

CIVIL SOCIETY IN FORMATION: TUNISIA

Eva Bellin

“Civil society” is an exquisitely ambiguous term. Ever since its introduction into Western political parlance more than three centuries ago, the term has been used to vastly different ends by different social theorists. Among its usages, civil society has been employed to signify: the peaceable society human beings may enjoy thanks to the protection of a Leviathan state (Hobbes); the stratum of social organizations (corporations, clubs, churches) that exist between family and state (Hegel); the assortment of private associations that school citizens in civic virtue and provide a hedge against tyranny (Tocqueville, Montesquieu); a simple synonym for bourgeois society (Marx); and, the constellation of cultural institutions (churches, schools, voluntary associations) that guarantee ideological hegemony for the ruling class (Gramsci).¹ More recently, the term has become a normative football in contemporary political debate. For champions of the fall of communism, civil society represents a venerable bulwark of freedom and democracy, those islands of autonomous social power (churches, labor unions) that countervail the state and undermine totalitarian regimes.² For guardians of the traditional left, civil society represents an arrant post modern project to disaggregate society along the lines of personal identity (gender, ethnicity, sexual preference), minimizing the salience of class and downplaying capitalism’s priority as the premier source of human exploitation and oppression.³ For defenders against Western imperialism, civil society repre-

¹ For excellent summaries of the historical uses of the term civil society see John Keane, *Democracy and Civil Society* (New York: Verso, 1988); Michael Bratton, “Beyond the State: Civil Society and Associational Life in Africa,” *World Politics* 41, no. 3 (1989): 407-430; Abdelkadir Zghal, “Le concept de Société Civile et la Transition Vers Le multipartisme,” *Annuaire de l’Afrique du Nord* 28 (1989): 207-228; Mohamed Kerrou, “Howla muqawalat al-mujtama’ al-madani if Tunis,” *Al-Mustaqbal al-‘Arabi* 10, no. 104 (1989): 46-60; and Muhammad Mahfoudh, “Usus al-mujtama’ al-madani” in *Al-Mujtama’ al-madani wa al-Mashrua’ al-salafi* (Tunis: UGTT Publications, 1991).

² Andrew Arato, “Civil Society Against the State: Poland 1980-81,” *Telos*, no. 1-2, pp. 23-47; Janina Frentzel-Zagorska, “Civil Society in Poland and Hungary,” *Soviet Studies* 42, no. 4 (1990): 759-777.

³ Ellen Meiksins Wood, “The Uses and Abuses of Civil Society,” *Socialist Register* (1990): 60-84.

sents a spearhead for the West's newest imperialist project—"democratization"—a project of dubious value and questionable appropriateness to political and economic conditions in developing countries.⁴

Given the ambiguity and politically-loaded nature of this term, one might wonder why social scientists interested in analyzing the dynamics of politics in the Arab world persist in using "civil society" as a tool of analysis. Why not opt for more precise, more neutral terms, say, associational life, or democratic institutions, or civil liberties, if these are indeed the processes or institutions we are interested in tracking?

The simplest answer is that this is the term that Arab intellectuals and activists have themselves chosen to use. "Civil society" (that is, *al-mujtama' al-madani*) has entered the discourse of the Arab world and become a central concept in current Arab debate over the direction of politics in the region. State officials use it to promote their projects of mobilization and "modernization"; Islamists use it to angle for a legal share of public space; and independent activists and intellectuals use it to expand the boundaries of individual liberty.

The reason "civil society" has found so many champions of such varied political intent has much to do with the ambiguity of the term—elastic enough to accommodate a wide variety of political ambitions but historically weighty enough to imbue each with deep moral resonance. But despite the term's ambiguity, contemporary proponents of civil society are united in one way: they share a common desire to combat despotism. Of course, their conceptions of despotism—its sources and remedies—vary tremendously. For some, despotism lies in coercive rule, exemplified by military or theocratic regimes that do not tolerate dissent. Its remedy lies simply in championing civilian (i.e., non-military, secular) regimes. For others, despotism resides in the failure to empower men and women to determine their own destinies collectively. The remedy lies in championing the institutions of citizenship, the parties and parliaments, universal suffrage and majority rule that can transform passive subjects into active citizens. More skeptical democrats argue that formal democratic institutions alone cannot preserve citizens from despotism since passivity and ignorance may prevent the "man in the street" from using these institutions effectively. The remedy then lies in inculcating citizens with *civisme*, the participant culture of civics textbooks that trains citizens in activism, reason, and engagement

⁴ al-Hannachi, 'Abd al-Latif, "Niqash," in *Al-Mujtama' al-madani wa al-mashrua' al-salafi* (Tunis: UGTT Publications, 1991), p. 54.

and thus makes them competent to shape their own political lives.⁵ But even active engagement of the citizenry in political life cannot prevent the emergence of yet another form of despotism: the tyranny of the majority. For some the remedy for such tyranny lies in cultivating a culture of civility—one that tolerates difference and respects the rules of the game no matter the diversity in citizens' conception of the good.⁶ For others, the remedy rests in the inviolate defense of civil liberties, the guarantee of the individual's most basic freedoms, no matter his/her political persuasion.

Civilian rule, citizenship, *civisme*, civility, civil liberties—all are remedies to different forms of despotism and all are evoked by the term "civil society". The term is useful then in that it focuses attention on these different sources of despotism and suggests a menu of remedies to address them. Of course, not all these remedies "go together" and none of them are easily achieved. To the extent that civilian rule, the rights of citizenship, and civil liberties have been attained anywhere in the world they are the sum of centuries of struggle, still in process. And even the most venerable democracies experience an inherent tension between the goals of liberty and community, the desire to guarantee citizens individual freedom and the will to impose upon them a certain conformity of values (as is necessary to sustain a political system founded on compromise rather than coercion). As Almond and Verba⁷ pointed out thirty years ago (and as Robert Putnam⁸ has rediscovered more recently in the case of Italy), democracies (and civic culture) thrive only when citizens share an underlying culture of trust, that is, when they share a sense of common political identity and (at least minimal) community of shared values and beliefs.⁹ The protection of individual liberty, however, proscribes imposing conformity of values or identity upon the citizenry and hence contributes little to nurturing the solidarity democracies require. Civil liberties and civic spirit may then be modestly conflicting goals.

These two lessons (that the battle against despotism is everywhere a process—often prolonged—and that democracies everywhere experi-

⁵ Gabriel Almond and Sidney Verba, *The Civic Culture* (Boston: Little Brown and Company, 1965), pp. 7-30.

⁶ Edward Shils, "The Virtue of Civil Society," *Dissent*, no. 38 (Spring 1991), pp. 3-20.

⁷ Almond and Verba, *The Civic Culture*, pp. 368-372.

⁸ Robert Putnam, *Making Democracy Work: Civic Traditions in Modern Italy* (Princeton: Princeton University Press, 1993).

⁹ According to Almond and Verba, such "trust" is the irreducible core component of a "civic culture".

ence conflict between the goals of liberty and community) should offer some comfort to the observers of Arab politics. In the Arab world there is a tendency to be pessimistic about the prospects for democratic politics because the boundaries of civil society (the rights of citizenship, the protection of civil liberties) are nearly everywhere constrained and the conflict between community and liberty is very often gravely charged (especially where Islamists seek to use the state to impose their notions of community upon society at the expense of individual liberties). But what is important to recognize (and what is most exciting about politics in the Arab world today) is that the current Arab debate over the nature of civil society represents an important departure for politics in the region—it marks the unprecedented engagement of ordinary citizens in political life. Urban poor mobilized by Islamist movements, women organized by women's movements, intellectuals speaking from the universities and through the press have all been drawn into the debate over the boundaries of civil society and the sources and remedies of despotism in the Arab world.¹⁰ And even if that debate has not yet been concluded to the satisfaction of Western proponents of liberal democracy (has it yet been concluded satisfactorily in the United States, where citizens continue to battle over the boundaries of free speech and the right of religious fundamentalists to limit federal funding of abortion), atleast the process of self-determining politics has begun to gather steam.

Still, it is premature to be optimistic about the near-term prospects for beating back despotism in the Arab world. Many factors conspire to prolong its survival. Ethnic and sectarian fragmentation undermine a sense of national community in many Arab states and sabotage efforts to build the trust and solidarity necessary for the development of a "civic culture". Deeply entrenched military regimes prevail in many Arab countries and resist the introduction of democratic institutions that might limit their privilege and power. Poverty and illiteracy deprive democratic institutions of their true force and prevent citizens from developing the civisme necessary to combat state tyranny. A tradition of economic statism in many countries insufficiently disperses economic (and political) power, making it more difficult to impose limits on state prerogative . . . The list is long.

It is for this reason that the Tunisian case is actually so interesting. Among the countries of the Arab world, Tunisia is uniquely well positioned to expand the boundaries of civil society and beat back the

¹⁰ Mohamed al-Kilani, "Al-Mujtama' al-madani" in Tahir Labib, et al., *Al-Mujtama' al-madani* (Tunis: UGTT Publications, 1991), p. 45 .

domain of despotism. First, Tunisian citizens share that overarching sense of political community so essential to the development of a “civic culture” but so rare in the Arab world. Tunisian society is relative unfragmented by ethnic or religious cleavage (more than 98 percent of Tunisians are Sunni Muslims and the Arab/Berber cleavage has diminished to near political insignificance over the past 100 years). Moreover, the country has enjoyed a protracted experience of political identity long predating the era of colonial map-making. Second, the country has had a long history of civilian rule during which past president Bourguiba purposely contracted the size of the military and subordinated it firmly to civilian control. There is no powerful military competing with (or doubling as) the ruling party in Tunisia as is the case in many other countries in the region. Third, the state’s long-held policy to promote education and spread widely the benefits of economic development has endowed the country with a large and relatively well-educated middle class. This generates precisely the sort of citizens that might possess the skills and leisure necessary to develop *civisme* and use democratic institutions effectively. Fourth, Tunisia was among the first Arab countries to break with “Arab socialism” and embark on a “quasi-liberal” strategy of development (at least in the sense of consciously promoting the development of private sector commerce and industry). Hence the state created space for the development of autonomous sources of economic power that might imaginably countervail it one day. Fifth, and perhaps most important, the state has publicly committed itself to the development of civil society in Tunisia. Thus, even if public policy has not always kept pace with official discourse, the state’s public prizing of a Montesquieuan model of polity provides a legitimating ideological wedge for citizen lobbying on civil society’s behalf.

Still, there is no reason to be complacent about the development of civil society in Tunisia. For while the country has made notable progress in combatting some common sources of despotism (nurturing a culture of *civisme* and civility, dispersing the loci of economic power in society, expanding the reach of some democratic institutions), it has still failed to achieve one important goal—the institutionalization of contestation sufficient to impose accountability upon a despotically-tempted state. The responsibility for this failure lies squarely with the state, driven as it is by contradictory impulses to foster the development of civil society on the one hand, but also contain the latter’s development so as not to cede political control. These contradictory impulses are evident in the state’s management of associational life, economic liberalization, and

the extension of civil liberties, three important trajectories in the development of civil society in Tunisia. The following essay then will trace Tunisia's experience in each of these areas in an effort to illustrate the state's contradictory agenda and its role in shaping the strengths and weaknesses of civil society in Tunisia today.

Associational Life in Tunisia

To begin with definitions, (and following A.R. Norton), the term associational life here signifies the *mélange* of associations, guilds, unions, interest groups, social clubs, religious organizations, and political parties that exist in the social space between the individual and the state.¹¹ Such associational life is generally celebrated by democrats for one of three reasons. First, associations are seen as schools of *civisme*. By participating in associational life citizens become schooled in public spirit, political initiative, political activism, and collective self-determination. Second, (and related to the first), associations are seen as schools of civility. By participating in associational life citizens are trained in the skills of cooperation and compromise (in addition to learning respect for the rules of the game). Third, associations are seen as potential nodes for the aggregation of social power independent of the state. As autonomous nodes of social power they contain the potential to countervail the state and serve as a hedge upon excessive state power. In this way associations may potentially remedy three forms of despotism, that born of passivity, that born of intolerance, and that born of excessive state power.

Of course, these remedies may come in different mixes in different associations. A given association might enjoy sufficient autonomy from the state to countervail its power but be too authoritarian in its internal workings to school members much in the art of compromise. Conversely, an association might be subject to state control and hence incapable of hedging state power yet be sufficiently mobilizational to school citizens in public spirit and political participation. *Civisme*, civility, and autonomy are not conjoined; they are discrete goods that can be nourished to varying degrees simultaneously.

This is a lesson Tunisian leaders know well and it is one they have tried to exploit since independence. Since the days of Bourguiba the

¹¹ Augustus Richard Norton, "Studying Civil Society in the Middle East," unpublished paper, 1992.

Tunisian elite has recognized the political value of nourishing *civisme* and civility in one's citizenry—for the energy and talent it mobilizes, for the power it creates, for the control it affords. At the same time, Tunisian elites have been highly suspicious of the development of autonomous power blocs in society that might challenge their rule, undermine their "civilizational" project, and contest their privileges. As a consequence, Tunisian leaders have consistently encouraged the development of associational life in their country, but in an extremely controlled way. Following a strategy of what might be called "controlled *civisme*", they have actively mobilized their citizens in parties and associations¹² but have subjected these parties and associations to very strict state control in an effort to limit their autonomy and their contestatory capacities. The level of this control has varied over time, reaching a high during the middle period of the Bourguiba era and declining somewhat during the early years of Ben 'Ali but it has remained a constant in associational life throughout the independence era.

The Bourguiba Years

The strategy of controlled *civisme* can be tracked first at the level of party organization. From his earliest years Bourguiba recognized the political value of mobilizing the masses and tapping their political energy to further his own ends. In fact, Bourguiba's party, the Neo-Destour, distinguished itself from its predecessor the Destour by abandoning the salon politics of the old elite and engaging the Tunisian masses in the country's struggle for independence. By tapping into their nascent *civisme* through a mixture of populist and nationalist themes, Bourguiba was able to build his own power base and conduct an effective campaign against the French. A network of party cells crisscrossed the country, mobilizing Tunisian resources and organizing the demonstrations, strikes, and guerrilla warfare that helped drive the French out. After independence Bourguiba recognized the value of this network and worked to reinforce the party structure, now with the benefit of state resources. Party cells were established in every village, a massive machine was built for the purposes of mobilization, indoctrination, patronage, and recruitment. During its early years, then, the party was indeed a vibrant

¹² Contrast this to the state-nurtured passivity of citizens that is, according to Linz, the hallmark of authoritarian regimes. Juan Linz, "An Authoritarian Regime: Spain," in Erik Allardt, ed., *Mass Politics* (New York: The Free Press, 1971).

institution, effectively drawing Tunisian citizens into political life and engaging their energy in a project of national development.¹³

But just as Bourguiba's party building strategy reflected his enthusiasm for mobilizing *civisme* so did it evidence his desire for control. Bourguiba brooked no contestation, either inside or outside the party. Within the Neo-Destour, Bourguiba used force to put down the one and only severe threat to his control. Trade union thugs were enlisted to repress the "Youssefist challenge" at a party congress in 1955¹⁴ and Salah Ben Youssef himself was later assassinated by Bourguiba's agents. Once elected president, Bourguiba contracted the space for internal party debate, isolating those who pressed for more internal democracy (e.g., Ahmed Tlili) and using his control over vast state resources to manipulate and divide his elite and thus retain sultanistic prerogative. Outside the Neo-Destour, Bourguiba also silenced political contestation, evidenced most dramatically in the banning of all rival political parties in 1963. Like many leaders in the region at this time, Bourguiba dismissed the liberal ideal of political competition as partisan and divisive, unconscionably wasteful at a time when citizens should be united in a consolidated effort for national development. The content of citizenship was to be found in symbolic participation in the political sphere (voting in referendums, electing a populist president) but not in the capacity to contest the regime and force it to be accountable through the free play of political competition.¹⁵

Bourguiba's penchant for controlled *civisme* was also evident in the realm of non-party association (unions, interest groups, professional associations). Again, Bourguiba recognized the benefits of mobilization but again wished that this mobilization be controlled. A corporatist strategy of interest group organization was the preferred tactic. Bourguiba organized the country's major social forces (workers, farmers, business-

¹³ Clement Henry Moore, *Tunisia Since Independence: Dynamics of a One Party State* (Berkeley and Los Angeles: University of California Press, 1965).

¹⁴ Salah Ben Youssef represented a conservative coalition of *'ulama*, Djerbans, and landlords that advocated a less conciliatory approach toward the French during the negotiation of independence. It was also identified with traditional Arab cultural symbols whereas Bourguiba was identified with more European ways. For more on the Youssefist challenge see Mohamad Abdelbaki Hermassi, "Islam, Democracy, and the Challenge of Political Change," in Yehuda Mirsky and Matt Abrens, eds., *Democracy in the Middle East: Defining the Challenge* (Washington, DC: The Washington Institute, 1993), p. 153-156; Moore, pp. 61-69.

¹⁵ This binary vision of the dimensions of citizenship (participation and contestation) is taken from Robert Dahl, "Governments and Political Opposition," in Fred Greenstein and Nelson Polsby, eds., *Handbook of Political Science*, vol. 3 (Massachusetts: Addison-Wesley, 1975), pp. 115-122.

men, and women) in monolithic, monopolistic, state-controlled organizations, geared to rally citizens in support of the president's programs as well as provide the means for social control. At the same time an associations law was decreed, significantly limiting freedom of association in Tunisia by requiring all associations to obtain visas from the Ministry of Interior before they could operate legally. A network of associations did develop in Tunisia, some organized in corporatist fashion (the UGTT, UNAT, UNFT, and UTICA), some more pluralistic (sports clubs, charitable groups). But most relied on the state for financial support, most drew their leadership from the Destourian party faithful, and all were subject to extensive state scrutiny. Few associations had the autonomous wherewithal to contest the state (and truthfully, few saw contestation as their mission in the early years of independence). In those rare instances where the will and capacity for contestation existed, the state moved quickly to quash it.

The best evidence for this can be found in Bourguiba's handling of the UGTT. At independence the UGTT was a strong organization equipped with a broad popular base (membership tallied at 180,000 in 1956),¹⁶ a solid organizational structure, a cadre of dynamic and imaginative leaders (Ahmed Ben Salah, Ahmed Tlili) and unquestionable national legitimacy (given the central role the union had played in the independence struggle). As such the UGTT rivaled the Neo-Destour's mobilizational capacity and was in a strong position to contest Bourguiba's leadership. When such a point of contestation did arise (specifically over an imaginative social and economic reform program proposed by the union leadership in 1956) Bourguiba took steps that would become his paradigmatic response to political challenge in the years to come. Bourguiba manipulated internal rivalries within the UGTT leadership, played upon his own popularity among the rank and file, pressured the Destourian faithful within the UGTT, even created a second trade union (temporarily) to rival the UGTT, in short spared no effort to force the union to cast off its dynamic leaders and renounce its independent program. Political docility and subordination were Bourguiba's goals vis-à-vis the country's associations and for the first decade and a half of independence Bourguiba was able to impose this even upon the relatively strong national trade union confederation.¹⁷

¹⁶ Hermassi, "Islam ...," p. 155.

¹⁷ Eva Bellin, "Civil Society Emergent? State and Social Classes in Tunisia," unpublished Ph.D. dissertation, Princeton University, 1992, pp. 245-278.

In the realm of religious associations, Bourguiba's penchant for control was also evident. His civilizational project for Tunisia was unabashedly secular—traditional religious practice was to be sacrificed wherever it conflicted with the goal of development (hence the famous incident of Bourguiba drinking orange juice in public during Ramadan). As for traditional religious institutions, these were to be subordinated to, or incorporated into, the modern state, if not abolished altogether. Following in the footsteps of Atatürk, Bourguiba brought schools and courts under state control (including the ancient Islamic university Zeitouna) and nationalized religious *habus*.¹⁸ Organized religion thus lost much of its institutional and financial autonomy. As for its popular base, although most Tunisian citizens could be counted among the faithful, the age of mass mobilization under the banner of Islam had not yet begun in Tunisia. Bourguiba would not be forced to face Islam as a contestatory force, until his last decade of rule.

During the 1970s Bourguiba's policy of controlled civisme lapsed briefly. The failure of the regime's collectivist strategy of economic development (associated with Ahmed Ben Salah) emboldened the Destour's liberal wing to press for further liberalization of the political system. At first Bourguiba seemed responsive to this initiative, mouthing pieties about the need to discuss the future of democratization in the country. But in fact his "conversion" to liberalization was short lived. Soon after some promising debate at the Destour Congress of 1971, Bourguiba expelled the leaders of the liberal wing from the party.¹⁹ Over the next three years the President worked to reassert his monopoly over political life and by 1974 his success was clear—the Destour party congress declared him President for Life, formally precluding any possibility of alternance. For the remainder of the decade political competition was banned outside the party and debate was silenced within. The political system was indeed blocked, affording citizens little more than symbolic opportunities for participation but no effective means to impose regime accountability.

Blockage at the level of party life unexpectedly breathed life into non-party associations, specifically invigorating the trade union movement. Disaffected political activists of all stripes were drawn to the UGTT (its historic legitimacy and broad base of popular support afforded it some

¹⁸ Lisa Anderson, *The State and Social Transformation in Tunisia and Libya* (Princeton: Princeton University Press, 1986).

¹⁹ One of them, Ahmed Mestiri, was accused of "megalomania" for reflecting on the future of liberalization in the country.

protection from state repression, at least for a time, and made it one of the few spaces where the Bourguibist regime could be safely contested).²⁰ Riding a wave of rank and file frustration over decade-long wage blockage, the union movement developed new militance, expressed in rising strike levels and an increasingly strident tone adapted in its dialogue with the state. Bourguiba's response to this show of independence was predictable. After tried and true methods to disarm the UGTT threat failed,²¹ the president resorted to bloody repression. On "Jeudi Noir" in January 1978 Bourguiba called in the army to take control of UGTT headquarters, killing and wounding hundreds in the process. This day of intervention constituted the single most bloody confrontation in the country's history since independence and demonstrated the lengths to which the regime would go to suppress autonomous contestation at the level of associational life.²²

Coincident with the regime's repression of the trade union movement another equally significant contestatory force was emerging in Tunisia—this time in the domain of religious association. The Islamist movement in Tunisia began to take form in the early 1970s when a number of Islamic activists (led by Rashid al-Ghannushi) began organizing Islamic study circles in urban mosques around the country.²³ The movement started small but gathered speed in the wake of the Iranian revolution. An increasing number of female students donned the veil at the university; journals like *al-Ma'arifah* (founded 1972) gave voice to the Islamist point of view; in 1979 the fledgling Islamic Tendency Movement (MTI) organized its constituent congress to integrate Islamic study circles into a rigorous network of cells covering the whole country.²⁴

The regime's response to this new development was characteristically harsh. Suspected "fundamentalists" were chased out of officially sanctioned religious associations (e.g., the Association for the Conser-

²⁰ Abdeljelil Bedaoui, et al., "Al-Mu'asasat al-niqabiyah al-'ummaliyyah fi Tunis: Hususatiha, Dawriha, 'Uzmatihā," in *Utruhāt*, no. 10 (1986).

²¹ Moral suasion, manipulation of elite politicians, appeal to Destourian members of the UGTT.

²² In "Al-Muthafafun al al-Mujtama' al-Madani fi Tunis," *Al-Mustaqbal al-'Arabi* 10, no. 104 (1987): 45-60, Mohamed Kerrou points out that a number of professional associations (Journalists, lawyers) also became more politically active and outspoken during the mid and late 1970s. But without a mass base like that of the UGTT, these associations were clearly more vulnerable to silencing by the regime.

²³ Mohamed Abdelbaki Hermassi, "La Société Tunisienne au Miroir Islamists," *Maghrib-Mashriq*, no. 103 (1984), p. 41.

²⁴ François Burgat, *L'Islamisme au Maghreb: La Voix du Sud* (Paris: Editions Karthala, 1988), p. 210.

vation of the Qur'an);²⁵ Islamist journals were suspended for questionably provocative acts (e.g., publishing a picture of Khomeini on the front cover);²⁶ Islamic leaders like Rashid al-Ghannushi and 'Abd al Fatah Mourou were arrested for subversion, defamation, and spreading false news.²⁷ The regime was consistent in its recourse to repression to eliminate a movement that threatened to contest not only regime power but its entire civilizational project for Tunisia.

The 1980s saw a narrow opening at the level of party life in Tunisia, but not much elsewhere. By the late 1970s and early 1980s discontent with the blocked political system manifested itself everywhere—in the growing appeal of the Islamist movement, in the Gafsa affair of 1980,²⁸ in the withdrawal of the Destour's liberal wing to form an (as yet unrecognized and hence illegal) independent political party, the MDS (Democratic Socialist Movement). Bourguiba recognized the need to accommodate this discontent and bolster at least the secular liberal forces in the country behind his regime. At the Destour Congress of 1980 he publicly sanctioned the principle of pluralism and soon after permitted a limited experiment in multi-partyism. Three opposition parties were given legal status: the Communist party in 1981 and the MDS and PUP in 1983.

Still, this sortie in the direction of political competition was hedged by many constraints. The regime retained an electoral system that required opposition parties to obtain 5% of the national vote to win representation in the chambers. (This threshold prevented the fledgling opposition parties from obtaining office, at least in the near term). Access to the media was highly restricted. The official media (radio, television, and most print journalism) typically ignored the activities of the opposition and the independent party press (*al-Mustaqbal*, *al-Tariq al-Jadid*) was subjected to routine censorship, suspension, and irregular supplies of (state-controlled) newsprint. Opposition party leaders were subjected to harassment by the state and their followers' freedom to associate was significantly limited.²⁹ Opposition leaders protested these

²⁵ Hermassi, "La Société ...," p. 47.

²⁶ Burgat, *L'Islamisme*, p. 209-210.

²⁷ Burgat, *L'Islamisme*, p. 210.

²⁸ The Gafsa affair involved the attack of army barracks, police stations and National Guard posts in Tunisia's southern town in Gafsa by a 60 man unit of guerrillas trained in Libya and entering from Algeria in January 1980. The unit, composed of Tunisian nationals hoped to ignite popular insurrection in the South. In fact, the attack elicited no popular response and the commandos were efficiently suppressed by the Tunisian army. However the raid suggested the regime's vulnerability to attack, vulnerability enhanced by the regime's waning popular legitimacy in regions like the underprivileged South.

²⁹ Party-state officials would deny opposition parties permission to use public building

measures by boycotting elections (e.g., the municipal elections of 1985), but this only further voided the multi-party experiment. Thus although some limited opportunities for contestation were created, the experience of true political competition was still far from realized in Tunisia at this time.

At the level of non-party organizations, associational life continued to be constrained by the state's requirement of obtaining visas from the Ministry of Interior. Some relaxation of the state's grip on associational life was evident in the legalization of the Tunisian Human Rights League (LDTH)—the first human rights league organized in the Arab world.³⁰ But overall, Bourguiba remained hostile to the development of autonomous contestatory associations in Tunisia.

Again, this was most evident from his relations with the UGTT. Between 1979-83 the president attempted to mend fences with the trade union movement, overseeing its reconstitution in 1980 and inviting it to join a national alliance (the National Front) in parliamentary elections in 1981. But as soon as the union began to show signs of powerful contestation (evidenced in rising strike rates and strident demands for wage gains) Bourguiba moved to repress it again. At first his strategy focussed on legalistic maneuvers—changing the rules of trade union financing and assembly to compromise the UGTT's financial status and organizing capabilities.³¹ But eventually it progressed to the abusive dismissal of trade union activists from their jobs, the seizure of trade union bank accounts and enterprises, the arrest of trade union leaders, the occupation of trade union headquarters, and ultimately the appointment of Destourian loyalists to head the trade union executive.³²

But if repression was Bourguiba's preferred tactic vis-à-vis the trade unions, it was even more so with regard to his handling of the Islamists. The regime rejected the MTI's request to constitute itself as a legal opposition party in 1981 and it banned the major share of Islamic publications (*al-Habib, al-Ma'arifah, al-Mujtama'*). The Prime Minister issued circulars forbidding the donning of religious dress in the Administration and the schools and the Ministry of Interior made

for party events. Given the fact that most large buildings in Tunisia were the property of the party-state, this effectively denied opposition parties the possibility of organizing inside gatherings.

³⁰ The league was founded in 1977.

³¹ That is, the right to automatic check-off was abolished in 1984 as was the right to hold trade union meetings at the workplace.

³² Bellin, "Civil Society Emergent?", pp. 313-340.

membership in the MTI a legal offense.³³ Attempts to achieve some sort of rapprochement between the Islamists and the state were thwarted by a cycle of violence set off by Islamic extremists but sustained by the state which answered every act of violence in kind. Attacks on Club Med in 1981 led to the arrest of 200 Islamist activists; attacks on two public buildings in 1986 led to the execution of three members of Islamic Jihad; bombings of tourist hotels and the splashing of acid on political opponents led to massive arrests of Islamists in 1987.³⁴

The Islamist threat became an obsession for the anti-clerical Bourguiba who vowed that "to eradicate the integriste poison...will be the last service I render Tunisia."³⁵ This obsession, however, was ultimately to be the aging President's undoing. When the courts returned sentences more lenient than he might have wished for the Islamists arrested in 1987, Bourguiba sought to intervene in the legal process and impose sentences of execution. The Prime Minister (and former Minister of Interior) Zine 'Abdine Ben 'Ali realized that the execution of pious Muslims not implicated in violence would inflame an important segment of the Tunisian population and might provoke riots, if not civil war. It was this danger which ultimately compelled Ben 'Ali to act and depose the old Combatant Supreme in a non-violent and technically-legal coup.

The Ben 'Ali Era

From his first day in office Ben 'Ali vowed to make a bold departure from the preceding regime, most notably in the area of political freedoms. In his opening speech Ben 'Ali proclaimed that the Tunisian people were mature enough to govern themselves in true Republican fashion. Consequently, he promised to rejuvenate political life, advance the progress of democratization, and guarantee civil liberties. Thus, the "new era" inaugurated by Ben 'Ali looked auspicious for the development of civil society. An assessment of his performance six years into his regime, however, gives him a mixed review.

First with regard to party life: Ben 'Ali's reform did indeed bolster multi-party competition in Tunisia. A new Party Code was announced shortly after Bourguiba's ouster which encouraged Tunisians to organ-

³³ In 1981, 107 members of the MTI were arrested for belonging to a non-recognized association, defaming the President, and spreading false information. Ghannoushi was among them and was condemned to 11 years in prison. See Burgat, *L'Islamisme*, 1988.

³⁴ Burgat, *L'Islamisme*.

³⁵ Cited in Hermassi, "L'État Tunisien et le Mouvement Islamiste," *Annuaire de l'Afrique du Nord* 28 (1989), p. 300.

ize new opposition parties (so long as they were not organized around the issues of language, religion, race, ethnicity, or religion). Tunisian citizens responded with enthusiasm and three new political parties were created, bringing the total number of legal opposition parties to six: the Democratic Socialist Movement (MDS), the Tunisian Communist Party (PCT), the Party of Populist Unity (PUP), the Social Party for Progress (PSP), the Progressive Socialist Assemblage (RSP) and the Unitary Democratic Union (UDU). Together with a new Electoral Code (which gave opposition parties a role in the distribution and counting of electoral ballots) and the provision of financial subsidies to help legal opposition parties cover the cost of campaigns (and eventually publications), the framework for real political competition seemed in place.

But in fact, Tunisia's foray into multi-partyism has not introduced sufficient competitiveness to force accountability upon regime elites. This is true for three reasons.

First, the regime continues to bias the political game by subjecting opposition figures to petty harassment and controls. The absence of secure civil liberties prevents opposition leaders from subjecting the regime to the fullest critical scrutiny. It also undermines the opposition's organizational capacities. Both constraints mute the competitive character of the political game.

Second, the electoral system is organized in a way that prevents the possibility of true alternance. Until now, legislative elections have been conducted on a winner-take-all (majority) basis, which effectively denies representation to all parties, save the dominant RCD. (In 1989, the RCD took all seats in the Chamber of Deputies although it won only 80 percent of the popular vote; Independents and the MDS saw no representation in parliament although they won 17 percent and 3 percent of the vote respectively). More recently, the president has proposed a reform in the election code that will reserve a certain portion of chamber seats for election on a proportional basis. This reform should give the opposition some representation in parliament though it will not provide for credible alternance in the near future.

Third, the failure of muscular, mass-based opposition parties to emerge in the country has constituted an extremely important barrier to the development of truly competitive politics. Tunisians complain that they do not have an opposition worthy of them and the responsibility for this failure rests with both the regime and independent political elites. First, as mentioned above, the regime's routine violation of civil liberties undermines the vitality of the opposition and impedes the organization

of alternative mass-based parties. Second, the regime's ban on the engagement of religion for political purposes eliminates one of the most effective devices for mass mobilization in Arab politics today. Third, the regime's inclination to absorb rather than compete with its opposition has sapped the strength of opposition parties. This is most notable in the case of the MDS. Under Ben 'Ali the regime has appropriated the slogans of the MDS (pluralism, democracy, liberalism), has coopted some of the MDS' most dynamic leaders (with the offer of choice posts in the administration), and has exerted enormous moral, financial, and electoral pressure to persuade the party to work with the regime in a national alliance. Fourth, opposition figures themselves seem reluctant to organize the grass roots behind them. In Tunisia, as elsewhere in the Arab world, politics has long been an elite affair. The route to influence and advancement has traditionally lain in access to other elites, not in building a mass following. This is a culture that persists among politicians in Tunisia and it is likely to remain unchanged so long as the regime reinforces it with policies that actively discourage independent mass mobilization and that actively provide routes to individual advancement and influence through cozy relations with state elites.

The absence of real competition in the political system limits the meaningfulness of citizenship by denying the vote the power to express alternative preferences or impose accountability on regime elites. Nonetheless, the regime has made efforts to enhance the content of citizenship by undertaking reform within the ruling party itself. By democratizing the internal structure of the party and mobilizing higher rates of participation in it, citizens might conceivably obtain more meaningful opportunities for participation in the determination of their own political destinies.

In line with this reasoning, Ben 'Ali has launched some significant reforms. Within the party efforts were made to mobilize higher rates of participation. Party leaders undertook a mass membership drive in 1988 (which claimed to sign up 1.5 million members for the RCD) and extra effort was devoted to recruiting previously disaffected groups (e.g., intellectuals) under the rubric of the party's now all-embracing "rassemblement". Efforts were also made to make the party more responsive to the base. For the first time central committee members were assigned responsibility for specific regional districts (and encouraged to take field trips to learn the preferences of "their constituents"). Moreover, debate over party policy was significantly opened up to participation at the local, regional, and national levels.

Still, there have been clear limits to the party's democratization and increased accountability to the base. Six years into the new regime more than half of the party's central committee is still designated by the president from above, reflecting the leadership's continued penchant for top-down control. Moreover, the persistent failure to separate state and party finances has continued to make party functionaries more attuned to respecting the chain of command from above (i.e., from the state) rather than building sponsors from below.³⁶ Altogether, Ben 'Ali's reforms have gone far toward revitalizing a party that had become increasingly sclerotic and authoritarian under Bourguiba. Nevertheless, they have not radically altered the content of citizenship for most Tunisian citizens.

But if the regime's record with regard to launching meaningful party life has been less than spectacular, what about its performance regarding non-party associations? Here there might be more room for optimism given the official rhetoric of the regime. On repeated occasions (and most notably on *National Associations Day*), Ben 'Ali has enthusiastically embraced the development of associations in Tunisia for the "indispensable role [they assume] in modern civil society," for the contribution they make in "reinforc[ing] relations between the citizen and his community, between various communities and between society and state," for fostering the "principles of solidarity and altruism," and for contributing towards building "a modern and invincible Tunisian society."³⁷ Financially, Ben 'Ali has backed up word with deed, extending substantial subsidies to a wide spectrum of private associations to help defray the cost of housing, publications, conventions, and the like. Legally, the regime has taken steps to loosen constraints on freedom of association, retaining the visa system but encouraging the Ministry of Interior to be more liberal in visa distribution.³⁸

In this context, associational life has indeed blossomed. Recent official counts put the number of associations in Tunisia at over 5,100, with 3,300 formed since 1988.³⁹ The number can only be taken as an

³⁶ Of course, the generous funding of the party by the state permits the sustenance of a truly vast, mass-mobilizing network of party cells throughout the country—a political good that would be lost should the party be forced into financial self-sufficiency.

³⁷ *Tunisian News*, April 24, 1993.

³⁸ There were also some symbolic changes made in the visa system. According to the new Law of Association announced in 1988, silence on the part of the Ministry of Interior would henceforth be interpreted to mean assent rather than rejection of visa requests. Interior however retained the right to reject visa requests without explanation and without appeal.

³⁹ In March 1992 the Minister of Interior, 'Abdallah Kallel gave the following breakdown of associational life in Tunisia: 3,171 cultural and artistic associations; 822 athletic

order of magnitude since it counts equally associations that have scores of cells across the country and associations that exist little more than in name. Attempts to get a complete list of associations by name (from which to compose a random sample for closer investigation) were met with stonewalling by the Ministry of Interior. Hence information on associational life in Tunisia can be anecdotal at best. Nonetheless, even anecdotal observation reveals some interesting lessons regarding the development of *civisme*, civility, and autonomous social power in Tunisia, the three goals we have linked to the development of associational life.

First, with regard to *civisme*: recall that the goal associated with *civisme* is the goal of imbuing citizens with public spirit, of training them in political engagement and initiative and so practicing them in the skills necessary to manage their own political destinies effectively. Participation in associational life is believed to foster *civisme* because it practices citizens in collective problem solving and nurtures in them the habit of public engagement.

In Tunisia there are certainly many associations that nurture these habits and skills in the citizenry. From environmental associations that monitor industrial pollution in the Mediterranean to associations for the handicapped that manage social centers for the deaf and blind, from a woman's organization that runs a battered women's shelter to a consumer advocacy group that monitors price and quality standards in every major domestic market, Tunisia boasts hundreds of associations that mobilize citizens' initiative and engage them in collective problem solving and self-help. The development of such associations is actively encouraged by the regime (which cites *civisme* as part of its political project) and consequently their number is likely to increase, as is the experience of civic engagement, under Ben 'Ali.

Second, with regard to civility, the aim is to inculcate citizens in a culture of tolerance that enjoins them to respect the rules of the game, no matter the diversity in their conceptions of the good. Associational life can conceivably foster this tolerance in one of two ways: (1) by bringing people of divergent world views together in common cause to solve common problems; (2) by developing associations that are expressly committed to the propagation of the values associated with civility.

associations; 509 charitable, relief and social associations; 400 friendship associations; 126 associations for development; 115 scientific associations; 41 associations of a general character; and 2 women's associations.

In Tunisia one finds associations fulfilling both these functions. In the absence of hard data on membership rolls it is hard to say just how many associations bring together citizens of diverse world views. But clearly many functional associations draw upon diverse populations (e.g., associations to serve the handicapped; regional development associations). And a variety of professional and "general" associations are devoted to the promotion of tolerance and legalism (e.g., the Tunisian League for Human Rights; the Association of Tunisian Lawyers).

The interesting question to consider, however, is the regime's attitude toward these associations. Theoretically, Ben 'Ali's government is committed to the development of civility in Tunisia. A culture of tolerance and legalism is intrinsic to the Western civilizational project that the regime seeks to realize. But civility is not the regime's only goal nor is it necessarily its most highly valued goal. This becomes apparent when civility collides with another regime objective: political control.

The clash between these two goals is evident in at least two cases, the first being the case of the Tunisian Human Rights League. The League constitutes the quintessential school for civility given the fact that it expressly recruits an extremely diverse membership and that it organizes these members around the defense of legalistic principles.⁴⁰ At the same time, the League represents a truly autonomous node of social power that routinely contests regime policy. During the early 1990s the League entered into a period of extremely contentious relations with the regime as it doled out harsh criticism of the regime's treatment of Islamist detainees. For Ben 'Ali's government, this mounting criticism grew increasingly intolerable and in March 1992 it amended the Law of Associations in a way that was intended to defang the League. In fact the amendment went further than the regime anticipated, ultimately provoking the League's dissolution.⁴¹ It was only as a consequence of

⁴⁰ Hermassi, "Islam ...".

⁴¹ The law was amended in two essential ways. All associations designated by the state to be of "general" character were forbidden to allow political party leader to hold positions of leadership on their boards. At the same time, associations of general character were forbidden to deny membership to any prospective member who embraced the association's goals and who was in full command of his civic and political rights. The regime justified this amendment on the grounds of wanting to "depoliticize" certain associations. The LTDH, for example, counted among its leaders many party activists and it rationed membership with an eye to maintaining a balance between different political forces in the organization. By amending the law the regime hoped to deny the League some of its most active leaders and to flood the organization with RCD loyalists who would push it in a more moderate and less critical direction. Members of the League voted to disband rather than comply with the terms of the new associations law and only after intense international and domestic pressure did the regime agree to (provisionally) reclassify the League as a non-general association and hence place it outside the jurisdiction of the new amendment.

intense international and domestic pressure that Ben 'Ali's government relented and permitted the League to resume operation (in semi-limbo status) a year later. Clearly then when the two goals of civility and control collided, the regime's inclination was to prize the latter even if that meant undermining one of the most vibrant associations in the country.

Further evidence for the priority of control over civility lies in the regime's handling of a cultural association proposed by a group of left-leaning intellectuals in 1989. Called *Nadi Ibn Rushd Li-Fikrah al-Takadum*, the club was to be devoted to reflection on progressive and rationalist traditions in Arab thought and hence was likely to promote an enlightenment-style message of tolerance and reason. (By the founders' own account, this reflection was to provide a nativist retort to growing religious fanaticism in the country). The Ministry of Interior, however, denied them a visa on the grounds that the association's objective was unclear (*ghayr wadih*). More likely, the regime was uneasy at sanctioning an organization that brought together a number of highly independent and charismatic political activists who might use the association as a forum for criticism of the regime.

The regime's penchant for control has important implications for the third goal linked to the development of associational life—the development of autonomous social power in Tunisia. Clearly, the regime is uneasy with the creation of countervailing nodes of power that might contest its authority. Hence, while it encourages the development of associational life for the civility and *civisme* associations foster, the regime hedges their development with numerous constraints. We have already mentioned the legal constraint imposed on associations, specifically the retention of a visa system administered by the Ministry of Interior.⁴² Besides legal constraints, the regime also exercises significant financial controls on associational life. Ben 'Ali's government has proven quite generous in extending subsidies to budding associations (in fact, nearly every one of the dozen or so associations this author personally visited admitted to receiving some measure of financial support from the state, even those most jealous of their autonomy).⁴³

⁴² Interior continues to be extremely circumspect in the distribution of visas and much informal politicking is often necessary to obtain the ministry's approval. Members of one alumni association described the difficulties they encountered in getting their visa. Only after influential relatives and former professors intervened to vouch for the organizer's reliability would Interior grant his apparently harmless association a visa.

⁴³ For example, the *Union des Femmes Démocrates*, renown for its independence, reported that they had received financial aid from the state in the form of key money for their

These subsidies, however, are distributed on a purely capricious basis, depending on the regime's judgement of the organization's utility and reliability. With subsidies so uninstitutionalized and politically contingent, the autonomy of the recipient associations is clearly constrained.

A third strategy adopted by the regime to contain associational autonomy is one borrowed from the Islamists. Mobilizational in intent, the regime rallies RCD loyalists to infiltrate civil society and control it from within. By flooding associations with RCD members (and encouraging RCD loyalists to found new associations of their own) the regime hopes to dominate associational life in the country and "guarantee...the interests of the nation...against any skids".⁴⁴

A fourth strategy employed by the regime carries over from the Bourguiba era and involves the duplication of vibrant associations. When confronted by a dynamic association bent on contesting the regime (say, the Human Rights League), the regime creates a duplicate association under its own auspices to dilute and countervail the influence of the original. Fifth, and finally, when all else fails, the regime is not above using its coercive capabilities to contain a threat from an autonomous association. For example, the regime has used its control over the security apparatus to manipulate UGTT elections and nudge the organization in a direction it considers safe.⁴⁵

Of course the best evidence of the regime's willingness to use force to contain the challenge of an autonomous social movement is found in the regime's handling of the country's Islamist challenge. Since 1989 the regime has opted for a strategy of repression rather than accommodation, denying the *Nahda* movement legal status, purging associations of Islamist members, arresting hundreds of Islamist activists, and even harassing individual citizens for wearing Islamic garb.⁴⁶ To some extent

headquarters. The president of the association saw no conflict of interest in taking state money and (citing French practice) asserted that such financial support was an association's right, not a reason for apology.

⁴⁴ Mohsen Marzouk, "Autonomie des Associations Tunisiennes: Les Enjeux Politiques," *L'Observateur*, no. 28 (August 4-10, 1993): 25-27. An example of this strategy can be found in the network of neighborhood associations (*Lijan al-Ahya*) created by the RCD in 1990-91, in large part to mobilize neighborhoods behind the RCD and contain the Islamist threat. By most accounts these associations are little more than RCD cells, working in league with the Ministry of Interior. (The latter has a department formally charged with responsibility to form, finance, and supervise the Committees de Quartiers).

⁴⁵ Specifically, during the course of UGTT local elections in 1992 the regime arrested several UGTT activists (reputed Islamist sympathizers) and held them in jail for the duration to preclude their availability for election to office. Once the elections were concluded, the "offenders" were released without charge.

⁴⁶ Note that the regime routinely denies visas to associations suspected of Islamist inspiration. Thus Tunisia is one of the few Islamic countries that lacks a network of Islamic

the regime's recourse to repression has been provoked by the use of violence by some extremist fringes of the Islamist movement (as well as by the cautionary tale of Islamist-led violence in neighboring Algeria). However, the regime's unwillingness to work with even the more moderate elements of the movement bespeaks its concern not simply with containing violence but with containing a credible threat to its hegemony. In the final analysis, Ben 'Ali's regime does not trust the development of autonomous social forces that might potentially contest its power. To the extent that the regime fosters associational life it is because the regime sees associations as "transmission belts" for its own policies.⁴⁷ Consequently, the autonomy of associations in Tunisia is made strictly conditional upon their dedication to serving "the national interest", with the "national interest" defined by the regime itself.⁴⁸

Liberalism and Civil Society?

Associational life then can only go so far towards developing countervailing power to the state. So long as their autonomy and organization is hostage to state largesse, associations will play only a limited role in reigning in state power. But if associations alone cannot beat back state despotism, might choice of economic policy engineer this end? Conventional wisdom (following Milton Friedman) tends to associate despotism with economies that are state-dominated since under such conditions an overwhelming share of power is centered in the state (Freedom is associated with power's dispersion). By contrast, where the economy is organized on a more liberal basis the possibilities for state despotism become more limited both because the state, by definition, relinquishes some of its power to the regulatory control of the market and because in a liberally organized economy the state cedes space for the development of private economic forces (forces that might conceivably contest or at least countervail the state in the determination of public policy).

In many ways Tunisia constitutes an excellent test case for this hypothesis given its relatively early conversion from a state-led strategy for economic development to one more "liberal" in character. After a decade of state-led growth in the 1960s, regime elites became persuaded

welfare associations (compare this to the situation in Egypt where Islamists run a vast network of clinics, schools, nurseries, etc.). Instead, the state channels the charitable urges of its citizens through its own institutions, specifically mobilizing funds through the Committees of Social Solidarity that exist at the neighborhood level.

⁴⁷ *Tunisia News*, 24 April 1993.

⁴⁸ Marzouk, "Autonomie ..."

that the state alone could no longer fuel Tunisian development; rather, private resources, both foreign and domestic, would have to be corralled to sustain the effort. To this end the regime initiated a number of reforms to encourage private sector investment. Among these was the provision of a battery of supports and shelters to sweeten the prospects of investment profitability, especially in industry. (These included formidable tariff barriers, guaranteed state contracts, guaranteed monopolies, subsidized credit and infrastructure, and cost-plus pricing).⁴⁹

The response was not disappointing. Private investors answered the state's inducements with enthusiasm, tripling the number of private sector industrial ventures in little more than a decade, from a low of 865 in 1970 to a high of 2,866 by the mid 1980s. Private sector entrepreneurs tended to cluster in ventures that were technologically simple, least capital intensive, and most immediately profitable. However, their presence was felt in every sector and by the mid 1980s they were accounting for an ever larger share of the economy's value-added, export earnings, and employment creation.⁵⁰

The question then is whether the development of this sizeable diversified class of private sector industrialists might really impose some limits on state power. Certainly the creation of this class meant some relinquishment of power by the state. Investment levels can no longer be determined by decree from the Ministry of Plan—the state henceforth was “condemned to seduce” investment on the part of private sector industrialists.⁵¹ But did this turn toward “liberalization” really endow private sector industrialists with the power to countervail the state and contest it in matters of public policy?

The answer is clearly no. Three major obstacles prevent private sector industrialists from converting their economic power into true contestatory power in Tunisia.

The first obstacle derives from private sector industrialists' continued economic dependence upon the state. As mentioned above, this class emerged thanks to the provision of numerous supports and shelters from

⁴⁹ Clearly these “sweeteners” undermine the logic of the market hence one might validly question the use of the term “liberal” to describe Tunisia's new development strategy. Further casting doubt on the aptness of this term is the fact that throughout the 1970s and 1980s the state continued to play a persistently large role in investment and distribution in Tunisia. Nonetheless, the strategy was “liberal” in the sense that it marked a retreat of the state from its heretofore near monopolistic control of industrial investment in the country. It also reflected the state's desire to encourage the development of a private sector entrepreneurial class in the country.

⁵⁰ Bellin, “Civil Society Emergent?”.

⁵¹ Stoleru, cited in Steven Warneck and Ezra Suleiman, eds., *Industrial Politics in Western Europe* (New York: Praeger, 1975) p. 13.

the state, many of which were distributed on a discretionary basis by state elites. Consequently, the profitability of the private sector was long hostage to state largesse—a dependence likely to dampen any urge for contestation.

Since 1986 the regime has instituted a number of economic reforms within the framework of a structural adjustment program that have lessened the discretionary power of the state and have broadened the role of the market in determining industrial profitability. Nonetheless, private sector industrialists still rely on tariff barriers, tax concessions, and subsidized credit from the state; hence, structural adjustment has not entirely vitiated their dependence.

The autonomy of private sector industrialists is further compromised in another way as well. Tax evasion continues to be a rampant practice among Tunisian entrepreneurs (despite attempts at tax reform and tax simplification). Like state-sanctioned corruption elsewhere⁵² this evasion is often ignored by the state but filed away for potential prosecutory use should a given industrialist prove politically “troublesome” to the state.

A second obstacle preventing private sector industrialists from converting their economic clout into true contestatory power derives from a common collective action problem. Although in aggregate these industrialists wield significant weight in the Tunisian economy, they find it difficult to harness that power in collective action vis-a-vis the state. Collective action is difficult to organize for all the usual reasons: Industrialists are a diverse group with potentially incompatible interests that vary depending on the size and sector of their ventures; the vast majority of industrial entrepreneurs in Tunisia preside over small scale, under financed, highly repetitive, hand-to-mouth operation, a context unlikely to foster collective solidarity; finally, Tunisia is a small country where the elite is small and well-known to each other. This leads to the personalization of problem solving by most powerful industrialists (i.e., those most able to support the transaction costs involved in organizing collective action). Rather than working through collective agencies, these industrialists tend to resolve their problems by appealing directly to the appropriate “responsible” in the state apparatus.

The third obstacle preventing private sector industrialists from translating economic clout into contestatory power is posed by the state’s

⁵² John Waterbury, “Corruption, Political Stability, and Development: Comparative Evidence from Egypt and Morocco,” *Government and Opposition* 11, no. 4, (1976: 426-446).

explicit opposition to such translation. Most recently this was evidence in the state's handling of the "Moalla affair". Long a brilliant, if difficult, critic of the regime, this former minister and current bank president crossed the line of acceptable criticism when he complained to a *Le Monde* correspondent that Tunisia was a too dutiful student of the International Monetary Fund. Such public criticism deeply embarrassed the regime and so to punish Moalla, Ben 'Ali's government withdrew all state funds from Moalla's bank, jeopardizing the bank's viability and forcing Moalla to resign its presidency. The regime also threatened to investigate the bank's tax situation and loan programs for possible irregularities. In short, the regime was prepared to undermine an important financial institution simply for the sake of silencing contestation—a lesson not lost on other private sector entrepreneurs.

The regime, then, is not willing to permit the translation of economic clout into contestatory power. Yes, economic power does confer some political influence for private sector entrepreneurs, but only in the sense of winning them access to state elites. Successful entrepreneurs may consult with the regime, even criticize regime policies, but only "*douce-ment*" and "*entre amis*". The moment criticism is expressed as a public challenge the state perceives this as a test of force and brings all its strength to bear to quash it.

Thus, the adoption of a more "liberal" economic development strategy cannot guarantee the creation of contestatory forces in society, capable of reigning in the power of the state. As in the case of associations, the state continues to play a "gatekeeping" function, controlling the terms under which social power is mobilized and contestation is engaged. Thusfar, Ben 'Ali's regime has proven itself uneasy with the free play of contestation. The clearest evidence of this can be found in the regime's approach to the protection of civil liberties.

Civil Liberties—Guaranteed?

The guarantee of civil liberties constitutes the indispensable foundation of civil society. Without the inviolable protection of freedom of speech, press, and association, effective contestation is impossible. In Tunisia, however, the regime has refused to submit itself to the discipline of inviolable civil liberties. Certainly some steps have been taken to expand the boundaries of speech and association. The regime has permitted an ever larger number of associations to organize with legal status; it has encouraged the official press to give more coverage to the opposition; it

has opened the air waves to foreign broadcasts; and, it has provided the opposition press with subsidies to keep it afloat. Nevertheless, the regime has permitted this expansion to take place only on its own terms, hedged in by significant constraints. Freedom of speech and freedom of the press are limited by laws that prohibit "defamation" of both the president and the government as well as by codes that permit the seizure of publications (and the arrest of individuals) on the grounds that their views are subversive, likely to disturb public order, and/or are implicated in spreading false information. Freedom of association is checked by the regime's retention of the visa system which permits the Ministry of Interior to vitiate associations without explanation or appeal. Tunisian citizens, then, cannot be confident that their basic civil liberties will be protected—hence their capacity for contestation is significantly constrained.

But why is the regime so fearful of the free play of contestation? Two explanations are possible. First, the regime's fear of contestation might stem from the sheer play of interest. Ever since it won independence Tunisia has known only single party rule that has long endowed regime elites with uncontested privilege and prerogative. The free play of civil liberties and social forces would doubtlessly erode these privileges and hence some regime elites are bound to be disinclined to support political reform.

Aside from sheer interest, however, the regime's tradition of paternalism comes into play as well. Ever since independence the regime has been accustomed to playing a tutelary role with respect to Tunisian society, guiding the country's development in line with its own civilizational vision. During the Bourguiba era, regime elites considered Tunisian society too "immature" to determine its own destiny. With the rise of Ben 'Ali, the hope was that the new president would recognize the maturity of Tunisian citizens and share power with them. However, just at this time the Islamist challenge gathered steam (especially in neighboring Algeria). Regime elites believed the Islamists posed a mortal threat to their civilizational project. Moreover, they believed that any political opening might be used as a wedge for Islamist advancement. Consequently, regime elites fell back on old repressive habits to preserve their civilizational project.⁵³

⁵³ The degree to which the Islamist movement in Tunisia actually threatens the regime's civilizational project is a matter of debate. As in other countries, Tunisia's Islamist movement is not monolithic; it comprises several different wings, some radical and violent (such as the PLI, Party for Islamic Liberation, which is responsible for some of the more

In the final analysis, both interest and paternalism play a role in the regime's hostility to open contestation (with each impulse weighing in to different degrees within different wings of the party and state). But clearly, the Islamist threat alone cannot explain the regime's position since state repression has not been limited to the Islamists but has extended toward left-wing activists and independents as well (Moalla, Nadi Ibn Rush, etc.).⁵⁴ Still, even if the Islamist threat is not wholly explanatory, it does provide the regime with an effective rationale for its policies. Moreover, this rationale has proven increasingly persuasive to the country's traditional advocates of political opening.

In the past secular intellectuals have been at the forefront of the campaign to expand the boundaries of civil society, pressing the state to guarantee civil liberties and tolerate greater autonomy in Tunisian associations. But faced with the vicious use of violence by Islamist extremists in neighboring Algeria (specifically the assassination of free-thinking intellectuals) and cognizant of the intolerance associated with many Islamist movements, Tunisian intellectuals have rallied behind Ben 'Ali's state in its authoritarian project. The choice, they argue, is not between authoritarianism and democracy but rather between laic authoritarianism and theocratic authoritarianism. Given this choice they

nefarious acts of bombing and acid-splashing) and some more moderate (such as the progressive Islamists associated with the journal *15/21*). The Islamist movement in Tunisia has been singled out by both Western and regional observers as containing some of the most progressive and intellectually flexible Islamist activists and intellectuals in the region. At times leaders from the progressive wing (as well as from the more mainstream MTT) have affirmed their fidelity to Bourguiba's liberal personal status code as well as asserting their adherence to democratic principles, promising to recognize "any government that came out of a regular election...even a communist one" (Burgat, *L'Islamisme*, pp.195-6). The progressive Islamists call for a historicist (as opposed to literal) reading of Islamic texts and enthusiastically embrace the use of *ijtihad* to introduce innovative interpretations of Islamic law. Still the relative weight of the progressives in the Islamist movement nationwide is unclear. Specialists like François Burgat argue that the regime's recourse to repression tends to radicalize the movement and diminish the influence of the progressives. What is clear is that the regime has chosen a repressive course vis-à-vis all Islamists, ever since they made such a strong showing in the national elections in 1989. (Independents, who were primarily of Islamist stripe, won 17 percent of the national vote.) Recognizing that Islamists pose a true challenge to their hegemony, state elites denied the *Nahda* legal party status, closed down its journals, and began a massive campaign of harassment and arrests that persists to this day. (The campaign is routinely justified by exposure of violent plots and cabals linked to the radical Islamists.) This failure to distinguish between different Islamist wings prevents less radical elements from organizing and perhaps channeling popular sympathy for the movement in a less threatening direction. If the movement poses a civilizational threat to the regime then this is partly the work of the regime itself. For more see Mark Gasiorowski, "The Failure of Reform in Tunisia," *Journal of Democracy* 3, no. 4 (October 1992): 85-97, and Burgat, *L'Islamisme*.

⁵⁴ For example, the regime originally refused to grant a visa to the *Union des Femmes Démocrates* in 1989, in large part because the union was perceived as too independent and too daunting a competitor to its own state-sponsored women's organization, the UNFT. Ultimately the regime granted the union a visa, not out of respect for free contestation but rather because it realized the UFD could mobilize a significant force of feminists behind the regime's campaign to battle the Islamists.

prefer the laic authoritarianism, arguing (in a new twist on Jean Kirkpatrick) that at least under a secular regime (especially one that draws its ideological inspiration from Western models) there is hope that the battle for democracy might continue and democratic gains might be made in the future.⁵⁵ Given the Islamist threat, then, Tunisia's traditional domestic constituency for civil society have retreated, vastly muting the pressure for civil society's expansion.

To conclude then, the prospects for civil society in Tunisia look mixed. On the one hand, Tunisia possesses the social conditions that are conducive to the development of a vibrant civil society—a large educated middle class, a society relatively unfragmented by ethnic cleavage, a vast network of associations that are training citizens in civisme and civility, an increasingly independent class of private sector entrepreneurs. The social basis for combatting despotism born of passivity, intolerance, distrust, and excessively concentrated state power is developing apace. On the other hand, state elites continue to resist sanctioning open, institutionalized contestation (denying civil liberties, undermining associational autonomy), for fear of losing their privilege and endangering their civilizational project. In this way the most important prophylactic against state despotism is denied. Clearly, the Islamist threat has provided the regime with a rationale to slow the pace of political opening (as well as dissuading domestic constituencies from campaigning on opening's behalf). Until this sense of threat diminishes (through the calming of the situation in neighboring Algeria, through the ascendance of moderate Islamists and the routinization of their participation in public life) the further evolution of civil society in Tunisia will likely be stalled.

⁵⁵ Salah Zghidi, "Une Question Democratique au Maghreb: Equivoques et Incomprehensions," *Esprit* (1992).