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Assessing EU Democracy and Human Rights Policies from the Perspective of Tunisian Bottom-Up Actors

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Abstract

This report is part of a series of working papers to provide an understanding and assessment of EU democracy and human rights policies from the perspective of local bottom-up actors in the Southern and Eastern Mediterranean countries as part of the MEDRESET project. The focus of this paper is on the grassroots political ideas and views for the future of the Tunisian transition, as well as regarding EU policies and their role in the field of democracy and human rights promotion, especially in the new "Arab Spring" context. Based on more than 30 interviews, the authors find that Tunisian stakeholders subscribe to universal political and civic ideas and support a role of the EU in the transition process, even though the EU is not perceived as having played a decisive role to date.

Introduction

The Tunisia transition is celebrated as a success story, an "exception" (Masri 2017, Beau and Lagarde 2014). Indeed, the country has the prerequisites for such a move (Huntington 1991). The transition is genuine. It has come neither from the top, nor from below, but from a mix of popular protests and negotiation with the soft liners of the state (O'Donnell and Schmitter 1986). This has taken place within the society, fitting a peaceable means into a revolutionary path.

The Tunisian transition was led by civil society actors who fixed the agenda, drafted the interim legal framework and organized the elections. Thanks to a liberal law on political parties and NGOs (Decree No. 88 of September 2011), the number of NGOs increased from 9,000 during Ben Ali's era to 19,000, and more than 200 political parties emerged. Outside the control of the state and the economic sphere, this civil society has the four typical features of any civil society in a democracy: pluralism (family, groups, associations), public (culture and communication), private (individual autonomy and moral choice) and legality (laws and rights) (Habermas 1989 and 1996).

Among numerous institutions created post-14 January, two have played a prominent role: the Higher Authority for Realization of the Objectives of the Revolution, Political Reform and Democratic Transition (HAROR) that drafted the electoral code, and the Independent High Authority for Elections (ISIE). The first period of the transition (January 2011 to October 2011)

was led by a genuine collaboration between the state and civil society. In order to create a new political order, Tunisians preferred a new constitution drafted by a National Constituent Assembly rather than reforming the former constitution (1959). The first elections were held on 23 October 2011 and ended with the victory of Ennahdha (political Islam movement).

The second interim period has known many shortcomings including a clash between Islamists and secularists that ended in a National Dialogue (October 2013) and the adoption of a new constitution in January 2014, and finally the organization of successive legislative and presidential elections (November–December 2014). Translated into transitional idiomatic discourse, Tunisia is moving from transition to democratic consolidation, i.e., a situation where democracy becomes the only rule of game (Linz and Stepan 1996, Schedler 1998). However, even a consolidated democracy can collapse. That's why it is early to give an irreversible answer on whether Tunisia is definitively a democracy. However, political ideas might be a proxy to check whether Tunisian key stakeholders share universal and common values with Western societies and particularly European countries, and how they assess European policies in the Mediterranean area and towards Tunisia in this respect.

The local and international literature on Tunisian transition is abundant. Several aspects have been treated, such as the constitutional process, elections, civil society, political Islam, economic topics, etc. A lot of work has been done on Tunisia–EU reports, particularly the international assistance for democratic transition, Privileged Partnership and EU–Tunisia negotiations for a Deep and Comprehensive Free Trade Agreement (DCFTA). This report represents an added value to this literature, as it will explore stakeholders' perceptions of citizenship, democracy and human rights and how they perceive the EU policies in this field.

This paper focuses on political ideas and views expressed and formulated by civil society stakeholders on various issues: political objectives, guiding socio-economic models, perception of citizenship, stance on the religious versus secular cleavage, gender, how they define democracy and human rights, what are the main issues and policy priorities in their specific country and how they assess European policies in the Mediterranean area in the field of democracy and human rights. To contextualize the interviews, we first present the constitutional debate between political stakeholders at the National Constituent Assembly (NCA) and civil society stakeholders inside the NCA and within the society. Then, we present information on the perceptions of stakeholders gathered through a detailed questionnaire in which each of these questions is subdivided into a series of sub-questions submitted to the interviewees. The procedure was conceived to facilitate face-to-face talks and to help institutional actors to formulate their thoughts, particularly in the Tunisian context where there is much talk on political ideas but few genuine scholarly studies on them. We selected, as required, institutional actors considered as key stakeholders in terms of political ideas on the global, regional and local level. Finally, we present the perceptions on the Mediterranean area, and EU policies therein, before concluding with some policy recommendations.

1. Methodology

MEDRESET Work Package 4 (WP4) aims at evaluating the effectiveness of EU policies on democracy promotion and human rights in the Southern and Eastern Mediterranean (SEM) region from the perspective of bottom-up actors' interests, needs, perceptions and

expectations. To this end, the recursive multi-stakeholder consultations (RMSCs) enable us to reverse the ordinary approach, by which perceptions and priorities of Southern shore partners are included in the picture only marginally and/or a posteriori (Huber et al. 2017: 21).

This report collects information on the political and economic ideas of elite representatives, NGOs, organizations and groups. People interviewed are from civil society organizations (Union of Unemployed Graduates, Tunisian Association of Amazigh Culture, Tunisian Association of the Democratic Women, Victory for Rural Women Association, Voice of Women Association, Bawsala), human rights organizations (International Federation for Human Rights, Arab Institute for Human Rights, Tunisian Human Rights League), trade union organizations and syndicates (Tunisian General Labour Union, Union of Tunisian Workers, General Confederation of Tunisian Workers, National Union of Tunisian Journalists, General Union of Tunisian Students), institutions (Higher Authority for Realization of the Objectives of the Revolution, Political Reform and Democratic Transition, National Anti-Corruption Authority, National Authority for Protection of Personal Data, Independent High Authority for Elections, Ministry for Relations with Constitutional Bodies, Civil Society and Human Rights) and social protest movement.

A first round of stakeholder consultations was conducted in Tunisia between August and December 2017. Specifically, the following questions were investigated in the first round:
1. Political and socio-economic models in the Mediterranean space: How are these models perceived? Which models are better for Tunisia? How do they affect men and women differently?
2. Citizenship: How is it perceived in relation to the Mediterranean space, Arab *Umma* and the Muslim world?
3. Democracy and human rights: Definitions and perceptions? Role of Europe?
4. Religious/secular cleavage: What is the stance on the religious versus secular cleavage? The degree of confidence in political Islam? Is there a difference between various Islamic and secular trends?
5. Gender issues: The stance on equality between men and women? The stance on the laws linked to gender issues?

Based on a first report which summarized perceptions and expectations of the stakeholders, we formulated the questionnaire for the second round of stakeholder consultations. This was carried out between January and April 2018. Specifically, the following questions were investigated in the second round:
1. General evaluation of EU policies: Perception of the northern politics towards the south.
2. Substance of EU policies: In which domains can the EU contribute and what is its role in these domains (education, employment, clean water, etc.)?
3. Actors: Who are the actors the EU should engage with, and how? Which actors should the EU prioritize? Political actors? Economics? Civil society?
4. Instruments: Which instruments should the EU use: Direct or indirect aid? Policies? Legal? How should the EU deal with staunchly authoritarian regimes?

A total of 45 stakeholders were contacted, while 32 face-to-face interviews were held, with 11 institutional and 21 civil society representatives (see anonymized list of interviewees in Annex). Among the interviewees were 23 males and 9 females (see Table 1 below). The duration of interviews ranged between 30 minutes and 2 hours. In line with MEDRESET's data management plan, all interviews were anonymous.

Table 1 | Overview of Interviewees

Type of stakeholder	Male	Female	Total
Institutions	10	1	11
CSOs/foundations/activists	13	8	21
Total	23	9	32

Besides the interviews, we also pursued a contextual analysis of documents published by the organizations interviewed. Furthermore, to contextualize the interviews, we also relied on a survey based on interviews with the 217 NCA representatives led by the Tunisian Observatory for Democratic Transition (Redissi et al. 2014).

2. EU POLICIES TOWARDS TUNISIA

Europe is the first Tunisian economic partner, with not less than two thirds of Tunisia's GDP dependent on the EU (Balfour et al. 2016). Tunisia has been the largest recipient of EU aid in per capita and absolute terms. In total, the EU has provided Tunisia with approximately 3.5 billion euros in a combination of loans and grants since 2011 (European Commission 2017). As far as the EU is concerned, the Euro-Mediterranean Association Agreement (1998) with Tunisia made human rights a fundamental element of EU–Tunisia cooperation (European Community and Tunisia 2005). This is confirmed and detailed by an Action Plan which was adopted by Tunisia and the EU in 2005 (European Commission 2005). The EU was heavily criticized by human rights organizations at the time for adopting this plan with an authoritarian regime (Mestiri and Bensedrine 2007).

Afterwards, the Revolution was an opportunity to improve the cooperation so that in order to encourage democratic transition, EU doubled the financing allocated to Tunisia for the 2011–13 period. Three major documents regulate the relationship with Tunisia today: the Privileged Partnership Action Plan 2013–2017 giving priority to democracy and the rule of law;[2] the Single Support Framework 2017–2020, within the European Neighbourhood Instrument sets out programmes that provide aid to a range of local partners devoted to deepening respect for human rights and allowing 15 per cent of the resources to strengthen democracy; and the European Neighbourhood Policy review "Stronger Partnerships for a Stronger Neighbourhood" (2015) reaffirming democracy promotion. The Association Council and the EU–Tunisia Joint Parliamentary Committee have also reaffirmed the need for a dialogue and for preventing terrorist threats in both Tunisia and Europe.

Article 20 of the new constitution grants treaties ratified by Tunisia a status superior to national laws but inferior to the constitution (see Tunisia 2014). However, Tunisia has been receptive to international standards on human rights even prior to the Revolution, but not without restrictive policies. Under the rule of Ben Ali, Tunisia had ratified a number of human rights conventions, but with insufficient enforcement. After 2011, the State removed all reservations on the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), and ratified a

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2   For EU-Tunisia strategic priorities see also European Commission and EEAS (2018).

series of treaties.[3] Tunisia is the first country in the region to create a national mechanism against torture, the National Authority for the Prevention of Torture (*Instance nationale pour la prévention de la torture*, INPT). Approved in February 2016, a law guarantees equitable trials and other basic rights to those detained, and a bill considered by Family Minister Naziha Laabidi as "historic" on gender violence was approved by the parliament in July 2017 (Knipp 2017). The European Commission has praised Tunisia for these achievements and particularly for involving civil society organizations (CSOs) in decision-making. Based on consultations with 150 CSOs, and produced by the EU-funded Programme to Support Civil Society (*Programme d'appui à la société civile tunisienne*, PASC Tunisie), a report issued just after the Revolution identified the different types of problems faced by civil society organizations, as well as their capacities and constraints to their action (PASC Tunisie 2012). A "tripartite dialogue" between the EU, Tunisian authorities and civil society has been engaged (EuroMed Rights 2016). However, security issues remain a European priority (Dandashly 2018). Furthermore, the EU is pushing migration dialogue. During the transition, the electoral process has been strongly encouraged. Recently, the Council of Europe (2018) applauded the holding and functioning of local elections in May 2018. However, the EU has raised some concerns related to the lack of asylum policy, the maintaining of the death penalty, an attempt to control media, the use of torture in detention centres and excessive force by security forces during protests, as well as the mistreatment of detainees. This is corroborated by interviews conducted with human rights activists and defendants complaining about torture documented in detention centres and prisons against terrorists – and criminal offenders as well (Chakroun 2018: 15).

3. The Tunisian Constitutional Debate

The Tunisian constitutional debate was a great opportunity to validate the compatibility between international principles and standards regarding human rights on the one hand, and on the other the Tunisian constitution which was adopted as the outcome of a dual process underway both inside the National Constituent Assembly (NCA) and outside it, between the NCA and civil society stakeholders.[4] Inside the parliament, the process of drafting the constitution within the NCA was a slow, complex and confrontational one. The NCA was divided by a political gap (between majority and opposition) and a cultural polarity (between conservative and secular forces). But who were the NCA's stakeholders? According to a survey run by the Tunisian Observatory for Democratic Transition based on 217 interviews with NCA representatives, the NCA comprises 23 per cent primary and secondary schools teachers, 17 per cent higher public agents, 17 per cent lawyers, 13 per cent university professors, 8 per cent doctors and pharmacists, 8 per cent unemployed, 7.8 per cent liberal professions and 5 per cent workers. Only 5 interviewees declared themselves as businessmen (Redissi et al 2014).

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3   The International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the International Covenant on Civil and Political Rights, the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Rome Statute of the International Criminal Court (ICC), and the Agreement on Privileges and Immunities of the ICC.
4   This section draws extensively from Redissi and Boukhayatia (2015).

Three successive drafts fell well short of expectations (6 August 2012, 14 December 2012, 22 April 2013). Yet, more than a dozen fundamental disputes were still unresolved despite a fourth draft (1 June 2013).[5] An *ad hoc* "Consensus Commission" (*lajnet tawafuqat*) within the NCA, chaired by Mustapha Ben Jaafar (President of the NCA), made no progress because the Islamists once again raised the issue of the Sharia as a source of legislation and mentioning the Higher Islamic Council in the constitution, while the secularists resisted (Barnat 2012). Divergences were finally resolved thanks to the National Dialogue triggered by the assassination of the NCA deputy Mohamed Brahmi, on 25 July 2013, following the withdrawal of 60 opposition parliamentarians (Redissi 2014a). With the aim of avoiding an escalation, negotiations led to the establishment of the Quartet (UGTT, UTICA – the Tunisian Confederation of Industry, Trade and Handicrafts, ONAT and LTDH). After being repeatedly postponed, the dialogue officially got underway on 25 October 2013.[6] Before the start of the National Dialogue, the "Consensus Commission" had already identified 16 points of divergence, besides the corollary points that were finally ironed out by the Dialogue. The final text was overwhelmingly adopted on 26 January 2014 by 200 votes with 12 against and four abstentions. It was promulgated on 10 February.

As far as civil society is concerned, the NCA organized two open days on 14 and 15 September 2012 with more than 300 NGOs that had expressed reservations about the first draft (August 2012). With the second draft, it initiated an open debate within the NCA with civil society stakeholders (14/15 December 2012) under the motto "towards a participative drafting of the constitution". NCA members held 26 meetings at the regional level and abroad to listen to the requests and critiques of citizens, handed to the commissions in March 2013 to help improve the third draft (April 2013).[7] Similarly, an open window on the NCA website invites proposals to be passed on to the commissions. The document "Dialogue with Civil Society" (26 March 2013), which summarizes the 217 contributions, shows clearly that civil society was divided on the place of Islam (between those in favour of and hostile to the Sharia), on nationalist ideology (whether or not to mention criminalization of the "Zionist entity") and reference to international human rights instruments. With regard to freedoms, two major trends confronted each other: one willing to curtail liberties (through third-party rights, respect of what is held sacred and public order), and the majority trend for which liberties were the priority. This calls for two comments. First, the "Observations and Proposals of Expatriates" are more progressive in terms of respect of diversity, tolerance, parity and freedom of conscience. The second concerns the role of civil society, mentioned as a partner to set up "mechanisms able to guarantee the implementation of rights and freedoms".

Also, in contrast to the idea that the Tunisian public withdrew from a theoretical discussion on the constitution, civil society distinguished itself through autonomous action (Yahya 2014). Let us provide some indications in this regard. Before the election of the constituent assembly, several constitutions were in circulation. The one put forward by the UGTT was presented

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5   All of those drafts are available in Arabic on the NCA official website: *The Archives of the National Constituent Assembly Works 2011-2014*, http://www.legislation.tn/en/content/archives-national-constituent-assembly-works-2011-2014.
6   Dialogue soon suspended on 5 November 2013 for lack of consensus on the designation of a candidate for the prime ministership.
7   See documents available in Arabic on the NCA website: *The General Report on the Draft-Constitution*; *The Final Commissions' Reports Upon the Draft-Constitution*, http://www.legislation.tn/en/content/commissions-reports-draft-constitution.

just after the election of the constituent assembly after its 22nd Congress. A Civil Constituent Assembly was established in January 2012.[8] The Bawsala association was covering on a daily basis and in real time all of the NCA's activities.[9] At the initiative of the Arab Institute for Human Rights, many organizations proclaimed a Tunisian Pact on Rights and Liberties, on 25 July 2012.[10] Composed of nine articles, it called for the respect of fundamental rights, a life of dignity, security, equality, citizenship, development, freedom of expression and respect of the environment (Belhassen et al. 2013). Tension heightened on 25 July 2013 when 30 civil associations signed the Declaration of Tunis in which they opposed the fourth version (June 2013) supposed to be the final one, still undermined by religious references (teachings of Islam, Arab Muslim identity, etc.).[11]

The Islamists reacted. In a note addressed to the NCA bureau by the president of the Tunisian Front of Islamic Associations (Mokhtar Jebali), the group made five demands: (1) stipulating "clearly that Islam is the State religion", (2) making the Sharia the "principal and single source of legislation", (3) requiring that the president of the republic be "male, Tunisian, Muslim" and his wife a Muslim, (4) ensuring that the State undertake to "protect Islam and prohibit the dissemination of any non-Sunni propaganda of a heretical obedience" and enacting a law making any attack on what Muslims hold sacred a criminal offence, and finally (5) demanding that any convention "contrary to the Sharia and to the constants of Islam" should not be conformed to.[12] Similarly, experts played an important role to enlighten NCA representatives.[13] They all advocated in favour of a constitution limiting the weight of religion while expanding the area of freedoms.

The constitution does not fundamentally innovate. The first two chapters (besides the preamble) refer to the principles of the republic, freedoms and the status of Islam. With regard to freedoms, the constitution abides by the spirit of Article 16 of the Declaration of the Rights of Man and of the Citizen ("A society in which the observance of the law is not assured, nor the separation of powers defined, has no constitution at all"). With respect to Islam, it relies on an "Islamic secularism", instituted by the 1959 constitution, reframed in a democratic context.

Three fundamental remarks must be made. The first regards the categories of citizen's rights (Articles 21 to 48). The constitution preserves all rights, the rights of the three generations of rights in historical terms and in philosophical terms enshrines rights-freedoms and rights-entitlements. Restrictions to freedoms can only be put in place "with the aim of protecting the rights of others, or based on the requirements of public order, national defence, public health or public morals" and they can only be implemented in case of necessity and in abidance

8   The first session was held on 22 January at the Faculty of Law. See its proposals: Kefi (2012).
9   Bawsala provided biographies of the deputies, monitored the presence of deputies and the vote and put documents and reports of session and working documents online.
10 The most important were the Tunisian General Labour Union (*Union générale des travailleurs tunisiens*, UGTT), the Tunisian Human Rights League (*Ligue tunisienne des droits de l'homme*, LTDH), the National Union of Tunisian Journalists (*Syndicat national des journalistes tunisiens*, SNJT), the Tunisian Order of Lawyers (*Ordre national des avocats de Tunisie*, ONAT) and the Tunisian Association of the Democratic Women (*Association tunisienne des femmes démocrates*, ATFD). See FIDH (2013).
11 See text and the list of signatories: *Tunisie: Pour une république civile et solidaire*, 25 July 2013, https://wp.me/pRE4U-2YH.
12 Letter dated 9 March 2012, NCA Order, 17 March 2012 Ref. 96/400/2012 (in Arabic).
13 See list of experts (Annex 6) in NCA website.

with the principle of "proportionality" (Article 49). The second point concerns the role of the State: as much as the members of the assembly were wary of the State, they required that it be a welfare state, a social state, a postcolonial guardian state. The third remarks are to do with the right itself, whether it refers to the stakeholder or the prerogative. While major rights declarations begin with the individual (the human being, person or citizen of the right) to whom rights are recognized, the Tunisian constitution either sets out a given right in abstract terms, or it entrusts the State with the care of protecting it. It happens as if the human being were not the subject of the initial right. The almost sole exception starts by naming the holders of the right: "All citizens, male and female, have equal rights and duties" (Article 21).

The new constitutional mechanism promotes the meritocracy and the diffusion of knowledge as the main forces of equalization of the conditions of the human being. Certainly the new constitution has proclaimed most of the economic and social rights, so-called rights of the second generation (Articles 38–48). It is richer and more explicit in this matter than that of 1st June 1959. But this proclamation is neither exhaustive nor sufficient to render the enjoyment of these rights real (Baccouche 2016).

In Tunisia, local development has always been, paradoxically, the responsibility of the central government. The centralized system is an inheritance preserved during independence in 1956, which has continued to be strengthened in the decades that followed. During these years, the country adopted an export-oriented economic model, in which investments and growth mainly concerned the coastal regions and a bourgeois elite at the economic and political controls of the nation. In general, there were the coastal regions, increasingly integrated into the world economy, and there were the regions of the interior of the country, heavily dependent on state aid in the form of social transfers and aid policies (Medinilla and El Fassi 2016). Decentralization is the main instrument brought by the constitution to reduce regional inequality (Chapter 7 of the constitution).

4. Expectations for Tunisia

This section presents the analysis of the recursive multi-stakeholder consultations regarding expectations for Tunisia in terms of citizenship, democracy and human rights, the religious-secular cleavage, and gender issues.

4.1 Citizenship

Citizenship has a universal signification: stakeholders perceive citizenship as a set of rights (political citizenship and individual citizenship). But it has also a cultural meaning linked to the Arab *Umma*, the Mediterranean horizon and multiple allegiances.

4.1.1 Perception of Citizenship

The general insight is positive. The constitution stipulates that citizens are equal in rights and duties (Article 21) and provisions concerning civil rights (22 to 30) were definitively adopted by the NCA without much debate. That is why all the stakeholders demonstrate a strong commitment to the ideal of citizenship. They also give a wide definition of citizenship. It encompasses all kind of universal rights in all fields, even "numeric citizenship" (Internet tools) (Interviewee 6). One

respondent outlines a typology between liberal claims of all rights to all people, semi-liberal recognition with restrictive clauses, and conservative perceptions (Interviewee 15). Many of them regret that Tunisians are prompt to claim rights, but reluctant to assume their obligations (Interviewees 1, 3, 5). No pertinent difference is brought up between citizenship as effective political participation and citizenship as a set of individual rights (all interviewees). Also, rare are those who give priority to individual freedom (Interviewee 15).

4.1.2 Links Between Citizenship and the Nation, the Arab Umma (Nation) and the Mediterranean Aspect

Related to the cultural aspect, almost all strongly support the idea of "Nation-state" ("*État-nation*") and do not want alien ideologies to take root in Tunisia. Admittedly, they make a "natural" link between Tunisian citizenship and the Arab identity, but they don't exaggerate the common identity. Instead, they insist on the multicultural background of Tunisian history made of various contributions, from Berbers until Arabs. Nevertheless, nuances in the discourses are perceptible. Some refuse to add any other dimension (Arab or Mediterranean) to Tunisian identity, considered as "obsolete", "politically oriented" and "alien" (Interviewee 17). Others include Arab and Islamic identities in the Tunisian one (Interviewee 18).

As far as a Tunisian Mediterranean element is concerned, there is remarkable paradox: deleted during the NCA debate from the draft of the constitution, the idea still inspires empathy. Except one stakeholder who expressed reservations, all endorse a Mediterranean component of Tunisian citizenship (Interviewee 23). The "mare nostrum" is central. Nevertheless, we cannot speak of "Mediterranean citizenship" as long as inequalities undermine the congruence (Interviewees 13, 16). Multi-citizenship is praised. No one has an objection to being a citizen of more than one country, provided that rights are fully respected, in the north as well as in the south. Being Tunisian and a "citizen of the world" is welcomed (Interviewee 6). Tunisians' capacity to adapt and integrate themselves into other societies is proudly defended.

4.2 Democracy and Human Rights

This section aims at going beyond grassroots perception. It prospects the theoretical knowledge capacities of the stakeholders by querying whether they make a distinction or not between democracy and human rights, between procedural democracy and substantial democracy, individual and political freedom, between democratic legitimacy and efficiency, between freedom and rights, and whether they give priority to freedom or to equality.

All of the interviewees make a distinction between democracy and human rights, and at the same time perceive them as strongly interconnected. Democracy is defined as the power of people through two means: political elections and participation of all actors (from social to media powers).

Many make a distinction between procedural democracy and substantial democracy, electoral mechanisms and values, even though these are associated (Interviewees 1, 3, 20). Reduced to a method, democracy deviates from its path – as happened in Algeria in the 1990s and in Tunisia with the NCA elections, or in Germany during the 1930s) and nowadays with the rise of populism in Europe.

With a few exceptions (Interviewees 8, 10, 23), the philosophical distinction between legitimacy and efficiency does not seem clear for the majority of interviewees. Once it is formulated as a choice between technocrats and politicians, it makes sense: preference is often given to "politicians who bring in the best experts". Some prefer that politicians only back and support experts (Interviewee 23). Others suggest a "balance" and a "mix" of both. More, politicians must be also experts (Interviewee 21). Such divergences must be understood in the light of Tunisia's experience of a series of governments elected but unable to improve social welfare.

4.3 Religious/Secular Cleavage

Nothing has characterized the transition more than the religious versus secular cleavage: is the conflict a religious or political one, transitory of permanent, and what about political Islam and its alliance with the secular during the Troika government (tripartite coalition between two secular parties and the religious party Ennahdha)?

Regarding the religious/secular cleavage, opinions are clearly and definitely stated. As far as the NCA is concerned, the Observatory survey (Redissi et al. 2014) indicates that 160 (of 217) respondents answered the question of Sharia status in the constitution. Sixty-two per cent of these expressed the will to keep Article 1 of the constitution,[14] whereas 13 per cent would have preferred no mention of religion and a similar percentage insisted on mentioning Sharia. It is remarkable that of the 56 (of 86) representatives affiliated with Ennahdha who answered the question, 29 opted for maintaining Article 1 and only 13 for mentioning Sharia. Now, for almost all stakeholders, opposition between secularity and religion is "a false opposition", a "false problem", a "false comprehension", an "inflammatory opposition", an "untrue" opposition. An example is raised: Ghannouchi supports individual freedoms while Beji Caïd Essebsi, the leader of secular camp, often refers to the Quran. Secularism is not at odds with religion, provided it is not assimilated to the French notion of "*laïcité*". Nevertheless, some consider opposition between secularity and religion "effective and real".

On the issue of whether the conflict is religious or political, transitory or permanent, sharp divisions emerged. Some argue that the clash is political not religious, provisory not permanent, and even alien to Tunisians (Interviewee 23). For others, the opposition is indeed political and not religious but permanent, going back to the 19th century (Interviewee 6). A last opinion considers that it is neither religious nor political, but cultural (Interviewees 1, 3).

The question on confidence in political Islam divides interviewees. Many stated that they can't trust political Islam (Interviewees 3, 4, 6, 10, 15). Multiple reasons are brought up: religion is a private matter so that involving religion in politics downgrades religion without upgrading politics. "Islam is a religion and not a political party" (Interviewees 19, 24). Tunisia is moderate and rejects any kind of extremism (Interviewee 17). Ideological reasons are also given: political Islam is a reactionary movement that monopolizes "religious truth" (Interviewee 8). To balance this radical opinion, some declared they have no objection to political Islam (Interviewee 9). The stakeholders disagree on the issue of whether there is only one political Islam or a variety of trends. There are moderate and extremist views along the spectrum. But some consider that the religious are more fanatic than the secular (Interviewee 22).

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14   "Tunisia is a free, independent, sovereign state; its religion is Islam, its language Arabic, and its system is republican."

We found no agreement on the issue of the Troika – the former alliance between two secular parties and Ennahdha. Some interviewees have no opinion. Positive judgment is expressed despite shortcomings. Negative statement is given on the basis that this alliance was "unnatural" and its consequences were disastrous for the country: the government was unskilled, the economy deteriorated, stability eroded, and the state weakened. Realism prevails among some interviewees: there was no other option than a provisory alliance motivated by politics or imposed by electoral score to "absorb social rage".

On the National Dialogue all of the interviewees agree: it was a rational choice that ruled out a civil war. Some of the stakeholders were part of the agreement that led to mutual concessions. There were three options at stake: civil war (where Libya fell), a putsch (engineered by the army in Egypt) and a dialogue, the Tunisian rational choice, rewarded by a Nobel price. A dissident opinion expresses some concerns about celebrating a "soft consensus", that undermines and freezes the democratic debate.

4.4 Gender Issues

Gender issues are sensitive. Equality between men and women is accepted but some questions remain at stake: stance on Tunisian Code of Personal Status (CPS) and equality in inheritance.

With regard to the constitution, three articles are devoted to women's rights (21, 34 and 46). Article 21 stipulates that "All citizens, male and female, have equal rights and duties, and are equal before the law without any discrimination." Article 34 is divided into two paragraphs. The first provides for political participation in general (the right to elect and to stand for election). The second concerns women's rights: "The state seeks to guarantee women's representation in elected bodies." Finally, Article 46 includes four elements: (1) "The state commits to protect women's accrued rights and work to strengthen and develop those rights"; (2) "The state guarantees the equality of opportunities between women and men to have access to all levels of responsibility in all domains"; (3) "The state works to attain parity between women and men in elected assemblies"; and (4) "The state takes all necessary measures in order to eradicate violence against women".

On the second issue, stakeholders support unanimously the Code of Personal Status (1956) which constitutes great progress towards women's rights.[15] Moreover, full equality between men and women is required.

Some questions are still controversial. One of them is equality in inheritance. Conservatives consider that the society is not fully "prepared" to accept equality, a "complex" issue that should be brought back at a more appropriate time, in a context where the Tunisians have other challenges. The issue is so sensitive that some prefer not to express their opinion. Progressives are for equality. But in order to circumvent inequality rooted in religious stipulation, and fill the gap between conservative and progressive positions, it is suggested to give the right and the opportunity to individuals to indicate their will and preferences. A technical proposal makes

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15 Prohibition of polygamy, equal right to marriage and to legal divorce, minimum age at marriage, prohibition of forced marriage and duty of obedience.

a difference between the "obligation" and the "right to": "Equality in inheritance must not be obligatory but a claim" (Interviewee 15).

On the future of Tunisian experience, answers are uncertain. No one thinks that the experience will collapse and almost all are optimistic. Only time is needed to improve the situation. Nevertheless, all of them express existing threats for political, economic and social reasons. Islamism is also still perceived as a threat, and all depends on whether the civil society is able to overcome it. At the crossroads, everything is possible.

There is a link between liberal economy and political liberalism to the benefit of women. The more a society is liberal, the more the women are free. Indeed, the post-transitional trend is enhancing women's rights, from parity in elections to the recent law criminalizing violence against women. This emancipation includes the right to be veiled: forbidden during the dictatorship, it is now a "trivial" event. Unfortunately, gender equality in social activities is still ineffective in various fields. Examples which are given include access to jobs, or allowing women to educate their children and keep their job. Inequitable policies predominate in the private sector (conversely to the public sector) and in the countryside (where women are hired for cheap salaries). A shared opinion declares that women are more educated than men but discriminated against in social activities.

5. Perceptions of the Mediterranean Space and the EU

5.1 Political and Socio-economic Models in the Mediterranean

Regarding the perception of stakeholders on key political and socio-economic models which are currently circulating in the Mediterranean space, it is worth noting that social stakeholders, namely labour organizations (Interviewees 2, 6, 19), are the most sensitive to socio-economic models. Almost all of the interviewees consider that social democracy is prevailing everywhere in the Mediterranean space. The "neo-liberalism is hegemonic" model prevails in the north rim of the Mediterranean space while "a mix of liberalism and globalization" prevails in the south with probably some differences: the south is less homogenous than the north; Libya and Algeria are renter states; Morocco and Tunisia adopted liberal economies (Interviewees 8, 21). Furthermore, it was stated that the "political right" is dominant in the north rim of the Mediterranean space and the "religious right" in the south of the space (Interviewees 15). But the general statement is that liberalism is deeply rooted in the north.

Related to the Tunisian model, almost all institutional stakeholders decline to specify their opinion on a more or less liberal system that has achieved some success but also carries many shortcomings. Indeed, some of them think economic and social rights mentioned in the constitution (Articles 38–48) overburden the State with obligations towards individuals, deprived groups and disadvantaged regions (Interviewees 11, 23). Article 12 provides that "The state shall seek to achieve social justice, sustainable development and balance between regions".

On an international level, dependence on international actors (particularly the EU and the International Monetary Fund) is a dividing issue. Some stakeholders complain of "dependence" on the EU and on international institutions, namely the IMF (Interviewees 13, 15, 16). Such

dependence is perceived as at odds with national sovereignty and self-determining decisions (Interviewees 13, 22). On an internal level, some interviewees complain that Tunisia, even though it is realizing a relatively successful transition, is reproducing the same social and economic model based on corporatism and social and regional inequality (Interviewees 2, 6). Such inequalities undermine the loyalty of citizens to the state.

Social actors stress the urgency of reform. Thus, almost all of them consider that the Tunisian model must be changed (Interviewee 24). But it is not clear what kind of reforms are required, and how they must be made. Many repeat the formula circulating among elites: encouraging investment, diversifying economy, increasing growth, filling the gap between classes, cities and countryside. Others suggest a "participatory economy" involving particularly civil society representatives. One stakeholder is sensitive to the need to respect the environment. Others suggest imitating the Scandinavian model (Interviewees 9, 20).

5.2 Perception of the EU

Stakeholders do not deny a positive European contribution to making the transition successful. Indeed, its support is highly appreciated. This perception is confirmed by a series of interviews conducted by other scholars (Krüger and Ratka 2014). Nevertheless, support is insufficient and considered less effective than expected. In a certain sense, it confirms the diagnosis established by some scholars that the EU "did not make the difference: Tunisia would have become a democracy with or without the EU's political and financial support" (Bassotti 2017: 3). Moreover, it embarked in a revolutionary process not only without Europe, but eagerly "almost against" a Europe that was in the past indulgent with dictatorship, and is now obsessed by security policies (Schäfer 2011). The main evidence raised by stakeholders is the promises made in the Deauville G8 summit, namely from the French President Nicolas Sarkozy who announced at the end of summit a 40 billion dollar aid package for Egypt and Tunisia to shore up the gains of the Arab changes. This narrative is shared by disenchanted elites. The argument is recurrent: Tunisia made considerable efforts and sacrifices to succeed in its transition and to meet international standards on human rights, but without fair recompense. In other words, there are no "revolution rewards" gratifying a country ultimately left alone in a financial crisis that would put the transition into danger (Schäfer 2018). The words that come are "limited" support, "insufficient", "unsubstantial", "*ad hoc*" and firmly negotiated between a strong partner and a weak one (Interviewees 13, 15).

Furthermore, support has been focused on short-term financial balancing instead of longer-term sustainable development (Ben Ameur and Neale 2018).[16] The European contribution is suspected to be economically self-interested, "politically oriented" to impose its model, and culturally allocated to pro-western elites and cooperative NGOs. Stakeholders are prompt to critique economic dependence on Europe. Despite these criticisms, stakeholders have no alternative to the partnership with Europe. They call for a diversification of partners and diversification of fields of cooperation, but have no clear alternative or some concrete proposals based on expertise. This can be extended to political parties (Hibou et al. 2011: 66). Moreover, stakeholders complain in general about a complicated, bureaucratic, lengthy process and procedure to access funds. Tellingly, few are able to indicate the amounts, the mechanisms

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16 Amir Ben Ameur is a social activist and the founder of WeYouth.

and channels of European aid. This lack of knowledge is one of the main obstacles to reinstating trust between the two shores.

As for the shared Mediterranean model, political obstacles are also undermining it: Palestine, immigration policies and refugees, not to speak of the hegemony imposed by the north on the south. There is not much to say on non-European actors in Tunisia. Tunisian stakeholders have no or few relations with American donors or partners as long as there is no American equivalent of European mechanisms operating in Tunisia. This finding is extended to China and Turkey, economic partners without any agenda involving civil society actors.

Conclusions

In light of this extensive investigation, it is obvious that all stakeholders subscribe to universal political and civic ideas, except sometimes on detailed provisions. In general, the main actors of the transition in Tunisia agree on the establishment of democracy, at least in its procedural design.

Regarding the EU role in the Tunisian transition, there is a general view of a positive European contribution, even though the EU is not perceived as the decisive actor here. While stakeholders ask for European support to democratization, no model should be imposed from the EU. In general, we found in the interviews that what is expected from the EU is:
- To give consistency to the Mediterranean zone and provide it with a multidimensional project with concrete impact, making this area visible and viable.
- To engage a broader dialogue in order to remove the confusion and misunderstanding on European policy, objectives and mechanisms.
- To make access to information easier, institutional mechanisms less complicated and access to funds more diverse in order to meet local demands.
- To reconsider the meaning of common interest and to diversify the fields of cooperation.

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Annex: List of Interviews

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Interviewee 2. Trade union organization, male representative, 6 September 2017, Tunis, by Hatem Chakroun

Interviewee 3. Human rights organization, male representative, 7 September 2017, Tunis, by Afifa Mannaï

Interviewee 4. Human rights organization, female representative, 7 September 2017, Tunis, by Afifa Mannaï

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Interviewee 6. Trade union organization, male representative, 12 September 2017, Tunis, by Afifa Mannaï

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Interviewee 32. EU-funded PASC, male representative, 26 March 2018, via email, by Assia Touati

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