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Tunisia Post-Revolution: What is Preventing its Democracy

Abstract

Ten years have passed since Tunisians overthrew an authoritarian regime controlled by President Zine El Abidine Ben Ali. Corruption and an oppressive police force led to the self-immolation and death of Mohamed Bouazizi, a Tunisian street merchant in 2011, quickly igniting waves of protests and becoming the catalyst for the Arab Spring. These protests which quickly encompassed the Middle East and North Africa (MENA) called for democratic reform within their respective governments, but Tunisia remains the only state to succeed, holding democratic elections from 2011 onward and ratifying a new constitution in 2014. Despite these measures, democratization remains slow to develop. What explains Tunisia's lack of democratic progress since the revolution? This paper examines Tunisia's impediment to a fully developed democracy, which will argue weak institutional reform as the cause for corruption to persist. To offer a comparison, this paper will highlight Chile's rapid democratic transition from a violent dictatorship under Augusto Pinochet, where corruption levels plummeted after thorough institutional reform. Chile also possesses a Constitutional Court, an independent judicial body whose significance is affirming the constitutionality of proposed laws and decisions made by

executive powers. Disagreements among parties within Tunisian Parliament have prevented this institution, which contributes to Tunisia's democratic prevention as there is no third-party oversight on constitutional matters to ensure civil liberties provided by the constitution are adhered to.

Introduction

On December 17, 2010, Mohamed Bouazizi, a Tunisian street merchant from Sidi Bouzid had his fruit scales confiscated by local police forces for working without a permit and being unable to pay a bribe to continue working that day. After allegedly being slapped by a policewoman and her insulting his deceased father, Bouazizi went to file a complaint, but the governor refused to speak with him.¹ What transpired next would gain international media attention and remain an unforgettable moment in Tunisian history. Mohamed Bouazizi, fed up with police brutality, set himself alight after dousing himself in gasoline, dying from his wounds two weeks later. Ali Bouazizi, Mohamed's cousin, was able to film this self-immolation and the reaction of the locals, which quickly circulated itself on the internet.² Uprisings across the Arab World ensued, culminating in widespread protests and violent suppression from security forces throughout the region; yet, Tunisia persevered and overthrew an authoritarian regime, allowing for a democratic transition.

Tunisia was critical in inspiring the Arab Spring protests across the Middle East and North Africa (MENA) region and successfully overthrowing President Zine El Abidine Ben Ali's authoritarian regime in 2011. Following the revolution, the government ratified a new constitution in 2014, solidifying a democratic future for Tunisians. Despite such monumental successes, Tunisia remains plagued with several leadership changes, stagnant socioeconomic growth, high unemployment rates, oppression from security forces, and rises in extremism, leading many to believe Tunisia was more stable under authoritarian rule.³ The importance for governmental reforms remains paramount for MENA states as new waves of protests across the

¹ Lageman, Thessa. "Mohamed Bouazizi: Was the Arab Spring Worth Dying For?" Al-Jazeera News – Human Rights. 3 Jan 2016.

² Ibid Lageman, Thessa. Al-Jazeera

³ Slimi, Moncef. "Tunisians are Disappointed, 10 Years After the Arab Spring" Deutsche Welle News. 18 Dec. 2020.

region resurfaced in 2018, mirroring the Arab Spring.⁴ Tunisia is among the states involved in this “second Arab Spring” which certainly highlights the stagnant democratic transition since Ben Ali’s overthrow. If democracy cannot succeed in Tunisia, a state that has already adopted the necessary framework for democratization, it remains highly unlikely such reform can occur elsewhere in the MENA region.

This paper will examine Tunisia’s democratic delay from the ratification of its constitution to present day, measuring corruption levels as an indication for why democratization remains a difficult endeavor for Tunisian society. Institutional reform is integral to a transitioning government, and Tunisia’s weak institutional reform enables corruption to persist, preventing democratic growth. To offer a comparative analysis, Chile’s democratization is examined to explain how institutional reform and possessing a Constitutional Court are imperative to ensuring civil liberties are protected and corruption levels decline during a transitional period. Tunisia’s lack of such a jurisdictional framework has allowed for the inverse to occur, with corruption levels higher than they were under the previous authoritarian regime.

Existing Research for Slow Democratization

Democratization has occurred in all parts of the world, most notably during and after the Cold War, where between 1974 and 1990, roughly 30 countries democratized, doubling the total amount of democracies worldwide.⁵ This “third wave” of democracy first began with Spain, Greece, and Portugal shifting to democratization and joining the European Community (now European Union) with Turkey, Poland, Hungary, and former Czechoslovakia formally beginning democratic transitions in the 1990s in hopes of joining the EC as well.⁶ Despite such progress, several states have experienced lapses in democratic reform, where a reversion to former authoritarian practices has prevented states’ hopes of liberalized economies, and democratization never came to fruition. Scholarly research has offered several explanations as to the causes for

⁴ Muasher, Marwan. “*Is this the Arab Spring 2.0?*” Carnegie Endowment for International Peace. 30 Oct 2019.

⁵ Huntington, Samuel P. “*Democracy’s Third Wave*” *Journal of Democracy*. Vol 2 No. 2. Pg. 12. Spring 1991.

⁶ *Ibid* Huntington, Samuel P. Pg. 14. 1991.

setbacks following a democratic transition, such as weak socio economic reform, increased foreign investment in authoritarian regimes, as well as increased right-wing populism, which has infiltrated even the strongest of the world's liberal economies and governments.

Socioeconomic Impacts Halting Democratization

Barbara Geddes states, with respect to socioeconomic reform following democratic transition, “regime or government change can increase the likelihood of economic liberalization because it breaks the link between incumbents and the main beneficiaries of statist policies by installing a new set of incumbents.”⁷ While, under normal circumstances, it seems clear these newly transitioned regimes would be willing to quickly implement economic reforms which are democratic in nature, but there are instances where new democracies have not developed ways to address income inequalities and stagnant economies. Geddes further goes on to claim, “failure to pay attention to the interests of government officials and members of ruling parties has distorted ideas about the costs of economic liberalization and consequently led to inaccurate predictions about when it would be accomplished.”⁸

By not focusing on political ambitions of government officials, further delays in democratization could occur as their policies could benefit themselves rather than acting on the interests of the people responsible for electing them. Further critical when examining successful democratic transition is ensuring civil liberties are granted and protected, particularly as it relates to women and marginalized groups in society.

Wang et al.'s piece on women's rights in democratic transitions argues the significance of gender equality in order for democracy to truly succeed from a former authoritarian regime by stating, “the expansion of civil liberties and reduction of state repression enhance citizens' capacity to voice opposition, organize movements, and challenge the regime,”⁹ and also claim, “when half of the population [women] increasingly gain the rights to move, voice demands,

⁷ Geddes, Barbara. “*The Politics of Economic Liberalization*” Latin American Research Review. Vol 30, Issue 2. Pg. 197. (1995).

⁸ Ibid Geddes, Barbara.

⁹ Wang, Yi-Ting et al. “*Women's Rights in Democratic Transitions: A Global Sequence Analysis 1900-2012*” European Journal of Political Research. Pg. 737. Nov 2017.

discuss, and hold material and immaterial assets, the calculation of repression cost is significantly changed.”¹⁰ The authors’ piece depicts the importance of gender equality as it relates to democratic regime change, since participation from women in politics has been instrumental in maintaining democratic success. While their article indicates a rise in women’s civil liberties across many of the Arab Spring states, the authors’ data stops at 2012¹¹ and does not reflect the downward trend that has occurred in the region recently, certainly overshadowing many of the rights granted to them.

With respect to women’s rights in present day Tunisia, the issue of equality still remains prevalent for Tunisian women in both urban and rural parts of the country. For example, a draft law concerning increased individual freedoms and inheritance for women was placed before Tunisian Parliament in 2018 and has since received significant opposition from Islamists in the Ennahda party and its coalition allies, further delaying a vote from happening.¹² These Islamist views were reiterated in August of 2020 with President Kais Saied stating, “the Koranic text is clear and allows for no interpretation – the principle of inheritance in Islam is not based on formal equality but rather on justice and equity.”¹³ Due to the Islamist’s notion of inheritance and equality not conforming to what is stated in the Qur’an, and President Saied’s affirmation of such claims, it remains highly unlikely the advancements in gender equality being heavily sought after by Tunisian women will be achieved¹⁴; thus, remaining an impediment to democratic progress.

What makes Tunisia a unique outlier in this trend is it remains the only Arab state to successfully overthrow the authoritarian regime and implement a constitution based on democratic principles. Notwithstanding rights and liberties as well as democratic elections being prevalent in Tunisian society, women’s rights remain disproportionate to their male counterparts. According to a 2020 Global Gender Gap report done by the World Economic Forum, Tunisia’s ranking dropped from 90th to 124th out of 153 countries on its gender equality from 2006 to 2020.¹⁵ Additional downward trends for Tunisian women’s rights include unemployment rates

¹⁰ Ibid Wang et al. Pg 749.

¹¹ Ibid Wang et al.

¹² Zayat, Iman. “Tunisia Marks Long Struggle for Women’s Rights” The Arab Weekly. 15 Aug 2020.

¹³ Zayat, Iman. “Tunisian President Rejects Gender Equality in Inheritance” The Arab Weekly. 18 Aug 2020.

¹⁴ Ibid Zayat, Iman. 12 Aug 2020.

¹⁵ Verheijen, Antonius. “Is the Status of Women in Tunisian Society Endangered?” World Bank. Blog. 23 Dec 2020.

doubling for men (higher percentages in rural areas), only 23.3% of new housing loans being granted to women, and despite 67% of Tunisian higher education graduates being women, only 24.6% are employed.¹⁶ With persistent inequalities as significant as this during a democratic transition, lack of socioeconomic reform could certainly account for Tunisia's slowly developing democracy.

Resurgence of Authoritarianism

An additional, and more impactful scholarly explanation for the inability for democratic transitions to succeed is the influence of reemerged authoritarian practices from governments. Authoritarian regimes remain resilient in the Middle East, which Yom and Al-Momani argue international factors being the underlying cause for authoritarian prominence.¹⁷ The authors focused on Jordanian politics from the 1990s and 2000s, where significant amounts of military and developmental aid were provided to Jordan's monarchy by the United States in return for its establishment of a peace treaty with Israel in 1994. For the US, Jordanian-Israeli relations took precedence over Jordanian democratization to ensure American interests in this part of the Middle East were secured; thereby allowing an authoritarian regime to maintain power.¹⁸ In spite of economic crises suffered by several Arab states during the 1990s and loosened restrictions on political rights due to civil unrest, the authors assert,

“scholarly optimism dissipated by the end of the 1990s, though, as democratic reforms stuttered to a halt and ruling incumbents in numerous single-party republics and dynastic monarchies found themselves secure in the halfway house of ‘liberalized autocracy’ – it is not [democratic] decay but the durability of Arab authoritarianism that now commands theoretical attention.”¹⁹

It would appear this pattern or trend of the late 1990s resurfaced in the 2010s and remains prevalent in the 2020s as Arab authoritarian regimes remain prominent due to the temporary

¹⁶ Ibid Verheijen, Antonius. Dec 2020.

¹⁷ Yom, Sean L. and Al-Momani, Mohammad H. “*The International Dimensions of Authoritarian Regime Stability: Jordan in the Post-Cold War Era*” Arab Studies Quarterly. Vol 30, No. 1. (2008).

¹⁸ Ibid Yom and Al-Momani. 2008

¹⁹ Ibid Yom and Al-Momani. 2008

easing of repressive acts on civil society to appease the public while maintaining an authoritarian structure.²⁰

Conversely, additional international factors such as sanctions also contribute to pro-authoritarian sentiment. While Jordan was able to procure capital investment and developmental aid from the United States and maintain its authoritarian regime, sanctions from international actors may also have an adverse effect on democratic sentiment. Scholars Grauvogel and von Soest argue sanctions, particularly comprehensive sanctions from stronger democratic states imposed on a weak authoritarian state can, “create a siege mentality and thereby trigger a ‘rally-round-the-flag’ effect,” which enables authoritarian leaders to, “demonize external sanctions and use them as a legitimizing device, especially if their rule is based on strong legitimization strategies.”²¹ This can offer an explanation for democracy failing to gain momentum among government institutions throughout the MENA region, even among states where significant social reforms were implemented by authoritarian leaders, such as in Morocco²² and Algeria.²³ External pressure applied from democratic, international actors to authoritarian states as a means to implement democracy could be deemed an attack on ideology and values, allowing authoritarian leaders to consolidate their power by gaining support for not succumbing to sanctions.

The potential economic stability under authoritarian regimes as opposed to democratic has become an additional reason for heightened authoritarian support. For example, while not necessarily supporting the actions of authoritarian dictators, there is an increasing trend in Latin America where, “many individuals, despite the loss of civil and political liberties and the violation of human rights suffered under some past military governments, have a positive opinion about these regimes,” and furthermore, “when the evaluation of the last authoritarian government outperforms the evaluation of the present economic situation, individuals are less likely to support democracy – this effect is stronger for the old [people].”²⁴ Older generations

²⁰ Ibid Yom and Al-Momani. 2008

²¹ Grauvogel, Julia and von Soest, Christian. “*Claims to Legitimacy Count: Why Sanctions Fail to Instigate Democratization in Authoritarian Regimes*” European Journal of Political Research. GIGA – German Institute of Global and Area Studies. Pg. 637. (2014).

²² Sater, James N. “*Morocco’s ‘Arab’ Spring*” Middle East Institute. 1 Oct 2011.

²³ Salhi, Hamoud. “*Is Algeria Immune from the Arab Spring?*” BBC World News. 27 Jul 2011.

²⁴ Duran, Ivan and Trillas, Francesc. “*Missing the Dictator? The Effect of the Image of Authoritarian Past on Support for Democracy in Latin America*” Social Science Quarterly. Southwestern Social Science Association. Vol 101, No. 2. Pg. 606. March 2020.

who lived during an authoritarian regime are more susceptible to supporting and favoring the regime they are most accustomed to; thus authoritarianism in many of these states being more sought after, especially if it brings greater economic security.²⁵ The same could be said about regimes in the MENA region which, even after the Arab Spring, were able to preserve power by offering small concessions to temporarily appease the public and continue to run their respective governments. While younger generations are more in favor of democratization, older generations typically hold the more powerful positions of government, which may also contribute to slowly developing democracies in post-authoritarian states across the world.

Right-Wing Populism Undermining Democracy

An additional explanation offered by scholars is democratic decline within well-established democracies across Europe and even in the United States. Within the European Union, Hungary emerges as the most significant case of democracy in crisis. Regarding the decline in democracy in East-Central Europe, “Western institutions have been transferred to ECE [East-Central Europe] without their sociocultural environments, that is, without the proper social embedment; hence sustainable democracies have not emerged in the ECE region.”²⁶ The author argues the lack of “Europeanized” formal institutions implemented in these post-communist states allowed for the establishment of weaker democracies subject to authoritarian/autocratic tendencies, with Hungary falling in 2016 to 26th place out of 28 EU members in democratic rankings, and worse, has contributed to a, “considerable democratic deficit.”²⁷ The lack of the established formal institutions and foreign investment among other democracies could be a likely reason for democracy’s failure to take root elsewhere in the world, such as in Latin America, as well as in the MENA region, where authoritarian practices are continuing to take place despite democratic reforms.

Hungary remains an intriguing story as it has rapidly transformed into a totalitarian state, allowing Prime Minister Viktor Orban to pass legislation,

²⁵ Ibid Duran and Trillas. 2020

²⁶ Agh, Attila. “The Decline of Democracy in East-Central Europe” *Problems of Post-Communism*. Taylor & Francis Group. 2016. Pg. 277

²⁷ Ibid Agh, Attila. 2016

“effectively removing any oversight and silencing any criticism of the Hungarian government – Orbán can now rule by decree for an indefinite period of time,” and he has additionally, “overseen the steady dismantling of the country’s democratic institutions, eroding its press freedoms, undermining the education system, and limiting its power of the judiciary.”²⁸

Hungary is not alone in this wave of authoritarian sentiment and undermining of democratic processes, Poland is undergoing a similar attack on democratic institutions, with Italian and German populist parties following close behind.²⁹ What we are beginning to witness in Europe, where some of the most democratic institutions have been established in order to become a member of the European Union, could be causal for what is happening in other regions across the world, where authoritarianism may be viewed by leaders and even by the general public as a more favorable way to formulate and run a government. Democracy could be viewed as an ineffective governmental practice, and if it continues to be undermined in Europe, the motivation for the people of MENA states to push for democratic reform may not receive the same momentum it once had. Europeans protesting this democratic undermining are certainly becoming more widespread in these states, further adding to political instability, all while Russia and China continue to expand their influence in the region.³⁰

This current wave of anti-democratic rhetoric could be seen by MENA states as a reason to distance themselves from wanting to pursue democratization, especially if such institutions are continuously undermined. Prior research has been able to offer explanations as to why these sorts of phenomena have been able to permeate among regime changes towards democracy, but there are still missing pieces to explain how countries who have revolted and overthrown governments to impose democratic change such as in Tunisia have been unable to maintain such success even a decade later. Tunisia remains the most unique among Arab states since reform began quickly after the revolution with a new constitution, yet the government has been unable to maintain democratization, and has since reverted to former authoritarian practices.

Weak Institutions Facilitate Persistent Corruption

²⁸ Serhan, Yasmeen. “The EU Watches as Hungary Kills Democracy” *The Atlantic*. 2 Apr 2020

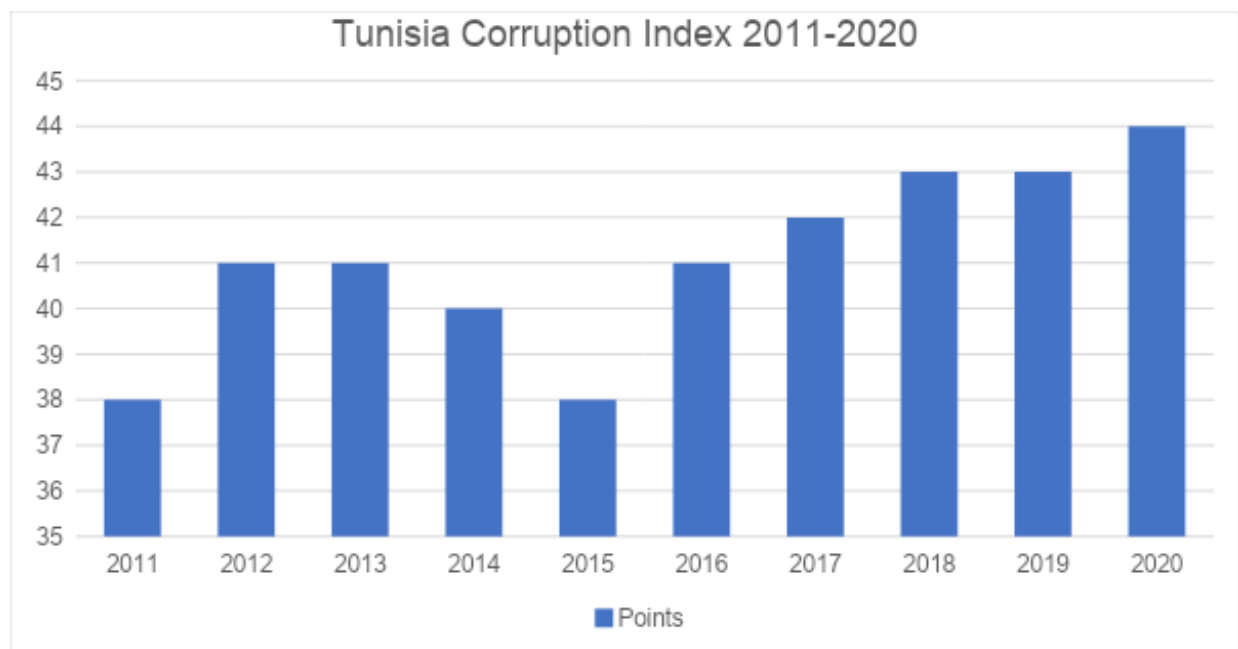
²⁹ Ibid Serhan, Yasmeen. 2020

³⁰ Ibid Serhan, Yasmeen. 2020

Tunisian Corruption Levels

It is important to note democratization is a slow process. What makes the process more difficult for Tunisia lies within its institutional framework, where widespread levels of corruption among the government create a roadblock for democratic progression. Further troubling for Tunisia is the ways in which corruption has evolved from being exclusively among political elites to encompassing all sectors of government, with, “every day citizens engaging in and benefitting from corrupt practices – it is perceived to be even more pervasive today than it was under Ben Ali.”³¹ As a state undergoing a democratic transition, increased amounts of corruption certainly act as a constant impediment to progression.

To explain the increased rates of corruption since the fall of Ben Ali’s authoritarian regime, Figure 1 (below) illustrates the corruption index with data from Transparency International, showing the upward trend of corruption Tunisia has faced since ratifying the constitution in 2014.³²



³¹ Muasher, Marwan and Yerkes, Sarah. “Tunisia’s Corruption Contagion: A Transition at Risk” *Carnegie Endowment for International Peace*. 25 Oct 2017.

³² Figure 1 – Data taken from Transparency International’s Corruption Index (2011 – 2020).

While rates fell from 2011 to 2015 when the constitution became effective, corruption rates have since surpassed the levels from a decade ago.³³ A reasoning for persistent corruption even during democratic transition can be a result of Tunisia falling under the category of an *electoral democracy*, where participation in the electoral process is evident, but,

“the weak institutional framework in the newly democratized countries also increases the opportunities of high-level corruption. The newly democratized countries are categorized as electoral democracies and they are more likely to score in the low end of ‘free’ category of nations as tracked by the Freedom House.”³⁴

Democratically held elections and a ratified constitution are certainly steps in the right direction, but they are not enough to sustain democratic growth since what is required in order for Tunisia to be considered a *fully-functioning democracy* is effective and sustainable institutional reform, as an electoral democracy does not reduce corruption levels within a country, according to Saha and Campbell.³⁵ For these reasons, it is imperative for the Tunisian government to invest in strengthening government institutions if it wished for democracy to succeed.

Case Study: The Constitutional Court

A key element of Tunisia’s weak institutional framework rests on its lack of a Constitutional Court. The purpose of this independent judicial body is to oversee constitutional disputes and, in Tunisia’s case, “regulate the separation of powers and protect citizens’ rights,”³⁶ and additionally, “the Constitutional Court is critical to strengthening the government’s ability to manage the country’s deteriorating economy, especially in the absence of a governing coalition in parliament.”³⁷ As it relates to corruption, Tunisia lacks additional participation in the Arab Convention Against Corruption due to not possessing a Constitutional Court, thus adding an additional barrier towards combating corruption domestically, and preventing democratic growth.³⁸

³³ Ibid – Figure 1, Transparency International

³⁴ Saha, Shrabani and Campbell, Neil. “*Studies of the Effect of Democracy on Corruption*” 36th Australian Conference of Economists – Economics of Corruption Session. Pg 7. Sep 2007.

³⁵ Ibid Saha and Campbell. Pg 4. 2007.

³⁶ Jouini, Jihen. “*Tunisia Needs a Constitutional Court as Soon as Possible*” Democracy Speaks. MENA. 05 Jan 2021.

³⁷ Ibid Jouini, Jihen. 2021.

³⁸ Ibid Jouini, Jihen. 2021.

It appears Tunisia's democratic halt will continue to endure, as President Kais Saied officially announced on April 5, 2021 he was refusing to sign a bill effectively establishing a Constitutional Court as he claimed the Court should have been established by 2016 according to the Tunisian Constitution, and did not want to support, "tailor-made laws."³⁹ This decision could be seen as a political move for President Saied to consolidate his power, as rulings from a Constitutional Court, "are necessary to confirm for the constitutionality of laws, amend the constitution or pursue impeachment of the president."⁴⁰ Without a judicial body such as this, the Tunisian court system would have no basis to intervene concerning the constitutionality of governmental decisions made by legislators and executive powers, allowing President Saied to act with impunity.

An additional controversial decision by President Saied, also in April of 2021, further distanced Tunisia from democratic progression by his announcement that security forces are now under his command, in addition to the military.⁴¹ As it relates to security, the 2014 constitution was written under the assumption the prime minister, Hichem Mechichi, would be the head of security forces within Tunisia's Interior Ministry, and this decree by the president has thus created an already heated conflict between the two leaders.⁴² Such disputes between government officials and/or their respective political parties is another contributing factor for why the lack of a Constitutional Court is harming democratic progress. Tunisia was supposed to have implemented the Court by 2015 to resolve such disputes within the government, yet decision making remains stagnant as politicians have been unable to come to a consensus on which judges to seat for this Court once established.⁴³

A Constitutional Court itself would not reduce corruption in Tunisia, but due to the weak judiciary structure currently present, a Constitutional Court would ensure the separation of powers defined in the constitution are adhered to and cannot abuse their power, as such decisions could be deemed a violation of the Constitution. For additional oversight, the government attempted to implement a Supreme Judicial Council; however, according to Human Rights

³⁹ Author N/A. "Tunisian Constitutional Court Bill Hits Constitutional Snag" The Arab Weekly. 8 Apr 2021.

⁴⁰ Ibid The Arab Weekly 2021.

⁴¹ Amara, Tarek. "Tunisian President Draws Security Powers into Dispute with PM" Reuters World News. 18 Apr 2021.

⁴² Ibid Amara, Tarek. 2021.

⁴³ Ibid Amara, Tarek. 2021.

Watch, the Council, “does not guarantee the body’s full independence from the executive – Tunisia needs stronger safeguards to guarantee the judicial independence that Tunisians have long been waiting for.”⁴⁴ Without such reforms, Tunisian progression remains at a standstill.

Chile: From Dictatorship to Democratic Model

Chile is an excellent example of a former authoritarian state who overcame violent oppression to implement an effective institutional reform which reduced corruption rates and strengthened the economy. While slight constitutional reforms were first implemented in the 1980s, Chile’s highest rates of growth and prosperity came following the fall of Augusto Pinochet in 1988, where Chile “recorded its highest average growth rates and the least volatility in a hundred years.”⁴⁵ The first steps the Chilean government took towards strengthening institutions involved improving the education and judicial sectors of government while further implementing social security reforms put forth in the 1980s.⁴⁶ Furthermore, economic institutions were improved by liberalizing trade policies, reducing tariffs, and establishing free trade agreements with Latin America and Canada.⁴⁷ These were highly effective measures taken by the Chilean government as they rapidly improved Chile’s economic standing.

The success at the economic level allowed Chile to address social issues which plagued Chileans during Pinochet’s regime. The Human Development Index (HDI) for Chile dramatically improved, with real GDP growth of 5.6 percent annually from 1990 to 1998 as well as poverty and extreme poverty rates nearly cut in half.⁴⁸ Figure 2 (below) shows the plummeting rates of poverty as they relate to GDP growth.⁴⁹

⁴⁴ Author N/A. “*Tunisia: Law Falls Short on Judicial Independence*” Human Rights Watch: Middle East and North Africa. 2 June 2015.

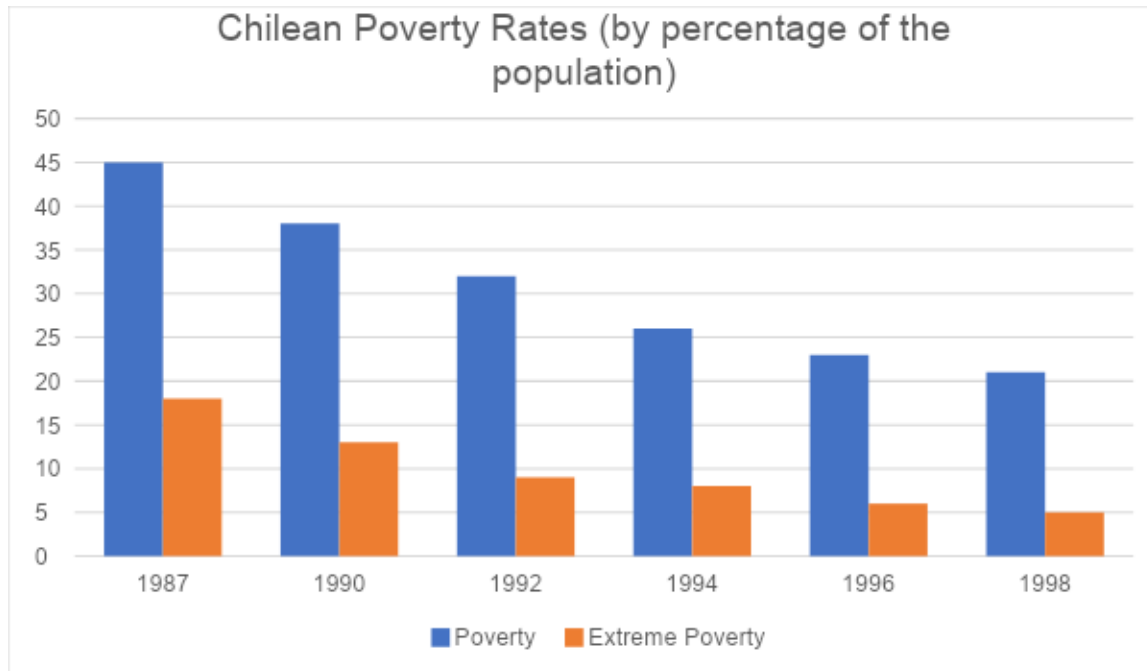
⁴⁵ Aninat, Eduardo. “*Chile in the 1990s: Embracing Development Opportunities*” International Monetary Fund Finance & Development. Vol 37 No. 1. March 2000

⁴⁶ Ibid International Monetary Fund 2000

⁴⁷ Ibid International Monetary Fund 2000

⁴⁸ Ibid International Monetary Fund 2000

⁴⁹ Figure 2 - Ibid International Monetary Fund 2000. Data taken from MIDEPLAN, Central Bank of Chile, INE.



Latin America was severely affected by the Asian market crisis of 1999, but due to the strong reforms of Chile’s economy throughout the 1990s, the market was able to recover fairly quickly in comparison to other Latin American countries.⁵⁰

An additional measure of Chile’s initial democratic success is the measures the Chilean government took to combat corruption following the fall of Pinochet. In order to be the regional model of democratic success Chileans believed they could be, legislators on both sides agreed to adopt an anti-corruption legislation package, which has allowed Chile to remain among the least corrupt countries in the world.⁵¹ According to Transparency International, Chile in 2019 ranked 22nd in the world out of 182 countries for being the least corrupt, outranking the United States.⁵² Despite political turmoil beginning in late 2019 surrounding protests of President Sebastian Pinera, Chile was deemed a “full democracy” by the Economist Intelligence Unit, ranking 21st in the world and 3rd among Latin American countries behind Uruguay and Costa Rica.⁵³ Chile’s ability to persevere through economic and political turmoil could be a result of its effective

⁵⁰ Ibid International Monetary Fund 2000

⁵¹ Lopez, Jennifer. “Corruption and its Effect on Economic Development in Chile, Mexico, and Brazil” *Governance: The Political Science Journal at UNLV*. Vol 6, Article 4. 2019.

⁵² Ibid Lopez, Jennifer UNLV 2019

⁵³ Author N/A. “The Economist Upgrades Chile to “Full Democracy” on the 2019 Democracy Index” *Chile Reports: Investment*. 6 Feb 2020.

institutional reform, as it has been able to remain not just a Latin American leader, but a world leader in upholding democratic principles.

Chile's Constitutional Tribunal (Court) was established in 1980, where it was most pivotal in its, "contribution to the political transition in Chile from an authoritarian regime to a democratic system," where it declared the Electoral Court's creation and the Bill of Political Parties of 1987 unconstitutional, indicating they violated due process, autonomy in political parties, and the right to political association.⁵⁴ From the onset of Chilean democratization, the Constitutional Tribunal was essential to providing judicial oversight on matters specifically pertinent to the constitution, ensuring political rights and civil liberties were protected. While a Constitutional Court does not prevent corruption itself, the framework for the Chilean Constitutional Tribunal allows for judicial review over rulings in Chilean high courts, amendments to the Constitution, and executive decrees by the President and Parliament which ensures there is no abuse of power among the separate branches of government.⁵⁵

Conclusion

Tunisia certainly succeeded in initial phases of democratization with changes in the electoral process and a new constitution, but it mainly stops there. In order for democracy to prosper in Tunisia, institutional reform is necessary to ensure corruption rates decrease; thus, allowing for widespread economic prosperity, civil liberties and political rights, and a stronger judicial system to improve Tunisia's democratic standing. For Tunisia moving forward, it is imperative to establish a Constitutional Court; however, due to the rhetoric of President Saied, it appears unlikely one will be established until the next presidential election in 2024, granted Saied is unseated and a new president-elect favors an independent judicial body as well as other institutional reforms. Further research on the effectiveness of a Constitutional Court and how it relates to reducing corruption may be required to solidify the necessity of Tunisia to implement a judicial body such as this to ensure constitutional rights are not violated. The rift in Tunisian Parliament can only be fixed with a Constitutional Court or similar judicial body present, as it

⁵⁴ Figueroa, Dante. "Constitutional Review in Chile Revisited: A Revolution in the Making" *Duquesne Law Review* Vol 51. Pg. 401-402. 2013.

⁵⁵ *Tribunal Constitucional Chile* Regarding Roles and Jurisdiction. English Version.

would resolve disputes among executives such as the president, prime minister, and other executives.⁵⁶ Therefore, it is imperative Tunisian government officials push to establish this judicial body immediately following President Saied's tenure, if possible.

While the circumstances are completely different between Chile and Tunisia following their respective regime changes towards a democratic system, Tunisia would benefit greatly following the same model Chile did in order to improve its economy. As previously stated, Chile was able to expand its economy through free trade agreements with Latin American partners and beyond, reducing tariffs, and liberalizing trade policies to reintegrate itself with world trade.⁵⁷ Tunisia's unemployment rates are higher in the years following Ben Ali's overthrow than they were before, and strengthening their economic institutions the way Chile had would significantly decrease the sustained unemployment rates Tunisia currently has.⁵⁸

Socioeconomic reforms are vital to ensure democratic prosperity in Tunisia, as the current halt in democratization is bound to continue with the lack of institutional reform currently occurring since the end of the Tunisian revolution in 2011. Tunisia's importance in democratization is based on the fact it remains the only Arab Spring participant to do so. The ramifications of this study are important as democratic reform may not permeate to other parts of the Arab world if such success does not come to fruition in Tunisia.

Evan Ewards

⁵⁶ Ibid The Arab Weekly. 2021

⁵⁷ Ibid International Monetary Fund 2000.

⁵⁸ World Bank Data. International Labour Organization, ILOSTAT database. Data retrieved on January 29, 2021.

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