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Tunisia: New Government, New Dynamics?

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President Kais Saïed (R) with Prime Minister Elyes Fakhfakh during the new government's swearing-in ceremony at the Carthage Palace outside the capital Tunis, 27 February 2020. © EPA-EFE/FETHI BELAID / POOL



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On 26 February 2020, the Tunisian Assembly of the Representatives of the People voted in a government led by Elyes Fakhfakh. The new prime minister is a 48-year-old from Tunis, an engineer by training and this is his third term in office after he was appointed minister of tourism and minister of finance between 2011 and 2014.¹ The vote of confidence put an end to a period of uncertainty which had lasted since late summer 2019. While staying faithful to some constant features of Tunisian political life, several aspects of the new government mark a turning point in Tunisian politics.

For the first time since the 2011 Revolution, this was not a government “of national unity” since the new cabinet has to cope with parliamentary opposition involving one-third of deputies.² While this is quite normal in established democracies, it is unusual in Tunisia, where every government since 2011 has tried to obtain the largest possible parliamentary majority. At the same time, the government’s majority remains uncertain because the prime minister is not from the parliamentary majority and his position relies on support from many parties not necessarily from the same political family.

Another distinct component of the new government is the involvement of independents heading executive ministries and a prime minister from a party not represented in the Assembly. The question of the impact of this configuration on the government’s ability to carry out long-awaited reforms still has to be defined. Soon after having taken office, ministers had to face a dramatic health crisis caused by Covid-19 which affected all sectors of society and the economy and which still requires levels of coordination, efficiency and transparency never previously seen in Tunisia.

What are the new dynamics in this Tunisian political landscape? How should we interpret the composition of the new government and its relations with the president of the Republic? What has the Covid-19 crisis revealed about the established dynamics? And what future can we glimpse for the government’s ability to carry out the necessary reforms?

2019: A year of chaos

The Tunisian political landscape has repeatedly been turned upside since the 14

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January 2011 Revolution, and 2019 was no exception. It was marked by the deaths of two eminent figures: President Béji Caid Essebsi, who died whilst in office on 25 July, the 62nd anniversary of the proclamation of the Republic, and former president Zine El Abidine Ben Ali, who died in exile on 19 September in Saudi Arabia. Both left their mark on Tunisia's modern era, albeit in different ways, and their deaths closed two important pages of the post-Revolution era.

The presidential and parliamentary elections of September and October 2019 also marked a turning point and confirm that Tunisia is now firmly anchored in the path toward democracy in taking up the challenge of its second national free, democratic and transparent polls in modern Tunisian history.³ The two elections had surprising results: the presidential election placed Kais Saïed in office. Saïed is a professor of constitutional law who has never been a member of a political party and never stood in any other election, apart from this contest with 26 candidates (including the outgoing prime minister, a former president of the Republic and several former ministers). In the second round, his rival was the wealthy businessman and powerful media magnate, Nabil Karoui.

Yet, the parliamentary elections produced an even more fragmented Assembly, with the virtual disappearance of the party which held the majority during the previous legislature (*Nidaa Tounes*, then led by Béji Caid Essebsi), the confirmation of *Ennahdha* as a weaker force albeit still dominant on the political scene,⁴ and the appearance of several other forces able to constitute parliamentary blocs (such as the *Parti Destourien Libre*, *Courant démocratique*, *Mouvement du Peuple*, and *Al-Karama*). This parliamentary mosaic is an accurate reflection of the Tunisian political landscape with its differences, its cleavages, and its coalitions.

If the elections reveal the maturity of Tunisian democracy, fragmentation in the Assembly pushes the country towards instability, with the seat of government power left virtually empty for over six months.⁵ During this period, *Ennahdha*, the winner of the elections, under a procedure laid down in the Constitution appointed Habib Jemli⁶ to form a government. Jemli failed on 10 January when he was unable to obtain a vote of confidence in the Assembly with 134 votes against, 72 for and three abstentions.⁷

It was a race against time for the president of the Republic who must, “consult



with the political parties, coalitions and parliamentary groups within 10 days, to ask the person judged most capable to form a government, within a period of no more than one month.”⁸ The stakes of this constitutional ultimatum were high since the Constitution stipulates that at the second unsuccessful attempt, the president of the Republic can dissolve the Assembly and call early elections.

The Tunisian president chooses and surprises

Kais Saïed, until then not much bothered by presidential habits and customs,⁹ imposed his style in calling on all political parties in the Assembly to present candidates for the post of prime minister. An unusual fact is that the parties were asked to submit their choices in writing. On 16 January, the president received a list of over a dozen candidates¹⁰ and received the most recommended ones at the palace. In January his choice came to rest on Elyes Fakhfakh, who had been suggested by the *Tahya Tounes* party, led by the outgoing prime minister, Youssef Chahed.¹¹

The choice of Fakhfakh is surprising in more ways than one. First, he had stood against Kais Saïed in the first round of presidential elections. Then he was amongst the least popular presidential candidates if we look at the results of the first round.¹² He does not belong to any political party in the Assembly and was a presidential candidate for *Ettakatol*.¹³ Saïed had, therefore, chosen a politician whose party was not represented in the Assembly.

Another surprising element is that the president did not summon any of the candidates suggested by the two parties that came top in the parliamentary polls, *Ennahdha* and *Qalb Tounes*. In the past, each time *Ennahdha* missed out on the office of prime minister, it had been an indication of crisis in the Islamist movement.¹⁴

The dynamics of the political game and the yardstick of the new government



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Several factors can explain the president's rather astonishing choice. First, Kais Saïed had taken no steps to conceal his links with Youssef Chahed, then head of the outgoing government and with whom he collaborated closely from October 2019 to February 2020. The two men met on several occasions in order to deal with key issues facing the country. Chahed repeatedly made comments praising the president, and did not hesitate to call him “a patriot, [an] honest [man] who wants the good of his country” adding “I am proud that Tunisia is ruled by him and not by someone else”.¹⁵

The period between the designation of Fakhfakh to form the government (20 January) and the vote of confidence in the Assembly (26 February) was one of intense political bargaining. Political fragmentation in the Assembly allowed the candidate for prime minister to “mix the cards” and to allocate government offices. Once the talks were over, *Ennahdha*¹⁶ was finally reinstated by Fakhfakh who had ruled out the inclusion of Nabil Karoui's *Qalb Tounes* once and for all.

The negotiations are not based on programmes but on individuals - a practice that has become established in the Tunisian political scene since 2011. This did not, however, prevent Fakhfakh from presenting a succinct note of planned programmes of his government on the eve of the confidence vote.

1. National plan to reform the State and to introduce decentralization
2. Reform of the educational system and public education
3. Reform of the health system
4. Far-reaching reform of agriculture
5. Promotion of digital communications
6. Energy conversion
7. The African showcase

This programme is very close to the one presented by his predecessor¹⁷ and, once again, reveals the political proximity of the two men and the implicit assent of Saïed to this false renewal. This synergy was criticised by many deputies, and *Ennahdha* consented to it only at the last minute, threatened with the loss of its majority position in the Assembly if Saïed were to dissolve the Assembly for a lack of government in office.



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Another interesting dynamic in this new political landscape is that between the president of the Republic and the Assembly Speaker Rached Ghannouchi. As President of *Ennahdha*, Ghannouchi had to maintain the movement's interests and political image. Habib Jemli's failure to form a government early in the year had put him in a difficult position, as leader of *Ennahdha* and as Speaker, since he was unable to raise a majority and to ensure the passage of a government whose leader had been appointed by his party.

In December 2019 there was a political and media showdown between Saïed and Ghannouchi. Ghannouchi wanted to end Jemli's talks which had already lasted two months. Saïed, on the other hand, had repeatedly stressed the urgent need to form a government and openly threatened to dissolve Parliament if a majority was not obtained.¹⁸

This reciprocal pressure seems to have turned in favour of Saïed when *Ennahdha* resigned in order to vote in favour of the government proposed on 20 February. Until then the Islamist party had insisted on assigning portfolios to *Qalb Tounes*, the third parliamentary bloc, in a logical continuity inherited from the governments of national unity. *Ennahdha* forfeited this demand and that of being linked to *Qalb Tounes* by agreeing to integrate the new government, alone.

Government composition, original in many ways

This new government is the first since 2011 to accommodate so many independent ministers and the only one to assign many executive ministries to people not politically affiliated with the established parties: Thouraya Jeribi as minister of justice, Imed Hazgui at National Defence, Hichem Mechichi at the interior and Nourredine Erray at foreign affairs are all newcomers on the governmental scene and are largely seen as Independents.

As regards the distribution of offices by party, *Ennahdha* did best with seven ministers (21.87%), the *Tayyar* party with three (9.37%), and *Echaâb (Mouvement du Peuple)* and *Tahya Tounes* with two ministries each (6.25%). The 18 independent ministers represented around 56% of the cabinet.¹⁹

In much the same way, and for the first time in Tunisia, it is not a question of a government “of national unity” as for earlier governments since 2011. *Qalb Tounes* came second, the *Parti destourien Libre* third and the *Mouvement Karama* fifth in number of votes to parliamentary elections; all three parties end up in opposition in the Assembly. This is a natural situation in mature democracies but unusual in Tunisia, where all governments since 2011 have sought the greatest possible parliamentary backing.

This government, moreover, left many doubts regarding its ability to muster the 109 votes needed to obtain a majority, and many analysts calculated that it would become a minority government. Finally, on 20 February at the end of a seven-hour long parliamentary meeting, the government obtained 129 votes in favour, 77 against and one abstention.²⁰ The votes came from five of the eight parliamentary blocs and some independents. This distribution left the risk of a third group with blocking power in the hands of the opposition (*Qalb Tounes*, *Karama*, PDL) but with their 73 deputies, they only just had the numbers to be a blocking third party and could, if they wish, exert strong pressure to cope with a homogeneous bloc (no disagreements, no absences).

Filtrer		Bloc parlementaire	
Bloc Ennahdha	52	0	1
Bloc Démocrate	37	0	3
Bloc Qalb Tounes	0	0	34
Bloc Coalition Al Karama	0	0	18
Bloc PDL	0	0	17
Bloc de la Réforme	15	1	0
Bloc Tahya Tounes	13	0	0
Aucun bloc	4	0	4
Bloc Al Mostakbel	8	0	0

Figure 1 Breakdown of votes by bloc in the vote of confidence on the



government proposed by Elyes Fakhfakh on 20 February 2020 (Source: Al Bawsala)

The other particular element of this government is that of 32 ministerial portfolios only six were allocated to women (18.75%), which is low in comparison to earlier governments.²¹ Yet, we must recognise the importance of the appointment of Thouraya Jeribi, the first woman to head the ministry of justice in Tunisia.

The diversity of the profiles in this new government also deserves a particular mention: barely a third of the ministers have already held governmental office. This is a new element which infuses the government with “new blood”.

Persistent challenges alongside a major health crisis

The disintegrating party structure within the Assembly raises the spectre of a systemic legislative blockage. Proposed legislation dealing with, for example, basic rights and freedoms or the balance of powers, requires an absolute majority, but with the absences and disagreements of deputies this is often difficult to obtain. On the other hand, the institutional architecture planned by the new Constitution is not yet fully in place. The Assembly, the president of the Republic and the High Council of the Judiciary have the onerous task of identifying and electing four members of the Constitutional Court each.

This team took up the reins of government and has to face important economic, social, environmental and finally political challenges. The context rapidly becomes more complicated for the new government with an attack by suicide bombers in a Tunis business district near the US Embassy on 6 March 2020. Yet more than anything else, it was the outbreak the Covid-19 pandemic that poses the greatest challenge to the fledgeling government. The first case of a person testing positive in Tunisia was reported on 2 March 2020.

Politically, the Assembly had been working remotely for over two months and appeared more divided than ever. Calls by opposition parties to withdraw their



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vote for the Speaker (and party leader with the largest number of seats, Rached Ghannouchi) weakened the government coalition even more.

Furthermore, between a newly elected president and a governmental team just starting out, with no shared political affiliation, a lack of effective communication could easily have occurred in managing the health crisis. Yet it seems that the mechanisms did their job. A country-wide curfew was imposed on 17 March 2020 by the president of the Republic, based on his exceptional powers under Article 80 of the Constitution. The prime minister followed suite the next day with the development of health, security and economic measures under Article 70 of the Constitution.

In all their media appearances the two men are careful to coordinate their messages and to plan their interventions. In a television interview on 12 May 2020, when asked about his relations with the president of the Republic, the prime minister responded that they “share the same values, the same plan for Tunisia, the same social commitment and the same will and without being linked to any lobby. The president came to power thanks to the confidence of the people and I came to office by his confidence in me. I owe it [my success] to him and to over 120 deputies in six different parliamentary blocs”.²²

This governmental apparatus appeared to be well prepared and was able to exploit the virtual standstill in the Assembly during the crisis. Meetings in commissions and plenaries had come to a halt, reducing the pace and control of parliamentary work with remote working. This reduced political pressure on the government and relegated the Assembly to second position in the fight against Covid-19. This policy was enacted on 5 April 2020 when the Assembly plenum delegated a part of its power to the prime minister. This delegation was limited to a month and only affected the domains linked to the fight against the pandemic, authorising the prime minister to govern by decree – a new situation since the Revolution.

The ongoing challenge posed by Covid-19 will be particularly visible in the economic and social challenge that Tunisia, like many other countries, will have to face in the medium to long-term. Tunisia’s political observers will analyse the dynamics of power in detail, and will not hesitate to highlight the strengthening or



weakening of the *rapprochement* between the two heads of the executive. They will also keep tabs on moves of the Speaker of the Assembly on the political chessboard and on the leaders of the main blocs of the majority and the opposition.

Faced with the factors cited in this analysis, it is difficult to predict the direction of relations between the different powers, and this complicates any prediction on the duration of Fakhfakh's government. Recent speeches in the media show that the prime minister remains confident of his cabinet's ability to meet the challenge generated by the health crisis and that he is confident of his ability to maintain strategic relations with the president of the Republic and the Speaker of the Assembly to ensure the interests of all sectors of Tunisian society.



Endnotes

1. Hamadi Jebali appointed Elyes Fakhfakh as minister of tourism from December 2011 to March 2013. He was also minister of finance in the same government and was renewed by Ali Laarayedh from December 2012 to January 2014 (he held both portfolios for almost three months from December 2012 to March 2013).
2. Key processes such as amending the Constitution, or the removal of the President of the Republic require the approval of two-thirds of the Assembly. One-third of deputies also have powers such as initiating the procedure to remove the prime minister, the Governor of the Tunisian Central Bank, to engage in a process of amending the Constitution, or to call for an extraordinary session of the Assembly.
3. Some observers also include the polls of 23 October 2011 where Tunisians elected the members of the National Constituent Assembly.
4. *Ennahdha* lost 15 seats between 2014 and 2019 but remained the first group in the Assembly.
5. Youssef Chahed's outgoing government has remained in office since August 2020 (start of the electoral campaign for the presidential elections) to guarantee the interim and day-to-day running of government.
6. He is reputed to be close to the Islamists and the former Minister of the Interior in the government of Hamadi Jebali and Ali Laarayedh, two leading figures in *Ennahdha*.
7. The Tunisian Assembly has 217 deputies and government needs at least 109 votes for a vote of confidence in the Assembly.
8. Article 89 of the Tunisian Constitution of 27 January 2014.
9. He is, for example, the first Tunisian president to choose to live in his own home and not the Palais de Carthage.
10. The list of candidates can be consulted on the following link: <http://kapitalis.com/tunisie/2020/01/17/tunisie-les-candidats-propose-par-les-partis-et-les-blocs-parlementaires-au-poste-de-chef-de-gouvernement/>
11. Elyes Fakhfakh appeared in the list of 16 January proposed by *Tahya Tounes* (the party leader of the outgoing government) and in the list supporting *Courant démocratique*, respectively the 7th and 2nd parliamentary blocs by number of deputies.
12. On 16 September 2019, he only won the confidence of 11,532 electors, 0.34% of the vote.
13. Set up before the Revolution when Mustapha Ben Jaafar was President of the National Constituent Assembly. *Ettakatol* was allied with *Ennahdha* in 2012 and 2014 and suffered the full impact of this *rapprochement* from 20 seats in 2011 to 1 seat in 2014, later lost in 2019.
14. On 10 January 2014, Mehdi Jomaa (Independent) was appointed as acting prime minister following an intense political crisis where the opposition abandoned their seats in the Assembly. Following the parliamentary elections in 2014, *Ennahdha* came second after *Nidaa Tounes*.
15. Comments made on Wednesday 18 December 2019 in an exclusive televised interview, then broadcast on Watania 1 and Attessia TV.
16. The insistence of the Islamist movement to include the Nabil Karoui's party in the government is behind the temporary interruption in the talks.



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- [programme/](#)
17. “Broadly speaking, this short-term programme [...] resembles the content offered since 2018 by the outgoing Prime Minister Youssef Chahed. This programme is a transition, even if fragile, in the strategic and economic plan for the future.”
 18. [the future](#) group of reforms in the sectors of education, health, agriculture, digital communications, energy with an opening up to African markets.” Frida Dahmani, Jeune Afrique, 29 January 2020:
<https://www.jeuneafrique.com/2020/01/la-transition-économique-est-elle-appartenance-des-désistres-video/>
 19. <https://www.webmanagercenter.com/2020/02/27/445522/gouvernement-fakhfakh-details-des-votes-a-lassemblee/>
 20. For example, Youssef Chahed’s government had eight women out of 40 portfolios (20%), and in 2015 Habib Essid’s government had eight women out of 41 portfolios (19.5%).
 21. Interview on 12 May 2020 on France 24 in Arabic.
 - 22.



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Zied Boussen is a Tunisian activist and researcher on governance, public policies and human rights. His research focuses on institutional and legal reforms in transitional contexts. He holds a master's degree in International Law with a focus on post-conflict state-building and reconstruction from the University of Aix-Marseille, France.

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