



## Tunisian President Kais Saied Draws Fresh Criticism for Dissolving the Country's Supreme Judicial Council

Tunisian President Kais Saied has drawn increasing criticism for a continuous string of anti-democratic actions in the aftermath of his power grab in July of last year. Recently, Saied announced that he would be unilaterally dissolving the country's Supreme Judicial Council which plays an important role and deals with ensuring the independence of judges. The Supreme Judicial Council has referenced Article 80 of the Tunisian Constitution, and pointed out that there is no legitimate constitutional or legal mechanism that gives Saied the right to initiate such an action. The move is yet another example of the anti-democratic behavior that Saied has exhibited over the past six months. Dismantling judicial oversight is a very common strategy to consolidate power and avoid any repercussions for further intended authoritarian-like measures. The practice has been replicated in multiple repressive states, and pro-democracy advocates are particularly concerned due to the fact that Saied has indefinitely suspended the parliament and as such, the judicial council is one of the last remaining checks on executive power.

In the preceding days, Tunisian police locked the doors of the Supreme Judicial Council building and prevented staff from entering. The United States expressed that it was "deeply concerned" by President Saied's actions. In the initial aftermath of Saied's power grab in July of last year, some international onlookers had given him the benefit of the doubt. However, with each worrying move, including this latest one, multiple international entities and organizations including the Group of Seven nations, the European Union, and Human Rights Watch have voiced major unease. The democratic backslide has also thrown a wrench into international plans to rehabilitate Tunisia's public finances. The embattled Tunisian president has rejected legitimate qualms with his behavior, pledging to uphold rights and freedoms secured during the 2011 Arab Spring despite his contradictory actions which suggest otherwise. He called for his supporters to march in protest of the council, but only a few hundred people showed up, indicating a lack of public support. Saied has attempted to justify his move by accusing the judges of bias and corruption.

The Supreme Judicial Council has responded by saying that the judges will not be silenced. Youssef Bouzakher, the head of the council, stated "This illegal closure without any legal grounds proves that we have reached a dangerous stage where the executive power is taking over state institutions and the judiciary by using force." Saied has long been a critic of the Supreme Judicial Council, and had recently revoked all financial privileges for members of the council. This is not the first time that President Saied has come under fire for his anti-democratic actions. In July of 2021, he suspended parliament and dismissed the prime minister, and there have been consistent reports of arbitrary arrests and government employee imprisonments taking place since then. There has also been evidence of excessive force used against those protesting in opposition to Saied. He has taken steps to rule by decree and has stated that he will rewrite the 2014 democratic constitution. The Supreme Judicial Council was created in 2016 as an independent body to appoint judges. It is made up of 45 magistrates, with two-thirds of them being elected by parliament and the remaining third appointed by those who are elected. Tunisia's Judges Association has called for a two-day strike of all courts in the country starting on February 9th to protest Saied's dissolving of the council.

With each new questionable action, President Saied is garnering more ire and criticism from domestic and international actors. If he continues down this path of dismantling democratic institutions, he risks overturning the progress made in Tunisia during the past decade.