

# HOW TUNISIA MANAGED TO TRANSITION TO DEMOCRACY AFTER THE ARAB SPRING: THE HISTORICAL ROOTS OF DEMOCRACY IN TUNISIA

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## Abstract

The popular movements known as the “Arab Spring” began in 2011 when a street vendor burned himself in Tunisia, and quickly affected the entire Middle East and North Africa region, targeting oppressive regimes in power. This process, which affected the Arab world in waves with the escape of Zine El Abidine Ben Ali in Tunisia, the trial of Hosni Mubarak in Egypt, and the assassination of Gaddafi by his own people in Libya, has left regional states facing new uncertainties. In Tunisia, where the Arab Spring began, constituent assembly elections were held on October 23, 2011. These elections took their place in history as the first free and fair elections among the countries that experienced the Arab Spring. After the elections, the new constitution was completed by the Constitutional Commission, and a new prime minister and president were elected. This situation became an example among the Middle Eastern and North African countries that experienced the Arab Spring; it showed that Tunisia has a higher democratic culture than other countries. In this context, the reason why the Arab Spring, which caused the Islamic geography to sink into the swamp of terror, the Egyptian State to survive with a dictatorial regime, states such as Iraq, Syria, Yemen and Libya to be dragged into civil war and even their existence to be debated, was successfully experienced in Tunisia is discussed in the article.

**Keywords:** *Arab Spring, Tunisia, Middle East, North Africa, Democracy.*

## Tunus, Arap Baharı'ndan Sonra Demokrasiye Nasıl Geçiş Yaptı: Tunus'ta Demokrasinin Tarihsel Kökleri

## Özet

2011 yılında Tunus'ta bir sokak satıcısının kendisini yakmasıyla başlayıp, kısa bir süre içerisinde Ortadoğu ve Kuzey Afrika bölgesini bütünüyle etkileyen, yönetimdeki baskıcı rejimleri hedef alan, “Arap Baharı” olarak adlandırılan halk hareketleri yaşanmıştır. Tunus'ta Zeynel Abidin Bin Ali'nin yurt dışına kaçması, Mısır'da Hüsnü Mübarek'in yargılanması, Libya'da Kaddafi'nin kendi halkı tarafından öldürülmesiyle dalga dalga Arap dünyasını etkileyen bu süreç, bölge devletlerini yeni bilinmezliklerle karşı karşıya bırakmıştır. Arap Baharının başlangıç yeri olan Tunus'ta 23 Ekim 2011'de, kurucu meclis seçimleri yapılmıştır. Bu seçimler Arap Baharını yaşayan ülkeler arasında yapılan ilk serbest ve adil seçim olmasi

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Özellikle tarihte yerini almıştır. Seçim sonrası Anayasa Komisyonu tarafından yeni anayasa tamamlanmış, yeni başbakan ve cumhurbaşkanı seçilmiştir. Bu durum Arap Baharını yaşayan Ortadoğu ve Kuzey Afrika ülkeleri arasında örnek olmuş; Tunus'un diğer ülkelerden yüksek demokrasi kültürünü göstermiştir. Bu bağlamda İslam coğrafyasının terör batağına sapanmasına, Mısır Devletinin dikta rejimiyle ayakta durmasına, Irak, Suriye, Yemen, Libya gibi devletlerin iç savaşa sürüklenmesine, hatta varlıklarının tartışılmasına sebep olan Arap Baharının; Tunus'ta başarılı şekilde yaşanmasının nedeni makalede ele alınmıştır.

**Anahtar Kelimeler:** *Arap Baharı, Tunus, Ortadoğu, Kuzey Afrika, Demokrasi.*

## Introduction

The popular movements known as the “Arab Spring” began in 2011 when a street vendor burned himself in Tunisia, and quickly affected the entire Middle East and North Africa region, targeting oppressive regimes in power. This process, which affected the Arab world in waves with the escape of Zine El Abidine Ben Ali in Tunisia, the trial of Hosni Mubarak in Egypt, and the assassination of Gaddafi by his own people in Libya, has left regional states facing new uncertainties. In addition, radical Islam and terrorism after the Arab Spring are taking new lives every day in the Middle East and North Africa region, spreading like cancer cells.

In Tunisia, the starting point of this change process, constituent assembly elections were held on October 23, 2011. These elections took their place in history as the first free and fair elections held among the countries experiencing the Arab Spring. After the elections, the new constitution was completed by the Constitutional Commission, and a new prime minister and president were elected. This situation became an example among the countries in the region experiencing the Arab Spring; it showed that Tunisia has a higher democratic culture than other countries.

In this context, the reason why the Arab Spring, which caused the Islamic geography to sink into the swamp of terror, the Egyptian State to survive with a dictatorial regime, states such as Iraq, Syria, Yemen and Libya to be dragged into civil war and even their existence to be debated, was experienced differently in Tunisia is discussed in the article.

### 1. Arab Spring in Tunisia

Tunisia, with a population of approximately 11 million, was in a relatively better economic and social situation than other countries in the region before the Arab Spring. One of the biggest problems was the youth unemployment rate exceeding thirty percent (Kosebalaban, 2014, p. 201). The fact that oppression and corruption in the country had reached a disturbing level, and that Zeinel Abidin Ben Ali was taking sole ownership of the state's gains and distributing them to his close circle, was disturbing the public. An illegal structure formed by the family and relatives of Zeinel Abidin Ben Ali had emerged in certain sectors of the economy (Yavuz & Erdurmaz, 2012, p. 15; Muhammed, 2011).

The first reaction to this situation was shown by Muhammed Bouazizi by setting himself on fire. Muhammed Bouazizi was a street vendor selling vegetables and fruits. The police had confiscated his stand because he did not have the necessary official documents. When he went to the police station to get his stand back, he was insulted and beaten. Unable to accept this situation with his pride, the young street vendor left a note to his family on the internet saying; "I am a traveler, God willing this journey will change many things" and then set himself on fire in front of the municipality building. This action was the beginning of the events that would occur in the region.

Another young unemployed Lahseen Naci, followed by Ramzi El Abboudide, committed suicide because of debts he could not pay. Dissatisfaction with the government made the events unstoppable. The patience of the Tunisian people was exhausted, young people took to the streets and the rebellion progressed rapidly (Coskun, 2011).

After the incidents spread, Zine El Abidine Ben Ali took action and visited Mohamed Bouazizi in the hospital and promised financial support to his family. In addition, Zine El Abidine Ben Ali dismissed some ministers in his cabinet related to the incidents. Despite the measures he took, the incidents did not stop (Ayhan, 2012).

The popular uprising subsequently affected Egypt, where demonstrations began in Tahrir Square. Protests then spread to Algeria, Morocco, Libya, Yemen, Bahrain, Saudi Arabia, Jordan, Iran, Syria, and Iraq.

After the death of Mohamed Bouazizi in the hospital where he was receiving treatment on January 4, 2011, the demonstrations intensified, and unions and political parties also supported the demonstrations. In response to the demonstrations, Zine El Abidine Ben Ali announced that he would invest five billion dollars to create job opportunities for fifty thousand young people. When hundreds of thousands of people joined the demonstrations in front of government buildings, Zine El Abidine Ben Ali called the army to duty. However, the Chief of General Staff, General Ammar, did not obey the President's orders and announced that he would not open fire on unarmed protesters. Thereupon, armed conflicts began between the police and the army ((Tanriverdi, 2011).

As the clashes continued, despite Zine El Abidine Ben Ali's attempts to appease the public by promising the creation of three hundred thousand new jobs in a televised speech on January 10, the clashes grew larger. Following this, Zine El Abidine Ben Ali dismissed the Minister of the Interior, who was criticized for using force against the protesters, ordered the release of the detained protesters, and announced the establishment of a commission to investigate corruption. When these concessions did not end the protests, the government declared a curfew on January 12, when demonstrations in the capital increased. The parliament convened an extraordinary session on January 13, as the protests continued to increase despite the ban. On the other hand, Zine El Abidine Ben Ali addressed the public once again and promised a more open and democratic society. He also made new concessions, such as promising not to remain in power after his term expires in 2014 and to hold elections to renew the parliament before that, and that the deaths in the demonstrations and corruption allegations will be investigated, but these efforts did not yield any results (Murphy, 2011, p. 301).

Finally, President Zine El Abidine Ben Ali fled to Saudi Arabia on January 14, 2011. The people overthrew the tyrannical government and a brand new era began in Tunisia.

## **2. Tunisia After The Arab Spring**

### **2.1. National Constituent Assembly Elections**

After Zine El Abidine Ben Ali left the country, the Speaker of the House of Representatives, Faouad Mebazaa, became the interim President. Faouad Mebazaa gave the task of forming a government to Prime Minister Mohammed Ghannouchi. Six ministers remained in the interim government. The demonstrations started again because the party of the deposed President remained in the government. Thereupon, Ghannouchi and some ministers resigned. After the resignations, Beji Caid Essebsi became the Prime Minister (Tanriverdi, 2014).

In the interim government established by Beji Caid Essebsi, no one from the era of Zine El Abidine Ben Ali was included. In addition, Ben Ali's party was disbanded and his assets were confiscated. Eighteen case files were prepared against Zeynel Abidin Ben Ali in April. It was stated that a total of forty-four cases were opened, including murder, drug trafficking, drug use, embezzlement and conspiracy against the state (Timeturk, 2011).

The interim government has prepared and implemented a new election law to ensure that elections are transparent and fair (Ulutaş & Torlak, 2011). According to the new election law, public officials, governors, judges and members of the former ruling party, the Democratic Constitutional Union Party, will not be able to run in the elections unless they resign from their posts (Tanriverdi, 2011). In addition, prisoners who received sentences of more than six months after the January 14 Revolution were prohibited from voting (Ayhan, 2012).

Important decisions were made by the interim government to increase the transparency and reliability of the elections. Security measures were taken to ensure the fairness and democracy of the elections, and international observers were allowed to monitor the elections. Voter registers and candidate lists were arranged in accordance with the procedure, transparent ballot boxes were used, and care was taken to ensure that the voting process was carried out in a healthy manner.

The elections for the National Constituent Assembly, which will play an important role in the democratization of Tunisia with the constitution it will prepare, were held on 23 October 2011 (Coskun, Bakir & Omer, 2011).

Over fourteen thousand observers served during the election process to monitor whether the elections were free and fair. Thirteen thousand four hundred and twenty-two of these observers were local and six hundred and sixty-one were international observers (fifty-two came from Arab countries and six hundred and nine came from the United States and various European countries). The common opinion of all international observers who monitored the elections in Tunisia was that the elections were free, fair and transparent in a democratic and peaceful environment. In the elections, the first party, NAHDA (En-Nahda Movement), received thirty-seven percent of the votes and eighty-nine seats. The second party, CPR (Congress for the Republic),

received twenty-nine seats. The National Constituent Assembly held its first session on 21 November 2011 following the announcement of the results. The NAHDA Party, which received the most votes in the elections, and the two left-wing parties, CPR and Ettakol (The Democratic Forum for Labour and Liberties ), have agreed on who will be appointed to three important positions in the state. With a protocol signed between the leader of the NAHDA Party, Rashid Ghannouchi, the leader of the CPR Party, Moncef Marzouki, and the leader of the Ettakol Party, Mustafa Ben Cafer, of the political parties represented in the National Constituent Assembly, it was decided to form a coalition government between the three political parties in question, and to appoint the leader of the CPR Party, Moncef Marzouki, the leader of the Ettakol Party, Mustafa Ben Cafer, as the President, and the Secretary General of the NAHDA Party, Hamadi JEBALI, as the Prime Minister. The winner of the elections was the NAHDA Party, which was considered a terrorist organization by the Ben Ali regime and whose members spent years in prison. According to official results, the NAHDA Party, which has eighty-nine deputies, did not lose first place to anyone in all constituencies except for a few small ones. After the results of the elections were announced, the NAHDA Party made statements that relaxed the political environment. In its first press conference, it announced that the party program supported freedoms and that the Tunisian people, especially women, had freedom of expression, thought and dress (Timeturk, 2011).

Rached Ghannouchi stated that they are a movement that reconciles Islam and modernity by saying, “All Tunisians can continue their existence under a moderate vision of Islam that is not contrary to democracy. We have a moderate understanding of Islam. In 1981, we declared that we accepted democracy and that we respect the people’s decision, whether they support us or oppose us. We say that all citizens are equal, whether Islamists or not, in terms of rights.” (BBCTurkish, 2011).

The second party in the elections was the CPR Party. The party, which had a low vote rate according to the polls before the elections, surprisingly came in second in the elections. The main facts underlying the CPR Party’s election success are that the party leaders followed a conciliatory policy towards the parties and ideas within the system during the election process. They influenced the people with their goals of fighting corruption and development. The democratic attitude of CPR Party leader Moncef Marzouki, who cooperated with the NAHDA movement during the government formation process, was welcomed positively by many. With the support of the first three parties, Moncef Marzouki became the first elected President of Tunisia (Ayhan, 2012).

As a result, the National Constituent Assembly elections held on October 23, 2011 in Tunisia, the country where the process of change in the Middle East, known as the “Arab Spring”, first began, went down in history as the first free and fair elections held in the countries involved in this process.

## **2.2. Important Developments Until the Adoption of the Tunisian Constitution**

The political activities that began under the leadership of the NAHDA Party, the winner of the October 23, 2011 elections, entered the next phase on February 13, 2012, when the National Constituent Assembly officially began its main task of drafting a constitution (Koçak, 2012). A

significant incident during this period was the clash between radical Islamist demonstrators and the police over the display of nude women and cartoons about Mecca in an art gallery in the summer of 2012. Following the violence that continued for days, a curfew was declared in eight cities, including the capital Tunis (La presse, 2012).

In another notable incident, a video of Rashid Ghannouchi's speech to Islamic opinion leaders on October 10, 2012 was published on the Internet, and a case was subsequently filed to close down the NAHDA Party on the grounds that it had "anti-secular attitudes." Seventy-five opposition party deputies petitioned the Constitutional Court to close down the NAHDA Party. In his speech, recorded with a hidden camera and leaked to social media Facebook, Rashid Ghannouchi stated that "NAHDA's success in the elections was above expectations, but the secular elites are still influential in the media, economy and administration, they are also influential in the police and the army, they need time to take control of state institutions, they will provide the necessary permissions to those who want to establish radio, television and associations, lessons should be learned from the Algerian example, Islamists are still being followed in the country, there is no difference between Islam and Sharia, the inclusion of the term Sharia in the Constitution is not important, implementation is more important than laws." Rashid Ghannouchi stated that this recording was a conspiracy and was prepared in a cut-and-paste manner. He also said that the constitution to be made will embrace all segments and that the constitution-making process continues through democratic means (Le figaro, 2012).

Despite these undesirable developments, the 2012 Chatham House Prize was awarded by the UK Royal Institute of International Affairs to NAHDA Party leader Rached Ghannouchi for his success in Tunisia's democratic transition (Yeryuzu Haber, 2012). Another important incident was the assassination of the Secretary General of the left-wing opposition Democratic Patriotic Party, Shukru Belaid, near his home in February 2013. This incident caused great tension and conflict between the Islamic and secular groups in Tunisia. Ali Belaid's relatives and the secular group held the NAHDA Party responsible for the assassination. Demonstrations were held throughout Tunisia to demand that the NAHDA Party withdraw from the government. As a result of the pressure, the Secretary General of the NAHDA Party and Prime Minister Hamadi Jebali decided to withdraw from the government and form a new government of technocrats in order to end the political crisis. However, this decision was not accepted by the NAHDA Party and the parliament. Prime Minister Hamadi Jebali resigned as a result and on February 21, 2013, the President appointed Interior Minister Ali Larayid to form a new government.

NAHDA Party leader Rached Ghannouchi said that this assassination was a plot against the Tunisian revolution and the NAHDA Party, and that it aimed to show that Islam and democracy cannot coexist. He described the assassination as a coup attempt against the NAHDA Party. The Morsi government in Egypt was shaken by the demonstrations that began in June 2013. The Muslim Brotherhood government was overthrown by a military coup on July 3, 2013. The military junta government in neighboring Egypt has affected Tunisia. Although the influence of the Egyptian army in the government is very different from the Tunisian army, the idea that the

NAHDA Party could end up like the Muslim Brotherhood government has caused it to act more cautiously and openly in cooperation during the constitution-making process (Koçak, 2012).

Another important development for Tunisia in 2013 was the assassination of a second opposition leader, Mohamed Brahimi, six months after Bélayed. The two assassinations deepened the polarization between secular and Islamist groups. The NAHDA Party was held responsible for the second assassination because it did not take sufficient measures against radical Islamists. Demonstrations were held and the government was asked to resign. As a result of the investigation, it was suspected that the same weapon was used in both assassinations and that the assassinations were carried out by a radical Salafi group member, which led to an increase in reactions against Islamists in the country. Following the assassination, the President of the National Constituent Assembly, Mustafa bin Ja'far, announced that he was suspending the work of the assembly until the national reconciliation work began. The President of the Constitutional Commission also decided to completely stop the constitutional negotiations. Tunisia's largest labor union, UGTT, also called for a nationwide strike. In response to the protests by hundreds of thousands of people calling for the government to resign, Rashid Ghannouchi said, "Governments do not fall because of protests in democratic regimes." They made a statement and said that they would abide by the decision to suspend parliamentary work, but that they would not resign (Hurriyet Newspaper, 2013).

However, following the military coup against Mohamed Morsi in Egypt on July 3 and the second assassination on July 25, NAHDA agreed to resign in order to reduce tensions in the country. The labor union UGTT acted as a mediator between the opposition and the NAHDA Party, and the NAHDA Party announced that it would leave power in three weeks and that a transitional government would be formed until the elections (Özkan, 2014).

Although it was agreed that the new government would be in the form of a technocrat government, there were problems regarding who would be the prime minister. However, an agreement was eventually reached and Mehdi Cuma was tasked with forming the new government with the support of the majority of the parties on December 14, 2013 (MFA, 2016). Thus, Tunisia was governed by five different governments in the three-year period until 2014. Following the establishment of the new government, the Tunisian Constitution was completed at the beginning of 2014. The Constitution was approved by the majority of the deputies who participated in the vote in the Assembly on 23 January 2014. The new constitution entered into force at the beginning of 2014 with the signature of the President (Euronews, 2014).

### **2.3. Conducting Presidential Elections**

The transition period following the Jasmine Revolution ended with the parliamentary elections of October 26, 2014. The secular Nida Tounes Party achieved great success in the elections. The Nahda Party, which emerged victorious from the previous elections and took the Justice and Development Party in Turkey as an example, came in second. The secular Nida Tounes Party received 38.24 percent of the votes and reached 83 seats in the parliament, while the Ennahda Party received 31.33 percent of the votes and 68 seats (Hurriyet Newspaper, 2014).

While the debates on the October 2014 parliamentary elections in Tunisia continue, another important development in the country's political history was the presidential elections on November 23, 2014. In the presidential elections, according to the new constitution, a simple majority of votes was required to be elected as president. If a candidate could not exceed 50% in the first round of elections, the two candidates who received the highest number of votes would compete again in the second round.

The presidential election race, which started with twenty-seven candidates, one female and the others male, was reduced to twenty-two after five candidates withdrew as of November 20. In the elections, where the NAHDA Party did not nominate candidates, names such as the leader of the Tunisian Communist Workers' Party Hamma Hamami, the leader of the Mubadara Party Kemal Morjani, the leader of the former parliament speaker and coalition partner Ettakatol Mustafa bin Cafer, and the leader of the Republican Congress Party, Moncef Marzouki, who lost votes in the previous election, competed. The strongest candidate in these elections was Beji Said Essebsi, the leader of Nida Tounes (Tanrıverdi, 2014).

The NAHDA Party's relegation to second place in the 2014 parliamentary elections and the election of Said Essebsi, the candidate of the secularist Nida Tounes, who won the parliamentary elections, as president, have raised the possibility of three important positions, namely prime minister, speaker of parliament and presidency, being held by a single party, as they were before the Jasmine Revolution. This has led to the thought of "Could there be a return to the old one-man and one-party era?"

However, in order to prevent the emergence of a repressive and anti-democratic period again, some measures were taken in the new constitution to balance the reforms made after 2011 and the strong presidential system. In order to balance the excessive power of the head of state, the powers and responsibilities of the president during the Zine El Abidine Ben Ali period were distributed between the prime minister and the president. In this way, an attempt was made to establish checks and balances between the two offices. Powers on important issues such as economy and security were shared between the prime minister and the president. In this new system where powers and responsibilities were redefined, the president continued to hold some important powers. While foreign policy, defense and national security issues were left under the responsibility and authority of the presidency, public administration, the areas of responsibility of the ministries and the administration of the country were left under the authority of the prime minister.

The first round of presidential elections was held on November 23, 2014, and no candidate received more than 50% of the vote. In the first round of the election, Said Essebsi received thirty-nine point four percent, and Moncef Marzouki received thirty-three point four percent. The second round of elections took place on December 21, and the Tunisian Supreme Electoral Council announced that the leader of the Nidaa Tounes Party, eighty-eight-year-old Beji Said Essebsi, had received fifty-five point six percent of the vote and became the new president. The President of the Tunisian Supreme Electoral Council, Shafiq Sarsar, stated in a press conference that in the second round of the election, Nidaa Tounes Party leader Said Essebsi received

55.68% with 1,731,529 votes, while transitional President Moncef Marzouki received 44.32% with 1,378,513 votes. In his first speech after the elections, the new President Said Essebsi said, “From now on, we must work together without excluding anyone.” He promised that he would bring unity and solidarity to the country (Hurriyet Newspaper, 2014).

After the Jasmine Revolution, the adoption of the Constitution, the fair and transparent elections for the National Constituent Assembly and parliament, and finally the presidential elections, have been indicators of the advanced democratic culture that Tunisia has gained throughout its history, revealing its difference from other Middle Eastern and North African countries.

### **3. Culture of Democracy and Democratization Movements in Tunisia**

Tunisia's functioning and established democracy, which is different from the states that experienced the Arab Spring, can be seen with the election and constitutional works carried out after the Jasmine Revolution. Some experiences gained in history underlie the reality of Tunisia. The stages it experienced on the path to democratization and becoming a nation state should be divided into three: the pre-French protectorate period, the French protectorate period and the Habib Bourguiba period.

#### **3.1. Democratization Movements in Tunisia Before the French Protectorate Period**

##### **3.1.1 Ahdul-Eman Document**

This is a document accepted by the Bey of Tunis, Muhammed Bin Hussein (May 30, 1855 – September 22, 1859) on September 10, 1857. Ahdül-Eman is important as it is the first legal document for Tunisia. This document is accepted as the first Tunisian Constitution. It was prepared for the purpose of implementing the 1839 Tanzimat and 1856 Islahat Edicts in Tunisia.

Ahdül-Eman is the first constitutional declaration accepted in the provinces of the Ottoman Empire. In addition, the necessity of making a reformist constitution was explained in this document. The decree was written by Muhammed Bey. Since it was the order of the Bey, it was binding on everyone. The essence of the decree is explained as the Bey granting certain rights to his subjects. In the decree, Muhammed Bey transferred his right to judge and punish to the councils to be formed. In addition, he accepted that he would also comply with the laws. In addition, the Tunisian people were given security of life, property, religion and language. They were promised equality before the law and fair collection of taxes. Religious freedoms were protected and it was stated that no one would be forced to change their religion (Islamoglu, 2008, pp. 18-23).

##### **3.1.2. The Constitution of 1860**

Muhammed Sadik Bey (September 22, 1859 – October 27, 1882), who came to power in 1860, was a reformist and pro-French ruler. First, he abolished the sharia laws and prepared a Western-style Penal Code instead. But Muhammed Sadik Bey's most important reform was his work on the “Constitution”. The Tunisian Constitution is the first constitution made in the Ottoman

Empire and in the administrations affiliated with the Ottoman Empire. Laws were made by benefiting from several sects such as Maliki and Hanafi. It is notable for being the first constitutional work and the first constitution in the Islamic World.

The new constitution introduced a “Separation of Powers”. The judiciary was carried out by independent courts, the executive by the Bey of Tunis and the Prime Minister, and the legislative by the Greater Majlis. The new constitution allowed for the establishment of the Municipal Council, the Council of Investigation, and the Councils of Crimes and Customary Affairs, in addition to the Greater Majlis. It was a very progressive and modern constitution for its time. In addition, the publication of the first official newspaper, “Er Raid’ütTunisi”, along with the constitution is considered a reform movement (Amor, 2006, pp. 583-594).

### **3.2. Democratization Movements in Tunisia During the French Protectorate**

France reflected the attack of the Hmir tribe living in Tunisia on the tribes in Algeria to the public as an incident that threatened French security and began occupying the country as a fait accompli. With the Bardo Agreement signed in 1881, it established French protection over Tunisia (Eylice, 2008, p. 33).

France, despite the fact that a considerable number of French people lived there and the administration was controlled by governors appointed from Paris, saw Tunisia as a protectorate, not a colony. France’s attitude towards Algeria was different. France occupied Algeria, annexed it to its own country and considered it a part of itself as long as it was in power. France treated the Algerian people very harshly during the colonial period. In contrast, it treated the Tunisian people more leniently during the protectorate period and did not apply the violence and force-based administration it implemented in Algeria to Tunisia. In addition, it made reforms in the administration, education, economy and law for the development of the country in line with its own interests (Eylice, 2008, p. 3).

We can see the difference between France’s policies towards Algeria and Tunisia in the independence process of the two countries. France did not grant Tunisia’s independence as a result of a war in which millions of people died, as in Algeria, but as a result of negotiations. Tunisia did not achieve independence through a painful process as in Algeria. The reason for this policy of France is that it does not see Tunisia as a part of itself, as it sees Algeria. The dynamics of this situation should be sought in Tunisia’s being a small country with poor underground resources.

### **3.3. Democratization Movements in Tunisia During the Habib Bourguiba Period**

Tunisia gained independence with an agreement between Habib Bourguiba and French Prime Minister Guy Molle in 1956. The Tunisian opposition, led by Habib Bourguiba, brought France to the table through negotiations, setting an example for other colonies.

At that time, there was a strong resistance against the French occupation in neighboring Algeria. However, Tunisia under the leadership of Habib Bourguiba did not foresee a liberation through war and achieved independence without fighting. Not only Habib Bourguiba played a role in this situation, but also the fact that France did not want another armed struggle in the

region (Ayhan, 2012). In particular, France's understanding that it could not hold on to Tunisia with the policies it implemented in Algeria should be considered one of the reasons why it chose to make an agreement with Habib Bourguiba. In short, France thought that it could at least continue its old relationship and leave a person who was educated in France at the head of the country when it left the country. Habib Bourguiba continued his relationship with France-Tunisia with bilateral agreements in line with this idea.

### **3.3.1. Reforms in Tunisia During the Period of Habib Bourguiba**

In the early days of Habib Bourguiba, Tunisia was a tribal country. Ninety percent of the population lived in rural areas. A very small portion, corresponding to ten percent, was urban. Habib Bourguiba designed a new social structure. His aim was to keep all segments of Tunisia together, in other words, to establish a nation state. The focal points of his strategy were combating poverty, building infrastructure, educating the public, and conducting peace and cooperation diplomacy. Habib Bourguiba adopted the values of the West, especially France, in order to reach the economic, cultural and technical level that the West had reached after independence in the shortest time possible. Habib Bourguiba wanted to create a developed and modern country in Tunisia (Perkins, 2004, p. 130). In this context, he made many reforms in everything from law to education, from social life to political life.

#### **3.3.1.1. Reforms in the Field of Law During the Period of Habib Bourguiba**

Habib Bourguiba believed that Tunisia needed new and modern laws in order to create a new country after independence.

Civil, criminal, commercial and procedural laws applied in Tunisia until 1956 generally reflected the French legal system and civil law. After independence, the laws were renewed and new laws were implemented in both civil and criminal law. Some of these laws were directly translated from French and incorporated into Tunisian law (Mahmutoglu, 1999, p. 186).

One of the important reforms made during the Habib Bourguiba period was the adoption of the first secular and modern constitution in Tunisia, unlike other Arab countries. Habib Bourguiba saw a state with a constitution as a requirement of modernity. He pressured the parliament for a new constitution and played a major role in the enactment of the 1959 constitution. The 1959 Tunisian constitution became an exemplary constitution for the Middle East and North African countries. With the Constitution officially put into effect on June 1, 1959, the Tunisian State had a democratic, secular, unicameral, multi-party system (Hibou, 2009, p. 84).

#### **3.3.1.2. Adoption of the Law on the Status of Persons**

The most important law enacted in Tunisia under the administration of Habib Bourguiba was the Law on the Status of Persons, which abolished Sharia Law and Sharia Family Law as civil and criminal law. The Law on the Status of Persons, enacted in 1956, is a modern law. The Law on the Status of Persons regulated the criminal law system. The concept of the nuclear family

was strengthened by law, and women gained many rights, including education, birth control, participation in the economy, political representation, etc. This law was not prepared to reject Islamic teachings in Tunisia, but to live with a modern understanding. It also addressed all Tunisians, regardless of their religion. Again, with this law, the courts were unified and all trials were given to secular national courts. It also provided many rights to women. The Law on the Status of Persons radically changed family law. It ensured that women in Tunisia had equal status and value with men in society (Perkins, 2004, pp. 135-137).

Another feature of the law that should be emphasized is that it abolished marrying more than one woman. The prohibition of polygamy was accepted only by Tunisia among the Arab states. The age of appeal was determined as thirteen and the age of consent as twenty. It was stated that marriage could only take place with the joint consent of the bride and groom. The minimum age limit for marriage was determined. The man's right to unilateral divorce was abolished and women were granted the right to divorce. In addition to women being equal to husbands in terms of marrying and divorcing one spouse, they were also brought to the same level in terms of the marriage regime. With the amendment made to this law in 1981, women were provided with important rights and conveniences after divorce, and the mother was given the right of custody (Mahmutoglu, 1999, pp. 186-189).

It has also introduced regulations regarding the alimony to be given to women. Issues such as "When is the alimony of the woman obligatory for the husband and why? In which cases may the husband not be obliged to pay the alimony of the woman?" are explained in the law (Mahmutoglu, 1999, p. 198). With the adoption of the Law on the Status of Persons, reforms were made in Tunisia regarding the sharing of inheritance, determination of paternity and inheritance law (Mahmutoglu, 1999, pp. 198-199).

With the Law on the Status of Individuals, some practices that were contrary to the family law and the established understanding of society up until that time were facilitated and enacted into law. The main ones are the targeting of family planning, the liberalization of abortion, and the legalization of marriages between Muslim women and non-Muslim men (Mahmutoglu, 1999, p. 189).

### **3.3.1.3. Reforms in Education and Culture During the Period of Habib Bourguiba**

After Habib Bourguiba was freed from French rule, he saw education as one of the important issues for the reconstruction of Tunisia. Because he believed that modern education would create a developed Tunisia. In line with this, he reduced the defense budget and prepared budgets focused on education. Habib Bourguiba's main idea on education can be understood from his statement, "Who will attack us? We have neither oil nor gas. Besides, if our neighbor decides to attack us, we cannot stand against him. Therefore, let's focus on education and health. We will handle the rest through diplomatic means." (Maktuf, 2013, p. 36).

The reason why Habib Bourguiba gave priority to reforms in the fields of education and culture was that he thought that education was the most important issue for a modern Tunisia. Because, according to him, modern education would create a more independent Tunisia. He

made great efforts to ensure that women and men were equal in the education system. In this context, he first corrected the mistakes of the French system during the protection period in the education system and made efforts to make the school attractive for women and men. In addition, in 1958, he accepted the “Unity of Education Law” and united different types of schools and made them secular (Mahmutoglu, 1999, pp. 190-191).

In order to increase the rate of school attendance, Habib Bourguiba made it the country's goal to have primary and high school education for all children since 1958. In the government program he established and in the state budgets he prepared, he allocated large amounts of money for new schools and teachers. Especially the large investments made in education have significantly reduced poverty in the country compared to other African and Middle Eastern countries and the standard of living has increased.

Another important issue that has been discussed in the post-independence process of Tunisia has been the decision on which language education will be given. During the protectorate period, it was used together with Arabic and French in education and created a dualism. First, Habib Bourguiba declared Arabic as the national language. In addition, with the idea that it would connect Tunisia to the world and provide economic development, it was adopted to give education in French with a joint decision taken with the government and party leaders. Thus, it was accepted that Arabic and French would be taught together starting from primary school. The religious content programs in the school curriculum were reduced. As a result of all these efforts, an increase in the literacy rate was observed in the first three years. Towards the end of the 1960s, it became the most educated state among African and Middle Eastern countries with an eighty percent literacy rate and a seventy percent school attendance rate. Another reform of Habib Bourguiba was sending students to the USA and European countries on scholarships. Habib Bourguiba invested in modernizing the University of Zeitune and appointed a Rector who supported Western-style education. He founded the University of Tunis, which also adopted the Western education system, in 1961. Habib Bourguiba's secular and modern education system began to bear fruit in the 1980s. By 1980, the number of students attending school had broken a record. While the rate of attending school at the high school level was forty percent, at the primary level, eighty-five percent of boys and seventy percent of girls were receiving education in primary schools. Habib Bourguiba gave great importance to theatre. He provided financial support to theatres, which he saw as a tool for the formation of national consciousness and the development of national culture, through the ministry. He organised theatre festivals in cities. After independence, he invested in cinema as well as theatre. The most important example of this is the Carthage Film Festival, which was held in 1966 (Perkins, 2004, pp. 137-141).

Television began to be watched in Tunisia in the 1970s. The government used television as a tool for education and training. Habib Bourguiba's goal was to have a television for every family. He imported televisions and lowered their prices so that all Tunisian people could afford them. At Habib Bourguiba's request, news, educational and cultural programs were broadcast on television channels (Perkins, 2004, p. 180).

As a result, Habib Bourguiba continued his reform policy in the education system throughout his rule.

### **3.3.1.4. Reforms in Social Structure During the Period of Habib Bourguiba**

He has made many reforms in the social field. Habib Bourguiba has developed issues such as democracy, human rights, and women's rights, and ensured that they are included in the constitution and laws. With the Law on the Status of Individuals, Habib Bourguiba has made many improvements to women that were unimaginable in other African and Middle Eastern countries, and has given them extensive rights, thus improving their social status (Pappe, 2011, pp. 308-309).

Habib Bourguiba tried to abolish the tribal system in rural areas. He forced the people under tribal pressure in rural areas to migrate to the city centers. As a result of this migration, he tried to create an urban and educated Tunisian people. He also fought against religious orders and implemented practices aimed at practicing religion under the control of the state. In the big picture, his aim was to establish a nation-state structure in Tunisia. In addition, he aimed to develop the understanding of citizenship.

Habib Bourguiba made men wear jackets and ties instead of traditional clothes; he banned women from wearing veils. His statements about not fasting during Ramadan, not making expensive pilgrimages to Mecca and instead going to the holy city of Kairouan in Tunisia, caused Habib Bourguiba to be criticized by the Islamic community (Özey, 2009, p. 183)

As a result of the reforms and revolutions made by Habib Bourguiba, Tunisia became a state that attracted the attention of the world public opinion in the early days of independence. Habib Bourguiba, who wanted to create a nation state, was successful in this and made the Tunisian people different from the people of other states in the region.

### **3.3.1.5. Political Reforms During the Period of Habib Bourguiba**

Habib Bourguiba had the constitution of Tunisia as an Islamic state. This is the most important example of his thinking of the principles of Islam together with the concept of a modern, secular state. Habib Bourguiba adopted the idea of establishing a modern state that did not forget its Islamic roots. Habib Bourguiba made Islam a constitutional source without adopting the concept of an Islamic state. He managed to achieve this with a balance that he established on Tunisia's own realities. In this context, while he declared the country of Tunisia as Muslim, he did not declare the state of Tunisia. Because the first article of the constitution clearly stated that "Tunisia is a free country. Its religion is Islam and its language is Arabic" and religion was included in the constitution. For this reason, Habib Bourguiba received the title of Islamic Reformer. He also formed a structure consisting of pro-Western secular elites against the conservative Islamist opposition that would oppose the reforms.

Habib Bourguiba did not want a strong army in Tunisia. The main reason for this situation was that he did not want the army to interfere in politics. Although the army was tried to be

strengthened over time, it was developed in a way that it did not have the power to challenge political authority (Dincer & Coskun, 2011, p. 14). While the army was placed under the command of the civilian administration, Habib Bourguiba also created opposing forces such as the police for possible situations (Murphy, 2011, p. 17).

The regime established by Habib Bourguiba in Tunisia is sometimes discussed and criticized. Despite the reforms that transitioned to democracy, it established and developed leader-guided democracy in Tunisia over time. The party established a presidential regime that gathered within the framework of influencing the elite class and the people. Habib Bourguiba formed a small elitist committee within the party's central committee of thirty people and made important decisions there. In this regime established by Habib Bourguiba, the Islamist conservative segment and the opposition were subjected to violence and oppression. For this reason, he was referred to as a dictator by his opponents. This Jacobean style of governance, called the Bourguiba regime, continued until Habib Bourguiba was overthrown from the presidency by Zine El Abidine Ben Ali in a bloodless revolution (Perkins, 2004, pp. 137-141). Habib Bourguiba transformed Tunisia into a state (July 25, 1957 – November 7, 1987) that lived in peace, progressed on the path of development, had a healthy and educated society, managed its finances carefully, had long-term goals, ensured gender equality, had a growing middle class, and was getting closer to becoming a nation state every year.

## Conclusion

The events that began after the Arab Spring have been experienced and are being experienced differently in each state due to its unique accumulation, history and democratic culture. In addition, the rise of radical Islam and violent movements are constantly seen in every country that experienced the Arab Spring. It is a common opinion that Tunisia has experienced this wind very lightly compared to other countries.

This article is based on the main idea that Tunisia is exceptional from other countries that experienced the Arab Spring and that its characteristics such as the educated and powerful middle class that emerged as a result of the reforms made by Habib Bourguiba and its unique social and political structure have had a great impact on its achievement of this distinction.

Tunisia, which became an independent state in 1956, has always turned its face to the West with the reforms carried out under the leadership of Habib Bourguiba. Habib Bourguiba, also influenced by the French education he received, aimed to make Tunisia a secular, modern and democratic country that would be an example to neighboring countries in the Middle East and North Africa. He also did not reject Islamic teachings, but brought together Islam and modern understanding. Within this framework, he made many reforms from law to education, from social life to political life. In particular, the Law on the Status of Persons, which Habib Bourguiba personally put into practice, and the adoption of the 1959 Tunisian Constitution, which was a modern and secular constitution, were democratic reforms that had not been experienced or experienced in other African and Middle Eastern countries.

The reforms made by Habib Bourguiba created the infrastructure of today's Tunisia and laid the foundations of the state. Habib Bourguiba, who wanted to create a nation state, was successful in this. He expanded the reforms that started in the 1860s and continued during the protectorate period and spread them to the public in a more comprehensive way, thus distinguishing Tunisia from other countries in the region in a positive way.

In conclusion, the secret of Tunisia's success in the Arab Spring and afterwards lies in its historical democratic heritage. Tunisia is not like other states that experienced the Arab Spring. In this context; it is necessary to look for the democratic society that emerged as a result of Habib Bourguiba's reforms that enabled the people to expel dictator Zine El Abidine Ben Ali from the country, hold elections and maintain the state mechanism.

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