



Civil Society in Tunisia Resetting Expectations

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Supporters of the Tunisian General Labor Union hoist flags outside the union's Tunis headquarters amid a national strike, June 2022. REUTERS

Since the fall of President Zine al-Abidine Ben Ali in 2011, activity among civil society organizations in Tunisia has grown rapidly. These organizations have diverse goals and interests and range from labor unions to advocacy groups to school charities, along with many other types of volunteer associations. Western policymakers supported civil society and hoped these nongovernmental organizations would serve as a key engine in the state's transition away from authoritarian rule. Since July 2021, however, the democratic backsliding in Tunisia has raised the question, What did all that attention and support to Tunisian civil society amount to?

This paper reviews the experiences of Tunisian civil society since 2011 in order to explore the seeming paradox of a strong civil society amid a weakening democracy. Despite an impressive set of accomplishments, Tunisian civil society was suffering a series of challenges and constraints even before President Kais Saied’s power-grabbing measures. These include attempts by the government to tighten regulations for civil society activity; an increasingly weak and ineffective political class coupled with a crippled economy; and widespread divisions linked to, and reinforced by, the increasingly authoritarian political environment.

This paper is based on a review of the secondary literature and on interviews with Tunisian civil society activists, with observers of Tunisia’s democratization process more generally, and with representatives of the foreign donor community funding Tunisian civil society activity. It seeks to offer an overview of how the civil society–state relationship has developed, with an eye toward identifying the limitations of these NGOs and the

opportunities for Washington and the international donor community to better leverage them to effect democratic change.

Why Do We Care About Civil Society?

The term *civil society* generally refers to networks of voluntary associations that are not part of the state and that serve “common, non-profit and non-political goals and interests.”¹ The terms *civil society organization* and *nongovernmental organization* refer to such associations, whose goals and interests can range broadly from protecting human rights to organizing leisure activities. The democracy-promotion community has always assumed that the existence of such a network in Tunisia since 2011—whose growth appeared to dovetail with the development of democratic institutions, including free and fair electoral processes—plays a positive role.²

Several features of civil society matter for democracy and democratization. First, civil society has a dual function vis-à-vis the state: it seeks to check the control and power of the state, but also—particularly as democracy is consolidated—to act as a partner with it.³ In other words, civil society is distinctly separate from the state and therefore plays an important role in blocking the state from encroaching on citizens’ liberties, but it often pursues the same goals as the state and can therefore be a partner to the government as well.⁴ Civil society fills functions that help build the various “ingredients” of a democracy. For example, CSOs might fight against corruption, push for transparency or access to information, raise awareness of social issues and push for solutions to them, promote tolerance of diversity and political engagement, or help amplify marginalized voices. Additionally, irrespective of civil society’s relations with the state, it plays an important role in fostering democratic virtues since, by definition, it is a place where diverse ideas are exchanged and debated without violence.⁵ (For data on U.S. aid to Tunisia, including civil society, see figure 1.)

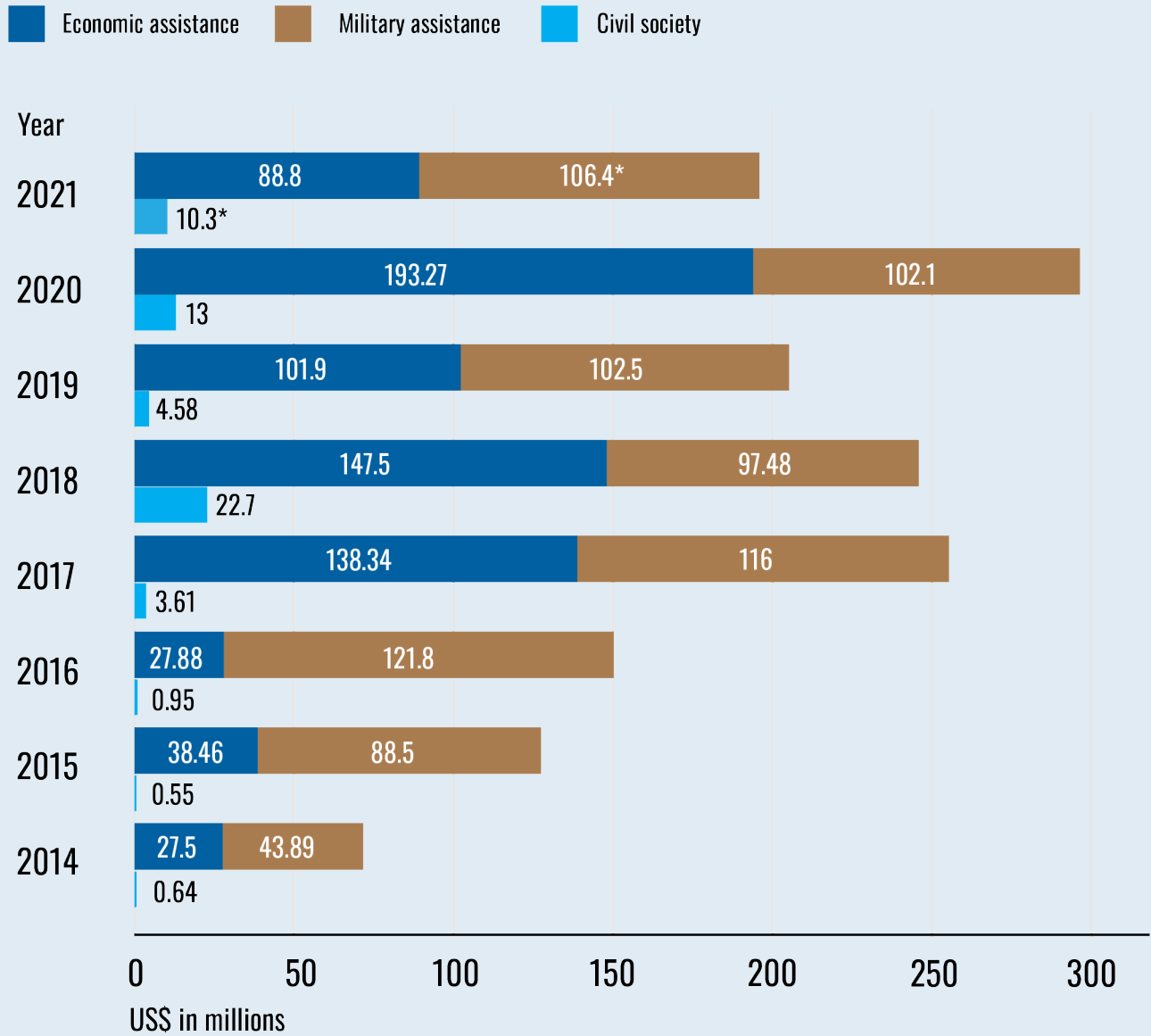
Abbreviations

ATFD	Tunisian Association of Democratic Women
CSID	Center for the Study of Islam and Democracy
CSO	civil society organization
DI	Democracy International
DL-88	Decree Law 2011-88 (post-revolutionary measure governing associations)
FTDES	Tunisian Forum for Economic and Social Rights
INGO	international NGO
IMF	International Monetary Fund
LTDH	Tunisian League for Human Rights
NCA	National Constituent Assembly
NGO	nongovernmental organization
UGTT	Tunisian General Labor Union
UTICA	Tunisian Confederation of Industry, Trade, and Handicrafts

Figure 1.

U.S. Assistance to Tunisia, 2014–21

The figures below represent total bilateral assistance to Tunisia by year, divided into economic and military assistance, and total funds dedicated to civil society support, which is a component of economic assistance.



*Estimate based on the Congressional Budget Justification for 2023, <https://www.state.gov/wp-content/uploads/2022/05/FY-2023-Congressional-Budget-Justification-Appendix-2-final-508comp.pdf>. All other figures come from www.foreignassistance.gov.



Organization name: L'Association Tunisienne Pour la Justice et l'Égalité/Damj (“Reintegration”)

Founded: 2011

Mission: Works for inclusion, defense of minorities and marginalized groups, including the LGTQIA+ community, by celebrating the individual, strengthening the community, and promoting its integration into society.

Source: <https://www.facebook.com/damj.tunisie/>



Organization name: International Institute of Debate (II Debate)

Founded: 2013

Mission: To develop the next generation of civic leaders, activists, and change agents by giving young people the opportunity to actively participate in the political process. By opening up spaces for democratic education and youth participation in schools and government, it strives to prioritize the needs of low-income youth and under-resourced schools and regions.

Source: <http://iidebate.org/>

The Tunisian Context

This section presents the specific legal context in which Tunisian civil society operates, and describes the breadth and types of organizations included in civil society.

The Legal Framework

Under the authoritarian governments of Habib Bourguiba and Zine al-Abidine Ben Ali, CSOs were closely monitored and often infiltrated by the state, and they were expected to mimic the state’s “unifying”—and largely secularist—narrative.⁶ Although scholars disagree on the extent to which Tunisian CSOs under these authoritarian governments genuinely developed into an opposition movement,⁷ their activity was significant enough to lay the foundations for the civil society that emerged once Ben Ali was overthrown.

Prior to 2011, Tunisian law required those wishing to form civil society organizations to request authorization from the government. The legal restrictions were so extensive that by some counts, at the time of Ben Ali’s fall, only about ten independent NGOs existed.⁸ In a major change to the legal framework following 2011—codified in Decree Law 2011-88 (DL-88), which is still in place—organizations can declare their existence, obligating the state to recognize them and respect their independence so long as their by-laws do not call for “incitement for violence, hatred, fanaticism, or discrimination on religious, racial, or regional grounds.”⁹

Two other aspects of the Tunisian legal framework regarding civil society bear mention. First is the regulation of foreign funding. Under the current law, associations must fully report any funding they receive, including funding from foreign entities, although they are not prohibited from accepting such funding. This is important because, as will be discussed below, regulation of foreign funding can be a government lever to try to restrict CSOs’ activities.¹⁰

Second, Tunisian law distinguishes between associations and political parties, but in practice this distinction can be difficult to draw. It is widely understood that certain charity groups are closely linked to political parties, which have created the associations to provide handouts so as to gain votes from the recipients.¹¹ They can also be used to conceal receipt of foreign funds, e.g., “funding for da’wa (religious outreach) and social services provided by conservative religious organizations,” which typically comes from Gulf Cooperation Council countries, especially Saudi Arabia and Qatar.¹²

The line between political parties and CSOs becomes further blurred when individuals active in politics also join or found organizations. For example, the Center for the Study of Islam and Democracy (CSID) and the Jasmine Foundation have been called “direct vehicles” of the Islamist party Ennahda: the goals and values of these groups are closely aligned with those of the party, and their members may be very active within the party,¹³ but they are technically separate organizations. By and large, the young people who make up Tunisian civil society adhere to a secularist political ideology and, while they do not represent the secular parties, they share their suspicion of Islamists (discussed more below).

A key category of CSOs in Tunisia is professional associations, which have been in existence since before Ben Ali’s fall, alongside feminist organizations, student unions, and the Tunisian League for Human Rights (LTDH, *La Ligue Tunisienne des Droits de l’Homme*). Labor unions are subject to the Tunisian labor code, which does not apply to the majority of CSOs.¹⁴ The Tunisian General Labor Union (UGTT, *Union Générale Tunisienne du Travail*) also differs from most other CSOs because it plays an overtly political role, having initially been part of the ruling party’s corporatist structure and even fielding candidates in parliamentary elections.¹⁵ It also participates alongside other organizations in quasi-political activities, such as joining the political reform commission created in the wake of the 2011 revolution to guide the process toward post-revolutionary elections.¹⁶

The Landscape

In addition to the small number of associations that existed before 2011, thousands of new associations were formed in the years following Ben Ali’s fall (see map 1).¹⁷ Approximately 24,000 associations are currently registered in the official National Enterprises Registry.¹⁸ However, only about 300 or 400 of these are estimated to be active (the registry is said to count the “birth rate” but not the “death rate”).¹⁹ These are considered low numbers given Tunisia’s population of about 12 million.²⁰ The types of concerns covered by this plethora of associations include women’s issues, the environment, LGBTQIA+ rights, educational concerns, cultural concerns (e.g., arts, media), athletic activities, and more.²¹



الجمعية التونسية للنساء الديمقراطيات
Association Tunisienne
des Femmes Démocrates

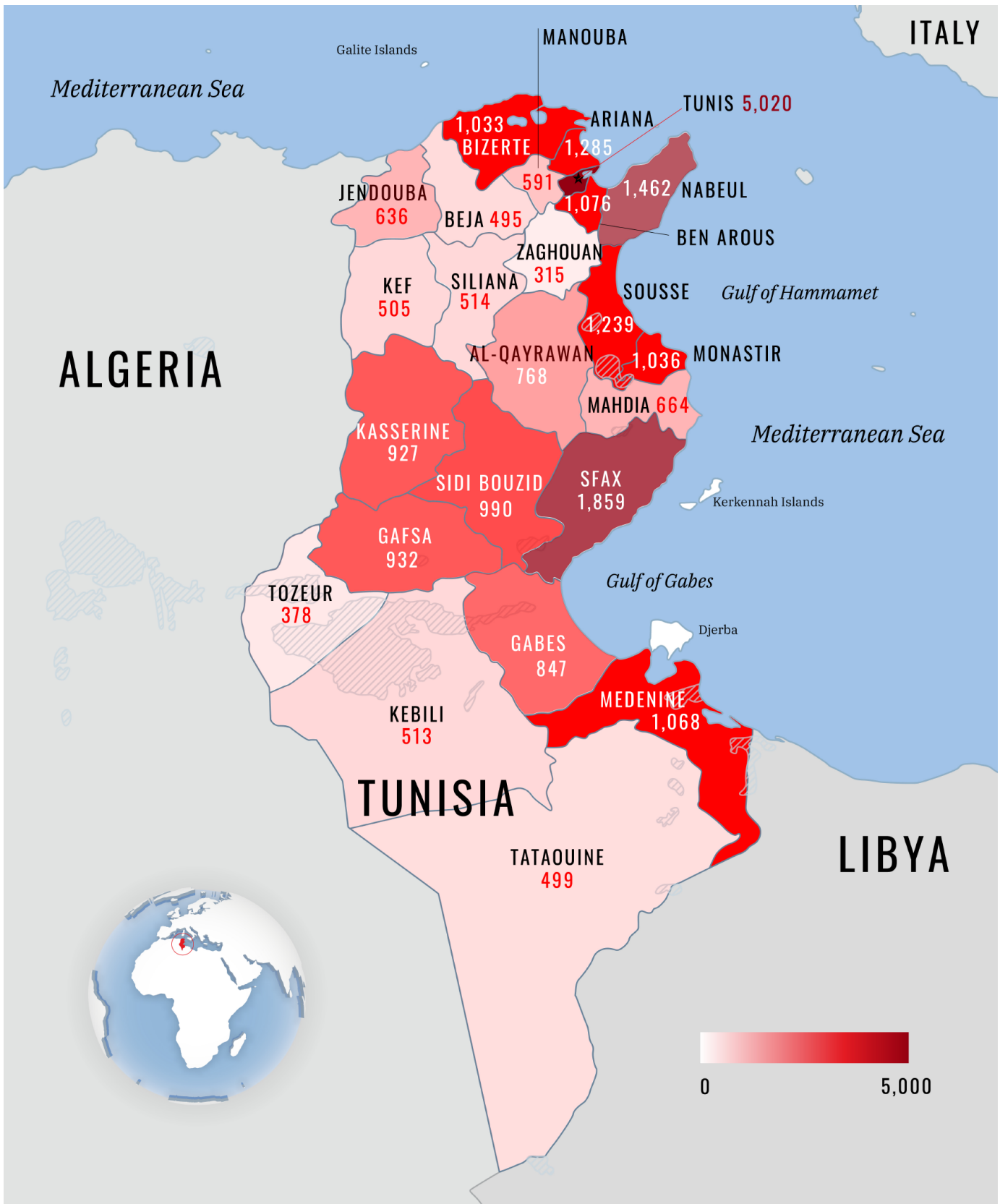
Organization name: Association Tunisienne des Femmes Démocrates (ATFD)

Founded: 1989

Mission: Works for the elimination of all forms of discrimination against women; the protection of rights and legislation gained by women as a step toward gender equality; the transformation of patriarchal mentalities; women taking responsibility for their problems, and solidarity with women in the struggle for nondiscriminatory solutions; the participation of women in political and civil life, and the recognition without restriction of their full citizenship; and the struggle against all forms of violence against women.

Source: <https://atfd-tunisie.org/qui-sommes-nous/>

Map 1.
Geographic Concentration of CSOs in Tunisia



The majority of active CSOs receive significant funding from foreign governments, whether through direct grants or sub-grants from the governments' implementing partners. Public funding for associations is limited and is restricted to charity organizations.²² Most funding comes from the European Union and European states. The United States runs programs funded through the Department of State (primarily the Bureau of Democracy, Human Rights, and Labor); direct grants from the U.S. embassy in Tunis; and the U.S. Agency for International Development. Projects supported by these funds are implemented by an array of partners, largely headquartered in Washington DC. Most have only project-based offices in Tunisia, which close when the funded project ends, but a few, such as the United States Institute of Peace, have a permanent office in Tunis. Similarly, European donors fund CSOs through a variety of mechanisms, and state-funded and private foundations such as the Friedrich Ebert Stiftung, the Konrad Adenauer Stiftung, and the Anna Lindh Foundation have a key presence in the country.

Finally, international advocacy and service organizations headquartered outside Tunis that work across borders have a significant presence in Tunisia. Among these international NGOs, or INGOs, are well-known organizations such as Amnesty International, Human Rights Watch, Oxfam, Lawyers Without Borders, the Open Society Foundations, and the World Organization Against Torture. Many of these INGOs see themselves as supporting Tunisian CSOs in order to strengthen their capacity and do not view themselves as their competitors.

Tunisian Civil Society's Evolution Since 2011

This section discusses how Tunisian civil society grew in the decade following the 2011 uprisings, and specifically how its relationship with the state evolved. It also discusses the current state of civil society and the challenges facing it.

2011–14: Initial Period of Cooperation

Numerous accounts detail Tunisian civil society's explosion in the months and years following the overthrow of Ben Ali.²³ This is largely due to the post-revolutionary law governing associations, DL-88, which was drafted in the wake of Ben Ali's departure and before the new constitution was adopted. During the early years of post-Ben Ali Tunisia, civil society "flourished" but in a somewhat chaotic manner, with unprecedented levels of foreign funding pouring in and large amounts of learning and shifting taking place.

Tunisia's political environment was being rapidly transformed during this period. The first post-Ben Ali elections were held in October 2011 for a National Constituent Assembly (NCA), in which the Islamist Ennahda Party won a plurality of seats and formed an interim government in coalition with two secularist parties. Civil society played an active role in this process, with delegates welcoming CSOs' participation and establishing mechanisms for their involvement.²⁴ Nonetheless, tensions among the elected members of the NCA reached a tipping point in the summer of 2013, when delegates were stymied in their constitution-drafting process largely due to the polarization between Islamist and secularist perspectives. Following a series of political assassinations, a "quartet" of "historic" CSOs—the labor union (UGTT), the Tunisian Confederation of Industry, Trade, and Handicrafts (UTICA, *Union Tunisienne de l'Industrie, du Commerce et de l'Artisanat*), the LTDH, and the bar association—facilitated a National Dialogue to help overcome the stalemate. As a result, the Ennahda-led government handed over power to a caretaker government until the next elections were held.

Although the quartet received extensive praise and even a Nobel Prize for facilitating a compromise between Tunisia's Islamist and secularist rivals, the National Dialogue process was subsequently criticized as a conversation among the elite that "did not involve any vision and concrete policy in service of the people."²⁵ While the four organizations themselves can be generally considered

representative of the Tunisian people—particularly the UGTT and LTDH—and include a working-class base that is distinct from the elite leadership and even pushes back against it, as historic organizations they have also been accused by younger civil society activists of obduracy and not listening.²⁶ Therefore, it is important not to overstate the impact of this high-profile Tunisian civil society contribution to the country’s democratization process.

Moreover, the deep polarization between Islamists and secularists—as noted above, most CSOs and their members are secularists²⁷—did not disappear following the National Dialogue. In fact, many point to an event outside Tunisia, the July 2013 military-led overthrow of the elected Muslim Brotherhood government in Egypt, as greatly influencing the Ennahda leadership’s decision to step down.²⁸ Indeed, these two interlinked conditions—an elite that was separated from the people despite civil society activism, and a persistent antagonism between Islamists and secularists despite their apparent cooperation in government—would persist in the following years.

2014–19: “Golden Years” and Subsequent Decline in Cooperation

Under the first elected government of the post–Ben Ali era,²⁹ CSOs successfully cooperated through an “ecosystem”³⁰ to pursue their various agendas. Through their push for civil rights and liberties, for example, they succeeded in advancing equality for marginalized groups, including the adoption of a 2013 law on transitional justice, a 2017 law to eliminate violence against women, and a 2018 law criminalizing racial discrimination.³¹ In another high-profile campaign during this period, called *Manish Msemah* (We Do Not Forgive), a large network of organizations deployed a variety of tactics to block a proposed law to forgive past government figures for corruption if they consented to return an agreed-upon sum of money to the government. The campaign did not ultimately realize this goal, but it nonetheless illustrates civil society’s ability to generate effective coalitions to mobilize around a particular issue.

CSOs also had notable accomplishments in strengthening local governance. There is anecdotal evidence that cooperation evolved between citizens and local elected officials as a result of foreign-funded civil society projects in communities. In one case, a Tunis-based group that worked with communities in Zaghouan governorate witnessed a transformation in the attitudes of municipal council members and community members as they worked together to strengthen the local school. Those who participated moved from skepticism about volunteer work and school quality to eager support for the school and volunteering as teachers.³² Such local-level shifts in attitude were reportedly replicated around the country.³³

Another success during this period was the growth and professionalization of Tunisian civil society, as attested by people working in or with CSOs.³⁴ On an individual level, many young Tunisians have progressed from starting or holding volunteer roles in small, local organizations to salaried roles in larger organizations supported by donors that provide them with experience they can apply elsewhere.³⁵ Young leaders of CSOs, even from rural areas where the organizations tend to be smaller and less well-resourced, have gained experience in conflict mitigation and similar practices that have proved applicable in their own communities. Some have even had the chance to travel abroad to participate in UN-sponsored forums for civil society and youth.³⁶ On an organizational level, although many CSOs are no longer in operation, some have grown significantly in terms of their annual budget and now work with many kinds of donors on a variety of projects.³⁷

During this same period, however, the relationship between the state and CSOs became increasingly antagonistic. It is important to note that while the law governing civil society (DL-88) has not changed, many practices around implementing it have. For example, registration with the Prime Minister’s Office (where the General Directorate for Associations, responsible for the national registry of associations, is located) has become increasingly difficult. Observers and civil society activists report that beginning around 2015–16, this office ceased

sending registration applicants a notification of receipt. Without this notification, the *National Gazette* would not print the official announcement of the association's registration, requiring someone from the organization to travel to the Prime Minister's Office to obtain the necessary documentation. At times, state officials would reportedly frustrate the applicant by requiring seemingly arbitrary changes to the association's by-laws before returning the notification of receipt.³⁸ Another subtle but effective barrier to registration was an official letter sent to applicants in response to their declaration package saying that the state had received the "request for declaration." Such language suggested that the state had the authority to refuse or deny declaration when, in fact, DL-88 allowed this only if the state had evidence of the association's violating the law's code of "civility" (as discussed earlier).³⁹

Implementing organizations of foreign governments also became entangled in the increasingly antagonistic relationship between civil society and state. In 2018, for example, the American NGO Democracy International (DI) launched a project funded through the U.S. embassy to support dialogue between civil society and the state on a proposed revision to DL-88, purportedly in response to concerns that the law permitted terrorist financing to enter the country.⁴⁰ The Tunisian CSOs were fiercely opposed to these revisions because they proposed placing restrictions on CSO registration, and they accused DI of meddling.⁴¹ Ultimately, DI was forced to reduce its activities when it was accused by civil society of supporting a return to Ben Ali-era counterterrorism laws from the Ben Ali era.⁴²

Other tensions arose between CSOs and international donors and Tunisian politicians and political parties. During the constitution-drafting process in 2012–13, technical assistance from outside actors was well received by the NCA delegates. But in subsequent years, government accusations of interference and illegitimacy increased. Researchers attribute this shift to political opportunism: during the constitution-writing process, political parties saw it as advantageous to work with INGOs on developing a strong constitution, but once the

constitution was in place, they believed they no longer needed the INGOs' technical assistance and preferred not to be criticized. This research also indicates that political parties showed less interest in participating in workshops organized by INGOs and CSOs that would highlight problems with governance.⁴³ Such examples underscore the increasing unwillingness of Tunisia's political class to act as a partner to civil society.

The years between 2015 and 2019 also saw a growing disillusionment among Tunisian secular youth with formal participation in politics (such as voting, running for office, and being active in political parties) and a far stronger preference for civil society and protest activity. (In contrast, Ennahda was more successful than its secularist counterparts in engaging youth in party activism, even though there were far fewer Islamist-inspired CSOs than secular CSOs.)⁴⁴ By and large, the reluctance of young secular activists to participate directly in government reinforced the secularist nature of Tunisian civil society.

These dynamics created what was identified as a dangerous imbalance between political and civil society, leading to a situation in which civil society threatened to replace a functioning state.⁴⁵ Observers noted that corrupt politicians neglected the dire need for structural economic reforms and spent their time bickering and pursuing their own individual gains.⁴⁶ Thus, despite the growing strength and accomplishments of civil society during this period, Tunisia's fragile democracy was facing mounting risks as the economy weakened and the political class stumbled. CSOs had a hard time engaging with the government and politicians to fulfill their functions of advocacy, support, and checking government actions.

During this period, the strength of local governments also appeared to decline. The central government often appeared resistant to collaborating with local officials, and an overall highly centralized administrative system—frequently described as highly corrupt—also prevented local elected bodies from implementing development projects.⁴⁷ Ultimately, despite an active and in some cases successful civil

society, the government's problems with democratizing its own processes and finding ways for parties to cooperate would hamper the development of a partnership between civil society and the state.

2019–Present: Divisions and Challenges

The months between the fall 2019 elections, which brought to power the “outsider” president Kais Saied and a highly fractured parliament, and the spread of Covid-19 in early 2020, were characterized by high levels of political instability.⁴⁸ This contributed to young people's growing disillusionment with formal politics, which was increasingly on display, for example, in the frequent public protests around the country.⁴⁹ When the pandemic struck, the socioeconomic conditions were already dire.⁵⁰ By the summer of 2021, with skyrocketing inflation, soaring deaths due to the government's inability to manage the pandemic, and rampant displays of corruption circulating in the media, the tensions on the street were palpable.⁵¹

In this context, on the occasion of Tunisia's Republic Day in 2021, President Saied suddenly froze parliament, dismissed the prime minister, and lifted parliamentary immunities. The general perception among foreign and especially Western observers was that these moves violated the constitution and that if the president was not harshly criticized and pressured to immediately reverse them, they would undermine Tunisia's democratic gains. In contrast, among many Tunisians, including civil society activists, the moves were received as a hopeful sign that the president would finally end the corruption and ineptitude of parliament and the entire political system.⁵²

These responses to Saied's actions highlighted a divide between foreign interests and Tunisian civil society activists and, to a degree, political party members. One foreign donor representative described, for instance, a meeting with local staff, all of whom expressed ambivalence about the president's moves or outright support, in contrast to the foreigners, who were shocked at what they

considered a clear violation of the constitution.⁵³ Representatives of the foreign donor community have continued to express disbelief at civil society's overall muted response to Saied. They attribute the silence—at least partially—to the activists' opposition to Islamists, whom Saied has consistently attacked.⁵⁴

This is not the only instance of the two-faced nature of the relationship between Tunisian civil society and its foreign supporters, especially the United States. Civil society and youth activists have noted, for example, that simultaneous U.S. support for civil society and the Ministry of Interior, where the security forces are housed, is perceived as “feeding the beast” and strengthening the police, who often clash with activists and protesters.⁵⁵ Critics have also accused Tunisian CSOs of contradictory behavior: on the one hand, they echo Saied's rhetoric about foreign interference, while on the other they continue to look to foreign governments for funding.⁵⁶ In short, Tunisian civil society members and the international donors who fund them often do not see eye to eye.

The president's moves have also led to divisions within civil society.⁵⁷ Although the initial statements released by some of the best-known CSOs, such as I Watch and Al Bawsala, generally took an ambivalent or critical stance toward the president's actions, over time, an increasing number of activists and organizations spoke out against him (see figure 2).⁵⁸ However, disagreements remained. According to some observers, key figures in well-known organizations such as the Tunisian Forum for Economic and Social Rights (FTDES, *Forum Tunisien pour les Droits Economiques et Sociaux*) “disappeared” from the public eye due to disagreements within the organization over whether to oppose Saied.⁵⁹ These same observers believe the voices opposed to Saied were largely sidelined,⁶⁰ mainly because of the president's attacks on Ennahda, which (secular) civil society activists continued to detest.⁶¹

Turmoil within organizations was most visible in the historic organizations, the LTDH and the UGTT. For example, certain members of the LTDH board of directors were reportedly shunned for trying to oppose Saied, although in fall 2022, the organization

elected a new board of directors more critical of the president.⁶² One younger activist said that the UGTT’s initially ambiguous or mitigated reaction caused concern among those who were worried about civil society’s ability to curb any authoritarian drift, noting the sentiment that “if we lost the UGTT that would mean we lost the war.”⁶³ Leaders of several prominent historic organizations—including LTDH, UGTT, UTICA, the bar association, the National Union of Tunisian Journalists, the National Union of Tunisian Women, and the Tunisian Association of Democratic Women (ATFD)—and of the nonhistoric FTDES also met with Saied on July 26, 2021, and the president reportedly affirmed his “commitment to ensuring rights and freedoms and respect for the rule of law and democratic processes in the country.”⁶⁴

Despite these divisions—between civil society and the donor community, and within civil society itself—and despite the surrounding problems of mounting resistance to civil society from the state, which was manifested in an alarming increase in police brutality, most activists continue to push for change. In addition to the increased protest activity that has been documented—and other forms of informal political engagement, or “street politics”—a spike in illegal immigration by Tunisians to Europe in recent years reflects the deterioration of living conditions in Tunisia.⁶⁵ Although some of civil society’s original post-2011 leaders have left the country or “aged out of activism,”⁶⁶ others, along with a younger set of activists, remain committed to staying in the country and pushing for change. Still, the utter frustration with government and the deep disillusionment with formal politics, combined with a sense of paralysis within the donor community about moving forward given the reversal of Tunisia’s democratic trajectory, loom large.

Current Challenges

Despite the accomplishments of Tunisian civil society since 2011, the sector faces several challenges. One of these is pushback from the state, which under President Saied has become an imminent threat.

Second, civil society faces new divisions internally (even within organizations) and sometimes vis-à-vis its foreign funders. Third, the lack of a constructive relationship with the state has left civil society circumscribed in fulfilling its democratizing and development functions—for example, in furthering the educational, cultural, or other interests of Tunisians. Finally, CSOs still rely on foreign donors for their funding and, despite valiant efforts to spread resources evenly, still have more capacity in the coastal regions.

Closing Space

In the current environment, civil society in Tunisia is facing an undeniable threat from the president, who has already taken sweeping control of democratic institutions such as the judiciary.⁶⁷ Civil society activists today report frustrations with attempts to register their organizations similar to the problems experienced between 2015 and 2019, potentially contributing to the current slowdown in registrations.⁶⁸ CSOs face harassment beyond just registration. I WATCH, the well-known local branch of Transparency International, an anti-corruption organization, has apparently reported harassment of its leaders and their families,⁶⁹ while other activists have described consistent harassment faced by queer rights activists, such as in trying to apply for a passport.⁷⁰ Queer rights organizations also report having their offices raided or arbitrarily shut down by authorities, and activists have been subject on numerous occasions to arbitrary arrest, detention, and physical assault.⁷¹

Notably, a draft revision to DL-88, leaked in March 2022, which would allow the government to tighten restrictions on registering CSOs, was apparently put on hold due to the forceful reaction of civil society, which launched a public campaign and lobbied foreign governments to oppose the law.⁷² This revision threatened to return civil society to the restrictive legal environment of the Ben Ali and Bourguiba eras, when the state had wide authority to block registration of organizations and require them to receive prior approval for foreign funding, making

Sample Responses to President Saïed's Actions, July 2021–December 2022

Figure 2.

Groups selected based on prominence and availability of statements; material also drawn from <https://rowaq.cihrs.org/views-tunisian-human-rights-organisations-and-the-path-of-25-july/?lang=en>.

UGTT



LTDH



I Watch



Al Bawsala



ADLI



BEITY



National Union of Tunisian Journalists



Supports labeling of elections a “considerable step back for women’s rights”

Boycotts elections and reiterates need for vigilance

Calls for dismissal of all members of the independent Supreme Authority for Elections

Executive office claims decline in voter participation “confirms” public rejection of Saïed’s governing plan

Joins coalition opposing draft constitution and referendum



Joins coalition opposing draft constitution and referendum; key participant in protests against the constitution

Joins coalition opposing draft constitution and referendum

Calls draft constitution a “new foundation for old authoritarianism”

Files complaint against Saïed regarding corruption in election laws and administration. Challenges referendum results, demands recount by independent committee

Calls for president to withdraw draft constitution and initiate National Dialogue; some members dissent

Strongly condemns draft of constitution published in June 2022



DEC 2022

First parliamentary elections held under new constitution.

Saïed unveils new draft constitution.

JULY 2022

MAY 2022

Saïed forms constitutional commission.

Accepts invitation to join constitutional commission, prompting internal dissent

Rejects president’s formation of constitutional commission

Criticizes Saïed’s dismissal of fifty judges and disclosure of personal information of two female judges



JULY 2021

July 25: President Kais Saïed suspends parliament and dismisses PM Hichem Mechichi, then rescinds immunity for MPs, citing Article 80 of the 2014 constitution.

Saïed issues DL-117, consolidating presidential power.

SEPT 2021

Calls DL-117 an “alarming slide toward authoritarianism”

Calls suspension of parliament “an important step toward ending a corrupt system” but not a “blank check”; calls DL-117 lacking in “real guarantees and clear indications of inclusion”

Emphasizes need for Saïed to “adhere to constitutional legitimacy”

Calls for commitment to constitution and human rights, limiting the state of exception, and road map established jointly with civil society

Acknowledges crisis levels of corruption in government, but greets president’s actions “with suspicion and apprehension”

Condemns suspension of parliament and disagrees with application of constitution’s Article 80, which allows the president to take “exceptional measures” in the face of “imminent danger”; requests clarity on road map

Calls for management of “popular tensions, the social, economic, and health crises, and the obstruction” of ruling coalition but also casts president’s interpretation of constitution’s Article 80 as “erroneous”

Recognizes current crisis in Tunisia, calls for freedom of expression/press to be respected, and calls for president to develop road map

Demands clear end to exception period and formation of reduced cabinet

Condemns human rights violations and expresses concerns over concentration of executive powers; renews demand for limiting state of exception

Sues minister of interior for decision to close National Anti-Corruption Authority

Welcomes appointment of first female head of government, but criticizes DL-117, the recent presidential decree, for giving president excessive powers



it much more difficult to obtain.⁷³ By fall 2022, renewed fears of such legal restrictions had emerged within civil society, leading to reports that organizations were creating bank accounts abroad and taking other steps to mitigate the harm such a crackdown would cause.⁷⁴ Other reported mitigation strategies include trying to register as a company, despite the higher taxes this would presumably require CSOs to pay.⁷⁵

Therefore, although freedoms for civil society had begun to constrict long before Saied came to power, today the space appears to be still tighter. Even before the July 25, 2021, referendum, activists had begun facing increased levels of harassment, arrests, police violence, and even torture.⁷⁶ In the post-July 25 environment, the treatment of civil society and the media has become more severe.⁷⁷

New Divisions

As civil society has evolved since 2011 and as the early successes in democratization have faltered, the roles and relationships within and among CSOs have also changed. As described above, the polarization between Islamists and secularists in the political sphere is widely cited by outside observers as an obstacle for civil society, interfering with its ability to stand up to Saied’s authoritarian measures. To these observers, civil society activists have allowed their political ideologies—largely leftist/secularist—to stand in the way of their “watchdog” role in guarding against creeping authoritarianism.⁷⁸ This has led to a broader reckoning within the foreign donor community about whether its work with these young Tunisians over the past twelve years has led democratic principles to take root.

However, the overall divisions and hesitant reactions within civil society sparked by President Saied’s power-grabbing measures may have deeper roots. According to representatives of the foreign donor community, infighting, a general unwillingness to cooperate, and a lack of trust constitute deeper problems within Tunisian society, including civil society, predating the divisions accentuated by

Saied’s actions (see figure 3).⁷⁹ For example, activists have noted that organizations within the same sector tend to compete and speak badly about each other as a result of their different approaches—rather than seeing these different approaches as complementary—and sometimes as a result of competition over increasingly scarce funding.⁸⁰ Occasionally, a generational divide is evident: for example, the older women’s activists coming from the historic organizations such as ATFD tend to be less inclusive than the younger ones, who are more intersectional and want to emphasize rights and protections of migrant and other minority women.⁸¹

Some donors are questioning whether these CSOs, which have grown up thanks to support from Western donors, have subordinated their own priorities to those of their funders. Civil society activists themselves admit that their agendas have sometimes been donor-driven, with a clear example being programs on preventing violent extremism—an area that American donors in particular have been eager to work on.⁸² Members of the foreign donor community have observed organizations losing their original sense of purpose and mission as they chase after foreign funds⁸³ or focus on writing reports that donors want to see rather than on genuinely pursuing democratization.⁸⁴ One observer cited the example of a CSO approaching a donor to request funds to educate people on the 2022 consultation and constitutional referendum process, even though the process itself was highly undemocratic—suggesting that the organization did not understand this or was willing to compromise its role in advancing democratization.⁸⁵ These criticisms, along with the observed lack of trust in society generally, suggest that civil society is still far from fulfilling its democratizing role as imagined by the democracy-promotion community in the West.

Continued Absence of Partnership with the State

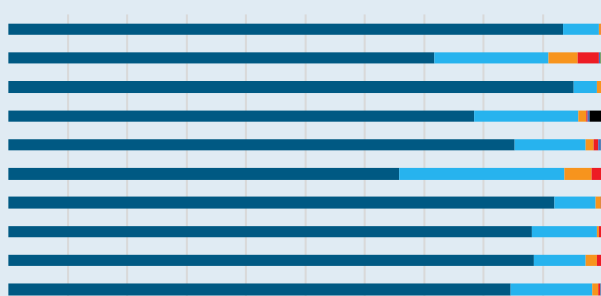
Scholars of democratization have noted that just “because civil society is independent of the state does not mean that it must always criticize and

Figure 3.
Reported Levels of Trust in Tunisia

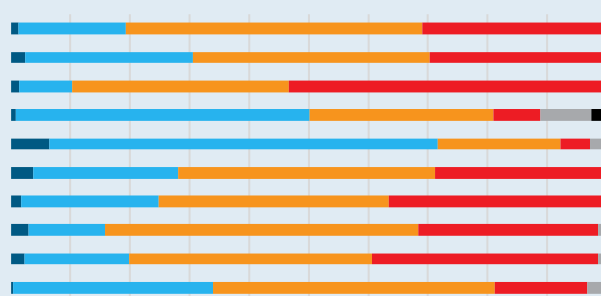
The polling data below illustrate reported levels of trust in Tunisia compared to a selection of other countries inside and outside the Middle East and North Africa. The non-MENA countries include both members and non-members of the Organisation for Economic Co-operation and Development. Among the non-MENA countries, both OECD and non-OECD countries are included. The data are taken from the World Values Survey, Wave VII, which asks respondents: “I’d like to ask you how much you trust people from various groups. Could you tell me for each whether you trust people from this group completely, somewhat, not very much, or not at all?”

- Trust completely
- Trust somewhat
- Do not trust very much
- Do not trust at all
- Don’t know
- No answer
- Other (missing, multiple answers)

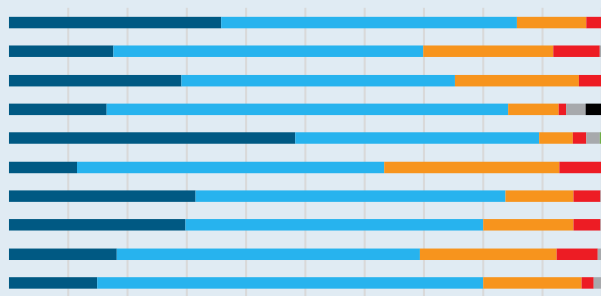
Trust: Family



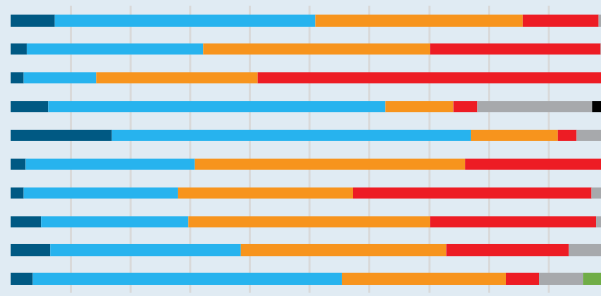
Trust: People You Meet for the First Time



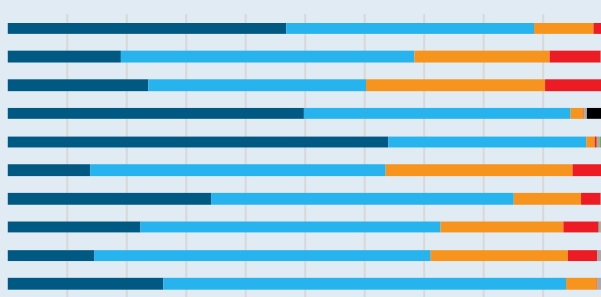
Trust: Neighborhood



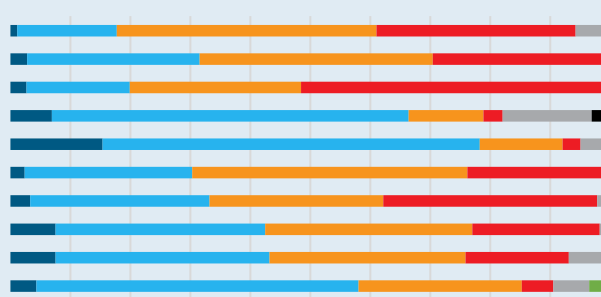
Trust: People of Another Religion



Trust: People You Know Personally



Trust: People of Another Nationality



Source: World Values Survey, Wave VII

oppose the state. In fact, by making the state at all levels more accountable, responsive, inclusive, and effective—and hence more legitimate—a vigorous civil society strengthens citizens’ respect for the state and promotes their positive engagement with it.”⁸⁶ This is not the case in Tunisia, where an overall absence of respect for the political class reigns and where effective partnership and cooperation with the state is limited. Despite some cooperation with state entities such as the Ministry of Social Affairs, in other cases, activists claim institutions such as the Ministry of Education have rebuffed requests for partnership.⁸⁷ Importantly, activists have noted a marked weakness in cooperation with the Ministry of Interior, where the security forces are housed.⁸⁸ In the context of increasing police violence against dissidents, protesters, and activists, this is a glaring absence of partnership where reform is most critical.

Finally, the state’s weak administrative capacity to regulate civil society hampers the work of CSOs. Its inability to regulate the finances of all CSOs has necessitated a certain level of self-regulation, which some observers feel is insufficient. It is widely understood that while most CSOs operate in a transparent manner, a few have done “shady” things with the money they have received.⁸⁹ Additionally, the larger problem of corruption prevents a solid cooperative relationship between civil society and the state and contributes to an overall lack of trust.

Insufficient Capacity

Tunisian civil society continues to face challenges due to the centralized nature of the Tunisian state and the lack of public funding for CSOs. The majority of civil society activity and capacity is concentrated in the capital and the coastal regions, along with the majority of state resources. This of course perpetuates the feeling of marginalization in the interior, because communities have less ability to advocate for their needs. Some CSOs in the interior even see Tunis-based organizations as “foreign” and accuse them of interfering or not understanding local context.⁹⁰

On top of this, Tunisian civil society’s reliance on foreign funding makes it largely unsustainable. Most participants acknowledge that foreign support, including U.S. support, has been critical for civil society’s development, but at the same time they feel that it has fallen short in providing the necessary training and capacity building to allow organizations to continue operating once the foreign funding is concluded.⁹¹

Fortunately, the recognition by civil society activists and the donor community of the imbalance between the coast and the interior has led to concerted efforts by the larger, more established organizations to work with and train the smaller, interior-based ones to better ensure operational sustainability. For example, Tunis-based organizations have already begun gaining experience in awarding sub-grants to smaller organizations, which they then also train.⁹²

Conclusions and Lessons for Policymakers

The Tunisian case reinforces findings in the literature that a fierce civil society constantly fighting against the state will not lead to democracy or democratization. Without certain actions by state authorities and elected officials, such as actions on needed economic reforms, or a coherent party system that can “aggregate interests...broadly across social groups and political issues,” a strong civil society is not sufficient for consolidating democracy and may even be detrimental.⁹³ Moreover, the findings here reveal that Tunisian civil society may not yet have fostered democratic virtues and a civic mindset among the populace necessary to allow civil society to operate cohesively and to consistently stand up for democratic principles. Thus, U.S. and international donors should keep the following lessons in mind as they consider future support for civil society:

Civil society development cannot come at the expense of other democratic institutions.

A persuasive portion of the democratization literature has demonstrated that a strong civil society paired with weak state institutions is not reflective of a healthy democracy. This is because CSOs on their own cannot mobilize large portions of the population (for example, to participate in elections) and do not necessarily represent strong or deep ties to all segments of the population.⁹⁴ This problem was highlighted in Tunisia long before Saied came to power.⁹⁵

The development of Tunisia’s civil society has been impressive, but this will mean nothing without other functioning democratic institutions with which it can work. For example, an independent judiciary is necessary to uphold and protect the advocacy work against the state, but it had already been compromised by Tunisia’s weak political class due to bickering and blocking of the constitutional court even before Saied began his attacks.⁹⁶ More important, as described above, a civil society that is contributing to developing and sustaining an inclusive democratic political system also needs a strong state and state administration as a partner.

Additionally, studies of social mobilization—including in Tunisia—in forms such as protest movements have suggested that when levels of political trust remain low, such political engagement will occur even as democracy is consolidated.⁹⁷ In this type of environment, associational activity may be effective for pursuing watchdog activities but it may be mostly confined to elite segments of the population or to the protection of political rights, leaving a gap which neither political nor civil society is filling. As the case of Tunisia demonstrates, Western governments and donors should be aware of this need for balance before they become blinded by the impression of a “vibrant” civil society.⁹⁸

Similarly, although CSOs can play an important role in documenting social and economic conditions in order to help hold the government accountable,⁹⁹ civil society alone cannot overcome problems rooted in failed economic policies.¹⁰⁰ Successive governments

in Tunisia have refused to undertake the necessary structural economic reforms that could have helped Tunisia’s democracy survive, with the country’s citizens now suffering the consequences. Clearly, a strong civil society on its own cannot save Tunisia from the problems this has led to, including massive out-migration, rampant inflation, and unemployment, plus all the accompanying psychological problems.

Be wary of Western assumptions about civil society and democratization. The sense among the foreign donor and support community that Tunisian civil society has “failed” due to its silence and its divided stance vis-à-vis Saied’s takeovers raises the question of whether Western donors and policymakers have been trying to force Tunisian civil society into an ill-fitting mold. Some of the most vocal proponents of this view insist that Western enthusiasm for the creation and activity of organizations that conduct democratic development activities and operate in a Western-conceived model—such as writing reports for donors that demonstrate evidence of change or “impact”—neglects a genuine grassroots development of civic engagement. These critics point to the myriad forms of youth activism that exist outside formal politics and the coastal, elite-dominated (and governance-focused) civil society—such as political graffiti and social movements around particular grievances—to show that Western donors have not succeeded in supporting productive forms of civic engagement.¹⁰¹

Moreover, the inability of civil society activists to overcome their deep mistrust of Islamists and politicians more generally makes clear that even the existence of high-functioning associations pushing for inclusive and transparent governance does not automatically lead to a change in the broader population’s mindset. It remains unclear whether these problems are a function of the West’s having tried to create CSOs “in its own image” rather than according to a more locally generated or grassroots process, or whether the CSOs simply need more time to develop. In any case, the story of Tunisian civil society highlights the gap between the Western donor community and Tunisians, even the most “democratic” ones, in perceptions of Saied’s actions.

This gap needs to be understood and addressed if the West is going to continue to support democratization in Tunisia.

Policy Recommendations

As Tunisia endures ever-greater uncertainty and its democratic gains since 2011 fade, U.S. policymakers will be increasingly challenged to find ways to engage constructively. Moreover, as the space for civil society threatens to shrink even further, the donor community interested in supporting democratic development will need to search for new ways to direct funding.

Given the decidedly mixed picture presented in this paper of Tunisian civil society's effectiveness, donors, and especially the United States, should consider alternative ways to support Tunisia. Scaling back support for civil society does not mean abandoning Tunisians or Tunisia's democratization process. Rather, the Biden administration will need to make targeted use of its limited resources so that: (1) Washington is not associated with any repression of human rights or other anti-democratic activities; (2) any support for civil society works in parallel with complementary democratic reforms and other forms of institutional development; and (3) U.S. interests—including countering violent extremism and fostering strong people-to-people relations—are clearly advanced. In the long term, maintaining connections between the United States and Tunisia based on these tenets will allow Washington to be a more effective partner if and when Tunisians renew their grassroots efforts to transition from authoritarian rule.

The following general recommendations can guide these considerations:

Oppose any reforms of Decree Law 2011-88.

As in other areas of Tunisia's political transformation, it is not necessarily legislation, but rather implementation, that has been a barrier to healthy

civil society development. The value of having DL-88 govern civil society is one point on which civil society activists, who are so often divided, tend to agree. A first component of a reformed relationship between the United States and Tunisia should therefore be supporting civil society's campaign to preserve the law.

Foreign pressure was instrumental in blocking the draft decree meant to replace DL-88 that was leaked in early 2022. Therefore, making this a central focus of U.S. diplomacy in Tunisia would demonstrate Washington's commitment to democracy activists inside the country while helping preserve their ability to operate. Encouraging French and other European partners to do the same would give even greater weight to the campaign. Additionally, Tunisia has become an important regional hub for development professionals working on countries across North Africa (particularly Egypt and Libya), and preserving DL-88 would avoid any tightening of the space in which international and North African NGOs operate.

Prioritize anti-corruption programs. High levels of corruption have acted as a barrier to the development of democratic institutions that could otherwise be a genuine partner to civil society. Corruption also undermines trust within Tunisian society generally. Whether or not the Tunisian government chooses to limit foreign support to civil society by replacing DL-88, policymakers in Washington should continue searching for effective approaches to countering corruption. Not only would such assistance be difficult for President Saied to oppose, given his populist rhetoric, it could also strengthen relationships between government authorities and CSOs, particularly at the local level. This could mean targeted support for good governance *through partnerships between government and CSOs*. An example would be activities in which civil society and local officials cooperate on organizing participatory budget procedures or developing "citizen charters," in which municipal governments publish their commitment to providing quality services. Another example would be support for internships for CSO members to work jointly with officials engaged in anti-corruption efforts.

Continue supporting counterterrorism efforts, but be wary of the impression this may create.

As noted, activists from within Tunisian civil society are keenly aware that the United States prioritizes countering violent extremism, and many believe this has caused Washington to turn a blind eye to the growing problem of police brutality and other human rights violations by the Ministry of Interior. Not only does this harm the perception of the United States generally within Tunisia, but it also undermines democratization processes by weakening U.S. credibility. At the same time, civil society's dependence on foreign funds, including U.S. funds, risks dampening confidence in CSOs.

Restoring faith in democracy among Tunisians will require engendering a higher level of trust in both civil society and in Washington's motives. The Biden administration should undertake a concerted public diplomacy effort to help Tunisians better understand the nature and objectives of U.S. support for Tunisian security forces and, specifically, how the United States seeks to engage civil society in these efforts. This could mean, for example, holding donor-funded conferences with officials, activists, and the public to present and discuss how security assistance is conforming to international human rights standards. The more civil society is involved in these reforms, the more trust will be built in Tunisia overall.

Focus on education. Given the challenges facing support for traditional civil society and the questions recent events have raised about its effectiveness, bolstering educational opportunities for young Tunisians presents a low-risk way to advance U.S. interests. Enhanced support for English-language programs and programs that support the education sector in Tunisia's interior regions would represent a step toward overcoming the interior-coastal divide that has plagued Tunisia's democratic development. Support for exchange programs or other opportunities for Tunisians from rural communities to travel abroad could also help energize youth from those areas while maintaining good connections with, and perceptions of, the West. Finally, although limited in scope, programs—including the International Visitor Leadership Program—that bring Tunisian

journalists, human rights activists, or government officials committed to building democratic institutions to the United States to learn about tried-and-true processes could be expanded. This would be valuable during the current period, when the United States is likely to reduce its presence inside Tunisia.

Prepare for worst-case humanitarian scenarios.

Although Tunisia and the International Monetary Fund have reached a staff-level agreement over a \$1.9 billion loan package, this will at best offer a temporary solution to the country's profound economic problems. In the meantime, citizens are trying to find any way they can to escape—including risking their lives to cross the Mediterranean to Europe by boat. Moreover, if the IMF loan package comes through, its required reforms—including salary and subsidy cuts—will be unpopular. Despite these challenges, the United States should continue to use its leverage inside the IMF to push for the necessary reforms and engage in any technical assistance necessary to implement them—provided the Tunisian government ultimately agrees to their implementation. In the meantime, growing unrest sparked by deteriorating global economic conditions on the back of already-rising food insecurity will require Washington to be vigilant and prepared to convert some of its existing economic support into more rapid humanitarian assistance if the situation becomes worse. ❖

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NOTES

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4. For example, writing specifically about human rights organizations, Hatem Chakroun argues: “[Human rights] actors find themselves in a continuous relationship (alternating between conflict and partnership) with all state structures as they act like intermediaries who are focused on pushing the state to comply with human rights as a fundamental principle governing its behaviour, thus preventing the state from encroaching on society, in addition to supporting its capacity to implement public policies, in which citizenship and its rights are central.” Hatem Chakroun, *Tunisia: Human Rights Organizations and the State*, Arab Reform Initiative, May 9, 2018, <https://www.arab-reform.net/pdf/?pid=2628&plang=en>.
5. Diamond, “Rethinking Civil Society,” 5–6.
6. Alexander Peter Martin, “Do Tunisian Secular Civil Society Organisations Demonstrate a Process of Democratic Learning?” *Journal of North African Studies* 20, no. 5 (September 22, 2015): 4, <https://doi.org/10.1080/13629387.2015.1081745>. Scholarship on this period has pointed out that the leadership instrumentalized civil society to promote an anti-Islamist agenda, using countering terrorism as a key pretext for clamping down on civil liberties.
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8. Sarah Yerkes, *Where Have All the Revolutionaries Gone?* (Washington DC: Brookings Institution, 2017), 15, <https://www.brookings.edu/research/where-have-all-the-revolutionaries-gone/>.
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14. Mnasir and Ghali, *Enabling Environment National Assessment of Civil Society in Tunisia*.
15. Jeffery Coupe and Hamadi Redissi, “Tunisia,” in *The Middle East*, ed. Ellen Lust (Thousand Oaks, CA: CQ Press, 2014), 807–8.
16. For more on this, see Sabina Henneberg, *Managing Transition: The First Post-Uprising Phase in Tunisia and Libya* (Cambridge: Cambridge University Press, 2020), 42–43, 52–54. Another example is the previously discussed mediation role played by the quartet in 2013.

17. Edwige Fortier, *Contested Politics in Tunisia: Civil Society in a Post-Authoritarian State* (Cambridge: Cambridge University Press, 2019), 5.
18. Tunisian Center for Information, Reports Training, and Documentation on Associations (*Centre d'Information, de Formation d'Études et de Documentation sur les Associations*, IFEDA), last accessed December 12, 2022, <http://www.ifeda.org.tn/fr/>.
19. Interview with civil society activist, October 2022.
20. Interviews with civil society activists, October 2022.
21. IFEDA breaks down the national organizations into the following sectors: scientific (i.e., research), feminist, athletic, social, cultural, development, microcredit, educational, environmental, legal, citizenship, youth, children, plus foreign networks and coordination. See <http://www.ifeda.org.tn/stats/francais.pdf>. The Jamaity platform, which brings associations together virtually, tracks their activities, and disseminates announcements regarding funding and employment opportunities, includes sectors such as agriculture, arts, and culture (including music, cinema, and theater), sports and leisure, countering violent extremism, science and technology, health, tourism, security, governance, and various forms of human rights. See <https://jamaity.org/>.
22. Interview with civil society activist, October 2022.
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25. Ghaya Ben Mbarek and Aymen Bensalah, “Is Tunisia Rolling Back the Revolution? It’s Not That Simple,” *Los Angeles Times*, August 2, 2022, <https://www.latimes.com/opinion/story/2022-08-02/tunisia-constitution-vote-democracy>.
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27. Sarah Feuer, “Post-Jasmine Tunisia,” in *Beyond Islamists and Autocrats: Prospects for Political Reform Post-Arab Spring* (Washington DC: Washington Institute, 2015), 7, <https://www.washingtoninstitute.org/media/1605>. This claim was confirmed in numerous interviews.
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32. Interviews with civil society activist, October 2022.
33. Also see *Meta-Evaluation Report: Tunisia*, UN Democracy Fund, May 31, 2021, https://www.un.org/democracyfund/sites/www.un.org.democracyfund/files/tunisia_meta-evaluation_final_31may.pdf.
34. Interviews with representatives of foreign donor community and civil society activists, October 2022. As will be discussed, a distinct gap exists between the capacity of Tunis-based organizations and those based outside the capital. Also see Foundation for the Future, *Study on Civil Society Organizations in Tunisia*, <https://africanphilanthropy.issueelab.org/resources/20291/20291.pdf>.
35. Interviews with civil society activists, October 2022.

36. Interviews with civil society activists, October 2022.
37. Interviews with civil society activists, October 2022.
38. Interview with Tunisian lawyer, October 2022.
39. Interview with Tunisian lawyer, October 2022. This interviewee noted that the phrase *request for declaration* is in fact illogical because organizations simply declare themselves.
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51. See Fadil Alireza, “Why Many Tunisians Are Celebrating President Saied’s Decision,” Middle East Institute, July 26, 2021, <https://www.mei.edu/publications/why-many-tunisians-are-celebrating-president-saieds-decision>.
52. Ibid.; Radwan A. Masmoudi and Monica Marks, “What Went Wrong with Tunisian Democracy?” CATO Institute, September/October 2022, 10, <https://www.cato.org/policy-report/september/october-2022/what-went-wrong-tunisian-democracy#>.
53. Interview with member of foreign donor community, October 2022.
54. Interview with representatives of foreign donor community and foreign observers of Tunisian civil society, October and November 2022.
55. Interviews with activists, October 2022.
56. Interview with activist, October 2022. Still other activists have accused the U.S. government of favoring organizations with certain political leanings (i.e., anti-Islamist). Another criticism targets the weapons sales by

Washington to countries like Saudi Arabia and the United Arab Emirates, which these critics believe undermine U.S. efforts to support human rights in Tunisia (interviews with activists, September and October 2022).

57. Interviews with foreign donors and civil society activists, October 2022.
58. Confirmed in activist interview, October 2022.
59. Interview with foreign observer, November 2022.
60. Interview with foreign observer, November 2022.
61. One representative of the foreign donor community said that ATFD, for example, remained silent in regard to Saied's authoritarian measures because Ennahda had always been its enemy and Saied was attacking the party. Interview, October 2022.
62. Interviews with representatives of foreign donor community and of Tunisian civil society, October 2022. The organization held its elections for board of directors in November 2022. See "Tunisie: Bassem Trifi incarne la continuité du combat de la LTDH pour les droits et les libertés," *Kapitalis*, November 15, 2022, <https://kapitalis.com/tunisie/2022/11/15/tunisie-bassem-trifi-incarne-la-continue-du-combat-de-la-ltdh-pour-les-droits-et-les-libertes/>. Also see Asma Noura, "Tunisian Human Rights Organisations and the 'Path of 25 July,'" *Rowaq*, November 30, 2022, <https://rowaq.cihrs.org/views-tunisian-human-rights-organisations-and-the-path-of-25-july/?lang=en>.
63. Interview with civil society activist, October 2022.
64. Noura, "Tunisian Human Rights Organisations and the 'Path of 25 July,'" <https://rowaq.cihrs.org/views-tunisian-human-rights-organisations-and-the-path-of-25-july/?lang=en>.
65. See Matt Herbert, *Tunisia: Growing Irregular Migration Flows amid Worsening Political Fragility* (Geneva: Global Initiative Against Transnational Organized Crime, 2022), <https://globalinitiative.net/wp-content/uploads/2022/06/Human-smuggling-and-trafficking-ecosystems-TUNISIA.pdf>
66. Interviews with activists and representatives of foreign donor community, October 2022 and December 2022.
67. For example, in spring 2022 Saied dismissed fifty-seven judges and dissolved the High Judicial Council. See "Tunisia: President Issues Decree to Create New Judicial Watchdog," *Al Jazeera*, February 13, 2022, <https://www.aljazeera.com/news/2022/2/13/tunisia-president-tightens-grip-on-top-judicial-body>; Amnesty International, "Tunisia: Reinstate Revoked Judges and Prosecutors," campaign, September 16, 2022, <https://www.amnesty.org/en/documents/mde30/6040/2022/en/>.
68. Interviews with civil society activist, October 2022. Also see Marzo and Cornwall, "Instrumentalize' the Assistance," 21.
69. Interview with civil society activist, October 2022.
70. Interview with civil society activist, October 2022.
71. Ed Ram, "Inside Tunisia's Shams Rad—The Arab World's 'Only Gay Radio Station,'" *BBC*, June 18, 2018, <https://www.bbc.com/news/world-africa-44137901>; "Tunisia: Police Arrest, Use Violence Against LGBTI Activists," *Human Rights Watch*, February 23, 2021, <https://www.hrw.org/news/2021/02/23/tunisia-police-arrest-use-violence-against-lgbti-activists>.
72. Rihab Boukhatia, "Droit d'association: Le projet liberticide du gouvernement Bouden," *Nawaat*, February 8, 2022, <https://nawaat.org/2022/02/08/droit-dassociation-le-projet-liberticide-du-gouvernement-bouden/>; Sheridan Cole, Amy Hawthorne, and Zachary White, "Kais Saied's Next Target in Tunisia: Civil Society," *Project on Middle East Democracy*, February 24, 2022, <https://pomed.org/kais-saieds-next-target-in-tunisia-civil-society>; "Tunisia: Looming Curbs on Civil Society Must Be Stopped," *Amnesty International*, March 11, 2022, <https://www.amnesty.org/en/latest/news/2022/03/tunisia-looming-curbs-on-civil-society-must-be-stopped/>.
73. Some CSOs reportedly fear the government will ban foreign funding entirely.
74. Interview with representative of foreign donor community, October 2022.
75. Interview with civil society activist, October 2022.
76. Chaker, *Tunisian Civil Society and the Shrinking Margin of Freedom*, <https://pomed.org/tunisian-civil-society-and-the-shrinking-margin-of-freedom/>.

77. Noujoud Rejbi, “Violence, Seizure of Premises, Lack of Information: Journalists Speak Out,” Inkyfada, February 8, 2022, <https://inkyfada.com/en/2022/02/08/violence-premises-lack-information-journalists-tunisia/>
78. Interviews with representatives of donor community and foreign observers, October and November 2022.
79. Interviews with representatives of foreign donor community, October and November 2022.
80. Interview with civil society activist, October 2022.
81. Interviews with foreign donor community representatives and civil society activists, October 2022.
82. Interview with civil society activist, October 2022. According to this interviewee, preventing violent extremism was never a priority for Tunisian CSOs.
83. Interview with representative of foreign donor community, October 2022.
84. Research by Alexander P. Martin finds that Tunisian CSOs “selectively” borrow from Western donors in their learning and “have not understood foreign influence and funding as necessarily problematic, imposing upon them obligations or constraining their autonomy.” Martin, “Do Tunisian Secular Civil Society Organisations Demonstrate a Process of Democratic Learning?” 2, <https://doi.org/10.1080/13629387.2015.1081745>. Importantly, Martin’s research was conducted prior to 2015, when the operating environment for CSOs began to contract, according to civil society observers. Future research should examine whether this shift in environment (potentially including reduced levels of available funding) affected the ability of CSOs to engage in what Martin calls “democratic learning.”
85. Interview with foreign observer, October 2022.
86. Diamond, “Rethinking Civil Society,” 11.
87. Interview with civil society activist, October 2022. The interviewee described waiting for years to work with the Ministry of Education with no response.
88. Interview with civil society activist, October 2022.
89. Interviews with civil society activists, October 2022.
90. According to a Washington-based expert familiar with Tunisian civil society dynamics.
91. Interviews with civil society activists, October 2022. U.S.-funded projects in particular, such as Ma’an, have been criticized for not paying sufficient attention to building the capacity of small community-based organizations so that they can sustain their operations after a project ends (e.g., by learning how to apply for new funding).
92. Interviews with foreign donor representatives, October 2022.
93. See Diamond, “Rethinking Civil Society.”
94. For a good overview of this literature, see Yerkes, “Where Have All the Revolutionaries Gone?” <https://www.brookings.edu/research/where-have-all-the-revolutionaries-gone/>.
95. Ibid.
96. See Amy Hawthorne and Daniel Brumberg, “Q&A—Confronting Gridlock and Fragmentation: Impressions from Tunisia’s Democratic Transition,” Project on Middle East Democracy, February 23, 2017, https://pomed.org/ava-da_portfolio/qa-confronting-gridlock-and-fragmentation-impressions-from-tunisias-democratic-transition/.
97. See, e.g., Rory McCarthy, “Transgressive Protest After a Democratic Transition: The Kamour Campaign in Tunisia,” *Social Movement Studies* 21, no. 6 (September 1, 2021), <https://doi.org/10.1080/14742837.2021.1967128>. Political trust in Tunisia has since sunk to new depths, with official turnout in the December 2022 legislative elections at a record-breaking low of 11.2 percent.
98. Interview with foreign donor representative, October 2022.
99. FTDES plays this role. Noted in interview with foreign observer, October 2022.
100. Diamond, “Rethinking Civil Society.”
101. Interview with foreign observer, October 2022.

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