“This path-breaking study, moving beyond simplistic, teleological treatments of state formation and democratization, examines, in intimate detail, actually existing politics in post-2010 Tunisia.

Ruth Hanau Santini deploys a sophisticated theoretical framework (limited sovereignty, hybrid governance) and extensive empirical detail to chart the nuances and contradictions of Tunisia’s trajectory. She juxtaposes its unique bottom-up and theoretically empowering constitution-making process with the state’s limited capacity to match its normative commitments with actual performance.

This study is exemplary of the new research through which younger scholars of MENA are combining advanced theoretical tools with intimate familiarity with actual societies to transcend the simplicities of the transition paradigm and mapping the divergent and contradictory pathways of actual post-Uprising politics and statehood.”

—Professor Raymond Hinnebusch, *University of St. Andrews, UK*

“Compared to the huge amount of literature on post-revolutionary Tunisia, this timely book brings a fresh perspective. While narratives describe why and how political transition succeeds in this country whereas elsewhere it failed, Ruth Hanau Santini circumvents the redundant dissertations on its “exceptionalism” by bringing back the state in society. And even from this point of view, the author forsakes the Leviathan state to focus on its Achilles’ heel: an inability to impose the monopoly of force, a lack of capacity to implement significant decisions, a contradiction between rhetoric and action, a hiatus between expectations and realisations and a multiplication of sources of power. The book then illuminates the complex and contentious dynamics working state-society relations in the post-2011 Tunisia, by exploring three empirical Areas of Limited Statehood: citizenship, economy, and security. Now any theory on Tunisia must cope with this original and stimulating book.”

—Professor Hamadi Redissi, *University of Tunis El Manar, Tunisia*
The series of political and economic crises that befell many countries in the Mediterranean region starting in 2009 has raised emphatically questions of reform and transition. While the sovereign debt crisis of Southern European states and the “Arab Spring” appear prima facie unrelated, some common roots can be identified: low levels of social capital and trust, high incidence of corruption, and poor institutional performance. This series provides a venue for the comparative study of reform and transition in the Mediterranean within and across the political, cultural, and religious boundaries that crisscross the region. Defining the Mediterranean as the region that encompasses the countries of Southern Europe, the Levant, and North Africa, the series contributes to a better understanding of the agents and the structures that have brought reform and transition to the forefront. It invites (but is not limited to) interdisciplinary approaches that draw on political science, history, sociology, economics, anthropology, area studies, and cultural studies. Bringing together case studies of individual countries with broader comparative analyses, the series provides a home for timely and cutting-edge scholarship that addresses the structural requirements of reform and transition; the interrelations between politics, history and culture; and the strategic importance of the Mediterranean for the EU, the USA, Russia, and emerging powers.

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To inspiring Fathers and Mothers
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# Contents

1  Rethinking Statehood in Post-Revolutionary Tunisia  1

2  Between the State and Society: Elements of Formal Citizenship  13

3  Limited Statehood and Contentious Politics  37

4  Limited Statehood and Informal Economy  61

5  Limited Statehood in the Security Sector  83

Conclusions  109

Index  117
CHAPTER 1

Rethinking Statehood in Post-Revolutionary Tunisia

Abstract The chapter concentrates on the organized hypocrisy of domestic sovereignty by analyzing different shapes and formats of areas of limited statehood (ALS) in post-2011 Tunisia, both on a geographical and functional or sectoral level. In ALS, the capacity to implement and enforce central decisions is lacking and there is no monopoly on the use of force (Risse, T. Governance Without a State? Policies and Politics in Areas of Limited Statehood. New York: Columbia University Press, 2013). The restriction of statehood can be sectoral (only in some policy areas), territorial (only on some parts of the territory), temporal (only for a certain amount of time), and social (only with regard to specific parts of the population).

By ‘organised hypocrisy’, Krasner (Sovereignty: Organized Hypocrisy. Princeton: Princeton University Press, 1999) and Lipson (European Journal of International Relations, 13(1), 5–34, 2007) refer to the inconsistency between rhetoric and action resulting from conflicting material and ideational pressures, in particular those derived from the clash between the logic of consequences and the logic of appropriateness. This chapter aims to set the stage for a dynamic reading of post-revolutionary state-society relations, in the tradition set by Migdal (Strong Societies and Weak States: State-Society Relations and State Capabilities in the Third World. Princeton: Princeton University Press, 1988) and others of overcoming the binary opposition between the state and societal forces and look at the state in society. By investigating how, within areas of limited statehood, dynamics of
hybrid governance emerge and manifest themselves, the chapter will attempt
at start illustrating the contentious and complex, both domestic and exter-
nal, political dynamics observed in the post-2011 Tunisian trajectory.

**Keywords**  Limited statehood • Sovereignty • Governance • Tunisia

Is the state in post-revolutionary Tunisia more solid than it was under the
‘corporatist authoritarian’ regime of Ben Ali (who ruled from 1987 until
early 2011) (Entelis 2004; Redissi 2007) because of its more democratic
credentials, its renewed relations with society, and its partially reacquired
legitimacy? Or is it functionally equivalent to what it was during the previ-
ous dictatorial decades, in light of still insufficient economic redistribution
leading to prolonged waves of protests, its vulnerability to terrorism, and
its incapacity to extract taxes from the whole territory?

Being less fierce, has it become stronger (Ayubi 1995)? In other words,
by relying less on pure coercion and more on administrative penetration
and a relaunched cultural statist project, has the Tunisian state solidified its
position, despite its persisting output deficits? The answer depends on
where we sit, and on whether the emphasis is placed on what the state
does in terms of functions, how it does it, in terms of instruments, or what
it achieves, in terms of outputs. In the Weberian sociology of the state,
administration and security are the benchmarks according to which each
state can be judged (Badie and Birnbaum 1983), with functionalist ver-
sions of the institutionalist approach notably leading to strength-weakness
assessments against an ideal-typical, Western-modelled performing state
(Chandler 2004; Rotberg 2003). In these accounts, the focus is on the
state’s capabilities to secure the grip on society, which is neatly, almost
hermetically, separated from the state (Stepan 1978). In the past few
decades, statist approaches have been challenged by more nuanced under-
standings that emphasize the social underpinnings of the state, and its
contingent and non-teleological nature.

In particular, the assumption concerning state autonomy has been dis-
puted by many, with commentators either stressing the blurred boundaries
between state and society, and identifying the state as only one among many
organizations in society (Migdal 2004), or positing a mutually constitutive
relationship between state and society, with the state being conceptually
interdependent with society (Wendt 1999). The state autonomy theory is
contested on another level, as it bypasses altogether the importance of the
image of the state as basis for its legitimation and durability. As argued by Buzan, three faces of the state exist simultaneously: its physical base, and international territorial recognition; its institutional expression, given by the consensus on political rules and the scope of state institutions; and lastly, the idea of the state, consisting of the implicit social contract and ideological consensus (Buzan 1991: 63).

Studies on the Arab state have either treated it as an independent causal factor, or as a far from neutral arena for power contestation among a plurality of social forces (Anderson 1987). Readings belonging to the first approach have focused on the role of colonialism and its legacies in the processes of Arab state formation and the emergence of the Arab interstate system with the fall of the Ottoman Empire, while approaches pertaining to the other side of the debate have emphasized endogenous factors and Arab agency, even vis-à-vis processes of negotiated statehood with external powers.


An attempt to go beyond rigid boundaries of statist versus states-in-society approaches or materialist versus more ideological conceptions of statehood can be premised on a more agential account of areas of limited statehood (ALS). Elaborating on the ideal type of consolidated statehood as the institutional structure of authority possessing the monopoly of force and the capacity to implement decisions, Risse establishes a continuum in terms of degrees of statehood, where at the opposite of consolidated statehood lies ‘limited’ statehood, which can manifest itself within a wide range of degrees of intensity and modalities (Risse 2013). Areas of Limited Statehood are areas where the capacity to implement and enforce central decisions is lacking and where there is no monopoly of the use of force (Risse 2013). The restriction of statehood can occur on a sectoral level (only in some policy areas); a territorial level (only on some parts of the territory); a temporal level (only for a certain amount of time); and a social level (only with regard to specific parts of the population). The conception of the state is narrow, following the steps of Weber, with a critical
distinction between statehood, revolving around the ability to rule and implement decisions, thanks also to the legitimate possession of coercive instruments, and governance, which in an effective formulation refers to ‘intentional action towards providing public services for a given community’ (Mayntz 2004: 67). Governance is impersonal and has a variable geometry: it can rise from the bottom-up, complementing the action of the state, try to compete with and replace it, or coexist side-by-side. Governance, in this view, differently from statehood, is about service and the provision of public goods. Despite recent attempts to provide more politicized accounts of governance, taking into account how the provision of goods can change according to the nature of actors involved, especially in conflict and war-torn contexts (Mampilly 2011; Kalyvas 2006), notions of governance in more peaceful political orders have struggled to effectively capture the dimension of power politics implicit in many—supposedly empirical—configurations of order. Purely functionalist approaches struggle to come to terms with the political consequences of non-state and external actors providing for goods on the local or national level, and the interaction dynamics generated with states. In this book, by widening the remit of the nature of the state, and taking into account the state as system as well as the state as idea, which is often empirically charged with expectations in terms of the provision of public goods, governance will remain on the backburner as compared to statehood.

Krasner and Risse conceptualize statehood as the effective domestic dimension of sovereignty (Krasner and Risse 2014), which refers to the organization of public authority within a state and its level of effective control (Krasner 1999: 9). Behind this definition of domestic sovereignty as the organization and effectiveness of political authority lie two key analytical dimensions, authority and control. The former involves a mutually recognized right for an actor to engage in specific activities, while the latter can be achieved even by brute force. If we link these dimensions more closely to the two analytically distinct logics of action, the logic of appropriateness and the logic of consequences (March and Olsen 1998), the black box of statehood opens up, and gaps and inconsistencies generated by mismatches between states’ functions, instruments and images can be better accounted for. This is premised on Krasner’s elaboration of the nature of sovereignty as ‘organised hypocrisy’ when looking at two external dimensions of sovereignty, notably the international legal and the Westphalian one (Krasner 1999: 6–10). By ‘organised hypocrisy’, Krasner (1999) and Lipson (2007) refer to the inconsistency between rhetoric and
action resulting from conflicting material and ideational pressures, in particular those derived from the clash between the logic of consequences and the logic of appropriateness. Since domestic sovereignty is the one domain where no single logic of action dominates but rather the two coexist, as do authority and control, conflicts between the two are to be expected. The book will employ the notion of ‘limited statehood’ in this more dynamic and agential way, by stressing the instances of mismatches between logic of action by the state and logic of appropriateness, referring to the ideational dimension, normative expectations of state action from its citizens, and empirically analyzing some issue areas where the gaps between the two point to manifestations of limited statehood and emergence of instances of multilevel governance.

Without conflating analytically distinct logics of action of the state, by bearing both in mind across different issue areas and/or geographic territories, the material and symbolic facets of statehood come together. As a matter of fact, the notion of statehood encapsulates two separate and yet inseparable faces: its material force on the one hand, and its ideological construct on the other (Mitchell 2006). Put another way, the Janus-faced state should at best be thought of as the ‘state as system’ on the one hand, and the ‘state as idea’ on the other. The former refers to a system of institutionalized rules, while the latter to the reification of this system that takes over a symbolic identity, progressively divorced from practice (Abrams 1988). The paradox lies in the inseparability of these two aspects, as ‘the phenomenon we name “the state” arises from techniques that enable mundane material practices to take on the appearance of an abstract non-material form’ (Abrams 1988: 170).

Overall, this chapter lays the ground for a dynamic reading of post-revolutionary state-society relations, in the tradition set by Migdal (1988) and others of overcoming the binary opposition between the state and societal forces, and looking at the state in society, and vice versa. Taking a step further from the literature on the Arab state which is still a reference point in studies of MENA political systems, including those of Hudson (2015) and Ayubi (1995), and the paradigm of state dominance and the penetration of the state, mostly through coercive tools, this book adopts a nuanced conceptual approach which will elaborate on various shapes the ‘organised hypocrisy’ of domestic sovereignty can take in ALS (Risse 2013).

The book concentrates on the ‘organised hypocrisy’ of domestic sovereignty by analyzing different shapes and formats of ALS in post-2011 Tunisia, both on a geographical and functional or sectoral level. The aspect
which will be explored is how the sovereignty norm (a manifestation of the logic of appropriateness), particularly relevant in a post-revolutionary setting and in the Tunisian case, given the frequent reference to the necessity to strengthen the state, conflicts with and is constrained by expressions of more material and contingent interests and pressures belonging to the logic of consequences. This will be explored by illustrating several empirical policy arenas, such as the informal economy and security, as well as more vertically, by analyzing the state of the art of state-society relations as they have developed since 2011, both in a formal sense, by analyzing the phase of constitutional politics before the adoption of the new Constitution in early 2014, and in terms of informal relations, by looking at contentious collective action and state reactions to various forms of citizens’ engagement.

By investigating how, within ALS, dynamics of hybrid governance emerge and manifest themselves, this book will attempt to illuminate the contentious and complex political dynamics observed in the post-2011 Tunisian trajectory.

The second chapter looks at how state-society relations have been changing in the wake of the 2011 revolution in Tunisia, through the prism of citizenship rights. The chapter will analyze the genealogy of post-2011 Tunisian inclusive and yet highly politicized constitutional politics and the ways in which this phase has laid the foundations for a new social contract. Focusing on the 2014 Constitution is particularly relevant given the exceptional nature of that document in the Arab world: all constitutions adopted in Tunisia before then had been presented to the citizenry as ‘advanced’ legal documents because they contained provisions recognizing the universality of some rights (in the Tunisian case, restrictions mostly revolved around political rights). In practice, constitutions aimed to keep all the prerogatives in the hand of the executive. This had important consequences in the sphere of citizenship rights: despite their proclamation, their enjoyment was restricted by the adoption of martial laws, justified by the state of emergency. This chapter investigates how the new citizenship rights’ provisions in the Constitution have expanded notions of what can be contended, fought for, and demanded by societal forces, setting a key precedent in changing post-2011 state-society relations.

The third chapter illustrates the continuation of socio-economically driven contentious collective action in post-2011 Tunisia. Protests have proceeded in waves and have reshaped notions of legitimacy, state-society equilibria and relations between the center and the periphery. The chapter
investigates how these dynamics have arisen and evolved, focusing in particular on the similarities and differences between the 2010–2011 protests and the 2016–2017 ones. While the former constituted a leaderless, cross-class and cross-ideological wave, which succeeded to generate powerful discursive narratives, which were generalized and acted as vessels for mobilization across several sectors of society, the same attempt was only partially successful in 2016–2017, with protests remaining more geographically clustered, despite their reverberations in the capital, and which failed to evolve into national movements or widespread contentious collective actions. The hinterland and southern region of the country, especially those in the south-east bordering with Libya, are classic examples of ALS, given the limited state penetration not only in terms of capacity to extract resources (taxes) and authoritatively implement decisions, but in terms of the increasing gap between logic of appropriateness and logic of consequences shown by state action, failing to fill in pre-existing gaps despite pledges and post-revolutionary promises. This mismatch, or state’s organized hypocrisy, generated by the continuing gap between social expectations and reality, has fuelled frustration and paved the way for several contentious outbursts across the country’s marginal areas.

The fourth chapter takes further the analysis of these marginal regions by empirically assessing the shapes of the prevailing economic activities and the deep-seated confrontational relationship with the central authority, pertaining to incomplete processes of state-building. Two bordering regions of the country could be conceptualized as areas of limited statehood, the Tataouine region at the border with Libya and the Kasserine region, bordering with Algeria, in the western part of the country. Labeling these areas as marginal and peripheral is not referred purely to their geographical location, but to the perception of these areas both in the capital and from these areas themselves. The political and economic discrimination of these regions has been an established practice since the creation of modern Tunisia in 1956 and increasingly so since the 1990s. In Tunisia, limited statehood mostly refers to a partial state penetration in these politically, economically and socially peripheral regions, which, as will be explored, has been a tacit but historically persistent selective approach. The informal sector has traditionally accounted between a third and half of the national GDP, and since the 2011 uprising, given the slow growth experienced, this trend has further consolidated. In these areas, cross-border smuggling has represented a social and economic safety valve. Until 2010, this occurred under the benevolent eye of the regime, which
simultaneously controlled it through local notables and security forces and profited from it, by letting smugglers bribe state officials, be they notables or security forces. It also allowed the regime to concentrate resources and investment in the ‘useful’ Tunisia, the coastal areas, further increasing socio-economic regional disparities. The political and economic discrimination of these regions has been an established practice since the creation of modern Tunisia in 1956 and increasingly so since the 1990s. Since the 2011 uprisings, the increasing number of non-state actors involved in this sector, the incapacity and/or unwillingness of the central authority to enforce and implement laws, both in terms of curbing this trade and also of implementing the constitutional provisions related to positive discrimination and investment in marginalized regions, has further cemented limited statehood.

The fifth chapter looks at the post-2011 state of security in Tunisia, which, differently from most other policy arenas, has remained on the sidelines of significant evolutions, despite pressures and societal demands for change. In post-revolutionary times, namely, when statehood traditionally undergoes a process of consolidation, the security sector and its reform is one of the essential steps undertaken by the new regime. Despite public pressures to deeply change the politics of security in the aftermath of the revolution, the onset of terrorist attacks and the availability of external donors to strengthen the performance of security forces without structural reforms in their norms and principles has favored centralization of security policy-making and has improved security and the perception of security in the country, without operating any significant change in terms of normative orientation of the security apparatus.

Since the 1990s, the security sector under Ben Ali had developed increasingly authoritarian practices in its modus operandi. It had, namely, evolved into a community policing without proper oversight, decentralization and participation mechanisms, thereby amounting to little more than a hyper-localized form of surveillance. Unsurprisingly, post-uprising societal forces demanded new operating procedures for the security forces according to rule of law standards and increased accountability. However, when the country was shaken by terrorism, demands shifted on the need for greater effectiveness in the performance of the security forces. In 2013, namely, the country suffered from major setbacks in its perception of stability and safety, when two prominent politicians, Mohamed Brahmi and Choukri Belaid, were killed by terrorists. These tragic events threatened to derail the
country’s fragile trajectory towards democracy and stability. And yet, they were not sufficient in triggering reforms in the security arena. The targeted political violence morphed into wide-scale terrorist attacks in 2015, first at the Bardo national museum in Tunis and few months later on the beach of a hotel resort in Sousse. It was only then, and under European tutelage, that the political system operated sweeping changes in the security sector. Refraining from adopting a comprehensive security sector reform (SSR), as had been envisaged in the early stages after the 2010–2011 revolts, changes were technical in nature and scope. They lost any transformative goal as far as revolutionizing the codes of conduct of the security forces and were limited to responding to external incentives by European countries. Moreover, they occurred only when the Tunisian Presidency of the Republic was strong enough, after the December 2014 presidential elections, to centralize the process. The chapter illustrates the failure of the early attempt by the EU to engineer a liberal-interventionist security sector reform, and explores the complex interplay between domestic politics and changing equilibria, also between the state and societal forces, and external pressures. The chapter concludes by illustrating how this example ties with the emergence of traits of limited statehood in other policy arenas.

The book concludes by assessing what the different instances of limited statehood in post-revolutionary Tunisia show in terms of evolving practices of statehood and of state-society relations. Across different policy areas, statehood manifests itself as limited. Among them, the redefinition of the social contract, the continuation of protests and of contentious collective action, the persistence of the informal economy as part and parcel of long-standing dynamics of fueling expectations and failing to deliver, and the shape-up of a security sector increasingly efficient but failing to meet the standards of civilian control and rule of law, as demanded in the wake of the revolution by Tunisians. More broadly speaking, in Tunisia and in the rest of the region, the clash between expectations of change and the same or worsening reality for many citizens, the mismatch between state discourses inspired by the logic of appropriateness and state behaviors driven by logic of consequences hinder the chances for state consolidation and pave the way for the emergence and continuation of contentious collective action. In other words, especially in post-revolutionary settings, blatant manifestations of the state’s ‘organized hypocrisy’, which manifests itself in an increasing discrepancy between normative narratives of change and self-serving practices, risks reifying limited statehood.
References


CHAPTER 2

Between the State and Society: Elements of Formal Citizenship

Abstract Through the prism of citizenship rights, this chapter looks at how state-society relations have been changing in the wake of the 2011 revolution in Tunisia. It does so by analyzing the genealogy of post-revolutionary Tunisia’s inclusive and yet highly politicized constitutional politics, and the ways in which this phase has laid the foundations for a new social contract. Focusing on the 2014 Constitution is particularly relevant given the exceptional nature of that document in the Arab world: all constitutions adopted in Tunisia before then had been presented to the citizenry as ‘advanced’ legal documents because they contained provisions recognizing the universality of some rights (in the Tunisian case, the restriction mostly revolved around political rights). In practice, constitutions aimed to keep all the prerogatives in the hand of the executive. This produced important consequences in the sphere of citizenship rights: despite their proclamation, their enjoyment was restricted by the adoption of martial laws, justified by the state of emergency. This chapter investigates how the new provisions for citizenship rights in the Constitution have expanded notions of what can be contended, fought for, and demanded by societal forces, setting a key precedent in changing state-society relations, post-2011.

Keywords Citizenship • Rights • Tunisia • Constitution
1 Citizenship in Abstract and in Practice

This chapter investigates, through the prism of citizenship rights, how state-society relations have shifted in the wake of the 2011 uprising in Tunisia. The analytical core of this chapter lies in the analysis of the Tunisian 2014 Constitution, which is examined by looking at citizens’ rights and obligations, the more formal side of citizenship. The following chapter will take a closer look at the other side of citizenship, the ideational aspect and its practices, by focusing on repertoires of contentious acts, which attempt to rearticulate state-society relations.

The analytical focus on citizenship, both as an arena for struggles over rights and as a field of study, enables one to bypass purely bottom-up analytical approaches to Arab societies (as in the 1950s and 1960s, and partially from the 2000s) or purely institutionalist accounts. The latter have been predominant since the 1980s and 1990s and have focused on the Arab state and its dominance over society, made possible by an increasingly coercive penetration of society (Hudson 2015). Dynamic and contextual analyses of the contentious relation between state and society have been rare, as accounts tend to be either top-down, with a focus on elites or state structures and institutions, or bottom-up, looking at the protests and social movements that bring societal forces to the fore.

Since the 2010–2011 uprisings, however, the literature focusing on political systems in the Middle East and North Africa has made more systematic reference to citizenship as a broad conceptual framework that enables one to capture various kinds of phenomena pertaining to state-society relations (Challand 2013; Parolin 2009; Meijer 2014a, b; Meijer and Butenschøn 2017). The authoritarian backlash within some of the countries that experienced revolts in 2010–2011 does not limit the usefulness of employing citizenship lenses to observe the shifting balance of power in state-society relations. As a matter of fact, the continuation of protests, more or less organized, in some post-uprisings’ countries (for instance in Tunisia, Egypt and Morocco) testifies to the resurgence and vitality of agency along a wide spectrum of mobilization tools, which combine online and offline activism with the spontaneity of collective action, including non-movements and street politics (Bayat 2009). Sometimes acting as veto players trying to obstruct or prevent undesired change, post-2011 forms of contentious politics also draw their legitimacy from the 2010–2011 uprisings’ articulation of citizenship rights. By employing revolutionary referents to legitimize new waves of protests,
mobilized actors shape not just new forms of resistance politics, but ‘acts of citizenship’, which are becoming more commonplace.

Unlike modernization, transitology or democratization approaches, the analytical lenses provided by citizenship studies have progressively rejected any normative bias in terms of the ideal-typical forms and shapes citizenship should possess, as well as the necessary trajectories of its evolution that come in teleological accounts of change. This is not a standard practice, however, as some scholars maintain that citizenship is indissolubly linked to the Western experience. In their view, full citizenship can only exist in liberal democracies, where a number of conditions apply: the principle of equality, rule of law, the progressive erosion of horizontal ties such as kinship, tribes and clans, and the emergence of free and equal citizens (Kivisto and Faist 2007). The rejection of a supposedly neutral notion of citizenship is espoused also by some scholars from non-Western countries, who consider citizenship a historically and culturally contingent Western concept, non-transferrable elsewhere (Chatterjee 2006). However, as argued by Meijer, citizenship can represent a useful vantage point from which to look at state-society relations in all those contexts where a modern bureaucratic state has emerged and asserted control over a political community within a defined territory (Meijer 2014a, b).

In addition to the lack of normative and teleological orientation, another added value provided by the notion of citizenship is its encapsulation of two dimensions, one vertical and the other horizontal: state-society relations on the one hand, and relations among citizens on the other. Focusing on citizenship, in other words, automatically privileges agency, by highlighting power relations, not only between the ruler and the ruled, but, horizontally, by shedding light on the various shifting relations among individuals, communities and societal groups. The salience of citizenship as a notion and as a field of study has been further testified to by the numerous discursive references to citizenship (muwatana) by mobilized publics, movements, and protesting individuals since the 2010–2011 uprisings. Citizenship seems to have been able to increasingly capture bottom-up demands of renewed social contracts and the political imaginary of new state-society relations.

Originally, citizenship was closely associated with the study of the evolution of rights, divided into three categories: civil rights, also understood under the broad label of ‘negative liberties’, or those areas where the state should not interfere (the right to property and safety, equality before the law, freedom of speech, religious freedom); political rights (the right to
vote and freedom of organization of a political party); and social rights (the right to social welfare, education, health, unemployment benefits) (Marshall 1950). T.H. Marshall analyzed how the above-mentioned categories developed throughout British history, with civil rights emerging in the eighteenth century, political rights first fully introduced in the nineteenth century and expanded in the twentieth century, and social rights introduced with the establishment of the welfare state from the second half of the 20th century. Since Marshall, the model has been refined, and other categories of rights have been added (economic, cultural, and sexual) (Meijer 2014a, b). Alongside this, the idea that a single trajectory of necessary successive developments of rights is inescapable has been questioned, and the idea that several pathways are possible is now widely accepted. In addition to that, the expansion of certain categories of rights has been problematized as a possible strategy of cooptation of certain social groups by ruling elites, Arab experiences with state feminism a renown case in point, while others have underscored the role played by contentious politics and social struggles in driving citizenship ‘from below’ (Turner 2000). As an organizing principle of state-society relations, citizenship is a contractual relationship, which defines the legal status of individuals and sets the rules for participation in political institutions (Butenschøn et al. 2000: 11). And while citizenship is traditionally defined as ‘the juridical process by which the legal subjects of a state are constituted’, it also entails a set of daily practices, as pointed out and explored by Turner, Isin and others (Suad 2000: 3). Citizenship should be understood as a field of political struggle. It is a dynamic analytical category, possessing the power to reinvent and transform itself depending on the historical era it finds itself in. Moreover, citizenship can be expansive and evolutionary (Balibar 2015), which makes its study in post-revolutionary contexts all the more appealing for heuristic purposes. Citizenship encapsulates a tension between freedom and obedience on the one hand and between universalism and particularism on the other (Isin 2017: 514). Isin namely elaborates on ‘acts of citizenship’ (Isin and Nielsen 2008), those practices of self-assertion by virtue of which marginalized people become citizens in their own right. They encompass minor, everyday acts, which produce civic relations between ordinary citizens (Boutaleb 2017). Citizenship practices, stemming from this conception, oscillate between these two modalities and their analysis enables us to ascertain the tension between citizens and the state in a contingent way. The focus on practices of citizenship underscores the twofold logic of citizenship first elaborated by Etienne Balibar: citizens are submissive and
subversive, they are subject to power, as they have to abide by the rules and are controlled and disciplined, and they are subjects of power, as they are empowered to contest these same forces and change them (Isin 2017). It is in this second understanding that citizenship shows its symbolic power, by creating an ideational arena, a symbolic space, where citizens can express, communicate, and share different claims and experiences (Mouffe 2000). Against this background, citizenship provides a communicative arena where the ontological primacy of individuals can reinforce communal ties, with individual and community rights potentially strengthening each other.

2 Citizenship in the MENA Region

In the MENA region, with the crumbling of the Ottoman empire and the establishment of semi-autonomous states—which suffered to different degrees under colonial domination—the shift from a multi-religious, multi-ethnic and multilingual empire to states could have led to the affirmation of the principle of equal citizenship. As argued by Meijer, the project failed for a number of reasons. When nationalism became the rallying cry for mobilization against colonialism, citizenship (muwatana) reflected the notion of citizen (muwatin) as member of the homeland (al watan) or the community (jama’a) rather than as an individual with a set of pre-determined rights (Meijer 2014a, b). From the 1930s to the 1950s, with the inclusion of the masses in nationalist politics, the emphasis on social justice became part and parcel of nationalist movements. And, as a matter of fact, once independence was acquired, most Arab states did expand social and economic rights, although this came at the expense of civil (freedom of expression and association) and political rights (the right to establish new political parties). In essence, this was the trade-off at the basis of the notorious ‘authoritarian bargain’, which was framed as a strategy by authoritarian populist regimes to depoliticize and demobilize local populations in exchange for public goods and services. Citizenship was sacrificed on the altar of welfare, with the hollowing out of even constitutionally affirmed civil and political rights. These were repressive mechanisms with which regimes hampered any politicization of acts of citizenship and their transformation into forms of collective action. Post-colonial state building, however, failed not only to forge effective national identities once ideological ones, such as Nasser’s pan-Arabism, evaporated, but, as far as citizenship was concerned, the promise inherent in the social contract
failed to be respected. This was the case when the pressures induced by globalization, structural adjustment programs, and global financial crises took their toll on far from competitive economic systems, leading to significant cuts in public expenditures earmarked for welfare measures.

In the Tunisian instance, the kingmaker of the country’s independence from France in 1956, Habib Bourguiba, abolished the centuries-old Beylicate and created a republic, based on the idea that Tunisians constituted a community of equals, where *demos* substituted *ethnos* (Zemni 2017). His authoritarian modernization from above—since it was imposed from the top and did not trust societal forces—lasted until 1970, and it consisted in the abolition of traditional territorial institutions (the *sheikhs* as religious local authorities on the one hand and the *caïds* as administrative authorities on the other), and of religious courts and religious schools (Redissi and Ayadi 2015). This marked the end of religious authority, whose separation from political power laid the ground for the creation of modern citizens, supposedly entitled to their own sets of rights and obligations. In 1959, rights were constitutionalized, but their application and implementation were continuously curtailed, in a cyclical process where the expansion of rights (such as the creation of the League of Human Rights in 1977) was undermined by the absence of the rule of law and lack of mechanisms for the implementation of rights (Blibech et al. 2014). Suffice it here to mention, in terms of curtailment of political rights, that, from 1963, the political system became mono-party and the season of political liberalization was formally brought to a close. Civil rights, meanwhile, along with freedom of expression, were severely limited by the enactment of the Press Code in 1975. Similar to what has been previously argued, Bourguiba and the Neo-Dustour party prioritized economic development over civil and political citizenship rights, under the aegis of a neo-corporatist compromise which characterized the Bourguiba era until 1987 (Redissi 2007).

The pillars of the neo-corporatist state were the organizations representing workers Union générale tunisienne du travail (UGTT), industrialists Union Tunisienne de l’industrie, du commerce et de l’artisanat (UTICA), farmers Union générale des agriculteurs tunisiens (UGAT), women Union nationale de la femme tunisienne (UNFT), and youth Union Tunisienne des Organisations de Jeunesse (UTOJ). By cutting across ideological and political cleavages, representation through categories was intended to depoliticize society, contain conflict and control the working class (Zemni 2017). The erosion of state welfare policies started in the 1980s with the adoption of the first structural adjustment programs prescribed by the IMF, and the state’s renunciation of its role as developmental actor.
In the wake of the ‘medical coup’ against Bourguiba by Zine El-Abidine Ben Ali in 1987, Bourguiba’s charismatic leadership was replaced by Ben Ali’s expanded personal power, at the expense of formal institutions and citizens’ rights. What had been previously conceived as a strong state, able to effectively penetrate and transform society, born in the struggle for independence and guided through the initial post-colonial period by Bourguiba, was progressively transformed into a ‘fierce’ state, over-relying on its coercive apparatus to control, rather than penetrate and shape society (Ayubi 1995). This was characterized by the role of the intelligence services (mukhabarat) in controlling and surveilling the population, and the formalization of a neo-corporatist state and a neo-patrimonial governance system (Schrader and Redissi 2011), where the privatization of the economy ended up creating a ‘private state’, with the state having become prey to an inner circle, or a clan, rotating around the presidency (Hibou 2000). Particularly after 1992, repression became routinized, and the fierce nature of the state became ever more evident. While at least on the surface, the state seemed to have a grip on society, less in infrastructural terms than through coercion, it was mostly with the six-month-long Gafsa protests in 2008 that the first cracks in the system started to become more apparent. The crisis of the populist-authoritarian bargain was indicative of a parallel crisis in the state’s output legitimacy, the only one it could still appeal to. With the 2008 Gafsa revolt laying the ground for successive rounds of mobilization, as in 2010–2011, the social contract was proclaimed defunct and in need of an overhaul. As well as a rethinking of the social contract, the 2010–2011 uprising demanded a redefinition of the political rules of the game, which, in the aftermath of Ben Ali’s fall, would be negotiated from scratch. The election of a Constituent Assembly in October 2011 and its over two years of constitutional endeavor would produce, after four drafts, the most progressive and inclusive constitution in the Arab world.

3 Arab Constitution-Making

The literature on Arab constitutions has tended to rely more on formal and legalistic conceptions of citizenship (Parolin 2015), distinguishing between constitutional politics and civil law as the two main areas of the concrete application of citizens’ rights and duties vis-à-vis their state (Grote and Röder 2016). Many accounts have focused on exogenous colonial influences on these texts’ formulations and evolution, and have assessed
the often contingent and utilitarian nature of many constitutional changes according to the interests of the ruler in place. What has remained partially neglected is the study of the contested nature of state-society relations in the Arab world seen through the lenses of constitutions and their implementation. Analyses tend to focus exclusively either on specific categories of subjects (women, minorities, etc.) or on specific institutions impacting upon the implementation of rights (the role of the military and of constitutional courts).

The beginning of the twenty-first century saw the articulation across North Africa of new political visions framed in the language of freedom, human rights, and a different judiciary; in other words, a constitutionalist discourse. This went hand in hand with the emergence of an Arab public sphere (Lynch 2007), which made it easier, once the revolutionary fervor began to spark, for the opposition to be able to hear its voice and spread itself around in constitutional terms. Traditionally, constitutions in the Arab-Islamic world have been considered devoid of constitutional spirit, since they rationalize political power but then subjugate it to authoritarian logic, something which was made possible by their genesis as octroyé documents by the ruler to the people, without the direct engagement of society in their formulation (Brown 2002). This does not mean that all constitutions abide by these precepts: the 1861 Tunisian Constitution, for instance, while formally aiming to enhance the Ottoman Empire’s administrative control of its peripheries, also acknowledged fundamental liberal rights. The Constitution had been adopted as part of a project to reform the country, formally still a province of the Ottoman Empire, and while its main goal was to mend strained Jewish-Muslim relations by ruling over intra-confessional relations, it included a set of rights and freedoms (the rights of inviolability of the person, honor and property, if not freedom of expression and association), that were officially blind to confessionalism (Coulson 1964: 150).

Constitutions can be examined on a number of levels. One could focus on legalistic aspects and implications of provisions, their novelty, and the challenges for their implementation, or one could take a more political perspective, and look at the documents as the supreme manifestation of constitutional politics, determining the new rules of the power game in a given polity at a time of profound change and transformation, and embedding and encapsulating the state of the art of the contractual terms of the relationship between state and society. The Tunisian Constitution of 2014 embodies both dimensions and stands as a full-fledged attempt to suspend previous rules and order and create new state-society equilibria.
The 2010–2011 uprising in Tunisia was a watershed, and the constitution-making process represented the first litmus test for the new republic. Its aim was nothing less than the consensual construction of a constitutional New Order (Rawls 1987). In terms of constitutional transformation and outcomes, the Tunisian experience is understandably considered the region’s biggest success, and is taken as example despite its two-year drafting process (initially the expected timeframe was one year, even though the 1959 Constitution had taken three years to be drafted), its setbacks, and its slowed down implementation. The post-2011 constitutional phase can be considered a moment of ‘extraordinary politics’ (Zemni 2015) and the way in which constitution-making has proceeded an exemplary case of ‘transitional constitutionalism’. This is defined by Teitel as ‘a set of phases that disentrench the old political system and ratify new arrangements to liberalize political space, enabling a more liberal order’ (Teitel 1997: 2076).

The Tunisian constitutional transition ended in January 2014, and the Constitution was accepted without referendum by the National Constituent Assembly (NCA) with 200 out of 217 votes. The NCA had been elected in October 2011 and was widely considered representative of all social and political groups. Looking at the 2014 Constitution allows us to identify its innovative nature and transformative potential for future Arab constitutions. The Tunisian Constitution represents a clean break from the usual Arab constitutions drafted and adopted in a not so distant past. These tended to protect rulers rather than societies, were amended when the ruler deemed it necessary in order to preserve his rule and power, and were considered mostly symbolic. Most scholars today agree that the 2014 Tunisian Constitution represents a crucial step in the opposite direction. In the words of Duncan Pickard: we can talk of ‘the first democratic Arab constitution drafted outside the influence of domestic military or a foreign power’ (Pickard 2015: 1). What is striking about the consensus-based nature of the Constitution’s drafting is that the participatory nature of democracy is enshrined in its preamble, and has therefore become both a principle and a practice that will have to be followed (Klibi 2015). This was based on the idea that the more national consultations are followed and the role of experts from civil society is acknowledged and taken into account, the easier it becomes for a society to internalize new norms and respect those rules.
4 Citizenship and the Tunisian 2014 Constitution

In the rest of this chapter, the analysis will concentrate on three dimensions of citizenship enshrined in the 2014 Constitution, indicative of the definition and scope of Tunisian statehood since 2014.

The first dimension focuses on power relations between different forms of agency: that is elites and protesters during the revolutionary phase, rulers and the ruled in the transition and consolidation phase. The second dimension concentrates on the dichotomy between communal and individual notions of identity. The third revolves around the relationship between demands for supposedly modern rights and pre-modern ties.

Within the first understanding, citizenship is an identity created by the modern state and is both a normative and empirical concept. In its dynamic (versus static) conception, it captures the relationship between citizens, understood as agents of change or of resistance, and regimes, fighting back against popularly induced change. In that sense, citizenship becomes a mobilizing ideology, one which empowers agents to push for social and political change in the face of resistance from regimes trying to limit spaces for bottom-up mobilization. This notion has to do with power struggles waged between rulers and ruled not just over the contents of freedoms and rights, but over the rules of the game: that is to say, the context within which rights can be embraced, fought for, improved and strengthened. On the one hand, regimes can adopt mixed strategies to manipulate symbols and rituals to keep variable margins of legitimacy, while on the other, the ruled can more or less passively accept the status quo, or they can mobilize, and continue doing so until they feel all their demands have been met. Before 2011, the relationship between the ruler and the people, had, in the words of Charles Tripp, become ‘mechanical, instrumental, and effectively external’ (Tripp 2013: 138). Since the ruler had no authority he could count on anymore, governing was based on the politics of fear, in addition to mere coercion, and once this was exhausted, popular resistance could translate itself into actual protests. Mass protests created a ‘public’ which, for the first time in decades, occupied public spaces in a powerful symbolic move, taking these back from the regime and reaffirming their true public character (ibid.). In the Tunisian case, the Casbah and Avenue Bourguiba have been, from December 2010 onwards, the national center stage for claiming rights and asking the government to follow through with revolutionary demands. These places have come to symbolize the public loci of negotiation and compromise within an enriched pub-
lic sphere. However, the reclaiming of public space is only a first step, and one which can easily be undercut.

From the vantage point of the power struggle between rulers and the ruled, treating citizenship as a battlefield, post-2011 Tunisia has seen a continuation of formal and informal political participation, well beyond electoral politics, aimed at checking the new political class and signaling preferences and priorities. In focus groups conducted within the international research project ‘Democracy and Citizenship Rights in North Africa since the Arab Awakening’ (EUSPRING) throughout 2013, there emerged a broad consensus over widened meanings of political participation, encompassing informal and sometimes radical forms of activism, such as boycotts, petitions, strikes, all considered not just legitimate forms of engagement but defining features of a new democracy to be created in the country (Alessandri et al. 2016). This participation has also taken the shape of ‘street politics’, which, for Asef Bayat, is twofold: ‘conflict between authorities and deinstitutionalized or informal groups over the control of public spaces and order’, and the urban symbol where ‘people express grievances and forge identities, enlarge solidarities and extend their protest’ (Bayat 2009: 12), which ties back to the reappropriation of public spaces as key to a renewed sense of citizenship. Post-2011 Tunisia represents an exemplary case of dynamic state-society tensions, whereby the balance of power between the two extremes has never been achieved for good, and it lies precisely in this swing that democratic breakthrough, along with crisis and turmoil, have generated and paved the way for change. On the other side of the pendulum, some commentators have pointed to the recent reinstatement of the state of emergency as one such example: the state of emergency is unconstitutional according to the new Constitution, but was approved through recourse to a presidential decree of 1978 (Mekki 2015). This happened after the 2015 Bardo and Sousse terrorist attacks, which deeply shook the country, only two years after the double political assassinations of Chokri Belaid and Mohammed Brahmi. Several analysts have been critical of a new climate of control over the public sphere and the imposition of new limitations on its freedom of maneuver, as exemplified by the adoption of a debated and contested Counter-terrorism Act in July 2015. Under this bill, freedom of assembly, freedom of expression, and freedom of the media can be curtailed. Critics of this bill underline that in the absence of a functioning Constitutional Court, whose creation was called for in the 2014 Constitution by 2015 but is lagging behind, the state of emergency can only be lifted by the President, while no other authority has a say.
In terms of what the new Constitution has to say about citizens’ involvement in public affairs, Article 139 explicitly states that ‘local communities adopt the instruments of participatory democracy and the principles of open governance so as to ensure the greatest participation of citizens and of civil society in the preparation of projects concerning the development and management of local territories and follow up on their implementation as is foreseen by the law.’ This has paved the way for a large citizens’ initiative, *Oeil sur le budget*, launched by the Tunisian NGO Action Associative, which, thanks to European funding (the German GIZ entity and the European Endowment for Democracy) has translated into several experimental participatory budgets across the country, including in Gafsa, Le Kef, and Tozeur. The experiment of participatory budgets, the most significant form participatory democracy has taken in post-revolutionary Tunisia, suffers from a long-lasting legacy of a centralized state and limited decision-making powers embedded at the level of municipalities that possibly only the Decentralization Law—currently under discussion in Parliament—will attempt to redress. That law is premised on Article 141 of the new Constitution, which foresees the establishment of a council of local authorities as a forum to discuss local issues. In other words, citizens are encouraged to participate in processes of local decision-making whose remit, however, remains fairly circumscribed.

While instances of participatory democratic have traditionally occurred either at the direct request of public authorities or with their benevolence, the single most significant example of participatory democracy in Tunisia was an act of resistance and defiance against the state. This took place in the oasis of Jemna, and has been an ongoing experiment since early 2011 (Nably 2017). During the 2011 revolts, hundreds of citizens occupied a diary products’ enterprise, ‘Stil Land’, which had rights over the property until March 2017. Since then, the property has gone back to the state (Beji Okkez 2016). Over the past few years, this group of citizens has formed an association and presided over the cultivation of the land, reinvesting most of the profits in projects of local development. Jemna has been an experiment in horizontal solidarity, with the local population participating in a profitable economic enterprise. The reaction of the state has oscillated between dialogue and coercion, the latter epitomized by the 2016 intensification of the crisis when workers’ bank accounts were frozen by public authorities in a display of force which ended with a partial compromise. Apart from Jemna, however, such hybrid forms of participatory decision-making and resistance politics have remained limited,
despite the Constitution’s endorsement of citizens’ direct engagement. Moreover, as will be explored in the following chapter, when political participation takes more contentious forms, the state has reacted with a mix of measures, including harsh repression.

Another interpretation of the tensions within the notion of citizenship comes from Ottoman history and has to do with the dichotomy between communal and individual notions of identity. The latter originated in Europe and stemmed in particular from the French Revolution and its demands for a constitution. This juxtaposition is not meant to imply an essentialist notion of individual citizenship in the West, as opposed to necessarily communal and ahistorical understandings of rights in the Islamic world (Zubaida 2001: 130–131). What it does is allude to the existence of such dual understandings, both among publics and, more especially, rulers in the Arab world. Indeed, this dichotomy has been particularly present in the mindset of many Arab statesmen, who have taken for granted the importance of religious ties before other allegiances, or the role of family as a pre-political entity, as a priori and the bedrock of society, rather than the individual per se (Suad 2000: 18–19). It is not by chance that the legal subject has frequently been defined through family law, which in turn has traditionally been shaped by religious codes and practices. As recently argued by Mühlberger, ‘a typical problematic feature of Arab states… is the multiplicity of allegiances, beyond the state as a central reference of belonging and identity. Confessional or ethnic, often regionally defined identities have rarely been molded into a single loyalty toward a centralized state’ (Mühlberger 2015: 13). That citizenship has had and still has to fight for political salience against other identities, such as religion, kinship, region, ideology, is a trait shared by all Arab states.

This tension is crucial in Tunisian post-2011 constitutional politics. Most scholars agree that the new Constitution ended up being much less Islamic than expected, thanks to significant self-restraint by Ennahda and the empowerment of their conception of citizenship rights, grounded on the acceptance of a ‘civil state’, reinforcing the individual articulation of rights (Ben Hafaiedh and Zartman 2015). This is exemplified by Article 1, whose formulation remained as in the 1959 Constitution, where there is no mention of sharia. The article states: ‘Tunisia is a free state, independent and sovereign. Its religion is Islam, its language is Arabic, its form is the Republic, and it is forbidden to amend this article.’ This is reinforced in Article 2, which states that: ‘Tunisia is a
civil state based on citizenship, the will of the people, and the supremacy of law. This article cannot be amended.’ Tunisia’s political system is thus based on three pillars: democratic citizenship, the will of the people and the rule of law.

Most scholars agree that the constitution-making process was democratic and consensual, and one inspired by conceptions of citizenship rights. This was made possible by the view of citizenship espoused by Rachid Ghannouci, the leader of Ennahda, the country’s most important Islamist party, long outlawed and winner at the 2011 elections with 37% of the national vote. Ghannouci, a scholar and intellectual, long exiled in London, developed a middle way between Islamic traditional views and the Western liberal concept of citizenship. According to him, an Islamic State, in order to fulfill its functions, must guarantee rights and freedoms to the community and the individual. Among these freedoms, the freedom of religious belief is the basic freedom. Ghannouci recognized a set of core rights to every human being: rights of equality, freedom (which also encompasses freedom of thought, freedom of belief and freedom of worship), and freedom of movement, including the right to establish schools and religious institutions (Tamimi 2001: 76–77).

The debate over freedom of expression—embodied in Article 31 with its protection of freedom of opinion, thought and information, and eventually accepted by all political forces, despite criticism from many Salafis and some within Ennahda—is an example of this tension, as it privileges individual space and freedom over communal understandings of rights. This is further reinforced by the provisions in Chap. 2 of the Constitution related to rights and freedoms, where freedoms are preserved and expanded. A case in point is represented by Article 6 in Chap. 1 of the Constitution, which declares that the state is the guardian of religion and ‘what is sacred’. It is clearly stated that ‘the state has the duty to guarantee freedom of conscience and belief, and the free exercise of religious practices, as well as the political neutrality of mosques and places of worship; these are not to be used for party political gain. The state undertakes to disseminate the values of moderation and tolerance.’ This article was adopted despite the opposition of conservative forces such as the radical wing of the Ennahda party, and some representatives of smaller political groups like the Al Omma party and the Tayyar Al Mahabba (formerly Al Aaridha), which were very active within the assembly and did not want to accept the principle of freedom of conscience within the Constitution. Again, the tension between communal and individualist conceptions of identity emerged in the debate and was resolved by privileging the latter.
The pendulum in Tunisia, however, has rarely stopped swinging: shadows over the fulfillment of media freedom and freedom of expression, both crucial benchmarks in terms of democratization, remain. Despite the abolition of the Press Code in force under Ben Ali, which placed serious limitations on the freedom of journalists and heavily influenced their self-censorship, the penal code is still applied and used to intimidate journalists (Personal communication with Neji Bghouri, President of National Union of Tunisian Journalists, 2014). Also, while the Haute Instance for media freedom was created, many argue it is overwhelmed by work and its operating procedures still need much improvement (ibid. 2015). Moreover, the Tunisian Journalists’ Association has time and again denounced the presence of hate speech and misogyny in written comments, and the limited response by the authorities to deal with it.

In terms of women’s rights, after a heated debate on the presumed complementarity between men and women was eventually dropped and did not find a place in the new Constitution, the enlightened Personal Status code dating back to 1956 was upheld and strengthened by a number of provisions. The Constitution has namely inserted crucial elements for women’s rights in the future. Firstly, Article 46 introduces the concept of ‘acquired rights’, which the state must now work to ‘strengthen and develop’. The same article also foresees ‘parity between men and women in elected assemblies’, while, Article 73 explicitly mentions that ‘every male and female voter’ has the right to stand for election for the post of President of the Republic. Women’s rights as they stand today are now considered to be a minimum standard that the state cannot retreat from and that it can only work to improve (Al Ali and Ben Romdhane 2014).

Nonetheless, limitations on women’s rights remain: in particular, the right to inheritance has yet to be amended (women are allowed to inherit only half as much as their male counterparts). Some progress has been made: in July 2017 the Parliament passed legislation targeting violence against women, and in August 2017 President Beji Caid Essebsi canceled a law forbidding marriage between Tunisian women and non-Muslim men (Circulaire 1973). The President also announced the formation of a committee reviewing laws perpetuating gender inequality (Mothie-Eldin 2017). The move by President Essebsi was reminiscent of State feminism, as it proceeded from above in order to align with the women’s associations, in a moment of intense mobilization against the law on the economic reconciliation, substantially condoning corruptive practices from the Ben Ali era.

BETWEEN THE STATE AND SOCIETY: ELEMENTS OF FORMAL CITIZENSHIP 27
In terms of perceptions, before the last decision taken by the President, women lamented the increase in trials against them for the custody of children since the revolution, and the continuing lack of social mobility with women accounting 40% of the work force but less than 20% of top positions (Ben Amar 2016).

A third dimension juxtaposes the citizen-led push for modernity, exemplified by the modern language of the Constitution, with pre-modern, tribal and/or clanic ties, which have persisted, and still matter in daily politics under the guise of family allegiances, patronage networks, and so on. As argued by Sami Zubaida, these two styles of politics—the modern politics of organization and ideology on the one hand, and the universal politics of faction, kinship and patronage on the other—coexist in the present time (Zubaida 2009: 64) and have been used by authoritarian governments through state-led popular mobilization while also suppressing political pluralism. This tension can be found in the emphasis on the importance of protecting the ‘family’ as an institution in Article 7 of the new Constitution, which states: ‘The family is the nucleus of society and the state should protect it.’ This article has been indicated as an instance of potential room to limit women’s rights and individual empowerment, by referring to the family, and not the individual, as the backbone of Tunisian society.

Moving on, in terms of modern versus pre-modern conceptions of citizenship, it is remarkable to spot second- and third-generation human rights in the new Tunisian Constitution (right to health, Article 38; education, Article 39; culture, Article 42), reinforcing the modern nature of this text. However, in practice it is hard to envisage how these will be boosted, in a situation of scarce public resources to be invested in public institutions. In the popular perception, the public sector is severely under-invested vis-à-vis the private sector, and public insurance companies are considered inadequate as they only partially cover health expenditures. Within this context, given the costs, only around 20% of Tunisians can afford to use private health clinics and hospitals, which further diminishes social equality and social democracy (Ben Chaabane 2016). Social rights, which are critical in shaping the new social contract, have remained unaltered since the Ben Ali era, creating a great deal of discontent, as the next chapter will explore.

The previous authoritarian bargain, which was premised on low food prices for the lower classes, education and jobs for the middle class, and significant economic pay-offs for the wealthiest under the guise of tax cuts and the creation of a good business environment, is no longer
economically or socially sustainable. In that respect, the UGTT demanded the inclusion of articles on social justice (Article 12), the right to a good job (Article 39) and trade union rights (Articles 35–36), something which represented almost a shared platform between the UGTT and UTICA. Although UTICA tried to push for the right to freedom of economic initiative, this was not included in the Constitution, even though the entire political class believes that both domestic and foreign investment provide important boosts to the economy, and therefore job creation and regional development.

This new ‘social contract’, however, has barely materialized, as on several occasions the two associations have clashed over specific instances of workers’ rights and conceptions of how the job market should be regulated. Given the politically visible role of the trade union as defender of the collective rights of Tunisians, especially during a transition characterized by political infighting and polarization between Ennahda and Nida Tounes, the legitimacy of UGTT has partially translated into obstructionism for the adoption of new economic measures. In September 2015, Nida Tounes published its economic and social program. Nida defines itself as a centrist, social-democratic party, a mosaic composed of representatives of different social and political strands of society, from trade unions to entrepreneurs, leftists to former members of Ben Ali’s party, Ressemblement Constitutionel Démocratique (RCD). While in terms of economic policies it remains hard to distinguish significant differences between Nida and Ennahda, what separates them are their contrasting visions of the role of the state. Nida has a very statist conception of how the country should continue to develop within a neoliberal understanding of development. Its platform outlined four key priorities: aggressive job growth, regionally inclusive development, a sustainable approach to development, and ethical governance (i.e. the fight against corruption).³ The economic challenges remain massive: the economy contracted by almost 2% in 2011, rebounded in 2012 (+3.7%) and has since struggled to reach a growth rate of 3%. Unemployment is stuck at almost 16%. In June 2016, Tunisia agreed on a $2.8 billion four-year loan program with the IMF, which portends deep cuts to the subsidies system that has mostly benefited the lower classes. The real challenge in the economic sector is represented by the high percentage of highly educated youth in low-skilled and low-wage jobs, together with the existence of restrictive labor laws and weak protection of property rights (World Bank 2014). The World Bank identified the source of current delays in adjusting the economic model as
being the state-led development model adopted since the 1970s, which was already showing deficiencies in the 1980s, when only a few economic sectors were liberalized. It is worth recalling that half of the economy remains closed off for foreign investments even today. The crisis has hit with particular strength since the 1990s, with unemployment constantly above 13%, and most jobs created only in low-skilled and informal sectors. For most graduates, the public sector has become the only source of jobs. The most striking feature, however, remains the geographically unequal distribution of wealth and poverty, with the internal and southern parts of the country four times poorer than the coastal and northern areas, a point that will be explored in the next two chapters of this book. There is no mystery as to why Ennahda receives most of its votes in the southern and internal regions, and Nida Tounes and President Essebsi enjoy much greater popularity on the coast and in the bigger urban centers: the country is marked by a significant economic and political cleavage.

Overall, the analysis of the 2014 Constitution points to the endorsement of a hybrid form of democracy, between liberal participatory democracy and social democracy. The emphasis on political participation across different governance level, at least on paper, was embodied also in the open, inclusive, and deliberative constitution-making process. The empowerment of participation corresponds to an active model of citizenship, where the notion of rights is never-ending, evolutionary and transformative, and the capacity of citizens to demand, fight and expand their rights can be activated and enacted upon at any moment. Participatory democracy theorists hold that while liberal interpretations of democracy support formal equality, this makes little sense if the conditions for real equality have not been created. This can only be accomplished through the intensive political participation of citizens beyond elections, that is, beyond purely procedural understandings of democracy (Barber 2003; Pateman 1970). Interestingly, participatory democracy is premised upon a communitarian rather than individualistic notion of freedom and democracy, something which does not fall on deaf ears in Tunisia, where associative and community-based life has been historically solid, where unions are strong and where even informal collective action, as shown in the next chapter, is abundant.

In terms of elements envisioning a social democracy, the enhancement and empowerment of social and economic rights shapes a notion of social citizenship, understood as a mechanism of universal solidarity, associated with work. Work, in this view, is the cornerstone of society, rather than the family, something which in the context of the Constitution defining
the family, rather than the individual, the backbone of society (Article 7), creates a structural ambiguity in the identification of a set of coherent elements drawing on social democracy conceptions. The social-democratic model is predicated upon the principle of social solidarity and democratic control over economic processes. In this view, the state has an important role to play from a redistributive perspective, as opposed to liberal and, above all, neoliberal understandings of democracy. Sheri Berman further identifies social citizenship not just as a tool to redistribute wealth in order to avoid extreme poverty, but as a mechanism of universal solidarity (Berman 2006). Social democracy is based on two pillars, perfectly complementing the participatory democracy mentioned above: the primacy of politics, and communitarianism. In Berman’s reading, namely, social democracy emphasizes the political sphere and community cohesion: it is a communitarian version of democracy (Hobson 2012).

The 2014 Tunisian Constitution enshrines elements extrapolated from both participatory and social democracy, the mix of which generated wide societal expectations of deep qualitative change. The failure to implement provisions empowering local participation, decentralization, creation of jobs in inner regions, all contributed to make the state’s ‘organized hypocrisy’ all the more visible. Limited statehood manifested itself thanks to the gap between expectations and social reality, fueling a rage which, thanks to the principles enshrined in the constitutional text and the deliberative and participatory way in which it was formulated, can be easily translated into mobilization both to obstruct and ask for change.

5 Conclusions

A constitution sets the rules of the game, redefines statehood, attributes sets of rights and obligations to citizens, but also creates expectations and social imaginaries of new possibilities, both on a material and ideational level. By detailing provisions for the empowerment of social and economic rights, the 2014 Tunisian Constitution raised the bar for citizens to expect some form of social democracy, as opposed to a minimalist ‘protective’ understanding of liberal democracy, mostly revolving around a limited role for the state and negative freedoms (freedom from violence, etc.) (Held 2006; Joshi 2013).

This chapter, through theoretical lenses at first, and then by illustrating examples for each conception of how state-society relations can be articulated, has shown the inevitable underlying discrepancies between the formal constitution, that is, the new rules of the game, and the actual contents and practices of rights as they are enjoyed daily by the populace.
In the Tunisian post-revolutionary context, socio-economic rights remain difficult to interpret and fulfill and yet, while elusive, the results of the transition trajectory will directly depend on their implementation.

In light of this examination of the main tensions inherent in the concept and practices of citizenship, one is left to ponder the extent to which citizenship is a matter of democracy and democratization, or also—and perhaps to a greater extent—of power relations between the state and society, an attempt to find a balance between them.

A focus on the texts, debates, and practices surrounding the recently adopted Constitution has enabled us to scrutinize how particular demands have been formulated and what tensions have ensued. State-society relations have moved back and forth between reasserting the authority and power of the state and discovering and acknowledging the power of society, but also formulating a balance between individual and communal notions of rights and the place of the individual and of groups and other allegiances within society, and lastly, between modernity on one side, and pre-modern ties on the other. The impression—once the constitution has been adopted and we await implementing provisions, new legislation and the creation of new institutions—is that the Tunisian democracy will remain one in word and spirit by navigating the complexities of these tensions through a participatory and transparent approach, without denying their contested nature.

NOTES

1. For information on the Oeil sur le budget, see: http://www.action associative.org/programme-gouvernance
2. Article 20 now reaffirms gender equality.

REFERENCES


CHAPTER 3

Limited Statehood and Contentious Politics

Abstract  Contentious action in Tunisia pre-dates 2010–2011 and did not stop with the uprisings and overthrow of the regime of Ben Ali in January 2011. Protests have proceeded in waves and have reshaped notions of legitimacy, state-society equilibria, and relations between the center and periphery. This chapter investigates how these dynamics have arisen and evolved since 2011. It focuses in particular on the two most significant moments of contentious collective action, in 2010–2011 and since 2016. While the 2010–2011 uprising was a leaderless wave, which succeeded in generating powerful discursive narratives—later generalized and which acted as vessels for mobilization across several sectors of society and across several regions within the country—a similar attempt was only partially successful in 2016–2017, when protests remained contentious outbursts, more geographically clustered, despite their reverberations in the capital, and failed to evolve into national movements.

Keywords  Contentious politics • Regional disparities • Neoliberalism • Tunisia

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1 Introduction

Tunisia has experienced different waves of contention since the 1980s, with epitomizing moments, such as the 1984 bread riots, and various episodes of social mobilization in the 2000s, in particular that of 2008 in the phosphate basin of Gafsa (Allal 2010). The sit-ins and marches in Gafsa paved the way, in terms of intensity of mobilization and national resonance, for the late 2010 uprising.

In the years preceding 2010–2011, there were other instances of mobilization, which, however, failed to spread beyond regional boundaries. Between 1996 and 2007 there were 4352 strikes across the country, albeit of very limited lengths, generally lasting one or two days (ILO 2006, 2008) and somewhat controlled by the main trade union, the UGTT (Union Générale Tunisienne du Travail), which had been co-opted by Ben Ali from the late 1980s through the imposition of a collaborationist leadership (Beinin 2016). Socio-economic grievances and material demands were essential push factors in all these instances, with symbolic factors linked to broader notions of citizenship coming to the fore in the last decade. Interestingly, as will be developed throughout this chapter, the fall of Ben Ali has not led to popular demobilization and the channeling of political participation purely through formal instruments: protests have continued since 2011, demanding far-reaching reforms, while, concomitantly, formal political participation—in terms of electoral turnout—has decreased.

The scholarly literature has only slowly begun to fill the gap in research dealing with the evolving social reality of contestation and bottom-up activism. After a decade of studies on the persistence and/or resilience of authoritarianism (Schlumberger 2007; Heydemann and Leenders 2013), it was mostly in light of the 2010–2011 uprisings that scholars moved back to the study of agency, formal and informal political participation, and bottom-up activism (Knudsen and Ezbidi 2016; Khatib and Lust 2014; Valbjorn 2012; Khatib 2013; Parolin 2015).

In terms of sovereignty, the continuing inconsistency between the state’s rhetoric—which emphasizes legality, the fight against corruption, a clean slate in state-society relations, and, above all, redistributive policies aimed at redressing historical imbalances in the resources allocated to interior and southern regions—and a reality of increased perceptions of corruption, lack of investment in marginalized regions and repression of socio-economic protests has further amplified the distance between
ideational and material pressures, or between logic of appropriateness and logic of consequences, in post-2011 Tunisia (Krasner 1999). Even in Risse’s more functional understanding of Krasner’s domestic sovereignty (Risse 2013), where statehood is based on the institutional structure of authority, the monopoly of force and the capacity to implement decisions, the continuing waves of contentious collective action in post-2011 Tunisia point to the infringement of the central authority’s capacity to implement decisions and exert effective state control. The 2014 Constitution has enshrined positive discrimination toward marginal regions as a cornerstone aimed to help redress historical imbalances in wealth. However, the failure to implement it, both substantially with investment and infrastructural projects and also by devolving effective powers, including taxation, to municipalities, epitomizes a form of limited statehood. This is so both because of administrative incapacity and because of missing political will. What is more, limited statehood in post-2011 Tunisia is also testified by the state’s incapacity to respond to waves of protests without resorting to repression. Namely, despite the state’s quasi-monopoly of violence, the continuation of protests disrupting economic activities, and the ever-increasing role of non-state actors driving contentious collective action epitomizes the existence of non-hierarchical modes of political steering, typical of situations of multilevel governance in areas of limited statehood.

2 Defining the Boundaries of Tunisian Contentious Politics

Contentious politics represents a contest between social forces and political elites over the power to effect or prevent social and political change. It is an agency-based perspective that enables us to bypass structuralist approaches and reconstruct the composite agency of single protest events, the types of repertoires and the trajectories of contention. It designates a set of “interactions in which actors make claims bearing on someone else’s interests, leading to coordinated efforts on behalf of shared interests or programs, in which governments are involved as targets, initiators of claims or third parties” (Tilly and Tarrow 2007: 4). Contentious politics encompasses an indefinite spectrum of forms of collective action, ranging from revolutions to social movements, strikes, or demonstrations (Tilly 1997: 56). Within this reading, revolutions are far from
unique events, and are rather conceptualized as processes and parts of larger cycles of contention (Tilly 1993). Contention however does not necessarily proceed through cycles (Tilly 1993) or waves (Kriesi 1995). Post-2011 protest events in Tunisia are not (yet?) a ‘dynamic protest wave’ (Kriesi 1995): they have not lasted for a considerable amount of time, showed expansion and contractions, covered a considerable geographic latitude, or encompassed much of the social movement landscape. Notions more likely to capture the multifaceted nature of mobilization experienced since the 2011 uprising are contentious outbursts: large-scale but short-lived protest events that do not produce permanent outcomes (Leal 2017).

Demands and claim-making are part and parcel of contention in the political arena, but they are not the whole story: contentious politics in the Arab world has not just been about claim-making, but also about the reshaping of perceptions of alternative social realities. The focus of contentious politics is also on the norm-generative potential of protest events (Gerges 2015: 14), the ways in which traditional notions are reconceptualized, attributed new meanings, and embedded with new expectations.

While acts and practices of resistance are part of contention, contentious politics has a broader perimeter, as it encompasses discursive and performative acts that aim at challenging top-down visions and preferences, while advancing representations of alternative and possible social and political images.¹

In the past few years, public spaces in North Africa have been the epicenter of cultural and political reappropriation by various societal configurations by becoming loci of claim-making and challenging central political authorities. The explicit formulation of demands of social and political change in the Arab world did not occur overnight in 2010–2011, and yet this was one of the most significant times for contentious politics in the region. The lack of a cohesive narrative of the region’s historically multifaceted forms and shapes of contentious or resistance politics tends to obfuscate the existence of long-standing repertoires and toolkits of contention, as well as the strategies adopted to try to affect change and the changing configurations employed by different categories of mobilized actors (for important works on contention in the region, see Chalcraft 2016; Batatuh 1978).

By looking at the 2010–2011 uprisings in Tunisia and the successive contentious outbursts, especially in 2016–2017, this chapter empirically assesses the mechanisms of the diffusion of protests, the rhetorical strategies adopted in order to widen participation in contentious actions,
and the authorities’ responses. Before moving on to that, the historical legacies of socio-economic injustices in regional terms are accounted for in the next section.

3 The Domestic and International Legacies of Regional Economic Injustice

Interior regions in Tunisia have suffered from decades-long neglect and have been treated as ‘mere sites for extraction of raw materials’ (Kherigi 2016). This was especially the case after Ben Ali’s privatization policies beginning in the early 1990s, when allegedly pro-market policies—contributing, on paper at least, to cutting down public expenditures—ended up reinforcing ‘networks of privilege’ (Heydemann 2004) around the presidential clan. These networks of selected individuals with direct access to the presidency were compensated for their loyalty and support with advantageous concessions at the expense of state revenues and eventual reinvestment in the country’s interior regions. The situation worsened after the 2008 global financial crisis, when the regime’s redistributive capacities further diminished and the first sectoral protests, depoliticized and repressed by the regime, took place (Chouikha and Gobe 2011). And while the country’s per capita GDP averaged 3.4% between 1990 and 2000, in the same decade, relative poverty in Kasserine passed from 30% to 49% and in Sidi Bouzid from 40% to 45% (Kherigi 2016). Between 1980 and 2000, the overall poverty rate in the country halved (from 823,000 to 399,000 people), estimates which have, however, been questioned by other accounts (Al-Shamikh 2014). The downward trend of poverty rates continued even in the 2000s, declining from 32% in 2000 to 23% in 2005 and reaching as low as 15% of the population in 2010. In parallel, extreme poverty also decreased, affecting 12% of the Tunisian population in 2000, 7.6% in 2005, and 4.6% in 2010.

Despite strides at the national level in terms of progressive political transformations, however, the historical and economic legacies of exclusion of southern and interior regions have continued to weigh in heavily on the existing regional inequalities. The center-west region of the country, including Sidi Bouzid, Kairouan, and Kasserine, has remained the poorest, with poverty rates double the national average, reaching 32.3% in 2014 (Ayari and Reiffers 2015; Zorob 2017) (as compared, e.g., with Tunis, where the poverty rate is 13%). Different kinds of poverty continue to exist in the country, highlighting the urban-rural cleavage. Namely,
while rural poverty continues to be linked to the lack of basic facilities, urban poverty depends on the lack of employment opportunities. Government investments in education have permitted an improvement in school attendance, and have paradoxically contributed to increasing levels of awareness and willingness to express dissatisfaction among citizens. In particular, agricultural development, crucial for the economic prospects of many of the inner regions, has suffered from the combination of scarce natural resources (water in particular), the under-market price—either for sale or lease—of land to private companies, and limited access to financial resources for most citizens or small entrepreneurs (Boughzala and Tlili Hamdi 2014).

The country, traditionally considered by the EU and international financial institutions as a poster child for economic growth and sound neoliberal policies, has, since the 1995 Barcelona process and the 2004 European Neighbourhood Policy, struck wide-ranging trade agreements with the EU. While the persistence and worsening of regional disparities cannot be attributed to the consequences of these agreements alone, unemployment in these regions, especially among the graduate workforce, has continued to worsen. The category of graduate unemployed was the backbone of not only the 2010–2011 uprising (Chouikha and Gobe 2011), but of successive contentious collective actions throughout the country since then.

It was in 1986 that President Habib Bourguiba adopted structural adjustment programs promoted by international financial institutions, which were then implemented by his successor, Ben Ali, starting from 1987. Ben Ali also brought Tunisia into the World Trade Organization (WTO) in 1995. A few years later, in 1998, Tunisia signed the first Association Agreement (AA) with the EU—its main economic partner—within the Barcelona Process, or Euro-Mediterranean Partnership (EMP). This was premised on the country’s economic opening across several sectors to European markets. While the most recent analyses acknowledge that the AA did not necessarily cause a rise in unemployment rates, even in the best-case scenario these agreements did not facilitate or encourage job creation. They did however increase pressure on local industries and labor markets (Zorob 2017). In particular, in terms of rural employment, trade liberalization with Europe had significant short-term negative consequences, while in the medium- and long-term the impact also affected urban employment and lowered wages. Marginality and/or social exclusion, far from preventing mobilization or participation in collective action
(Bayat 2009), can actually act as powerful triggers for protest. In the post-
2011 Tunisian protest landscape, given the lack of systemic reform of
social and economic models, notwithstanding different governments in
place, socio-economic grievances have represented the rallying cry for
almost half of all mobilizations (Chaabane 2016).

Tunisia also adhered to the European Neighbourhood Policy (ENP)
and its Action Plans (APs) from 2004 onward. As compared to the AA,
APs are tailor-made on the basis of each country’s own preferences and
pace of reform. The following step within the Neighbourhood framework
is the Deep and Comprehensive Free Trade Agreement (DCFTA), which
Tunisia started to negotiate in November 2015. DCFTAs are particularly
burdensome for the third country, inasmuch as they go beyond merchan-
dise trade, covering sectors such as services and government procure-
ment, and requiring adjustment to the EU acquis in terms of regulatory
framework: a lengthy and costly process, especially in the absence of a full
integration in the EU market. The backlash against these negotiations,
which have advocated more of the same neoliberal trade approach, has
been concentrated mostly in media debates and less in street politics.
Tunisia, as well as the other countries undergoing DCFTA negotiations,
is eager to obtain larger concessions for agricultural products, simplified
rules of origin, and the elimination of other Non-Tariff Barriers limiting
their exports to the European continent. Despite the scarcity of studies
measuring the impact of these economic agreements on social and eco-
nomic rights in Tunisia and other southern Mediterranean countries
involved in the EMP or ENP, already in 2007 it was estimated that trade
liberalization with the EU had brought about a decline in tariff revenues
from 4.6% of GDP in 1995 to 1% of GDP from 2007 onward, leading to
an average yearly income loss of almost 3%. Alternative measures adopted
by Tunisian governments to compensate for these lost revenues have
taken various shapes, including VAT extension and other income taxes
(Ayari and Reiffers 2015).

The ways in which globalization has impacted Tunisia have been fil-
tered by several factors, among them are the relative scarcity of energy
resources, an export-led growth model, strong asymmetric economic ties
with Europe, a neoliberal orientation adopted by President Ben Ali
(explored in Chap. 4), and a regionalist bias in favor of the country’s
coastal areas, to the detriment of severely under-funded interior regions—
suffice it to say that over a third of the country’s industrial complexes are
located in Grand Tunis, the area surrounding the capital.
This is by no means intended to deprive peripheries, broadly intended, of their agency vis-à-vis the central authority. On the contrary: a periphery can be a space, as well as a group characterized by distance, difference, or dependence in one or more arenas: political, cultural, or economic (Rokkan 1999: 115; Huber and Kamel 2015). The act of marginalization of peripheries is a highly political act: pushing them aside and discrediting peripheral topics or actors in the public space and public discourse allows the central authority to entrench hegemonic interpretations of social reality, while suppressing local voices and investing resources elsewhere. The continuation of acts of resistance in post-2011 Tunisia points to the limited success of Tunisian governments in sidelining protesters’ agency and legitimacy, although attempts to turn local instances of mobilization and contentious collective action into a new revolutionary wave at the national level have been unsuccessful. Between January and October 2016, 6493 protest actions occurred throughout the country. The number further increased in 2017, when in the same timeframe 7941 mobilizations were registered (FTDES 2017). Far from being submissive, Tunisian peripheries, both in a geographic and cultural sense, have provided counter-hegemonic discourses of development and equality, and, as shown by some locally clustered instances of participatory democracy, alternative ways to think and experience a democratic system. The next section will briefly take them into account within the broader spectrum of contentious outbursts that have characterized the political evolution of post-2011 Tunisia. In particular, nationally reported contentious collective action revolving around socio-economic grievances occurred in 2012 in Siliana, and then from January 2016 until late spring 2017 in various cities and municipalities around the country.

4 CONTENTIOUS POLITICS IN TUNISIA 2011–2017

The precedent for the 2010–2011 uprisings can be traced back to the labor protests which shook the Gafsa region in 2008, and which, with decreasing intensity, continued until 2010. In January 2008, in Redeyef, a provincial town close to the Algerian border in the Gafsa phosphate-mining region, protests erupted on a wide scale, which enjoyed the support of the local population and rapidly developed a well-functioning organizational structure. In particular two unions (the UGET—the union of unemployed graduates—and the UGTT, the main labor trade union) joined the protests and called for a general strike. The Gafsa protests
epitomized the attempt at translating economic demands into broader demands for political reform, with the intervention of local unionists and human rights activists (Donker 2012). The echo of these protests barely made it on international newspapers, let alone national ones, and its coverage was limited even on social media (Chouikha and Gobe 2011). They lasted over six months, and despite the regime’s repression—notably a violent crackdown by police forces in the villages of the mining region (Gobe 2010)—protestors successfully managed to obtain concessions from the government. The Gafsa protests represented an instance of collective social action against the regime, which, initially sparked by corrupt hiring practices within the Gafsa phosphate company (Allal 2012), expressed long-seated socio-economic grievances linked to sentiments of constant humiliation and oppression.

The 2010–2011 collective social protests were a revolt of the peripheries, both geographic and social, against the central authority.

It was not by chance that mobilizations originated in Sidi Bouzid on December 17, 2010. Sidi Bouzid is geographically at the center of Tunisia. It covers around 4% of the territory and hosts around the same percentage of the overall population, little more than 40,000 people. Of the working population, 70% are employed in the agricultural sector, which boomed in the late 1970s and 1980s thanks to new irrigation systems and state funding. However, the economic growth of the governorate subsequently mostly profited businessmen from Sfax, who bought land and reinvested profits in their home region, rather than in the region’s own infrastructural structure and economy (Boughzala and Tlili Hamdi 2014).

On the one hand, we have a small city with a relatively significant number of highly educated unemployed, and on the other, governments promising economic progress for marginalized regions, a rhetoric which continued under the troika government (December 2011–January 2014) (Chaabane 2016). It is the increased discrepancy between a logic of appropriateness by governments promising development and a more instrumental logic of consequences driven by maximization of profits, which led to simmering discontent even after 2011.

Redistributive claims (Fraser 1995) linked to high regional inequality and immobile wealth (Boix 2008) lay the foundations for additional moral claims that appealed beyond the disenfranchised inner regions and spoke to all Tunisians, with calls for dignity (karama) and against humiliation (hogra) becoming elements of a shared narrative enabling citizens to imagine alternative state-society relations. Material demands represented the
pre-condition paving the way for mobilizations to coalesce around common themes and issues beyond old and abstract ideological referents (Khatib and Lust 2014: 11). Reimagining the political community, by extending the boundaries of membership, belonged to an ideational dimension of contention which encompassed the articulation of utopian and alternative images of social reality. These mental representations encapsulated accountability of the security forces to civilian control, on the one hand, and economically inclusive democratic citizenship, on the other, both of which could be subsumed in the category of emancipatory values and their ecological effect (Welzel and Deutsch 2012).

When Bouazizi set himself on fire, on December 17, 2010, the Arab sound chamber echoed his rage, with the Qatari TV station Al Jazeera disseminating the images across the Arab world. This contributed to amplifying the outrage shared and widely experienced across the country. The 2010–2011 protests erupted as a spontaneous movement, characterised by what Tilly and Tarrow define a ‘direct diffusion’ mechanism, whereby individuals and groups with previous ties and similarities form the basis of mobilization (Tilly and Tarrow 2007). Despite the lack of coordination at the national level, a cross-ideological and cross-class movement quickly emerged, gathering unemployed graduates, students, local workers—especially schoolteachers and miners, the backbone of the local UGTT—and online activists. With the hashtag ‘sidibouzid’, solidarity demonstrations occurred at first in neighboring cities and villages, reaching Kasserine, Gafsa, and Sfax on December 20. Slogans focused on accusations and criticisms of existing social injustice, inequalities, and nepotism. The massive demonstration on January 10 in Sfax, in particular, signaled a qualitative change with the shift from the day-to-day grievances to calls for regime change. These calls were expressed three days later in Tunis, when President Ben Ali fled the country (Zartman 2015: 54). This occurred after episodes of violent repression by the police, especially in southern areas of the country, most notably Kasserine and Thala, where dozens of people were injured.

Two kinds of resources enabled the uprisings’ success: organizational and moral resources. Organizationally, online and street mobilization reinforced each other. In late 2010, protests from Sidi Bouzid, where a street vendor humiliated by the police self-immolated, rapidly spread to close-by cities, also thanks to social media, with the hashtag #sidibouzid leading to cross-regional solidarity demonstrations. A couple of days later, protests erupted in some of the poorest cities, including Kasserine and
Gafsa, and moved on to Sfax, the industrial capital of the center-south. A week later people took to the streets in the capital, and here mobilization became politicized with the call for a national strike on December 31, 2010. Slogans focused on long-standing social injustice, staggering levels of inequality, and nepotism.

The January 2011 revolution was marked by the lack of a clearly identifiable leadership and the heterogeneous nature of the movement. The absence of a charismatic figure and ideological reference in the early stages of the uprisings was a marking feature of the 2010–2011 mobilizations, and one which, it was soon acknowledged, played a positive and constructive role (Zartman 2015: 51). In terms of slogans and catchwords, *karama* (dignity) became the rallying cry around which different instances and claims coalesced. As reported by Ayari and Reiffers, reference to dignity as a response to the daily humiliations suffered by ordinary people at the hands of the Ben Ali regime had steadily increased throughout the 2000s across different sectors of the Tunisian society (Ayarim 2011).

After 2011, despite great strides in political democracy, progress in socio-economic matters stalled, and, significantly, the redistribution of resources to the advantage of marginalized regions failed to materialize. In November 2012, in Siliana, protests organized by youth groups in conjunction with the UGTT erupted over the perceived lack of infrastructural projects fostering the regional development of the area, with protesters demanding the resignation of the Governor, appointed by Ennahda. On November 27, a general strike, called by the UGTT, demanded the resignation of the Regional Governor. Slogans revolved around demands for more jobs, development and resource distribution. Siliana could count on an established repertoire of contentious politics, as it had mobilized both under Bourguiba and Ben Ali, and resisted the encroachment of state power, something which was brought to mind powerfully by the young protesters (Bonomo 2013). This, in part, explained the exemplary nature of the repression the city suffered on November 27, 2012, when peaceful demonstrations were met with the use of shotguns by the police, resulting in dozens of injured civilians. According to some, the military opened fire with birdshot, wounding 200 young protesters and blinding 17 (Prince 2012). Protesters chanted slogans expressing rage against the rule by Ennahda, accused of not having a national agenda (‘Tunisian Republic, Qatari government’), but also articulating their lack of fear of the police (‘The people of Siliana do not fear the shotgun’), their sense of fatigue and despair over the persistence of crony capitalism, albeit with different faces
(‘The people are tired, the new Trabelsi are here’), and revolutionary slogans (‘The people want a new revolution’, ‘Dégage’, ‘The revolution has been stolen, where is the revolution?’). In Sfax and Tunis, solidarity demonstrations demanded clarifications over the excessive use of weapons against demonstrators, and criticized the securitization of government responses to popular mobilization. A few days later, protests ended with a symbolic march on foot from Siliana to Tunis. Thousands of people from the city walked away from the Governor’s office with the alleged intention of reaching Tunis, only to stop outside the city, lamenting the condition of the roads and pointing to persisting infrastructural under-development. In organizational terms, the role of the main trade union was crucial in nationalizing the importance of the Siliana protests and politicizing the issue.

While attention was concentrated on the constitution-drafting process until 2014, socio-economic-driven protests never ceased: while in 2013 two general strikes were organized following the assassination of the two political leaders Chokri Belaid and Mohammed Brahmi, a number of sectoral strikes (bakeries, ports’ workers) took place and reverberated across other sectors in 2014, notably the education one. On issues of economic under-development and mismanagement of resources, it was the powerful social media campaign ‘Where is the oil?’ (‘Winou el pétrole?’) that made the country’s headlines in 2015. The campaign started first on social media, predominantly on Facebook and Twitter, and was then followed by street mobilization in May–June 2015 in Tataouine and Tozeur. At the heart of protesters’ demands lay the request for more transparent management of the country’s energy wealth, and in particular the revenues generated by the oil and gas fields (Skazal 2015). The social and apolitical nature of the mobilization manifested itself in angry demands spurred by the perceived opaqueness of the entity of energy revenues and their distribution in the country. According to recent estimates, Tunisia only produces between 55,000 and 65,000 oil barrels per day, which would not even cover the country’s energy needs (Bendermel 2015). Indeed, oil production has declined in the past decades, with the energy deficit reaching 54%, and several foreign energy companies leaving the country. This protest drew its legitimacy from a constitutional claim, enshrined in Article 11 of the new Constitution, which expresses the right to good management of the country’s natural resources. The spirit of this contentious outburst was twofold: on the one hand, it articulated requests for good governance, transparency, and greater accountability of
the management of funds; on the other, it directly demanded private energy enterprises to reinvest some of their profits in local development projects, as was the case in Douz, in the governorate of Kébili, vis-à-vis the independent oil company Perenco (Skazal 2015). Among the slogans of one of the biggest demonstrations in Tunis on May 30, 2015, people criticized the lack of transparency over the use and profits of oil extraction and sale (‘The people want to open the dossier’) and the management of natural resources (‘Resources are a right’, ‘Gangs of thieves’). There was also growing frustration with unchanging patterns of social and economic development (‘The people want another revolution’, ‘People, wake up’), and blame was explicitly pointed at UTICA, the national industrial union (Soltane 2015). In this case as well, the role of the UGTT was instrumental in bringing nationwide attention to the issues under discussion and nationalizing the protest by bringing it to Tunis and other cities.

It was from 2016, however, that a year and a half-long wave of protests kicked off. The intensity of these contentious outbursts, their geographical diffusion, the inter-linkage of different local developments and infrastructural instances across governorates and the public perception of social turmoil represented a watershed in Tunisian contentious politics, with a striking number of similarities to the 2010–2011 protests. From Kasserine, protests diffused across 16 governorates; among them were Sidi Bouzid, Siliana, Beja, and Kairouan. The protests started in January 2016 in Kasserine, in the center-west of the country, an historically marginalized area, but expanded nationwide (Chennaoui 2016). The region has half a million inhabitants and saw the highest number of injured and killed civilians in the 2010–2011 protests. Despite the adoption of over 1900 infrastructural projects for the region’s development since 2011, totaling almost one billion dinars in value, only a tiny minority has been implemented, while the rest have remained on paper (Mezri and Zriba 2016).

The manifestation of widespread discontent was triggered by the death of a young graduate student on January 16, 2016. Having been taken off a list for public employment, Ridha Yahyaoui killed himself by climbing onto an electricity pylon, where he was electrocuted (Beji Okkez 2016b). For five days, demonstrations rocked the city of Kasserine, until people occupied the Governor’s office with a permanent sit-in. Hundreds of young people in the same situation turned to face the region’s Governor, provocatively chanting: ‘where is our dignity?’, ‘Ridha Yahyaoui is a martyr’, and ‘we are all martyrs of poverty’ (Bouazizi 2016). Demonstrators were led by the UGTT and the Tunisian League of Human Rights in
Kasserine, whereas in neighboring regions other associations were also instrumental in further mobilizations, including the UDC (*Union Diplômés Chômeurs*, with whom Ridha Yahyaoui was himself active), the UGET, the UGTT, and the Popular Front, a leftist secular political party.

The government gathered on January 20 and proposed hiring 5000 people in the region, but this was perceived as failing to systematically tackle the sources of inequalities and the dearth of concrete development plans. On January 22, tensions between protesters and the police heightened, arrests were made, and people on both sides were injured. Dozens of Kasserine’s protesters traveled to Tunis to explain the reasons behind the mobilization and garner further support. They established a permanent sit-in in front of the Employment Ministry. The sit-in was explicitly apolitical, and gathered informal groups of protestors. However, the role of the two unions, the UGTT and the UGET, was visible in the demonstrations in the capital. The protests in Kasserine were purposely apolitical, and refrained from accepting tutelage from any political party. Across the political spectrum, however, there was a shared acknowledgment that the 2016 Kasserine protests stood in line of continuity with the 2010–2011 revolts, in terms of demands and claims. Social demands focused on jobs, local development, inclusion in national economic plans of historically marginalized regions, and the fight against nepotism and corruption, considered responsible for the death of Yahyaoui (Beji Okkez 2016a, b), as his place on the employment list had been taken off in order to include individuals more politically connected, a typical dynamic of clientelist practices between local political representatives and the main trade union at the time of Ben Ali, which had engendered the Gafsa revolt in 2008 (Chouikha and Gobe 2011). Both independent and political newspapers, as well as the daily newspaper of Ennahda (Hamzaoui 2016), espoused this reading, and adopted a positive view of protesters and their legitimacy. Protesters, on the other hand, refrained from asking for new elections or criticizing political democracy, even as they vented their anger at the worsening of material conditions in their regions, the lack of work and dignity, and enduring nepotism and its trickle-down effects (Ouni 2016). The element of dignity was continually invoked by protesters, both in Kasserine itself, and in Tunis, by protesters visiting from Kasserine: their identity as Tunisian citizens, they said, was purely a formality, devoid of any substance in terms of rights (Baraket 2016). The combination of socio-economic grievances and moral legitimacy claims, in other words, as had successfully happened in 2010–2011, traveled across the country and shook the political spectrum.
The way in which the new wave of protests was dealt with by the police hit a sensitive chord, given the violence employed, and the overall repressive attitude shared by various police forces at a local level. Some declarations by government representatives attempted to discredit protesters by insinuating that criminals or terrorists had infiltrated the movement, menacing the country’s security (Okkez 2016).

In February 2016, unfulfilled promises over the exploitation of natural resources, in particular the opening of a phosphate-mining district, with the prospect of local jobs, led to a round of protests in the city of Meknassy, in the governorate of Tataouine. A third of the city’s working-age population is unemployed, in large majority people with higher education. At first, the contentious outburst took the shape of a sit-in in front of the Governor’s office. It then became a symbolic march outside the city, and lastly a road blockage between Gafsa and the port of Sfax, hindering the transportation of phosphate. Organizationally, three different groups collaborated in structuring the protest actions by joining forces in a Coordinating Committee of Civil Disobedience: these were the UDC, groups of workers with precarious contracts at the municipal offices, and the unemployed who had been selected as workers for the future phosphate mines. The UGTT acted as external supporter and mediator between the committee and the local authorities.

Even the island of Kerkennah, a natural reserve covering 160 km², only 20 km from Sfax, and cradle of unionism (Farhat Hached, the founder of the UGTT in 1946, was from the island), experienced a crisis which turned into a popularly supported revolt in April 2016. The initiating spark occurred when the oil company Petrofac, 51% of which is owned by the Tunisian company ETAP (Entreprise Tunisienne des Activités Pétrolières), backtracked on its 2015 promise to the UDC of hiring 300 workers from the environmental sector still without contract. From 2011, the energy company had committed to a state program of hiring more than 250 people in the environmental sector. Starting on January 19, a group of unemployed youths, initially supported by the UGTT, demonstrated in front of Petrofac. In April 2016, after violent clashes between demonstrators and the police, the police left the island. Negotiations between a plethora of social actors, including the UDC, civil society, fishermen, and the government, mediated by the UGTT, started in September 2016 (Mekki 2016). With ebbs and flows, mobilizations lasted for six months, and the violence exerted by the police on April 4 left scars on the tiny and
quiet island, with inhabitants describing the attack by surprise at night as being like a counter-terrorist operation (*ibid.*).

Despite the suppression of the January 2016 protests, contentious collective action has continued, and socio-economically driven protests have been on the rise again since September 2016. In parallel, the use of violence by security forces to repress them has also increased (FTDES 2016). In fact, street mobilization has never gone away in the last six years, but, since the post-2013 intra-elite consensus—which paved the way for the technocratic government of 2014 and the national unity government of 2015—repression and criminalization of labor action and protests, accused of derailing the country’s slow pace of economic consolidation, have become commonplace (Boubekeur 2015). Securitization of collective action has gone hand in hand with attempts to quell protests by promises of jobs and infrastructural projects, often stalled for bureaucratic rather than economic reasons.

In the spring and summer of 2017, large protests erupted in the governorates of Kairouan, Zaghouan, and in Kef. In April 2017, the desert site of El Kamour, a major valve and pump station for oil extraction in the southern governorate of Tataouine, was the major location of intense mobilization. Numerous unemployed youths marched from Tataouine to El Kamour: the blockade at the oil extraction site lasted for over three months, including the month of Ramadan. Eventually, it was violently repressed by the police, leading to the death of one protester, run over by a police car. This intense mobilization centered around two intertwined demands: on the one hand the reinvestment of oil profits locally, and on the other, the creation of more jobs for residents by the locally active private companies. This was premised on the continuing perception of injustice linked to a persistently higher than average rate of unemployment in Tataouine (30% as compared to a national average of 16.8%), despite the wealth of natural resources in the territory, which borders Libya (Cherif 2017). Protesters justified their rage not just by referring to the dire economic conditions of the region, but pointing out the gap between resources and poverty, which fueled their sense of regional disparity and injustice as a consequence of long-standing political discrimination (Beji Okkez 2017), and led increasingly to the emigration of staggering numbers of the region’s residents, first and foremost to Italy (Herbert and Gallien 2017). In the words of the sit-in organizers, the sense of injustice was directly correlated to the existence of natural resources, exploited by the state in conjunction with private energy companies without enough
transparency, and high levels of unemployment, in a relatively small local population (around 160,000). Protests stemmed from this paradox and the ensuing sense of profound indignation, as well as targeted under-investment, and regional marginalization (El Kamour 2017).

The identification of different mobilization periods, with the characterization of the post-2016 protest landscape as a particularly contentious one, has underlined some common traits linked to the under-development or mismanagement of natural resources, the role of unaccountable local political elites, and the frustration linked to the perception of long-standing discriminatory practices against inner and southern regions, even in those cases where the presence of natural resources could change the economic prospects of these populations.

5 Conclusions

Political participation in post-uprisings’ Tunisia has taken a wide array of forms and shapes, both formal and informal. The rise in political participation has often taken the shape of protests and contentious politics, which have, at different stages, influenced the national debate and overall political trajectory.

In 2011, the dynamics of contentious politics in Tunisia did not come out of the blue, but epitomized only the latest wave of mobilization. Waves of contention, moreover, have not ceased to punctuate the country’s political trajectories: strikes, sit-ins blocking streets and railroads, rallies of unemployed graduates (diplômés-chômeurs) are sporadic or on a day-to-day basis. These low-level, self-perpetuating mobilizations (Vatthauer and Weipert-Fenner 2017) swelled into larger scale, regional and even national waves of protest following a major catalyst event, imbued with a shared narrative of exclusion. This is what happened in 2011 with the self-immolation of Mohamed Bouazizi, and later, with Ridha Yahyaoui in 2016, and Mouchine Fikri in 2017. Sidi Bouzid and Kasserine share a common history of marginalization by an oppressing and humiliating central authority, which polices and securitizes these territories and communities rather than administering them. Notions of karama and hogra have represented a common thread across the country’s marginal areas (and in other Maghreb countries), a cross-cutting feature at both a spatial and temporal level. As has been illustrated, protesters’ discursive frames in 2010–2011 conflated the expression of social, territorial, and economic grievances with that of
neglected cultural, linguistic, ethnic, or social identities. This misrecognition, as Nancy Fraser would put it, was strategically universalized by broadening the set of issues around which larger coalitions of actors could unite. The call for greater transparency, social justice, and dignity, as well as the fight against corruption, were the issues around which a larger mobilization was easier to coalesce. This was manifest with the shift from demands in late 2010 related to local employment and development to ones dealing with more general socio-economic rights and regime change in 2011.

The hinterland and southern regions of the country, especially those bordering Libya, have mobilized in increasingly assertive ways. These areas, which mostly fall under the governorate of Tataouine, have historically suffered not only from economic and infrastructural neglect and under-investment, but also from missing cultural recognition of their historical experiences during the early years of Bourguiba when they rallied around his competitor, Ben Yousef, as well as their transregional clanic and tribal allegiances with northwest Libya (Willis 2016; Bono et al. 2015). Lastly, the number of protests throughout the country has grown sharply since 2015 and contentious actions have become increasingly fragmented, depoliticized, and decentralized (Vatthauer and Weipert-Fenner 2017).

In 2010–2011, mobilizations were initially kickstarted by a heterogeneous mix of societal forces and were only at a later stage hijacked by political parties, bandwagoning on societal forces’ revolutionary demands. Six years on, despite the empowerment of opposition parties that were previously either banned or under-represented, contentious collective action has increasingly developed separately from formal politics.

The 2016–2017 protests have pointed to an even greater will from social forces to separate themselves from established political entities, including Islamists. Significantly, the protests in Kamour were disconnected from formal political or social actors. The continued lack of redistribution, coupled with the misrecognition of demands coming from marginalized and disenfranchised areas which have also been historically marginalized due to their limited loyalty vis-à-vis projects of nationalistic state-building, has only partially succeeded in creating cross-cutting coalitions of mobilized actors able to nationalize contentious discourses and practices. While in 2010–2011 protesters generated powerful universal discourses about inclusive citizenship, the recent contentious outbursts have remained more localized in terms of struggles and acts of protests.

2. Video “Siliana 29/11/2012”, No Pasaran Production: https://www.youtube.com/watch?v=9SmurkOXHF4

3. Nessma TV showed the march on TV on November 29th, 2012: https://www.youtube.com/watch?v=W8KZrTd zgLU

4. Hearing of the Minister of Industry, Energy and Natural Resources in front of the Parliament, 8/6/2015. Available at: https://majles.marsad.tn/2014/fr/chroniques/5576052f12bdaa7a6c4560a5

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CHAPTER 4

Limited Statehood and Informal Economy

Abstract  The informal sector has traditionally accounted between a third and half of the national GDP, and since the 2011 uprising, given the slow growth experiences, this trend has further consolidated. In marginal areas of the country, in particular the southeast area bordering with Libya and interior regions bordering with Algeria, cross-border smuggling has represented a social and economic safety valve. Until 2010, this occurred under the benevolent eye of the regime, which simultaneously controlled it through local notables and security forces and profited from it, by letting smugglers bribe state officials, be they notables or security forces. It also allowed the regime to concentrate resources and investment in the so-called useful Tunisia, the coastal areas, further increasing socio-economic regional disparities. The political and economic discrimination of these regions has been an established practice since the creation of modern Tunisia in 1956 and increasingly so since the 1990s. Since the 2011 uprisings, the increasing number of non-state actors involved in this sector and the incapacity and/or unwillingness of the central authority to enforce and implement laws, both in terms of curbing this trade and also of implementing the constitutional provisions related to positive discrimination and investment in marginalized regions, have further cemented limited statehood vis-à-vis these geographical areas and this policy arena.

Keywords  Smuggling • Transnational • Resistance • Accumulation • Tunisia • Informal economy
Geographic disparities in Tunisia have, since the 1956 independence, juxtaposed the well-off areas around Tunis and the coastal zone to the south and the central regions, not just marginalized on a territorial basis but socio-economically and culturally (Bono et al. 2015). This geography, as elaborated in the previous chapter, pitting forgotten peripheral areas against well-off coastal and northern ones around Tunis, played an essential role in stirring protests in late 2010 and since then (Ayeb 2011).

The waves of protests and contentious collective actions in Tunisia before and after 2011 have originated from marginal areas. These regions’ marginalization has strong economic connotation but has deep-seated historical roots pertaining to incomplete processes of state-building.

As recounted in the previous chapter, the history of the country’s contentious politics dates back well before 2010 and readings in terms of continuity dynamics are helpful in illuminating the long-standing relevance of economic claims but they do not necessarily shed light on the coterminous presence of multiple dynamics at the heart of different instances of mobilization.

Since the 1984 bread riots, the country had known localized and organized demands for improved economic conditions. However, it was at least with the protests in Gafsa in 2008 that economic demands were more explicitly articulated alongside more broader demands for dignity and recognition, the two pertaining to the analytically distinct but politically intertwined dimensions of economic redistribution and social and cultural recognition (Daoud 2011; Fraser 1995). Demands expressed in 2010–2011 and since then went beyond this dimension, by claiming far more than resources’ reallocation from the center to the periphery, but, simultaneously, a recognition of the historical injustices suffered by these populations, with an acknowledgment of their distinct claims. So, while the demand for change originating from these regions went beyond the material dimension, this sparked it and acted as the needed catalyst to mobilize and act upon long-standing grievances.

The governorate of Tataouine in the southeastern part of the country, bordering with Libya, for instance, has been a locus of much of the past decade contentious politics. The existence of strong clan-based, trans-regional allegiances with northwestern areas of Libya, as well as historical experiences of resistance vis-a-vis the Bourguibiste project of centralized statehood, has paved the way for the emergence of geographic and sectoral ALS. As illustrated in the first chapter, ALS are areas where the capacity to implement and enforce central decisions is lacking and where there
is no monopoly on the use of force (Risse 2013). The restriction of statehood can occur on different levels: functional or sectoral (only in some policy areas), territorial (only on some parts of the territory), temporal (only for a certain amount of time), and social (only with regard to specific parts of the population). This chapter deals with a policy arena, the informal economy, which corresponds to some of the country’s peripheral areas. However, rather than merely describing these regions as lying outside the reach of the central authority in terms of effective control and implementation of decisions, the degree of entrenchment of informal economic dynamics points to a much more complex picture of state-society relations which this chapter will explore. Far from indicating an attempted but unsuccessful state penetration in some regions and policy arenas, namely, the origin and flourishing of informal economic activities since independence epitomizes a rational decision by the Tunisian central authority to concentrate investment and resources in areas more economically developed and politically more loyal to a statist project.

1 Flawed Economic Structures and Their Legacies

The economic system Tunisia inherited from the post-colonial period presents systemic imbalances that have historically heavily impacted upon the capacity of marginalized regions to develop. As a matter of fact, despite being considered by Europe and the United States the poster child for competition and open markets, Tunisian development has come at the expense of southern and marginal areas and to the benefit of a lucky few, geographically concentrated in coastal areas and the greater Tunis. Despite a neo-liberal and pro-market reputation, Ben Ali’s Tunisia displayed the key features of a nepotistic and highly clientelistic economic system. A main point of contention in state-society relations—beyond unemployment—was namely the uncompetitive nature of the private sector, dominated by ‘networks of privilege’ (Heydemann 2004). These were politically connected individuals, groups, and families benefiting from a preferential treatment for their enterprises, granted by the regime against national and foreign competitors (Rijkers et al. 2014). Under Ben Ali, key business elites benefitted from their personal ties to the President and his family, thanks to Ben Ali’s ad hoc imposition of new authorization requirements to shield from competition firms and enterprises operating in key and profitable economic sectors. In such entrenched system of crony capitalism, elites close
to the power center became the regime choice players and were given special treatment, ranging from special tax breaks, insider information, and lucrative government contracts (Kalin 2012).

The fake competition and unjust rules of the game were perceived by ordinary Tunisians as acts of standard injustice which made the prospect of a dignified life and a safe job a distant one. Socio-economic injustices, in other words, were a byproduct of an institutionalized and top-down designed ensemble of selective mechanisms designed to stave off social and economic competition in key economic sectors, protecting a homogenous group of selected few. This epitomized a textbook case of neopatrimonial logics at play in a well-entrenched post-populist regime, where economic resources had been depleted and the previous social contract was harder and harder to maintain (Hinnebusch 2015).

When in the early 2000s the effects of structural reforms introduced in the late 1980s became manifest, it was the south that suffered most. Structural adjustment programs, coupled with a crony capitalist system, led to an increasing precarious job market unable to absorb qualified and unqualified workforce. This exacerbated the divide and inequalities between the area around Tunis and Sahelian cities on the one hand and the rest of the country on the other. The spatial dimension and political geography of investments and infrastructures epitomize the entrenched systemic imbalance, with the latest budget law by Ben Ali before the 2010 revolts, devoting 80% of resources to the coasts and only the remaining part to the interior regions (Bono et al. 2015: 103). The dearth of modern infrastructures, as exemplified by the Protectorate-dating railway line connecting Tunis to Jendouba from 1884, another marginal area of the country in the west, had wide-ranging implications as it obliged the interior rural areas to send their agricultural products to the coasts where they could be processed. This is just one example of what local populations from interior regions have historically depicted as ‘absence’ or ‘abandonment’ by the state (Bono et al. 2015: 115), which however should be depicted as part and parcel of a rational strategy of privatization of state assets and resources to local and international business. While privatization was one among several aspects of the state’s calculated strategy of concentrating investments and resources only where more profitable, the consequence in terms of governance was the crystallization of ALS where hybrid governance arrangements consolidated. This was a manifestation of the state’s ‘organized hypocrisy’ (Krasner 1999) between expectations generated in terms of rights and services, and presence and performance on the ground.
In particular, regions that had supported the only competitor to Bourguiba, the father of the nation, in the late 1950s, Salah Ben Yousef, such as Tataouine, suffered from the unjust socio-economic redistribution of resources within the country and developed alternative economic structures, often informal, also benefiting from their proximity to the borders with Libya.

Similar trends have characterized the region of Gafsa, where, despite the phosphate-mining district, poverty and unemployment levels have remained significantly higher than in the north and coastal regions, and where allegiance toward the central authority represented by the Bourguibian state has suffered as a consequence of decades of exploitation without reinvestment in this region’s local development.

The discrepancies between the privileged and the disadvantaged areas of the country can be illustrated on a number of levels. For instance, in 2010, the presence and level of infrastructures, social facilities, hotels, and universities in the coastal region (including the provinces of Sousse, Monastir, and Mahdia), while comprising only 14.4% of the overall population, surpassed those in the midwest and south (Sidi Bouzid, Kasserine, Gafsa, Kebili, Tozeur, Medenine, and Tataouine), home to almost 20% of the population and covering 70% of the country’s land (Aleya-Sghaier 2014). The coastal area had grown at the expense of the other regions, both as a result of historical factors and unjust distributive policies. In that respect, geographically located socio-economic grievances had been vocally expressed throughout the previous decade. Miners had taken to the streets in Gafsa already since 2003, and, then, most notably, in 2008, when the rebellion in the mining district represented a watershed, and an event now considered the precursor of the 2010–2011 uprisings (Khatib and Lust 2014: 5). It was not by chance that the revolutionary spatial trajectory in late 2010 started off with protests in the marginal cities of Thala, Kasserine, Gafsa, Redeyef, and Métaoua, before heading north along the Algerian border, passing through Jendouba and then reaching Tunis. Needless to say, violence against protesters was particularly acute in the initial instances of mobilization, which occurred in places with a deep history of activism (Chomiak 2014: 40).

As a consequence of these regions’ deep historical roots and their only partial adoption of the nationalistic project, successive governments since 1956 have chronically under-invested in these areas’ development. Turning to the opportunities provided by the informal economy has therefore represented a safety valve able to partially absorb frustrations
and offer needed resources to marginalized populations, while partially taking off the hook Tunisian governments, turning a blind eye to low-ranking state officials’ corruption practices allowing for the flourishing of informal economic activities.

Far from representing a negligible part of economic activities, accounting between 35% and 40% of the country’s GDP, the percentage of informal work was, at least until 2010, the lowest in North Africa. Since then, this percentage has steadily increased and has also qualitatively changed. Starting from 2013, namely, illegal activities have been on the rise, mostly focusing on cross-border smuggling (Charmes and Ben Cheikh 2016: 47).

The backbone of informality is represented by the smuggling of tobacco, petrol, clothes, and electronics from either Libya or Algeria. The two regions where the informal economy is concentrated are the southeast region bordering with Libya, and the west bordering with Algeria. There, unemployment has historically been higher and has increasingly been so, even since the 2010–2011 revolts. Already in 2010, unemployment at the national level stood at 12%, with however one-third of young people jobless, and high rates of under-employment, something widely considered a chronic problem (Klaas 2016). Four years after the uprisings, in 2015, while the national rate of unemployment was 15%, in the southeast it reached 22% and in the southwest 26%. Even within these three broad areas there have been significant differences in unemployment levels, between internal cities such as Tataouine (30%) and coastal ones such as Monastir (6%).

Economic crises spur the increase of informality: since 2008 and in particular 2011, smuggling has been on the rise, facilitated by the even more porous nature of borders with Libya and Algeria in the aftermath of the 2010–2011 uprising and the temporary diminished capacity of the security sector to effectively patrol these areas.

The cross-border smuggling with Libya through Ras Jedir has historically concentrated on food, electronics, and clothes, exploiting the goods’ price difference between the two countries, thanks to pre-2011 subsidies in Libya, allowing for significant revenues in Tunisia. On the western border, petrol smuggling represents 80% to 90% of the overall illegal commerce with Algeria and has seen the proliferation of armed groups controlling the smuggling routes, asking for payment to individual smugglers and clearing the way from the police if the need arises (ICG 2014). The informal sector does not necessarily include illegal activities, as it is defined along one dimension, that is employing less
than six workers, thereby mostly consisting of micro-enterprises. Informal work refers to the lack of any social protection and coverage for workers. While its costs can be measured in terms of lost fiscal revenues for the state and the ensuing gaps in public finances, others contend that in the last three decades, Arab states have pushed young people into the informal sector on purpose, as with the progressive dismantling of state bureaucracies this represented a safe channel of incorporation into decent work (Achcar 2013).

The informal economy, however, has neither represented only a form of economy of survival or subsistence (Meddeb 2012), given the strategies of accumulation it has allowed for (Pontiggia 2017), nor could it be simply categorized as a manifestation of resistance against the central authority. In a more dialectical way, this chapter argues, this consolidated phenomenon should be viewed as a space for negotiated delegation by the central authority to sub-national actors occupying ALs where the rulers have not wished to go. The limited Tunisian statehood in the informal economy policy arena, geographically overlapping with part of the south-east region of Medenine and the western area bordering with Algeria, has enabled the regimes in place to continue invest in politically relevant coastal areas, and the capital, while at the same time controlling through patronage and local notables and proxies the political economy of informality that has allowed these regions to keep afloat.

2 Historical Images of Marginal Areas

Far from suffering from the consequences of the extension of informal economy and the diffusion of illegal practices in specific areas of the country, these manifestations of alternative economic, political, and cultural practices were historically employed to discredit the imagined representation of these populations. Reference to smuggling and contraband was namely used to perpetuate an image of southern Tunisia not just as a backward region, but as a hotbed for radicalized sentiments against the central government. This threat perception was based on historical accounts of these areas’ insurrections already during Ottoman times against power. This was the case, for example, in 1864 when a new taxation system was imposed by the bey, the Ottoman ruler. This had led to the formation of a large armed social movement, mostly tribal, that spread across the country, including Kairouan, Thala, Sfax, and Béja. Protests were rapidly repressed in blood (Smida 2007). Under French colonial
rule, the labor union movement started gathering in the south (Bessis 1974) as did nationalist armed resistance against the French, launched by Habib Bourguiba (Chater 2003).

Southern Tunisia is also the place of the major mass protests in the country’s post-colonial history: this was the case in 1978 with the general strike, the 1984 bread riot (Abdelali 2006; Rollinde 1999), and the pre-revolutionary movement in Gafsa (Allal and Bennafla 2011). In the 1960s and 1980s, two revolts were organized in the same governorate (Boursali 2006; Baudel 1981). Not by chance, the only anti-Bourguibian potential leader, Salah Ben Youssef, killed by a commando in Germany in 1955, was an Islamic nationalist militant from the south (Khlifi 2005). As argued in the previous paragraph, therefore, the widespread opposition to the Bourguiba-led nationalistic project in these regions has remained a cultural element in the legacy not just of how these populations perceive themselves in terms of cultural, horizontal identity, but also of how they are perceived by the ruling regime.

Southern and western Tunisia has thus historically been depicted as the place of backwardness, danger, and social unrest. These regions, historically traversed by semi-nomadic tribal families, were called arrière-pays by both Bourguiba and Ben Ali: areas that were in need of development and civilization through the extinction of tribal solidarities (Hanau Santini and Pontiggia 2018). Since the colonial period, the Tunisian historiography depicted tribes by highlighting their wild features, their dissident nature, their predatory attitude, and overall lack of respect of broadly shared modern cultural norms (Ettayeb 2006). The step from these descriptions focusing on negative connotations to calling for their disappearance was relatively small. The threat they allegedly posed to the beylicale state was employed to justify the French intervention, as the modern Tunisian state was considered inadequate to rein them in (Ettayeb 2006). The dual image of a civilized and organized urban space in the north and coastal areas opposed to a barbaric ‘Other’ dominated by nomads and ‘Bedouins’ became a narrative adopted by ruling regimes in their quest to break up horizontal, be they tribal or clanic, solidarities (Pontiggia 2017). This was done, under Bourguiba, by institutionally dividing the territory into governorates, extending from east to west, so as to dilute tribal identities (Sandron 1998). Successive governments used different strategies to weaken these sub-national loyalties: in 1956, the adoption of both the Personal Status code and the patronymic law was intended to dilute the
bonds of bloodline (Labidi 2008). In 1959, a law specified that each household had to pick a patronymic (Charrad 2001). This dualism between the industrialized east and the tribal south and west continued under Ben Ali, who resumed Bourguiba’s expression of ‘gray areas’ and defined the country’s interior as a sort of ‘behind the scenes’ of the Tunisian miracle (Hanau Santini and Pontiggia 2018).

In accordance with the above-mentioned narrative constructions, and the ensuing dichotomy opposing a modern and worthy north and coastal areas and a backward and expendable south, decisions by successive governments have been taken with direct policy implications in terms of investments’ preferred concentration and creation of employment opportunities. The central authority—through its local agencies, such as the Commissariat général du développement regional (CDGR)—deliberately chose to devote all its energies to the ‘useful Tunisia’ (Bono et al. 2015: 117) accepting to penetrate in a less intensive way inland areas, leaving them under the influence of local notables and alternative sources of authority and loyalty. The hidden assumption was that this would enable it to concentrate its efforts in selected areas which could grow more quickly and which accepted the nationalistic project in a more enthusiastic way (Ibid. 2015).

Again, redistribution of economic resources (or its lack) went hand in hand with recognition of local population and the identification with a specific political and social project. Border regions in that respect present a more multifaceted layered structure of allegiances and identification. Suffice it to think that the area from Matmata in the Tunisian desert to Tripoli in Libya is thought of as a trans-border Tunisian-Libyan region sharing strong communal and tribal ties, with the Ourghemma tribe having ramifications all along the area (Ayeb 2016).

The narrative construction of a backward and threatening south has remained, and has received new force from the presence of terrorist cells in central and western localities, which were engaged in several fights with the armed forces that provoked numerous victims (Mejri 2014). Current President Beji Caïd Essebsi, during the 2014 presidential campaign, accused voters of Moncef Marzouki, his opponent and native of the south, of being terrorists since being Islamists (Gharbi 2014), people that challenged the integrity of the nation. Since the vast majority of Marzouki’s supporters were concentrated in the south, Essebsi was operating under a regionalist assumption that linked geographical origins, religion, and national security.
3 GRAY AREAS AND INFORMALITY: SURVIVAL AND ACCUMULATION POLICY RATHER THAN RESISTANCE

Two bordering regions of the country could be conceptualized as area of limited statehood, and probably no in-depth case study can illustrate this better than the area of Benguerdane, at the border with Libya, and the Kasserine region bordering with Algeria, in the western part of the country.

ALS are not necessarily a form of resistance against the state but they can be the outcome of a tacit agreement of disinvestment by the state and parallel development of alternative models of economic subsistence if not development. On the one hand, the existence of parallel models of economic subsistence allowed the state to continue ignoring these areas, as their survival did not depend on public resources, which the regime could invest in central regions. Moreover, the state did not abdicate the control over these territories, as it kept its grip through local notables and the security forces. Lastly, the regime profited from the revenues of informal activities, thanks to local intermediaries (Meddeb 2016). If in ALS, government authorities and institutions become too weak to enforce central decisions and non-state actors play an increasingly assertive role (Risse 2013), in Tunisia this took the shape of an unspecified devolution from above. It was under the regime of Ben Ali, namely, that smuggling in cross-border areas became not just tolerated but ‘approved’ by the regime.

As previously argued, the political and economic discrimination of these regions has been an established practice since the creation of modern Tunisia in 1956 and increasingly so since the 1990s.

Marginalization worsened under Ben Ali, when two-thirds of public investments were allocated to coastal regions and no strategy was devised to redress these imbalances: 85% of Tunisia’s GDP came from the combined economic activities of Tunis, Sfax, and Sousse (World Bank 2014). Labeling these areas as marginal and peripheral is not intended to refer purely to their geographical location, but to the perception of these areas both in the capital and from these areas themselves.

The lack of interest by the state in the development of marginal regions led to the emergence of a polycentric governance which helped maintain a form of social order and economic development, controlled by clienteles in cooperation with the security forces (Meddeb 2017). Smuggling, representing around 38% of the Tunisian GDP and 40% of existing jobs, embodied a ‘real economy of necessity’ in areas like Kasserine.
Hamza Meddeb refers to the cross-border informal economic activities performed by avoiding state controls as the ‘race for khobza’, literally ‘bread’ (yejri ‘al khobza): the struggle for daily survival by ordinary Tunisians in these areas by resorting to illegal but socially accepted forms of access to material resources (Meddeb 2011). Interestingly, this economy of necessity, rather than of resistance against the state or its authority, is strengthened by horizontal axes of solidarity among people sharing a similar fate. These solidarity networks, against which the Tunisian state, even in the post-revolutionary phase and its democratic consolidation stage, has tended to respond aggressively and coercively, could be conceived as examples of ‘moral politics of material demands’ (Chomiak 2016). Expanding on and refining what Meddeb (2011, 2012) says, placing oneself at the margins of legality can depend not only on immediate material needs or exclusion from the liberal market, it can be a choice motivated by the desire to achieve economic goals that would be difficult or impossible to realize otherwise. While survival is the driving force for a great part of the Tunisian population, and pushes disenfranchised citizens toward non-regulated economies, others choose informality because of its profitability. In this sense, the concept of the ‘race for khobza’ can be nuanced by separating analytically the set of tactics used by the individuals from their final goal. Examples will be offered in the next paragraph.

Until 2010, smuggling occurred under the benevolent eye of security forces and local notables (close to the Ben Ali clan) controlling the territory, within a tolerant approach by the state that considered smuggling as a safety valve given the systematic politics of social and economic marginalization. Since the revolution, the sector has seen a proliferation of actors carrying out smuggling activities, partially acting individually, partially organized in criminal networks (Erguez 2016). This seemingly democratization of hybrid governance with the increase in the number of actors involved in informal and illegal economic practices has strained the previous social pact.

The perverse effects of marginalization leading to waves of protests or contentious outbursts are at best represented by the area of Kasserine. In this area live half a million people, and it is where the highest number of fatalities and injured people were registered in the 2010–2011 revolts. It is also where rounds of protests erupted in 2012, 2013, and 2016. The unfulfilled promises of investment and infrastructural projects stirred new rounds of contentious mobilization, as was the case in early 2016. The chronic blatant disinvestment in these areas by the central
government has led, from time to time, to periodic symbolic mass exodus toward Algeria, and to villages on the borders with Algeria displaying the Algerian flag, in an open act of defiance and demand for attention vis-à-vis the Tunisian authorities (Mejri and Zriba 2016).

The western Tunisian border is probably less known than the frontier separating the country from Libya, where huge and well-furnished informal markets make the economy of cities like Benguerdane, a symbol of the informal economy in the country. There, a form of commerce called trabendo (Péraldi 2001, 2007), that is informal commerce, has a long history and, during Ben Ali’s years, was not only tolerated but even managed by the ruling party, the Rassemblement Constitutionnel Démocratique (Democratic Constitutional Rally (DCR)), and the police, as previously argued.

This activity, generally based on the purchase of clothes and other goods coming from abroad that are resold in garages or private homes, was increasingly controlled by informal capitalists linked to President Ben Ali and his wife, Leila Trabelsi. This activity needed to escape from custom control, and, for this reason, it was quickly monopolized by the elite in power. Samy Elbaz (2009) showed that informal economies were articulated and moved on a south-north axis favoring the so-called Sahel, the eastern coastal regions. In his analyses, the old DCR party profited from a lack of police control towards their representatives to organize a network of buses and louages that, while transporting political activists, could also bear clothes and goods illegally imported from the southeastern border and destined to the informal markets, the so-called frip, in the north and the capital. Elbaz focused on the large market of Benguerdane but his line of reasoning could be applied also to the reverse journey of the goods produced by the textile companies in the north going to the south (Pontiggia 2017).

Besides informal economy of standard commodities, with the democratization of the informal economic arena smuggling has enlarged to other goods, weapons, and drugs included. Under Ben Ali, around Benguerdane, the Touazine tribe was in charge of smuggling activities. In a tacit agreement with public authorities, arms, drugs, and terrorists were denied entry into Tunisia. However, since 2011, with the proliferation of smugglers and the diminishing border controls, the previously centralized control of goods and people has been put in question, with serious implications for border security and for the capacity of the state to effectively monitor what and who goes out and who comes in (Bletry 2015).
4 Negotiating Practices of Informality

More important, the informal economy extensively relies on social ties, showing that a relational logic is in place in every sector of Tunisian social life. It is commonly referred to by two specific terms, the first being the French expression *le relationnel*, which identifies the necessity to manage relations to succeed in daily life. Receiving a document, obtaining employment, accessing social services, and other tasks are almost impossible to fulfill without recurring to (and dealing with) a vast social capital (Pontiggia 2017).

This relational dynamic is at the heart of the Tunisian state since the immediate post-colonial era and was first personified by the Supreme Combatant, Habib Bourguiba, who was known for being willing to personally attend to requests. During a visit to the southern region of Gafsa in 1968, he read the letters of people directly asking him to solve their problems, be that social assistance or financial aid (Bourguiba 1981: 328–329). The Tunisian President envisaged the foundation of local commissions all over the national territory in charge of dealing with local requests and individual cases. This paved the way for the officialization of the practice of negotiation between local populations, *omda*, party representatives, and institutions, that would become the norm in post-colonial Tunisia. Over time, and even more frequently during Ben Ali’s years, the initial social and humanitarian stance turned into a real governmentality technique, rooted not in the effort to implement specific governmental plans, but in managing social discontent through accommodation and negotiation, and in transforming collective problems into individual cases. This form of governing people is still in place in the post-revolutionary moment (Hanau Santini and Pontiggia 2018).

State representatives, and in particular *délegués*—public officials representing the governorate at the local level—are embedded in personal relations with members of the local communities looking for work, social care, or medical services (Meddeb 2015). They need to be good at managing social relations, showing themselves engaged in resolving the problems posed by the man or woman in front of them. At the same time, people learn to manage their relation to the *délegués* and how to reach their goals without irritating and annoying the state representatives. *Le relationnel* is, therefore, a social ability both the local populations and the state officials must develop to surf the difficulties of daily life.

In the marginalized areas of inner Tunisia, the investment code and a general lack of infrastructures keep entrepreneurs away in favor of the
coastal northern and eastern cities such as Tunis, Sfax, and Sousse. In addition, under Ben Ali, most of the firms investing in the regions proved to be just an instrument to accumulate economic capital that was transferred elsewhere in the north of the country. For these reasons, an employment in the public sector, be it a state-driven firm or the administration, has traditionally stood for the life insurance every Tunisian citizen is after.

In these areas, a close tie between families, intermediary bodies, and state representative has historically been in place. On the one hand, the patriarchal family is still an institution capable of economically and materially helping its more vulnerable members, especially the youth. On the other hand, the search for connections among acquaintances, friends, and relatives is a historical reality in Tunisia, and particularly in the border regions where the state tends to perpetuate a logic of negotiations and exploitation of one’s social capital to rule. Local forms of solidarity are not a form of opposition or resistance to the state, but, on the contrary, they link people and families to public institutions and contribute to reproducing inequality and subordination (Hanau Santini and Pontiggia 2018).

5 Addressing the Gap Between Expectations and Reality: The Changing Organized Hypocrisy of the Tunisian State Since 2011

In the wake of the 2011 revolts, people expected not just an improvement in civil and political rights but considered tangible improvements in socio-economic conditions the real litmus test (Robbins 2016).

The political economy of the transition process has failed to generate a more balanced, participatory, and inclusive system of economic development, and was unsuccessful in devoting attention to local communities. In parallel, and not unrelated to that development, formal political participation has been diminishing, with rates of electoral turnout falling since October 2011. The 2014 Constitution, despite being the product of a consensus-building exercise, has failed to contain political polarization and placate the increasing sense of disenfranchisement lying at the heart of several protests across the country.

Since 2011, informal participation, mostly revolving around sit-ins, marches, and protests, has remained high, particularly in peripheral regions. The expectations-capability gap between what had been promised in the early post-revolutionary phase and what has been delivered has fostered further protest action. As recently documented, protests have been
on the rise since September 2016 across the country, and in parallel, the use of violence to repress them has increased too (FTDES 2016). Street mobilization has actually never disappeared in Tunisia in the last six years, but from the post-2013 intra-elite consensus—which paved the way for the technocratic government in 2014 and the national unity government in 2015—repression and criminalization of labor action and protests, accused to derail the country’s slow pace of economic consolidation, have become commonplace (Boubekeur 2015).

The grievances expressed in these marginal areas since 2011, where almost three million Tunisians live (one-third of the overall population) with limited access to modern infrastructures, were characterized by the coterminous presence of economic claims and requests for social recognition. Post-2011, contentious politics in these areas had a twofold logic: on the one hand, far from being a form of resistance to the state domination, they were an attempt to induce politicians to apply the positive discrimination the new Constitution foresaw, in terms of greater social and economic involvement in the development of these areas, and on the other, they manifested against state intrusion in the informal trade activities on the borders that keep these regions alive. In other words, the sporadic attempts by a central authority perceived as even more absent than in the past to tighten control over borders and informal economic activities carried out in the country’s inner regions have stoked up resentment and further demands of applying those principles of positive geographic discrimination formally enshrined in the new Constitution.

Namely, given the strong correlation between the presence and vitality of informal economy and geographic inequalities, the Constitution has singled out the principle of positive discrimination for historically neglected areas in need for visible investments (Article 12). Moreover, chapter seven of the 2014 Constitution (consisting of Articles from 131 to 142) is dedicated to decentralization. These articles, whose implementation is still pending, set out to clearly demarcate the powers and remit of the public authority enjoyed by local administrators and governors.

Decentralization had been a recurrent theme since the 1950s, triggered by contingent protest events. In the new Constitution, regions have been added as an intermediate level (Article 131) between municipalities and districts, or governorates, with the goal of widening political representation and multiplying the levels of public accountability to local populations. Two ministries have been created, one in charge of governance and fight against corruption; the other, previously incorporated into the
Ministry of Interior (MoI), is now the autonomous Ministry of Regional development, which has notably produced a Livre Blanc on regional development in 2011.

In spring 2017, a code for local communities has been adopted, with the aim of clearly establishing the competencies among the now several layers of power within the multi-level governance system. However, despite the constitutional acknowledgment of the importance of local municipalities, the political elite has yet to follow suit with a more equitable redistribution of national resources, with only 4% of GDP destined to municipalities until 2013, and with just eight of them (among them Tunis, Marsa, Goulette, Sidi Bou Said, Carthage) receiving more than half of the overall budget (Bellamine 2015). In other words, the long-standing organized hypocrisy of the Tunisian state discourse over a strong state ruling over a homogenous and united population has fallen apart even more blatantly with the diffusion of rounds of protests originating from the country’s inner regions and articulating basic socio-economic demands pointing to an ever-increasing gap between expectations raised and policies adopted. As shown in this last paragraph, namely, while on the legislative level, decisions have been taken which should in principle favor redistribution along geographic lines and redress, at least partially, historical imbalances, these provisions have not been followed through in terms of implementation. Rather than placating requests and demands, increased political representation without the corresponding economic tools and social recognition accompanying it has stirred tensions, contributing to the expectations-capability gap mentioned above.

6 CONCLUSION

Tunisia has a pluri-secular history of production of injustice on a territorial basis. Since the pre-colonial times, a ‘southern issue’ has earned the center of the scene and invites researchers to analyze how and to what extent the pre-revolutionary situation is the result of long-standing relations of power (Gherib 2017). The chapter has shown the extent to which the progressive emergence of ALS in the economically and culturally marginalized areas of the country points to a dual dynamic of disinvestment by the central authority and resistance by these areas developing alternative models of a political economy of subsistence if not development.
Yet, despite a constitution that recognizes not just the right to development for every region in the country, but the principle of positive discrimination for historically marginalized ones, injustice has continued to grow even since the 2011 uprisings, and the same is for social movements, protests, and unrest.

The negative discrimination toward the marginal areas of the country, especially the border region with Libya, historically overlaps with the most resistant one vis-à-vis the nationalist project of President Bourguiba, holding a different vision for the future of the country. The strength of horizontal ties in this cross-border region where tribal bonds play a crucial identity source even today accounts for different sources of horizontal allegiances and cultural ties that have further diminished the will by central authority to contribute to the development of these areas.

Finally, the Tunisian state is less weak than generally perceived. Paradoxically, it is effective because it works a-systematically. Despite the great centralization of power, Tunisian landscape is characterized by informality, negotiation, and accommodation. As we have seen in the chapter, state institutions and locals share a common relational principle that serves both as a tactic employed to earn one’s living, and as a form of governmentality through which the state ensures a certain degree of control over the territory.

The paradoxical effect is that what is normally conceived as a centrifugal and threatening force, for example, informality and negotiation, is, in the case of Tunisia, a centripetal one that helps the governors to continue imposing the rule of the state over a space that, otherwise, would be shaken by even greater unrest and violence.

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CHAPTER 5

Limited Statehood in the Security Sector

Abstract In post-revolutionary times, when statehood traditionally undergoes a process of consolidation, the security sector and its reform is one of the essential steps undertaken by the new regime. Despite public pressures to deeply change the politics of security in the aftermath of the revolution, the onset of terrorist attacks and the availability of external donors to strengthen the performance of security forces without structural reforms in their norms and principles has favored centralization of security policy-making and has improved security and the perception of security in the country, without operating any significant change in terms of normative orientation of the security apparatus.

Keywords Security • Reform • Terrorism • Presidentialization • Tunisia

1 Introduction

The security arena is considered the essential domain of a state sovereignty and one where the central authority, especially in a post-revolutionary setting characterized by attempts at consolidating a democratic polity, limits foreign interferences.
This chapter explores how a fragile political order, which undertook change in its security sector, developed mixed institutional features. More generally, namely, far from being automatically transposed in third countries’ settings, external ‘solutions’ become part of a wider process of negotiation between external actors or donors and local political societies, which, despite power asymmetries, enjoy, to varying degrees, autonomy and political agency, which they make use of when taking decisions over reforms of their security sectors. As a consequence, an overall lack of consistency of reforms can occur due to recipient countries’ selective borrowing and partial and adapted transfers of norms, institutions, and practices within existing normative and organizational structures. In this sense, hybrid forms of security governance are the product of the interaction between external security assistance (SA) and security demands by fragile political orders. In ALS, the capacity to implement and enforce central decisions and a monopoly on the use of force are not given. In these polities, the role and influence of either non-state or external actors and non-hierarchical modes of steering are systematic. In this case, the restriction of statehood takes place on a sectoral or functional level (only in some policy areas), rather than territorial (only on some parts of the territory), temporal (only for a certain amount of time), and social (only with regard to specific parts of the population) (Risse 2013). The increased number of actors intervening in the country’s security procedures and practices and the influence they exerted, as the chapter will show, could be conceptualized as a manifestation of a policy ALS.

In the Tunisian post-2011 context, this policy arena has not only remained on the sidelines of evolutions for a number of years, despite pressures and societal demands for change, but when change occurred, in terms of both procedures and practices, the push factor was external (pressures by European countries) rather than domestic. In 2013, namely, the country suffered from major setbacks in its perception of stability and safety, when two prominent politicians, Mohamed Brahmi and Choukri Belaid, were killed by terrorists. These tragic events threatened to derail the country’s fragile trajectory toward democracy and stability. And yet, they were not sufficient in triggering reforms in the security arena. The targeted political violence morphed into wide-scale terrorist attacks in 2015, first at the Bardo National Museum in Tunis and few months later on the beach of a hotel resort in Sousse, where dozen European tourists
were killed. It was only then, that, under enormous political and economic pressure by European countries, the political system operated sweeping changes in the security sector.

This could have not happened without the Tunisian President of the Republic’s personal power and ability to push for centralization of decision-making in foreign and defense policy arena. President Essebsi, in power since the first democratic presidential elections in late 2014, enjoyed a high personal charisma and legitimacy which he instrumentally used to facilitate communications and coordination among different security forces, by centralizing decision-making over security policy in the Presidency of the Republic.

Since the 1990s, the security sector under Ben Ali had developed increasingly authoritarian practices in its modus operandi. It had namely evolved into a community policing without proper oversight, decentralization and participation mechanisms, thereby amounting to little more than a hyper-localized form of surveillance (Hibou 2006). Unsurprisingly, post-uprising societal forces demanded new operating procedures for the security forces according to rule of law standards and increased accountability. However, when the country was shaken by terrorism, demands shifted on the need for greater effectiveness by the security forces.

While the lack of reform in the security sector between 2011 and 2015 hindered security performance and lowered the overall efficiency in countering threats, since mid-2015, the combination of three factors significantly strengthened the capacity of the Tunisian state in the security domain. The factors were the shock caused by the Sousse attacks, the ensuing pressures of key European countries, and the centralization of security decision-making in the Essebsi Presidency: together they led to the creation of an ad hoc multilateral framework facilitating a supposedly technical kind of SA.

The exogenous shock was capitalized both by key European states as well as by key Tunisian policy entrepreneurs (the President of the Republic Beji Caid Essebsi and his Security Advisor, Kamel Lakrou) which used the crisis as a catalyst to promote new security initiatives premised on the centralization of power in the hands of the executive. The G7+ mechanism facilitated intra-Tunisian security cooperation as well as relations with external donors. SA replaced security sector reform (SSR): in the trade-off between a normatively-oriented SSR, whose definition and implementation became notoriously slow, and more capacity-building and increased security effectiveness, the latter won. Namely, while the SSR agenda got delayed and stalled (the normative
focus on human rights and democratic accountability as linchpin of the reform effort being, as consequence, watered down), nevertheless security performance by the Tunisian security forces improved. As attested to by a poll conducted by Sigma Conseil Institute, at the end of 2016–early 2017, almost 88% of Tunisian shared a positive view of the security situation in the country, reversing previous attitudes, as compared to a persisting negative take on the social and economic conditions (Sigma 2017). This positively impacted on the legitimacy of the political establishment and thereby contributed to the overall political stability.

Despite contributing to the country’s political stabilization, however, the post-2015 changes in the security sector and improvements in the security performance failed to be part and parcel of the democratization process, as they were not enshrined in encompassing reforms of the security sector at large.

The chapter investigates the conditions that made possible the adoption of security reforms in post-2011 Tunisia. It does so by first overviewing the measures taken vis-à-vis the security sector since the first 2011 transition government, it then proceeds by analyzing the policy process in the security arena, the role attributed by the 2014 Constitution to different domestic actors and the one exerted by external actors. It then concludes by assessing the reasons why a politically laden and demanding agenda of SSR subsided vis-à-vis a more modest and yet effective SA approach shared by European states and the United States. The analysis is carried out through historical process-tracing, document’s analysis and over twenty-five interviews carried out by the author in Tunisia between November 2015 and July 2017.

2 BETWEEN A ROCK AND A HARD PLACE:
THE CHALLENGES OF REFORMING THE SECURITY SECTOR BETWEEN 2011 AND 2014

Between January 2011 and October 2011, when the first democratic elections for the NCA took place, the country was ruled by two ad interim governments. The political arena witnessed an explosion of political parties, some completely new, others already established, albeit in secretive conditions. Among the latter Ennahdha, legalized in March after more than 30 years of repression, a period in which they had been jailed or forced to hide either underground or abroad.
In a first phase after the fall of Ben Ali, the interim government adopted swift measures in order to purge the security bodies from their most compromised officials and inject new life in the security forces. However, the lack of a systematic approach paved the way for a series of ad hoc initiatives, falling short of reforming a widely discredited repressive security apparatus. In an extremely fluid environment, different political forces attempted to expand their influence on the system through recruitment, promotions, and dismissals (ICG 2015).

Between January and March 2011, the most reformist Interior Minister, the independent Farhat Rajhi dismissed some of the most compromised security commanders, forced 42 senior MoI officials into mandatory retirement—including all 26 members of the General Directorate for National Security—and disbanded the Directorate for State Security, which had been accused of the majority of torture allegations (Sayigh 2015). Overall, a hundred officers left, although none went on trial for human rights’ abuses. Several ministers and secretaries of state for security affairs, regardless of their political affiliation, tried to follow the steps of Rajhi and dismissed MoI staff. This list included Interior Minister Habib Essid (in power between March and December 2011), Ali Laarayedh (in power between December 2011 and March 2013), and Lotfi Ben Jeddou, who succeeded him until February 2015. This sometimes translated in early retirement, or in recruiting and transferring personnel (ICG 2015: 12). However, as a number of those ousted were later reintegrated, the impact of the purges was limited (Marsad 2011; Ben Mahfoudh 2014: 4).

With the 2011 legislative elections, a new Islamist-led government was sworn in for the first time in Tunisia’s contemporary history. From a security perspective, growing tensions and episodes of violence marked the period starting with the so-called Troika government—a three-party coalition gathering Ennahda, the center-left Congress Party of the Republic and the leftist Ettakatol—and ending with the 2013 political crisis. The backbone of the country’s security establishment manifested mistrust toward the Islamist party and resisted government’s reformist attempts. Ennahda, allegedly reacting to the widely perceived security vacuum, but also as an electoral move, carried out a massive recruitment in the police. The inclusion of hundreds of low-ranking officers, without adequate training, in the police was considered a tactical move to alter the existing balance of power within the security establishment, ensuring direct channels
of communication of supposedly politically loyal forces. Ennahda was not accused only of partisanship in the management of the security sector, but of inefficiency at best, or dangerous brinkmanship at worst. The party was accused of under-estimating Salafi threats by attempting to politically include extremist elements and of building parallel security institutions. As to the former aspect, namely, initially the party showed an accommodating attitude toward Ansar al-sharia, a Salafi movement which had stayed out of the political fray, challenging ‘official’ political Islam from the outskirts of political society, mostly through *dawa* (Merone and Cavatorta 2013). The accumulation of instances of violence involving the Salafi movement—including the attack on the headquarters of Nessma TV station, after the broadcasting of the movie *Persepolis*, allegedly offensive to Islam, the attack on the US Embassy in September 2012, and violent skirmishes between the movement and police forces in 2013—eventually led Ennahda to its labeling as terrorist network and it outlawing in May 2013 (Marsad 2013). The attack against the US Embassy had exposed the failure to respond effectively by the Tunisian security forces, the existing gaps in institutional capacity, ranging from situational awareness, command, and control, to coordination between security forces and senior government officials (Hanlon 2016).

In terms of the other accusation, En-Nahda was associated to the League for the Protection of the Revolution (LPR), an unarmed body supposed to protect local communities, created at the end of 2012. LPR had become known for behaving as a moral police force, attempting to Islamize society from below and politically unaccountable (Sayigh 2015).

However, partly because of the distrust between Ennahda and the MoI, the security forces remained insulated from the political establishment. The MoI justified its uncooperative attitude by refusing to abide by an illegitimate political force that was allegedly operating against the interests of the state and pursuing a partisan Islamist security agenda (Sayigh 2015).

Not unsurprisingly, therefore, only timid structural reforms were passed in the early post-revolutionary period in the security sector: a procedural guide on human rights for internal security forces, the revision of laws governing arrest and detention, as well as the October 2013 Torture Commission Law, which subjected detention facilities to control by human rights monitors (Sayigh 2015). As previously argued, the staunch opposition by the security forces toward Ennahda ministers made it impossible to modify any of their operating procedures. At the domestic level, this was set to change first, albeit to a limited extent, with the 2014 technocratic
government, and then with the rise to power of Ennahda’s competitor, Nidaa Tounes, in late 2014. The alternation of power was one of the litmus tests of the consolidation of the Tunisian democratic political trajectory. One which was not without hurdles.

### 3 The 2014 Constitution and the New Balance of Power in the Security Arena

The consolidation of a democratic trajectory was the product of a combination of factors, among them was the compromising attitude shown at several key junctures by post-2011 political elites. In some key sectors, such as security and defense policy, veto players, as analyzed in the previous paragraph, hindered change, by stigmatizing one political force, discrediting its reformist intentions and adopting a wait-and-see approach. Things changed in the security arena, with the adoption of the new Constitution in early 2014, and with the election, in late 2014, of the first democratically elected President of the Tunisian Republic. The new text provided a clear attribution of powers to the President of the Republic, paving the way for a more effective policy-making.

The new Constitution, by defining the powers of all policy actors in the security arena, enabled the emergence of a functioning division of labor and the *mise en place* of effective coordination mechanisms. The head of state enjoys decision-making powers in all exceptional matters and provides an overall strategic direction, while the prime minister is in charge of day-to-day affairs. The prime minister is appointed by the President of the Republic, and needs to have a vote of confidence by parliament. The subordination of the head of government in security and defense matters is particularly explicit as the constitutional text spells out.

According to chapter 77 of the Constitution, the President of the Republic is ‘responsible for determining the general orientations in the domains of defense, foreign relations and national security in relation to protecting the state and the national territory from all internal and external threats, after consulting with the head of government’ (Tunisian Constitution 2014). Furthermore, he/she chairs the National Security Council (NSC)—to which the head of government and the Speaker of the Assembly of the Representatives of the People (ARP) are invited—and is the Commander-in-Chief of the armed forces. As head of state, he/she is allowed to undertake emergency provisions (art. 77 and 80) and, through
presidential orders, appoint and dismiss individuals in senior military and diplomatic positions, and positions related to national security, after consultation with the head of government (art. 78). The Prime Minister, on the other hand, selects the members of his/her executive, but in the case of the Ministers of Foreign Affairs and Defense, the choice must be made in consultation with the President of the Republic (art. 89). The head of government defines and implements the state’s general policy, with the exceptions of defense, foreign affairs and national security (art. 91). At the same time, when it comes to these three areas—defense, foreign policy, and national security—the President of the Republic presides over the Council of Ministers (art. 93).

However, besides the formal constitution, a ‘material constitution’ (Mortati 1940) has already shown a partially different reality. Throughout 2014, under the technocratic Jomaa government, President Moncef Marzouki (who had been in power as interim President of the Republic from December 2011) was politically marginalized and, especially in security matters, enjoyed limited power. Marzouki, who enjoyed Ennahda’s support, had not welcomed the creation of the National Dialogue, and as a consequence his cohabitation with Prime Minister Jomaa proved difficult. Despite officially presiding over the NSC within the Presidency of the Republic, in a typical case of inter-institutional competition, this body lost ground to the crisis cell Jomaa set up within the government (ICG 2016).

In 2015, President Essebsi—successful both at the October 2014 legislative elections and the December presidential ones—reconvened and revived the NSC, formalizing it in a presidential decree in January 2017. Despite the hybrid parliamentary nature of the post-2014 political system, many agree that President Essebsi has centralized decision-making and strengthened the executive, especially in security matters, by over-extending the label of ‘national security’ (Abbes 2017). This effort has been facilitated by Essebsi’s defense advisor, Admiral Kamel Akrout, who presides over all G7+ meetings and is, in the words of several European diplomats, the real kingmaker. Akrout coordinates the Tunisian security decision-making process, eases tensions among different ministries’ bureaucracies, facilitates compromise, and reports back to the President. Finally, he feeds back in the decision-making process presidential inputs (Personal interviews, European embassies, Tunis, June 2017). This is made possible also by the role the President has chairing the NSC—which also gathers the Prime Minister, the President of the Parliament, the Ministers of Justice, Defense, Foreign Affairs, and Finance, and the President of the National
Center of Information—and which assesses potential security challenges and their responses, deliberates on all matters concerning security, national security strategies, and the national strategy for fighting extremism and terrorism—this in coordination with the National Counter-Terrorism (CT) Commission—and more broadly orients foreign policy.

Under Essebsi, the NSC provided the impetus for the drafting of a new national strategic document, the National Strategy Against Terrorism and Violent Extremism, eventually adopted in November 2016. The drafting process displayed on the one hand a strong centralization, on the other less inter-ministerial cooperation (ICG 2016). The collegiality characterizing policy-making even in security matters in the early transition phase namely suffered as a consequence of an intense push towards presidentialization since early 2015. While the document has not been published, the takeaway point is the identification of four pillars for countering the terrorist threat which neatly corresponds to the EU’s 2005 CT strategy: Prevent, Protect, Pursue, and Respond.

Despite the strong decision-making powers enjoyed by the President of the Republic, leading some scholars to define the system as semi-presidential (Koehler and Warktosch 2014), according to others, it is better described as a parliamentary system (Van Hamme et al. 2016). In terms of governmental action in the security realm since the adoption of the new Constitution, in March 2016, the government created an ad hoc body, the CT Commission. The commission approved the CT strategy and strove to implement the July 2015 CT law. Its main goal is to facilitate information and intelligence sharing and improve inter-agency coordination. In addition to that, however, the Commission has a consulting role on judicial texts, support in policy implementation, awareness-raising, and collection of statistically relevant data. Compared to the CT Commission, the NSC has a wider mandate, and does not limit itself to terrorism but deals with security at large.

The third institution playing a role in security policy-making is parliament. Assessing the system as a ‘three-headed executive’ (ICG 2016: 3), however, overestimates the parliament’s prerogatives in security and defense matters. These claims cannot be substantiated in terms of legal provision, and even less in terms of post-2011 practices. The parliament has two committees dealing with foreign and security matters, a permanent and an ad hoc committee. The former, the Committee on the Organization of the Administration and the Affairs of the Armed Forces, examines all issues pertaining not just to the army but to the general organization of the
administration, as well as decentralization and local communities. The wide remit of the mandate, coupled with a chronically under-resourced and under-funded parliament, has narrowed the focus of the committee mostly to decentralization and local communities (Interview at DCAF, Tunis, June 2017).

The latter is the Committee on Security and Defense: it can follow-up on security and defense issues, inquire about the government’s implementation of security strategies, and can consult experts on security matters. Most of its activities, however, revolve around monitoring, inviting experts, encouraging topics of discussion, and promoting analysis (Interview with President of the Parliamentary Committee on Security and Defense, Tunis, November 2015).

In general, the working environment of these committees is highly complex, due both to the number of institutions involved, with a particularly strong engagement of the executive, and the sensitive nature of the issues addressed. More specifically, members rotate each year and are simultaneously members of other committees. They often lack expertise and the support of technical staff, as well as financial independence, which, although guaranteed in the new Constitution, has not been implemented yet (Interview with President of the Parliamentary Committee on Security and Defense, Tunis, November 2015; Interviews with security experts, Tunis, June 2017).

With the election of President Essebsi, security policy-making has become more centralized and less consensual than foreseen in the constitutional text, and yet increasingly efficient. Despite the existence of several bodies dealing with security and defense issues both within the parliament and the government, the Essebsi presidency has centralized decision-making, using the NSC and the President’s security advisor, facilitating coordination but, as compared to the 2011–2013 period, diminishing debate and a more collegial attitude.

4 THE ROLE OF EXTERNAL ACTORS IN REFORMING SECURITY IN POST-2011 TUNISIA

Predictably, one of the strongest demands after the fall of Ben Ali revolved around the transformation of the security forces into democratic and accountable bodies within a post-revolutionary polity in search for greater legitimacy. As analyzed in previous paragraphs, aside from ad hoc and limited measures, these demands remained ignored by the post-revolutionary...
transition government and by the post-October 2011 first democratic government. It was not long before public opinion attention turned toward the other aspect of security, namely performance (Tunisian Institutional Reform 2014; IRI 2017). As argued by Kartas, after the two political assassinations in 2013, demands for democratic reform of the security sector subsided and they concentrated on improving threat response efficiency (Kartas 2014). The debate focused on the ability or its lack thereof of the various security bodies—the army, the National Guard, the police—to effectively coordinate among themselves, together with the quality of the training received. The shift from legitimacy to efficiency is far from a neutral or an inevitable one in post-revolutionary contexts, where issues of increased security become necessarily intertwined with the legitimacy of the new polities.

On paper, strengthening both legitimacy and efficiency of the security sector is the first and foremost goal of SSR. The reform of the security sector is premised on good governance in the security arena. In light of this, it reflects conceptual coherence with the liberal state-building paradigm, which is what makes SSR a normative agenda. SSR is a recent endeavor, dating back to the late 1990s, and is associated with post-conflict peacebuilding and, more recently, state-building (Chandler and Sisk 2013). Both goals of SSR, the improved effectiveness and legitimacy of the security sector, are premised on the subjugation of security forces to civilian control, an aspect deemed crucial in strengthening post-conflict statehood. In its standard definition, SSR is understood as a transformation of security institutions in the sense of greater democratic accountability, transparency, and effectiveness (Lutterbeck 2012).

Not dissimilarly to the way that transitology has come under scrutiny in the past few years (Carothers 2002, 2008), SSR has been increasingly criticized for either its normative orientation or the marginalization of local needs and agendas (Luethold 2004; Jackson 2011). Most notably, there are concerns about its rather open assumptions concerning the interpretation of the state monopoly of violence, its confines, and rationale, all of which are premised on Western liberal—and historically contingent—experiences of state development.

Some, however, have salvaged specific aspects of the SSR agenda (Perito 2015; ICG 2015). For instance, the notion of security sector implies the application of good governance principles across all state agents wielding coercive power, including the judicial sector. SSR, in its normative orientation and overlap with liberal projects of state-building, widens the camp of
security referents beyond the authoritarian regime identification between state and regime security (Chappuis and Hänggi 2013: 168).

In a post-authoritarian setting, it is expected that SSR go hand in hand with political reform, undergoing the same democratizing process as all other issue areas. Moreover, SSR is in principle not limited to respect for the rule of law, good governance, and human rights, but also greater transparency and accountability of the armed and security forces, and a more straightforward access to civil society in the security arena. The more the rationale and driver of the security forces shift from ensuring the survival of the political regime to safeguarding citizens, the deeper the democratic ideals permeate the logic and inner workings of the security sector.

In post-2011 Tunisia, challenges to the adoption of an SSR agenda, initially agreed with the EU but then suffering from long delays on both sides, have revolved around an under-conceptualization of new security orientations and intra-institutional competition among security bodies. On a strategic level, what hampered increased efficiency was the lack of coordination among different institutional bodies, each of them drafting White Papers or National Security Strategies without previously consulting the other security bodies. Unsurprisingly, only very few strategic documents have come to fruition. At the operational level, the lack of coordination and cooperation among the ministries of Defense, Interior, and Justice continued unabated until 2014 (Ben Mahfoudh 2014).

It is not an exaggeration to argue that in the security arena, the obstacles to carrying out deep reforms have been mostly endogenous, that is within the political system, and mostly linked to the early post-revolutionary phase (Sayigh 2015), whereas the triggers for reform have been mostly exogenous, that is, security threats and external actors’ pressures.

From mid-2013, the terrorist threat increasingly replaced political violence in security discourse: CT became the new mantra around which security forces coalesced in unanimously pushing for improved security management at the expense of reform and accountability. If the era of security vacuum was over, this did not mean fully coordinated security forces with improved security performance. It did however represent the suspension of the reformist security discourse, under the securitization mantra. CT became the one and only priority and raison d’être of the security establishment, and was accompanied by the demonization of those political forces that had tried to rein in the debatable practices of the past, as these actors were now accused of having weakened the overall performance of the security sector. The security agenda, in other words, seemed
to have disappeared for good, until mid-2015, when it resurfaced under the guise of upgraded SA. SSR, in sum, subsided after only an initial parenthesis of tentative reforms in 2011 and of EU-led attempts to bring it back to the table. In October 2011, the transitional government in Tunisia had requested the EU to engage in a structured security cooperation, but due to bureaucratic dynamics, mostly on the part of the Tunisian authority, the stock-taking exercise and peer-review process of the security sector in the country carried out by security experts took until December 2013 to be finalized and until January 2015 for a more precise identification of milestones (European Court of Auditors 2017).

The 2015 terrorist attacks accelerated EU-Tunisia political dialogue: in November 2015, the Tunisian government signed the EU Commission’s proposal for an SSR program with a financial agreement of €23 million (ibid.). In accordance with the overall European Agenda on Security, the EU SSR insists on security and respect for fundamental human rights as complementary policy objectives of a ‘new doctrine’, while enhancing transparency, accountability, and democratic control (European Union Delegation in Tunis 2017). Priority axes, besides the support to integrated borders management and to intelligence service, include reforming and modernizing the internal security forces according to international standards in terms of oversight of activities, recruitment and training, as well as restoring citizens’ trust in security services by fighting corruption and police’s abuses (ibid.). The EU SSR program has had a very slow implementation: the first contracts were signed in mid-2017, after a lengthy procedure both on the EU and the Tunisian side (Interview, EU Delegation, Tunis, June 2017).

5 The Shift to Upgraded Security Assistance

What had previously also hindered this process had been domestic reasons, and in particular the changing Tunisian political environment, its bureaucratic politics, and its emerging twofold charismatic leadership. Since 2014, the political environment has been dominated by two political personalities: the leader of Nidaa Tounes, Beji Essebsi, and the leader of Ennahda, Rachid Ghannouchi, representing the largest political parties in parliament. Both leaders enjoy charismatic power and high degree of legitimacy, partly as a consequence of an increased appreciation by the public opinion of strong leaders (Pew Research Institute 2014). The consensus-driven and compromise-prone attitude by both leaders has secured the
country’s progress in the security arena. This was facilitated once the new President of the Republic, Beji Caid Essebsi, was sworn in early 2015. The personal legitimacy of the President, his institutional role, and external powers’ strong requests for security changes further strengthened the presidency, and paved the way for more accountable and collaborative inter-ministerial procedural practices.

The terrorist attacks in central Tunis, at the Bardo Museum, where 21 people lost their lives on March 18, a great majority of them were European citizens, and in a beach resort in Sousse where, on June 26, an ISIS gunman killed 38 people—out of which 30 were British citizens—sent shockwaves across the entire political establishment and society at large. The large number of European victims in both attacks reverberated across European capitals, leading European leaders to advance bolder proposals for more structured SA.

The pathologies of ad hoc, uncoordinated, and under-funded SA by external actors—duplication, lack of coordination, diverging rationales and agendas, the recipient country’s shopping list attitude vis-à-vis donors—radically changed in the wake of the Sousse attacks. That an external shock sent shockwaves across European capitals and in Tunis, leading policymakers to create a new policy format and an enlarged G7 mechanism responsible for coordinating efforts to support Tunisian SSRs should not come as a surprise. The cognitive uncertainty on how to respond to the twofold challenge of increasing security for European citizens in Tunisia and saving the country’s stability and democratic trajectory led to the adoption of a new policy response under the guise of a G7+6 mechanism, formally inaugurated in June 2016 (Interview, Italian Embassy, June 2017).

In 2015, the deterioration of the security context in Tunisia led to key policy reversals in the security domain, first with the adoption of a CT law and then with the creation of the G7+ mechanisms.

Domestically, as immediate reaction, the Tunisian parliament, despite some heated debate, endorsed the new CT law on July 24, 2015, with a majority of 174 votes out of 217. It replaced the 2003 Anti-Terrorism Act, approved during a favorable international conjuncture after the attacks of September 11, and constantly under severe criticism for being used, given its broad definitions of terrorists and terrorism, by the Ben Ali regime against political dissidents (Tunisian Association Against Torture 2008). Interestingly, immediately after the 2011 uprisings, the law was neither abrogated nor amended. In May 2013, then-Minister of Human
Rights and Transitional Justice, Samir Dilou (from the party Ennahda), announced the creation of a commission to amend the law no. 2003-75 of 10 December 2003. In November 2013, the Minister auprès du gouvernement, Noureddine Bhiri chaired a ministerial working session discussing a draft law on the fight against terrorism and money laundering (Ben Hamadi 2013). In January 2014, the Laarayedh government submitted to the NCA a first draft of the law (Hichri and Völk 2017). The law was only approved in July 2015, when a revised version was submitted to the parliament by the technocratic government of Mehdi Jomaa.

The law improved the 2003 text, as epitomized by the introduction of ‘reparation damages to victims’, creating exceptions ‘to extradition or deportation’ (Hichri and Völk 2017; HRW 2015), and establishing the requirement that the judiciary exercises greater oversight over surveillance (HRW 2015). Despite these changes, however, the new text has been referred to as a return to a ‘police state’, with regard to those provisions related to the extension of the period of detention, along with the (re) introduction of the death penalty (ibid.).

Externally, three days after the attacks in Sousse, the British Home Secretary and the Interior Ministers of France and Germany visited the country and pledged enhanced support. The informal E3—France, Germany, and the UK—joined the other members of the G7 at the G7 meeting in Schloss Elmau in June 2015. While Tunisia had been at the heart of the 2011 Deauville initiative, the security cooperation dimension had received scant attention. In the wake of the Bardo killing, however, the G7 had decided to include SA on the agenda of its June meeting. There, the Tunisian government asked to enlarge the G7 to include Spain, Belgium, and the EU, and to step up the efforts of the wider international community. A new SA format was devised, the G7+, and rapidly implemented. International SA took the shape of allegedly technical ‘train and equip’ package, rather than a fully-fledged comprehensive SSR. Steering away from having to reform norms and principles, SA enabled the Tunisian government to pick and choose, to a certain extent, the extent of acceptable change, partly in terms of organizational structure and mostly in terms of technical capacities.

6 THE G7+: SAME FORMAT, DIFFERENT AGENDAS?

The G7+ framework was not intended as a transformative mechanism, but it was supposed to gather and share information on security cooperation with Tunisia among external donors. It has worked through an executive
committee, meeting every three months and providing strategic guidelines, sharing the state of the art of SA and reforms, and organizing a number of operational working groups (WGs). While facilitating coordination among external partners, it has allowed to keep control over bilateral action. And it obliged the Tunisian authorities to come together, formulate shared demands, design an overall strategy upon which specific requests could be formulated, thereby avoiding the duplications that had been frequent since 2011 (Interviews at Italian and German Embassy, Tunis, June 2017). The Tunisian MoI, until 2015 relied on the Department for External Relations for security cooperation with external partners on a purely bilateral basis.

The G7+ operates across four different WGs: the protection of tourist/sensitive sites, co-led by Tunisia and the UK; borders, co-led by Tunisia and Germany; ports and airports, co-led by Tunisia, France, and the UK, and CT, co-led by Tunisia, France, and the EU. On the Tunisian side, the lead was within the MoI until the end of 2016, and has been within the Ministry of Defense (MoD) from January 2017.

Different views over the identification of WGs have emerged: while for the UK terrorism was a crosscutting theme, the Germans insisted on having a separate WG, with a narrow military outlook and a focus on intervention. This, however, has failed to substantiate its output as effectively as other WGs have. In light of the recurring issue of Tunisian foreign fighters scattered across the region, a new WG on counter- and de-radicalization is currently under discussion and will likely see the light before the end of 2017 (Interview, British Embassy, Tunis, June 2017).

The G7, as several European diplomats acknowledge, remains a bureaucratic exercise, where states fill in a matrix in which they include all security-related projects and activities. The expected added value which the G7+ is supposed to deliver consists of a more proactive approach by the Tunisians, which could, and should, in the eyes of the G7+ members, provide more detailed inputs on the security evolution on the ground in terms of challenges and actual needs, impact assessment and formulation of specific reform demands. So far, however, the format has mostly consisted in European and international actors using the G7+ scheme to avoid duplications of training, equipment, and funding, as well as getting a sense of what other countries are doing/offering in terms of SA. The existence of different agendas among donors has not been solved by the G7+, and secrecy over some security initiatives remains high even between partners, given the sensitive nature of this issue area.
While most commentators agree on the increased performance and efficiency of the Tunisian security forces from 2016, good governance and human rights mainstreaming across all security-related legislation and practices—the backbone of SSR—have been slower in getting addressed, let alone implemented. Whereas these provisions figure less prominently in the G7+ format, they are indeed part and parcel of the EU SSR package agreed with the Tunisian government, but which is yet to be implemented. The rule of law and human rights’ component that the EU strategy focused on got somehow lost in the framework of the G7+. This was devised as a format enabling better coordination among security forces thanks to tailor-made external SA, which incorporated individual initiatives by European member states, watering down the aspect of accountability and rule of law.

Having suffered the most casualties in Sousse, the British government immediately offered assistance in training Tunisian security forces to better protect tourist locations, and has co-led the ports and airports security group. Overall, the UK has supported Tunisia, in terms of development assistance between 2011 and 2017, with over 24 million pounds (Interview, British Embassy, Tunis, June 2017). From 2018, having positively assessed Tunisian progress in the sensitive sites WG, the British will carry out more projects in the border WG. In the wake of the attacks, the British had formally discouraged their nationals from traveling to Tunisia. In that context, in order to reassure them and have their travel warning canceled, the Tunisian authorities tasked the UK with mapping critical aspects in the tourism infrastructure and helping them improve these.

On borders, Germans have taken the lead. Since late summer 2015, a cell of the German federal police has been installed within the German Embassy in Tunis, so as to provide direct assistance, especially along the eastern border with Libya, to the Tunisian border police (posted at the checkpoints) and the National Guard (patrolling along the border) (Interview, German Embassy, Tunis, June 2017). In September 2016, a bilateral agreement was signed between the Tunisian Interior Minister, Hedi Madjoub, and his German counterpart, Thomas de Mazière, aimed at increasing intelligence sharing and providing regular and continued training to Tunisian security personnel (Marsad 2017). Between mid-2015 and June 2017, the German federal police trained 500 officers, 80% of them in the National Guard and the remaining 20% in the border police (Interview, German Embassy, Tunis, June 2017). Other contingent events have also played a part in rising German involvement in the Tunisian security sector,
including the cessation of activities in Egypt as a consequence of the trial against the Director of the German Konrad Adenauer Foundation in Cairo, leading several German foundations to halt their work in Egypt between 2013 and 2016.⁵

As far as France is concerned, the focus has been on first intervention training for the National Guard and police units at the entry level—though it is envisaged to progressively extend this to those in further stages of their careers—in order to make low-ranking officers capable of coping with a sudden threat before the arrival of specialized forces. Once again, the Sousse attack, and the then-chaotic and delayed reaction of police units, reinforced the need to adopt a new approach, and a new ‘doctrine’ aimed at developing and improving quick reaction capacity, starting from those serving at the forefront even in supposedly safe spaces—and this not only in Tunisia but also in Europe following the dynamics of recent terrorist attacks (Interview, French Embassy, Tunis, June 2017). More specifically, in terms of CT, France is engaged in supporting two main projects: first, Tunisia’s efforts in digitalizing an identity database, in order to make information-sharing, on both national and international levels, more efficient and rapid; secondly, a ‘red line’ in support of those families whose members have been somehow affected by jihadist propaganda.

Lastly, the external actor who has been devoting the most resources, and who is widely appreciated by Tunisians for its more pragmatic approach and limited red tape, is Washington, who tripled its military aid in 2015 (Gaub 2017: 134). In comparison to the €23 million-SSR program by the EU, in 2017 only, the United States earmarked over $86 million for military and police aid and $79 million for humanitarian and development assistance.⁶ So far, the bulk of US support in SA to Tunisia revolves around—although is not limited to—two axes: military assistance, both infrastructure and equipment, and training. Assistance to the armed forces focuses especially on those troops along the borders with Libya. A military buffer zone in the far south has been in place since August 2013. However, while under Ben Ali this was the *domain réservé* of the National Guard—which, in a counter-proofing strategy Bourghiba had moved from the MoD to the MoI (Gaub 2017: 131)—from 2011, the Tunisian Army has increased its presence in the area. There, Germans have also contributed to the Tunisian effort of securing the borders with Libya: while Tunisians have erected a fence aimed at making cross-border traffic more difficult, it is the United States and Germany who are in charge of providing electronic surveillance tools (Das Erste 2017).
Out of an overall bilateral cooperation budget of $60 million vis-à-vis Tunisia, a sixth is earmarked for the new Police Academy, which will be launched in 2019. The project, supported by the Bureau of International Narcotics and Law Enforcement Affairs (INL), entails a double dimension: the building of modern infrastructure in the vicinity of Enfidha-Hammamet airport, and the development of specific curricula for police officers (Interview, US Embassy, Tunis, June 2017). The United States has adopted an approach of ‘training the trainers’ in the security sector, so as to multiply the effect and reach the widest possible number of officers selected by the Tunisian MoI from both the police and the National Guard, who will then, in turn, train the new trainees within their bodies.

As these concrete examples have shown, the multifaceted international SA package negotiated by the Tunisian authorities has emphasized and privileged the technical capacity-building side, with little willingness to engage in far-reaching reforms in terms of organizational structures and/or norms and principles of the security sector. In other words, it has selectively borrowed from international partners the tools and resources it wanted to develop, while at the same time responding to international requests for security strategies and broader strategic visions without taking the time and political cost to undertake collegial decision-making, and opting for an increasing watering down of democratic practices both in security policy-making as well as in terms of sacrificing enhanced accountability and rule of law standards in the security sector for improved efficiency and performance in countering security threats.

7 Conclusions

In the wake of the uprising, the mistrust of the population vis-à-vis the police and other security forces translated in widespread demands for a rule of law-abiding security sector within a profound overhaul of previous authoritarian practices. The priority attributed to accountability, however, subsumed when political violence struck the country and the killing of two prominent politicians seemed to plunge the political trajectory into uncharted territory. The imperative quickly became the efficiency of the security sector, through improved coordination, better training, and equipment. Domestic pressures for the democratization of the security forces and the international support for a systemic approach to reform, mostly embodied by the EU-sponsored SSR agenda, were cast aside. The
political killings however failed to generate sufficient pressure for change in the security forces’ standard operating procedures and in external actors’ assistance. This only changed when, in July 2015, terrorists struck on a beach in a Sousse resort, killing dozens of European tourists. This external shock triggered a strong reaction by some European member states, notably the UK, France, and Germany, which offered substantially increased SA to the Tunisian government. Within a short span of time, a new mechanism of multilateral security cooperation was devised. An enlarged G7, including also the EU, was tasked with facilitating coordination among external donors but requiring inter-ministerial coordination and a smoother policy-making process on the Tunisian side. This was enabled by the centralization of the decision-making process on the security arena thanks to the 2014 Constitution which acknowledged a key role to the President of the Republic and his ability to steer the policy process in the security sector. President Essebsi capitalized on these provisions, on the availability of external donors and rapidly oversaw a series of measures significantly improving bureaucratic coordination and overall efficiency. While the country has improved its safety, both in terms of public perception and terrorist attacks, the good governance aspect of the security sector has lagged behind.

Like most other Arab countries, the Tunisian security sector since 2011 has been open to only one of the two dimensions of SSR, namely the modernization of equipment and the improvement of training standards, rather than increasing the accountability of the security forces. Accountability is one of the aspects embedded in the wider notion of good governance, which has so far faced considerable resistance. Despite domestic demands and the EU availability to offer an SSR package in early 2011, which is only slowly seeing the light, the sense of urgency of carrying out deep and structural reforms of the security sector was no priority, and mistrust between security forces and Ennahda ran high, while when terrorism struck and risked derailing political stability and economic growth linked to tourism, reforms were adopted, albeit one-dimensionally. Accountability was neglected in favor of efficiency and several European states dictated the national security agenda to a still consolidating Tunisian polity. The proliferation of actors, thanks to typical SA formats, driving the definition of priorities and goals to be reached in order to make the security sector more efficient and not necessarily more democratic impacted on domestic sovereignty. The sovereignty norm, despite the
constitutional prerogatives acknowledged to the President of the Republic in this policy arena, was infringed by the extensive role of external actors setting the agenda and driving the policy process in the security realm since mid-2015 onward.

NOTES


2. Interview, President of the Committee on Security and Defense, Tunis, November 2015.

   For an overview of the activities of all the Committees, see the official website of the ARP (in Arabic) at: http://www.arp.tn/site/main/AR/activites/activites.jsp?t=44, or the page (in French) dedicated to the monitoring of the Assembly by the Tunisian NGO Al Bawsala, at: http://majles.marsad.tn/2014/fr/assemblee/commissions (last accessed, June 2017).


4. The most significant operation was in Ben Guerdane, on the southeastern borders with Libya, on March 7, 2016, when a jihadist cell composed of 50–100 terrorists from Libya stormed a police station and an army barracks. The swift response by the Garde Nationale, police and army succeeded in quelling the attack within two days. The death toll included 43 armed militants from ISIS and Ansar al-sharia, 13 members of the security forces, and 7 civilians were killed.


6. For more information, see http://securityassistance.org/tunisia


The book concentrates on the ‘organised hypocrisy’ of domestic sovereignty, the discrepancy created between the expectations generated by state, and its actions. Specifically, by ‘organised hypocrisy’, Krasner (1999) and Lipson (2007) refer to the inconsistency between rhetoric and action resulting from conflicting material and ideational pressures, in particular those derived from the clash between the logic of consequences and the logic of appropriateness. This mismatch facilitates the emergence or consolidation of areas of limited statehood (ALS), which in post-2011 Tunisia have become an increasingly frequent feature. The book analyzes different shapes and formats of limited statehood in post-2011 Tunisia, both on a geographical and functional or sectoral level.

The book aims to illuminate the post-2011 Tunisian trajectory in terms of state-society relations by investigating how, within ALS, dynamics of hybrid governance emerge and manifest themselves. In ALS, the capacity to implement and enforce central decisions is lacking and there is no monopoly on the use of force (Risse 2013). The restriction of statehood can be sectoral (only in some policy areas), territorial (only on some parts of the territory), temporal (only for a certain amount of time), and social (only with regard to specific parts of the population). The understanding of statehood adopted in the book, however, is less functionalist than in
ALS. Domestic sovereignty, or statehood, displays, with varying degrees of intensity and different shapes, behaviors falling in the category of ‘organized hypocrisy’. The book looks at instances where the clash between the two logics of action, appropriateness, and consequences, or a more normative and a more pragmatic rationale, create room for societal action, be it in the form of contentious collective action or creation of informal economic networks, as well as others where the state manages to impose its will, such as in the post-2011 security sector, without losing legitimacy, and yet, paradoxically, failing to reinforce its institutions and contenting itself to centralize decision-making process and strengthening control over policy areas.

The book assesses what the different instances of limited statehood in post-revolutionary Tunisia show in terms of evolving practices of statehood and of state-society relations. Across different policy areas, statehood manifests itself as limited. Among them are the redefinition of the social contract, the continuation of protests and of contentious collective action, the persistence of the informal economy as part and parcel of long-standing dynamics of mismatch between promises and their delivery, and the shape-up of a security sector increasingly efficient but failing to meet the standards of civilian control and rule of law, as demanded in the wake of the revolution by Tunisians. More broadly speaking, in Tunisia and in the rest of the region, the clash between expectations of change and the same or worsening reality for many citizens, the mismatch between state discourses inspired by the logic of appropriateness and state behaviors driven by logic of consequences hinder the chances for state consolidation and pave the way for the emergence and continuation of contentious collective action. In other words, especially in post-revolutionary settings, blatant manifestations of the state’s ‘organized hypocrisy, which manifests itself in an increasing discrepancy between normative narratives of change and self-serving practices, risks reifying limited statehood.

The second chapter looks at post-revolutionary state-society relations through the prism of citizenship rights. The chapter reconstructs the genealogy of post-2011 Tunisian inclusive and yet highly politicized constitutional politics and the ways in which this phase has laid the foundations for a new social contract. A constitution sets the rules of the game, re-defines statehood, attributes sets of rights and obligations to citizens, but also creates expectations and social imaginaries of new possibilities, both on a material and ideational level.
Focusing on the 2014 Constitution is particularly relevant given the exceptional nature of that document in the Arab world, where, in practice, constitutions maintained all the prerogatives in the hand of the executive. This had important consequences in the sphere of citizenship rights: despite their proclamation, their enjoyment was restricted by the adoption of martial laws, justified by the state of emergency.

In a stark departure from most other constitutions in the Arab world, the 2014 Tunisian Constitution enshrines progressive understandings of citizenship rights, which have played their part in generating numerous sets of expectations among citizens. In relation to that, the chapter investigates how the new citizenship rights’ provisions in the Constitution have expanded notions of what can be contended, fought for, and demanded by societal forces, setting a key precedent in changing post-2011 state-society relations. The chapter shows how the new text combines elements extrapolated from notions of both participatory and social democracy. By detailing provisions for the empowerment of social and economic rights, the 2014 Tunisian Constitution raised the bar for citizens to expect some form of social democracy, as opposed to a minimalist ‘protective’ understanding of liberal democracy, mostly revolving around a limited role for the state and negative freedoms (freedom from violence, etc.) (Held 2006; Joshi 2013).

On the less normative side of things, however, the failure to implement provisions empowering local participation, decentralization, creation of jobs in inner regions, all contributed to make the state’s ‘organized hypocrisy’ all the more visible. Limited statehood manifested itself thanks to the gap between expectations and social reality, fueling a rage which, thanks to the principles enshrined in the constitutional text and the deliberative and participatory way in which it was formulated, can be easily translated into mobilization both to obstruct and ask for change.

In the Tunisian context, socio-economic rights remain difficult to fulfill and yet, while elusive, the results of the consolidation of democracy will directly depend on their implementation.

A focus on the texts, debates, and practices surrounding the recently adopted Constitution has shown how state-society relations have moved back and forth between reasserting the authority and power of the state and discovering and acknowledging the power of society. It has also elaborated on how the constitutional text has struggled to find a balance between individual and communal notions of rights and the place of the
individual and of groups and other allegiances within society. The analysis of the text also points to the tension between modernity on one side and pre-modern ties on the other. The impression, once the Constitution has been adopted and we await for implementing provisions, new legislation, and the creation of new institutions, is that the Tunisian democracy will remain one in word and spirit by navigating the complexities of these tensions through a participatory and transparent approach, without denying their contested nature.

The third chapter illustrates the continuation of socio-economically driven contentious collective action in post-2011 Tunisia. Protests have proceeded in waves and have reshaped notions of legitimacy, state-society equilibria, and relations between the center and the periphery. The chapter investigates how these dynamics have arisen and evolved, focusing in particular on the similarities and differences between the 2010–2011 protests and the 2016–2017 ones. While the former constituted a leaderless, cross-class, and cross-ideological wave, which succeeded to generate powerful discursive narratives, which were generalized and acted as vessels for mobilization across several sectors of society, the same attempt was only partially successful in 2016, with protests remaining more geographically clustered, despite their reverberations in the capital, and failed to evolve into national movements or widespread contentious collective actions. The hinterland and southern region of the country, especially those in the southeast bordering with Libya, are classic examples of ALS, given the limited state penetration not only in terms of capacity to extract resources (taxes) and authoritatively implement decisions, but as far as the gap between normative promises and persistence and worsening of deteriorated socio-economic conditions. This mismatch or state’s ‘organized hypocrisy’ continues to fuel frustration and paves the way for contentious outbursts across the country’s marginal areas.

The fourth chapter takes further the analysis of these marginal regions by empirically assessing the shapes of the prevailing economic activities and the deep-seated confrontational relationship with the central authority, pertaining to incomplete processes of state-building. Two ALS, the Tataouine region at the border with Libya and the Kasserine region, bordering with Algeria, in the western part of the country, epitomize the complexity of state logics’ normatively promising economic development while in practice, historically, it has been more convenient for the central authority to invest in the coastal areas and let the inner regions devise an alternative, informal, economy, traditionally accounting between a third
and half of the national GDP. The political and economic discrimination of these regions has been an established practice since the creation of modern Tunisia in 1956 and increasingly so since the 1990s. In these areas, cross-border smuggling has represented a social and economic safety valve. Until 2010, this occurred under the benevolent eye of the regime, which simultaneously controlled it through local notables and security forces and profited from it, by letting smugglers bribe state officials, be they notables or security forces. Resources and investments were concentrated in the already well-off areas where, moreover, the regime and its inner circle had business interests. In that case, in other words, it was the central authority itself opting for a limited statehood as a self-serving choice, enabling it to consolidate its statehood elsewhere. Since the 2011 uprisings, the increasing number of non-state actors involved in this sector and the incapacity and/or unwillingness of the central authority to enforce and implement laws, both in terms of curbing this trade and also of implementing the constitutional provisions related to positive discrimination and investment in marginalized regions, have further cemented limited statehood vis-à-vis these geographical areas and this policy arena.

The fifth chapter looks at the post-2011 state of security in Tunisia, which, differently from most other policy arenas, has remained on the sidelines of significant evolutions, despite pressures and societal demands for change.

Since the 1990s, the security sector under Ben Ali had developed increasingly authoritarian practices in its modus operandi. It had evolved into a community policing without proper oversight, decentralization, and participation mechanisms, thereby amounting to little more than a hyper-localized form of surveillance. Unsurprisingly, post-uprising societal forces demanded new operating procedures for the security forces according to rule of law standards and increased accountability. Then, in 2013, the country suffered from major setbacks in its perception of stability and safety, when two prominent politicians, Mohamed Brahmi and Choukri Belaid, were killed by terrorists. These tragic events threatened to derail the country’s fragile trajectory toward democracy and stability. And yet, they were not sufficient in triggering reforms in the security arena. Namely, despite public pressures to deeply change the politics of security in the aftermath of the revolution, these attacks, and those in 2015 against tourist sites, facilitated a more pragmatic and supposedly technocratic approach, without the normative connotation of typical security sector reform endeavors. From 2015, external donors made themselves available to
strengthen the performance of security forces without structural reforms in norms and principles. This has ended up strengthening the Presidency of the Republic, which has centralized security policy-making. Truth to be told, security has overall improved and so has the perception of security in the country. This however did not proceed in parallel with a more profound reform of security institutions and practices vis-à-vis citizens.

As a matter of fact, when the country was shaken by terrorism, demands shifted from rule of law and the civilian control of the accountable security forces to the need for greater coordination and effectiveness in their performance. The targeted political violence morphed into wide-scale terrorist attacks in 2015, first at the Bardo National Museum in Tunis and few months later on the beach of a hotel resort in Sousse. It was only then, and under European tutelage, that the political system operated sweeping changes in the security sector. Refraining from adopting a comprehensive security sector reform, as had been envisaged in the early stages after the 2010–2011 revolts, changes were technical in nature and scope, lost any transformative goal as far as revolutionizing the codes of conduct of the security forces would have required and were limited to responding to external incentives by European countries and occurred only when the Tunisian Presidency of the Republic was strong enough, after the December 2014 presidential elections, to centralize the process. The chapter illustrates the failure of the early attempt by the EU to engineer a liber-interventionist security sector reform, and explores the complex interplay between domestic politics and changing equilibria, also between the state and societal forces and external pressures. The chapter concludes by illustrating how this example ties with the emergence of traits of limited statehood in other policy arenas. This case study namely illustrates both the agency of the Tunisian central authority selectively borrowing from international donors the kind of security assistance package it deemed more useful, while at the same time failing to reform and democratize the security forces, thereby strengthening post-revolutionary statehood.

Post-2011 Tunisian state-society relations continue to oscillate between instances of consolidation, as testified by the democratic, inclusive, and deliberative constitution-making exercise and the progressive 2014 Constitution, and instances pointing to the limited nature of statehood, as shown by the consequences of the state’s “organized hypocrisy” in terms of waves of contentious collective action, destabilizing the country, blocking reform and change, originated in the widening gap between expectations and manifest social reality.
The 2014 Constitution, by setting a high bar in terms of citizenship rights and paving the way for enhanced ‘acts of citizenship’, legitimized by the appreciation of the principle of participatory democracy, enshrined in the Constitution, has, paradoxically contributed to accelerating processes of emerge or consolidation of ALS, both territorially and across different policy arenas. This by no means indicates that the country is pre-determined to struggle to consolidate statehood, broadly understood not just as the capacity to implement decisions and control the means of violence, but also as a process where the gap between expectations raised by the state vis-à-vis its citizens and the corresponding social reality shrinks, rather than widening. The illustration of different kinds and shapes ALS have taken in Tunisian recent history points to a complex picture of shifting state-society relations where little is as it seems, as exemplified by the tacit decision of the state, almost since independence, to concentrate investments, growth, and control in some territories, leaving marginalized areas to fend off for themselves, only to indirectly profit from informal economies through local proxies, but losing any capacity to penetrate society and transform it. The litmus test for the consolidation of the state in Tunisia will be the extent to which the state machinery will decide and manage to more effectively penetrate Tunisian society and transform it from within, in a more organic way.

REFERENCES

INDEX

A
Assemblée des Représentants du Peuple (ARP) (parliament), 89
Authoritarian bargain, 17, 19, 28

B
Bardo museum, 9, 23, 84, 96, 114
Belaid, Choukri, 8, 23, 48, 84, 113
Ben Ali, Zinedine, 2, 8, 19, 27–29, 38, 41–43, 46, 47, 50, 63, 64, 68–74, 85, 87, 92, 96, 100, 113
Benguerdane, 70, 72
Bourguiba, Habib, 18, 19, 22, 42, 47, 54, 65, 68, 69, 73, 77
Brahmi, Mohamed, 8, 23, 48, 84, 113

C
Centralization, 8, 77, 85, 91, 102
Citizenship, 6, 14–32, 38, 46, 54, 110, 111, 115
Constitution, 6, 14, 19–32, 48, 75, 77, 86, 89–92, 102, 110–112, 114, 115
Contention, 38–40, 46, 53, 63
Contentious outbursts, 7, 40, 44, 48, 49, 51, 54, 112
Contentious politics, 14, 16, 38–54, 62, 75

D
Decentralization, 8, 24, 31, 75, 85, 92, 111, 113
Democracy
liberal, 15, 30, 31, 111
participatory, 24, 30, 31, 44, 111, 115
procedural, 30
social, 28, 30, 31, 111
Discrimination
negative, 77
positive, 8, 39, 75, 77, 113

1 Note: Page numbers followed by ‘n’ refer to notes.
E
Ennahda, 25, 26, 29, 30, 47, 50, 87–90, 95, 97, 102
Essebsi, Beji Caïd, 27, 30, 69, 85, 90–92, 95, 96, 102
European Union (EU), 9, 42, 43, 91, 94, 95, 97–102, 114

G
Gafsa, 19, 24, 38, 44–47, 50, 51, 62, 65, 68, 73
Ghannouci, Rachid, 26
G7+, 85, 90, 96–101

I
Informal economy, 6, 9, 62–77, 110, 112, 115
Informality, 66, 67, 70–72, 77

J
Jemna, 24
Jomaa, Mehdi, 90, 97

K
Kasserine, 7, 41, 46, 49, 50, 53, 65, 70, 112

L
Logic of appropriateness, 4–7, 9, 39, 45, 109, 110
Logic of consequences, 4–7, 9, 39, 45, 109, 110

M
Marzouki, Moncef, 69, 90
Medenine, 65, 67
Mobilization, 7, 14, 17, 19, 22, 28, 31, 38, 40, 42–48, 50–54, 62, 65, 75, 111, 112

N
National Security Council (NSC), 89–92
Nida Tounes, 29, 30, 32n3

P
Political participation, 23, 25, 30, 38, 53, 74
Protests
El-Kamour, 52–54
Gafsa, 19, 24, 38, 44–46, 50, 51, 62, 65, 68, 73
Kasserine, 46, 49, 50, 65, 71
Siliana, 47–49
Tataouine, 48, 51

R

S
Security Assistance (SA), 84–86, 95–102, 114
Security Sector Reform (SSR), 9, 85, 86, 93–95, 97, 99–102, 113, 114
Siliana, 44, 47–49
Social contract, 3, 6, 9, 15, 17, 19, 28, 64, 110
Sousse, 9, 23, 65, 70, 74, 84, 85, 96, 97, 99, 100, 102, 114
Sovereignty, 4–6, 38, 39, 83, 102, 109, 110
Tataouine, 7, 48, 51, 52, 54, 62, 65, 66, 112
Terrorism, 2, 8, 9, 23, 51, 69, 72, 84, 85, 88, 91, 94–98, 100, 102, 113, 114
Trade unions, 29, 38, 44, 48, 50

Union Générale des Étudiants Tunisiens (UGET, General Union of Tunisian students), 44, 50
Union Générale Tunisienne du Travail (UGTT, General Union of Tunisian Workers), 18, 29, 38, 44, 46, 47, 49–51
Union Tunisienne de l’Industrie, du Commerce et de l’Artisanat (UTICA, Tunisian Union of Industry, Trade and Craftsmanship), 18, 29, 49

Unemployment, 16, 29, 30, 42, 52, 53, 63, 65, 66
Union Diplômés Chômeurs (UDC, Union of unemployed graduate students), 50, 51