

# What Went Wrong with Tunisian Democracy?

More than a decade ago, Tunisia's Jasmine Revolution gave hope to the Arab world, showing oppressed peoples that longtime dictators can be peacefully ousted. And unlike so many other countries in the so-called Arab Spring, Tunisia did not quickly slide back into dictatorship. However, events took a turn for the worse in 2021 and 2022, when President Kais Saied suspended the Parliament and seized near-total power. In July, Cato's Mustafa Akyol hosted a policy forum with **Radwan A. Masmoudi**, a Tunisian scholar and the founder and president of the Center for the Study of Islam and Democracy, and **Monica Marks**, professor of Middle East politics at New York University Abu Dhabi.

**Radwan Masmoudi:** Tunisia is a small country, but I think it is extremely important for the Arab world. If we want democracy to succeed, there is no better case and no better country to start with than Tunisia. And let me be clear, along with the word "democracy," I include not just elections but also human rights, good governance, accountability, and transparency.

Tunisia is an especially promising and important case for several reasons. People who know the Arab world, and know Tunisia in particular, know that Tunisia is ready for democracy. In fact, Tunisia has been a successful democracy, ranked as free in the Freedom House's famous Freedom in the World ranking. Tunisia is the only country in the Arab world that within the past six or seven years has been ranked in the top category of totally free, not just partly free. Tunisia proves that democracy can work in the Arab world and that Islam and democracy can be compatible, not only in theory but also in practice.

Tunisia has had some key successes since the Arab Spring, which really started in Tunisia. One was writing their first democratic

constitution in 2012 and 2013, which passed in the Constituent Assembly with 93 percent in early 2014. There was a genuinely diverse mix of freely elected representatives and parties in the assembly. From far left to the far right and from the center right to the center left, everybody was in agreement about the value of the new democratic constitution. It took two years of negotiations between all the parties to come to that point, but that is its own testament to the development of democratic norms and process. This was extremely important in allowing Tunisia to move forward with this democracy during the past 10 years.

The second very important success story in Tunisia is how Islamists and secularists have been able to work together in several governments. Not just in the Parliament but also in different coalition governments. It hasn't always worked very well in the sense of delivering results—and I'll come back to that later—but at least it shows that they can overcome their differences and that they can agree on certain points like democracy, human rights, freedom, and so on.

There were also, of course, many mistakes

and shortcomings. I will not say that everything was perfect in Tunisia in the past decade. If things were perfect, we wouldn't be here in the mess Tunisia faces today.

For example, one big mistake was the electoral law itself that was passed in 2011 for the Constituent Assembly, which encouraged independent candidates and small parties at the expense of bigger, broader parties. The idea was that we, as Tunisians, wanted everybody to be included in the constitution-writing process. We didn't want to give too much power to the big parties. We wanted everybody to be included, including independents. That law worked well for the Constituent Assembly, but it didn't work well afterward for the Parliament. The Parliament became too fragmented, too divided, and sometimes unable to quickly find solutions and resolve differences.

In a similar vein, the law on political parties was designed to create weak parties. After 50 years of one-party dictatorships, people were afraid of political parties, and understandably so. And so political parties in the minds of Tunisians were synonymous with dictatorship, and with corruption. Something similar happened in this country, when the authors of the U.S. Constitution were in denial about the necessary and inevitable role of parties.

So Tunisia has failed in building real political parties, political parties that have a vision, political parties that have the ability and the capability to implement that vision and that have the training mechanism, the expertise, and all the other things we associate with parties in a healthy democracy. That did not happen in the past 10 years. So we continued to work with smaller parties and independent candidates, who are not

really able to offer a coherent platform that could win an election with a clear mandate.

The third and, in my view, biggest mistake was that we, and especially the politicians, did not pay enough attention to the economic situation. They focused mainly on the political reforms, on building the institutions, on the constitution, and on elections. But the economy stagnated for 10 years, until of course the past 2 years. Then, we had the COVID-19 pandemic hit, which made the economy much worse. Tunisia is a big tourism country. We'd normally have six to eight million tourists come to Tunisia every year. That stopped completely during the pandemic. And so a lot of people found themselves unable to provide food.

A fourth factor that's been very unhelpful is foreign intervention. We had countries in the region that did not want to see Tunisia succeed as a model for democracy in the Arab world. In particular, Egypt, the United Arab Emirates, and Saudi Arabia, but possibly other countries as well, felt threatened by democracy in Tunisia. Even though Tunisia is a small country, and far away from them, they felt it important to deny that example. If it can work in Tunisia, people might start getting the idea that it can work elsewhere, in other Arab countries.

So these autocracies have been plotting for at least three years now to stop and destabilize this democratization process. The Egyptian military built a very strong relationship with the Tunisian military, especially the intelligence agencies. They've been training them on how to obey the president in whatever he says. Forget the constitution, just do whatever he tells you to do, even if he asks you to do something illegal or unconstitutional. Egyptian military officers, intelligence officers, have been running the show for the past year in Tunisia. I don't think that's an exaggeration; they really have made themselves very involved—from the palace to regular meetings with the opposition parties.

The military in Tunisia, historically, has shied away from politics and has not been involved in politics. So what has happened in the past year or possibly two years, even before the most recent coup, is something new to the military in Tunisia. I'm sure that the majority of officers and even the soldiers are not happy with it. They're not comfortable playing this role of supporting a coup or closing



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down the Parliament. They don't want to be involved in politics, unlike the military in Egypt, for example, which has been ruling the country more or less for 70 years. In Tunisia, that hasn't been the case before. But Egypt is playing a big role in changing that, in importing their model of military politics.

So that, I hope, explains in brief both why Tunisia is such an important country for democracy in the Muslim world and how things have gone awry.

**Monica Marks:** I'd like to focus now on what happened in the past year or so. When the president, Kais Saied, took all three branches of power into his own hands, I think it came as a shock to most people. When he dissolved Parliament on July 25 of last year, he was playing on deep currents of desperation in the Tunisian public.

A lot of Tunisians felt that they had tried different political parties in a variety of permutations. And no matter how they combined the jigsaw puzzle, the game never delivered for them. And as Radwan alluded to, the economy was getting worse and worse, crippled even more by COVID-19. So the situation was ripe for a reestablishment of authoritarianism in Tunisian political culture.

Tunisia's modern history has been a system of government ruled by one dictatorial father figure after another for most of the past 100 years. So the democratic transition of the past decade was an incredible achievement, but it was still an unconsolidated democratic transition. Things like a constitutional court hadn't been created, democratic politics had not settled into a normalized routine, etc.

The situation was ripe for what Saied did. Some people thought he would be true to his word. The clean-handed, constitutional law professor who eschewed political parties and simply wanted to make government deliver more effectively for people—or so he alleged—seemed very tempting. And if he stayed past the state-of-emergency time limits that he had initially promised, the Tunisian people would be able to rise up and swiftly overthrow him, or so the thinking went. A lot of people who bought into this point of view had a vision of Tunisian civil society as strong, united, flexible, nimble, effective—all these things.

But what happened in the past year is that Kais Saied actually systematically marched toward consolidating his dictatorship one step at a time, and the steps he took were quite rapid. And unfortunately, Tunisia's

political opposition in both parties and in civil society across the ideological spectrum has been, broadly speaking, ineffective at stopping him. They've been unable to stop him so far. Although a number of valiant efforts have been mounted, he has marched onward.

We could go down the whole laundry list, the litany of things that Saied has done to instantiate authoritarian rule in Tunisia, but I'll just name a few. He took over the High Judicial Council, which was the closest thing Tunisia had to a body safeguarding judicial independence. He took over the Elections Council and he placed his own people inside it. He has a habit of gutting, really eviscerating, institutions and putting his own yes men inside them. He's been using military courts to prosecute his political opponents, arresting people and even imprisoning them for weeks or months at a time for having criticized his July 25 power grab, including by calling it a coup. Moncef Marzouki, Tunisia's first democratically appointed president after the revolution and a longtime human rights fighter, has been sentenced to years of prison in absentia. Saied has called him evil and a traitor; he's currently in exile in France. This is Tunisia's first democratically chosen president. Regardless of his flaws, he has not received due process. These claims are unsubstantiated. Most recently, of course, we've seen Saied apparently single-handedly authoring a new constitution that's going to be put to vote here in just a few days.

*[Ed.: Held on July 25, 2022, official returns in the constitutional referendum show 97.4 percent voting in favor of Saied's proposed constitution, but turnout was only 30.5 percent amid an opposition boycott.]*

Kais Saied promised to create a consultative committee of handpicked experts, people from the legal field. But then, even the recommendations of those handpicked committee members were unacceptable to him. He wrote off those recommendations, summarily dismissed them, and instead

called a referendum on a proposed constitution that he essentially wrote himself.

Those committee members came out denouncing him, which would've been comical if it weren't happening in such a serious and sad context. These people came out and said they have nothing to do with this. They were posting on their Facebook pages saying things like, "This is a bastard child. It's not



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our son, this constitution.” That's coming from his own appointees!

After that, Kais Saied unexpectedly edited his constitution in a bunch of different places. He corrected several grammatical mistakes, of which there had been many. It was very, very sloppy and careless, the way he released his first draft constitution into the public sphere. So then, without asking permission from anyone of course, he edited the proposal without providing more time

for people to consider it before they voted.

We're now seeing the characteristics of a sultanistic style of rule, a kind of dictatorship that is heavily contingent on the whims and specific personal ideology of someone who's in power. Saied's supporters claim that he does not have an ideology. I think he's in fact closest to Libyan dictator Muammar el-Qaddafi in the 1970s and 1980s. He is combining promises that he is going to deliver Tunisians the best thing for democracies since ancient Athens and sliced bread. He says he's empowering all these local committees and taking out the middlemen, taking out the civil society organizations, the media outlets, the political parties, just obliterating the middlemen and liberating the Tunisian personality at the lowest level to have its own democratic voice.

That's the bill of goods that he sells, much like Qaddafi did in Libya in the Libyan Jamahiriya, which is what he called this kind of superficial local-council state with pretenses of direct democracy. But similar to Qaddafi, what he's actually doing in terms of policy is reestablishing a highly centralized system with power concentrated in the presidency. It actually has much more in common with the dictator Habib Bourguiba's 1959 authoritarian constitution than Saied and his supporters would like to admit.

This whole process has been totally unconstitutional, built as it is on a nonlegitimate and unconstitutional presidential coup that happened on July 25, 2021. But there's a level of desperation and exhaustion in Tunisian society that has prevented, I think, either side from mobilizing a lot. And so there just hasn't been much organized activity either way, and a lot of just passive acceptance of what Saied is doing. The civil society that seemed so vibrant and the democratic politics that had seemingly flourished, all of it collapsed very quickly under the concerted attack by a head of state intent on establishing himself as yet another autocrat. ■