

DISCUSSION PAPER

The Early Days of Tunisian President Kais Saied's Tenure: A Masterclass in Crisis Management?

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Introduction

In October 2019, Tunisians elected law professor Kais Saied as their new president in an extraordinary run-off against media magnate Nabil Karoui. In a landslide victory, Saied was elected with more than 70 per cent of the vote. The support for Saied among Tunisians was so strong that the number of votes he received was higher than the cumulative vote received by all parties in parliament.

As Saied has not held any political office before and took part in the elections as an independent candidate with no connection to any party, his appeal was largely based on him being perceived as non-corrupt, with no affiliation to the widely-despised political elite. His campaign-trail behaviour, such as his refusal to receive public funds for his campaign and door-to-door engagement with voters, has also earned him people's sympathy and respect.

Saied's election victory has been hailed as a new era, reviving hopes that the country's endemic problems, particularly with regards to the economy and corruption, could be resolved (Ahelbarra, 2019). Starting with the wave of optimism, this paper looks into the first months of Saied's Presidency. In doing so, it examines three major crises that the President has faced since taking office; namely, the formation of the government, the coronavirus outbreak, and crafting foreign policy towards Libya. The paper argues that, regardless of the mostly symbolic mandate of the Presidency, in each case Saied has tried to assert his influence despite constitutional limitations, relying on the legitimacy derived from his significant public popularity.



Tunisia's new President Kais Saied takes the oath of office on October 23, 2019 in Tunis, Tunisia. Independent candidate Kais Saied was on Monday declared the winner of Tunisia's presidential election. (Yassine Gaidi - Anadolu Agency)



Tunisian President Kais Saied shakes hands with Prime Minister Elyes Fakhfakh (L) during the swearing-in ceremony for the new cabinet in Tunis, Tunisia on February 27, 2020. (Tunisian Presidency / Handout - Anadolu Agency)

Mission Impossible: Forming a Government

Upon Saied's inauguration, the most important task for the country was the formation of a government. However, this was no easy job in a highly fragmented parliament in which no party managed to gain more than 20 per cent of the vote.

The parliamentary election results and the low turnout which, stood at 41 per cent, were reflective of people's frustration with the existing class of politicians since there have not been many tangible improvements in the core problems plaguing their lives, such as unemployment, corruption, and economic stagnation, almost a decade since the 2011 revolution.

In line with constitutional provisions, Ennahda, having the highest number of seats (52), was tasked by the President to form the government. The party chose to nominate an independent figure, Habib Jemli, a former Secretary of State in the agriculture ministry between the years of 2011-2014 under the Ennahda led government, for the post of prime minister.

Following the designation, intense debates revolved around potential partnerships between different political parties, points of contention and areas of cooperation. While some parties, such as Tahya Tounes (14) and The People's Movement (16) stated that they would remain in opposition, Ennahda ruled out working with others, namely the Heart of Tunisia (38) and the Free Constitutional Party (17). Only the Dignity Coalition (21) declared its support for an Ennahda-led coalition.

In this rather complicated political atmosphere, after more than two months of political wrangling, Jemli's proposed cabinet of 43 independent technocrats only received the backing of 72 parliamentarians, falling short of the required 109 votes. While some accused the list being composed solely of Ennahda allies, others have questioned their competence. Even though it was not unexpected, the outcome was still striking as this was the first time after the revolution a proposed cabinet list was rejected by parliamentarians.

The failure to acquire the confidence of parliament left President Saied with the responsibility of designating a prime minister. As a surprising choice, Saied nominated another outsider, Elyas Fakhfakh, the leader of Ettakatol Party, which currently holds no seats in the assembly. This decision sparked another round of debate. Serving as the finance minister in the first post-revolution government, Fakhfakh was associated with the painful belt-tightening policies in the aftermath of the loan agreement that was signed with the International Monetary Fund (IMF) in 2013 (Allahoum, 2020). However, it was argued that the President's choice was largely driven by Fakhkakh's honest reputation (Ibid.).

After his designation, Fakhfakh stated that his government would only be composed of parties that share the goals of the revolution and reflect the expectations of the people. In line with his promise, he excluded both Heart of Tunisia, which has been troubled by corruption allegations against its leader Nabil Karoui (Middle East Eye, 2019) and the Free Constitutional Party, which is known for its association with the former regime (Middle East Monitor, 2019), from the negotiations.

However, Fakhfakh's decision to exclude Heart of Tunisia was criticised by Ennahda on the grounds that, without them, the new government would fail to secure the confidence of parliament (Voa News, 2020). Such a call for an alliance between previously oppositional political parties is not a novelty in the Tunisian political scene. For example, Nidaa Tounes and Ennahda, two parties who ruled out working together during the 2014 election period, formed a coalition government following elections (Grewal and Hamid, 2020).

On the other hand, since this was parliament's second and last chance to form a government, with a crisis looming, President Saied stated that he was ready to dissolve parliament and call for new elections if the government failed to secure the confidence vote. Even though Fakhfakh was Saied's choice, the President knew that Fakhfakh had limited popular legitimacy and has been relying on his own political capital to legitimise the selection. Moreover, Saied was aware that while his independence has given him the advantage of being above political bickering, this also meant that there was only so much he could do to bring the parties together.

In a bid to avert the rejection of his proposed government line-up, Fakhfakh came up with minor revisions within the cabinet that included assigning Ennahda an additional ministry, as well as changes in the names of the independent candidates to be in appointed in some ministries (Mosaique FM, 2020a). His decision to exclude Heart of Tunisia meant that he had to compromise with Ennahda as these were the two political parties with the highest number of seats. In other words, with the exclusion of Heart of Tunisia, Ennahda has played the role of kingmaker. Therefore, even though Ennahda failed to form a government in the first round, the party still had significant leverage to influence the composition of the cabinet.

On February 27, 2020, the new government was approved by a vote of 129 to 77, ending the political deadlock that had dragged on for more than four months. Composed of 32 members, half of the ministries were allocated to independents, including critical posts such as the interior ministry, foreign affairs, security and justice. The other half are shared among a range of political parties- Ennahda, Tahya Tounes, the People's Movement, the Democratic Current, Tunisian Alternative and Nidaa Tounes.

None of the political parties have been eager for snap elections, being unsure of how that would reflect on their share of votes due to popular frustration. The last election resulted in loses for some of the major political parties. For example, while Ennahda lost 17 seats, Nidaa Tounes, which was the leading party in with 86 seats in the 2014 election, only secured 3 seats. Thus, in this last instance, any coalition, however fragmented as it may be, seemed like a safer option in comparison to the possibility of losing more ground.

As expected, the highly heterogeneous composition of the new government has raised questions on whether these political parties will be able to reach a consensus on pressing issues particularly with regards to economy and corruption due to their divergent interests and ideologies.

By the time the new government took office, it was already facing an unprecedented crisis. As the first Tunisian citizen was diagnosed with the coronavirus upon his return from Italy on the 2nd of March, halting the spread of the pandemic and mitigating its socio-economic impacts has become the most important item on the agenda.

Coronavirus Crisis: Exceptional Measures

President Saied has played an active role in navigating the country through the coronavirus pandemic in coordination with Prime Minister Fakhfakh.

Looking at the measures implemented thus far, Tunisia has been quick to react to the outbreak and has taken a proactive approach, following the situation around the world closely and acknowledging the limitations of the public healthcare system both in terms of the ageing infrastructure and lack of medical equipment in the country.

The first major step taken in this regard was Prime Minister Fakhfakh's decision to suspend all international flights and to close off the country's borders in mid-March. Fakhfakh also ordered the closure of schools, mosques, restaurants, banned public gatherings, and postponed public events.

Amid the crisis, in his first address to the nation, on the 17th of March, President Saied appealed for calm and pledged to donate half of his salary for the efforts to combat the virus (Chivers, 2020). He also introduced an overnight curfew from 6 am to 6 pm.

In the following few days, upon the confirmation of the first Covid-19 related death in the country, Saied ordered a nationwide lockdown, banning travel between cities in a bid to shore up the efforts to contain the spread of the virus. The President urged citizens to stay home apart from cases of extreme necessity. Being the commander-in-chief, he also deployed the armed forces to the streets to ensure that Tunisians were respecting the lockdown.

In an attempt to minimise the socioeconomic repercussions of the lockdown, several other complementary measures were introduced by Fakhfakh, such as the allocation of 2.5 billion dinars (USD$850 million), half of which would be distributed as loans for companies to keep them afloat, while the rest was to be distributed as financial assistance to families.

While the crisis has had a grave impact across different economic sectors from tourism to industry, daily wage earners and workers in the informal economy were affected the most. Thus, even though some measures were taken to ease the burden, especially on the vulnerable, the delay in the delivery of the aid promised by the government has resulted in protests across the country in which people were chanting that, if not from coronavirus, they would die from hunger (Barbarani, 2020). As of June, the lockdown has been lifted, but with a negative economic outlook, protests continue (Aljazeera, 2020a).

On the other hand, fulfilling his duties as the head of state, President Saied has also held meetings with Fakhfakh and other ministers at the Carthage Palace to discuss a roadmap on how to proceed.

The Tunisian Presidency has a mostly-symbolic status, Saied has been acting within the framework of article 80 of the constitution, which gives him special executive and legislative powers that could be only used "in the event of imminent danger threatening the nation's institutions or the security or independence of the country in such a manner as to prevent the normal functioning of the state" (Jrad, 2020, 3). Therefore, measures taken by him during the pandemic, such as the introduction of curfews and lockdowns or the deployment of the army on the streets, were all carried out within this framework.

However, it was not only Saied who has exercised exceptional powers during the pandemic. As the head of the government, Prime Minister Fakhfakh made a parliamentary request to be granted with exceptional powers as a "necessary weapon" to take and execute decisions (Arab News, 2020). Based on the article 70 of the constitution, the bill proposal was to equip the Prime Minister with the right to issue decree-laws for up to two months without referring to parliament (Guetat, 2020).

While coalition partners seemed to have lent and support to the policies with regards to the coronavirus, this particular proposal was not welcomed by all. Being wary of the bill, given the country's history with dictatorship, Ennahda raised objections by stating that the Prime Minister already had enough powers to cope with the crisis (Ghanmi, 2020a). However, tensions were resolved after Fakhfakh's assurance that his decisions would be subject to parliamentary review. The proposal was passed by a vote of 178 to 17 (Ghanmi, 2020b).

This exercise of both articles of the constitution at the same time, which has given extensive powers to the President and the Prime Minister, has led to debates over the extension of the mandate of each authority (Jrad, 2020, 4). So far, despite the possible overlaps, two branches of the government have managed to co-exist.

Overall, the Tunisian leadership's management of pandemic has gained the support of Tunisians (Mosaique FM, 2020b). Even though the outbreak has aggravated already existing problems and economic prospects remain grim, this success and trust of the people may give the leadership political capital to manoeuvre, at least in the short run, to implement further policies to tackle the socioeconomic repercussions of the virus.

Tunisia's Libyan Quagmire

Besides navigating two major crises in the domestic arena, the country's policy towards neighbouring Libya has been another crucial issue that has occupied President Saied since taking office.

According to the 2014 Tunisian constitution designed to create a balance of power between the presidency and the parliament, defence, foreign policy, and national security fall under the mandate of the President (Pomed, 2019, 4). Therefore, despite having limited powers, Tunisia's approach to the Libyan issue have been primarily shaped by the President.

The situation in Libya is crucial for Tunisia on both the security and economic fronts. Consecutive terror attacks in 2015, such as the Bardo Museum in February that killed 21 foreign tourists and a security guard, Sousse, which led to the deaths of 38 foreign tourists, and the bombing of a presidential guard bus in November, which killed 12 officers, were all linked to terrorists trained in Daesh camps in Libya (Meddeb, 2017, 2).



President of Turkey, Recep Tayyip Erdogan (L) and Tunisian President Kais Saied (R) hold a joint press conference following their meeting in Tunis, Tunisia on December 25, 2019. (Yassine Gaidi - Anadolu Agency)

These attacks resulted in a massive decline in the tourism sector, which makes up nearly 15 per cent of the country's GDP, and provided jobs for over half a million people as travel agencies have pulled back and foreign governments issued travel warnings (France 24, 2019).

The precarious security situation has also led to increased spending on national defence. While 11 per cent of the total government budget was allocated to military spending in 2010, the amount reached 18 per cent by 2015 (United Nations Economic and Social Commission for Western Asia, 2017, 4). Considering the teetering economy, an increase in military spending has meant that state funds would have to be redirected, resulting in cuts to other areas in dire need of investment such as the public healthcare system.

Another element has been the decline in the remittances brought by Tunisians who were working in the construction sector or oil processing companies in Libya (World Bank, 2017, 32). The loss of these incomes has had a severe impact on almost 15,000 families, as they do not have any other means to sustain their households (Meddeb, 2017, 6). Most recently, there has been another flow of Tunisian workers coming back from Libya due to the coronavirus pandemic (Aljazeera, 2020b).

The refugee influx since the beginning of the conflict has also been an additional factor negatively the economy, particularly as it relates to rising rent prices and strains on services (Karasapan, 2015). That being said, while many refugees have returned to Libya, with the recent escalation of fighting, in January President Saied called on authorities to take the necessary preparations to receive Libyan refugees (Al-Hilali, 2020). He also urged international organisations such as United Nations High Commissioner for Refugees (UNHCR) to provide aid to assist Tunisia in coping with the social and economic impacts of the influx (Ibid.).

Looking at both the economic and security ramifications, it becomes clear that any development in Libya has a direct effect on Tunisia. Thus, amid these challenges, throughout the decade long conflict in Libya, Tunisia has opted to maintain total neutrality notwithstanding its declaration of nominal support to the internationally recognised Government of National Accord (GNA) headed by Fayez Al-Sarraj. Since the beginning of his tenure, President Saied has also reiterated this policy of strict non-interference and supported diplomatic efforts aimed at resolving the conflict.

Saied has firmly stressed Tunisia's neutral position in several instances by making public statements to avoid being caught in the middle of a conflict that has drawn both regional and international players with different geopolitical interests.

For example, in mid-April, when the Tunisian Defence Minister Imed Hazgui described GNA forces as 'militias' in an interview he gave to a local broadcaster, President Saied stepped in to denounce his statement. In a phone call to the head of the GNA, Saied said any declaration that "contradicts the official Tunisian position should not disturb the strong and profound relations between the two brotherly countries". He also assured the head of the GNA, Fayez al-Sarraj, of Tunisia's support by stating that it is "the only legitimate government in Libya" (Anadolu Agency, 2020a). That being said, he also emphasised Tunisia's rejection of foreign intervention in the country and stressed that Libyans should solve their own problems (Ibid.).

In another recent incident, when the leader of Ennahda Party Rached Ghannouchi was accused of overstepping his role for his phone call to congratulate al-Sarraj over his recent military success, as a response President Saied has stated that "there is only one Tunisia and one president both nationally and internationally" (Middle East Online, 2020). However, while Ghannouchi renewed his calls for the country's "positive neutrality by pushing all rivals to a political and peaceful solution", he also stressed that his conversation "did not exceed the Tunisian diplomacy rules" (Anadolu Agency, 2020b).

However, amid these debates on Tunisia's neutrality, in his latest tour to France, President Saied had a slight change of tone. In a press conference with President Macron, Saied stated that the GNA's international legitimacy is temporary and it must be replaced with a new legitimate government, referring to the expiry of Shrikat Agreement that was signed in 2015 giving the Sarraj government a mandate of transitional rule for two years (Ltifi, 2020). While the statement led to questions whether Tunisia is changing its stance, especially given that the speech took place in France, which has backed Khalifa Haftar, Foreign Minister Noureddin Erray has reiterated that there is no change in Tunisia's policy towards Libya and the country continues to reject any foreign intervention (Agence Tunis Afrique Press, 2020).

Finally, in January this year, Tunisia began its two-year term as a non-permanent member of the United Nations Security Council. This gives the President an important opportunity to voice the country's stance on the conflict in Libya and to try and push forth a peaceful political resolution among the warring parties. That being said, in this highly complicated and dynamic scenery in Libya in which several regional and international players are involved directly with various geopolitical agendas, it remains to be seen whether Tunisia will be able to play a significant role in shaping the negotiations.

Conclusion

When Saied was elected, hopes were high that he would be able to initiate change with regards to essential problems such as unemployment, poverty, and corruption. However, despite Saied enjoying immense public support, the expectations of Tunisians been somewhat out of step with the reality of the political system as the Presidential mandate is largely symbolic. Regardless, trying to act on his campaign slogan "the people want", Saied has sought to assert his influence in an effort to bring about the change that people were asking for.

Amid the primary challenges the country has faced at the beginning of his tenure, as an independent figure with no party affiliation, Saied did not have much room to manoeuvre during the attempts to form a government. However, after the first attempt to form a government failed, it fell to Saied to appoint a Prime Minister-designate. His first choice, Elyas Fakhfakh, was the one who managed to bring a wide range of political parties with different interests and agendas together.

In the second crisis, Saied extended his mandate by relying on exceptional powers that were granted to the President in extraordinary circumstances. He played a very visible and active role in combatting the coronavirus crisis, dominating the political scenery in terms of both introducing measures and providing a roadmap with his ministers.

Finally, the situation in Libya represents an ongoing issue that Saied has inherited from his predecessors. Following a similar policy line, the President has also chosen to stress Tunisia's neutrality while giving nominal support to the GNA. Saied has also reiterated numerous times, particularly after some notable Tunisian politicians made statements to the contrary, that the country is against any foreign intervention and a political solution must be reached between the parties on the ground.

Looking at the overall picture, it would be fair to say that despite, his largely symbolic role, Saied has so far managed to shape the political trajectory of the country. That being said, amid ongoing protests in the southern parts of Tunisia over unemployment and with the emergence of a recent political crisis in the parliament (there are both calls for the resignation of Prime Minister Fakhfakh over an alleged conflict of interest and no-confidence vote against the parliamentary speaker Ghannouchi), we will have to wait and see how Saied will respond to these new challenges.

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