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Political Parties – Challenges and Perspectives

# Parties in Crisis, Instability and “the Will of the People”

Recent Trends in Tunisia’s Young Democracy

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January 2021 marks the tenth anniversary of the revolution in Tunisia, but the celebrations will be tempered by a strong sense of disappointment at developments since then. Representative surveys reveal that the vast majority of Tunisians are unhappy with their country's political, economic and social situation, and believe the country is moving in the wrong direction.

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Since the 2019 parliamentary and presidential elections, a number of political trends have emerged that share responsibility for the country's sluggish development. They will impact Tunisia in the medium term, and put the development and the resilience of this still-young democracy to the test. These trends include: the growing marginalisation of the party system; intensifying conflicts regarding the competencies of democratic institutions; political instability with short-lived governments; and a lack of respect for the representative elements of parliamentary democracy, embodied, inter alia, by the failure to respect election results when forming a government. This sense of disillusionment with the achievements of the revolution is combined with a growing scepticism about the effectiveness of democracy and a romantic nostalgia for the pre-democratic era.

### **Trend 1: Growing Scepticism Towards Democracy and Nostalgia for the Former Authoritarian Regime**

At a planning workshop organised by the Konrad-Adenauer-Stiftung in March 2020, the renowned Tunisian sociologist Riadh Zghal described Tunisia's political transition as follows: "Democracy has crashed down on our heads." The Tunisian revolution began on 17 December 2010 and ended less than a month later, on 14 January 2011, when the then president fled the country. Tunisia was unprepared for the resulting transition to democracy, which remains a work in progress. In his 2016 book "Tunisia, a Democracy on Islamic Soil",<sup>1</sup> Tunisia's late President Beji Caïd Essebsi looks back at this time and describes how the country's sole political

party, the RCD (Rassemblement Constitutionnel Démocratique), was effectively dissolved overnight. Suddenly, other political parties were permitted, and freedom of press was declared. Right from the start, this democracy also had to deal with the widespread assumption that such a system was basically unfeasible in an Islamic country.

The Tunisians themselves are increasingly critical of the results of their country's political transformation. In June 2020, the Konrad-Adenauer-Stiftung commissioned Sigma Conseil, a polling institute, to carry out a survey on the reasons for populism. When asked about the country's economic situation, 77 per cent of respondents said it had deteriorated over the last ten years. According to the survey, the primary responsibility for this lies with politicians (60 per cent of respondents), the state (47 per cent) and business (32 per cent). The respondents identified some major shortcomings in key policy areas that affect public perceptions of the effectiveness of the political system. For instance, 76 per cent of those surveyed were unhappy with education policy, and 65 per cent said a member of their family was unemployed. In another survey on economic inclusion in Tunisia, also conducted on behalf of the Konrad-Adenauer-Stiftung by Sigma Conseil, in December 2019, 60 per cent of respondents believed the social divide in Tunisia to have widened over the past five years.

Many Tunisians believe that the economic and social decline is linked to the political transition that began ten years ago, and do not see a democracy dividend. Trust in the country's political institutions is dwindling. In August

In support for the Ennahda candidate: The Islamist party has enjoyed considerable popular support since its formation in 2011 and is often described as Tunisia's only popular party.

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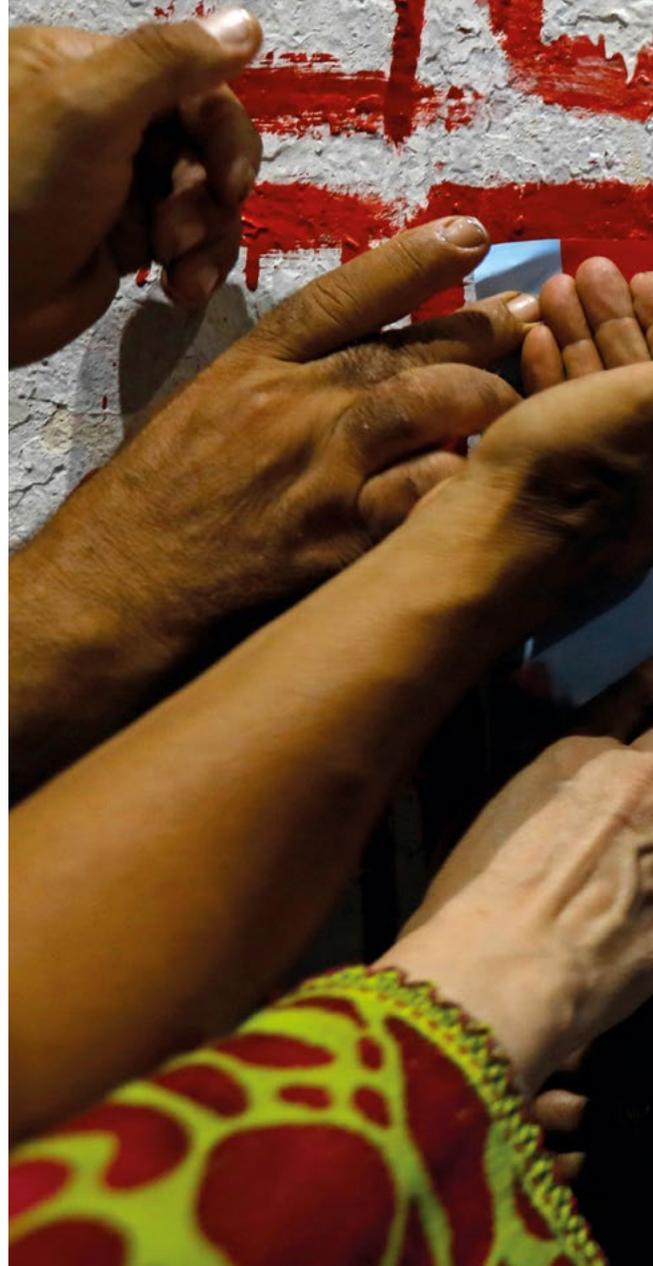
2020, only 23 per cent of those surveyed in the political barometer said they trusted the political parties or parliament. The coronavirus pandemic initially boosted the government's popularity, but it has dropped back to 49 per cent, well behind the social organisations that are still trusted by 69 per cent of Tunisians. The president is the only politician who still enjoys broad support at 88 per cent. He is a fierce critic of current political actors and won the 2019 elections on an anti-establishment platform.

In a survey carried out by Sigma Conseil on behalf of the Konrad-Adenauer-Stiftung in September 2020, 72 per cent of respondents agreed with the statement that democracy was going nowhere, and thought it would be better to have less democracy and more effectiveness instead. This growing scepticism towards democracy has also been reflected in declining voter turnout to parliamentary elections, from 51 per cent in 2011 to 41 per cent in 2014, and just 32 per cent in 2019.

The latest polls on voter preferences show that the PDL is the strongest party, alongside Ennahda. PDL is a party that remains close to the former regime of Ben Ali and is in a position to build on the growing sense of nostalgia for the pre-democratic era. The achievements of the revolution are fading in the face of political instability, a precarious security situation including numerous terrorist attacks since 2011, and the country's growing economic and social problems. Indeed, many Tunisians feel these achievements amount to little more than allowing freedom of expression.

### **Trend 2: The Importance of Political Parties is Declining**

Since the revolution, Tunisia's party system has undergone a dramatic change. Before 2011, in most areas of society and politics, the political



system was dominated by the RCD in what was effectively a one-party state. Six opposition parties were allowed to exist, but at best they were granted a niche function.<sup>2</sup>

After the revolution, legislation was passed to allow political parties to operate freely, and more than 220 parties have since been established, with varying degrees of significance and life spans. The resulting party system is becoming increasingly fragmented, and the parties have little influence in terms of setting the



political agenda, appointing political leaders, and stabilising the political system.

**Politicians regularly migrate to more promising political homes, which leads to constant shifts in parliamentary majorities.**

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With one or two exceptions, this is primarily a result of being insufficiently representative due to inadequate manifesto statements and value orientation, internal conflicts and poor party organisation. Typically, Tunisian parties are organised according to the top-down model, whereby decisions are taken at the highest level and then communicated downwards – if at all. A career in a Tunisian political party often does not start on the local level. Quite often politicians without local or regional experience in party politics take over party leadership positions on the

national level, which weakens the significance of regional organisations still further. Most of the parties are poorly organised at the local level and largely ignore the regions, except during election campaigns, or at times of political tension.<sup>3</sup>

Moreover, party members and their elected representatives tend to have scant loyalty to their own parties. Politicians regularly migrate to more promising political homes, which leads to constant shifts in parliamentary majorities. This is partly due to the permanent internal conflicts caused by democratic deficits within party structures, and to the poor leadership skills on the part of party leaders. The dramatic fallout from such crises is evident in the case of the Nidaa Tounes party. In just five years, it has shrunk from being a majority party that provided the country's president, prime minister and parliamentary speaker, to being a fractured party with a mere three MPs. Unpublished surveys of current and former party members made available to the Konrad-Adenauer-Stiftung, show that the predominant reason former members turned their backs on their party was not poor policies, but internal party conflicts.

The Islamist party Ennahda ("Renaissance") is a special case in the Tunisian political landscape. The party has enjoyed considerable popular support since its formation in 2011, and has always been one of the strongest parties in parliament. It is often described as Tunisia's only popular party. Although its political agenda is fairly elusive, it enjoys better leadership, organisation and discipline than other parties. In terms of content, over recent years the party has tried to be seen as an Islamic conservative party modelled on Germany's Christian Democrats. However, its relationship with the Muslim Brotherhood remains opaque. To date, Ennahda has benefited from the extreme polarisation of secularists and religious conservatives in Tunisian society. While the secular camp is politically divided, Ennahda has built a core base amongst religious conservatives, allowing it to assert itself as a comparatively stable political power. However, Ennahda has recently lost a great deal of popular support,

and its cohesion is crumbling, particularly since discussions began on whether the party's current leader, Rached Ghannouchi, should be given a third term – something that is prohibited by the party's statutes.

Many of the country's political parties lack transparency, and are perceived as somewhat dubious by the Tunisian public. In fact, only three of the 20 or so parties represented in parliament regularly submit their obligatory statement of accounts to the Court of Audit, and most political parties are opposed to the disclosure of campaign financing.<sup>4</sup>

It is, therefore, hardly surprising that the advocates of direct democracy have been gaining support and political influence. The victor in the 2019 presidential elections was Kais Saïed, an independent candidate who distanced himself from other politicians through his anti-establishment stance. He also advocated various forms of direct democracy, and campaigned under the slogan "le peuple veut" (the people want) – suggesting that there was a recognisable popular will on which politics could and should be based. This explicitly contradicts the need for a competition of ideas represented by the parties, and hence their acceptance as pillars of representative democracy.

### **The poor performance of the established parties is a direct consequence of dissatisfaction with the party system.**

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In the 2019 parliamentary elections, the established political parties were among the losers. Some are only just fighting to survive, such as Nidaa Tounes, the liberal Afek Tounes party, and the left-wing alliance Front Populaire. The winners included political parties with populist tendencies. This category includes Qalb Tounes, which became the second-strongest party in parliament shortly after being founded, and whose leader reached the second round of the

presidential elections. However, many of its representatives felt so little loyalty to this still-young party that almost a third of them abandoned it after the elections.

The poor performance of the established parties is a direct consequence of dissatisfaction with the party system, which many Tunisians feel is too inward-looking. Even the term “classe politique” (political class), the usual way of referring to politicians in Tunisia, indicates the extent to which politicians and parties have either moved away from their representative function, or not yet achieved it.

The formation of the government after the elections once again underlined the dwindling significance of political parties. Rather than asking a party leader to form a government, the president turned to Habib Jemli, a fairly unknown and inexperienced politician with somewhat divided support from the Ennahda party. However, Jemli failed to gain a parliamentary majority for his cabinet, so the president appointed former presidential candidate Elyes Fakhfakh. Although Fakhfakh had extensive political experience, his party Ettakatol did not win a single seat in the parliamentary elections, and, as the party’s nominee for the presidency, he attracted only 0.34 per cent of the vote. Fakhfakh gained the confidence of parliament for his cabinet, but the lack of a safe majority made it difficult for him to move forward. Indeed, his government lasted less than five months before he had to resign due to a conflict of interest. Once again, it was not a party politician but a technocrat who was asked to form a government. On 1 September 2020, Hichem Mechichi won 134 of the required 109 votes in parliament, and now heads a cabinet largely consisting of other technocrats. This highlights the declining significance of political parties, and reveals how it is now possible to rise to the highest political office in Tunisia without the support of a party. The parties are leaving it to other actors to shape Tunisian politics, including experts and associations, such as the UGTT trade union federation, or UTICA, the employers’ association. These organisations are themselves only partially representative, but they are more adept at promoting their interests and mobilising

the masses. As a result political parties are downgraded to the second tier of politics. However, the country’s recent political history has shown that governments formed in this way, without party political support, tend to be extremely fragile.

### **Trend 3: Increasing Political Instability**

Tunisia’s political instability began with the revolution of 2011. From there it has been perpetuated by growing scepticism towards democratic institutions, and by the failure of politicians to deliver on their promises. It is likely to continue to affect the country for many years to come. Depending on how they are counted, there have been seven or perhaps even nine governments since 2011, along with numerous cabinet reshuffles. Hamadi Jebali’s government was formed in December 2011, and lasted for 15 months until March 2013; his successor Ali Laarayedh managed just eleven months. Mehdi Jomaa’s government lasted twelve months (January 2014 to January 2015), and that of his successor, Habib Essid, 18 months (February 2015 to August 2016). Youssef Chahed led a government that was reshuffled several times, but which remained comparatively stable with a term of 42 months. The parliamentary elections of September 2019 ushered in another phase of extreme instability after the government of Elyes Fakhfakh, which was formed in March 2020, had to stand down in July 2020.

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Parliament confirmed the appointment of Hichem Mechichi, a political newcomer, as prime minister in September 2020. Considered to be an expert administrator, he briefly acted as a presidential advisor after the presidential elections, and then served as Interior Minister in the

Fakhfakh government for a few months. He does not have a secure majority in parliament, and initial impressions also suggest he may not always be able to count on the support of the president.

To put it bluntly, recent history shows that Tunisian governments start their fight for survival on the day they take office and simply try to postpone their dismissal for as long as possible. The five year mandate implied by the election is de facto irrelevant. Incoming governments are aware of the fact that they will most probably not have five years to formulate and implement policy. Operating in permanent crisis mode, it is almost inevitable that governments focus on what is in front of them and neglect long-term strategic planning. In this situation, even slight resistance to unpopular decisions (however necessary) leads to concessions, which increases susceptibility to populist solutions.

Along with certain clauses in the constitution (see Trend 4), another cause of this instability is the electoral system itself, which tends to produce a fractured parliament and unclear majorities. When Tunisian electoral law was drawn up, the aim of ensuring all relevant social groups were represented in parliament was prioritised over the aim of concentrating political parties and forming stable parliamentary majorities. It was decided to introduce proportional representation without an electoral threshold, and individual seats would be distributed using a quota system and the largest remainder method, which favours smaller parties. In the parliamentary elections of October 2019, the 217 seats were divided between 20 parties, with seven of them having a single MP.

According to the constitution, the Tunisian president gives the list with the most seats the mandate to form a government. If it is unable to obtain majority support, the president can then ask another candidate to form a government. If this government also fails to gain the confidence of parliament, the president can dissolve parliament and call new elections. After the 2019 parliamentary elections, the Ennahda party candidate, who was initially charged with forming the government, was unable to secure a majority

in parliament. The president then selected another candidate and asked him to form a government. Yet, the party of this designated head of government failed to win a single seat in the elections, so this decision ignored the will of the electorate. Parliament's subsequent approval of Fakhfakh's appointment was driven more by a desire to avoid fresh elections than by support for the man and his policies. This tendency for election results to play a subordinate role in the formation of a government was underlined again when the Fakhfakh government stood down in July 2020, and Hichem Mechichi, an independent, was asked to form a government. In early September 2020, parliament approved his cabinet, which consisted almost entirely of ministers who had not even stood in the previous parliamentary elections.

With the difficulty of creating stable government majorities, and the rise of extremist parties in parliament, the situation is strongly reminiscent of the multi-party system that prevailed in Germany's Weimar Republic. In the aforementioned Sigma Conseil survey of June 2020, 78 per cent of respondents disagreed with the statement that Tunisia's parliament truly represents their interests and reflects their political views. Meanwhile, 70 per cent of respondents said the government does not represent them.

#### **Trend 4: Conflicts of Competence are Hampering Good Governance**

Drawn up in 2014, Tunisia's constitution is the result of a negotiation process designed to avert two threat scenarios. Firstly, following the experience with the Ben Ali regime, it was important to prevent presidents having too much power. Therefore, parliament was given a wide range of competencies, and executive powers were divided between the president and the prime minister. Secondly, the power of the Islamists had to be kept in check. As the strongest political party, they advocate a parliamentary system with a president who is not involved in the work of government. In order to restrict their influence, it was decided that the president should be elected directly, and given executive functions.



Thus, according to Article 71 of the constitution, the executive consists of the president of the republic and a government that is presided over by the head of government. The president represents the country, and sets the guidelines for foreign policy, as well as defence and security policy, while the prime minister is responsible for all other policy areas. The fact that the president is directly elected gives him greater democratic legitimacy than the prime minister, who is elected by parliament. Despite the fact that the prime minister is responsible for the majority of government business, the public perceives him as interchangeable and hence less powerful – partly because of the rapid turnover of governments since the revolution. The experiences of recent

years show that this division of executive power into two “presidents” is only practicable if the two office holders work together politically, or if the prime minister has a stable majority in parliament. However, this has rarely been the case since the adoption of the constitution.

Moreover, after the 2019 parliamentary elections, Ennahda’s leader Rached Ghannouchi was appointed as parliamentary speaker, effectively increasing the number of “presidents” who can exert political influence. Ghannouchi explicitly addresses current political issues in his capacity as parliamentary speaker, not as party leader. It was in this capacity, for instance, that he initiated his own diplomatic moves



For stable majorities: Some minor reforms to electoral law would counteract the fragmentation of parliament – an electoral threshold, for example, would reduce the number of political parties represented in parliament.

Source: © Zoubeir Souissi, Reuters.

towards Turkey. This caused an outcry among anti-Islamist groups in Tunisia, who suspected he was working with the Muslim Brotherhood. Ghannouchi also took sides during the Libyan conflict, thus abandoning Tunisia's traditional diplomatic neutrality in this respect. He also exceeded his authority when he released an official statement criticising the peace agreement signed by Israel and the United Arab Emirates.

According to an African proverb, when elephants fight, it's the grass that suffers. Many Tunisians now think the country has three presidents – the president of the republic, the prime minister, and the parliamentary speaker. They are all vying for power and stirring up conflict between democratic institutions.<sup>5</sup> This conflict, which is playing out beyond the scope of democratic checks and balances, is weakening the agency of the state, causing public disquiet about Tunisia's political leadership, and diminishing international confidence in a country that relies on strong international relations.

### **Instruments for Consolidating Representative Democracy**

The political crisis in Tunisia highlights the levers that could be used to make its democracy more resilient, as well as to counter excessive reactions, such as calls for direct democracy, or for the temporary suspension of democratic principles (“government by decree”). Other far-reaching demands include changes to the constitution; although there are many good reasons for this, it would be very time-consuming, and thus would not provide a solution to the current, acute political crisis. The following measures would be less costly, and easier to implement in the medium term:

#### *Strengthen Civic Education*

The low levels of trust in democracy and its principles and procedures (Trend 1) are mainly due to lack of knowledge and information. This is why civic education should be a more important element of education at all levels. Targeted civic education measures should also

be directed at current political actors, particularly local councillors elected in 2018 over the course of the country's decentralisation, as well as local administrative officials. This would help them to carry out their tasks, and strengthen the population's confidence in democracy in their daily lives.

### **The rift between the “political class”, represented by the parties, and society as a whole needs to be repaired.**

#### *Strengthen the Representative Function of the Party System and Sanction Political Parties*

The party system should not be above the law. Legal sanctions must apply to parties that, for example, fail to meet their obligations regarding accountability, or violate rules of internal party democracy. Merely implementing these measures would result in a greater concentration of the party system. It is important to repair the rift that exists between the “political class”, represented by the parties, and society as a whole. Achieving this requires parties to attract more supporters who are not existentially dependent on politics, or who do not aspire to a political career. For example, young people could be encouraged to become involved in politics through a low-threshold offer, such as joining the youth wings of political parties, which should be highly decentralised. This could also help to create a critical mass of party members, which is key if parties are to monitor themselves more effectively. Such measures could halt the declining significance of political parties (Trend 2), and thereby strengthen representative democracy.

#### *Reform Electoral Law*

Some minor reforms to electoral law would counteract the fragmentation of parliament. Proportional representation should be retained, but an electoral threshold of three to five per

cent should be put in place. Laborious and complicated voting systems should be avoided. This also applies to the introduction of a majority voting system, which could overstretch the maturity of Tunisian democracy by excluding a large proportion of the electorate from the distribution of seats. This would leave Tunisia's diverse society poorly represented in parliament. An electoral threshold would reduce the number of political parties represented in parliament, and promote more stable majorities (Trend 3). It would also encourage micro parties to merge with other parties to avoid potentially ending up with no seats. This would improve their organisational capacity and political relevance (Trend 2).

#### *Establish the Constitutional Court*

It is vital to finish establishing the Constitutional Court, a process that has been gridlocked since 2015. The Court should consist of twelve judges, four of whom are to be appointed by parliament, four by the supreme judicial council, and four by the president of the republic. So far, the Court remains vacant because parliament has failed to endorse four candidates, who must be elected by a two-thirds majority. Some politicians seem to be nervous of creating an excessively independent body, or fear that the majority situation in parliament would lead to the appointment of religiously conservative judges who would interpret the law accordingly. To some extent, these fears are an expression of the country's lack of experience with a constitutional court. The process could be set in motion if the Judicial Council and the president selected their eight judges, thus increasing the pressure on parliament. Establishing the Constitutional Court would reduce the conflicts of competence described in Trend 4, and thus allow for more constructive governmental action.

#### *Introduce Rules on Switching between Parties*

Political nomadism in parliament weakens its representative function, as members of parliament tend to distance themselves from the will of the electorate. Frequent switching between parties leads to permanent shifts in the balance

of power. This makes it difficult to retain legitimate control over the executive branch, and promotes instability. Moreover, at the end of a legislative period it is almost impossible for voters to assign political responsibility to particular MPs for their parliamentary decisions, and to vote accordingly. It would be helpful if MPs committed to displaying greater loyalty to their party, or if rules were introduced on switching between parties. For example, specific time frames could be set for changing parties, as is the case in South Africa. Moreover, voters would be able to punish political nomadism if governmental or non-governmental bodies provided more detailed tracking and documentation of this phenomenon. Regulation and monitoring would create obstacles to switching parties, which would then reduce the political instability that arises from the dearth of secure majorities in parliament (Trend 3).

### **Democracy came under pressure before it was able to build the resilience it needed.**

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#### **Conclusion: A Difficult First Decade of Democracy**

Tunisia's first ten years of political transition have certainly been eventful. Its democracy came under pressure before it was able to build the resilience it needed to weather internal and external crises. Terrorist attacks with catastrophic effects on the tourism that is so vital to the economy, the almost decade-long war in neighbouring Libya, the growing influence of authoritarian states in the region, and, most recently, the coronavirus pandemic have all created difficult conditions for the development of democracy. Depending on one's perspective, Tunisia's recent political developments can be presented as an incomplete success story, or as incomplete proof of the failure of democracy. To date, the picture has been clouded by political instability, an inconsistent approach to freedoms, the lack of a sense of responsibility in

politics and society, and by politicians' inability to design and implement long-term solutions to the country's development bottlenecks. Elements of a success story undoubtedly include organising parliamentary and presidential elections that meet democratic standards, the adoption of a democratic constitution in 2014, an active civil society that protects democracy, and a free press. Overall, Tunisia remains an important benchmark in the region in terms of its cultural, religious and democratic development. A successful continuation of this democratic transition would also send an important signal to countries that have not yet begun or completed this process, and would spur on local advocates of democracy. Failure would fuel anti-democratic movements, and confirm the sceptics' view that democracy is unfeasible in the Arab world.

*–translated from German–*

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