Democratic Transitions in Comparative Perspective: Tunisia and Egypt in the Post-Arab Spring Process

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DEMOCRATIC TRANSITIONS IN COMPARATIVE PERSPECTIVE: TUNISIA AND EGYPT IN THE POST-ARAB SPRING PROCESS

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Abstract

How can one think of the possibility of emergence of democracy in non-Western countries? Such an idea had been approached in pessimism for a long time in academia. This is because the conditions deemed indispensable for democratic development (such as high rates of urbanization and literacy) rarely existed in those countries. Thus, the concept "Western democracy" was considered an oxymoron, since, according to earlier scholars of democracy, only Western polities could meet the conditions/prerequisites for the genesis of democracy. Nevertheless, this long-held prophecy was challenged as non-Western countries demonstrated significant progress towards establishing a democratic rule, despite having "so-called" unfavorable conditions (such as religion or poor economic performance) to democratic development. Despite this global resurgence of democratic governance, the countries in the Middle East and North Africa were never able to develop a democratic rule, a situation that has long been explained by pointing at the "exceptional" characteristics (primarily Islam) inherent in the region. Yet, the events that began on December 17, 2010 in Tunisia opened up the possibility for the countries that had been long-ruled by autocrats to embark on a democratic transition. The uprisings that eventually unseated longtime authoritarian rulers (only occurred in Tunisia, Egypt, Yemen, and Libya) enabled divergent socio-political forces to become involved in transitional processes in the aftermath of regime breakdowns. However, only the first two cases had meaningful steps that were taken towards sustaining the transition. This research has been built on the argument that four key factors have played important roles in transitional processes of these two cases, namely Tunisia (the transition to a democratic governance) and Egypt (the restoration of a new form of authoritarianism): the formation of the state, pact-making compromises among revolutionary actors, moderation of religious parties, and civil society activism. In addition to explaining the divergence in these two countries' transitional processes, this research has been written in response to the prolonged pessimism that the regimes in the region are destined to stay non-democratic.

For my parents, Necla and Erdogan Eryilmaz

And for those who opposed tyranny for the sake of freedom…

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INTRODUCTION

The claim that democracy or a democratic form of governance would not grow in Middle East and North Africa (MENA) has long been commonplace, especially in the Western scholarship. Embedded political framework, historical background, institutional legacy, and cultural baggages are believed to account for the failure or inadequacy to establish an accountable and functioning political system in the region. Given the data provided by Freedom House annually, none of the political systems in the region was considered "free" before 2010. However, the Arab Spring unfolded a new political phase. December 17, 2010 marked a critical moment in Arab political history, variously labeled by many regional and international observers as "Arab Awakening," "Arab Uprisings," or "Arab Spring." Intrinsically, it promised to redefine the relationship between the *ruled* and the *ruler* in the countries in which it occurred.

One of the major questions that the Arab Uprisings raised was to what extent the countries shaken by the uprisings could transform their authoritarian political system into a democratic structure. There is a rich scholarly literature indicating that transitional processes are complex and that authoritarian regimes equip themselves with various tools (repression through security apparatus or co-optation of the opposition figures) in order to maintain the status-quo.[1] They help us understand why a democratic transformation is hardly to occur in the region. However, there is one case telling a different story for almost six years: Tunisia. The Economist magazine indicated Tunisia as the country of 2015: "The idealism engendered by the Arab spring has mostly sunk in bloodshed and extremism, with a shining exception: Tunisia…Its economy is

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[1] Jason Brownlee, "Political Crisis and Restabilization: Iraq, Libya, Syria, and Tunisia," in Marsha Pripstein Posusney and Michele Penner Angrist (eds.), *Authoritarianism in The Middle East: Regimes and Resistance* (Boulder: Lynne Rienner Publishers, 2005): 47-48; see also Eva Bellin, "Coercive Institutions and Coercive Leaders," in Marsha Pripstein Posusney and Michele Penner Angrist (eds.), *Authoritarianism in The Middle East: Regimes and Resistance* (Boulder: Lynne Rienner Publishers, 2005): 24.

struggling and its polity is fragile; but Tunisia's pragmatism and moderation have nurtured hope in a wretched region and a troubled world. *Mabrouk*, Tunisia!"2 As in Tunisia, the long-time autocrat was deposed in Egypt in 2011, which raised the hopes for a political change. Yet, since the mid-2013, when the military ousted the country's first civilian president with the support of millions of Egyptians, Egypt's political landscape gradually has reverted to "the same old story." As Dina Rashed wrote in 2016, "Five years later, the relationship between citizens and the police remains uneasy. Despite some early attempts at reform, abusive practices have returned and the state's institution of law and order is shaky."3

The prospect of a democratic transition in the Arab world, where none of the waves of democratization (one beginning in the 1820s, one after the World War II, and one throughout the 70s and 80s) reached, is worth considering. The main question of this thesis is: how does a country in which authoritarianism prevailed for so long realize its transition towards democratization? Is a "way out" possible, and if so, how? Tunisia and Egypt provide instructive examples to address these questions. In essence, a comparative analysis of the challenges of democratization by examining both cases will show the blueprint of this "way out."

Defining Concepts

Before attempting to examine whether democratization is likely in MENA, it is necessary to define the key concepts that will be used throughout the research. *Democratic transition* and *democratization* are the two key concepts to which I will refer interchangeably throughout this thesis, largely because the focus of this research is how an undemocratic regime is replaced with a relatively democratic one in which civilians govern and are held accountable for their policies.

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2 "Hope Springs," *The Economist,* December 20, 2014, as quoted in Shelly Culbertson, *The Fires of Spring: A Post-Arab Spring Journey the Turbulent New Middle East* (New York: St. Martin's Press, 2016): 16.
3 Dina Rashed, "What has changed in the five years since Egypt's police sparked a revolution — and what hasn't," POMEPS Studies 18, March 2016: 9.

In other words, my focus is how to make a genuine break from authoritarian past or at least how to establish an electoral democracy in countries that are long ruled by autocrats. Over the years of research on democratic transition, scholars have approached it from different angles, each shedding light on particular aspects of democratic transition. Some scholars conceptualize democratic transition or democratization as simply a "replacement" of an undemocratic political system with a relatively more democratic one.[4] Others, with whom I agree, see it as a "process" of making an undemocratic system a more democratic one. Within this tradition, Guillermo O'Donnell and Philippe C. Schmitter (1986) define democratic transition as an "interval" between "the launching of the process of dissolution of an authoritarian regime" and "the installation of some form of democracy."[5] Besides, it would be a mistake to equate democratization with a mere *electoralism* in which the seemingly free elections occur after the authoritarian regime breaks down, but the shadow of the actors or institutions of the old regime continue to be felt by the revolutionary civilians.[6] With this in mind, I consider the following situation as the failure of democratic transition: an undemocratic regime is overthrown (the beginning of democratic opening) but then a variant of it reemerges with different actors. Sometimes, the remnants of the old regime (the military, judiciary, or the leading figures from the old regime) do not wish to install an accountable and better-functioning system after the longtime autocrat steps down, largely because of less "rewarding" conditions of such a new system. In this case, they intervene in the transitional process and narrow the realm of civilian authority, which I consider the failure of the transition.

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[4] Patrick Bernhagen, "Measuring Democracy and Democratization," in Christian W. Haerpfer, Patrick Bernhagen, Ronald F. Inglehart, and Christian Welzel (eds.), *Democratization* (New York: Oxford University Press, 2009): 25.
[5] Guillermo O'Donnell and Philippe C. Schmitter, *Transitions from Authoritarian Rule: Tentative Conclusions about Uncertain Democracies*, (Baltimore and London: The Johns Hopkins University Press, 1986): 6.
[6] Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe* (Baltimore & London: The Johns Hopkins University Press, 1996): XIII, 3-7.

Methodology

Essentially, this study is based on a qualitative analysis, focusing primarily on an extensive literature review of democratization processes in countries going through the transitions.[7] It will take a comparative approach in investigating the prospects and pitfalls of the democratic transition processes. The Arab Spring, as a whole, provides a significant study area to observe the process of "moving away" from authoritarianism as well as the transitional challenges while tipping towards democracy. In examining this issue, a case study method will be used. By closely investigating each country in which the Arab Spring had broken out, I aimed to find cases that are comparable in terms of sharing a similar socio-economic and political framework. Apart from publicly accessible primary sources such as interviews and statements of the leading political actors responsible for overseeing their countries' transitions, I largely rely on secondary sources such as articles, books, and reports written on the Arab Spring and the country-specific trajectories in its aftermath.

Outline of the Study

Chapter I provides an overview of the Arab uprisings and its place in the studies of democratization. It also provides a literature review discussing the prospects and pitfalls of a transitional period. It suggests that post-revolutionary politics is more prone to transforming back to the old authoritarian regime than holding on to democratization process. As will be shown, a

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[7] Some of the most notable works are Jason Brownlee, Tarek Masoud, and Andrew Reynolds, *The Arab Spring: Pathways of Repression and Reform* (Oxford and New York: Oxford University Press, 2015); Justin Frosini, Francesco Biagi, Duncan Pickard, and Nathan J. Brown (eds.), *Political and Constitutional Transitions in North Africa* (New York: Routledge, 2015); Alfred Stepan and Juan J Linz, "Democratization Theory and the 'Arab Spring'," *Journal of Democracy* 24 (2), 2013; Amel Ahmed and Giovanni Capoccia, "The Study of Democratization and the Arab Spring," *Middle East Law and Governance* 6, 2014; O'Donnell and Schmitter (1986); Linz and Stepan (1996); see also Giuseppe Di Palma, *To Craft Democracies: An Essay on Democratic Transitions* (Berkeley and Los Angeles: University of California Press, 1990).

sound democratic transition requires a set of factors that could keep a country in the transitional path, using the cases of Tunisia and Egypt to trace the importance of these factors.

Chapter II and III are organized similarly. They will be devoted to historical backgrounds of the uprisings specific to each case, Tunisia and Egypt. Events that began in Tunisia on December 17, 2010 have encouraged scholars to revisit the existing scholarship of the "resiliency" of authoritarianism in the region. Post-Arab Spring process has shown that authoritarian regimes can re-stabilize themselves or adapt to differing conditions in various ways. I will first trace the mechanisms/determinants sparking the mass revolts and demands to which they gave rise and then how political elites oversaw the transitional period in both countries.

Chapter IV is the core of this study, propounding a multifaceted approach that combines differing analytical foci together into a complex but coherent synthesis. It will suggest that there are four significant factors that determine whether a country makes a successful transition to democracy or transforms back to authoritarianism. First, I will examine the formation of the state in MENA, focusing specifically on the civil-military relations and its impact on a country's democratic transition. This is largely because the regimes in MENA are often structured around the governments' security apparatus. Transitional processes are likely to be slowed down (or hindered under differing conditions) when the ouster of the autocrat leaves the political landscape to the remnants of the old regime. For this reason, the military officers are highly likely to play a proactive role during transitional process as arbiters in order to maintain their current political ambitions, and if possible, to enhance their institutional autonomy at the expense of civilian authority. Thus, I will argue that the prospect of democratization is in part bound by the extent to which the military establishment is historically (de)politicized. Second, I will

examine the role of agency (with an actor-centered focus) with regard to power-sharing compromises among political elites in the transitional process. Islamist parties in Tunisia and Egypt received the majority of votes in the first democratic elections, but the way they channeled this support into resolving the problems of transitional process differed significantly in the two cases under study. Third, I will analyze the relationship between the moderation of Islamist parties in both cases and its impact on these countries' democratic transitions. I will argue that the degree to which Islamist parties that came to power in the aftermath of the uprisings had put aside the core/ontological elements of their ideologies over time is pivotal to explaining the divergence in the transitional outcomes. Finally, I will examine the role that civil society plays in democratic transitions and how civil-society groups contributed to political transitions in the cases of Tunisia and Egypt.

CHAPTER I

1.1. Democratization: How and Where is It Possible?

Is it possible for countries in which non-democratic governance has prevailed for so long to democratize their political systems? Are the regimes in non-Western countries destined to stay authoritarian as suggested by a number of prominent scholars? Or is it not too late to hope for a democratic transformation in regions like Middle East and North Africa if certain factors and elements are present during a transition from authoritarianism?

How a democracy comes about has been an important question, and answers given to it vary. While some scholars concentrate on the "prerequisites"[1] for the existence of democracy in a given country, others approach democracy as an eventual destination into which a regime naturally evolves through some political developments.[2] Robert Dahl, whose writings have long shaped the study of democracy, suggested that *appropriate* requirements for democracy are invented and reinvented at different times and in different places (without being too strict about *where* it can emerge).[3]

Early explanations (modernization theory) of how democracy comes about begins with the assumption that countries follow or go through a number of similar processes, such as urbanization, industrialization, high level of education, and increasing national income. Therefore, democracy can take roots in a society *if* these grand processes are *already* in play.[4] As Lipset pointed out:

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[1] Seymour Martin Lipset, "Some Social Requisites of Democracy: Economic Development and Political Legitimacy," *The American Political Science Review* 53 (1), 1959.

[2] Samuel P. Huntington, "Will More Countries Become Democratic?" *Political Science Quarterly* 99 (2), 1984: 198-214; see also Ahmed and Capoccia (2014): 19.

[3] Robert A. Dahl, *On Democracy* (New Haven & London: Yale University Press, 2000): 9.

[4] Jan Teorell, *Determinants of Democratization: Explaining Regime Change in the World, 1972-2006* (Cambridge: Cambridge University Press, 2010): 17.

One must be able to point to a set of conditions that have actually existed in a number of countries, and say: democracy has emerged out of these conditions, and has become stabilized because of certain supporting institutions and values, as well as because of its own internal self-maintaining processes.[5]

In addition, the localization of democracy or democratic norms became a common theme in the earlier explanations of where it develops. According to these explanations, the conditions that favor democracy are *geographically uniform* and hard to diffuse where they are weak or absent. According to some, only in the countries of northwest Europe and their English-speaking colonies could democracy develop due to a historically unique presence of such conditions such as capitalist economic development and the existence of bourgeois class.[6] This approach deems the prospect of democratization in the non-Western or non-English speaking cultures limited, if not impossible.

Considering the non-Western societies, cultural arguments revolving around religion have dominated the discussions of why some can possess democratic norms but not the others. Religion has long been blamed for less support for the development of democracy. Catholicism, Orthodox Christianity, Confucianism, and Islam were believed to have certain characteristics that negatively affect the prospect for the establishment of democratic governance. Protestanism is often differed from these four religious understandings. For, in Lipset's argument, "these differences have been explained by (1) the much greater emphasis on individualism in Protestantism and (2) the traditionally close links between religion and the state in other four religions."[7] Nevertheless, if the problem is embedded in religion, what then explains democratization of Indonesia, where Islam is the dominant religion? Similarly, Confucianism

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[5] Lipset (1959): 69.
[6] Lipset (1959): 85.
[7] Seymour Martin Lipset, "The Social Requisites of Democracy Revisited: 1993 Presidential Address," *American Sociology Review* 59 (1), 1994: 5.

was deemed the main obstacle for the development of democratic institutions in East Asia in the 1980s, but then democratizations of South Korea and Taiwan followed. Therefore, as stated by Teorell, "religious obstacles to democratization have been cited before only to be disproved by history at a later time point."[8]

In his widely cited article, Samuel Huntington claimed that democratic norms can only flourish and be well-instituted in Western culture, drawing the academic attention to Muslim populated/Middle East and North Africa countries to have cultures that are hostile to democracy.[9] Elli Kedourie is another scholar, who agrees with Huntington on the incompatibility between cultural norms in Muslim countries and the genesis of democracy. He wrote:

> There is nothing in the political traditions of the Arab world—which are the political traditions of Islam—which might make familiar or indeed intelligible, the organizing ideas of constitutional and representative government. The notion of the state as a specific territorial entity which is endowed with sovereignty, the notion of popular sovereignty as the foundation of governmental legitimacy, the idea of representation, of elections, or popular suffrage, of political institutions being regulated by laws laid down by a parliamentary assembly, of these laws being guarded and upheld by an independent judiciary, the ideas of the secularity of the state, of society being composed of a multitude of self-activating, autonomous groups and associations—all these are profoundly alien to the Muslim political tradition.[10]

Others, like Shadi Hamid, propound that Islam as a religion and as an idea "poses" a "vexing" problem for the "modern nation state," suggesting that its "never-changing" character can hardly adapt to contemporary politics.[11] Yet, "democracy is alien to the mind-set of Islam" is an essentialist argument, as Hinnebusch (2006) has pointed out, because it ignores the fact that Islam "varies too widely by context and time" to generate an unfriendly environment for

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[8] Teorell (2010): 50.

[9] Samuel P. Huntington, "Democracy's Third Wave," *Journal of Democracy* 2 (2), 1991: 22-23.

[10] Elie Kedourie, *Democracy and Arab Political Culture* (Washington, DC: The Washington Institute for Near East Policy, 1992): 6.

[11] Shadi Hamid, *Islamic Exceptionalism: How the Struggle Over Islam Is Reshaping the World* (New York: St. Martin's Press, 2016).

democratization to emerge.12 In general, those who have long explained the continuity of authoritarianism in the region by pointing at the religion of Islam often hold a narrow and deterministic approach towards the presumed incompatibility of Islam and democracy. I think it is more likely that authoritarian persistence in the region is rooted primarily in the poor governance and the absence of strong institutions instead of the presence of certain cultural characteristics.13 An appropriate explanation of the resilience of authoritarianism is noted by Anthony Cordesman, who has argued that the continuity of authoritarianism in the region "lies in the fact that many Middle Eastern states have no enemy greater than their own governments."14 Cultural arguments may be explanatory in understanding the longevity of "democratic consolidation" processes as the democratic norms and values become gradually integrated into the newly democratizing political system, but not necessarily in explaining "democratic opening" per se.15

Moreover, claiming that "an authoritarian regime will be transformed into a democratic one if *some conditions* already *exist* in this regime" reflects a single-factor causality. Dankwart Rustow argued against this issue in his well-known article, "Transitions to Democracy: Toward a Dynamic Model." His article suggested that earlier assumptions connecting the existence of

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12 Raymond Hinnebusch, "Authoritarian persistence, democratization theory and the Middle East: An overview and critique," *Democratization* 13 (3), 2006: 375.

13 For an excellent analysis on the underlying factor that determines the success or failure of a political system, see Daron Acemoglu and James Robinson, *Why Nations Fail: The Origins of Power, Prosperity, and Poverty* (New York: Crown Business, 2012). For Acemoglu and Robinson, the indicators such as "geographical misfortune," "cultural baggage," or "external exploitation," elements long deemed vital to establish a successful political system, are instead of less importance in comparison to "institutionalization."

14 Anthony Cordesman, "Transitions in the Middle East: An Address to the 8th U.S. Mideast Policymakers Conference," September 9, 1999, as quoted in Lisa Anderson, "Arab Democracy: Dismal Prospects," *World Policy Journal* 18 (3), 2001: 54. Along the same lines, Larry Diamond wrote, "the obstacle to democracy in the Middle East is not the culture, or the religion of Islam, or the society, but rather the regimes themselves," see Larry Diamond, *The Struggle of Democracy: The Struggle to Build Free Societies Throughout The World* (New York: Holt Paperbacks, 2008): 277.

15 Mehran Kamrava, "The Middle East's Democracy Deficit in Comparative Perspective," *PGDT* 6, 2007: 196-197.

democracy with particular preconditions such as per capita income, widespread literacy, and commonality of the urban residence should be revisited. Indeed, they falsely presume that the same "footsteps" must be followed or sought after in every country on the verge of a democratic transformation. Actually, these "procedural requisites" do not always coincide; it is normal that some polities might meet some of these conditions that others might not. In addition, even when some of these requisites are already in play, it is still unlikely that they would gradually lead to a democratic opening under an authoritarian regime. Take civil society for example. It is often said that civil society activism would compel authoritarian leaders to be more tolerant of the democratic demands of the public. Yet, the problem with this argument is that it ignores the coercive apparatus of authoritarian regime. The autocrats do not hesitate to resort to force against their citizens when they calculate the survival of their regime is at stake. Thus, the development of civil society does not necessarily open the door to a democratic regime. Nevertheless, once the regime collapses, civil society might begin playing a bridging role among political elites in pushing them to take a more consensual stance towards each other, which is essential to the consolidation of the transitional process.

Furthermore, Rustow pointed out that "the genesis" of democracy does not have to be geographically, temporally, and socially uniform; on the contrary, there may be many roads in order democracy to come about.[16] He suggested that a regime would better manage its democratization process not by "copying" the experiences of other countries, but rather by realizing the *sui generis* challenges facing the transition at the time and by adopting applicable and effective practices for the prospect of the transitional process.[17] Rustow also makes a

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[16] Dankwart Rustow, "Transitions to Democracy: Toward a Dynamic Model," *Comparative Politics* 2 (3), 1970: 346.
[17] Rustow (1970): 354.

conceptual difference between "democracy" and "democratic transitions" when he criticizes earlier approaches for usually lumping these two concepts together. He emphasizes that the latter's alleged promises such as "better economy" or "high literacy rates" should be examined separately when we examine democratic transitions. He famously wrote, "the factors that keep a democracy stable may not be the ones that brought it into existence; explanations of democracy must distinguish between function and genesis."[18]

Furthermore, decades-old experiences of democratization in different geographic regions across the globe can be considered as a significant indicator, manifesting various paths and cases of transitions. In 1973, Freedom House considered only 29 percent of the countries "free," 28 percent "partly free," and 43 percent as "not free."[19] In 2016, the percentage of free countries went up to 40 percent, 24 percent were partly free, and 36 percent were not free.[20] Considering this significant political transformation across the globe, it would be difficult to assert that there is a "transition paradigm" that would explain *all* these democratization experiences.[21]

The more plausible way to examine a transition should begin with the acknowledgement that transitions do not show linear and fixed patterns. Going back to Lipset's deterministic approach that lays down peculiar "ground rules" for a democracy to emerge, he suggested a polity must already meet *certain requisites* of economic development, such as wealth and

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[18] Rustow (1970): 346.

[19] Laurel E. Miller et al., "Democratization in the Arab World: Prospects and Lessons from Around the Globe," RAND National Defense Research Institute, 2012: XVII.

[20] Freedom House, Freedom in the World 2016 Report.

[21] Some scholars argue against maximalist approaches overlooking differing experiences of regime change in different parts of the globe. For example, Michael McFaul criticizes Huntington's three waves of democratization theory in terms of its practicality to understand regime changes in post-communist countries, suggesting that the outcomes of transitional experiences in post-communist countries need to be grouped into a new "fourth wave" as they had eventuated in both democratic and dictatorial forms of governance. For a detailed analysis, see Michael McFaul, "The Fourth wave of democracy and dictatorship: Non-cooperative transitions in the post-Communist world," *World Politics* 54 (2), 2002.

education, so then democracy can emerge.[22] However, the determinism embedded in his argument is bound to fail due to their ambiguity of identifying "technically" at what point authoritarianism ceases and democracy emerges.[23] Prophecies of modernization theory have failed explaining, for example, why India, where the rates of poverty and illiteracy are still relatively high,[24] has consolidated its democracy; or how Mali, a poor and democratically inexperienced country, was recognized as "free" by Freedom House in 2011.[25] Likewise, Latin American transitions during 1978-2000 period showed that the overall relationship between democracy and economic development is not always clear as promised. Within this period, only four successful cases of democracy emerged: Costa Rica, Colombia, Venezuela, and the Dominican Republic, though the most prosperous countries in the region during this period were Argentina, Chile, and Uruguay.[26]

Another weakness of structural approaches like Lipset's is that they do not specify the role of agency as well as why and how social actors initiate regime transformations. Jan Teorell suggests that the human agency is "black boxed" in structural approaches and institutional factors - such as urbanization, wealth, and industrialization - are given causal primacy such that democratic developments are located beyond the reach of human agency.[27] Therefore, an effort to understand the genesis of democratization also needs to take into account the agency and strategic compromises between political elites. A sound bargaining between the political elites

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[22] Lipset (1959): 75.

[23] Hinnebusch (2006): 375.

[24] Socioeconomic and Caste Census (SECC) in India shows that 73 percent of Indians still live in villages and only less than 5 percent of them are able to pay their taxes. Among this rural population, less than 10 percent have paid jobs. See Ritika Katyal, "India census exposes extent of poverty," *CNN,* August 2, 2015; see also Tarek Masoud, "Has the Door Closed on Arab Democracy," *Journal of Democracy* 26 (1), 2015: 80.

[25] Freedom House, Freedom in the World 2011 Report.

[26] Peter H. Smith, *Democracy in Latin America: Political Change in Comparative Perspective* (New York: Oxford University Press, 2005): 50-53.

[27] Teorell (2010): 17-18.

could be a significant indicator to take into account while examining how democratization occurs about and how it is sustained.

1.2. Reconsidering the Arab Uprisings

It is said that revolutions are impossible until they become inevitable.[28] In MENA, the autocratic political framework has long blurred the distinction between the ruling party and ruling institutions, since the autocrats structure the state as their personal apparatus. Thus, in 2010, people turned to streets since they did not see any political parties or political mechanisms that would represent them or to bring about a meaningful change in their lives.[29] The hopelessness that none of the desired changes would be realized without revolutionary demonstrations left people no other options but to protest.[30]

Since the first days of the uprisings, scholars of Arab politics have been uncovering the reasons behind this "taboo-breaking" transformation in Arab political history. Those who had long based their arguments on cultural and essentialist claimed that "Muslim" democratization was not likely anytime soon were caught off guard. The main reasons behind these protests were mainly socio-economic, but the outcome became very political as the temper of crowds who took to the streets turned against long-standing and entrenched authoritarian governance. No other political process had similar transformative effects that the Arab Spring has had in the region for decades. Six countries (Tunisia, Egypt, Yemen, Libya, Bahrain, and Syria) were significantly affected by the uprisings through an overthrow of the incumbent ruler (Tunisia, Egypt, Yemen,

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[28] Bruce Crumley, "Tunisia Pushes Out Its Strongman: Could Other Arab Countries Follow?" *Time,* January 14, 2011, as cited in Mark L. Haas and David W. Lesch, *The Arab Spring: Change and Resistance in the Middle East* (Colorado: Westview Press, 2013): 3.

[29] James L. Gelvin, *The Arab Uprisings: What Everyone Needs To Know* (New York: Oxford University Press, 2012): 24.

[30] Haas and Lesch (2013): 3.

and Libya), repression of the social movements (Bahrain), or civil war (Syria). As Rick Stengel writes:

> No one could have known that when a Tunisian fruit vendor set himself on fire in a public square in a town barely on a map, he would spark protests that would bring down dictators in Tunisia, Egypt and Libya and rattle regimes in Syria, Yemen and Bahrain.[31]

The Arab uprisings can be understood as the outcome of semi-autonomous social movements. The relatively autonomous civil society organizations played a major role in determining the course of the events. Daniel Brumberg coined the term *liberalized autocracy*. His categorization refers to long-standing authoritarian regimes that tolerate limited civil and economic liberties.[32] George Joffe indicated that liberal autocracies, ironically, created "space for the evolution of autonomous precursor movements,"[33] and this often led to their own destruction. Civil-society organizations in Tunisia and Egypt have been more established and capable of contesting regime authority (to differing degrees between the two) than similar organizations in other countries in the region. That is why the overthrow of the incumbent regimes became less painful than their equivalents in Libya and Yemen.[34]

Smith noted that democratic openings usually begin in two ways in authoritarian regimes: transition via *rupture*, a sudden break from the authoritarian past, and transition via *reforma*, a type of change reached as a result of give-and-take bargains between the moderate figures of both those in power and those in opposition.[35] In the case of Arab Spring, the revolutionary elites preferred the former scenario, desiring a "genuine" and rapid break from the old regime: a break

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[31] Rick Stengel, "Person of the Year Introduction," *Time,* December 14, 2011.

[32] Daniel Brumberg, "Democratization in the Arab World? The Trap of Liberalized Autocracy," *Journal of Democracy* 13 (4), 2002: 56; Emmanuel Sivan, "Illusions of Change," *Journal of Democracy* 11 (3), 2000: 73; see also O'Donnell and Schmitter (1986): 7.

[33] George Joffe, "The Arab Spring in North Africa: Origins and Prospects," *The Journal of North African Studies* 16 (4), 2011: 517.

[34] Joffe (2011): 517.

[35] Smith (2005): 62-63.

not necessarily from the old regime figures but certainly from its undemocratic mentality. Thus, their ability of departing from the authoritarian legacy has played a significant role in their success to build a more democratic, if fragile, political system.

1.3. The Problem of Authoritarian Resiliency and The Arab Uprisings

At the onset, the Arab Spring was expected to bring about democratic transitions throughout the Arab world. However, Teorell (2010) is right when he writes, "democratization never just happens."[36] Although the protesters were making democratic demands, it would be too easy to consider this "democratic ambition" to be sufficient for a systematic transition towards a democratic regime. Indeed, political developments in recent decades have demonstrated that the democratic opening processes in the region are more prone to regressing into new authoritarian forms of governance, for example "competitive authoritarianism,"[37] in which autocrats instrumentalize so-called competitive elections to camouflage authoritarian characteristics of their regimes. Besides, scholars have kept highlighting peculiar factors that make authoritarianism resilient in the MENA autocracies.[38] Considering the process in its entirety, it is certain that factors that sparked region-wide demonstrations, mostly economic grievances, did not easily fade away but kept influencing the transition processes following the regime breakdowns.[39] In addition, protesters toppled authoritarian rulers; however, the decades-long

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[36] Teorell (2010): 100.

[37] Steven Levitsky and Lucan Way, *Competitive Authoritarianism: Hybrid Regimes after the Cold War* (Cambridge: Cambridge University Press, 2010).

[38] For a thorough analysis of why only few Arab states have experienced a regime change but the installation of a variation of a democracy in the Arab Spring context, see Jason Brownlee, Tarek Masoud, and Andrew Reynolds, "Why the Modest Harvest?" *Journal of Democracy* 24 (4), 2013.

[39] Linz and Stepan (1996) argued that people who had lived under a non-democratic governance and made their lives in it for so long might experience difficulties to adapt themselves to an emergent democratic regime. Linz and Stepan discussed that this situation might eventually push individuals to assess the undemocratic past as not all bad as they thought when they compare the economic advantages the new democratic regime offers in the present to those that the past undemocratic regime provided. The majority of the public might consider the new democratic regime "politically legitimate" but simultaneously believe that the past undemocratic regime was economically more

legacy of the authoritarian political structures long sustained by these rulers continued to be resistant to change. The issue at stake was no longer autocracy as such, but how to make a transition to a functioning and relatively more democratic system.[40]

It is clear that the achievement of democracy requires much more than simply the removal of the existing ruler. Brownlee et al. (2015) point out that the concept "regime change" usually creates hopes for a democratic transition following regime breakdown. However, for the most part, the "existing political structure" and "regime-society relations" tend to continue by and large following the regime breakdown.[41] Holding a relatively minimalist stance, Samuel Huntington offered *two-turnover test* to check if a democratization process may be deemed successful: "a democracy may be viewed as consolidated if the party or group that takes power in the initial election at the time of transition loses a subsequent election and turns over power to those election winners, and if those election winners then peacefully turn over power to the winners of a later election."[42]

The democratization process following regime breakdown is complex as there is an extraordinary uncertainty about "what will replace the old order." The outcome is twofold: either "the instauration of a political democracy or the restoration of a new, and possibly more severe, form of authoritarian rule."[43] Hopes of transition from authoritarian regime[44] might gradually

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effective. Linz and Stepan identified this pattern in Central European (post-Communist) and Southern European countries' (especially Spain and Portugal) democratic transitions, particularly at their earlier stages. See their discussion on the issue, Linz and Stepan (1996): 143-147.

[40] Ibrahim Fraihat, *Unfinished Revolutions: Yemen, Libya, and Tunisia after the Arab Spring* (New Haven & London: Yale University Press, 2016): 1.

[41] Brownlee et al. (2015): 21-22.

[42] Samuel Huntington, *The Third Wave: Democratization in the Late Twentieth Century* (Norman: OK: University of Oklahoma Press, 1991): 267, as quoted in Brownlee et al. (2015): 101.

[43] O'Donnell and Schmitter (1986): 3.

[44] Some post-revolutionary actors believe that they would proceed directly from the removal of authoritarian leader to a substantive democratic order without experiencing any setbacks that might derail the transitional process. See Laurence Whitehead, *Democratization: Theory and Experience* (Oxford: Oxford University Press, 2002): 45.

vanish as a country in transition reverts back to its *ancien* form of rule (*status quo ante*). For instance, once the regime collapses, socio-political polarization might replace the sense of national unity that emerged during the uprisings. Thus, managing deep grievances of people that just overthrew their authoritarian leader requires a masterful socio-political reconciliation. The tension between the beneficiaries of the old regime (e.g. strong institutions such as military establishment) and those who brought it down is one of the major obstacles to overcome during transitional periods.[45]

With a close focus on the Arab Spring, out of the six countries that experienced the uprisings, Tunisia and Egypt differ from other cases significantly in moving towards a form of democratic order. How did this come about? To borrow from Brownlee et al. (2015), democratic transition is composed of *the completion of transition* (through founding elections) and *the maintenance of transition* (through drafting a liberal constitution and establishing a more participatory political system).[46] Brownlee et al. cites Linz and Stepan's (1996) conceptualization of when a democratic transition is considered *completed,* which is a different stage from the *maintenance* of the transition:

> Sufficient agreement has been reached about political procedures to produce an elected government, when a government comes to power that is the direct result of a free and popular vote, when this government *de facto* has the authority to generate new policies, and when the executive, legislative and judicial power generated by the new democracy does not have to share power with other bodies *de jure.*[47]

Mass protests in Syria and Bahrain failed in deposing the autocrat; therefore, these cases did not even meet the primary condition for democratization: the overthrow of the existing regime. What about Libya and Yemen? Demonstrations proved successful in unseating the

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[45] Fraihat (2016): 2-3.
[46] Brownlee et al. (2015): 171.
[47] Linz and Stepan (1996): 3, as quoted in Brownlee et al. (2015): 101.

authoritarian ruler, but what followed was a civil war in Libya and reinstitution of a political order (one that mirrored the old authoritarian past, but this process is not over yet) in Yemen. Therefore, those who demanded "change" in both cases did not go through even a contested election following the regime breakdown.

As a result, the *completion of transition* phase took place only in Tunisia and Egypt. For the first time since their independence from colonial rule, people in Tunisia and Egypt were given an opportunity to freely choose who would rule the country. However, as noted earlier, while the ballot box is an indispensable requirement for a successful transition, it is not enough by itself to maintain the transition. Considering the divergence in the post-Arab Spring trajectories in Tunisia and Egypt, the following questions deserve a close consideration for the purpose of this research: What are the institutional and socio-political elements of a democratic transition besides holding elections? To what extent does the state formation or long-standing state institutions take a part in tipping a country towards democratic consolidation? Furthermore, as agency aspect of democratization processes, what role do political elites' ideological standpoints and their flexibility/readiness to compromise those standpoints play in the maintenance of democratization process? Would a strong civil society move an authoritarian regime towards democratization? Considering the effective use of coercive apparatus in the hands of autocrats to suppress any liberalization demands in the public, the following would be a more plausible question: At what point does civil society activism under authoritarian conditions begin functioning as a catalyst to help sustain the democratization process? These questions will be addressed later in this study.

CHAPTER II

2.1. Tunisia's Revolution

Some Tunisians like to joke: "We are the only country that had a revolution on the Friday and went back to work on the Monday!"[1] Exaggeration rooted in these remarks is actually appropriate to tell what has happened in Tunisia. On January 14, 2011, Tunisians showed the world that they could no longer tolerate authoritarian governance. It was Tunisia where the dramatic chain of events broke out and led to the toppling of the twenty-three-year rule of President Zine El Abidine Ben Ali. Tunisians proved that a change was possible, so those who were allured by this possibility immediately flowed onto the major squares of their countries. Considering the dramatic political change across the region, Tunisians themselves paid the lowest cost in terms of bloodshed when compared to other countries affected by the uprisings. Willis notes that the number of people who died in forcing Ben Ali to leave his office was less than 300 while thousands in neighboring Libya had to die in toppling Gaddafi.[2] The revolution in Tunisia seemed surprising from the outside world since Tunisia had been regarded as one of the more prosperous and stable countries in the region.[3] But apparently, in the eyes of the majority of Tunisians, the stability did in fact mean long-time anger, frustration, and hopelessness. Belief in revolution gathered people with different motivations (and from different backgrounds) together, leading them to one ultimate purpose: the overthrow of the one who had long made the life unbearable for the citizens. Once they overthrew the ruler, now it was the time to create the "new Tunisia."

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[1] Michael J. Willis, "Revolt for Dignity: Tunisia's Revolution and Civil Resistance," in Adam Roberts, Michael J. Willis, Rory McCarthy, and Timothy Garden Ash (eds.), *Civil Resistance in the Arab Spring: Triumphs and Disasters* (New York: Oxford University Press, 2016): 52.

[2] Willis (2016): 31.

[3] According to a World Bank report on Tunisia's economic performance during 1990s and 2000s, Tunisia was the second fastest growing country in the MENA region, along with rapid poverty reduction since the 1970s, see "The Unfinished Revolution: Bringing Opportunity, Good Jobs, And Greater Wealth to All Tunisians," The World Bank Development Policy Review, May 2014.

A close examination of the chain of revolutionary events that drove Tunisia to the regime breakdown in 2011 and the political transition in its aftermath will provide us with better insights into the broader issues of democratic transition and consolidation in the country.

2.1.1. How did the Tunisian uprising begin?

The event that ultimately toppled Ben Ali's twenty-three-year rule was the self-immolation of a young street vendor, Mohammed Bouazizi, from Sidi Bouzid on December 17, 2010. Bouazizi was 26 years old when he died. He was scrambling to earn enough by selling fruits and vegetables to support his mother, uncle, brothers and sisters. On December 17, although the details of the event still continue to be disputed, a policewoman, Faida Hamdy, confiscated some of Bouazizi's fruits and vegetables and also his electronic scales because Bouazizi did not provide her a legal authorization or license to sell his wares. Then she slapped Bouazizi in the face for resisting the confiscation. He was also beaten by two other colleagues of Hamdy. All the charges against her and her colleagues were to be lifted later. Out of hopelessness, humiliation, and economic desperation, Bouazizi went to the municipal office to demand his wares, but according to the testimony of other vendors, he was beaten again. The fate of Tunisia was about to change on that day. He soaked himself in paint thinner in front of the municipal office and set himself on fire. He was hospitalized and died on January 4th since almost 90 percent of his body was covered with severe burns.[4]

His "martyrdom" drew close attention through social media; pictures and videos showing his helplessness were broadcasted by Al-Jazeera throughout the country and the region. In a short while, many individuals and groups deprived of decent living conditions were to sympathize with Bouazizi's personal sacrifice, as he became the embodiment of decades-long

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[4] Kareem Fahim, "Slap to a Man's Pride Set Off Tumult in Tunisia," *New York Times,* January 21, 2011, as cited in Willis (2016): 32.

anger, frustration, contempt, and desperation that people in the region had long felt. In other words, many people found something in common with Bouazizi's plight and his setting himself on fire in front of the provincial municipality building in Sidi Bouzid. Likewise, on 22 December, Lahseen Naji protested "joblessness and hunger" by electrocuting himself after climbing an electricity pylon.[5] President Ben Ali was unable to understand how five decades of authoritarian rule invoked "the crisis of public identity" and made people do whatever it takes to depose him.[6] In the aftermath of these suicides, the number of people attending the protests greatly increased; thus, the cost of repression of the demonstrations was very high for the government. For this reason, Ben Ali sat down with the opposition to engage in a dialogue and pledged fifty thousand new jobs, barely enough for a third of unemployed university graduates.[7] Two weeks after Bouazizi's suicide attempt, Ben Ali visited Bouazizi at his bedside in the hospital. Nevertheless, "Pandora's Box" had already opened in Tunisia and it was too late for Ben Ali to save his presidency.[8]

Figure 2.1: Tunisian President Zine El Abidine Ben Ali visits Mohammed Bouazizi in hospital on December 28, 2010, Source: AFP, also used in Willis (2016): 35.

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[5] Larbi Sadiki, "Tunisia: The battle of Sidi Bouzid," *Aljazeera,* December 27, 2010.
[6] Noureddine Jebnoun, "In the shadow of power: civil-military relations and the Tunisian popular uprising," *The Journal of North African Studies* 19 (3), 2014: 304.
[7] Gelvin (2012): 43.
[8] Yasmine Ryan, "The tragic life of a street vendor," *Al Jazeera,* January 20, 2011.

The anger of people living in unbearable economic conditions began to come to light earlier than the crisis of Sidi Bouzid. The social unrest in Sidi Bouzid was actually the latest manifestation of the series of demonstrations dating back to January 2008. The local phosphate workers in Gafsa, the southwest of Sidi Bouzid, coordinated demonstrations protesting the local bureau of the national phosphate company for disproportionally allocating the jobs and increasing nepotism.[9] Support for these demonstrations from unemployed graduates and local trade unions swiftly increased, so the authorities were able to stop the protests only after six months.[10] The wave of demonstrations that culminated in 2010 in a remote and small town, Sidi Bouzid, demanding equality, justice, and decent living, conveyed the message that Tunisians could no longer live with Ben Ali and his brutal, clientelistic, and irresponsible regime.

Ben Ali then acted resolutely and turned to the regime's security apparatus, the military, to secure his grip on power. In terms of a carrot and stick tactic, the carrot (engaging in dialogue with the protesters and easing the regime's brutality) did not help Ben Ali to prevent the protests from being increasingly robust. For this reason, he switched to brutal methods to thwart the protests. For example, in Kasserine, a town in western Tunisia, government snipers began to shoot protesters, killing twenty-one people, which further provoked protests.[11]

On January 13, the wave of protests further inflamed by the social media and other media networks reached the capital, Tunis. Unhesitatingly, Ben Ali resorted to the force and ordered the army to disperse the crowds, but the chief of staff of the armed forces, Rachid Ammar, refused to take up arms against civilians. Instead, General Ammar placed the army between the protesters and the regime's security units distinct from the military. Consequently, 14 January 2011 marked

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[9] Willis (2016): 33.
[10] Willis (2016): 33.
[11] Gelvin (2012): 47-48.

a historical moment in the Arab political history, one in which a peaceful uprising led to the overthrow of a ruler, when President Ben Ali stepped down and fled to Saudi Arabia.[12] In her book, Ma Verité (My Truth), Leila Trabelsi, Ben Ali's wife, wrote that Ben Ali had asked her to prepare for a "four or five days" visit to Saudi Arabia, assumed to be "long enough for the situation to return to normal."[13] However, it turned out to be a permanent visit.

2.2. The Aftermath of Downfall of Ben Ali's Regime: Interim Governments

First, the dissolution and reorganization of the state apparatus remnant of Ben Ali's regime seemed to be the most urgent initiative. The state "establishment" that had long coordinated and legitimized Ben Ali's authoritarian rule collapsed. However, it should be noted that the state itself was not on target, but the regime was. The state had long been the personal apparatus of President Ben Ali, evoking the famous remarks attributed to Louis XIV, "*l'État c'est moi*" (I am the state). Therefore, what the post-regime breakdown coalition aimed to do was first to draw a line between the ruling party, RCD (*Rassemblement Constitutionnel Démocratique*, also called Constitutional Democratic Rally), and the state and second to put an end to the former.

The former president and his wife took refuge in Saudi Arabia but a large number of their associates were tried, including some family members who coordinated the capitalist newtworks of Ben Ali and Trabelsi families.[14] Former regime's hardliners and the leadership cadres were arrested and the funds of the party liquidated.[15] Furthermore, all the institutions that had close

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12 Gelvin (2012): 43-44; see also Eva Bellin, "Reconsidering the Robustness of Authoritarianism in the Middle East: Lessons from the Arab Spring," *Comparative Politics* 44 (2), 2012: 134.

13 "Ben Ali's wife blames general for Tunisia 'coup d'état'," *France 24,* June 23, 2012, as cited in Nebahat Yasar, "Reconsidering Durability of Authoritarian Regime and Possibilities of Democratization in Tunisia," Master's Thesis, Middle East Technical University, July 2014: 76.

14 Eberhard Kienle, "Egypt without Mubarak, Tunisia after Ben Ali: theory, history and the 'Arab Spring'," *Economy and Society* 41 (4), 2012: 539.

15 Yasar (2014): 73.

relations to Ben Ali's regime such as Chamber of Deputies, the upper house, the political police forces, and the Constitutional Court were repealed by an executive degree released on May 23, 2011.[16]

Soft-liners and lesser figures of the former regime, who had not occupied any governmental positions for many years, played a significant role in the transition process up until the October 2011 elections to the Constituent Assembly. They criticized the former president and promised to move to a more democratic Tunisia. The new political situation needed urgency to form a system of governance and to handle the transition process. Therefore, under article 57 of the consitution, which focused on the possibility "of vacancy of the President of the Republic because of death, resignation, or absolute incapacity," Fouad Mebazaa, the speaker and head of the former Parliament, became the interim president.[17]

Another important figure in the transitional period was Mohamed Ghannouchi, the former Prime Minister of Ben Ali regime. The interim president asked Ghannouchi to form an interim government. On Monday, January 17, 2011, he announced his cabinet in which the former defence, foreign, interior, and finance ministers maintained their positions. Opposition figures were also included in this cabinet. Ahmed Ibrahim, the leader of the Ettajdid party, and Mustafa Ben Jafaar, the head of the Union of Freedom and Labor, were appointed to the ministry of higher education and the ministry of health, respectively.[18]

However, there was a significant amount of anger among Tunisians, who claimed the national unity government allocated very limited space and insignificant positions to the opposition groups. One hundred new political parties were formed in the aftermath of the fall of

[16] Peter J. Schraeder and Hamadi Redissi, "Ben Ali's Fall," *Journal of Democracy* 22 (3), 2011: 16; also cited in Yasar (2014): 73

[17] The Carter Center, "National Constituent Assembly Elections in Tunisia," Final Report, October 23, 2011: 14.

[18] "Tunisia PM forms 'unity government'," *Al Jaazera*, January 17, 2011.

the Ben Ali regime and a considerable number of the opposition groups were still not represented in the new interim government. One of the key opposition figures, Moncef Marzouki, even labelled the new interim government of Tunisia a "masquerade," largely dominated by the old regime's associates.[19] He said on France's I-Tele, "Tunisia deserved much more. Ninety dead, four weeks of real revolution, only for it to come to this? A unity government in name only because, in reality, it is made up of members of the party of dictatorship, the RCD."[20] Thousands of Tunisians were not satisfied with the reshuffling of the government. They were also frustrated by the slow pace of change.[21] Because of this, they took the streets in Tunis to call for Ghannouchi's resignation and a new national unity government. Reports say as many as 40,000 protesters rallied in front of the prime minister's office shouting both "Leave!" and "We do not want the friends of Ben Ali!"[22]

On February 26th, five people were reportedly killed and 16 security officers wounded during the protests accusing the new Prime Minister of having close links with the Ben Ali regime and of plotting to guarantee the failure of the January 14th revolution. A considerable portion of Tunisians felt that a sincere rupture with the old regime did not occur. Tunisia was on the verge of a new crisis. Recognizing the urgency of addressing the demands of the streets, the head of the Government Commission for Political Reform, Yadh Ben Achur, pointed out the risk that "the country will fall into anarchy in the transition towards a real multi-party democracy, if one does not act with great caution and responsibility."[23] Targeted by the social unrest,

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[19] "Tunisia PM forms 'unity government'," *Al Jaazera*, January 17, 2011.
[20] "Tunisia PM forms 'unity government'," *Al Jaazera*, January 17, 2011.
[21] Kim Willsher, "Tunisian prime minister Mohamed Ghannouchi resigns amid unrest," *The Guardian*, February 27, 2011.
[22] "Tunisia Forces Fire in Air, Fail to End Rally," *Reuters*, February 20, 2011.
[23] Francesco Guidi, "Tunisian Prime Minister Mohammed Ghannouchi resigns," *About Oil,* March 1, 2011.

Mohammed Ghannouchi resigned[24] on February 27, 2011 after he said at a news conference, "I am not running away from responsibility. This is to open the way for a new prime minister. This resignation will serve Tunisia, and the revolution and the future of Tunisia."[25]

Interim President Fouad Mebazaa appointed Beji Caid Essebsi, who was 88 years old at the time, as the new interim prime minister. Essebsi was a political figure from the Habib Bourguiba era. He formerly served as an ambassador, the Minister of Foreign Affairs, the Minister of the Interior, the Minister of Defence, and the President of the Chamber of Deputies. His appointment was seen as a relative improvement since he had detached himself from the Ben Ali regime when he retired in 1994. The purging measures and resignations initiated in the first interim government continued in the second interim government headed by Essebsi. In February 2011, 42 top officials from the Interior Ministry were forced to resign their positions. Moreover, the former Minister of the Interior Rafik Belhaj Kacem[26], the former RCD Secretary General Mohamed Ghariani, and the former Minister of Defence Ridha Grira were arrested.[27]

On March 3rd, President Mebazaa announced a new transitional plan in which Tunisians would vote for a "National Constituent Assembly" on July 24th, responsible for crafting a new constitution before the presidential and parliamentary elections.[28] On April 12th, the High Commission on Political Reform issued a new electoral law, which served to lay down the basis for the July 2011 election. The new law set out a one-round voting system adopting proportional

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[24] He was followed by two other ministers close to Ben Ali, namely the Interior Minister and the International Cooperation Minister, Mohamed Afif Chelbi and Mohamed Nouri Jouini, respectively. Najib Chebbi, the founder of the Progressive Democratic Party, and Ahmed Ibrahim, the leader of the Ettajdid, also resigned in order to separate themselves from the interim government.

[25] Willsher, "Tunisian prime minister Mohamed Ghannouchi resigns amid unrest," *The Guardian,* February 27, 2011.

[26] He was later sentenced to 15 years of imprisonment.

[27] Yasar (2014): 86.

[28] Alexis Arieff, "Political Transition in Tunisia," CRS Report for Congress, April 15, 2011: 1.

representation and a 50 percent required threshold for women candidates.[29] The law also banned the former RCD officials from running in the upcoming election, which aimed to respond to the streets' demands for a more sincere and more inclusive political transformation with new political figures.[30]

2.3. The Changing Face of Tunisian Politics: The 2011 Elections

After the departure of Ben Ali, Tunisians demanded a more genuine departure from the old regime. The public did not tolerate the presence of technocrats and political figures linked to the Ben Ali regime in the interim governments. For this reason, there was a very high expectation for the upcoming election, which was originally planned for July 24th. However, there was a relatively more established and better-prepared political actor in Tunisia's new political scene: Ennahdha, Tunisia's top Islamist movement. Many secularists were uneasy about the likelihood of an overwhelming victory for Islamists in the ballot box, for this reason, they sought to postpone the July elections until a "more credible" voter composition would emerge in favor of them.[31] Some of the political parties, including the Islamist Ennahdha and the Progressive Democratic Party, initially opposed the postponement, but they later consented to it. Therefore, the Assembly election was delayed until October 23, 2011.

How did Tunisia's democratic performance before the October elections look? It was ranked by different credible sources as follows:

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[29] Arieff, "Political Transition in Tunisia:" 1.
[30] Arieff, "Political Transition in Tunisia:" 1.
[31] Fatima El-Issawi, "The Tunisian Transition: The Evolving Face of the Second Republic," LSE Report, 2012.

Measurement	Name and year of report or database	Institution	Index	Points, ranking and classification
Political Rights and freedom	Freedom House Report, 2010	Freedom House	Political Rights (PR) and Civil Liberties (CL)	PR: 7, CL: 5 (Scale of 1free to 7, not free) **Classification: Not free**
Degree of democracy in earlier elections	Polyarchy 2.0, 2003 (referring to the 2002 elections	Peace Research Institute of Oslo and Tatu Vanhanen	ID: Synthetic Democracy index, Part: Participation, Comp: Competition	ID: 1.5, Max: 49 Part: 33.7, Max: 70 Comp: 4.5, Max: 70 (Democracy minimum: ID: 5, Part: 10, Comp: 30) **Classification: Non-democratic**
Consolidation of authoritarian and democratic institutions	Polity IV, 2010	Center for International Development and Conflict Management, University of Maryland	Democracy: consolidation of democratic institutions Autocracy: authoritarian consolidation Polity: synthesis of both	Democracy: 1 Autocracy: 5 Polity: -4 (Scale of +10, very democratic to -10, very authoritarian) **Classification: Autocratic**
Perception of Corruption	Transparency International Corruption Perception Index, 2010	Transparency International	TICPI: Perception of corruption index	TICPI: 4.3 points out of 10, (Scale of 1 very corrupt to 10 not at all corrupt) Ranking: 59 out of 178 Countries **Classification: Not transparent**
Management of political and economic change	Bertelsmann Transformation Index (BTI), 2010	Bertelsmann Foundation	MI: Management Index, quality of transformation management	MI: 4.3 out of 10, Ranking: 87 out of 128 countries **Classification: Moderate management**
Democracy, including press status and corruption	World Democracy Audit, May 2011	World Audit	World Democracy Ranking: Political Freedom (FH) + Press and Corruption (TI)	World Democracy Ranking: **113 out of 150 countries**, division 4 out of 4

Table 2.1: Classification of Tunisia's Democratic Performance, Retrieved from Rafael Bustos, "Election Report: Tunisia/Constituent Assembly Elections: October 23, 2011," *Opemam Analysis,* November 27, 2011: 3, available at http://www.opemam.org/sites/default/files/ER-Tunisia_Constituent_assembly_2011.pdf (accessed November 23, 2016).

There were three categories of individuals who were excluded from candidacy during the electoral process; two of these categories covered the ones who had held governmental positions under the Ben Ali regime and the other category banned the ones who had signed a petition in 2010 asking Ben Ali to run for president in 2014.[32]

The first electoral experience in Tunisia is considered transparent and consistent with the universal standards of direct and equal opportunity for candidates and equal suffrage for voters, which was exceptional given their history of rigged elections. The participation of women and

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[32] The Carter Center, "National Constituent Assembly Elections in Tunisia," October 23, 2011: 18.

youth in the electoral and political process represented an important step towards a more inclusive political atmosphere in Tunisia.[33] In contrast to all the reportedly rigged elections during Ben Ali's rule, Tunisians, for the first time, enjoyed the unique opportunity to vote for whoever would rule the country's transition process for the following year.

As mentioned above, a new proportional electoral system was adopted, thus under this new regulation, the system did not require parties to secure any voting threshold to make it into the new assembly. Through this new system, the strengthening of the percentage of the seats over the percentage of the general votes became the norm, which benefitted the smaller parties more.[34] In the election, 27 different political groups were voted for with a remarkable turnout of approximately 86.1% of the population: 17 political parties, 1 coalition, and 9 independent lists.[35]

Final Election Results		
Political Party	Number of Seats	Percentage
Ennahdha	89	41 percent
Congress for the Republic (CPR)	29	13.4 percent
Popular Petition (Al Aridha Al Chaabia)	26	12 percent
Ettakatol	20	9.2 percent
Democratic Progressive Party (PDP)	16	7.4 percent
The Initiative (Al Moubadara)	5	2.3 percent
Democratic Modernist Pole (PDM)	5	2.3 percent
Afek Tounes	4	1.8 percent
Al Badil Althawri	3	1.4 percent
Democratic Socialist Movement (MDS)	2	0.9 percent
Movement of the People (Haraket Achaab)	2	0.9 percent
Independent Lists	1 for each	0.5 percent
Total	217	

Table 2.2: Electoral Results, Source: The Carter Center, "National Constituent Assembly Elections in Tunisia," 54, available at https://www.cartercenter.org/resources/pdfs/news/peace_publications/election_reports/tunisia-final-oct2011.pdf (accessed November 23, 2016).

Tunisia's first democratic electoral experience led to a surprising outcome. According to the results declared by the ISIE (Instance Supérieure Indépendante pour les Elections), the independent body responsible for organizing the October elections, the Islamist Ennahdha, long

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[33] The Carter Center, "National Constituent Assembly Elections in Tunisia," 20.

[34] Rafael Bustos, "Election Report: Tunisia/Constituent Assembly Elections: October 23, 2011," *Opemam Analysis,* November 27, 2011: 4.

[35] Bustos, "Election Report: Tunisia/Constituent Assembly Elections: October 23, 2011," 4.

seen as a "usual suspect" by both Bourguiba and Ben Ali regimes, won the elections by securing 89 seats in the parliament. The CPR won 29 seats, Popular Petition won 26 seats, and Ettakatol won 20 seats. The Ennahdha's electoral victory was momentous as the result of the first democratic initiative in the aftermath of the Arab Spring. A sizeable number of Tunisians tasked Islamists with building Tunisia's political future. In the aftermath of the elections, Tunisia entered into a new political phase in which leading political figures, most of whom were new to politics, faced the hardship of mitigating the fierce debate between secular and religious discourses and of drafting the new constitution in the shadow of this confrontation.

2.4. Ennahdha's Rise to Power

The post-Ben Ali socio-political landscape witnessed the emergence of various political groups as noted above; approximately 100 political parties were legalized up until the first free and democratic elections held in October, 2011. In the aftermath of the elections, secularists feared that the victory of Islamists would alienate them and narrow the socio-political space for those who did not identify themselves with the Islamist ideology. The secularists were afraid that the Islamists would ruin the hopeful atmosphere unfolded by the uprisings by seeking revengeful policies. However, Ennahdha, whose religious reference and political history was long used as an excuse by old regimes to control and repress its political influence, was well aware of secular concerns and expectations. The leading elites in the Ennahdha party, therefore, believed that a more consensual cabinet should be formed, covering a wide political spectrum; thus, a sizeable number of political actors would feel represented and included in the process of erecting the new republic. Consequently, Ennahdha, the CPR, and the leftist Ettakatol formed a troika government in which Ennahdha would take the premiership, the CPR would fill the presidency, and Ettakatol

would determine the chairmanship of the constituent assembly.36 Therefore, Hamadi Jebali, from the Ennahdha party, became the first elected prime minister, and Moncef Marzouki, from the CPR, filled the presidency. In the first meeting of the constituent assembly, the leader of Ettakatol, Mustapha Ben Jafaar, was elected the assembly speaker with 145 votes.37

The legislative and executive divisions of Tunisia's new government were formed in a power-sharing manner, in which different ministries were shared among coalition partners. Yet, the most important issue facing Tunisia's new government was to draft the new constitution. The government started the writing process in February 2012 by generating six commissions, each composed of 22 members, individually responsible for dealing with a particular element of the new constitution.38

One substantive disagreement between Islamists and seculars was whether Tunisia would have a parliamentary or presidential system. Ennahdha supported the former, in which the government would be led by a prime minister and the leading party, or a coalition if necessary.39 The general viewpoint among Ennahdha's leading figures was that a parliamentary system would prevent the centralization of political authority, with which Tunisia is very familiar from its history. Rachid Ghannouchi, who had lived in political exile in London for twenty-two years, declared on November 2011 that there is a need to "change the political system from a presidential one in which power is concentrated in one person, the president, to a parliamentary

36 Sana Ajmi, "Ongoing Negotiations Between Ennahda, CPR and Ettakatol," *Tunisialive,* November 13, 2011, also cited in Brownlee et al. (2015): 139.
37 "Tunisia Coalition agrees top government posts," *BBC,* November 21, 2011; see also "Tunisia: Elected Constituent Assembly Holds Inaugural Session," *Global Voices,* November 24, 2011, also cited in Brownlee et al. (2015): 139.
38 Muhammad Ali Khalifa, "Al-Shuruq tanshur qa'imat a'da' al-lijan al-ta'sisiya: Ha'ula' sayaktibun dustur Tunis (Al-Chourouk Publishes the Lists of Members of Constituents Assembly Commissions: These Are the Ones Who Will Write Tunisia's Constitution)," *Al-Chourouk* (Tunis), February 7, 2012, also cited in Brownlee et al. (2015): 140.
39 Lindsay J. Benstead, "Republic of Tunisia," in Mark Gasiorowski and Sean L. Yom (eds.), *The Government and Politics of the Middle East and North Africa,* (Boulder, CO: Westview Press, 2017): 474.

one in which power resides with the people. We want to bring power from on high down to the people, represented in parliament."[40] Apparently, Ennahdha's leading elites were afraid of a presidential takeover, thus seeing parliamentary system as a safeguard against this "undesired possibility." However, many secularists favored the latter, out of a fear that a pure parliamentary system would bring about a dictatorship if a democratically elected party desires to dominate the executive and legislative branches. Intrinsically, they were afraid of a possible Islamist monopoly over Tunisia's politics in consideration of Islamists' ability to mobilize their grassroots during electoral processes. According to their reasoning, in a presidential system, the president would help parties with high nationally favorable individuals, who could settle political disputes promptly by avoiding the bureaucratic "shackles" of a parliamentary system.[41] Eventually, Islamists and non-Islamists agreed upon "a democratic republican system," which positioned the president at the top of government but also gave some autonomy to the parliament.[42]

Prior to the parliamentary election, political parties could not agree on how long the new government, primarily responsible for drafting the new constitution, should remain in office. On the one hand, Ennahdha leaders opposed specifying a termination date on the new government since putting a timeline would impede the new government's powers and prevent it from addressing other socio-economic demands. Ziad Ladhari, a member of Ennahdha and Constituent Assembly, said, "We in Ennahda have been talking about an 18-month period for the Constituent Assembly and we want to assure our people and the international community that we

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[40] "Al-Ghanushi: Hadafna taghyir al-nizam fi Tunis min ri'asi ila barlamani (Ghannouchi: Our Goal is to Change the System in Tunisia from Presidential to Parlimentary)," *al-Riyad,* November 28, 2011, also cited in Brownlee et al. (2015): 142.
[41] Benstead (2017): 475.
[42] Benstead (2017): 475.

will abide by our promise."[43] On the other hand, left-wing parties and liberals believed that the new government would remain in office "without end" unless an expiration date was determined.[44] In the end, Ennahdha elites and their secular counterparts compromised on a mandate of twelve months, which bound that the next parliamentary elections would be held on no later than March 20, 2013; however, this turned out to be difficult given that socio-political puzzles proved challenging during the constitution drafting process in the upcoming months, which extended the original schedule.[45]

2.5. The Incorporation of Shari'a into the Constitution

Beginning from the first day of announcement of the electoral results, Ennahdha's leading elites aimed at alleviating "secular" or "non-Islamist" concerns. The issue of women rights was one of the vitrines for the party to win over the suspicions of secular segments of the society. Soon after the election, Rachid Ghannouchi declared that the Ennahdha party did not have any intention of amending the progressive Personal Status Code of 1957, which had guaranteed Tunisian women full equality as citizens and the right to education.[46]

Perhaps the most worrisome issue for non-Islamists was whether the Ennahdha party would push for a provision in the constitution proposing the sharia would be *a* or *the* source of legislation. Rachid Ghannouchi spent a lot of energy to assure his counterparts before the election that the sharia would not be included in the constitution. However, this move turned into backlash by creating dissent in his party's grassroots. For, ordinary members of the party expected their leaders to place the sharia in the constitution. At the time, opinion polls indicated

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[43] Kouichi Shirayanagi, "Constituent Assembly Members Disagree on Scheduling an End to Their Mandate," *Tunisialive,* March 25, 2012, also cited in Brownlee et al. (2015): 141.
[44] Brownlee et al. (2015): 141.
[45] Shirayanagi, "Constituent Assembly Members Disagree on Scheduling an End to Their Mandate."
[46] Yahia H. Zoubir, "The Democratic Transition in Tunisia: A Success Story in the Making," *Accord,* April 11, 2015.

that a sizeable number (66 percent among men, 56 percent among women) of Tunisian people desired the constitution to be "partially" or "wholly" based on "Shari'a," similar to Arab countries that experienced the same political upheaval.[47] In the midst of fierce discussions about the role of Shari'a in the new political landscape, Sahbi Atiq, a member of Ennahdha in the Constituent Assembly at the time, said Islam needed be incorporated "in the structures of the state, and not be a mere slogan." He then declared, "Islam relates to the life of the individual, to the affairs of the family, to society's rule, to the foundations of the state, and to the relations with the world."[48] However, at the end of March 2012, Ghannouchi stated that Ennahdha would be satisfied with keeping the preexisting first clause of the existing constitution, which recognizes that Islam is the religion of the state, not mentioning shari'a.[49]

Essentially, there were two significant reasons behind what pushed Ennahdha leaders to give up inscribing shari'a in the constitution. The first reason was directly associated with electoral outcomes. Ennahdha won the elections; however, the party could not secure the majority of the votes, which drove it to form a coalition with two center-left parties. Unlike Ennahdha, these parties explicitly opposed mentioning shari'a in the new constitution. For them, shari'a could be interpreted in different ways, one that would shatter the national unity and existing state structures.[50] Secondly, Ennahdha leaders worried that insisting on inscribing shari'a in the constitution would be used as leverage by their rivals – not only political parties but also civil society organizations – against them. There were women's rights groups, unions,

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[47] Sigma Conseil, "Les Tunisiens, la politique et la religion," Poll of May 3-4, 2012; see also Dalia Mogahed, "Arab Women and Men See Eye to Eye on Religion's Role in Law," June 25, 2012, both cited in Malika Zeghal, "Constitutionalizing a Democratic Muslim State without Shari'a: The Religious Establishment in the Tunisian 2014 Constitution," in Robert W. Hefner, *Shari'a Law and Modern Muslim Ethics* (Bloomington, Indiana: Indiana University Press, 2016): 111.

[48] The Constituent Assembly's Morning Session of February 28, 2012, also cited in Zeghal (2016): 111.

[49] "Tunisia's Ennahda to oppose sharia in constitution," *Al Arabiya News,* March 26, 2012.

[50] Zeghal (2016): 112-113.

and several leftist organizations on the streets sporadically demonstrating against the troika government. Therefore, Ennahdha leaders took a pragramatic stance that aimed to minimize socio-political tensions and refrain from any politically "sensitive" moves that would derail the political transition process.[51] Malika Zeghal writes:

> This was the result of a political compromise-not only between Islamists and their political opponents but also within al-Nahda itself. Indeed, the view that Islam was an integral set of values to be implemented in all domains of life was not shared by all members of al-Nahda's leadership. Even more important, it became clear within al-Nahda that implementing a Muslim state did not require constitutionalizing shari'a law.[52]

2.6. Transitional Politics in Tunisia: 2011-2013

Under the troika governance, new political actors appeared, forcing the new government to complete the constitution-writing process and address socio-economic setbacks that challenged the country's transition before the forthcoming election. The most prominent of these new actors was the secular Nidaa Tounes (Call of Tunisia), which was founded in July 2012 under the leadership of Beji Caid Essebsi, the prime minister of the first interim government in 2011. October 2011 electoral results proved that the political power of Ennahdha party, whose grounded grassroots mobilization had long been superior to other political organizations, would only be challenged by new political alliances among non-Islamist parties. Therefore, parties in opposition that were not represented in the troika government joined in an umbrella party, Nidaa Tounes. The new party soon magnetized appeal from a wide socio-political spectrum, including young people, trade-union activists, secularists, and former members of the RCD, the ruling party of Ben Ali era.[53]

Nidaa Tounes aimed at confronting the Ennahdha party by positioning itself in "modernist" camp, assuming that it would resonate well across large segments of non-Islamists

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[51] Zeghal (2016): 113.

[52] Zeghal (2016): 123-124.

[53] Zoubir, "The Democratic Transition in Tunisia: A Success Story in the Making."

who believed a modernist alternative was needed to push back "those who wished to undo the gains of 'modern Tunisia'."[54] Yet, a large number of Tunisians, especially those living in rural regions of Tunisia, were uncomfortable about Nidaa Tounes moves placing former RCD members in local party offices. Many Tunisians began to speak out the fear of "tejemaa," a counterrevolution staged by the old regime establishment.[55] In the midst of such allegations against the party, Faouzi Elloumi, a member of the party's executive committee, stated, "The *tejemaa* and the Destourians are the same thing—there's no difference."[56] Soon after, leading figures of the party openly censured Elloumi's statements, complaining that such remarks would not help but only instigate further criticism against the party. Yet, top figures in the party also acknowledged the overlap between Nidaa Tounes and the RCD. Mohsen Marzouk, one of the party's most recognizable figures, said, "Look—you cannot create a party from scratch…Ennahda was here for forty years [sic]. We have been here for seven months…There were two million people in the RCD. It has been dismantled, so these people are now in the nature. It is only natural that a lot of people who were in the RCD will join our party."[57]

It was not certain whether Nidaa Tounes would be able to tackle the suspicions over the party's real intention and thus consolidate its appeal over the country's center-left prior to the next parliamentary elections.[58] However, there were serious and alarming developments that could have derailed the country's transition. On February 6, 2013, Chokri Belaid, a leading member of the Popular Front party and prominent leftist opponent of the Islamist-led government, was assassinated in front of his home in Tunis. His assassination further escalated

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[54] Zoubir, "The Democratic Transition in Tunisia: A Success Story in the Making."
[55] Monica Marks and Omar Belhaj Salah, "Uniting for Tunisia?" *Sada,* March 28, 2013, also cited in Brownlee et al. (2015): 143.
[56] Marks and Salah, "Uniting for Tunisia?"
[57] Marks and Salah, "Uniting for Tunisia?"
[58] Marks and Salah, "Uniting for Tunisia?"

ongoing political tensions, leading scores of people to pour into the streets. Protesters came to believe that radical Islamist elements were responsible for the killing. They demanded that Jebali's cabinet resign because they believed the government had not seemed eager to take a firm stance against Salafi groups since the elections.[59] Jebali condemned the killing but did not clearly specify which group was behind the assassination. He said, "The murder of Belaid is a political assassination and the assassination of the Tunisian revolution. By killing him they wanted to silence his voice."[60]

In order to soothe increasing public anger at his party, Jebali consented to form a new caretaker government that would consist of non-partisan technocrats and lead the country to general elections. However, Ennahdha's leading elites did not support Jebali's proposal. Abdelhamid Jelassi, the vice-president of Ennahdha, said, "The prime minister did not ask the opinion of his party. We in Ennahda believe Tunisia needs a political government now. We will continue discussions with other parties about forming a coalition government."[61] As he could not gain his party's approval for his plan, Prime Minister Jebali resigned and Ennahdha tasked Ali Larayedh, the then-Interior Minister, with forming a new government in two weeks.[62]

In the meantime, a draft of the constitution was released in April 2013. The discussion process of each article of the country's new constitution continued in the midst of many criticisms. The Human Rights Watch criticized the draft for not affirming universal human rights such as freedom of thought and freedom of conscience in its entirety.[63] The Civil Coalition to

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[59] Brownlee et al. (2015): 144.

[60] "Prominent Tunisian opposition politician Chokri Belaid shot dead" *The National,* February 6, 2013.

[61] Gianluca Mezzofiore, "Chokri Belaid Assassination: Ennahda Rejects Jebali Bid to Dissolve Government for Snap Election," *International Business Times,* February 7, 2013.

[62] "Tunisia: Ali Larayedh named new prime minister," *BBC,* February 22, 2013, also cited in Brownlee et al. (2015): 144.

[63] "Tunisia: Revise the Draft Constitution: An Analysis of Human Rights Concerns," Human Rights Watch, May 13, 2013, also cited in Brownlee et al. (2015): 144.

Defend Freedom of Expression[64] expressed its concern over articles limiting freedom of expression and free media by sending an open letter to the National Constituent Assembly saying, "both the preamble and the text of the draft Constitution do not explicitly stipulate a commitment to protect freedom of expression."[65] However, the country witnessed another painful development in July 2013, when Mohamed Brahmi was assassinated, which was only six months after Chokri Belaid's. Shortly after, the UGTT called for a general strike across the country.[66] Tunisia's transition was threatened once again by a jihadi-motivated violence. Hundreds and thousands of protesters gathered in the capital's Bardo Square to call for the government's resignation (Bardo Crisis).[67] Ennahdha was harshly blamed for not confronting the emergence and activities of Salafi groups. Civil society groups and new political blocs began to call for decisive measures to be taken against Islamist extremism. President Marzouki called for a "National Dialogue" to settle the crisis.[68] Having seen a significant decline in its popularity, the Ennahdha party consented to an agreement similar to the former Prime Minister Hamid Jebali's plan: resigning and relinquishing the governmental control in favor of a fully technocratic caretaker cabinet that would rule the country until new elections and complete the constitution-drafting process.

On January 9, 2014, Ali Larayedh announced the resignation of his government, making him the first Islamist prime minister in the Arab world to resign willingly, which ended his

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[64] A unified NGO whose members are the Tunisian Human Rights League (LTDH), National Syndicate of Tunisian Journalists (SNJT), Association for Democracy and a Civil State (Vigilance), General Culture and Information Union affiliated to the General Tunisian Labor Union (UGTT), Tunisian Union of Independent and Party Press (STPIP), the Tunisian Union of Free Radios (STRL) and the Tunis Centre for Press Freedom.

[65] "Concerns over Tunisia draft constitution," *International Media Support,* June 12, 2013.

[66] "Tunisian politician Mohamed Brahmi assassinated," *BBC,* July 25, 2013.

[67] Monica Marks, "Tunisia's Ennahda: Rethinking Islamism in the context of ISIS and the Egyptian coup," *Brookings Institute,* Working Paper, August 2015: 9.

[68] Duncan Pickard, "Al-Nahda: Moderation and Compromise in Tunisia's Constitutional Bargain," in Frosini et al. (2015): 25.

party's two-year rule.[69] Ennahdha's decision showed that the party listened to the concerns and demands that dominated Tunisia's streets instead of ignoring them by adopting firm security measures against the protests on the pretext of counterinsurgency, which would have entirely derailed the transitional process. The party's leading figures did not let Tunisia's experience turn into a civil war between religious and secular fronts. Ghannouchi later explained, "Larayedh's resignation was a lesson of peaceful alternation of power and of Islamist respect of democratic rules."[70] Through the mediation of the UGTT (which would be awarded the Nobel Peace Prize for these dialogue-making efforts in October 2015), Ennahdha and its secular rivals came together to the national dialogue table for setting a path for the remaining of transitional process. Having realized the fragility of the country's transition process, political parties settled on the then-minister of industry, Mehdi Jomaa, to be the interim prime minister.[71] On January 26, 2014, several months after the final draft of the country's new constitution was submitted to the National Constituent Assembly, the final constitution was adopted in the Assembly by a vote of 200 for, 12 against, and 4 abstentions, over 92 percent.[72]

2.7. The Lustration Law: The Most Decisive Compromise of Ennahdha

Political developments throughout 2013 tested the fragility of the transition process in Tunisia. Most of the time, transitional processes require serious concessions and bargains from political parties that usually represent opposing ideologies. Through these concessions and bargains, political elites could find a common ground to resolve problems threatening the transition and to win over suspicions of the "other."

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[69] Carlotta Gall, "Tunisia's Premier Resigns, Formally Ending His Party's Rule," *New York Times,* January 9, 2014, also cited in Brownlee et al. (2015): 146; see also Pickard (2015): 26.
[70] "Rached Ghannouchi on Tunisia's Democratic Transition," Carnegie Endowment for International Peace, February 26, 2014.
[71] "Tunisia's new prime minister takes office," *Al Jazeera,* January 10, 2014.
[72] Pickard (2015): 16-17.

In Tunisia, Ennahdha's step down from power when it became urgent for the sake of preserving the transition can be interpreted in the way that the party put national interests above partisan interests. Although it gave rise to some internal disputes within the party, compromising a number of ideological issues during the constitution-drafting process played a key role in keeping the transition on track. For example, the party (1) transformed its perspective on gender issues, taking a more liberal stance; (2) withdrew an article that would have put in action blasphemy; (3) gave up on incorporating sharia into the new constitution as a source of legislation.[73] However, none of these concessions led to as much debate within the party as the one over withdrawing a lustration law that would have banned political figures known for their past association with the Ben Ali regime from contesting in upcoming elections.[74] At the grassroots level, Ennahdha members considered an exclusion law a natural step that should be taken in order to preserve Tunisia's transition; otherwise, old regime actors would reverse the gains of revolution should they come to power through an electoral process.[75]

However, Tunisia had been going through an extraordinary process throughout 2013, not only domestically but also regionally; therefore, the manifestation of partisan ideologies seemed less important than the maintenance of transition. The slow pace of the process of constitution-drafting coupled with two political assassinations increased the tension across the country; but, more frightening developments were occurring in Egypt at the time. The overthrow of Muslim Bortherhood-led government through a military coup on July 3, 2013 reminded Ennahdha once again of how constrained and fragile its position as an Islamist party was.[76] Having realized

[73] Marks (2015): 9.
[74] Marks (2015): 9.
[75] Marks (2015): 9-10.
[76] Monica Marks, "How Egypt's coup really affected Tunisia's Islamists," in *Tunisia's Volatile Transition to Democracy*, POMEPS Briefings 27, November 6, 2015: 49.

coup-friendly circumstances that would have been created by a lustration law as experienced in Algeria in the early 1990s, Ghannouchi sought to convince the leading figures within his party to sacrifice lustration in order to "coup-proof" Tunisia's politics. On voting day, while Ennahdha's 39 members in the National Constituent Assembly voted for lustration, five members voted against the article 167, which would have excluded old regime-oriented figures from running for the elections (including presidential candidate Beji Caid Essebsi). In the end, through Ghannouchi's lobbying (he even appeared on a secular channel Nessma TV to assure that the law would not be passed), the article did not pass by a single vote.[77] For the prospect of Tunisia's transition, the key political leaders preferred inclusion and power-sharing to alienation and exclusion, thus marking one of the momentous moments in the transitional process.

2.8. Alternation of Power: The Legislative and Presidential Elections of 2014

The parliamentary election was held on October 26, 2014 without any significant incident, which mirrored the atmosphere of 2011 elections. The electoral process was considered by international observers free and fair, which reaffirmed the political actors' commitment to democratization process. Nidaa Touness, which possessed organic ties to the overthrown old regime, secured the most seats in the parliament by defeating its Islamist rival, Ennahdha, which had claimed the majority of the seats three years ago.[78] Despite all of its compromises and bargains that proved vital to secure the transitional politics in Tunisia, Ennahdha failed to deliver effectively on socio-economic demands of the public in the midst of considerably challenging political developments such as two assassinations and later the Bardo crisis; thus expectedly, Tunisians turned to support other political alternatives.

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[77] Marks (2015): 10.

[78] "Tunisia election results: Nida Tunis wins most seats, sidelining Islamists," *The Guardian,* October 30, 2014.

Final Election Results		
Political Party	Number of Seats	Percentage
Nidaa Tounes	86	37.5 percent
Ennahdha	69	27.7 percent
Free Patriotic Union	16	4.1 percent
Popular Front	15	3.6 percent
Afek Tounes	8	3 percent
Congress for the Republic (CPR)	4	2 percent

Table 2.3: Electoral Results, Source: Election Guide, available at http://www.electionguide.org/elections/id/2746/ (accessed December 14, 2016).

Danya Greenfield says, "[I]t has long been a truism of democratic transitions that it is the second elections, not the first, that determines whether a new democratic regime has been consolidated."[79] Political actors accepted the outcome of the second election as the alternation of power took place without any refusal on Ennahdha's side. Ghannouchi called his rival Essebsi on the evening of the election and congratulated him. Then, he organized a party right outside Ennahdha's campaign headquarters to celebrate holding the second election in the country since the revolution.[80] Although Nidaa Tounes might have tried to form a government with the smaller parties and exclude Ennahdha from the cabinet, both parties instead settled on delaying the formation of the new government until presidential elections scheduled on November 23, 2014; this was so the new president would appoint a new prime minister.[81]

Ennahdha did not nominate any candidate in the presidential elections since it refrained from being perceived as a dominating political actor in both the parliament and now the presidency; therefore, the party preferred the former to the latter. The first round of the presidential elections was completed as Nidaa Tounes's candidate Beji Caid Essebsi garnered 39.5 percent of the popular vote. The current president, CPR's Moncef Marzouki, whom

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[79] Danya Greenfield, "Tunisia's post-parliamentary election hangover," in *Tunisia's Volatile Transition to Democracy*, POMEPS Briefings 27, November 6, 2015: 10.

[80] Carlotta Gall, "Islamist Party in Tunisia Concedes to Secularists," *New York Times*, October 27, 2014.

[81] Gall, "Islamist Party in Tunisia Concedes to Secularists."

Ennahdha was believed to lean towards, came second with 33.4 percent.[82] The second round of the ballot held in December reaffirmed the victory of Essebsi as he won run-off vote with 55.6 percent of the general vote, followed by Marzouki's 44.3 percent.[83] Shortly after, Essebsi appeared on a local television and stated, "I dedicate my victory to the martyrs of Tunisia. I thank Marzouki, and now we should work together without excluding anyone,"[84] which signaled his intention to maintain the emergent conciliatory political culture first initiated by Ennahdha in 2011.

2.9. Politics of Concession

Habib Essid, a former Minister of the Interior in the Essebsi's interim government in 2011, was nominated by Nidaa Tounes as the new Prime Minister to form the new cabinet. On February 4, 2015, he proposed a new unity government that would include the biggest rival of Nidaa Tounes, Ennahdha.[85] In a follow-up interview, Mondher Belhadj Ali, the leader of Nidaa Tounes, reaffirmed the significance of working with Ennahdha to tackle the challenges facing the country. He said, "We can even have excellent relations with them – they're not going to wind up in prison under our rule." He then added, "the country's true enemies are poverty, illiteracy, and economic underdevelopment."[86] Ali's remarks shows how tolerance for a political opponent has become a characteristic of Tunisian transition.

Instead of centralizing political authority by forming a coalition with smaller parties, which would have left Ennahdha (the second largest party in 2014 parliamentary election) in opposition, Nidaa Tounes opted to share power with Ennahdha. First, Habib Essid himself was a

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[82] Anne Wolf, "Power Shift in Tunisia: Electoral Success of Secular Parties Might Deepen Polarization," *SWP Comments 54,* December 2014: 2.

[83] "Essebsi wins Tunisia presidential vote," *Al Jazeera*, December 23, 2014.

[84] "Essebsi wins Tunisia presidential vote."

[85] "Tunisia PM Essid announces unity government," *Al Jazeera,* February 4, 2015.

[86] Jonathan Laurence, "Tunisia, The Courage of Compromise," *Brookings Op-Ed,* February 5, 2015.

technocrat rather than an obedient partisan figure. Second, Nidaa Tounes chose nonpartisan figures for the ministries of Justice and Defense. Four ministerial posts were assumed by Ennahdha, including Minister of Employment, along with three deputy ministries (finance, health care establishments, and international developments.)[87] Ennahdha might have accepted this relative under-representation in order to avoid an Egypt-like fate; however, the new political atmosphere in Tunisia, despite Nidaa Tounes having secured both premiership and presidency, seems to have mirrored the one when Ennahdha dominated the electoral process four years ago but did not covet all executive powers.

2.10. Challenges and Prospects

In 2015, Tunisia witnessed three major terrorist attacks, firstly in the Bardo Museum (which left 22 tourists dead) in March, secondly in Sousse (at least 39 tourists were killed) in June, and lastly in central Tunis (which killed 12 presidential guards); ISIS claimed responsibility for all of these attacks. Expectedly, these attacks caused serious short-term damages to the tourism industry, up to 15 percent of Tunisia's economy.[88]

The economic situation did not improve as expected throughout 2015 as unemployment stood at around 15 percent by the end of the year. Before entering 2016, negative effects of the terrorist attacks of 2015 continued to be felt on economy as they discouraged foreign investments, thereby having the dinar decreased in value relatively more in comparison to other currencies.[89]

Despite all these challenges and hurdles, Tunisia's democratization experience has demonstrated a high level of political maturity and tolerance, which is shared by all key political

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[87] Laurence, "Tunisia, The Courage of Compromise."

[88] Rory McCarthy, "Will Tunisia's fragile transition survive the Sousse attack?" in *Tunisia's Volatile Transition to Democracy*, POMEPS Briefings 27, November 6, 2015: 30.

[89] "2015: A Year In Review," *Tunisialive,* December 28, 2015.

actors, regardless of ideological agenda. Tunisia has proven to the world that tackling multidimensional political problems that a country faces during its transition from authoritarian rule cannot be realized through the concentration of power in the hands of the majority but the distribution of it among political rivals. Holding two legislative elections in which political power successfully alternated between different actors without any incidents reaffirmed the success of Tunisia's transition. Political challenges introduced by periodic setbacks have been overcome through a consensual understanding. In 2014, the country adopted one of the most libertarian constitutions that a Muslim country has ever accepted before. With these significant achievements, the transitional process has completed in Tunisia today, which is leaving current and prospective governments the main responsibilities of maintaining order and stability and of restoring the economy in the country.

CHAPTER III

3.1. Egypt's Tahrir Revolution

The Arab Spring was born out of an individual decision that created a shared language across the region. Egypt became the second country into which the Arab Spring spilled. Egyptians who saw Zine al-Abidine Ben Ali dethroned by their Tunisian fellow Arabs followed suit. On January 25, 2011, protests (as in sit-ins, general strikes, and various other non-violent demonstrations) that were to run for 18 days began.

Although it started in Tunisia, Egypt is generally accepted as the focal point of the Arab Spring process. After compelling President Mubarak to resign, Egypt entered into a new period in which Egyptians were given the opportunity to democratically choose their president for the first time. This surely increased the expectations towards the possibility of a democratic transition in Egypt.

The post-Mubarak political atmosphere witnessed fundamental political and constitutional changes. However, these changes were made very quickly and at the expense of a broad-based consensus. The major political actors dominant in constructing the post-Mubarak Egypt were the military and the Muslim Brotherhood. The rise of Islamist Muslim Brotherhood on the new Egypt's political landscape came as a suprise to many observers, but considering its well-established and deep socio-economic networks within the society, it was not unexpected at all.

With all legislative and executive transformation orchestrated chiefly by the Muslim Brotherhood and the military up until July 3, 2013, Egypt had gone through a socio-economically and politically turbulent transition process. After only one year of Islamist Mohamed Morsi's governance, Egyptians poured into Tahrir Square again and demanded the resignation of Morsi's government. Within this politically complicated atmosphere, the military

stepped in and ousted Morsi on July 3, 2013.[1] The Muslim Brotherhood's *de jure* and legitimate governance deriving from the popular vote was entirely pushed aside by the military. The military's takeover and its aftermath ceased the transition process in Egypt, thus leading to the restoration of a new type of authoritarianism.

3.1.1. How did the Egyptian uprising begin?

Since his accession to power in 1981, Mubarak's regime had built a corrupt and increasingly intolerable economic system. By the end of 2010, economic favoritism strengthened through the concentration of political authority in the hands of Mubarak had already worsened the economic condition of large segments of the society. Approximately one half of the population was living at or under the poverty line and at least 40 percent of the college students were unemployed on the eve of the 2011 uprisings.[2] Rampant corruption and political repression, which had long blocked the ways of political participation, came to an intolerable point for Egyptians. National Assembly elections held on November 28 and December 5, 2010 were considered clearly rigged. Following the elections, opposition candidates including hundreds of Muslim Brotherhood members were subjected to political exclusion and even imprisonment. Mubarak and the oligarchy he had long favored "were widely perceived to be treating the country as a private farm and the people as their indentured servants."[3] Economic reforms that Gamal Mubarak, son of Hosni Mubarak, implemented were only in the interests of those who

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[1] Masoud (2015): 76.

[2] William C. Taylor, *Military Responses to the Arab Uprisings and the Future of Civil-Military Relations in the Middle East: Analysis from Egypt, Tunisia, Libya, and Syria* (New York: Palgrave Macmillan, 2014): 116.

[3] M. Cherif Bassiouni, "Egypt's Unfinished Revolution," in Adam Roberts, Michael J. Willis, Rory McCarthy, and Timothy Garden Ash (eds.), *Civil Resistance in the Arab Spring: Triumphs and Disasters* (New York: Oxford University Press, 2016): 54.

were close to the regime and significantly reduced the living standards of the majority.4 The justice that Egyptians were seeking had long been in favor of the rich and privileged few.

On the eve of the uprisings, Egyptians began demanding to reformulate the social contract between the *ruler* and the *ruled* in their country. They came to believe that they could no longer tolerate decades-long "politics from above," which mostly meant poverty, injustices, and brutality for them.5 Initial demands on which protesters insisted included: the termination of the existing parliament and holding new elections, a two-term limit for the presidency, ending emergency laws, dismissing the Interior Minister, Habib al-Adly, who was infamous for his brutal policies towards the opposition groups, and improving the economic conditions such as increasing the minimum wage to a reasonable level.6

Youth activism in the decades preceding the 2011 revolution helped the masses mobilize quickly during the uprisings. The groups such as Youth for Change, the April 6 Movement, the El Baradei campaign, and We Are All Khaled Said played significant roles in the course of events by organizing and managing the uprisings.7 Politically repressed youths who felt that they were not represented by the existing political parties found alternative paths to political participation. They were less conciliatory towards the incumbent regime and concentrated more on fundamental political changes, resisting the ways in which politics had worked for so long in Egypt.8 Especially, a group called "April 6 Movement," which was founded in 2008 during the organizing "Textile Workers Strike" on April 6, was highly influential in orchestrating the

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4 Taylor (2014): 116-117.
5 Bahgat Korany, "Egypt and Beyond: The Arab Spring, the New Pan-Arabism, and the Challenges of Transition," in Bahgat Korany and Rabab El-Mahdi (eds.), *Arab Spring in Egypt: Revolution and Beyond* (New York: The American University in Cairo Press, 2012): 274.
6 Taylor (2014): 119.
7 Dina Shehata, "Youth Movements and the 25 January Revolution," in Bahgat Korany and Rabab El-Mahdi (eds.), *Arab Spring in Egypt: Revolution and Beyond* (New York: The American University in Cairo Press, 2012): 105.
8 Shehata (2012): 117.

demonstrations. The use of social media networks such as Facebook, Twitter, and Youtube created an alternative political space by communication and mobilization of the people. Social networking and the Internet in general became critically instrumental in spreading the brutality of the regime's security apparatus, specifically police, and convincing more people to join in the demonstrations.[9]

The demonstrations of February 2011 were triggered by a Facebook invitation to Egyptians to join in the "Day of Rage" on January 25th, the National Police Day. The choice of National Police Day was meaningful and intentional for protesting specifically the police brutality across the country. The invitation was successful such that the number of Egyptians who gathered at Tahrir Square within a week was more than 200,000 people.[10] Yet, although the protesters in Egypt demanded jobs, socio-economic dignity, justice, and democracy, they lacked a unified leadership or political program, which was later to handicap the construction of post-Mubarak Egypt.[11]

The lack of leadership led other formerly restricted groups to take part in demonstrations; therefore, "the secular elements'" lead in the protests, which was the leading factor of the uprisings in the first days, was reduced in the days to come. Indeed, young secular protesters may have inflamed the Egyptian uprisings, but a new and powerful actor entered the scene soon: the Muslim Brotherhood (MB). At the beginning, it was unknown what role they were playing in the revolution. The Brotherhood's Guidance Bureau was cautious at the beginning as to whether they should mobilize their members to join in demonstrations shaking the Mubarak's political authority. Considering the long-time political repression the regime had used against the

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[9] Shehata (2012): 118-119.
[10] "Timeline: Egypt's revolution," *Al Jazeera,* February 14, 2011.
[11] Bassiouni (2016): 57-58.

movement, they refrained from encouraging their young cadres because they were not sure what direction the demonstrations would take. In case of a possible failure in toppling the regime, the Brotherhood would have lost all its networks, economic ties, and even prospective political participation channels for a long time, if not forever.12

As the number of people protesting Mubarak's regime increased gradually and the prospect of a regime "change" became clear, the leading figures in the Brotherhood revised their earlier restrained positions and began openly to encourage their members to participate in the protests.13 On January 28th, the Brotherhood publicly proclaimed its support for nation-wide protests, which led the regime to act more repressively towards the movement by arresting many of its members, including some of the members of the movement's executive council.14

In the first days of the protests, President Hosni Mubarak did not seem to want to step down quickly. He ordered the police and the Central Security Forces (CSF) to establish barricades and had local security forces shut down access to the Sadat Metro Station in order to prevent protesters from mobilizing quickly.15 He also ordered Facebook and Twitter to be disabled.16 However, shutting down the Internet and cell phone access across the country did little help to Mubarak to cement his authority. Parents who could not reach their children on the cell phone due to blockage poured into the streets to look for their children, thus increasing the number of people on the ground.17

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12 Cihan Tugal, *The Fall of The Turkish Model: How the Arab Uprisings Brought Down Islamic Liberalism* (London and New York: Verso, 2016): 164-165.
13 Tugal (2016): 165.
14 Ibrahim El Houdaiby, "Islamism in and after Egypt's Revolution," in Bahgat Korany and Rabab El-Mahdi (eds.), *Arab Spring in Egypt: Revolution and Beyond* (New York: The American University in Cairo Press, 2012): 137.
15 Taylor (2014): 119.
16 Taylor (2014): 119.
17 Dr. Nelly Lahoud (Associate Professor, Counterterrorism Center, United States Military Academy), interview conducted by Taylor (2014): 120.

Mubarak later tried to appease the fast-growing crowds. On January 29th, he addressed

the nation on television and proposed a roadmap for "change." He made some concessions

including firing his entire government and appointing his intelligence chief Omar Suleiman as

the new Vice President, which signaled that his son, Gamal Mubarak, would not be the next

president.[18] Then, Suleiman initiated a "national dialogue" by including the Muslim Brotherhood

and "loyal opposition figures," which demonstrators generally opposed in the belief that it would

turn "public discontent into private pacts."[19] In response, the leading slogan of the streets,

"Down with the regime!," nullified these seemingly conciliatory moves.[20] The strife between the

regime forces and the protesters was getting increasingly hostile. When it became certain that the

regime could not succeed to disperse the crowds, the army entered the scene as the "most

favorably perceived institution" in the country as the police forces retreated.[21]

As the crowds continued to protest, many fretted that the military might shoot on the

protesters so as to prevent the crowds from further threatening the regime. However, institutional

formation of the military in Egypt, like its equivalent in Tunisia, has long been structurally less

fragmented and based on professionalism as opposed to patrimonialism (which is the case in

Syria). The important question the Egyptian military faced in the midst of the social unrest was

whether it would take up arms against the citizens or not. The decision-making process among

the military elites when ordered to act is usually based on several imperatives such as

maintaining internal cohesion, discipline, and morale among the corps as well as protecting the

image, prestige, and national legitimacy of the military in the eyes of the citizens.[22] Therefore,

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[18] Taylor (2014): 121.
[19] Brownlee et al. (2015): 74.
[20] Korany (2012): 274.
[21] Taylor (2014): 118.
[22] Bellin (2012): 131; for an analysis of how institutional interests and political restraints determine the decision-

firing upon peaceful protesters seemed highly costly for the military's legitimacy, internal cohesion, discipline, and prestige, especially when it became clear that Mubarak's days in power were numbered. During 18 days of the uprisings, Mubarak had appeared on television three times to convince the crowds; however, he failed. On February 11th, the Supreme Council of the Armed Forces (SCAF), composed of twenty senior generals and led by Field Marshall Mohamed Hussein Tantawi, released a communique that called on the regime to recognize the "legitimate demands of the protesters," followed by departure of Mubarak and his family for exile in Sharm al-Shaykh.[23]

3.2. Post-Regime Breakdown: The SCAF Overseeing the Transition

With the breakdown of the three decades-long Mubarak regime, the SCAF emerged as the only central authority with the power that could supervise the transition. Stacher (2017) points out that the SCAF reached this positon largely because of the neutralization process initiated by President Mubarak when the protests broke out. In order to soothe the tension in the streets, Mubarak first dismissed neoliberal reformist figures and his inner circle in the government and then had his Interior Minister, Habib al-Adly, arrested, which meant that the sole institution that could represent the state authority had become the military.[24] Two days after Mubarak's resignation, the SCAF abolished the parliament and suspended the constitution, which allowed it to make laws during the transitional period.[25]

Shortly after the departure of Mubarak, the military council appointed a committee of experts to draft revisions to the 1971 Constitution instead of writing a new one in line with the

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making process of the military officers during revolutionary moments of "whether to align with political leaders or with protesters," see Taylor (2014): 39-40.

[23] Joshua Stacher, "Arab Republic of Egypt," in Mark Gasiorowski and Sean L. Yom (eds.), *The Government and Politics of the Middle East and North Africa* (Boulder, CO: Westview Press, 2017): 416.

[24] Stacher (2017): 416.

[25] "Egypt: Dismantle Tolls of Repression," Human Rights Watch*,* January 16, 2012.

revolutionary demands.26 Unlike the path pursued in Tunisia, Egypt's post-revolutionary actors (mainly the military officers) chose first to focus on the constitution instead of overseeing the country to elections. However, there were still some political forces and movements on the streets protesting against the military's domination of the transitional process. Having realized the intensification of critical voices in the streets, the military began to seek partnerships with domestic political actors to calm tension, restore order, and demobilize the protests in the country.27

Two groups of political actors stood out in the post-Mubarak Egypt. The first group was composed of the military establishment, the former National Democratic Party (NDP) officials, and the bureaucratic elites most notably members of the interior ministry and the judiciary.28 The second group was the revisionists who triggered the uprisings that deposed President Mubarak. Youth movements, Islamists, and non-Islamist political parties – such as the Wafd, the left-leaning Tagammu, and the nationalist Dignity Party – formed the second group. Unlike the first group, the actors in the second group had leaned towards making a sharp break from the old order.29 For them, the actors who represented the old regime had long lost their legitimacy in the eyes of Egyptians; therefore, the new political landscape had to respond to public anger at the "establishment." Hence, the SCAF started talks with the opposition actors, most notably the Muslim Brotherhood, who appeared the most capable in comparison to other groups rallying mass protests. Brownlee et al. (2015) notes, "when it came time for the SCAF to lay down the roadmap for the transition, Islamists were granted disproportionate influence."30

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26 Tugal (2016): 167-168.
27 Stacher (2017): 416.
28 Brownlee et al. (2015): 104; see also Nathan J. Brown, "Egypt's wide state reassembles itself," *Foreign Policy,* July 17, 2013.
29 Brownlee et al. (2015): 104-105.
30 Brownlee et al. (2015): 107.

The cooperation between the military and the MB seemed like an uneasy one; however, each side acted cautiously not to upset the other from the beginning. In accordance with this cooperation, Tarek al-Bishri, a prominent MB member, was tasked with chairing the committee responsible for amending the Constitution. In addition, the committee never opened the second article of the 1971 Constitution up for discussion, which highlighted the centrality of Islamic law to legislation.[31] The most urgent move for the Islamists, the MB in particular, was to lay down the details about the nature of the electoral process as soon as possible and accelerate the pace of normalization by returning to a civilian government. Therefore, the MB, along with the Salafists, voted "Yes" in the referendum of the constitutional amendments held in March 2011. The result of this very first referendum seemed to give a more prominent voice to Islamists, but in fact, it provided the military with full legislative and executive authority. As Nathan Brown wrote later, "[w]hen voters supported what they were told were 'amendments,' the military decided not to insert the approved language into the old constitution. Instead, hiding behind the cloak of what they called 'revolutionary legitimacy,' the generals opted to write a new, temporary 'constitutional declaration' that *inserted* clauses voters had approved *into a forest of other articles* on how the state would be run during the transition [emphasis added]."[32] Through the March 30, 2011 declaration (a document of 63 articles) that operated as a *de facto* constitution, which surpassed the 1971 Constitution, the military made its post-Mubarak oversight felt by new political actors, "thus setting the dangerous precedent of insisting that the constitution was whatever those in power said it was."[33]

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[31] Tugal (2016): 168.
[32] Nathan J. Brown, "Egypt's Failed Transition," *Journal of Democracy* 24 (4), 2013: 47.
[33] Brown (2013): 47.

3.3. Opposition Against The Military Rule

As the time went on, the hopes for a rapid transition in which the military's domination would gradually fade away disappeared. In contrast, the military officers did not seem eager to leave their positions, as they did not abrogate the emergency law that had been in effect since 1981.[34] Article 56, promulgated through the constitutional declaration, was a clear manifestation of the military tutelage in the transitional period. According to this article, the SCAF was given the right to "issue public policy for the state and the public budget," "promulgate laws or object them," "appoint the head of the cabinet," "appoint civilian and military employees," and "call the People's Assembly and the Shura Council to enter into normal session, adjourn, or hold an extra session."[35]

Having been disappointed by the way in which the transition was administered by the military officers, many groups that had sparked the uprisings returned to the streets to protest the military rule this time. Non-Islamist youth "reclaimed" the central squares, seeking the trial of police officers responsible for the killings during January and February 2011.[36] Divisions had further deepened between the SCAF and the secular/liberal bloc, and most notably, between liberals and Islamists. On the MB's part, the Grand Bureau was picturing the post-Mubarak street protests as *fitna*-inducing actions.[37] In a counterbalance demonstration ("Friday of Stability") in July 2011, Islamists sided with the SCAF, calling for the urgency to halt the worrisome "street-level security situation" in the country and to put an end to protests (called the "Friday of Determination") against the military.[38]

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[34] "The SCAF's Egypt (2011-2012)," Chronicle of the Middle East and the North Africa, November 15, 2012.
[35] Retrieved from the Constitutional Declaration 2011, available at http://egypt.gov.eg/english/laws/constitution/.
[36] Tugal (2016): 168.
[37] Tugal (2016): 168.
[38] "7 Harakat Tusharik al-Islamiyyin fi Jum'a al-Istiqrar," *al-Masry al-Youm,* July 24, 2011, as cited in Tugal (2016): 168.

In the light of worsening tension and increasing polarization between the liberal bloc and Islamists, the former group had demanded that the SCAF should designate new "supra-constitutional principles" that would prevent Islamists from crafting an "Islamic" constitution.39 Having realized its ability to dominate the electoral process, the MB kept its silence and stayed away from any revolutionary "confrontations" on the ground. In the meantime, the organization made a strategic move: it adopted a militarist-nationalist discourse that would picture non-Islamists who contested the military rule in the interim as "counter-revolutionaries." In so doing, it reinforced its unwritten pact with the military and made "others'" criticisms against the organization mostly ignored.40 Tugal (2016) explains how the essence of the "patriotic pact" between the military and the MB was perceived among the liberal and leftist groups as the elections loomed nearer, "The 6 April group and other revolutionary groups lamented that the military and the Brotherhood were cooperating to liquidate them: one was arresting them while the other was declaring them to be traitors."41

Many Egyptians did not view the military's active involvement in the transitional process in the early months following the Mubarak's overthrow to be a problem. "The army and the people are one" was the common motto of the streets as the military officers refused to resort to force against demonstrators in their contest with the autocratic regime. However, this euphoria soon dissolved as the military leaders began to hint at their actual agenda. As Jason Brownlee writes, "the country's generals . . . did not return to the barracks, repeal the Emergency Law (a core aim of January 25th organizers), or transfer executive power to a civilian-led transitional

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39 Brownlee et al. (2015): 109.
40 Tugal (2016): 169.
41 "Shabab al-Thawra al-Masriyya yazdadun 'azla wa al-quwwa al-siyasiyya tajahalun dawrha," *al-Sharq al-Awsat*, January 24, 2012, as cited in Tugal (2016): 170.

committee."[42] As demonstrations continued, the SCAF began arresting and detaining revolutionary activists on the streets demanding the end of military rule; however, the brutality, misconduct, the abuses of security forces had not been properly investigated.[43] The Maspero protests on October 9, 2011, leaving at least 25 Coptic Christian protesters dead and 325 injured during a protest against the burning of a church in Aswan, became the milestone of the changing perception of the military.[44] David Kirkpatrick went so far as to say when he reported from Cairo that "the brutal crackdown had finally extinguished the public's faith in the ruling military council as the guardian of a peaceful transition to democracy."[45]

3.4. Parliamentary Elections in The "Protected" Transition

The military's firm hold on power seemed more obvious when the then-deputy Prime Minister Ali al-Selmy released the "Declaration of the Fundamental Principles of the New Egyptian State" (so-called the Selmy document) on November 1, 2011, which intended to guide the constitution-drafting process following the parliamentary elections.[46] At first glance, it seemed that these "supra-constitutional principles" were mostly in accordance with the demands of non-Islamists as the document was constructed in a way to prevent Islamists from monopolizing the exercise of political power through an electoral process. The declaration identified Egypt as a "democratic *civil* state which is based on citizenship and on the rule of law.

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[42] Jason Brownlee "Egypt's Incomplete Revolution: The Challenge of Post-Mubarak Authoritarianism," *Jadaliyya,* July 5, 2011, as quoted in Lucan Way, "Comparing the Arab Revolts: The Lessons of 1989," *Journal of Democracy* 22 (4), 2011: 25.

[43] For detailed analyses of military abuses during the interim period, see Wael Eskandar, "Year of the SCAF: a time-line of mounting repression," *Ahram Online,* February 11, 2012; see also David Kirkpatrick, "Mass March by Cairo Women in Protest Over Abuse by Soldiers," *New York Times,* December 20, 2011, as cited in Kristen A. Stilt, "The End of 'One Hand': The Egyptian Constitutional Declaration and the Rift between the "People" and the Supreme Council of the Armed Forces," Northwestern University School of Law, Faculty Working Papers, 2012.

[44] David Kirkpatrick, "Copts Denounce Egyptian Government Over Killings," *New York Times,* October 10, 2011, as cited in Stilt (2012).

[45] Kirkpatrick, "Copts Denounce Egyptian Government Over Killings."

[46] Yezid Sayigh, "The Specter of 'Protected Democracy' in Egypt," *Carnegie Middle East Center,* December 15, 2011.

It respects pluralism and guarantees freedom, justice equality and equal opportunity to all citizens without exception [emphasis added]."[47] However, the document also contained provisions that would be welcomed by Islamists such as adopting Islamic jurisprudence as the main source of legislation, while at the same time giving non-Muslims a right to follow their own religious principles in managing familial and religious affairs.[48]

What was certain of the Selmy document was that it enabled the military to gain the full monopoly over its interests. Article 9 of the document, one of the most controversial provisions, stipulated that the SCAF was "solely responsible" in discussing any matters relating to the armed forces, including determining its annual budget and declaring war, to the exclusion of any civilian supervision.[49] The document also gave the full authority to the SCAF to "determine" if any provision during the constitution-writing process *opposes* "the basic tenets of the state and of Egyptian society, to the rights and public freedoms which have been provided for in successive Egyptian constitutions, including the constitutional declaration issued on 30 March 2011 and the constitutional declarations that were issued since."[50] Through these "supra-constitutional principles," the SCAF was given the privilege to dominate the selection of the members of the committee authorized to write the new constitution, as the elected assembly would nominate only 20 members of the committee composed of 100 members, a stark contrast to the "Constitutional Declaration" issued on March 30th.[51]

As the document weakened the role of the parliament in establishing the principles of the constitution-writing by reserving more autonomy to mostly the remnants of the old regime, it

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[47] Retrieved from the Selmy document, available at http://www.constitutionnet.org/files/2011.11_-_constitutional_principles_document_english.pdf.
[48] Brownlee et al. (2015): 111.
[49] Sayigh, "The Specter of 'Protected Democracy' in Egypt."
[50] The Article in the Selmy document pertaining to the criteria for the formation of the Constituent Assembly to draft a new constitution.
[51] Sayigh, "The Specter of 'Protected Democracy' in Egypt."

drew serious objections from the Islamist bloc (mainly the Muslim Brotherhood and the Salafis), which were expected to secure more seats in the new parliament.[52] Joined by youth revolutionary groups, Islamists began to mobilize the grassroots to take Cairo's streets again to protest against the Selmy document, insisting that the SCAF drop the declaration. Having calculated the potential gains in the upcoming elections, the Brotherhood cadres made a strategic move, blending their criticisms to the document with an anti-military discourse. As Brownlee et al. (2015) write, "the Brotherhood made common cause with these [mostly youth] groups by emphasizing that its opposition to the Silmi document was based on its provisions regarding *military autonomy*, and not solely on the fact that the declaration would have stripped the Islamists of the ability to determine the shape of the new constitution [emphasis added]."[53] Confronted by escalating street demonstrations, the SCAF compromised (1) approving the resignation of the then-interim Prime Minister Esam Sharaf and (2) pledging to hold the presidential elections in June 2012, originally scheduled in April 2013.[54] Consequently, the document was revoked and the MB strengthened its public image using the "anti-military" card on the eve of the elections.

Together with their long-entrenched religious and social appeal, the MB and the Salafis, "outsiders" of the Egypt politics prior to 2011, dominated the elections for the lower and upper houses of the legislature. The elections took place from November 28, 2011 to January 11, 2012. The first largest bloc "Democratic Alliance", which was largely dominated by the Muslim Brotherhood's *Hizb al-Hurriya wa al-'Adalah* (the Freedom and Justice Party), secured approximately 46 percent of the total seats in the lower house (the People's Assembly) and 58

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[52] Brownlee et al. (2015): 111.
[53] Brownlee et al. (2015): 112.
[54] Sayigh, "The Specter of 'Protected Democracy' in Egypt."

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percent in the upper house (the Shura Council). The second largest bloc "Islamic Alliance," which was led by more conservative Salafist *Hizb al-Nur* (the Party of Light), garnered 25 percent of the seats in the lower house and 25 percent of the competed seats in the upper house.[55] Together, Islamists had the majority in both houses by winning more than 80 percent of the seats in the upper house and at least 70 percent in the lower house. The non-Islamist parties won less than 30 percent of the seats in the parliament, which came as a surprise to many analysts, since the 2011 uprisings in Egypt were originally instigated by non-Islamist segments of the society while Islamists had acted cautiously and stayed uninvolved in the protests in the beginning.

3.5. Power Struggles Between The Military and Islamists

By winning the majority of the seats in the two houses of the parliament, Islamists showed that they were the most powerful electoral force in Egypt. However, the SCAF continued to hold the political power since, through the March 30th Constitutional Declaration, the military had deprived the prospective parliament of establishing a government and passing a law without the SCAF's consent.[56] The MB came to a position to rule the country, but its political capacities were restrained by the military's tight supervision. Though the MB asked for the appointment of the new government to replace Kamal al-Ganzuri's cabinet, appointed in December 2011, in line with the electoral results, the SCAF acted reluctantly, continuing to determine foreign and domestic policies in the transition. However, the political predominance of the military was

[55] Bruce K. Rutherford, "Egypt: The Origins and Consequences of the January 25 Uprising," in Mark L. Hass and David W. Lesch (eds.), *The Arab Spring: Change and Resistance in the Middle East* (Boulder: Westview Press, 2013): 43.

[56] Brown (2013): 47; see also Nathan J. Brown, Emad El-Din Shahin, and Joshua Stacher, "Egypt," in Michele Penner Angrist, ed. *Politics & Society in the Contemporary Middle East* (Boulder: Lynne Rienner Publishers, 2013): 223.

temporary since it would not have any "supervisory" role in the transition and the constitution-writing process once the presidential elections were held.[57]

Having realized that the SCAF was unwilling to hand over its political power, the MB began to reconsider its earlier decision not to run for the presidency. Shortly before President Mubarak's removal, the MB had made it clear that the party would not nominate a candidate in presidential elections, a cautious move that aimed to avoid a backlash from non-Islamists. However, the circumstances had now changed as the party had demonstrated an impressive electoral performance; thus, the earlier self-restraint position was suddenly abandoned. "When the victory became an option,"[58] the MB calculated that the party would attain real power only by holding the presidential office. On the other hand, the MB was obsessed with the fear of the return to the *ancien regime.* Therefore, they figured that they would only thwart this possibility of reversion by chairing the highest office in the country.[59]

Their fear turned out to be real when Ahmed Shafiq, Hosni Mubarak's last prime minister, announced his candidacy in February 2012.[60] In April, Omar Suleiman, the former Intelligence Chief and Egypt's last-serving vice president, officially proclaimed his bid for the presidency, but was later disqualified by the High Judicial Elections Commission because of being 31 signatures short in his application.[61] To counter their candidacies, the MB dominated parliament passed a political exclusion law that would have prevented any Mubarak-era notables

[57] Brown (2013): 47.

[58] Brownlee et al. (2015): 116; see also Nathan J. Brown, "When Victory Becomes An Option: Egypt's Muslim Brotherhood Confronts Success," *The Carnegie Papers,* January 2012, also cited in Khalil al-Anani, "Upended Path: The Rise and Fall of Egypt's Muslim Brotherhood," *The Middle East Journal* 69 (4), 2015: 531.

[59] Al-Anani (2015): 533.

[60] Amira Hisham, "Ahmad Shafiq Ya'lan Tarashahuh rasmiyan lil-ri'asat al-jumhuriya (Ahmad Shafiq Officially Announces his Candidacy for the Presidency)," *Bawabat al-Ahram,* February 14, 2012, as cited in Brownlee (2015): 116.

[61] David D. Kirkpatrick, "Egyptian Presidential Candidate Carries Banner of the Old Order," *The New York Times,* April 8, 2012; see also "Presidential Election in Egypt: Final Report," The Carter Center, May-June 2012: 9.

from running for the presidency.62 However, the law was ruled unconstitutional and suspended by the Supreme Constitutional Court, thus enabling the former regime figures to participate in the elections.63 For their part, the Brotherhood leadership nominated two candidates, due to the fear that one of their nominees might be banned from running because of the strict legal requirements;64 Khairat al-Shatir, the group's deputy leader, and Mohamed Morsi, the leader of the Freedom and Justice Party. Shortly thereafter, the Elections Commission disqualified al-Shatir because of having a criminal record that dated back to 2008.65

Al-Shatir's disqualification was followed by the judiciary's disbanding of the hundred-member committee (half of which was selected from the Brotherhood-dominated parliament) responsible for constitution-writing. The legal rationale was twofold: firstly, the committee was ruled unrepresentative as many non-Islamists boycotted it; secondly, the SCAF's interim constitution did not openly stipulate that the parliamentarians could appoint themselves to the committee.66 As the presidential elections loomed nearer, the court's decision could have led Islamists and non-Islamists to form a consensual committee in the drafting process. However, it only helped the divide between the Islamists and revolutionary groups further deepen as Islamists formed a new "but similar" committee, that would again give them predominance to unilaterally oversee the constitution-making.67

3.6. Presidential Elections and Its Aftermath

The first round of the presidential elections was held on May 23-24, 2012, with only thirteen candidates qualified to run. The two leading candidates who achieved to proceed to the

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62 Brownlee et al. (2015): 116.
63 "Egypt: Constitutional Court Rules 'Political Exclusion Law' Void," *Aswat Masriya,* June 14, 2012.
64 Brown et al. (2013): 223.
65 "Presidential Election in Egypt: Final Report," The Carter Center*,* May-June 2012: 9.
66 Brown (2013): 48.
67 Brown (2013): 48.

runoff were Mohamed Morsi, the Brotherhood's second pick, and Ahmad Shafiq, an old-regime loyalist who served as the last prime minister. Morsi received around 25 percent of the popular vote in the first round, with Shafiq coming in second at 24 percent.[68] The outcome in the first round showed that around 50 percent of the eligible voters did not vote either for Morsi or Shafiq, indicating that a sizeable number of Egyptians did not believe these two candidates actually represented a "real political change." However, only the candidates with the most deep-seated socio-political networks, namely Morsi and Shafiq, could achieve to reach the highest voting rates.[69]

Only two days before the second round of the presidential election, the judiciary made its appearance on the political stage again when it dissolved the country's first democratically elected parliament. The electoral law, overseeing the November-January parliamentary elections, ruled that two-thirds of the parliamentary seats would be contested by party-affiliated candidates, with individual candidates allocated to one-third of the seats. However, the court deemed that the law was unconstitutional, since it allowed party-affiliated candidates to run for the seats that needed to be filled by individual candidates.[70] The decision was accepted as one of the major setbacks to Egypt's political transition, as it was assumed that the military was behind the ruling. The SCAF's reasoning was twofold: firstly, even if Morsi won the election, he would lose his base in the Islamist-dominated parliamentary; should Shafiq win, as a former regime notable, he would ensure the "restoration" of *the ancien regime* without being shackled by the parliament, largely controlled by the Islamists.[71]

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[68] Brownlee et al. (2015): 117.
[69] "Presidential Election in Egypt: Final Report," 9-11.
[70] David D. Kirkpatrick, "Blow to Transition as Court Dissolves Egypt's Parliament," *The New York Times,* June 14, 2012, also cited in Brownlee et al. (2015): 118-119.
[71] "Presidential Election in Egypt: Final Report," 12.

Alarmed at the prospect that the military would never step aside and let the civilians oversee the transition, the MB supporters and other revolutionary groups together raised serious concerns about the SCAF's increasingly stiffening supervision of the transition. Mohamed El Baradei, a former head of the United Nations Nuclear Energy Agency, stated, "the election of a president in the absence of a constitution and a parliament is the election of a president with powers that not even the most entrenched dictatorships have known."[72] The judiciary's independence was also at issue as the military put pressure on the court to overrule a new exclusion law that would prevent Shafiq from running in the runoff, thus clearing the way for him.[73]

Amid the political turbulence, the second round of the presidential elections was held on June 16-17th, 2012. Egyptians went to polling stations in an atmosphere in which the divide between the Islamists and non-Islamists gravely grew and no consensus on the procedure of drafting the new constitution was reached among political elites. On June 17th, the last day of the election, the SCAF struck at the MB again when the council released a Constitutional Addendum to March 30th Constitutional Declaration, which aimed at strengthening the military's autonomy from any civilian supervision.[74] The Addendum established a strong role for the military to veto (if deemed necessary) any presidential decisions about army affairs.[75] The SCAF also assumed the role of the disbanded parliament, so as to legislate until a new parliament was elected (Article

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[72] David Hearst and Abdel-Rahman Hussein, "Egypt's supreme court dissolves parliament and outrages Islamists," *The Guardian,* June 14, 2012.

[73] "Military shuts down Egypt's parliament," *CNN,* June 15, 2012, also cited in Brownlee et al. (2015): 119.

[74] Brownlee et al. (2015): 119.

[75] Article 53 of the Addendum stipulated, "The incumbent SCAF members are responsible for deciding on all issues related to the armed forces including appointing its leaders and extending the terms in office of the aforesaid leaders. The current head of the SCAF is to act as commander-in-chief of the armed forces and minister of defense until a new constitution is drafted." For the full English text of the Addendum to 30 March Constitutional Declaration, see "English text of SCAF amended Egypt Constitutional Declaration," available at http://english.ahram.org.eg/NewsContent/1/64/45350/Egypt/Politics-/English-text-of-SCAF-amended-Egypt-Constitutional-.aspx.

56 B). According to the declaration, in the case of the future constituent assembly's failure to complete the drafting process, the SCAF would appoint the new 100-member constituent assembly, tasked with writing the country's new constitution (Article 60 B). What appeared certain in the light of this new declaration was that the military wanted to continue to be the primary decision-maker in Egypt's political landscape, regardless of who would win the presidency.

Throughout the following week, Egypt had witnessed several meetings and bargains among Islamists and the military officers overseeing the power transition after the presidential elections, despite mutual suspicions of both political actors having a long but controversial past.[76] One week after the second round of the presidential elections took place, on June 24th, Farouk Sultan, the head of the Presidential Elections Committee, announced that Morsi had won 51.7 percent of the popular vote, thus, becoming the first civilian president of Egypt.[77] Morsi was elected president when there was a political uncertainty threatening Egypt's transition. Therefore, Egyptians expected to see this uncertainty soon resolved and Egypt's political agenda normalized.

3.7. Islamists' Challenging The "Establishment"

When Morsi took over the office on June 30, 2012, it was certain that his presidential powers would continue to be challenged by both the military, determined to preserve its own prerogatives, and the judiciary. Sitting at the helm of the country, Morsi now concentrated on reinstating his authority by countering these well-established institutions, widely seen as remnants of the old regime. First, he ordered the Islamist-majority parliament, that was annulled by the judiciary on June 14th (which was widely accepted that it was the SCAF's decision), "back

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[76] Marwa Awad, "Egypt army, Islamists in talks to resolve impasse," *Reuters,* June 22, 2012.
[77] Brown et al. (2013): 223.

to work."[78] He also appointed Hesham Kandil, a former irrigation and water resources minister, to form the new cabinet on July 24th, which came as a surprise to many observers since he was a politically unknown but clearly a technocrat figure.[79] Morsi maintained this strategy of appointing technocrats, rather than the MB members, to his cabinet, in order to show his leaning on sharing power with revolutionary actors.[80] His challenge was the military, and its long-standing predominance in Egyptian politics, which confined his legislative and presidential powers through constitutional declarations announced in the interim period.

The most decisive move of Morsi was to ask the defense minister, Muhammad Hussein Tantawi, the army chief of staff, and Sami Anan to resign, on August 12th. It was broadly seen as a milestone in Egypt's political power relations; the military had long enjoyed an institutional autonomy and organized the political realm in Egypt, but, Morsi now began to redesign the "core" of political power in Egypt. He substituted Tantawi with current military intelligence chief Abdul Fattah al-Sisi, a reportedly pious Muslim.[81] He also overruled the legal restrictions imposed upon him by the military, passed by popular referendum in March 2011, and assumed significant executive and legislative powers through a counter-declaration.[82] This declaration also granted Morsi the authority to form a new Constituent Assembly to carry out the drafting of the new constitution in three weeks, if the current assembly did not complete its responsibilities on time.[83]

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[78] Steve Hendrix and Ernesto Londoño, "Egypt's Morsi makes bid to reinstate Islamist-dominated parliament," *The Washington Post,* July 8, 2012, as cited in Brownlee et al. (2015): 120.

[79] Simon Denyer, "Egypt's president, Mohamed Morsi, chooses little-known Hesham Kandil as prime minister," *The Washington Post,* July 24, 2012.

[80] "Egypt: Mohammed Morsi to select government of technocrats," *The Telegraph,* June 26, 2012.

[81] "Morsi retires Egypt's top army leaders; amends 2011 Constitutional Declaration; appoints vice president," *Ahram Online,* August 12, 2012, as cited in Brownlee et al. (2015): 120.

[82] Kareem Fahim, "In Upheaval for Egypt, Morsi Forces Out Military Chiefs," *The New York Times,* August 12, 2012.

[83] "Egypt president orders defense minister retirement," *Triblive,* August 12, 2012.

Morsi then turned his attention to the judiciary. He appointed Mahmoud Mekki, a pro-reform judge, as his vice president, a move deemed as neutralization of the opposition from the judiciary.[84] He also appointed state prosecutor Abdel Meguid Mahmoud as ambassador to Vatican, having regard for revolutionary demands that claimed that Mahmoud had not properly done his job in investigating those involved in violent activities against demonstrations during the 25 January revolution.[85] However, Mahmoud declared, "I remain in my post. According to the law, a judicial body cannot be dismissed by an executive authority;"[86] ultimately, he kept his office after he met with Morsi and agreed on annulling his appointment.

To some, Morsi's steps were necessary to curb the influences of the old regime actors on socio-political and economic realms in Egypt. To others, although "de-militarization of the state" was the right path to consolidate civilian authority after Mubarak's fall, it was unknown whether the new political power center would now be the president, and if so, how his executive and legislative powers would be checked.[87]

3.8. Transition Torn Between The Islamists and The Old State "Establishment"

Having won the parliamentary and presidential elections, Egypt's Islamists believed that the control was now in their hands and the new order should be established in a majoritarian fashion instead of a pluralist one. In his steps against the entrenched military establishment and the judiciary, Morsi did overlook the concerns of most non-Islamists about the emergence of a new type of political power monopolization, which was most clearly observed during the constitution-drafting process. As noted earlier, the Constituent Assembly reopened after Morsi's

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[84] Brownlee et al. (2015): 121.
[85] Brownlee et al. (2015): 121.
[86] "Update: Public prosecutor to stay after Morsy agreement," *Egypt Independent,* October 13, 2012, also cited in Brownlee et al. (2015): 122.
[87] "Hundreds of Egyptians in Tahrir to support Morsi," *Ahram Online,* August 12, 2012.

accession to the presidency and the committee (which the Islamists dominated) tasked with the constitution-drafting returned to its workings. However, due to the contentious makeup of the committee, most non-Islamist groups began to feel that their demands were driven out of the constitution-making process, making them more critical of the once-promised "inclusiveness" of the new constitution.[88] Out of the fear that the court might overturn the constitutional process by disbanding the Constituent Assembly, Morsi issued another declaration on November 22nd. With this new declaration, he removed his executive and legislative authorities from judicial oversight.[89]

This move sparked a new wave of protests across Egypt. Morsi's presidency suddenly became the focal point of the protests, gathering Egyptians from a wide political spectrum including liberals, leftists, and even old regime supporters. Forming the National Salvation Front, the oppositionists demanded that Morsi nullify the declaration and that the current Constituent Assembly be dissolved and replaced with a more representative one.[90] Amid this political tumult, Morsi stepped back and reversed most of contentious parts of the declaration on December 8th; however, he did not consent to the postponement of the scheduled referendum on the new constitution.[91]

The committee completed the constitution draft at the end of November, one that international observers had found mostly majoritarian. Liberals and leftist groups expressed fears

[88] Brown et al. (2013): 224.

[89] Article 2 of the November Declaration stipulated, "Previous constitutional declarations, laws, and decrees made by the president since he took office on 30 June 2012, until the constitution is approved and a new People's Assembly [lower house of parliament] is elected, are final and binding and cannot be appealed by any way or to any entity. Nor shall they be suspended or canceled and all lawsuits related to them and brought before any judicial body against these decisions are annulled." For the full English text of the November Declaration, see "English text of Morsi's Constitutional Declaration," available at http://english.ahram.org.eg/News/58947.aspx.

[90] "Egypt's Baradei to address Tahrir rally, list demands of new 'National Front'," *Ahram Online,* November 30, 2012, also cited in Brownlee et al. (2015): 122.

[91] Jeffrey Fleishman and Reem Abdellatif, "Egypt's Morsi reverses most of decree that expanded his powers," *Los Angeles Times,* December 8, 2012.

that the draft lacked inclusiveness. The draft, in general, emphasized the religious character of the state; thus, failing to embrace the spirit of the revolution.[92] Ahmed and Capoccia (2014) notes the other problematic facets of the draft constitution: "hindering the rights of women and religious minorities, undermining the independence of workers, and limiting speech through censorship laws."[93] The assembly rushed the document to referendum without leaving Egyptians sufficient time to debate over it. The referendum was held between December 15 and December 22 and passed with around 64 percent; however, a sizeable portion of the society boycotted it, which dropped the turnout to as low as 33 percent.[94]

3.9. The End of The First Democratic Experiment

Polarization between Morsi's Islamist supporters and their opponents gradually increased throughout the early months of 2013. Many non-Islamists, including religious minorities, feared that their freedoms were beginning to be limited by the MB's majoritarianism. Public approval of the constitution failed to ease the tension in the society but instead further inflamed the protests. In April 2013, a group of young activists, mostly members of the Kefaya Movement, who were displeased with the MB's governance started a new campaign called "Tamarrud" or "Rebel." They began collecting signatures in 19 out of 27 governorates in Egypt in support for a petition calling for the withdrawal of confidence in President Morsi and insisting that early elections be held.[95] By the late June, it was reported that the campaign had collected around 15 million signatures revoking confidence in Morsi. This surpassed the 13.2 million votes that

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[92] David Kirkpatrick, "Egyptian Islamists Approve Draft Constitution Despite Objections," *New York Times,* November 29, 2012.
[93] Ahmed and Capoccia (2014): 24.
[94] Brown (2013): 49.
[95] "Opposition rallies Friday to condemn 'Morsi failures', demand early elections," *Ahram Online*, May 10, 2013.

Morsi had garnered in the 2012 presidential elections.96 Tamarrud called for mass protests on the anniversary of Morsi's inauguration on June 30, demanding Morsi's resignation.97 In response to Tamarrud campaign, Morsi supporters launched the campaign called "Tagarod" or "Impartiality" and they deemed anti-Morsi demonstrations unconstitutional since the president held electoral legitimacy.98

On June 23rd, fearing that protests and counter-protests would drag Egypt into a civil war, the Defense Minister Sisi warned that the military would intervene to prevent further internal conflict, calling all political factions for reaching consensus.99 On June 26th, Morsi made a speech in which he admitted his mistakes during the transitional process, but he did not offer genuine concessions to opposition groups during his two and a half hour-long speech.100 His speech did not ease the tension surrounding Egypt's streets. On June 30th, millions of Egyptians poured into the streets to demand his resignation. The record states that it was the largest mass demonstration since Mubarak's ouster.101 In response to exponentially increasing anti-Morsi demonstrations nationwide, the MB cadres launched their pro-government demonstrations, which ultimately led to violent confrontations between the two camps, leaving 24 people dead and many injured.102

On July 1st, Defense Minister Sisi made his "48-hours ultimatum" calling the president to take "requisite steps" to settle the national crisis and to heed people's demands, including the formation of a national unity government and the review of the new constitution; otherwise, the

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96 Patrick Kingsley, "Tamarod campaign gathers momentum among Egypt's opposition," *The Guardian,* June 27, 2013, as cited in Brownlee et al. (2015): 124.

97 Patrick Kingsley, "Protesters across Egypt call for Mohamed Morsi to go," *The Guardian,* June 30, 2013.

98 Ahmed Maher, "Egypt deeply polarised as Morsi marks first year," *BBC,* June 27, 2013.

99 Patrick Kingsley, "Egypt's army to step in if anti-Morsi rallies become violent," *The Guardian,* June 23, 2013.

100 Patrick Kingsley, "Egypt's Mohamed Morsi: I have made mistakes," *The Guardian,* June 26, 2013.

101 Shaimaa Fayed and Yasmine Saleh, "Millions flood Egypt's streets to demand Morsi quit," *Reuters,* June 30, 2013.

102 "Egypt: Security Forces Need to Act to Prevent Bloodshed," Human Rights Watch*,* July 2, 2013.

military would lay down a political roadmap for the county's transition.[103] However, Morsi refused to concede in a televised speech by which he addressed the nation on July 2nd. He underscored his electoral "legitimacy" throughout his speech, and said, "We have to prove to the world that we are capable of democracy...peacefully, we protect [democratic] legitimacy...legitimacy is our only safeguard from future faults...I do not accept anyone saying anything or taking any steps against legitimacy; this is completely out of the question."[104] Yet, at the same time, his presidency was on the edge of being overthrown. The next day, endorsed by senior religious figures as well as elites from a wide political spectrum (such as Mohamed ElBaradei), al-Sisi announced that the country's first democratically elected president would be dismissed from his office, the recently approved constitution suspended, and an interim government would be formed to draft a new constitution.[105]

3.10. The Aftermath of The Military Coup: Reversion to *Ancien Regime*

Millions of Egyptians mobilized to oust their first democratically elected president. Although Morsi was not the type of president that they hoped for when toppling Mubarak, his ousting with a popularly supported military coup truly damaged the notion of electoral legitimacy and ended the transitional experience in Egypt. One thing was certain: with the ouster of Morsi, the Egyptian military has restored its autonomy across the country with the support of many Egyptians who preferred a "return to normalcy."[106]

A sizeable number of Egyptians believed that the military would restore stability and meet urgent economic needs of the society. However, what replaced Morsi's governance was

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[103] Matthew Weaver, Paul Owen and Tom McCarthy, "Egypt protests: army issues 48-hour ultimatum - as it happened," *The Guardian,* July 1**,** 2013.

[104] Osman El Sharnoubi, "Egypt's Morsi defies calls to step down, offers opposition partial concessions," *Ahram Online,* July 3, 2013.

[105] David Kirkpatrick, "Army Ousts Egypt's President; Morsi Is Taken Into Military Custody," *The New York Times,* July 3, 2013.

[106] Stacher (2017): 418.

grim due to the bloodshed it caused. Pro-Morsi supporters organized large peaceful sit-ins and demonstrations at Rabaa al-Adawiya and al-Nahda squares, condemning the military takeover and calling for restoration of Morsi's presidency. The Human Rights Watch reported that more than one thousand Morsi supporters had been killed by the security forces during the period between July-August 2013.[107]

The military-led government, especially the interior ministry, returned back to Mubarak-era practices such as shutting down Islamist broadcasters and taking "all necessary measures" against the Muslim Brotherhood activities.[108] However, Morsi's overthrow did not lead to what some Egyptians hoped for as the circle of repression gradually extended over non-Islamist activists. Morsi's rivals soon became critical of the military; they thought that the military was using the situation to extend the scope of repression. By the end of the year, the interim president, Adly Mansour, passed a new "anti-protest" law that gave local authorities the right to prohibit legal mass demonstrations.[109] In the shadow of this law, pro-democracy activists gathered in Tahrir square and other squares nationwide to celebrate the third anniversary of the revolution, but the security forces brutally interfered in the protests; consequently, 49 people were killed, 247 injured, and above 1000 arrested in the governorates of Minya, Cairo, Giza, and Alexandria.[110]

The laws enacted throughout 2013-2014 gave the military courts the privilege to execute jurisdiction over civilians.[111] On January 18, 2014, Egypt's new constitution was approved with

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[107] "All According to Plan: The Rab'a Massacre and Mass Killings of Protesters in Egypt," Human Rights Watch, August 12, 2014.
[108] Brown (2013): 50.
[109] Bassiouni (2016): 68; see also Patrick Kingsley, "Egypt's interim president Adly Mansour signs 'anti-protest law," The Guardian, November 24, 2013.
[110] Fady Ashraf and Ali Omar, "Update: At least 49 killed, 247 wounded and over 1000 arrested in 25 January anniversary," Daily News Egypt, January 26, 2014, also cited in Bassiouni (2016): 68
[111] Bassiouni (2016): 70.

an overwhelming 98.1 percent after the interim government's month long-campaign mobilizing Egyptians to vote "Yes."[112] Through this new constitution, the military courts have become "equivalent" to civilian courts.[113] According to the new constitution, the military budget has been kept beyond any civilian supervision and the defense minister is stipulated to be appointed by the military.[114] As Brown and Dunne noted when they wrote on the military's new status (different from the 2012 constitution) in the draft constitution, "It is no longer treated as part of the executive branch of government but rather a branch unto itself."[115] Almost one year after Morsi's ouster, al-Sisi, who orchestrated the overthrow of Morsi, was elected president with 96.1 percent of the popular vote in May 2014.[116]

As noted throughout this section, in the aftermath of the 25 January revolution, revolutionary actors had not agreed upon a transitional roadmap that would oversee Egypt to a more accountable and inclusive regime. Instead, socio-political polarization that emerged after Mubarak's fall had furthered such that a democratic compromise did not occur among opposing political actors. The revolution that ousted three decades-long authoritarianism resulted in a military coup that left hundreds of people dead and thousands injured and many others arrested. It would be too simplistic to claim that al-Sisi's election after the coup has simply led to the "civilianization" of the regime, because it has not, given that the military has remained as the leading political actor in Egypt and kept its political and economic prerogatives.[117]

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[112] "Table: Official results of Egypt's 2014 constitutional referendum," *Ahram Online,* January 19, 2014.
[113] Bassiouni (2016): 70.
[114] Mona Salem, "Egypt's draft constitution consolidates army power," *The Daily Star,* December 3, 2013.
[115] Nathan Brown and Michele Dunne, "Egypt's Draft Constitution Rewards the Military and Judiciary," Carnegie Endowment for International Peace*,* December 4, 2013.
[116] Patrick Kingsley, "Abdel Fatah al-Sisi won 96.1% of vote in Egypt presidential election, say officials," *The Guardian,* June 3, 2014.
[117] When asked about the military's central role in Egypt's politics after the coup, Hazem Kandil responded, "There is no question that the military has returned in force to the heart of the regime, in ways that are causing all kinds of

CHAPTER IV

4.1. Pathways of Democratization in the MENA

The Arab Uprisings were believed to bring about main changes in the region's political landscape. The masses targeted the decades-long undemocratic rule in the expectation that what would replace it would be a more accountable and pluralist governance. Yet, out of the six countries that were shaken by the uprisings, in only two of them (Tunisia and Egypt), the autocrat was deposed and the revolutionary actors went to the ballot box without any incidents. In other cases, the initial outcomes of the uprisings were as follows: the restoration of the old order (Yemen), the repression of the protests (Bahrain), and civil war (Libya and Syria). Considering Brownlee et al. (2015: 171)'s conceptualization regarding the phases of democratic transition (*completion* and *maintenance*), the cases of Tunisia and Egypt completed the first phase (*completion*) of their political transitions (Diagram 4.1).
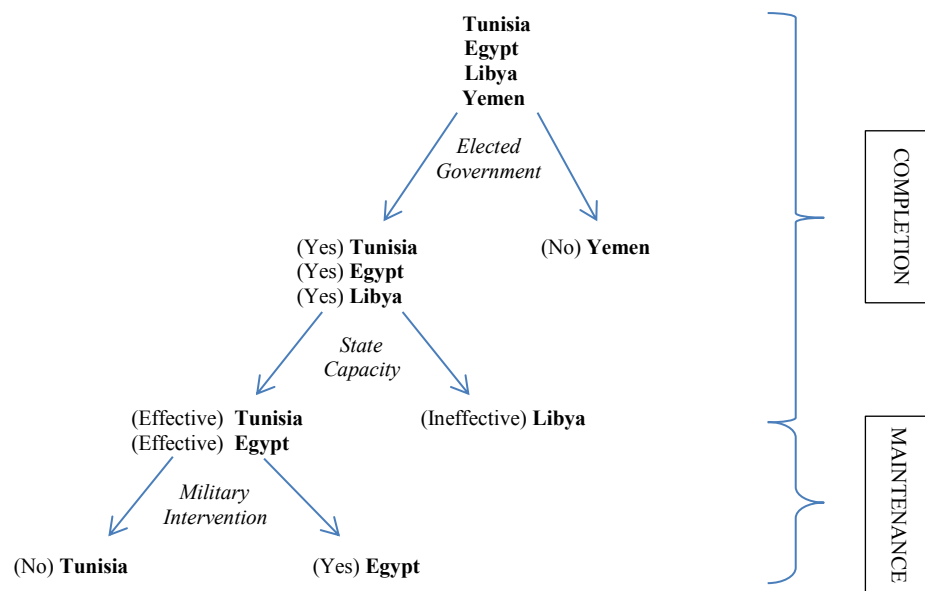
Diagram 4.1: Transitional Outcomes in Cases of Regime Breakdown, Source: Brownlee et al. (2015): 174.

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tension…Sisi has surrounded himself with former military men, just as Nasser did*;* these men left their Army posts very recently, and still have close ties with the military. In security, as we have seen, the Army has resumed its old role in domestic surveillance and repression, while in the economic field, after years of privatization and economic restructuring under the old regime, we now have a hybrid economy in which major state-run projects are largely controlled and coordinated by the military." See Hazem Kandil, "Sisi's Egypt," *New Left Review* 102, November-December 2016.

Scholars of the MENA politics have debated the fundamental socio-political reasons that led to the Arab Spring. Unlike them, I aimed to examine the *post*-Arab Spring trajectories in this study, hoping to identify the pathways of democratic transition in the countries that had long been ruled under authoritarian rulers. Therefore, the main focus of this study is the second phase (*maintenance*), in other words, how the countries in transition manage to consolidate their transitions and hold on to it.

	What Role do Oppositionists Have in Interim Government?	Is Elected Government Established?	Do Oppositions Have a Role in Determining Electoral Institutions?	Does the Elected Government Have *de facto* Authority?	Do Elected Institutions Hold?
Tunisia	*Significant.* Though both legislative and executive power were claimed by the interim government that was headed by members of Ben Ali's ruling party, oppositionists claimed significant de facto (and later, de jure) power through the High Commission for the fulfillment of Revolutionary Goals	*Yes.* October 2011 elections to constituent assembly gave rise to democratically-legitimated legislature and executive	*Total.* High Authority for Elections (ISIE) constituted by oppositionist-dominated HCFRG	Yes.	*Yes.*
Egypt	*Limited.* After Mubarak's overthrow, executive and legislative powers are claimed by the Supreme Council of Armed Forces	*Partially.* Parliamentary elections completed in January 2012. Abrogated in June 2012. Presidential elections completed in June 2012. Presidency claims legislative authority in August 2012	*Limited.* Electoral rules set by military-led interim government; oversight vested in judicial bodies	Yes.	*No.* June 2012 parliament dissolved by court order; military coup of July 3, 2013 brings end to democratically elected presidency

Table 4.1: Features of the Transition Process in Tunisia and Egypt, Retrieved from Brownlee et al. (2015): 166.

Table 4.1 shows the transitional trajectories of Tunisia and Egypt following the departure of authoritarian rulers in 2011. In the beginning, both countries seemed to have followed a

similar path. The initial political opening generated by the regime breakdown was deemed crucial by the formerly underrepresented segments of the society, and even politically restricted actors (most importantly, Islamists groups). Nevertheless, as time went on, the transitional processes in these two cases starkly differed from one another.

Over six years after the uprisings, only Tunisia has achieved to complete and maintain its political transition from authoritarianism, establishing a functioning, albeit fragile, democratic system in which the political leaders are held accountable for their political actions. The country has promulgated many laws for the protection and enhancement of the political and civil liberties within this period. Apart from other significant reasons, sincere cooperation among the opposing political actors (most importantly, between seculars and Islamists) has played a pivotal role in enabling the country's transition to proceed. Although continuing economic problems and security issues still show potential to compromise some of the democratic gains, political actors and state institutions respect the dynamics of democratic governance.

By contrast, in Egypt, with the overthrow of the first democratically elected President Mohamed Morsi through a military coup d'état in 2013, Egyptians had witnessed the legislative body of the state kept dissolved until early 2016, after parliamentary elections were finally held in late 2015 (from October 17th to December 2nd). The military also suspended the constitution adopted in early 2013 and replaced it with the current constitution in January 2014 that granted more autonomy to the security apparatus of the state (military and police forces). The Freedom in the World 2016 report evaluated the political and civil liberties in Egypt as follows, "The government harshly restricted dissent and assembly by activists from across the political

spectrum during the year. The media were also targeted, with authorities harassing and sometimes jailing journalists who reported on political opposition of any kind."[1]

How can we explain the divergence in the transitional outcomes in these two cases? In this study, I argue that one cannot confine democratization process in a fixed theoretical framework, an approach largely followed by earlier generations of democratization study; it instead is an open-ended, complex, and dynamic process. If democracy itself can be explained as a "contextual" and "deontological" variable,[2] why do scholars continue to explain democratization as a fixed and linear process by idealizing the socio-political conditions that made democracy possible in the West? We should remind ourselves that non-Western countries grapple with their own complex historical and socio-political difficulties, which are likely to complicate their transitions. For this reason, it is unreasonable to situate democratic transitions in the West and in the MENA region on the same playing field.[3] A useful explanation of democratization should refrain from assumptions favoring "pre-determinedness" and be instead evaluated contextually. Rather than setting a "rigid" democratization paradigm, which is supposed to be valid under any differing socio-political circumstances, I agree with Ahmed and Capoccia (2014)'s argument offering an approach to democratization that highlights "regional specifics" or that considers "particular modalities" peculiar to every region per se would provide

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[1] Freedom House, Freedom in the World 2016 Report.

[2] Whitehead (2002): 26.

[3] For example, Brownlee et al. (2013) holds a minimalist approach when they define "regime change" as "the ousting of an authoritarian ruler and his inner circle," asserting the importance of region-level considerations. They acknowledge their conceptualization of regime change is narrow, but they point out that setting a high requirement of democratic transition for Arab countries that had experienced the Arab Spring would not provide us with any cases of regime change. Furthermore, a similar argument can be made for the allegedly causal relationship between democracy and economic development. As noted earlier, Lipset (1959) holds the thesis that the wealthier the country is, the more possible it will have democratic governance. It is apparent that he had the "Western" experience in mind, idealizing it and expecting it to be copied by prospective democracies. However, his thesis does not "travel" well outside the Western world. For example, it does not explain why Libya has failed to make transition towards a democratic form of governance after the Arab Spring although it is one of the oil-rich countries in MENA.

us with fostering insights into examining differing national pathways of regime change.[4] Therefore, we should investigate a set of factors and examine actor-level behaviors, which I suggest will reflect the key aspects of transitions in particular contexts.[5] This position is in line with Laurence Whitehead's argument suggesting an "interpretavist" perspective, which excludes spurious rigor and indefensible assertions of causality and focuses on "transformative" and "persuasive" elements of democratization reflective to different cases.[6] Leonardo Morlino agrees with Whitehead when he states that "any attempt to establish general patterns of transitions in connection with definite explanatory factors is bound to fail."[7]

With that in mind, I propose that the macro variables that generate a democratic transition or that lead to an authoritarian restoration must be investigated contextually. The post-Arab Spring political transformation serves an instructive platform to examine the prospects and perils of a democratic transition. As stated before, four key factors have proved critical for a sound explanation of democratization experiments in the political systems affected by the uprisings: the regime type (the way the regime is structured), democratic compromise among elites, moderation of Islamist parties, and the level of civil activism. The present study suggests that none of these major variables can suffice by themselves to explain the post-Arab Spring political transitions; it would be misleading to consider one variable (e.g. the regime type) to the exclusion of the other (e.g. moderation of Islamist parties). For example, the variable *moderation of Islamist parties* must be accompanied by the other three variables. I have tried to assess all these seemingly divergent variables, expecting that they could provide us with different components of a whole

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[4] Ahmed and Capoccia (2014): 14.

[5] For a critique of localization of democracy, see Philippe C. Schmitter, "The Third Wave. Democratization in the Late Twentieth Century by Samuel P. Huntington," *The Review of Politics* 55 (2), 1993: 350.

[6] Whitehead (2002): 34-35.

[7] Leonardo Morlino, "Transitions to Democracy: What Theory to Grasp Complexities," Working Paper, Luiss Academy, 2014: 7.

picture of democratic transition. How these elements play a part in facilitating a transition from authoritarianism or derailing the process will be further addressed in regard to the case studies of Tunisia and Egypt.

4.1.1. Institutional Explanation: The Formation of The State

The strength of the existing state structure at the time the uprisings broke out is a valid indicator to explain what separates the cases of Tunisia and Egypt from other cases of regime breakdowns, that is, Libya and Yemen. The rulers of Libya and Yemen had constructed the state institutions and bureaucracy along the lines of patrimonial or charismatic leadership, with the identity groups played against one another to curb the "favored" ones' "anti-regime" sentiments. Thus, this "sensitive" balance, which they had long preserved, collapsed entirely when the uprisings overthrew the rulers, thus paving the way for an "authority vacuum…with rivals competing violently to reconstruct state authority."[8] In the cases of Tunisia and Egypt, by contrast, the state structure has largely prevailed in the face of the uprisings. Yet, the way the state as an organization is institutionalized considerably differs in both cases, which have had an underlying impact on the two countries' trajectories of political transition.

Raymond Hinnebusch, who has long written on state formation in Middle East and North Africa, offers the concept *neo-patrimonialism* to explain the variation in regime type in the MENA region. According to this concept, the state is constructed around "the relative balance between the two sources of authority" (namely personal and bureaucratic/institutional authorities).[9] In Tunisia and Egypt (as opposed to Libya and Yemen), the state has never been a personal apparatus of the leaders in power. In contrast, the bureaucratic/institutional authority

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[8] Raymond Hinnebusch, "Introduction: understanding the consequences of the Arab uprisings – starting points and divergent trajectories," *Democratization* 22 (2), 2015: 207.

[9] Hinnebusch (2015): 213.

has long enjoyed a relative autonomy of the leaders, which made it possible to "sacrifice the presidential family to save the state" in the face of the uprisings.[10] For this reason, I think an analysis of the structure of *bureaucratic/institutional apparatus* would provide better insights into explaining the different trajectories of Tunisia and Egypt's transitions. In this regard, it is pivotal to examine how security apparatus, or the *military establishment*, has historically positioned itself when it came to "intervene" in political affairs.

As noted earlier, prominent scholars studying why authoritarianism is resilient in MENA often focus on "absence" of certain key elements in this region for democracy to emerge. According to this approach, in order to detect "what" the political systems in the MENA region "lack," one should first begin by examining the trajectory of how western European democracies have emerged over time and then "idealize" it in detecting what the regimes in MENA are "missing." However, as Bellin suggested, the absence of democratization in the region actually lies in the "strength of the state," specifically "the state's capacity to maintain a monopoly on the means of coercion."[11]

In general, the degree to which armed forces have played a role in a country's independence process or taken the executive power through a military coup signals the feature of civil-military relations and the prospect of a political democracy in that country. The presence of a politicized military poses a major danger to the maintenance of democratic political institutions. Nikolay Marinov and Hein Goemans have indicated that "three out of every four failures of democracy are the result of a successful *coup d'état*," the biggest threat to political

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[10] Hinnebusch (2015): 213.

[11] Eva Bellin, "The Robustness of Authoritarianism in the Middle East: Exceptionalism in Comparative Perspective," *Comparative Politics* 36 (2), 2004: 143.

stability, especially in cases of democratic transitions following a regime breakdown.[12] The

concept of "the defense of the fatherland" plays a central role in the hands of military officers,

who are so-called "above politics," to legitimize their political autonomy, and even "without

having to take over executive office."[13] However, being "above politics" does not guarantee that

the military would step down entirely out of political sphere and a full-fledged civilian authority

would emerge. On the contrary, the military establishment may *still* want to act as the "only"

actor to determine whether, when, and how to "intervene" in the political realm.[14] Even in the

cases in which there is a working civilian authority, the military officers may not tolerate being

confined to maintaining their messianic role (defending the fatherland); they might also want to

be a part of setting and undertaking of the national goals, responsibilities that should only be

assumed by civilian authorities.[15]

Considering civil-military relations in its entirety, the important question that should be

posed for the purpose of this study was how to maximize civilian control of armed forces.

Samuel Huntington's "solution" to civil-military "problematique" stipulates that civil authority

needs to form a "professional/institutional" military that would be capable of confronting

external threats, maintaining national sovereignty, and respecting legal civilian authority.[16]

However, one should keep in mind that the establishment of "professional" military does not

always ensure the "triumph" of civilian authority by itself. Brian Loveman discussed this

possibility in great detail in his analysis of Latin American militaries, "[A]s the military

institutions embarked on modernization and professionalization, they became still more

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[12] Nikolay Marinov and Hein Goemans, "Coups and Democracy," *British Journal of Political Science* 44 (4), 2014: 801, also cited in Brownlee et al. (2015): 190.

[13] Smith (2005): 73-77.

[14] Smith (2005): 75.

[15] O'Donnell and Schmitter (1986): 32.

[16] Marybeth Peterson Ulrich, *Democratizing Communist Militaries: The Cases of the Czech and Russian Armed Forces* (Ann Arbor: The University of Michigan Press, 1999): 7.

politicized, more disdainful of civilian political parties and factions, more nationalistic, and more dependent on foreign doctrine, methods, and weapons [emphasis added]."[17]

Establishing a civilian authority over the military was also a critical issue of third wave democracies in the 1980s and 1990s. In general, the institutional subordination of the military establishment to a democratic regime is sought after following a regime breakdown so that constitutionally "chosen" civilians would control and designate the military policy.[18] Civilian authorities attempt to retain as much control as possible. So do the military officers. Subordinating the military establishment is usually problematic since the military officers would like to keep their institutional interests (not to mention their personal gains) "untouched" by emerging civilian authorities.[19] In the light of such considerations, "contestation" between civil and military authorities occurs along two fronts as Stepan (1988) pointed out. The former demands to determine military policies, such as the definition of the military mission and the size of the military budget; in contrast, the latter wants to keep these prerogatives internally decided by the military establishment.[20]

In the cases of Tunisia and Egypt, the armed forces sided with the protesters, thus leading to the overthrow of the incumbent rulers. In both cases, we have witnessed that the degree to which the military is institutionalized has played a critical role in the opening of democratic transition, in other words, the departure from authoritarian regime. However, the critical question that needs to be posed at this point is whether these militaries supported the mass uprisings because of their sincere commitment to democratic norms or because they calculated the

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[17] Brian Loveman, *For La Patria* (Wilmington, DE: Scholarly Resources, 1999): 59, as quoted in Smith (2005): 75.
[18] Smith (2005): 90.
[19] O'Donnell and Schmitter (1986): 34.
[20] Alfred Stepan, *Rethinking Military Politics: Brazil and the Southern Cone* (Princeton: Princeton University Press, 1988), also cited in Smith (2005): 90.

outcome (regime breakdown) would better serve their interests. All aside, the biggest issue in terms of the maintaining of democratic transition in the aftermath of regime breakdowns is how to push the military out of political affairs, or if it is already out of politics, how to keep it so. By accepting *depoliticized military* as a catalyst of the maintenance of transition, we can better explain why some cases result in successful transitions and others do not.

Considering how civil-military relations have played a role in the transitional processes in the case studies of this research, Tunisia and Egypt, it is important to note the political centrality of the military establishment. In retrospect, there has never been a military strongman in Tunisian history, unlike Egypt, where military officers have the ultimate control over civil politics by occupying the presidency post since 1952, including the post-Mubarak period.[21] In comparison to Tunisia, the military has been well established and more central in Egypt's political landscape over the years since the country's independence (see Table 4.2).[22] As Imad Harb wrote that "Throughout … periods of changing political roles, the Egyptian military remained the loyal repository of political power answerable only to a strong executive leadership in the person of a former military officer (the President) and sure of its privileged position within the polity."[23] Egypt's strong military establishment has long benefitted from Egyptians' fear of socio-political chaos as it has left them no other chance but to consent to "stability" over political plurality, a problematic precedent that dramatically presented itself again with the ouster of the

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[21] Alfred Stepan, "Tunisia's Transition and the Twin Tolerations," *Journal of Democracy* 23 (2), 2012: 96.

[22] In addition to being politically central, the military in Egypt is also the "engine of the industry" and the "supplier of public services." Over the years, it has led projects in "land reclamation projects," "public infrastructure," and the "production of industrial and agricultural inputs like steel and fertilizer." For more information on the military's large industrial complex, see Shana Marshall, "The Egyptian Armed Forces and the Remaking of An Economic Empire," Carnegie Middle East Center, 2015.

[23] Imad Harb, "The Egyptian Military in Politics: Disengagement or Accommodation?" *Middle East Journal* 57 (2), 2003: 270, as quoted in Brownlee et al. (2015): 192. As regards the military's role in defense industries, Harb notes that the military's vast economic establishment makes at least 500 million dollars contribution to Egypt's GDP every year as it employs about 100,000 people, see Harb (2003): 285; see also Taylor (2014): 121.

first civilian president in 2013.[24] In contrast, though Tunisian military played a significant part in neutralizing the police forces and escorting President Ben Ali out of the country, it did not play any roles in determining "the key rules needed to make the democratic transition work."[25] Alfred Stepan and Juan J. Linz described the stance that Tunisian military held in the course of regime change as follows: "the army-a modest institution with few privileges to protect-pivoted to supporting the democratic transition rather than indulging Egyptian-style worries about how to safeguard its own power and perquisites."[26] Brownlee et al. (2015) wrote that the Tunisia's chief of the armed forces, Rachid Ammar, acted in line with "values that were deeply ingrained within Tunisian military" when he sided with protesters who demanded the breakdown of Ben Ali regime. The values that have been established through long de-politicization "kept the Tunisian military from following in the footsteps of its Egyptian counterpart and inserting itself in the tussles between Islamists and their opponents, instead remaining a neutral bystander and allowing them to achieve a political settlement that has preserved Tunisian democracy."[27]

Measure	Egypt	Tunisia
Size of Armed Forces	835,500	47,800
Total Military Spending (millions of USD)	5,477	980
Military Spending as share of GDP	2.0%	1.3%
Military Spending per capita	57.8	50.9
Soldiers per 1,000 inhabitants	10.6	4.6
Global Militarization Index Rank (152 countries, 2015)	26	77

Table 4.2: The Centrality of Military in Egypt and Tunisia, Source: Updated data retrieved from World Bank Development Indicators, 2010-2014; Stockholm International Peace Research Institute, 2015; Bonn International Center for Conversion Global Militarization Index, 2015; Retrieved from Brownlee et al. (2015): 191.

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[24] Culbertson (2016): 250-253.
[25] Stepan (2012): 96.
[26] Stepan and Linz (2013): 29.
[27] Brownlee et al. (2015): 192-193.

Different colonial experiences of both countries is possibly one explanation for the divergent practices of Tunisian military and its Egyptian equivalent in political affairs.[28] French colonizers disassembled the Tunisian army and incorporated it into the French national military during colonial period from 1881 to 1956.[29] Shortly after the independence, Tunisia's first President Habib Bourguiba, a civilian politician, established the country's national armed forces; however, he kept the military small so that it would not interfere in the political realm, a policy later inherited and carefully implemented by his successor Ben Ali.[30] In contrast, Egypt had its own military establishment, albeit in a small scale, before the end of the British protectorate in the country, which had been preserved by and large after the independence.[31] Since the Free Officers' coup in 1952, the political power has been monopolized by the strong military officers, to the exclusion of nearly one year of a relative civilian rule during the transition.

In sum, an institutional analysis that considers the way in which the realms of civil and military authorities have been constructed in the MENA region provides explanatory insights into examining the prospects and perils of democratization in the post-Arab Spring process. As noted earlier, the presence of an institutionally dominant military within the state hierarchy (sometimes it might act like the state itself) may pave the way for democratic openings, especially during revolutionary regime-ousting moments. However, my argument here is in a significant part that the degree to which the military attempts to enlarge its institutional power at the expense of civilian authority during transitional processes determines whether these

[28] Brownlee et al. (2015): 194.

[29] Richard Fogarty, *Race and War in France: Colonial Subjects in the French Army, 1914-1918* (Baltimore: Johns Hopkins University Press, 2008): 82, also cited in Brownlee et al. (2015): 194.

[30] The founding father of Tunisia, Bourguiba, believed that its small country could not afford to engage in an "arming race" with other regional actors; therefore, he invested more in his country's economic and educational development rather than its defense (the country never allocated more than 2 percent of its GNP to defense), see Taylor (2014): 74; Jebnoun (2014); see also Zoltan Barany, "Comparing the Arab Revolts: The Role of The Military," *Journal of Democracy* 22 (4), 2011: 31.

[31] Brownlee et al. (2015): 194.

processes result in success. In the case of Egypt, with the breakdown of three decades-long Mubarak regime, the SCAF came into the position of the only central authority with the power that could supervise the transition that would primarily guarantee the institutional interests of the military. As a result, its tight oversight of the transition did not let a genuine power transfer to civilian government take place. Although it did not afford killing its citizens on the streets in 2011, it did so in 2013 when military officers believed that civilian authorities began compromising their institutional prerogatives.[32] In contrast, the Tunisian military has maintained its position of staying uninvolved in settling political matters even after the long-time autocrat was deposed, which has left civilian actors a political opportunity to work together for building the new Tunisia.

4.1.2. Consensus Model of Politics: The Role of Conciliatory Pact-Making in Transition

At the second level of analysis, one should examine consensus-seeking efforts among political elites for explaining the prospects and perils of transitional processes that unfolded in the wake of the Arab Spring. The consolidation of democratic transition requires more than merely the removal of the incumbent ruler; therefore, those who invest in the overthrow of the autocrat are expected to take a consensual stance aimed at building accountable institutions and implementing post-breakdown policies, going beyond their narrow agendas.[33] One of the most challenging political considerations following a regime breakdown is pact-making. O'Donnell and Schmitter define pact as an "explicit agreement" among a group of actors which aims to establish rules overseeing the "exercise of power" by considering mutual interests of those agreeing upon it.[34] Through a negotiated pact, actors rule out violent confrontation as a "way" to

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[32] Taylor (2014): 14.
[33] Tugal (2016): 198.
[34] O'Donnell and Schmitter (1986): 37.

resolve future disagreements; they instead make compromises by which they can convince each other. This conciliatory approach shared by all or at least the majority of the emergent political actors signals that they respect each other's vital interests and that they deem political conditions of the emergent democratization process legitimate.[35] Stepan and Linz argue that organized political groups should find or be provided a democratic platform in which they can discuss existing problems concerning the consolidation of democratic transition and how to build the future of the country. In this way, they can lessen fears or anxieties of other groups.[36]

Rustow (1970) wrote that it is possible that a small number of actors, each having different ideological preferences on governance, can play a "disproportionate role" in establishing a broad-based agreement.[37] In order for democratization process to continue, a group of actors engages in the decision-making process, mostly by negotiating with each other. Whitehead (2002) wrote that seemingly complicated bargains that take place among key "civilian" actors, either privately or publicly, determine the prospect of whether a pact (founding constitution), one that could encompass a wider society (by meeting their expectations) as well as that could democratize existing authoritarian order (including the remnants of the old regime), is reached.[38] The best scenario for a power-sharing pact is attained when none of the social or political groups impose their "preferred project" on the other groups, all agreeing to their "second-best solution" that does not seem desirable in the first place.[39] Through concessions and

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[35] O'Donnell and Schmitter (1986): 38; see also Ahmed and Capoccia (2014): 28. Linz and Stepan (1996: 5) consider a democracy consolidated "when no significant political groups seriously attempt to overthrow the democratic regime or secede from the state." This is their actor-centered explanation. To borrow from them, I think only if revolutionary elites, in the aftermath of authoritarian breakdown, believe that the challenges facing their newly developing political system need to be resolved "within the parameters of democratic formulas," a better functioning and accountable political system could be established.
[36] Stepan and Linz (2013): 23.
[37] Rustow (1970): 356.
[38] Whitehead (2002): 61-62.
[39] O'Donnell and Schmitter (1986): 38.

bargains, political elites can find a common ground to resolve problems threatening the transition and to win over suspicions of the "other." As observed in successful cases of transitions from authoritarian rule (e.g. Spain), actors know that they cannot do without each other since the rules of the "game" that govern the emergent transition following regime breakdown cannot be unilaterally imposed on other groups; therefore, they prefer negotiating each other to solely realizing their divergent agendas.[40]

Scholars consider the "post-breakdown cooperation," a substantial sign of "political maturity" among the actors that challenged and overthrew the existing regime, to be a significant factor in democratic transition.[41] Tarek Masoud underscores the significance of post-breakdown cooperation by showing how rarely any kind of consensus among political actors is found in the MENA region. He suggests that the prevailing point of view entrenched in the regional political culture deems any political opposition "enemies to be silenced" instead of partners equally responsible for building effective and accountable political institutions. "Winner-takes-all" political mentality eliminates political opportunities aiming to develop a pluralist political platform that reconciles opposing ideologies in post-breakdown periods.[42] Yet, the failure (or unwillingness) of revolutionary actors to make concessions (or work together) in the aim of securing the political transformation in the post-regime breakdown process cannot simply be explained by the region's "exceptionalism." It is more a global pattern that is possible to derail any transition under any regional circumstances. Giuseppe Di Palma's remarks suggest a trans-regional explanation, one that presents the mechanism behind this failure and also helps us go beyond the essentialist arguments such as "the region is of unique *cultural* characteristics

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[40] O'Donnell and Schmitter (1986): 38.
[41] Brownlee et al. (2015): 27.
[42] Masoud (2015): 81.

unfavorable to the development of democratic pluralism." He aptly wrote, "players who are reluctant to trust an open political game, preferring instead to protect themselves against their adversaries by girding democracy with their own invasive measures, may end up with a troubled democracy or worse."[43]

With regard to Tunisia and Egypt, the politics of compromise explains, to a significant extent, the divergence in the transitional outcomes in both countries. Stepan and Linz noted that competing political factions (primarily seculars and Islamists) were having joint meetings to find out "whether they could reduce mutual fears and agree upon rules for democratic governance" as early as eight years before the uprisings in Tunisia while a sound political dialogue could not develop up until four months after the regime breakdown in Egypt.[44] Unlike Egypt, Tunisia's democratization experiment was successful since (apart from other reasons) the political actors (Islamists and secularists) responsible for overseeing the transition acted in accordance with the understanding that "compromise was essential to their own future political prospects."[45] Eva Bellin wrote that there was a complete dedication to democratization process among Tunisian political elites in terms of "breaking with" the old regime (and its remnants) and "embracing free and fair elections."[46] On the other hand, in Egypt, as Brown aptly wrote, "Morsi and the Brotherhood made almost every conceivable mistake…They alienated potential allies, ignored rising discontent, focus more on consolidating their rule than on using the tools that they did have, and used rhetoric that was tone deaf at best and threatening at worst."[47]

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[43] Di Palma (1990): 71.
[44] Stepan and Linz (2013): 23.
[45] Mark Freeman and Seth Kaplan, "Common Ground, Common Good: Tunisia's Model for Bridging Political and Social Divides," *Christian Science Monitor,* March 17, as quoted in Brownlee et al. (2015): 188.
[46] Eva Bellin, "Drivers of Democracy: Lessons from Tunisia." *Middle East Brief* (75), August 2013: 3.
[47] Brown (2013): 57, also quoted in Brownlee et al. (2015): 188.

Opposing actors' sincere commitment to dialogue has been one of the underlying aspects of Tunisia's transitional experience. O'Donnell and Schmitter (1986) mentioned a paradox that usually faces the revolutionary elites (especially those who underwent years of repression) during the transition: "where and when it is easier to bury the past."[48] Burying the past and sitting on a negotiation table with the ones responsible for "past actions of oppression" is often challenging and may be unacceptable since the memories are usually vivid, especially in the minds of those who might seek "revenge" if given opportunity.[49] Yet, Ghannouchi and his close friends stayed away from revenge-seeking discourses and practices; they instead preferred to convince those possible "revenge-seekers" among Islamist groups to give up their anger and to "consent" to work with their rivals in order to restore peace and stability in the country, which had a significant influence over the consolidation of the transition. It is similar to Nelson Mandela's efforts to bring peace to South Africa. As Noah Feldman wrote about Mandela in 2013 right after he died, "He brought peace through his ability to *convince* millions of his countrymen that they should accept much less than they were in justice owed [emphasis added]."[50] By contrast, Islamists in Egypt showed little interest in finding a mutually acceptable "rules of the game" with their rivals. The non-Islamist demands and concerns were driven out of the transitional process, largely because Islamists did not see any reason to work with their rivals while they already had the military's political support. A related reason was that Islamists did not believe that their political rivals were able to create a unified and strong political bloc against their governance. Eventually, the socio-political tension became evident and the divide between Islamists and non-Islamists further escalated by the beginning of 2013 as the latter began to see

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[48] O'Donnell and Schmitter (1986): 30.
[49] O'Donnell and Schmitter (1986): 30.
[50] Noah Feldman, "Was Mandela Right to Sell Out Black South Africans?" *Bloomberg View*, December 9, 2013.

the former as "hijackers" of the revolution.[51] In such an atmosphere, the opposition groups initiated the campaign "Tamarrud," or "Rebel," that called an old "arbiter" (the military) for "taking back" the revolution from the Islamist government, which resulted in the military coup and marked the failure of democratic transition in Egypt.

Moreover, long-standing institutional legacies in a given country substantially influence the prospect of "pact-making" process during democratic transitions. Daniel Brumberg examined Egypt and Tunisia by focusing on how the presence of a strong military legacy has affected the pact-making period in both cases. As noted earlier, Egypt's military has historically been well organized and highly politicized. For this reason, it was not affected by the collapse of the Mubarak regime. Political actors with differing ideologies opted to separately negotiate with the military in order to maximize their particular political ends and alienate the other political factions from the pact-making process in Egypt. In the case of Tunisia, where there has not been a historically muscular and politically autonomous military, Brumberg suggests, the opposing political actors "had to either fight or negotiate," thus paving the way for the achievement of a pluralist pact-making process.[52]

In terms of pact-making or power-sharing practices through which at least two opposing rivals settle the issues during a democratization process, the political actors in the Arab world have generally proven unsuccessful. However, significant lessons can be drawn from the post-Arab Spring process as divergent trajectories of compromise-making efforts have emerged in the countries whose long-time authoritarian presidents were ousted. In Egypt, the Islamist alliance (the Muslim Brotherhood and Salafists), which won more than 70 percent of the total seats in the

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[51] Volpi and Stein (2015): 14.
[52] Daniel Brumberg, "Reconsidering 'Theories of Transition'," in *Reflections on the Arab Uprisings,* Project on Middle East Political Science (November 17), 2014: 11.

parliament, did not feel "obliged" to adopt an inclusive stance towards non-Islamists during the transition. As Brumberg wrote, Islamists in Egypt demonstrated "no sudden readiness to offer 'credible assurances' to their non-Islamist rivals;" therefore, "the chances for a consensus-based draft constitution – and indeed for accommodation in general – appeared slim."[53] On the contrary, Tunisian political elites have reaffirmed that tackling multidimensional political problems that a country in transition faces cannot be take place through the concentration of power in the hands of the majority but the distribution of it among political rivals. To borrow from Volpi and Stein (2015), the political actors (especially the Ennahdha party) made ideological concessions by believing that "losses today can be compensated by gains in the future,"[54] which consolidated the belief in a democratic system. Holding two legislative elections in 2011 and 2014, in which political power successfully alternated between opposing political groups without any incidents, reaffirmed the success of Tunisia's "story." Political challenges introduced by periodic setbacks have been overcome through a consensual understanding in all sincerity, proving vital in the consolidation of Tunisia's democratic transition.

4.1.3. Moderation of Islamist Parties

The relatively pluralist atmosphere that emerged in the aftermath of the 2011 Arab Uprisings paved the way for the rise of Islamist parties, political outsiders that had long been driven out of the their countries' political center by either "founding fathers" or their more authoritarian successors. One of the underlying factors that determined the success or failure of transitional processes in the Arab Spring countries is Islamist parties' sudden and unexpected "move" to (or, "capture" of) the political center or "establishment." Islamist parties have an

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[53] Daniel Brumberg, "Transforming the Arab World's Protection-Racket Politics," *Journal of Democracy* 24 (3), 2013: 93, also quoted in Brownlee et al. (2015): 188.
[54] Frederic Volpi and Ewan Stein, "Islamism and the State After the Arab Uprisings: Between people power and state power," *Democratization* 22, 2015: 16.

undoubted capacity to mobilize a large number of people in their respective societies; thus, these parties' participation in a pluralist political landscape is vital for the prospect of democratization. However, how they deal with the give-and-take nature of a meaningful pluralist system is largely determined by the degree to which they moderate their ideological agenda. There is a rich scholarly literature on the positive relationship between the ideological moderation (in general, this moderation process occurs gradually) of Islamist parties and democratization process of the country in which they operate. With regard to democratic transition literature, political elites who are ideologically rivals but strive to find a "common ground" throughout the transition process and its aftermath are considered *moderates*.[55] By moderation of ideological agenda, I refer here to a *gradual movement* from radical to a moderate standpoint at which liberal notions of democracy and individual human rights as well as political tolerance and pluralism are respected and absorbed by the religious parties.[56] Wickham (2004) explained:

> Ideological moderation refers to the abandonment, postponement, or revision of radical goals that enables an opposition movement to accommodate itself to the give and take of "normal" competitive politics. It entails a shift toward substantive commitment to democratic principles, including the peaceful alternation of power, ideological and political pluralism, and citizenship rights.[57]

A word should be said about the leadership within Islamist parties and its roles in terms of persuading the rest of the party members about the gradual moderation of ideological standpoints held earlier within the party. Schwedler (2011) noted that leadership is important but insufficient by itself for the moderation of party ideology since it also requires "the process of *engaging in* debates about ideological commitments…that can produce ideological moderation

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[55] Jillian Schwedler, "Can Islamists Become Moderates?: Rethinking the Inclusion-Moderation Hypothesis," *World Politics* 63 (2), 2011: 350.

[56] Schwedler (2011): 352.

[57] Carrie Rosefsky Wickham, "The Path to moderation: strategy and learning in the Formation of Egypt's Wasat Party," *Comparative Politics* 36 (2), 2004: 206.

[emphasis in original]."[58] Post-Arab Spring political developments have demonstrated both domestic and international observers how *important* the longtime inter-party debates within Islamist parties, the ones that have trimmed radical components of their ideological standpoints, have been in generating a pluralist atmosphere in which major policy discussions could be multilaterally undertaken.

Asef Bayat (2013) makes his contribution to discussions about the moderation of Islamist parties within the context of his conceptualization of Post-Islamism. Bayat notes that there are certain indications that religious politics in Middle East and North Africa has long been undergoing an ideological transformation, as he calls "the metamorphosis of Islamism (in ideas, approaches, and practices) from within and without."[59] By Islamists, Bayat refers to religious ideologies or movements whose main goal is to establish an Islamic state in which sharia law defines everyday life, a "normative and legal perspective" underscoring individual obligations rather than rights.[60] Traditional Islamist motivations such as "capturing and Islamizing the state and society," which swiftly surrounded regional politics shortly after the Iranian Revolution in 1979, Bayat points out, had begun to lose ground in the region in the aftermath of September 11, 2011. Religious politics encountered serious confrontations from not only non-Islamists but also "conservatives" who "felt the deep scars Islamists' disregard for human rights, tolerance, and pluralism had left on the body politic and religious life."[61] Thus, legitimacy crisis that "Islamist" politics has still been undergoing has paved the way for a "new" religious politics that both emphasize conservative sensibilities in society and embraces democratic norms and values.[62]

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[58] Schwedler (2011): 360.
[59] Asef Bayat, *Making Islam Democratic: Social Movements and the Post-Islamist Turn* (Palo Alto, California: Stanford University Press, 2007: 10, also cited in Schwedler (2011): 368.
[60] Asef Bayat, "The Arab Spring and Its Surprises," *Development and Change* 44 (3), 2013: 592.
[61] Bayat (2013): 591.
[62] Asef Bayat, "Egypt and the Post-Islamist Middle East," *Open Democracy,* February 8, 2011.

Bayat's post-Islamism moves beyond the old Islamist politics both by underlining people's rights (instead of only focusing on their obligations), seeing people as equal citizens rather than mere subjects, and by prioritizing a secular/civil state at the same time promoting a pious societal framework.[63]

Bayat's argument echoes across Volpi and Stein's (2015) article on different Islamic trends, in that they offer a distinction between "statist" and "non-statist" Islamism to help understand how the gradual ideological change within Islamist parties (namely, those they consider "statist") over time can contribute to further democratization of the state.[64] Volpi and Stein's description of "statist" Islamism underscores the interconnected relationship between "national structure of governance" and "strategies" of Islamist groups that wish not to dominate political landscape (in a "one vote and one time" fashion) but participate in a pluralist political community through legal means (elections). It is those Islamists, Volpi and Stein suggests, that have achieved to "come closest to reconciling Islamic doctrines…with liberal forms of democracy."[65] In contrast, non-statist Islamist trend follows a "proselytizing" path that aims to establish an Islamic society through grassroots activism. This current, which prioritizes religious community over democratic policy-making across the nationwide, tends to fail to forge a conciliatory approach towards its "others" at the socio-political stage, as it refrains from compromising its vision of "an ideal society inspired by teachings and practices from the time of the prophet."[66]

Volpi and Stein's conceptualization of non-statist Islamist may need further elaboration, as it only puts emphasis on Salafist and jihadi movements, each being of infra-political structure.

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[63] Bayat (2013): 592-593.
[64] Volpi and Stein (2015): 13.
[65] Volpi and Stein (2015): 8.
[66] Volpi and Stein (2015): 10.

Building on their argument, it is also important to consider movements or parties that play the rules of "democratic game" until they get elected. After that, they might feel "unshackled" to put their "Islamization of the society" project into action, by either gradual restoration of the society (usually takes a long time) or "sudden" transformation of political and social realm (usually departs from democratic values and norms). Ultimately, neither is linked to a democratic future, as both image an "ideal" future in which political realm is not designed through a pluralistic but majoritarian fashion that ignores political expectations of different segments of the society, which would eventually result in the installation of another form of authoritarianism.

As regards the two successful cases of regime breakdown, that is, Tunisia and Egypt, the Islamists won the first democratic elections in their countries following the regime breakdown due to their capacity to mobilize their grassroots networks in the absence of other opposition forces that had long been repressed by authoritarian regimes. However, the transitional performances of the Islamist parties in both countries represent the two opposite edges of a spectrum. While the Islamists (or "post-Islamists" within the frame of Bayat's argument) achieved some success in building an accountable and politically pluralist system in Tunisia, their Egyptian counterparts failed to generate a democratic national consensus that would have addressed the socio-political demands of large segments of society. The question to ask: what is the reason that Tunisian Islamists, namely the Ennahdha party, have helped the "new" Tunisia oversee a comparatively smooth democratization process, albeit its periodic setbacks, while Egypt's Muslim Brotherhood could not channel its political power into establishing a democratic "new" Egypt?

It is important to note here that what the Arab Spring uncovered is not simply a resurgence of "Islamist" politics that has long aimed to establish an Islamic order, but rather a

new religious politics that has evolved into a path in which religion plays a social role within a *civil* and *secular* state.[67] However, the question Ellen McLarney asks "Why Arab Spring made life better in Tunisia, failed everywhere else"[68] is an important one since this "metamorphosis" of Islamism did not occur somewhere else, but Tunisia.

Tunisia's Ennahdha has contributed to the restoration of democratic institutions and practices in the post-Ben Ali era by not taking advantage of its electoral success and overseeing the transitional process without "listening to" others' concerns and expectations. However, the party has reached its current ideological evolution that respects democratic norms and values as a result of "35 years of constant self-evaluation and more than two years of intense introspection and discussion at the grass-roots level,"[69] Rached Ghannouchi explains. The political message of the party was more anti-systemic and non-conciliatory in the 1970s when it was first founded under the *Harakat al-Ittijah al-Islami* (the Islamic Tendency Movement, MTI) as an actor that aimed to *re-establish* Islam as a dominant factor in Tunisian society, an alternative national project to the founding father Bourguiba's top-down secularization.[70] However, over the years of repression and struggle for survival under Bourguiba and Ben Ali regimes (to the exclusion of a short period of political opening in the late 1980s), the reformist figures such as Ghannouchi and former prime minister Hamadi Jebali have pioneered political reconciliation, thus redefining the party's ideological stance as one that aims to develop a "Tunisian Islam compatible with

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[67] Bayat (2013): 593.

[68] Ellen McLarney, "Why Arab Spring made life better in Tunisia, failed everywhere else," *Reuters,* February 18, 2015.

[69] Rached Ghannouchi, "From Political Islam to Muslim Democracy," *Foreign Affairs*, September/October 2016.

[70] It is known that the party took a clear position against freedom of conscience and the abandonment of sharia in the early 1990s. Most party members opposed an idea of full-fledged democracy if it does not suit preexisting Islamic law. For a detailed analysis of the party's ideological stance in the beginning and how it has considerably evolved over time, see Kasper Ly Netterstrøm, "The Islamists' Compromise in Tunisia," *Journal of Democracy* 26 (4), 2015; Laura Guazzone, "Ennahda Islamists and the Test of Government in Tunisia," *The International Spectator* 48 (4), 2013; see also Stefano Maria Torelli, "The 'AKP Model' and Tunisia's al-Nahda: From Convergence to Competition?," *Insight Turkey* 14 (3), 2012: 70.

democratic principles."[71] This ideological transformation can also be observed in the party's experience at working with other parties even though they do not see eye to eye on every issue. In 2005, Ennahdha joined 18 October movement with other secular parties in opposition to protest Ben Ali regime.[72] This was an important move for rival ideologies to understand each other's concerns and expectations by "sitting on the same table," eventually compelling each actor to moderate their party agenda to "keep their place" on the table.

The 2011 Arab Spring provided Tunisia's Ennahdha an opportunity to show its sincere commitment to pluralist democracy although they were not the main actor that instigated the uprisings. Having considered the fragility of the country's transitional process, Ennahdha prioritized compromise and reconciliation instead of alienation and polarization to make a clear break from old regime practices. The party's 2011 electoral program considered the state a "political *civil* entity" which "oversees public matters, protects social peace, works for economic development, respects individual and public liberties, upholds democratic practices, and ensures equality between citizens in rights and in obligations."[73] Ghannouchi recalls his party's political stance in the aftermath of Tunisia's first democratic election held on October 23, 2011:

> Once we won the elections, our Party was the first to call for national unity and avoiding monopolization of power, calling for co-existence and cooperation between secularists and Islamists. The Troika coalition between Ennahdha and two secular parties was a clear proof of our conviction that Tunisia can only be governed through consensus, and that transitions cannot be managed by the logic of majority versus minority.[74]

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[71] Anne Wolf, "An Islamist 'renaissance'? Religion and politics in post-revolutionary Tunisia," *The Journal of North African Studies* 18 (4), 2013: 564.

[72] Netterstrøm (2015): 115.

[73] Retrieved from Ennahdha Movement 2011 Electoral Program, at http://kurzman.unc.edu/files/2011/06/Nahda_2011_summary_in_English.pdf: 12; see also Guazzone (2013): 45.

[74] From a speech he gave in Washington, DC (The Carnegie Endowment for International Peace) on February 26, 2014.

The drafting process of the country's new constitution was one of the manifestations of Ennahdha's momentous role in the transition. The party avoided any moves that its rivals might interpret as the political disenfranchisement of large groups within the society[75], which would have undermined the prospect for democratization. By setting partisan interests aside, the party preferred to soften its ideological claims in a "democratizing" manner whose best indicator was to avoid the imposition of Islamic law on the society. Ghannouchi later explained his party's disinterest in any types of hegemonic social engineering which Tunisia's old rulers were fond of, "Ennahdha does not want Bourguiba and Ben Ali's top-down approach of imposing their ideology and strategy on the Tunisian people."[76]

Moreover, the party accepted key secular articles in the new constitution although it pioneered principles that the party had previously contradicted. Despite the internal pressure from local members who demanded the party should push for leaving a large Islamic imprint on the new constitution (especially on the issue of the imposition of Islamic law), the Ennahdha leadership engaged in serious discussions with "rank-and-file" party members to obtain their approval of the accepted "secular" articles that contradicted the party's original standpoint.[77] Undoubtedly, Ghannouchi's charismatic authority in the eyes of the members helped his liberal interpretation of Islam easily resonate across the party. He explained his approach:

> It is not suitable that Islamists and Muslims in general fear that freedom would harm Islam. The greatest danger to Islam would be the absence of freedoms and the unavailability of sufficient

[75] Transitional processes usually continue within "multiple arenas of contestation." Ahmed and Capoccia (2014) note that the alienation of large public segments from political decisions through the consolidation of political power in the hands of the few is very likely to weaken the prospects for establishing a relatively pluralist political future, in which socio-political actors from a wide political spectrum would "fight battles for democratization in various institutional arenas." For a thorough analysis, see Ahmed and Capoccia (2014): 12-14.

[76] Wolf (2013): 567.

[77] Netterstrøm (2015): 119.

guarantees for the freedom of conscience, the freedom of expression, the freedom of belief, the freedom of movement, and all social freedoms.[78]

It would be misleading to assume that the party's new position is actually temporary or tactical just to soothe the fears of non-Islamists while maintaining a "secret" goal of Islamization of the society on the backstage. Instead, the party's conciliatory moves to bring as many political actors as possible into the transitional period (e.g. Ghannouchi's efforts to repeal exclusion law) to create a broadly-represented political platform enabled the transition to proceed, albeit its perils. Instead of introducing a new form of authoritarian governance, Islamists of Tunisia strived to contribute to the consolidation of the post-Ben Ali democratic gains.[79] Furthermore, the party's transformation from being a "religious" movement to a broad-based party has continued since it lost 2014 parliamentary and 2015 presidential elections to the center-right Nidaa Tounes. Briefly, Tunisia's Ennahdha has succeeded to position itself at the center of the Tunisian ideological political scale, as its reformist leader Ghannouchi had long hoped. Volpi and Stein (2015) writes, "Rather than seeking to have an immediate impact on the state institutions and state governance, statist Islamists in Tunisia have prioritized becoming an entrenched, mainstream party with a say in public and political life regardless of whether they are in opposition or in government."[80] The 10th party congress held on May 20, 2016 was momentous in this respect as critical organizational decisions were made. The party announced plans to change membership procedure to "recruit new voices and perspectives."[81] Most strikingly, leading party members are prohibited from preaching in mosques as well as holding a

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[78] From a speech given on July 19, 2013 at the Center for the Study of Islam and Democracy in Tunis, also cited in Netterstrøm (2015): 119.
[79] Volpi and Stein (2015): 16.
[80] Volpi and Stein (2015): 17.
[81] Monica Marks, "How big were the changes Tunisia's Ennahda party just made at its national congress?," *The Washington Post Monkey Cage,* May 25, 2016.

leadership position in civil society groups, including religious or charitable organizations. According to this new vision, the party separated its political activities from religious, social, and educational pursuits in order to focus on policy-making to address everyday expectations of Tunisians. Ghannouchi explained his party's new perspective:

> We seek to create solutions to the day-to-day problems that Tunisians face …it is no longer necessary for Ennahda (or any other party) to struggle for religious freedoms: under the new constitution, all Tunisians enjoy the same rights, whether they are believers, agnostics, or atheists. The separation of religion and politics will prevent officials from using faith-based appeals to manipulate the public.[82]

In contrast, transitional process took a very different path in Egypt because not only the military and judiciary paralyzed the process but also the Muslim Brotherhood's leadership oversaw the country's transition in a majoritarian or "one vote-one time" understanding, leaving only limited political space to opposition actors. Egypt's politics had long been deprived of multiparty and electoral politics in the hands of authoritarian leaders. This status-quo continued even after the country's first seemingly democratic elections. Islamists (the Muslim Brotherhood and Salafis) garnered a considerable public support; however, in contrast to Tunisia's Islamists, they failed (or did not see any reason) to channel this support into pact-making while drafting the new constitution.[83] The question to ask: what prevented the Muslim Brotherhood leadership from mirroring a path similar to the one taken by Ennahdha? Aside from institutional challenges to the transition posed by two antiquated old regime actors (military establishment and judiciary), how did the MB's lack of ideological moderation by itself lead to the downfall of the first democratic initiative in Egypt?

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[82] Ghannouchi, "From Political Islam to Muslim Democracy."
[83] Volpi and Stein (2015): 15.

The Muslim Brotherhood was founded in 1928 by Hasan al-Banna as a conservative movement. Populist rhetoric and avoidance of violent actions swiftly earned the movement a wide social and political appeal. Since its beginning, the leading party members preferred to adopt a reformist (instead of "revolutionary") ideology so as to avoid political exclusion and repression. Over the years, they did refrain from directly challenging the regime, assuming that this would help the movement's survival in the long run. Yet, this non-confrontational and accommodative relation with the regime had caused two essential problems: First, since it did not need to bargain or deal with other political actors in opposition, it failed to develop conciliatory and give-and-take strategies.[84] It instead preferred less risky/more advantageous channels such as the military and the Interior Ministry to stay in political scene.[85] Second, since it had not engaged in deal-making "pacts" with opposition actors, mostly seculars and liberals, it had become almost impossible for Islamists to understand other actors' expectations, viewpoints, and concerns. In addition, since the survival had always been the key issue for the movement, the concerns such as "how to solve Egypt's problems" had never occupied the leading figures' agenda, which prevented them from knowing "what is outside a conservative and pious life."[86] In comparison, Tunisia's Islamists and secular actors in opposition had already entered into agreements as early as 2003 and built a broader understanding on many issues such as gender equality and democratic *civil* system (that rejects installation of Shari'a Council[87]) by the time the uprisings broke out in late 2010.

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[84] Although the Muslim Brotherhood tried to reach out other political forces such as the Kefaya to build an opposition bloc in 2004 against the Mubarak regime, it did not pave the way for a long-lasting partnership, see Al-Anani (2015): 530.

[85] Al-Anani (2015): 535.

[86] Culbertson (2016): 274.

[87] While Tunisia's Islamists had found it unwarranted to introduce a religious forum into a democratic system, the Muslim Brotherhood in Egypt proposed Shari'a and the Ulama Council in its party platform in 2007 as forums to supervise parliamentary legislation to ensure the implementation of shari'a law; for a thorough analysis of the

In comparison to Tunisia's Ennahdha, the Muslim Brothers had not entirely resolved the ideological quandary the movement had long been facing at the time the Arab Uprisings spilled over Egypt in 2011. Historically, internal debates between the traditionalists and the young reformists dominated the movement's agenda. While the "old guards" had pioneered the ambiguous and long-standing motto "Islam is (the) Solution," the reformist figures such as Abdel Monem Aboul-Fotouh had been pushing for moderate interpretation of Islamic principles as well as embrace of democratic norms.[88] However, by the mid-1990s, the former group began to dominate the movement's decision-making process, which led key reformist figures such as Abu al-Ala Madi and Isam Sultan to leave the movement and form their own political party, the Wasat (Center) Party.[89]

Old guards' domination within the movement had continued between 2001 and 2011. Two key figures, Mahmud Izzat (Secretary General until 2008) and Khayrat al-Shatir (Deputy General Guide) stood out and began reformulating the movement's organizational structure as they established a new and more monolithic power center (dependent on a small group of individuals) that determined where the Brotherhood ideologically stood.[90] The Shura Council and the Guidance Bureau, two highest institutions within the movement, were reshaped as their members were no longer selected on the basis of individual merits or skills but loyalty or subservience to the leadership.[91] In this regard, one can point to the similarity between Egypt's Brotherhood and Tunisia's Ennahdha in terms of the leadership domination within them,

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Muslim Brotherhood's 2007 party platform, see Nathan J. Brown and Amr Hamzawy, "The Draft Party Platform of the Egyptian Muslim Brotherhood: Foray Into Political Integration or Retreat Into Old Positions?," *Carnegie Endowment Middle East Series,* Number 89, 2008; see also Stepan (2012): 95.

[88] Asef Bayat, "Arab Revolts: Islamists aren't Coming!" *Insight Turkey* 13 (2), 2011: 12.

[89] Al-Anani (2015): 536.

[90] Al-Anani (2015): 536.

[91] Many senior members within the movement including Mohamed Morsi could further their careers only through Shatir and Izzat's approvals, see Al-Anani (2015): 536.

somehow equating Ghannouchi's leadership with his counterparts' in Egypt. Even if reasonable, this argument would overlook fact that Ghannouchi's moderate approach embracing the principles of democracy has enabled his party to move beyond (this process is still ongoing) its earliest ideological blindness (which aimed to establish a religious state), whereas his counterparts in Egypt chose an exclusionary path against reformist and moderate figures within the Brotherhood. Thus, neither a bottom-up nor a top-down ideological transformation that could have given rise to Islamism's "metamorphosis" took place in Egypt.

By the time the Arab Spring broke out in Egypt, MB's internal ideological cleavages reappeared. In the face of revolutionary objections and fast-changing social atmosphere, the movement's gradualist and conservative character became one of the main problems to overcome, as some figures such as Saad al-Husseini and Mahmoud Ezzat (two senior members of the Guidance Bureau) began talking about "preparing society for Islamic rule" and "reinstating the implementation of the huddud punishment."[92] Shortly after the breakdown of Mubarak's regime, the Brotherhood leadership reconsidered their earlier policy of not to form a political party. In February 2011, Muhammad Badi, the movement's Supreme Guide, appointed Muhammad Sa'ad al-Qatatni for overseeing the process of establishing the new party, as announced later "a civil party with an Islamic frame of reference."[93] However, reformist voices were initially silenced when the movement leadership announced in March that all the members must join the new party, leading some reformist figures such as Ibrahim Zaafarani and later Muhammad Habib to resign from the movement.[94]

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[92] Carrie Rosefsky Wickham, "The Muslim Brotherhood and Democratic Transition in Egypt," *Middle East Law and Governance* 3, 2011: 217-218.
[93] Wickham (2011): 214.
[94] Wickham (2011): 214.

As the post-Mubarak process proceeded, the question of how the Brotherhood, as a civil actor with the most established social network, would respond to the calls for democracy, transparency, and political opening that the uprisings unfolded was yet to be answered. In comparison to Tunisia case, where Islamists sought to deal with those with whom they marched against Ben Ali's autocracy, the Brotherhood preferred to work with old regime actors (especially military), Salafis, and jihadi groups, while at the same time alienating other groups such as leftists, seculars, and liberals (major actors that instigated the uprisings).[95] The rationale here was that an alliance with Salafi parties such as the Nour Party and jihadi parties such as the Building and Development Party instead of young revolutionary groups (non-Islamists) would not necessitate the Brotherhood to reconfigure its ideological position. Moreover, the Brotherhood deemed a "temporary pact" with the military establishment more feasible since, in this way, it would not have to play democracy's "give-and-take game" with "hesitant" civilian actors who are worried about "Islamization of their revolution."

Ultimately, we may ask: Did the Muslim Brotherhood support the democratic transition as an end by itself *or* did the movement deem the political vacuum left by Mubarak's ouster an "opportunity" to realize the establishment of a political system based on God's will rather than Egyptians'? Wickham (2011) has noted that the principles – such as internal unity, obedience to the leadership without questioning, and discipline – that enabled the movement to survive decades of repression and exclusion turned out to be obstacles for organizational transformation and ideological reform, which posed serious problems to the maintenance of the transitional process in Egypt.[96]

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[95] Al-Anani (2015): 535.
[96] Wickham (2011): 221.

4.1.4. Civil Society Activism

Scholars of democratization often focus on the give-and-take calculations between elites during a pact-making process and the institutional framework[97] of a collapsed or collapsing regime. It is largely because these factors tend to determine whether a transition from authoritarian rule would proceed. However, as noted in Chapter I, the role that civil society plays is noteworthy not necessarily in the initiation of democratization but more in the consolidation of it. The presence of a mobilized civil society does not guarantee democracy by itself, as evidently witnessed in Europe during the inter-war period.[98] Additionally, civil society activism demanding democratic opening (through occasional protests or nationwide union strikes) might lead authoritarian rulers to resort to further undemocratic instruments against the society.[99] Yet, once authoritarian regime collapses, a tradition of relatively strong civic activism in that country might put pressure on actors who oversee the transitional period.[100]

Civil society as a term is often defined as "a sphere of unrestrained activism of groups and associations of all sorts, free from intervention of the state."[101] Just because of this necessity for "restrained" state, civil society has been usually considered an essential component of a full-

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[97] What I mean by "institutional framework" is the foundation or the institution(s) the regime is dependent on; it might be either a regime in which the military establishment plays a determining role in defining goals and policies for the regime or a regime in which there is a civilian leader with strong police forces obedient to his rule, see Bellin (2004) ; see also Samuel P. Huntington, "Reforming Civil-Military Relations," *Journal of Democracy* 6 (4), 1995.

[98] In some of the examples (e.g. Spain), successful democratizations occurred despite a weak and "unchallenging" civil society before and after the initiation of the transition, see Whitehead (2002); for a discussion concerning "if civil society is 'necessary' for democratization," see Natalia Letki, "Social Capital and Civil Society," in Christian W. Haerpfer, Patrick Bernhagen, Ronald F. Inglehart, and Christian Welzel (eds.), *Democratization* (New York: Oxford University Press, 2009): 164.

[99] Veronica Baker, "The Role of Civil Society in the Tunisian Democratic Transition," Undergraduate Honors Theses, University of Colorado Boulder, 2015: 17.

[100] Jason William Boose, "Democratization and Civil Society: Libya, Tunisia and the Arab Spring," *International Journal of Social Science and Humanity* 2 (4), 2012: 311; see also Mehran K. and Mora F., "Civil Society and Democratization in Comparative Perspective: Latin America and the Middle East," *Third World Quarterly* 19 (5): 1998.

[101] Letki (2009): 159.

fledged democracy. Along the same line, Larry Diamond in his analysis of the relationship between civil society and democracy distinguishes political elites from the public when he suggests the former plays a vital role in bringing to an end the authoritarian rule and overseeing the country to democratization. Yet, he adds that the elites are in need of a relatively strong civil society while consolidating the transition. He notes that "multiple avenues" are crucial "for 'the people' to express their interests and preferences, to influence policy, and to scrutinize and check the exercise of state power."[102]

Yet, it should be emphasized again here that democratization processes are complex and, more importantly, context-dependent (social and political). Indeed, in the Western world, civil society has usually been the triggering mechanism behind political liberalization moments. In contrast, in non-Western contexts, non-democratic leaders usually create a political realm guarded by their security apparatuses (either military or police forces plus intelligence or a different variance of these three), which has historically been most evident in the Middle East and North Africa politics. Thus, even in the cases where there is a relatively independent civil activism, the regimes are well equipped with tools to crush any anti-regime civil mobilizations before they are initiated. Because of this, we need to expand the focus of civil society to "rapid protest movements" that directly target the regime and collapse it down through a "sudden civic activism," an activism we have observed in the case of Arab Spring.

O'Donnell and Schmitter's define this rapid social mobilization as "resurrection of civil society." For them, civil society might manifest itself in several "explosive" ways during the transition from authoritarian rule: sometimes by the resurgence of formerly closed political parties or the creation of new ones to push for a more genuine democratization, the resurgence of

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[102] Larry Diamond, *Developing Democracy: Toward Consolidation* (Baltimore and London: The Johns Hopkins University Press, 1999): 219.

grass-roots organizations demanding political opening, or the transformation of trade unions or universities into bulwarks of expression of ideals, interests, and anger at the regime.[103]

Associational activism is said to be "school of democracy."[104] However, as noted earlier, in cases where regime's survival is fundamentally dependent on its tight control over and the loyalty of coercive apparatus (as largely seen in the MENA countries), the presence of civil society culture in a country (high rates of individual memberships in voluntary associations may be an indicator) does not guarantee by itself the initiation of democratization. It can play a constructive role when the transition is set off.[105] Considering post-regime breakdown processes, some argue that societies with experience of participating in organized activities are more capable of channeling this participatory experience into other forms of political involvement such as voting or joining a political party, thus having positive impacts on maintaining democratic transition. In contrast, societies with almost no history of associational activism (as an indicator of civic culture) have a relatively lower chance to consolidate democratization process.[106] With that in mind, the divergence between Tunisia and Egypt in their transitional outcomes can in part be explained by the differences between the two countries' civil society framework. Table 4.3 below demonstrates the self-reported rates of present and past membership in different types associations in Tunisian and Egyptian societies. Across all types of organizations, Tunisians show higher enthusiasm in being a part of associational activism than

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[103] O'Donnell and Schmitter (1986): 49.

[104] Letki (2009): 162.

[105] As noted earlier, the coercive apparatus in authoritarian regimes guards socio-political realms very carefully against any possible "challengers" to the regime or the ruler. Yet, once the regime or the power center of the regime collapses, then the civil society activism might play a positive role in pushing post-revolutionary elites to take more genuine steps towards the establishment of a democratic form of governance.

[106] Letki (2009): 162.

their Egyptians equivalents, which may be attributable to the former society's relative success in exercising political pressure on elites who have overseen the transition.[107]

Type of Organization	Tunisia	Egypt
Church or religious	1.2	0.8
Sport or recreational	5.5	0.3
Artistic, musical, or education	3.9	0.3
Labor Union	1.9	0.3
Political Party	1.7	1.3
Environmental	0.8	0.3
Professional association	1.8	0.4
Humanitarian or charitable	1.0	0.5
Consumer	0.4	N/A
Self-help, mutual aid	0.4	0.3
Other	0.1	N/A

Table 4.3: Self-Reported Rates of (Present and Past) Organizational Membership in Tunisia and Egypt Compared (2013)**,** Original Source: World Values Survey 6th Wave; Retrieved from Brownlee et al. (2015): 205.

Relative political pluralism in Tunisia's transition might be attributable to the heterogeneity in the country's civil society. After the Ben Ali regime broke down, Islamists could mobilize their grassroots in the electoral process; yet, civil society in Tunisia has never consisted of only Islamists, but instead "a mixture of religious, non-religious, and labor-based groups." Brownlee et al. (2015) wrote that this heterogeneity "meant that political contestants from across the political spectrum possessed significant resources for mobilizing voters into the country's first democratic elections."[108] Bellin (2013) noted that civil society played a "watchdog function" in the course of Tunisia's democratization process by "keeping the track of the regime's performance and holding its feet to the fire when it strays too far from democratic and liberal ideals."[109] Indeed, there have been other "red lines," which did not necessarily stem from religious concerns, to which the certain segments of the society are sensitive. For instance, when the first draft of Tunisia's new constitution was released on August 8, 2012, Article 28, which defined women as men's "partners" or "complements" within the family, sparked large protests (organized by feminist groups) in downtown Tunis to call the drafting body for reformulating the

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[107] Letki (2009): 162; see also Brownlee et al. (2015): 205.
[108] Brownlee et al. (2015): 204.
[109] Bellin (2013): 4.

wording of the article.[110] By contrast, Egypt's civil society was largely constructed around religious "sensitivities" and was dominated by the Islamist communal activism, through either mosques or other religiously oriented associations.[111] For this reason, Islamists parties (in contrast to their secular counterparts) found a more advantageous atmosphere in which they could easily mobilize voters in the wake of the first election. Soon after the Islamists' domination in the society was "complemented" by their accession to political power in 2012, secular groups began more openly expressing their concerns about "Islamization" of the revolution. Aside from the fiery debates about whether shari'a should be included in the new constitution, the non-Islamist opposition believed that Egypt's new social and political landscape became increasingly more Islamized and majoritarian, which led the majority of them to turn against the Muslim Brotherhood when the military officers decided to overthrow the first democratically elected president.

Furthermore, the two countries' history of labor unions and the role that these unions have (or have not) played in their respective countries' democratization after the uprisings might help to understand, to a certain extent, the two opposite directions into which these countries' transitions have evolved. In Tunisia, the country's major labor union, the UGTT (*Union Générale Tunisienne du Travail*), was established in 1946, a decade before the country's independence. The union played a critical role in Tunisia's independence process by assisting Habib Bourguiba's anti-colonial movement; for this reason, it succeeded to establish an autonomous space for itself independent of the regime's oversight.[112] Over the years of political

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[110] Monica Marks, "Speaking on the Unspeakable: Blasphemy & the Tunisian Constitution," Carnegie Endowment for International Peace, September 4, 2012.
[111] Brownlee et al. (2015): 204-205; see also Quintan Wiktorowicz, "Islamic Activism and Social Movement Theory: A New Direction for Research," *Mediterranean Politics,* Volume 7, 2002.
[112] Dina Bishara, "Labor Movements in Tunisia and Egypt," *SWP Comments* 1, 2014: 2.

cooperation with and confrontation (more commonly) against the regime, the UGTT maintained

its organizational autonomy, at both leadership and local levels, while at the same time it grew its

public image of resistance to the political authority.[113] Furthermore, the union's democratic

structure provided local branches with a certain level of independence from the top leadership,

which enabled them to act autonomously at times when the latter supported the regime's policies

unfavorable to labor rights.[114] In the post-Ben Ali period, the UGTT has played an important

mediating role between political actors in the country in order to keep the transition on track.

During politically contentious periods in 2013, when two political figures were assassinated and

the Ennahdha government had become the focal point of criticism, the UGTT attempted to

initiate the national dialogue meetings by which main political parties could resolve their

disagreements. In order to eliminate the political impasse, the UGTT proposed a roadmap to the

political actors that included the resignation of the Prime Minister Ali Larayedh and the

formation a more consensual government.[115] In contrast, there never exists an "independent"

labor union that would challenge the regime's policies in Egypt. The leading labor union in

Egypt, the ETUF (The Egyptian Trade Union Federation), was formed in 1957 as a regime-

initiative to bring labor activism under control.[116] In general, the state-dominated economy under

President Gamal Abdul Nasser had given no credible authority to labor unions so that they would

have negotiated labor's demands with the regime. They were instead awarded economic benefits

for their political quiescence.[117] The ETUF could never win the "rank-and-file" workers' consent

because the union was largely seen as a state apparatus unwilling to defend labor rights. In the

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[113] Baker (2015): 2-3.
[114] Bishara (2014): 3.
[115] Bishara (2014): 6-7.
[116] Bishara (2014): 2.
[117] Bishara (2014): 2.

January 2011 uprisings, the union again sided with the regime, attempting to convince workers not to participate in the protests. Since the rank-and-file workers had already lost confidence in the ETUF leadership due to the regime's longtime co-opting preeminence over the union, the workers organized their own anti-regime demonstrations autonomously of the union.[118] Yet, the lack of leadership prevented the workers from speaking as a "unified working class" that would have put a meaningful pressure on the transitional actors.[119] In the post-Mubarak transitional period, the labor unions have become the "targets of political contestation rather than drivers of reform;"[120] in other words, they have been seen by political elites as "political areas" to be "captured" to control labor affairs. In sum, the labor unions in Egypt could not play a similar bridging role that their Tunisian counterparts could in the transition.

In conclusion, despite being a secondary variable, the embedded conditions of civil society activism in both countries played a considerable part in their transitional paths in the aftermath of the uprisings. The autocrats of Tunisia and Egypt, who had stood at the helm of their countries' political power for decades preceding the Arab Spring, could preserve their political interests without being challenged by civil society. The coercive apparatus of their regimes enabled the autocrats to narrow the realm of political and civil liberties. Yet, in 2011, when the Arab Spring allowed revolutionary actors to begin a transition process towards a democratic political system, the civil society actors such as labor unions found an opportunity (unlikely in the past because of coercive authority of the regimes) to be a catalyst in this political transformation. Tunisia in the post-Arab Spring period has witnessed the significance of civil

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[118] Dina Bishara, "The Power of Workers in Egypt's 2011 Uprising," in Bahgat Korany and Rabab El-Mahdi (eds.), *Arab Spring in Egypt: Revolution and Beyond* (Cairo and New York: The American University in Cairo Press, 2012): 84.
[119] Bishara (2012): 89.
[120] Bishara (2014): 4.

society activism for the maintenance of the country's transition. In 2013, when the country's transition process was about to breakdown in the face of political assassinations as well as unresolved economic problems, civil society actors created an opportunity for dialogue by bringing revolutionary elites to the same table, thus pushing each side (mostly the Islamists) for further compromises. In this way, Tunisian elites could overcome the political impasse and preserve the transition process.

In examining the major dynamics that led to the collapse of Egypt's transitional process in 2013, civil society might not be considered one of those dynamics at the first glance. Yet, an emphasis on it might still provide important insights. Since the independence (up until 2011), the military-oriented actors had had the sole authority to design the political realm in Egypt and civil society actors could never challenge this status-quo. At the time when Mubarak's regime broke down in the face of social uprisings, there was not a strong civil society actor equivalent to Tunisia's UGTT. As a result, the transition process turned into a mere bargain over the country's future between two emergent actors (only one of them was civilian: Muslim Brotherhood). Egypt's transitional experience demonstrated that socio-economic tensions might lead to serious countrywide confrontations against the autocrat and even collapse the political authority (as witnessed in 2011 and 2013); yet, the public's anger at the incumbents is not sufficient by itself to build a functioning democratic system. During the transition process, civil society organizations could not put pressure on Egypt's post-Mubarak political actors (the military and the MB) to compel them to make a genuine departure from the old regime. Moreover, the pluralistic coalition - among liberal, Islamist, and leftist groups - that emerged on the eve of 2011 uprisings soon fell apart in the months following the overthrow of Mubarak. Thus, having felt no civil society pressure, the military and the MB governed the transition by seeking to maximize

their own power to the exclusion of the other, which resulted in the failure of the democratic transition process in Egypt.

CONCLUSION

The Arab Spring had sweeping political impacts over the Middle East and North Africa politics. Four longtime autocrats were removed from their posts and two others secured their positions through violent and bloody measures taken by security forces against citizens. In general, it was expected to introduce democratic governance across the region, where the prospect of democratic rule had long seemed unlikely (due to the region's alleged socio-cultural "baggages") in comparison to other regions. Yet, the establishment of a form of democratic rule has failed in "successful" regime breakdown cases, except Tunisia. In the case of Egypt, where the longtime autocrat was ousted and the first democratic elections were held, transitional actors did fail to establish a functioning and relatively accountable political system. As I have argued, the divergence in these two countries' transitional directions can be explained within the parameters of particular context-dependent variables (not necessarily attributable to other regions' transitional experiences).

One is related to the state formation, in other words, the institutional pillar(s) on which the state as an organization is structured or established. In this study, I argued that the greater the role the state's chief coercive apparatus (namely, the military) play in a country's independence, the more autonomous its institutional position will be, therefore the bigger the space it will occupy in that country's political affairs. There is a significant difference between Tunisia and Egypt in this regard. Since its independence, a civilian autocrat had stood at the helm of the political power center in Tunisia, without leaving any institutional and political autonomy to the military establishment (by which it could have intervened in political realm). Marina Ottaway wrote, "A transition from an authoritarian to a democratic system involves a redistribution of

power, thus, a break in the status quo."[1] In the case of Tunisia, the overthrow of Ben Ali, Tunisia's Louis XIV, gave rise to such a break, which created a "power vacuum no single actor could fill."[2] Therefore, the revolutionary actors felt obliged to engage in dialogue to replace this "collapsed" power center with a more inclusionary one. By contrast, the disposition of Hosni Mubarak did not lead to such a political power vacuum in Egypt, where the military establishment has long been a strong political force independent of the presidents. Even through Mubarak's rule collapsed in 2011, the embedded mechanisms and political forces of his regime prevailed, which complicated the parameters of the transition in Egypt.

The second pivotal variable to explain the difference in the transitional outcomes in the cases of Tunisia and Egypt is the revolutionary elites' readiness to give up or compromise their ideological stances. In Tunisia, the constitution-writing process occurred in the shadow of debates about whether Islamic principles would be included in the new constitution. Having won the country's first democratic election 2011, Ennahdha grassroots expected to see an "Islamic imprint" on the new constitution. Yet, the party leaders, especially Rachid Ghannouchi, were aware that they could not ignore the demands and concerns of the other political groups by imposing an "agenda" in a top-down fashion, a longtime practice of which they had long accused the old regime. Compromise among political elites became the new "normal" in Tunisia after the sudden overthrow of the Ben Ali regime. In the transition process, the political actors, whether Ennahdha or Nidaa Tounes or labor unions, acted in an understanding that establishing a new political system (expected to be a democratic one) was a too heavy burden for a single group or party to carry. In this regard, the domination of the political realm in a single-handed manner has

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[1] Marina Ottaway, "Democratic Transitions and the Problem of Power," *Wilson Center: Occasional Paper Series,* Spring 2014: 3.

[2] Ottaway (2014): 3.

never been an issue, since the political actors knew that they must listen to the political expectations of the larger society. For example, under the shadow of violent terrorist attacks and political assassinations that brought the country to the edge of chaos throughout 2013, Ennahdha willingly stepped down and handed the political power to a technocrat government (through the mediation of the UGTT) that could finalize the writing of the new constitution and oversee the country to new parliamentary elections, a move that helped to maintain the country's transition process. In contrast, there never existed a political pluralism in Egypt after the uprisings. Unlike in Tunisia, where the political forces have been aware from the beginning of the transition of the fact that they cannot ignore one another, there was only one politically strong civil organization in Egypt, the Muslim Brotherhood. Therefore, the organization did not feel "obliged" to share its political power with other political groups and to pay attention to other groups' concerns during the constitution-making process. It instead sought to launch a battle (when it deemed necessary to restore its political authority) against politicized state institutions, military and judiciary, and lost; a situation that moved Egypt from Mubarak's semi-authoritarianism to Sisi's full authoritarianism.[3]

The overthrow of longtime autocrats in Tunisia and Egypt created an electoral opportunity for politically repressed religious movements (Ennahdha and Muslim Brotherhood) in the aftermath of the Arab Spring. Given their mobilization capacity within the society, they won their countries' first democratic elections. However, the way they oversaw the transitional process during their short tenure significantly differed from each other. This is partly because their approaches towards what a democratic political system means are different. Ennahdha leaders believed that they must work with their rivals. They gave up some of their ideological

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[3] Ottaway (2014): 7-8, 10-11.

standpoints (such as gender issues and sharia's inclusion to the constitution) during the transition. In essence, Ennahdha's transitional compromises represent the manifestation of longtime interparty debates. The reformist figures within the party (such as Rachid Ghannouchi and Hamadi Jebali) had pioneered principles compatible with a democratic system. This led to the metamorphosis of political Islam in Tunisia, which trimmed some of the sharp edges of Ennahdha's ideological standpoint.

By contrast, Egypt's Muslim Brotherhood did not undergo such a moderation process. Reformists barely had a say within the movement, which forced many of them to leave the organization much earlier than the Arab Spring broke out. The problem for the Muslim Brotherhood leadership was that they believed that their electoral success granted them political legitimacy by which they could rule the country in a majoritarian fashion. Islamists did not heed the concerns and expectations of non-Islamist groups, those who saw socio-political issues from a secular standpoint. They instead struck an alliance with the remnant of the old regime (the military), which seemed ideologically (among other reasons) instrumental at the time, given that it would not force them to compromise their ideological "pillars." Instead of turning the movement into a mainstream political actor (as in the Tunisia case), which would have created a pluralist atmosphere to address expectations of *all* Egyptians, the MB's old figures preferred to instrumentalize the transitional process in favor of their narrow agenda. "Brotherization" of the society became the major question in Egypt's emergent political landscape, as the country's political arena witnessed a more polarized society than the one before the uprisings began. Eventually, when the unprecedented alliance between the Muslim Brotherhood and the military broke down in July 2013, the former could not find any non-Islamist groups on its side to jointly push back the military intervention.

I consider civil society activism a secondary (in comparison to the first three) but still significant variable in explaining the divergent transitional trajectories of Tunisia and Egypt. In the literature of democracy or democratic transition, civil society is one of the "taken-for-granted" indicators that demonstrate the prospect of democratic governance in a polity. Yet, empirical evidences suggest that regional or context-dependent characteristics should be taken into a careful consideration. The way civil society operates under heavy-handed autocrats in MENA, specifically its capacity to put pressure on political actors, significantly differs from the way it functions in Europe. It is commonplace that civil society is a catalyst (or a check-and-balance mechanism) in Europe in pushing political power holders for more liberalization. Nevertheless, it is often less effective against authoritarian rulers in MENA, since the autocrats of MENA have long maintained their regimes by limiting civil and political liberties, usually with a strong security apparatus under their control. Thus, even when there is a relatively strong civil society, it does not automatically lead to a democratic opening under authoritarian regimes. Yet, *once* the regime collapses and the process of democratic transition is set off, civil society (if strong enough) might play a constructive part in forcing revolutionary elites to make a more genuine break from the old regime as well as creating alternative platforms calling these elites to negotiate and resolve their disputes. This is the reason why I consider this variable secondary.

Considering the cases of Tunisia and Egypt, the longtime autocrats (Ben Ali and Mubarak, respectively) did not step down because civil society put a lot of pressure on their regimes, but because the military officers did not support them at the time. In the case of Tunisia, a long history of authoritarian rule had made a democratic opening impossible in the country up until the Arab Spring, though the country had already possessed social conditions favorable to democratic development. The relative autonomy that the civil society organizations, including

the country's major labor union (UGTT), possessed did not pave the way for civil and political liberalization under decades-old authoritarian regime. However, once Ben Ali stepped down in 2011, the country's pre-existing strength of civil society began to be a catalyst of the political change. In the summer of 2013, when the country was on the verge of civil war due to political assassinations and significant increase in terror attacks, the Tunisian National Dialogue Quartet, which included four major civil society organizations in the country, played a mediator role in bringing political rivals (especially the Islamists and the seculars) to the negotiation table. The Quartet helped revolutionary elites from a wide political spectrum to reach consensual solutions to the problems that confronted the transition process at the time. Later in 2015, the Quartet was awarded the Nobel Peace Prize for its constructive efforts during the transition. In Egypt, by contrast, even though the rapid mobilization of civil society groups (such as the Kefaya and the April 6) led to the collapse of the Mubarak regime, they were unable to play any role (similar to their Tunisian equivalents) during the transition. It is mainly because the state's coercive apparatus (the military) was still in power and did not want any challengers to its authority. The scenario was not different for the labor unions. Historically, the workers had seen them as "trojan horses" that generally prioritized the regime's interests over the labors'. Therefore, they had no significant check-and-balance power against the regime, which continued during the transition process. They mostly became "spheres" that the post-Mubarak political actors aimed to capture to seize control over large segments of the working class rather than "forces" that would help advance democratic development.

By focusing on the post-Arab Spring transitional trajectories, the present study aimed to understand how a longtime-authoritarian political system transitions to a democratic form. With its major attention focused on the aftermath of the revolutions, I have tried to identify the key

factors that determined why only Tunisia (out of two successful regime breakdown cases) was able to establish a functioning and pluralist political system, while Egypt entirely failed in 2013. Yet, the Arab Spring is still a recent history, which is one of the two possible shortcomings of this research. After six years, even though Tunisia's transitional achievements appear considerable today, the country still has a long way to go in consolidating a full-fledged democracy. The second shortcoming of this research is that I did not examine the regional/global politics aspect of the transitional processes in both countries. I instead sought to structure this study around domestic variables that were shown to significantly influence either the transition to a democratic governance or the restoration of a new form of authoritarianism. Further research is needed to evaluate the impact of external rather than internal variables per se in determining the divergent outcomes of these two countries' transitions.

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