

# Tunisia: Failure of the Political Class, Rise of Kais Saied, and the Future of Democracy

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Tunisian President Kais Saied's July 25th decisions to dissolve Parliament and declare a state of emergency came as a shock to many. However, he was fulfilling a promise he had made on the campaign trail: to shake up the political class. Saied's landslide election victory in October 2019, as well as Tunisians' broad support<sup>1</sup> for the July 25th "exceptional measures", were both a result of widespread frustration with the inability of politicians to salvage the economy and extinguish the endemic corruption.

As an outsider, Saied ran a populist campaign with a modest budget,<sup>2</sup> a slogan of *al-shabab yuriyd* (the people want), and a promise to end widespread corruption. His followers described themselves as the "machine" (*ahna el-makina*), a reference to their outsider status to the political scene.<sup>3</sup> Saied envisioned an alternative political system from the existing constitutional order, one in which the president continues to be elected through a popular mandate but legislative elections are replaced by a chain of representation to achieve direct democracy.<sup>4</sup> Elections would take place at the lowest administrative units (*imāda*) for single posts rather than lists. Among those elected officials, representatives would be selected through a lottery to the upper units, including the parliament. His plan, visible to some extent in the recent Presidential Decree,<sup>5</sup> leaves little room for parties and consolidates at least a portion of legislative authority within the presidency.

We argue that Saied's approach will face substantive limitations because Tunisia's problems are structural and changing the regime type will not necessarily provide solutions to them. To understand the conditions that led to Saied's election and his decisions on July 25th, we first focus on what went wrong with parties in Tunisia. Then, we show why Saied's power consolidation risks increasing unaccountability and corruption due to Tunisia's institutional heritage. We conclude that for the country to move forward, a more robust party system is needed that can initiate a comprehensive dialogue to solve the pressing issues among a diverse set of actors including but not limited to the President, political parties, and civil society.

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<sup>1</sup> "Sondage Emrhod - 87% des Tunisiens approuvent les décisions de Kais Saied," *Business News*, accessed September 24, 2021, <https://www.businessnews.com.tn/sondage-emrhod-87-des-tunisiens-approuvent-les-decisions-de-kais-saied.520.110629.3>.

<sup>2</sup> Nizar Bahloul, *Kais Ier President d'un bateau ivre*, (Ariana:Edito Editions, 2020), 24.

<sup>3</sup> *Ibid*, 27.

<sup>4</sup> Qais Saied, "Alcharaa al-Magharibi tanshiru hiwar Qais Saied kamilan" (Acharaa al-Magharibi publishes Qais Saied's full interview), *Acharaa al-Magharibi*, June 12, 2019, <https://acharaa.com/%D8%A7%D9%84%D8%B1%D8%A6%D9%8A%D8%B3%D9%8A%D8%A9/%D8%A7%D9%84%D8%B4%D8%A7%D8%B1%D8%B9-%D8%A7%D9%84%D9%85%D8%BA%D8%A7%D8%B1%D8%A8%D9%8A-%D8%AA%D9%86%D8%B4%D8%B1-%D8%AD%D9%88%D8%A7%D8%B1-%D9%82%D9%8A%D8%B3-%D8%B3%D8%B9%D9%8A%D8%AF-%D9%83%D8%A7%D9%85/>.

<sup>5</sup> "Le texte intégral du décret présidentiel N° n° 2021-117 du 22 septembre 2021, relatif aux mesures exceptionnelles," *Leaders*, September 22, 2021, <https://www.leaders.com.tn/article/32442-officiel-le-texte-integral-du-decret-presidentiel-n-n-2021-117-du-22-septembre-2021-relatif-aux-mesures-exceptionnelles>.

In Tunisia's experience, a hegemonic party structure dominated the country under former Presidents Habib Bourguiba and Zine El-Abidine Ben Ali. Since the revolution, many opposition groups have refrained from self-labeling as "parties,"<sup>6</sup> instead opting for terms such as "Congress," "Movement," or "Forum" with the exception of regime-successor parties, such as "The Independent Constitutional Party." Despite avoiding the word "party" for its association with hegemony, parties have, since the revolution, increasingly represented "cartel organizations"<sup>7</sup> that employ state resources to ensure their own survival.<sup>8</sup> By the same token, the developments since the revolution have been famously described as "the democratization of corruption."<sup>9</sup> Parties have also suffered from the "iron law of oligarchy": a leadership class that dominates the party at the expense of their constituents' concerns.<sup>10</sup> The umbrella party Nidaa Tounes collapsed in part due to the attempts of late President Essebsi to insert his son to power while internal criticism has grown unchecked within the Islamist Ennahda, as its leader Rached Ghannouchi postponed the 11th General Congress, which according to party by-laws should have put an end to his tenure.<sup>11</sup>

The ruling coalitions of the Troika (2011-2014) and National Unity (2014-2019) governments were unable to solve the economic challenges which constitute the most salient issues for many Tunisians.<sup>12</sup> The parties have engaged in economic position blurring,<sup>13</sup> failing to represent the interests of different regions or economic classes and instead focusing on cultural issues.<sup>14</sup> Civil society and unions have, in part, taken on the role of defending the interests of many Tunisians, while providing an alternative way for them to get involved with public life.<sup>15</sup> Due to these factors, the party structures could not institutionalize,<sup>16</sup> paving the way for Saied and the outsiders to contest their dominance.

Since July 25th, Saied has consolidated power in his own hands as he has attempted to deliver on the matters at which ruling parties have been unsuccessful. He has managed to reduce

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<sup>6</sup> Michel Camau and Vincent Geisser, *Le Syndrome Autoritaire : Politique En Tunisie de Bourguiba à Ben Ali* (Paris: Presses de Sciences Po, 2003), 227.

<sup>7</sup> Katz, R. S., & Mair, P. Changing Models of Party Organization and Party Democracy: the Emergence of the Cartel Party. *Party Politics*, 1, no 1. (1995), 5-28.

<sup>8</sup> Sharan Grewal and Shadi Hamid.. The Dark Side of Consensus in Tunisia: Lessons from 2015-2019. *Brookings Report*, (January, 2020), available at <https://www.brookings.edu/research/the-darkside-of-consensus-in-tunisia-lessons-from-2015-2019>.

<sup>9</sup> Sarah Yerkes and Marwan Muasher. *Tunisia's Corruption Contagion: A Transition at Risk*. Carnegie Endowment for International Peace. 25 (2017). 1-40. <https://carnegieendowment.org/2017/10/25/tunisia-s-corruption-contagion-transition-at-risk-pub-73522>

<sup>10</sup> Robert Michels, *Political Parties: A Sociological Study of the Oligarchical Tendencies of Modern Democracy* (New Brunswick (N.J) London: Transaction publ., 1999), first published in 1911.

<sup>11</sup> "Des Dirigeants d'Ennahdha Appellent à La Tenue Du 11e Congrès Du Parti Avant Fin 2020," *Web Manager Center*, May 26, 2020, <https://www.webmanagercenter.com/2020/05/26/451000/des-dirigeants-dennahdha-appelle-a-limperatif-du-11e-congres-du-parti-avant-la-fin-de-lannee-2020/>.

<sup>12</sup> "Arab Barometer Wave V." Dataset, 2019. <https://www.arabbarometer.org/surveys/arab-barometer-wave-v/>.

<sup>13</sup> Rovny, Jan. "Where Do Radical Right Parties Stand? Position Blurring in Multidimensional Competition." *European Political Science Review* 5, no. 1 (2013): 1–26. <https://doi.org/10.1017/S1755773911000282>.

<sup>14</sup> Yasun, S. Attitudes on Family Law as an Electoral Cleavage: Survey Evidence from Tunisia. *Middle East Law and Governance*, 12, no. 2 (2020): 131-166.

<sup>15</sup> Personal communications with young civil society activists in Tunisia in 2021.

<sup>16</sup> Dix, R. H. (1992). Democratization and the institutionalization of Latin American political parties. *Comparative Political Studies*, 24(4), 488-511.

pandemic-related deaths, in part thanks to the donations provided by other countries, and has taken some steps on the economic front, such as initiating a cooperation with the Union of Retail Stores to cut the prices for some products.<sup>17</sup> However, this initiative was not sufficient to curb inflation, particularly in food prices.<sup>18</sup> Similarly, an emboldened judiciary has begun going after politicians suspected of engaging in corruption, including MPs suspected of smuggling,<sup>19</sup> money laundering and tax evasion,<sup>20</sup> and misusing state projects.<sup>21</sup> Saïed has also replaced some governors<sup>22</sup> and other high-level state officials, a task traditionally undertaken by cabinets.

Consolidating power comes with two main promises: stability and greater capacity to solve structural problems. It can enable a more targeted approach towards key issues and enrich the confidence of investors. However, it does not provide a panacea to all problems and can have grave repercussions. In the case of Tunisia, a late-industrialized country, trade deficits and large public debts limit the capacity for domestic spending and welfare distribution. This situation is exacerbated by high barriers of entry<sup>23</sup> to the market for domestic entrepreneurs, the prevalence of veto players and corruption,<sup>24</sup> and the unwavering inflation, which is partly imported through the exchange rate.<sup>25</sup> Furthermore, top-down, distributive and mostly unaccountable institutional

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<sup>17</sup> “Réduction des prix de plusieurs produits,” *La Presse de Tunisie*, August 1, 2021, <https://lapresse.tn/105040/reduction-des-prix-de-plusieurs-produits/>.

<sup>18</sup> “Taraju’ nisbat al-tadhakum fi tunis khilal shahr ‘ut” [Inflation rate in Tunisia declined in August], *Mosaïque FM*, September 5, 2021,

<https://www.mosaïquefm.net/ar/%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1-%D9%85%D8%A7%D9%84-%D8%A3%D8%B9%D9%85%D8%A7%D9%84-%D8%A7%D9%82%D8%AA%D8%B5%D8%A7%D8%AF-%D8%AA%D9%88%D9%86%D8%B3/953887/%D8%AA%D8%B1%D8%A7%D8%AC%D8%B9-%D9%86%D8%B3%D8%A8%D8%A9-%D8%A7%D9%84%D8%AA%D8%B6%D8%AE%D9%85-%D9%81%D9%8A-%D8%AA%D9%88%D9%86%D8%B3-%D8%AE%D9%84%D8%A7%D9%84-%D8%B4%D9%87%D8%B1-%D8%A3%D9%88%D8%AA>.

<sup>19</sup> “Naqabat Al-Diwana: Akbar Muharrab Fi Kasserine Asbaha Na’iban,” [Customs Syndicate: The Biggest Smuggler in Kasserine Became an MP] *Babnet*, October 9, 2019, <https://www.babnet.net/rttdetail-190658.asp>.

<sup>20</sup> “Tunisian Party Leader Fined \$7 Million for Customs Violations,” *The Arab Weekly*, April 16, 2021, <http://the arabweekly.com/tunisian-party-leader-fined-7-million-customs-violations>.

<sup>21</sup> “Al-Qabd ‘ala al-na’ib ‘an hizb ‘Tahya Tounes’ Lotfi Ali” [The arrest of the deputy of the ‘Tahya Tounes’ party, Lotfi Ali], *al-Araby al-Jadid*, August 21, 2021,

<https://www.alaraby.co.uk/politics/%D8%A7%D9%84%D9%82%D8%A8%D8%B6-%D8%B9%D9%84%D9%89-%D8%A7%D9%84%D9%86%D8%A7%D8%A6%D8%A8-%D8%B9%D9%86-%D8%AD%D8%B2%D8%A8-%22%D8%AA%D8%AD%D9%8A%D8%A7-%D8%AA%D9%88%D9%86%D8%B3-22-%D9%84%D8%B7%D9%81%D9%8A-%D8%B9%D9%84%D9%8A>.

<sup>22</sup> Mohammed Yahya Ahmed Mohammed, “Tunisie: Kaïs Saïed Démet de Leurs Fonctions Trois Gouverneurs,” *Anadolu Agency*, August 6, 2021, <https://www.aa.com.tr/fr/politique/tunisie-kaïs-saïed-démet-de-leurs-fonctions-trois-gouverneurs/2326257>.

<sup>23</sup> Hanan Morsy, Bassem Kamar, and Rafik Selim, “Tunisia Diagnostic Paper: Assessing Progress and Challenges in Unlocking the Private Sector’s Potential and Developing a Sustainable Market Economy” (European Bank for Reconstruction and Development, November 2018). *European Bank for Reconstruction and Development*. (November, 2018). <https://www.ebrd.com/documents/strategy-and-policy-coordination/tunisia.pdf?blobnocache=true>

<sup>24</sup> Tunisia’s Corruption Contagion.

<sup>25</sup> Ghriissi Mhamdi, “Determinants of Inflation in Tunisia: Using Structural Modeling,” *Journal of Business Studies Quarterly* 5, no. 2 (2013).

heritage influenced the workings of many institutions, such as the bureaucracy,<sup>26</sup> private sector, unions and even security forces.

So far, Saied has not laid down any clear plans to tackle these structural issues. His popular anti-corruption initiative risks losing steam over time, as the Institute to Fight Against Corruption (INLUCC) was closed after July 25th. Moreover, consolidating power in a single leader can embolden some corrupt practices, as large corporations can more easily reach deals with the central authorities without the need to convince multiple sources of power. This also relates to a central paradox in Saied's model, which assumes that the "general will" as represented by the President overlaps with the interests of individuals. A manifest example of this paradox occurred with Saied's call<sup>27</sup> to increase phosphate production, which contradicted the decades-long activism of environmental groups. Similarly, when Saied attempted to reduce the market prices, he solicited the support of the Union of Retail Stores, a near-monopoly organization, illustrating the limitations in his approach as he relied on the same institutions that he is said to be going after.

Political parties can tackle multifaceted matters<sup>28</sup> through representing divergent interests,<sup>29</sup> making it possible to reach compromises on issues that may not be permissible through the other governance methods. In Tunisia parties have facilitated compromise,<sup>30</sup> most notably in the period between 2011 and 2014. In the 2014 elections a voting cleavage between regions was also visible. Ennahda came strong in the South, and Nidaa came strong in the North and the West. This was an opportunity to stabilize the party competition around issues that mattered for Tunisians. However, the coming consensus governments left no room for a viable opposition in the parliament that could hold the governing party accountable and provide alternative solutions.<sup>31</sup>

Almost all parties, including those which had initially supported Saied's decisions, are now opposing the Presidential Decree 117 of September 22nd which gives the President full legislative and executive powers without any checks and balances. Although these measures were

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<sup>26</sup> Salih Yasun. Bureaucrat-Local Politician Linkages and Hierarchical Local Governance in Emerging Democracies: A Case Study of Tunisia. *The Journal of the Middle East and Africa*. Forthcoming.

<sup>27</sup> Kais Saied: Tunis satasta'id mukanatha wa lan takun laqma sa'ifa [Kais Saied: Tunisia will regain its position and will not be up for grabs]. *Independent Arabic*. August 9th, 2021. <https://www.independentarabia.com/node/248961/%D8%A7%D9%84%D8%A3%D8%AE%D8%A8%D8%A7%D8%B1%D8%A7%D9%84%D8%B9%D8%A7%D9%84%D9%85-%D8%A7%D9%84%D8%B9%D8%B1%D8%A8%D9%8A%D9%82%D9%8A%D8%B3-%D8%B3%D8%B9%D9%8A%D8%AF-%D8%AA%D9%88%D9%86%D8%B3-%D8%B3%D8%AA%D8%B3%D8%AA%D8%B9%D9%8A%D8%AF-%D9%85%D9%83%D8%A7%D9%86%D8%AA%D9%87%D8%A7-%D9%88%D9%84%D9%86-%D8%AA%D9%83%D9%88%D9%86-%D9%84%D9%82%D9%85%D8%A9-%D8%B3%D8%A7%D8%A6%D8%BA%D8%A9>

<sup>28</sup> Aldrich, John Herbert. *Why Parties? The Origin and Transformation of Political Parties in America*. American Politics and Political Economy Series. (Chicago: London The University of Chicago Press, 1995).

<sup>29</sup> S. C. Stokes, "Political Parties and Democracy," *Annual Review of Political Science* 2, no. 1 (June 1999): 243–67, <https://doi.org/10.1146/annurev.polisci.2.1.243..>

<sup>30</sup> Alfred Stepan, "Tunisia's Transition and the Twin Tolerations," *Journal of Democracy* 23, no. 2 (2012): 89–103, <https://doi.org/10.1353/jod.2012.0034>.

<sup>31</sup> Frances Mccall Rosenbluth and Ian Shapiro, "Empower Political Parties to Revive Democratic Accountability," *The American Interest*, October 2, 2018, sec. Essays, <https://www.the-american-interest.com/2018/10/02/empower-political-parties-to-revive-democratic-accountability/>.

announced as temporary and a new commission is supposed to work on reforming the political system, it remains unclear whether Saied will push for his plan for a hybrid between “direct democracy” and presidentialism or settle for a “compromise” that would maintain a role for the political parties. As a recent poll indicates,<sup>32</sup> there is no guarantee that a majority will support a presidential system.

We believe that Saied’s decisions have not only put the future of democracy in Tunisia in peril, but also will not provide a remedy to Tunisia’s pressing problems. Instead, we recommend a new process of national dialogue that will include all actors to initiate a durable agenda. “Consensus” in Tunisia sometimes means avoiding hard-to-tackle problems<sup>33</sup> and normalizing corruption. We agree that ending corruption and enhancing the judicial capacity are pre-conditions for a viable compromise. These goals can be achieved through establishing a Constitutional Court, strengthening judiciary and setting new conditions on the parliamentary immunities without fully consolidating the power in the president’s hands.

Parties can have positive roles to play for Tunisia in tandem with other organizations such as unions, civil society, and the presidency if they change their governance approach. Rather than converging around “consensus” programs that fail to solve Tunisia’s binding issues, they should strengthen the dynamics of platform-based opposition. The party leadership should be more open to challenges and innovations through internal democracy mechanisms, including representing the bottom-up demands. Similarly, parties should be more mindful of polarization and strive to make the democratic system more accessible for the youth.<sup>34</sup> We recognize that our suggestions do not provide a magic solution to end the prevalence of corruption and other economic challenges. However, they can provide a basis for a viable and robust governance structure. The diversity of and competition among different interests in Tunisia, coupled with its institutional heritage, require an approach based on humility and compromise that would involve actors representing diverse interests.

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<sup>32</sup> Alqatiba, Facebook, August 4th, 2021

<https://www.facebook.com/alqatiba/photos/pcb.3751427101628813/3751503591621164>

<sup>33</sup> Nadia Marzouki, “Tunisia’s Rotten Compromise” (Middle East Research and Information Project, July 11, 2015), <https://merip.org/2015/07/tunisias-rotten-compromise/>.

<sup>34</sup> Sarah Anne Rennick, “Has Tunisia’s Democracy Failed to Convince Its Youth? The Slow-Going of Democratic Socialization,” Bawader (Arab Reform Initiative, August 24, 2021).

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