shows taking time to praise the activities of the president, a prevalent phenomenon in authoritarian Arab countries. This suggests that clear instructions are being given with an almost complete absence of any opinion opposing the president’s measures in media outlets. Earlier, President Saied criticized the media for failing to prioritise his activities in coverage.<sup>(11)</sup> In the same context, the Tunisian Journalists Syndicate warned of a number of abuses affecting the press teams, since 25 July, including violent attacks and beatings by the police, bans from working, and the closure of the offices of some media institutions without a judicial mandate. They called on the Presidency of the Republic to respect the right of access to information and facilitate journalists’ access to accurate information in a timely manner, and to obligate security personnel to commit to “the rules of respecting freedom and non-interference in journalistic work.”<sup>(12)</sup>

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7 “Emphasizing the Independence of the Judiciary and Distancing it from Political Interactions,” the Supreme Judicial Council, 26/7/2021, accessed on 27/7/2021, at: <https://bit.ly/3x3u7tP>.

8 “45 Judges Call on Kais Saied to Reverse all ‘Arbitrary Measures,’” *Al Jazeera Net*, 10/8/2021, accessed on 13/8/2021, at: <https://bit.ly/2VTbcW3>.

9 Tunisia: Ennahda leader and Former Minister Anouar Maarouf under house arrest, *France 24*, 6/8/2021, seen on 13/8/2021, at: <https://bit.ly/3sg1etV>.

10 Raqabah Page, Facebook, 13/8/2021, accessed on 13/8/2021, at: <https://bit.ly/3xUML7X>.

11 “Tunisian President: The News of Sacrifice Has Become More Important Than My Activity,” *Sputnik Arabic*, 24/7/2021, seen on 8/13/2021, at: <https://bit.ly/3sgos2R>.

12 July 2021 Report, Tunisian National Journalists Syndicate, 11/8/2021, accessed on 13/8/2021, at: <https://bit.ly/3xFLCAJ>.



## Crisis Outlook

Three weeks after the 25 July events, the president maintain the almost absolute powers he granted himself and has not yet disclosed any road map for the next stage, despite domestic and foreign demands calling for a speedy exit from the exceptional situation and a return to the constitutional path. Most indications suggest that President Saied is proceeding in his quest to turn the page on the ten years that followed the 2011 revolution, concentrating all powers in his hands, weakening the role of parliament, parties and unions, and taking control of the military and security institutions. In his approach, the president draws on the prevailing general frustration with the performance of political forces in recent years, and the deterioration of living conditions, as well as the opposition's confusion, dispersion, weak performance and escalating internal conflicts. *Ennahda*; whose position on what happened started with describing it as a “coup,” which it then retracted are dealing with the situation as a *fait accompli* and as a political endeavour to confront the difficult reality the country is going through,<sup>(13)</sup> with indirect messages promising a movement of self-criticism, as if it agrees with the president's assessment of holding the bulk of the responsibility for what happened, threatening the unity and cohesion of party ranks.<sup>(14)</sup>

The president has only one week left to dispel the ambiguity over the fate of parliament; whose powers have been frozen for a month ending on 24 August. Despite the short time remaining, the president remains silent on this matter, except for his repeated assertion that things “will not go backwards.” If Parliament returns to work, according to the powers conferred on it by the constitution, this will represent a failure of the President's project, an important part of which was devoted to devaluing Parliament and representative democracy as a whole. On the other hand, it will not be easy for the president to keep political life suspended indefinitely with the growing external pressures<sup>(15)</sup> that demand him to maintain the democratic path and internal questioning about the legitimacy of any government that was voted in by Parliament and any legislation issued by the president in the form of presidential decrees and orders.

## Conclusion

It is possible that the president will try to change the electoral law, amend the constitution with the aim of transforming into a presidential system of government, and elect his own Constitutional Court. Although some parties seek to convince the president that the conditions are favourable to pass these changes in light of the disruption of Parliament, the divisions between political forces, and the popular dissatisfaction with Parliament's infighting over the past two years, this may represent

<sup>13</sup> “Statement: Ennahda Announces Formation of a Committee to Manage the Political Crisis and Expresses Its Positive Interaction In Order to Complete the Blocked Democratic Path,” Ennahda Website, 12/8/2021, accessed on 13/8/2021, at: <https://bit.ly/3smH80X>.

<sup>14</sup> Basma Barakat, “Tunisian Ennahda: The 25 July Decisions and the Ghannouchi Caliphate Feed the Divisions,” The New Arab, 8/8/2021, accessed on: 15/8/2021, at: <https://bit.ly/3yMKq00>.

<sup>15</sup> Readout from NSC Spokesperson Emily Horne on Senior Administration Officials Travel to Tunisia, U.S Embassy in Tunisia, 13/8/2021, accessed on 14/8/2021, at: <https://bit.ly/2VQgMbt>.



a leap into the unknown, especially since the president does not have provided any indications that he has a clear reformist or visionary program that would pull the country out of its economic, social and political crises, crises that he used as a pretext to overthrow the constitution. The president is currently trying to gather allies and divide opponents in order to divert the democratic path towards a presidential system that will soon turn authoritarian, as he does not believe in democracy. There is no doubt that this option has support, but there is a broad spectrum of Tunisian elites who oppose it, and the people have become accustomed to freedom. The president and his supporters will try to trade liberties for a solution to the economic crisis. This solution is not guaranteed, and, in short, this is an unresolved conflict.