

BOOK REVIEWS

5 **Tunisie: la démocratie en terre d'islam**, by Béji Caïd Essebsi with Arlette Chabot, Paris, Plon, 2016, 216 pp., €15.90 (paperback), ISBN 978-2-259-25253-9

10 **Tunisie: une révolution en pays d'islam**, by Yadh Ben Achour, Geneva, Labor et Fides, 2018 (new edition, revised), 352 pp., €24 (paperback), ISBN 978-2-8309-1653-9

15 These books, with almost twin titles, deserve to be reviewed together despite their obvious differences. The first is an excellent exercise in public relations communicated by the incumbent president (when the book was published) of the Tunisian Republic, with the collaboration of a well-briefed French broadcast journalist. The second – initially published in 2016 by Cérès Éditions in Tunis – is a scholarly work crafted as an indispensable history of Tunisia's revolution of 14 January 2011, complete with a definition of revolution. What brings these books together is the fact that their respective authors were two leading principals guiding Tunisia's transition to democracy from late February 2011 until 2015.

20 Viewed from a distance, they appeared to operate in remarkable harmony. Almost immediately after Zine El Abidine Ben Ali's departure, his surviving prime minister, Mohammed Ghannouchi, appointed Yadh Ben Achour, former dean of the Faculty of Law of the University of Tunis, to head a technical commission of political reform. The prime minister considerably expanded the latter's mandate on 18 February 2011, by appointing a *Haute instance pour la réalisation des objectifs de la révolution, de la réforme politique et de la transition démocratique*, consisting of Ben Achour's technical commission and 160 members designated in consultation with the *Union Générale Tunisienne du Travail* (UGTT) and other civil society associations that had been unable to agree on a revolutionary government to protect the revolution.

25 Acting President Fouad Mebazaa, on 27 February, then appointed Béji Caïd Essebsi prime minister, to replace Ben Ali's embattled holdover. Caïd Essebsi established the procedures and ground rules for electing a Constituent Assembly in constant consultation with the *Haute instance*, prompting outsiders like the late Alfred Stepan (cited by Ben Achour [henceforth YBA], 244) to deem it 'one of the most effective consensus-building bodies in the history of "crafted" democratic transitions'. The legislative process was remarkably efficient. The acting president simply signed barrages of decree-laws presented by the prime minister. The legislative institutions of the Ben Ali regime had conveniently dissolved themselves under the explosive pressures of the revolution, and the *Haute instance* was a purely consultative mechanism. From March 2011 until the installation of the troika – of an Ennahda prime minister and two liberal allies – after Constituent Assembly elections in October 2011, Caïd Essebsi, Ben Achour, and Mebazaa

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ruled Tunisia with a state administration that had remained intact (Caïd Essebsi [henceforth BCE], 37).

45 The transitional threesome, all of whom had studied law in French universities, came from the upper crust of *tunisois* society. Caïd Essebsi literally means the chamberlain in care of the (bey's) pipe, connoting a ruling family of Mamluk origin. Ben Achour, for his part, hails from a leading family of religious scholars. Mebazaa, on becoming acting president on 15 January 2011, stayed in touch with Caïd Essebsi, his erstwhile political patron who, as interior minister in 1965, had made Mebazaa Tunisia's police chief. Ben Achour, who, like Mebazaa, comes from the same posh Tunis suburb of La Marsa (near Sidi Bou Saïd, Caïd Essebsi's birthplace), apparently also knew him well. In his book he dismisses any fears about the acting president's unlimited powers to make decree-laws because 'Tunisians just knew ... [he] could not act other than with reserve and modesty ... winning credibility by demonstrating his faith in the Revolution' (YBA, 240).

55 Any tensions within this informal troika were indeed between its two principals. Ben Achour points to Caïd Essebsi's delays in issuing the key decree law defining the modalities of election to the Constituent Assembly (YBA, 215). At issue was whether former officers of Ben Ali's ruling party should be banned from being candidates. Ben Achour reports that only 34 had voted in favour an amendment exonerating those who had been out of office for at least ten years, whereas an overwhelming majority insisted on a ban covering all 22 of Ben Ali's years in power. Even ten years might not have quite sufficed to exonerate Caïd Essebsi because Ben Achour also points out (YBA, 180) that he had been a member of the ruling party's Central Committee until 2001 (in reality, until 2003).¹ Caïd Essebsi observes that he presided over the Tunisian National Assembly in 1990-91 and completely quit politics in 1994, at the end of his parliamentary mandate, 'convinced that system was out of kilter and impossible to reform' (BCE, 15). Perhaps he dared not to object to being among the many prominent Tunisians appointed to the Central Committee of the ruling party to serve as window dressing for the Ben Ali regime.

70 Caïd Essebsi portrays himself as ever loyal to Habib Bourguiba's modernising legacy, though opposed his authoritarian exercise of power. By contrast, Ben Achour, almost twenty years younger, came from a family Bourguiba had marginalized in the 1950s and was deeply critical of the latter's efforts to transform mentalities and social mores.² Whereas Caïd Essebsi appropriated Bourguiba's heritage and even imitated his rhetorical style, Ben Achour simply acknowledged that Islamists had underestimated 'the weight of the Bourguibian heritage ... and the force and characteristics of the democratic and secular NGOs ...' (YBA, 164). Each principal's background was peculiarly suited to his transitional role as an executive authority and informal presiding officer of civil society. The differences are reflected in the very titles of their books, Caïd Essebsi stressing democracy, Ben Achour revolution – a real political break against dictatorship even if restoring some positive aspects of the Bourguiba era.

80 Each agreed, however, on the essentials of developing democratic processes in a secular 'civil' state and preventing the Ennahda Party from using its majority

coalition in the Constituent Assembly to make Islam the state religion. Each author was also at pains to deny accusations that the detested *ancien régime* was being restored. Caïd Essebsi's book can be read in part as a promotion of his own legitimacy as a militant for Tunisian independence between 1952 and 1956. He also insists he is a good Muslim and probably knows the Quran, which he occasionally cites, better than the Islamists. Indeed he often refers to the progressive quality of Tunisian Islam and how nineteenth century Tunisian clerics had already rejected reactionary Wahhabi appeals. Tunisians naturally separated religion from politics in the practices of their faith and therefore in his opinion had no need of *laïcité* in the combative French sense (BCE, 61).

Shortly after relinquishing power to the official Ennahda-led troika, Caïd Essebsi returned in February 2012 to found the Nidaa Tounes (Call to Tunisia) party so as to level the playing field (BCE, 16) for the multitude of fragmented secular parties underrepresented in the elected parliament. He reports that Rached Ghannouchi, Ennahda's leader (no relation to Ben Ali's prime minister), sought him out in Paris on 15 August 2013, at the height of the political crisis caused by the second assassination of a leftist politician and the loss of legitimacy of the Constituent Assembly, which had outrun its year-long mandate. It was apparently Caïd Essebsi who persuaded him to have Ennahda rejoin the dialogue being promoted by a Quartet of the UGTT and three other associations. He also claims he persuaded him to identify publicly with the 'Islam of Kairouan' rather than that of the Muslim Brotherhood, and eventually to agree to a neutral government of technocrats to pursue the transition (BCE, 41–43).

A consummate diplomat, Caïd Essebsi praises Ghannouchi for his political realism in persuading his political associates to step down from power. The diplomat, incidentally, also cleverly finessed journalist-interviewer Arlette Chabot's question about his ties to the 'Je suis Charlie' movement in solidarity with journalists of *Charlie Hebdo*, who lost their lives in the 7 January 2015 Paris terrorist attack. 'I do not recognise myself in this formula. But I did not for a second hesitate to come to Paris' to march against terrorism and express condolences for the victims (BCE, 136). He also recalls his greatest diplomatic triumph when in 1985, as foreign minister, he managed, after Israel bombarded the PLO headquarters near Tunis, to persuade the United States to abstain rather than veto a UN Security Council resolution critical of Israel (BCE, 115–116).

While Caïd Essebsi inspired many Tunisians, especially women, to unite against the Islamists, Ben Achour played an active, if less visible, role working in a committee with four other legal experts to support the National Dialogue being promoted by the Quartet. These jurists refused to join those appointed by the Constituent Assembly, some of whom 'were not adequately qualified in public law or, worse, had collaborated with the dictatorship' (YBA, 268 n. 25). In a technical capacity Ben Achour and his colleagues bridged the divide between 'democrats' and 'theocrats' over controversial articles in the draft constitution. His book fills in the details of the negotiations and compromises reached after the crisis of July between the Quartet and the Constituent Assembly leading to the promulgation of the constitution in January 2014, the installation of a transitional government of technocrats, and subsequent elections. And, as in 2011, when the *Haute instance*

had no formal authority, it was the informal wheeling and dealing between the Quartet's technical committee and a committee coordinating the Quartet with the Constituent Assembly that built an actionable consensus. This time Ben Achour and his associates helped to break the impasse between a democratically elected majority and the majority of civil society. While claiming the support of the majority of the people, Rached Ghannouchi realised that he needed to be responsive to an opposition that included much of the elite.³

Stepping back from the details of informal consensus-building, however, Ben Achour insists that Tunisia experienced a real revolution. Admittedly it was not one in the tradition of Crane Brinton's French Revolution or Theda Skocpol's France, Russia, or China – or even an Arab-style *thawra* led by the military (YBA, 46). For Ben Achour a revolution is the beginning of a new historical cycle (YBA, 16), a sort of Hegelian return of past traditions in a new modern emergence (YBA, 22), and it must meet four conditions: (1) massive public protests, (2) overthrow of the old regime, (3) an appeal to universal principles such as dignity, justice, and liberty, and (4) recognition of the revolution by the new authorities, even if some had served the previous regime (YBA, 33–34). Ben Achour's definition is carefully tailored to fit the revolution of 14 January, and he assembles an extensive bibliography of Tunisian as well as international sources, although he missed Hannah Arendt, who shared his focus on the innovative, purely political aspects of a true revolution.⁴

Ben Achour's scholarly work dissects the major constitutional issues that took three years to resolve. He documents, for instance, the debate over a state religion. The Constituent Assembly agreed to adopt Article 1 of the 1959 Constitution describing Islam as the religion of the Tunisian people. But the Islamist majority disagreed that that the consensus on the 'civil state' drafted in Article 2 contradicted the idea of a religious state. Islamists argued, however illogically (YBA, 273–274, 284), that the absence of a Church in Islam made any Islamic state a 'civil' one. They insisted on inserting a new article that prohibited any constitutional amendment contesting, among other things, that Islam was the state religion (YBA, 292). More than a year later, however, a Consensus Commission bridging differences between the Quartet and the Constituent Assembly quietly buried the article. So it was that 'Tunisia remains one of the rare Arab countries that does not proclaim Islam to be the state religion' (YBA, 294).

Ben Achour's book is vital for any student wishing to understand the dynamics of Tunisia's transition to democracy. He incisively underlines the differences between the 'democrats' and 'theocrats', and those between 'eradicators' who wish to pursue transitional justice and 'conciliators' such as President Caïd Essebsi, who, in 2015, was urging national reconciliation (BCE, 207). For Ben Achour, the president's words marked 'a total shift in perspective', viewing the revolution no longer as an inspiration but rather as 'the source of state weakening, social anarchy, inflation, and economic recession' (208). The status of the *Instance Vérité et Dignité* – the commission designated to pursue transitional justice – remains contested and underfunded, with its mandate due to expire at the end of 2018.

Both authors agree that Tunisia remained seriously divided. For Ben Achour, the fact that Ghannouchi officially split the Ennahda movement in 2016 into a 'civil', or nonreligious, political party and an Islamist movement only confirmed the 'theo-political' nature of the party (YBA,307). Caïd Essebsi agrees and also laments that it took two years for Ghannouchi to understand that a 'civil' state means one 'without religious references, a civil state for a Muslim people' (BCE, 50–51). Their focus on democrats versus theocrats, however, obscures social and geographic cleavages that the presidential elections of 2017 revealed. Even if trapped in 'false religiosity' (YBA, 166), Dr. Moncef Marzouki, the incumbent candidate of the troika, took all of the southern governorates and substantial chunks of other economic peripheries.⁵

In efforts to be more inclusive, Caïd Essebsi defends his decision to become president after his party won an overwhelming electoral victory, and to bring Ennahda into a broad governing coalition. He likewise points to the relative youth of most of the new ministers to rebut charges of restoring the old regime. As Tunisia's president popularly elected in his own right, he also wisely observes: 'Piloting a nascent democracy requires moderation – I know just how not to go too far' (BCE, 99). His political skills still seem needed, knowing when and how to exercise his presidential authority under the new constitution. Ben Achour regrets that so much effort went into religious identity issues that the articles defining the separation of powers between the president, prime minister, and National Assembly were given insufficient attention, thus becoming a recipe for paralysis (YBA, 271).

Both writers conclude on an optimistic note. For Caïd Essebsi the ongoing transition fits Tunisia's special trajectory of progress articulated by Bourguiba and his nineteenth century predecessors: 'We have opened the door to democracy in a land of Islam. There is no turning back' (BCE, 211). Ben Achour, despite his more critical analysis of legal contradictions and fuzzy half measures (YBA, 214), also insists on the reality of the Tunisian revolution: 'The democratic battle, as important as the revolution itself, is the best herald of democracy ... Society is no longer under tutelage, as it was in the Bourguiba era' (YBA, 310–311). Both books of the founders will deserve future rereadings as the history of Tunisia's Second Republic unfolds.

Notes


1. Eighty-nine, including Caïd Essebsi, were appointed to the 236-member Central Committee of 1998–2003. Some, like former Prime Minister Hédi Baccouche, had been expelled from power.
2. See Ben Achour (1987), which is a highly critical essay written while Bourguiba was still in power. See also Ben Achour (2008), in which he argues for the strength of the beliefs of Sunni people and their ulama against ideologies imposed from above. Sunni Islam, writes here, is 'above all, that of the people, embodied in its civic spirit, revealed in its language, mentalities, instincts and reflexes, its proverbs, its stories, its games and pastimes, its weaknesses ...' (2–3). In his 2008 work he obliquely lumped Bourguiba with the hated Muawiya, who had founded the Umayyid dynasty (11). And there was of

course also no love lost for any Islamist upstarts who tried to instrumentalize religion. Still favouring reform in the tradition of his father and grandfather, Ben Achour also attacked Bourguiba for liberating women without instituting democracy (248).

- 205 3. Rached Ghannouchi made this point to me about the elite much earlier, in an interview at the Ennahda headquarters, Tunis, on 25 May 2012. In an interview in his home on 10 June 2013, however, he was still insisting that Ennahda rather than technocrats govern the country. He asserted that 30,000 Ennahda members held in 24 jails across the country had earned the party the right to govern Tunisia.
- 210 4. Arendt ([1963] 2006) views revolution as a new beginning (esp. 11, 19), as a new experience of freedom (24–25), as a restoration (34–35), and as an irreversible mass uprising (38). Her paradigm was the American, not the French Revolution, because the early American settlers were better-off than the miserable *sans-culottes*, so that their revolution could be more purely political. This is not to say that either Ben Achour or Caïd Essebsi ignore the social facts of Tunisia’s peripheries.
- 215 5. For a quick review of the presidential elections, see Henry (2015).

References

- 220 Arendt, Hannah. (1963) 2006. *On Revolution*. New York: Penguin.
- Ben Achour, Yadh. 1987. “La réforme des mentalités: Bourguiba et le redressement moral.” In *Tunisie au présent: une modernité au-dessus de tout soupçon*, edited by Michel Camau, 245–259. Paris: Éditions du CNRS.
- Ben Achour, Yadh. 2008. *Aux fondements de l’orthodoxie sunnite*. Paris: Presses Universitaires de France.
- 225 Henry, Clement M. 2015. “Insight 126: In Appreciation of [Abdelkader] Zghal and Tunisian Civil Society.” Middle East Institute, National University of Singapore, May 11. <https://mei.nus.edu.sg/publication/insight-126-in-appreciation-of-zghal-and-tunisian-civil-society/>.

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