

# Kais Saied's Tunisia: A "New Republic" with Old Authoritarian Tactics

## Eric Gobe

Research director CNRS, Institut de recherches et d'études sur le monde arabe et musulman (IREMAM)  
Aix Marseille University

In 2023, after four years as the Head of State, Kais Saied set about establishing the "popular" institutions inaugurating his "New Republic," which he had promised would put an end to Tunisia's economic, social and political crises during the election campaign that brought him to power. His presidential project, combining state sovereignty with popular sovereignty, meant dismantling the representative democracy established by the 2014 Constitution, which, according to Saied, was itself the product of "corrupt elites" and intermediary bodies (notably political parties) that betrayed the will of the people and diverted the 2010-2011 revolution from its course.

Consequently, the Head of State's objective was to "rectify the revolutionary path" so as to establish a constitution that enshrines both the construction of a "grassroots" democracy based on local assemblies and the institutional primacy of the Head of State, himself the guarantor of the sovereignty of the people and the unity of the nation.

Prevented, however, by the constitutional framework of 2014 and the state of political forces within Parliament from implementing his political project by legal means, the President seized upon the sharp deterioration in the economic, social and health situation in Tunisia to conduct an *autogolpe* (self-coup d'état) on 25 July 2021. With the support of the military general staff and senior members of the security forces, he proclaimed and then extended a state of emergency, dissolved parliament and embarked on a constituent process in the name of pop-

ular will and the superior legitimacy of the Tunisian Revolution that he claimed to embody.

This date constituted the starting point for the systematic liquidation of the institutions of the parliamentary system and the progressive establishment of a new institutional structure, defined in the Presidential Constitution of August 2022, with a view to creating a "New Republic" that would give the power back to the people. In parallel with this institutional process, President Kais Saied acted to stifle the opposition, as well as all institutional checks and balances.

## "Grassroots Democracy" without Grassroots Involvement

The construction of grassroots, "popular" institutions was organized in Kais Saied's initial project on the basis of Local Assemblies created at the level of the Delegations (2nd-tier administrative districts), Regional Assemblies and a National Assembly whose members were elected indirectly and drawn by lot from the Local Assemblies. This institutional set-up was to be deployed within the framework of an electoral process ranging from the local to the national level, combining elections and the drawing of lots. Ultimately, through the Constitution of August 2022, the President of the Republic further developed this institutional architecture by establishing a bicameral parliament with no real powers, composed of an Assembly of People's Representatives (ARP) and a National Council of Regions and Districts.

This decision was part of the implementation of the "roadmap" announced by Kais Saied in December 2021 in order to alleviate internal and external pressure calling for an end to the state of emergency

introduced on 25 July 2021 as quickly as possible. He also organized legislative elections in December 2022 and January 2023. Beforehand, on 15 September 2022, the President of the Republic had made sure to promulgate a decree-law amounting to the elimination of political parties as such from electoral competition. Firstly, he imposed a two-round uninominal majority voting system, which in practice, combined with the abolition of public funding for election campaigns and the ban on candidates running under a party label, has eliminated political parties as such from electoral representation. Secondly, by combining this with the need for candidates to submit a local development programme to their sponsors, this voting system confines politics to local affairs, thereby denying the existence of competing economic and social interests and projects on a national level.

## Alongside his policy of institution-building, Kais Saied has neutralized political and labour union opposition through repression

The neutralization of the national electoral field made the legislative elections a “historic non-event” (Abdelmoula, 2022). As a result, turnout in both rounds of these elections barely exceeded a paltry 11%. In September 2023, Kais Saied launched his “building [democracy] from the ground up” project in earnest, with the publication of three presidential decrees:<sup>1</sup> the first calling voters to Local Assembly elections, the second regarding the division of Tunisian territory into districts, and the third relating to the division of electoral constituencies and the establishment of the number of seats reserved for them in the National Council of Regions and Districts elections. The latter text divides the country into 2,155 electoral districts, whose elected representatives form 279 Local Assemblies. One member of each Local Assembly is drawn by lot to sit on one of

the 24 Regional Councils, whose membership is renewed by rotation every three months. These Regional Councils in turn each elect a member to represent them on one of the five District Councils. Next, 77 representatives will be elected to the National Council of Regions and Districts, which will act as the second chamber of parliament: one member is elected by each District Council and three are elected by each Regional Council.

This long and complicated process is of little interest to Tunisians: the turnout in the two rounds of local elections in December 2023 and January 2024 (boycotted, like the legislative elections, by most of the opposition parties) hardly exceeded 10%, amounting to 11.66% in the first round and 12.53% in the second (Ben Ismail, 2024). In other words, the “grassroots” are hardly enthusiastic about the presidential project. However, this lack of electoral interest does not mean that Tunisians reject Kais Saied. He is still supported by a majority of the population, who see in him, not the promoter of “bottom-up democracy building,” but rather an “honest” and “clean” President, a kind of “just despot”<sup>2</sup> hunting down the “corrupt” who stole from the State during what his supporters call the “black decade” (the period 2011–2021). Alongside his policy of institution-building, Kais Saied has neutralized political and labour union opposition through repression.

## Criminalizing Weakened Political and Labour Union Opposition

Shortly after the 2023 legislative elections, the Kais Saied regime, with the support of the Ministry of the Interior and through the intermediary of a justice system that was now subservient, attacked all opposition political initiatives and actions. In February, a mass arrest campaign was launched, involving twelve opposition figures, including five party secretaries-general, all accused of “plotting against state security,” a crime punishable by death. This was followed by a new wave of arrests of dozens of leaders of the Ennahda Movement (or Renaissance Party),

<sup>1</sup> *Journal Officiel de la République Tunisienne* (Official Journal of the Tunisian Republic) 22 September 2023, <https://bit.ly/3wT6tGa>.

<sup>2</sup> The expression refers to the figure of the ruler called for by the 19th-century religious reformist, Mohamed Abdou, to ensure the rebirth of the Muslim East.

starting with its president, Rached Ghannouchi, and then its interim president, Mondher Ounissi, on various charges. The Islamists are not the only ones concerned, since Riadh Ben Fadhel, general coordinator of the left-wing political coalition, the Modernist Democratic Pole (PDM or *Al Qatob*), was arrested in November 2023, while Abir Moussi, the president of the Free Destourian Party (PDL), the political group of those nostalgic for the Ben Ali period, had a warrant of arrest issued against her in October on the grounds that she had committed an “attack aimed at changing the form of government or inciting the inhabitants to arm themselves against one another or to cause disorder, murder and pillage on Tunisian territory” (Article 72 of the Criminal Code). It must be said that the woes of this opposition hardly move Tunisian public opinion, which tends to regard political parties, whatever their ideological leanings, as responsible for the corruption and multifaceted crisis that have afflicted Tunisia since 2011. Moreover, the political opposition is fragmented and unable to present a united front against Kais Saied. The main dividing line between the various political groupings is, as usual, the historic conflict between the left and the Islamists (Fekih, 2023). Apart from the PDL, which is going it alone and is hardly concerned with defending parliamentary democracy, the opposition to Kais Saied consists of three coalitions:

- The first bloc, the National Salvation Front, which is structured around the Ennahda Movement, includes a number of political figures from the left, such as Ahmed Nejib Chebbi and Jawhar Ben M'barek, who has been in prison since February 2023 in connection with the so-called plot against state security.
- A second coalition, the Coordination of Progressive Democratic Forces, made up of five social-democrat parties, has already experienced dissensions linked to the question of rapprochement with the National Salvation Front, which most left-wing political leaders reject.
- The third alliance, the Forum of Democratic Forces, is ideologically close to the second, with which it coordinates some of its activities. Likewise at a good distance from the Salvation Front, it includes independent figures, associations and liberal political parties such as Afek

Tounes (Tunisian Horizons), the Social Liberal Party and moderate left-wing formations.

The partisan opposition is not the only one to suffer the wrath of those in power. This is also the case for the Tunisian General Labour Union (UGTT), the central trade union, which is going through an internal crisis preventing it from playing a political role similar to that of the 2011-2021 decade. Initially, the UGTT leadership supported Kais Saied's declaration of the state of emergency, but its relations with the President of the Republic became progressively strained over the course of 2022, as Kais Saied's desire to govern alone became increasingly apparent. A real turning point in relations between the Executive and the General Labour Union took place on 31 January 2023, following a speech by the President of the Republic calling for a refusal to allow labour union action to become “a cover for political ambitions or to be used to block the roads.” A few hours after this speech, Anis Kaabi, General Secretary of the Tunisian Highway Workers' Union, was arrested and sentenced to prison. He thus became the first link in a chain of arrests and trials of union leaders.

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The UGTT General Secretary's trenchant statements denouncing the Executive's violation of the law and labour union rights did not move the President of the Republic one iota, as he continued to have trade unionists arrested throughout 2023. The difficulties encountered by the leadership in mobilizing the rank and file and ensuring the discipline of the sectoral and local leaders are all indications of a form of labour union impotence in the face of the presidential steamroller. In fact, by deciding in 2021 to repeal article 20 of the UGTT's statutes, which limited the number of elective mandates to two, in order to allow its General Secretary, Nouredine Ta-

boubi, and the members of the Executive Board to be elected for the third term, the current leadership has created a fault line within the organization which is helping to discredit its pro-democratic discourse. Moreover, at its various levels, the UGTT also has to contend with an Arab nationalist and left-wing tendency that supports the President of the Republic's actions. (Ben Alia, 2023).

## Conclusion

Since 25 July 2021, the President of the Republic has been constantly equipping himself with new legal tools to suppress opposition and strengthen his power with a view to a likely presidential election at the end of 2024. The aim is to clear the way for a triumphant re-election. As part of its repressive policy, one of the instruments most used by the Executive is Decree-Law 54 of 2022 on combatting offences relating to information and communication systems, which allows the prosecution of all those who criticize Kais Saïed's rule, from journalists and

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politicians to lawyers and ordinary citizens. Indeed, Article 24 authorizes the public authorities to prosecute anyone who "knowingly uses information and communication systems and networks with a view to producing, spreading, broadcasting, sending or writing false news or data [...] with the aim of infringing the rights of others or harming public safety or national defence or spreading terror among the population" (Sleimia, 2023). But this was not

enough for the President of the Republic. While 2023 began with a wave of arrests of opposition figures in connection with the "affair" of "plotting against state security," it ended with a presidential diatribe against the non-profit sector, accused of being a Trojan horse for foreign interests and agendas. As a result, in January 2024, the Prime Minister's office presented a bill that re-introduces a form of close control over the creation, funding and activities of associations.

Nothing now seems capable of stopping the President of the Republic on the road to the next presidential election. However, despite the apparent calm reigning in the country, Kais Saïed may still be caught up, in one way or another, in the country's economic and financial crisis, which, since late 2022, has led to an increased risk of debt default and growing shortages of basic necessities.

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