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10 Years After, Was Tunisia's  
Democratisation Successful?

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Master in International Studies

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November, 2021

Department of History

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## **Resumo:**

O objectivo desta tese é explorar se a Tunísia está ou não no processo de democratização. Foi necessária uma análise histórica do país, bem como uma análise do período de Pré-revolução para compreender os antecedentes e a base a partir da qual o país iniciou a sua transição para um Estado democrático. Foram escolhidos três componentes principais para destacar os progressos alcançados pela Tunísia a fim de alcançar a democracia. Estas três componentes são as seguintes: a Constituição, eleições livres e justas, e liberdade de expressão. Como resultado e conclusão da revisão bibliográfica reunida ao longo de toda a tese, a Tunísia não chegou a uma transição democrática eficiente; contudo, está de facto a passar por um processo de democratização, abordando diferentes âmbitos de cada vez.

### Palavras-chave :

Tunísia

Democracia

Eleições,

Constituição

Liberdade de expressão

Sociedade Civil

Crise política

Covid-19

Transição

**Abstract:**

The purpose of this thesis is to explore whether or not Tunisia was successful in the process of democratization it initiated after the Arab Spring. A historical analysis of the country as well as an analysis of the Pre- revolution period were needed to understand the background and the base the country started from in transitioning towards a democratic state. (hfhyh) definition of democracy was chosen. As a result, three main components were chosen to highlight the progress achieved by Tunisia in reaching democracy. These three components come as follow: The Constitution, free and fair elections, and freedom of speech. As a result, and a conclusion of the literature review assembled throughout the thesis, Tunisia has reached an efficient democratic transition 10 years after the revolution.

**Keywords:**

Tunisia

Democracy

Elections,

Constitution

Freedom of speech

Civil Society

Political crisis

Covid-19

Transition

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**Acronyms :**

NCA : National Constituent Assembly (2011)

RCD : Republican Democratic Party

LTDH : Tunisian Human Rights League

ISIE: Instance Supérieure Indépendante pour les Élections

MOI : Ministry of Interior

Congress for the Republic (CPR),

Ligue Tunisienne des Droits de l'Homme (LTDH),

NGO: Non-Governmental Organisations

TAP: Tunis Afrique Presse

COVID19: Coronavirus

UGTT : Union Générale des Travailleurs Tunisiens / The Tunisian General Labor Union

UTICA : L'Union tunisienne de l'industrie, du commerce et de l'artisanat

LTDH : Ligue tunisienne des droits de l'homme

ATFD : Association tunisienne des femmes démocrates

## **Introduction:**

One of the most important goals of all the countries around the world is to achieve democracy and freedom. However, even in the 21st century not all countries reached the point of calling themselves a democratic state. Accordingly, one among many other goals behind the Arab Spring uprisings was to attain what the world defines as democracy. The revolution in Tunisia, which brought an end to the more than 23 year-long authoritarian rule of Zine El Abidine Ben Ali, is often celebrated as the only success story of the 'Arab Spring' uprisings. (Hudáková,2019:1). In fact, the authoritarian regime, unemployment, poverty, corruption and human rights violation throughout the years along with the self-immolation of Mohamed Bouazizi on December 18th 2010 was what sparked the beginning of the Arab spring and what was supposed to be the end of dictatorship in the Arab world. Protests, demonstrations, riots and civil disobedience started off in Tunisia and later on spread to Libya, Egypt, Syria, Yemen and many other countries pushing the government to stand down. Nonetheless, in some regions these protests led to war and chaos. The fact that the Arab spring engendered and started several revolutions around the world makes it, internationally speaking, one of the most talked about subjects in the recent years. Revolutions have always been linked to democracy, in fact the majority of countries that went through revolutions have achieved democracy in the end. Our focus in this study will be Tunisia. In the concrete, as of today, Tunisia is not only the country that started everything but is also the only country which is considered to have had a successful revolution and a conflict-free and non-violent transition. Tunisia's history is not the brightest when it comes to freedom and democracy. As a matter of fact, its people have always lived in some sort of authoritarian regimes. Before its independence in 1956, Tunisia, starting in 1881, spent decades under colonization. Gaining its independence did not change things a lot for Tunisia, as a matter of fact, it shifted from being a protectorate to being led by a president who was seen to be the savior of the country. Yet, Habib Bourguiba, was in reality a dictator who overlooked central and fundamental human and political rights. In addition, as a main cause to the Arab Spring, Tunisia went through another 23 years of dictatorship under the same regime and the same president, president Zine El Abidine Ben Ali. A democratization episode refers to the period of time over which a regime becomes significantly more democratic, rendering a more liberal autocratic regime or even facilitating a short-lived or successful transition to democracy. Thus, it includes liberalization—a period of political opening in an autocratic setting—and the potential for a transition to democracy that may succeed or fail (V-dem, 2018:3). As a matter of fact, soon after the revolution, even if faced with several challenges, Tunisia started implementing



democratic reforms. Tunisia held its first free and fair elections in 2015. Today, Tunisia is defined as a Representative Democracy, like the majority of countries in the world, with an executive, legislative and judicial branch. According to J.Linz and Stepan (1998), a democratic transition is complete when sufficient agreement has been reached about political procedures to produce an elected government, when a government comes to power that is a direct of a free and popular vote, when this government defacto to generate new policies, and when the executive, legislative and judicial power generated by the new democracy does not have to share power with other bodies de jure. If this definition is followed, Tunisia would be considered an example of a successful democratic transition. Tunisia's quick reaction to the post-revolution transition and the political changes achieved throughout the last 10 years give evidence that the democratization process was set in motion and was in quick progress. Nevertheless, the country experienced the challenges and struggles during this delicate transition that could have decelerated the achievement of democracy making Tunisia stagnate in the process of democratisation rather than be a successful Democracy. Even if confusing, a democratic process and transition is different from a literal democracy. In fact, Democracy originated more than 2,400 years ago in ancient Greece. The word "democracy" means "rule by the people." While this definition tells us that the citizens of a democracy govern their nation, it omits essential parts of the idea of democracy as practiced in countries around the world. The principal purposes for which the People establish democratic government are the protection and promotion of their rights, interests, and welfare. Democracy requires that each individual be free to participate in the political community's self-government. Thus, political freedom lies at the heart of the concept of democracy. The overall concept of modern democracy has three principal parts: "democracy," "constitutionalism," and "liberalism." Each must exist in a political system for it to be a genuine democracy. (F. Bahmueller,2007:12). Democracy as a concept has different definitions. For instance, J.Linz and Stepan (1998), narrow the definition of democracy to a political situation in which, in a phrase, democracy has become "the only game in town". Behaviorally, democracy becomes the only game in town when no significant political groups seriously attempt to overthrow the democratic regime or secede from the state. Attitudinally; democracy becomes the only game in town when, even in the face of severe political and economic crises, the overwhelming majority of the people believe that any further political change must emerge from within the parameters of democratic formulas. Constitutionally, democracy becomes the only game in town when all the actors in the polity become habituated to the fact that political conflict will be resolved according to the established norms and that violations of these norms are likely to be both ineffective and costly (J.Linz and Stepan,1998:5). If all patterns of

democracy are combined, Tunisia should be a democratic country by now. So, 10 years after the revolution, where is the country at when it comes to democracy?

## **METHODOLOGY:**

For this research a descriptive qualitative design will be adopted as a methodological strategy. It offers a diversity of perspectives on different issues and problems while helping in expanding and evolving theories. This design will be used to explore different theoretical concepts. Various methods including case studies, biographies, analysis and different types of literature can be used with the qualitative design. This design suits my research since it is a subject that has had different reviews written about it and has been well investigated throughout the years. This research is an opportunity to tackle the subject from different angles adding to it valuable and important information. Using F. Bahmueller (2007) definition of democracy, the characteristics highlighted will be of focus in this research. The dimension of this research is the analysis of whether or not the elements of what is defined to be a democracy were fulfilled by Tunisia. The research will investigate to what extent the country has achieved these components and has implemented them. As it has been displayed in the literature review, Tunisia, even if struggling and going through several challenges, has been working on executing and applying these constituents which might lead to reach and attain democracy like the world knows it. In line with the illustrated dimension, the following hypothesis is suggested: Tunisia, even though It went through diverse challenges, has efficiently achieved a democratic transition and is embracing democracy as a state.

## **Historical Background:**

*1. Tunisia as a protectorate:*

In order to have a broader scope on the changes that occurred after the Arab spring and to understand the roots that built the country that is Tunisia now, going down on history line is Important. Being in a difficult economic and financial situation, Tunisia was an easy prey for colonialism. Not only France coveted over the country at that time, in fact, Italy was also interested in seizing and taking over the country. Thus, France got the hold of Tunisia and entered the country in 1881 leading to the start of the French protectorate with the signature of the Bardo Treaty on the 12th of May 1881. The signature of the treaty of Bardo and many more set-in motion 77 years of French Protectorate, from 1881 to 1956. Tunisia became a French protectorate when the Treaty of Bardo was concluded on 12 May 1888. This treaty allowed France to control certain geographical areas under the guise of re-establishing order and protecting the Bey from internal opposition, and also allowed French diplomatic agents to protect Tunisian interests in foreign countries. Then the Convention of Marsa of 8 June 1883 gave France a right to intervene in Tunisia's domestic affairs (IKEDA, 2006:10). When looking into the Tunisian History today, it is considered a former French colony and not a former French protectorate, and that is due to many reasons. Firstly, France started to commit itself to modernising the two Countries. However, the real French aim was to institutionalise the rights and interests of French settlers. (Ikeda, 2006:10). Throughout the years France took advantage of its powers within the country. As a matter of fact, as a protectorate they were first entrusted with foreign affairs and the territory defence as well as representing the country on the international scope, however they ended up stripping Mohammed El-Sadik Bey, then Bey of Tunis, of his power and authority and taking full control of the country with the Conventions of La Marsa, signed on the 8th of June 1883. After 1881, France moved into key positions at all levels of government in Tunisia while carefully maintaining a semblance of Tunisian rule but forcing the Tunisian prime minister to have a French adviser. The process of French infiltration continued as the commander of the French occupation forces became minister of war in the Tunisian government. In the provinces, caids, who were the head of each tribe, held a semi-independent status, but a system of French civil controllers was established in 1884 who introduced central government supervision over the caids (Ikeda, 2006:11). During the period Tunisia was under French protectorate, Economic and infrastructural development flourished. Despite the stability in the economic sphere established by the French, the fight against the occupation did not take long to rise with the reformist movement called "Jeunes Tunisiens" founded in 1907. One of the key movements that contributed in reaching the Independence of Tunisia was founded by its first president, Habib Bourguiba. March 1934, the Destour party broke up into the Neo-Destour and the Vieux-Destour. The former recruited its members mostly from moderate intellectuals, while the latter did so from the religious bourgeoisie. Led by Habib Bourguiba, the Neo-Destour tended to be moderate but the Vieux tended to be radical, putting more emphasis on pan-Arab solidarity.

Especially after World War II, the Neo-Destour was inclined to seek independence through negotiations with the French whereas the Vieux-Destour came to denounce the Neo-Destour for close collaboration with the French (Ikeda, 2006:11). The party founded in 1934 and called “Neo-Destour”, led to Bourguiba being arrested several times by the colonial administration as well as being exiled. Tunisia obtained internal autonomy as the result of the conclusion of the Franco-Tunisian Conventions in June 1955. The French government allowed Bourguiba to return to Tunisia on 1 June 1955 after more than three years’ exile, and the Tunisian people enthusiastically received him as ‘le père de la Nation’. (Ikeda, 2006:204). A continuity of struggle, pressure and negotiation gave birth to the Tunisian Independence on the 20th of March 1956, a victory still celebrated to this day. On 20 March 1956, just five days before the elections in Tunisia, the two countries issued a protocol agreeing that firstly, France recognised Tunisia’s independence; secondly, the Treaty of Bardo could no longer govern Franco-Tunisian relations; thirdly, certain dispositions of the 1955 Conventions incompatible with Tunisia’s new status would be modified or abrogated; and fourthly, Tunisia would be able to exercise its responsibilities regarding foreign affairs, security and defence, and form a national army. Both parties also agreed to enter into negotiations on 16 April 1956 with the purpose of defining the modalities of cooperation, particularly in the field of defence and foreign policy. (Ikeda, 2006:219).

### *2. Tunisia 1956-1987:*

After gaining independence from France in 1956, Tunisia was ruled by prime minister and later president Habib Bourguiba, who embarked on an expansive social and state-led development model. For example, the Code of personal status adopted after independence in 1956 granted women full legal status, outlawed polygamy and repudiated the right of a husband to unilaterally divorce his wife, enabling the development of a more gender equitable society. In 1965 the country became the first Muslim majority country to liberalise abortion laws. In 1958 Tunisia introduced free education and in 1990 the government passed new education legislation that, among other things, introduced free compulsory basic education from ages 6–16 and modernised the education system. As a result, the country has achieved high enrolment and literacy rates that resemble upper-middle rather than lower-middle-income country characteristics. (Kwasi, Cilliers and Welborn, 2020 :5)

The Independence of the country was supposed to pave the way to a free, democratic and prosperous country, unfortunately, on the long run, it was the beginning of the end. The Bourguiba Government was formed on 14 April, with twelve Neo-Destour members out of seventeen ministers and with full support from the UGTT.<sup>94</sup> Bourguiba named himself both as Minister of Defence and Minister of Foreign Affairs, although the French had tried in vain to persuade him not to do so (IKEDA, 2006:220). Bourguiba was not elected president at first because the country was yet to be proclaimed a republic and was still under a monarchical regime. In fact, he was first elected as the president of the National Constituent Assembly, a position he held for 6 days only due to the fact that the Assembly voted him the first Prime Minister of the country on the 15th of April 1956. His election opened the door to several political, economic and social reforms that sought to create a free, independent and modern Tunisia. In order to create the modern Tunisia we know today, put an end to the interference of the Bey in the decisions and put an end to their betrayal, an extraordinary general assembly was summoned the 25th of July, a meeting during which Bourguiba convinced the assembly and succeeded in reaching a unanimous vote of the assembly who proclaimed him the first president of Tunisia making the country a republic in the 25th of July 1957. As Ikeda (2006) states, in July 1957, unlike Morocco, the monarchy was abolished and a republic was declared with Bourguiba as president. During his presidency, Bourguiba focused on education, making it public and available for everyone, gave priority to improving the health system as well as making the political, social, cultural and educational axes a priority in the modernization of the country alongside working on equality and continuity as he gave all their rights to women. Bourguiba is considered the father of Tunisia as he contributed in freeing the country, building it, empowering it and in paving a way to a prosperous future. From the outset Bourguiba's leadership was a major advantage. Popularly hailed as the Supreme Combatant for his role in the struggle for national independence, he had no competitors in gaining public recognition as "father of his country." Widely regarded as capable, incorruptible, progressive, and committed to a compassionate, humanistic philosophy regarding the Tunisian people, the national leader was respected— even revered—by a citizenry eager to follow his lead. A popular political party already existed as a potential vehicle for mobilizing the masses in the development effort. An efficient, uncorrupted civil service and a well-trained cadre of technicians inherited from the

protectorate period stood ready to administer the new state and its modernization plans. (Harold D , 1986 :10). However, his presidency was cut short, if I can say so, by a medical “coup d’état” the 7th of November 1987, perpetrated by Zine El-Abidin Ben Ali, then Prime Minister of Tunisia Under Bourguiba. A “coup d’état” justified by the deteriorating health of the president of the republic of Tunisia, alongside the fact that he was unable and unfit to rule the country being 83 years old at that time. As a matter of fact, as Kwasi, Cilliers and Welborn (2020) declare, after standing unopposed for re-election on four occasions, Bourguiba was Constitutionally designated president for life’ in 1974, only to be overthrown in a bloodless coup in 1987 by then prime minister Zine El Abidine Ben Ali.

### *3. Ben Ali’s Era:*

He officially got elected the 2nd of April 1989, being the only candidate, he got almost 100 % of the votes back then. At first, the future of the country looked very promising with him as a president, as a matter of fact, he annulled the presidency for life, and started to be the face of the country process towards a genuine democracy. On the economic and social scale, he succeeded in modernizing the country as well as securing it from terrorism and extremism by taking concrete actions towards Ennahdha party and neutralizing it. Political, social and Constitutional reforms took place having as purpose to serve the people and the country. According to Kausch (2009), Tunisia’s socio-economic development is indeed outstanding when compared to the rest of the region. Achievements in the areas of health, education and women’s rights have been impressive. The Tunisian social model is being skillfully applied and translated into budgetary processes. Over the last decade, positive socio-economic development, ethnic uniformity, the absence of serious poverty, progressive gender policies and high levels of education have all contributed to forming a maturing society with the necessary grounds for political liberalisation, and with comparatively little risk of uprisings or destabilisation along the way. As of today, however, Ben Ali’s regime shows no inclination to take advantage of this favourable setting other than to secure its own continued rule and privileges. As years passed political and economic crises increased and gave place to poverty, corruption, inequality, media repression and human rights violation. In his speeches, President Ben Ali has been pledging democratic reforms for years, promising a ‘republic of tomorrow’. In practice, however, rather than a describing a path towards political modernity, this term has come to represent the government’s determination to postpone any genuine democratic reform until an evanescent ‘tomorrow’. The remainder of the region has undertaken processes of ‘authoritarian upgrading’<sup>1</sup> in reaction to the increasing pressure to democratise, adapting tools

and strategies in order to create a smarter, more subtle form of authoritarianism that relies on the duality of democratic discourse and authoritarian control. But such processes have been very limited in Tunisia. While the government does have a pro-democracy discourse, it is applied less consistently than in other countries, and efforts to portray itself as democratic are largely ineffective due to the widespread measures of systematic and often open repression. (Kausch 2009:2). The country who thought they were going towards stability and democracy, found themselves living under a repressive government and dictatorship for 23 years. The inland provinces had slipped into the shadow economy. The sundry trafficking undermined state institutions. Mafia rings, taken up by Ben Ali circles, were besieging the entire country, taking with them entire sections of the customs and tax administrations, municipal authorities, and security and state services. The State had been hit (Ounaies, 2015:32). Ounaies (2015) adds that, the concentration of powers, the all-powerfulness of the police, electoral fraud, state predation, the censorship of the media...these ordinary shortcomings of despotic regimes were carried to grotesque extremes under Ben Ali. The roots of the country were shaking increasingly and Ben Ali started losing control of Tunisia throughout the years. The Ben Ali regime had maintained itself through sheer repression; an impressive security apparatus controlled the population and suppressed any kind of political protest, no matter how benign it was. The regime, however, sought legitimacy through the holding of regular elections – which, of course, the president won overwhelmingly, usually with over 90% of the votes, while his party, the Republican Democratic Party (RCD), won all the seats in the legislature. When Ben Ali came to power, he changed the Constitution to impose limits on presidential mandates, but then removed those limits so he could stay in office for life. He ran for re-election periodically, basically unopposed, since the other presidential hopefuls were disqualified or harassed. (Zoubir,2015:11) What first got established to give people what they needed, took almost everything from them, even their freedom of speech. Ben Ali and his family stole not only money from Tunisian people, but stole their dreams, future, stripped them of basic democratic rights, such as free and fair elections, freedom of speech, freedom when it comes to business ownership, so on and so forth. In fact, Zoubir (2015) states that the economy was not so efficient and corruption perverted its functioning; it could no longer create jobs for graduates in a country where the youth are dominant. Privatisation of the economy mostly benefited the Ben Ali families and their patrons, who controlled most sectors of the economy. Furthermore, the regime opposed genuine democratic reforms under the pretext that there could be no prosperity and economic growth (under a liberal system) without the required political stability. Yet, unemployment increased constantly. There were

huge disparities between the northern urban and littoral zones – which were dominated by the industrial, tourism and agriculture sectors, and received investments, and benefited to a certain degree from international trade and commerce – on the one hand, and the southern and western centres – which witnessed far higher unemployment and poverty levels – on the other hand. The accumulation of different kinds of crisis was too much for the people to handle, leading to manifestations, riots, and protests aiming to end these years of dictatorship. Ben Ali no longer had control on the people nor the country and like expected, after 23 years he faced the revolution known as the Jasmin Revolution, which on its turn sparked the famous Arab Spring. The revolution, caused by poor living conditions, repressions, unemployment corruption and inflation were started by Mohammed Bouazizi, who committed suicide by immolation and died the 18th of December 2010. This explains why the riots that followed the immolation of a young graduate on 17 December 2011 took place in the western city of Sidi Bouzid – a region that, like many others, was neglected by the government. Thus, the conditions of high unemployment, especially among the youth (estimated at 40%), nepotism, bad governance, corruption, repression, lack of freedom and ageing leaders, which prevailed in other MENA countries too, were among the major factors that led to the uprisings. (Zoubir,2015: 11). These factors were also highlighted by Mansouri (2020), as ha states that A mixture of socio-economic problems and political conflicts are generally thought to be the primary underlying triggers for the Arab Spring. The long-term structural problems troubling the region came to a head early in 2011 due to the combination of high rates of unemployment among educated youth, unequal distribution of wealth, widespread corruption, nepotism, and the paralysis of state institutions to respond to the social needs of their citizens. After a month-long period of intense riots and protests across the country, Ben Ali was forced to flee to Saudi Arabia and sentenced in absentia to 35 years in prison for embezzlement and later to life imprisonment for the killing of protesters (Kwasi, Cilliers and Welborn,2020 :5). Almost a month after, on the 14th of July 2011, President Zin Al-Abidin Ben Ali fled the country thinking he would come back when the calm would reign again, however, that day never came and Tunisia started its process of real democratisation, step by step. The revolution in Tunisia in 2011 – the first political upheaval of what became the ‘Arab Spring’ – marked the end of over five decades of authoritarian rule, first by post-colonial leader Habib Bourguiba and then by Zine al-Abidine Ben Ali. The country’s first democratic elections, held in March 2011, produced a coalition government comprising of the dominant Tunisian Islamic party, Ennahda, and two centre-left groups, Ettakatol and the Congrès Pour la République. Despite the degree of stability, the coalition has provided the country, there are still obstacles to



democratic consolidation and factors that contribute to social, political and violent conflict in the country today, not least the political climate itself which is characterised by deep divisions and antagonisms between the coalition and opposition groups. (Hinds, 2014: 4)

## **2. Democratic Transition:**

### *1. Transitional Government:*

What we are analysing is the democratic state of Tunisia Years after the revolution. However, in any analysis of a present state of a country, the transition period between authoritarianism and the road towards democracy is a crucial stage that all democracies today went through. According to The Carter Center (2011), The suddenness and speed of events that led to regime change in Tunisia brought about a completely new situation requiring the creation of specific systems of governance to handle the transition. In fact, as Hinds (2014) declares, the processes of political transition in Tunisia have been protracted and difficult, adding to the tense environment. While broadly regarded as a successful non-violent revolution, deep antagonisms and divisions persist between political competitors. The process of drafting a new Constitution is illustrative of the complexities of political division and the delays that have blighted political reform. As soon as Ben Ali disappeared from the political arena on 14 January 2011, the national unity government that took charge of the country's administration hastened to improve the climate: release of political prisoners, lifting of media and social network censorship, legalization of pending political parties and recognition of new parties, issuance of passports to exiles, who began returning en masse, lifting of lawsuits against the LTDH – which was then being harassed via some thirty court cases – and the institution of a subsidy for young unemployed degree-holders. At the same time, the dominant party (Democratic Constitutional Rally – RCD), the political police and the Chamber of Deputies were dissolved. And finally, three National Commissions were created – one for political reform, another on corruption and embezzlement, and the third on armed violence and damages registered during the Revolution. In a matter of weeks, a new society asserted itself: one that assumed the country's destiny and planned its future. (Ounaies, 2015:33). Acting fast and smart was needed as, the revolution just ending, had the transition government watched by everyone all over the world. For much of 2011, an interim government worked closely with a “High Commission for the Realization of the Goals of the Revolution, Political Reform, and Democratic Transition” to manage Tunisia's transition. (Russel and Tavana, 2014:1)

Tunisia's path to democratization has moved in a "two steps forward, one step back" progression despite socio-economic difficulties that would appear to reinforce conservative religious Salafist criticisms of the En-Nahdha-led government. Religious actors contributed to democratization by taking conciliatory stands and by cooperating and sharing power with secular actors. After emerging as the first party from the elections for the Constitutional Assembly, Ennahda formed a coalition government with secular parties. In the assembly Ennahda helped to make a democratic constitution by defending parliamentary democracy, which arguably is a more promising institutional choice for a new democracy, by not insisting that Islam be the source of Tunisian law, and by accepting legal gender equality (Somer,2017:1035). In Fact, according to Jermanová (2021) , It provided an important experience of coming together which likely enabled some cooperation within the NCA including the creation of the coalition government following the 2011 elections. Despite the inevitable hurdles associated with transition, Tunisia's two years of transformation from autocratic regime to a representative democratic republic provide lessons and insights for other Arab states in transition. (Dean, 2013:7). The Tunisian Revolution is considered a success, because not only Tunisia was the only country that managed to avoid any civil war and continuous violence within the country, but the years under dictatorship built a strong society that took the opportunity to finally lead the country towards democracy. The hitherto success of the Tunisian transition results from the particular constellation of the Tunisian case, including the constructive combination of different factors such as a strong civil society, strong middle class, low level of armament, consensus-oriented tradition, high level of education, or the absence of violent ethnic conflicts. All these factors suggest that the perspectives for a long-term democratic transformation process look positive but the challenges remain multifaceted. (Schäfer, 2015:8). From 2011 until now, the country implemented the constituents of a democratic state step by step. According to Schäfer (2015) Tunisia has achieved major milestones on its way to establishing a democratic system. Amongst these milestones are the building of the three reform commissions right after the Tunisian revolution in 2011, the foundation of a new political party landscape, the first free elections in October 2011 (after 23 years of the Ben Ali regime), building the legitimate basis for the National Constituent Assembly (NCA) in November 2011, the adoption of the new Constitution in January 2014, and last but not least the first free legislative elections (October 2014) and presidential elections (November/December 2014). The abolition of the emergency law in March 2014 was a further milestone. The role of the civil society has been very important throughout the whole process. All these milestones have come about in a peaceful context. Everything could

not be put together in a matter of months, and with the country shaken still by the impeachment of its president, mourning the loss of its people and just getting back on track from a revolution, the transition was not easy. As a matter of fact, putting a government together was not one of the easiest process to go through. In addition, as Schäfer (2015) affirms, following the revolution, the number of newly created civil society organisations and new political parties exploded. More than 100 political parties were founded and legalised. The same was true for the media sector. The number of new magazines, newspapers and TV channels rapidly augmented; freedom of the press increased tremendously, and the media sector became more critical, independent and free. Right after the revolution, the official governmental functions were transmitted to interim Prime Minister Mohamed Ghanoucci, and to interim President of the Parliament Fouad Mebazaâ. This transition government (in office from 17 January 2011 to 27 February 2011) announced as one of the first steps to guarantee a comprehensive freedom of the press and information, and the release of all political prisoners (about 500).<sup>4</sup> But due to political tensions and protests, another transition government took office (27 February-13 December 2011) under Béji Caid Essebsi, who was the last transition Prime Minister before the elections of October 2011. Although the process is still on the move, its framework is well defined by the principles the revolution. It sounds clear today that Tunisia is on its way to drafting a democratic constitution based on real separation of powers and balance between them. (Sadiki,2015:74) Tunisia is the first country in the Arab World to accept and work with democratic principles successfully. (Millet, 2021: 6)

## *2. Role of civil Society in building a democratic state:*

Civil society has been an important concept in both political theory and the study of regimes and regime change in modern political science. (V-dem,2015:3). In addition, V-dem (2015) states that with the third wave of democratization this Neo-Gramscian notion of a contentious civil society came to be fully embraced by the discipline when it was integrated into influential actor-centered process models of democratic transition. A Democratic transition after decades of dictatorship and a country ruled by an authoritarian regime is not achieved in a blink of an eye, let alone by one component. As a matter of fact, the government, who previously was in the heart of the problematic system, could not be the solution to everything and especially cannot work alone. The contribution of Civil Society was needed. According to Al-Khulidi (2017), The civil society could encompass voluntary associations, labor and professional unions, political parties, social movements, sports unions, NGOs, media, universities, etc. Its membership does not stand on inheritance factors or loyalty; blood relations, or family, clan, tribe loyalty. Shortly after the revolution, Tunisia took basic steps towards the attempts of proceeding with democratic transition. One of the most transition issues it commenced tackling was Transitional Justice. It was raised and promoted by the civil society. The civil society tremendously contributed to the establishment of transitional justice (Al-Khulidi,2017:4). Trusting the government and the system was not the plan of Tunisians after the revolution, in fact turning to civil society was way easier. While trust in the political system is low, Tunisians tend to have faith in civil society, which can help bolster political parties and institutions. In the political sphere, three types of civil society groups in Tunisia play separate yet complementary roles: traditional civil society organizations (CSOs), labor unions, and Constitutionally mandated independent institutions. (Yerkes and Ben Yahmed,2019:15). Civil society, no matter the type, worked together to achieve a main purpose, knowing that it was the best way to reach what they wanted to.

Broad-based independent associations of people across the Arab world mobilised to exert popular pressure on the government and the state. These independent associations of people, including non-governmental organisations (NGOs), community groups, labour unions, charities, political, professional and faith-based associations defined by the World Bank as civil society organisations (CSOs), unified in unprecedented demands for political representation, free association and regime change. (Deane,2013:5). One of the first step in building and starting a democracy was putting civil society organisations at the upfront of the transition. As Deane (2013) points it out by stating that, Tunisia's lessons for the Arab Spring states in transition begin with Tunisia's civil society at the forefront of the creation of a

new “spirit of solidarity” creating new norms of civil engagement for citizens across the Arab world. Tunisia’s CSOs succeeded in bonding similar groups, while simultaneously bridging the gap between diverse groups around their opposition to the regime, and their demands for the free exercise of their rights as citizens. (Deane,2013:5). Not only did the civil society contribute in the success of the revolution but it played an influent part and considerably facilitated the transition. According to Hudáková (2019), Civil Society Organisations (CSOs)are widely perceived to have played an important role in the country’s successful political transition. They not only actively participated in the various transitional mechanisms put in place following the departure of President Ben Ali on 14 January 2011 and contributed to the drafting of the country’s first democratic constitution, but also repeatedly stepped up their political role during times of political crisis. Civil Society and Civil Society Organisations, undoubtedly, played a crucial role in keeping the country in track towards stability and the concretisation of the democratic constituents they wanted to achieve. However, as stated by, Hudáková (2019), If civil society is inherently neither pro- nor anti-regime, pro- nor anti- democratic, and its role varies over time, its particular function in a given context should be examined, rather than assumed. There is nothing better to highlight the role civil society in the transition than give example on the areas some CSOs work on. CSOs play a key role in monitoring and holding political institutions accountable. For example, Bawsala, an organization that reports on parliamentary debates and the voting behaviour of parliamentarians, provides the Tunisian public with a portal into legislative activities. Another very successful CSO, iWatch, tracks the country’s efforts to combat corruption, informing the public and demanding accountability from the government. Civil society and other players also shaped the debate around the constitution by engaging in protests and strikes to make their claims heard (The Carter Center,2011/2014:9). According to Deane (2013), the role played by Civil Society in facilitating the transition was possible because of the fact that they were able to adapt to change, this is showed by highlighting the fact that new Tunisian civil society is characterised by the fast-moving, collaborative way Arab citizens influence institutional changes by creating newly institutionalised frameworks for public participation. The freedom now held by civil society works as base to their contribution in the transition, not forgetting that the regime



controlling anymore. The new networks of associations developed in the midst of revolutionary transition are institutionalised in new Tunisian laws of association. Tunisian CSOs are now free from oppressive state control and obstructive registration requirements. On paper, Tunisia's new laws of association are a veritable "to do" list for CSO reform. Under the new laws, CSOs are encouraged to testify, comment on and influence pending government policy and legislation. (Deane,2013:5). The role of civil society was to be transparent, to serve the common good of the Tunisian people while working on facilitating the communication between the people and the government, making sure decisions were for the greater good. CSOs played a crucial role in keeping the democratic transition on track during the National Dialogue process. They, together with labor unions, devised a plan to help warring political factions put country ahead of party, "resulting in the sealing of a 'historic compromise' between Islamists and secularists, [that] has served as a guarantee against violence in consolidation of the democratic transition—and consequently, has furthered the resilience of both state and society." (Yerkes and Ben Yahmed,2019:16).

There are several examples of different civil society's actors that had various impacts throughout the transitional period. For instance, according to Al-Khulidi (2017), this civil society culture also reflected in 2013 when Tunisia faced mass demonstrations before the NCA protesting on the political situation. The civil society represented by the Quartet led a national dialogue to preserve political transformation. This quartet included the UGTT (Labor Union), UTICA (Employers Union), Tunisian Bar Association, and LTDH (Human Rights League). This quartet was awarded with Nobel Prize Award. The Tunisian General Labor Union (UGTT), the most prominent labor union and a member of the National Dialogue Quartet, is in a strong position to be an intermediary between the public and the government. The union carried out two nationwide strikes in November 22, 2018, and January 18, 2019, bringing the country to a temporary standstill (Yerkes and Ben Yahmed,2019:16). Civil society members also played an important role in conveying the importance of Transitional Justice. There were only a few specific CSOs aware about the importance of TJ. Therefore, this kind of advocacy and awareness-raising encouraged other CSOs and victims to get involved and support the idea. Some of those CSOs whether had the experience in the area of human rights or others who were interested in transitional justice. There were two important meetings, the first was on 24 February 2011 titled 'The Importance of Truth Commissions in Democratic Transition Process' which was organized by Kawakibi Democracy Transition Center, and the second meeting was titled 'Democratic Transition in Tunisia' organized by

the International Federation for Human Rights and Euro Mediterranean Network for Human Rights” (Al-Khulidi, 2017:22).

The participation of civil society in the democratisation process of Tunisia also highlighted the role of women. For example, as states Refle, one of the most famous women organisation in Tunisia is ATFD. The ATFD is an organization promoting women rights that was officially founded in 1989, while it existed already before as loose network of engaged women. While the status of women in Tunisia is relatively well compared to other Arab countries, the ATFD is fighting for political and social equality, as well as against violence targeting women. The ATFD also ensured that women were represented in protests during the transition<sup>35</sup> (Schraeder & Redissi, 2011 cited by Refle,2016:5/6) and was also quite developed before the transition. Supported by the achievements under former Tunisian president Habib Bourguiba (especially the Code of Personal Status) following independence, the ATFD built on those rules in order to support women in Tunisia (Refle,2016:5/6). This helps understand the different levels and fields civil society plays a role in, but also the importance it holds in the transition of the country.

### **3. Constituents of a Democratic State:**

#### *1. The Constitution:*

Building a democracy in all its forms is not done in a year or two especially when it comes to a country that lived under an oppressive government for decades and only knew dictatorship even after its independence. The definition of democracy is very relative and comprises different constituents and components. However, while analyzing the different patterns included in democracy, there are some that are a necessity in building a democratic state. Among those components, the first and most important one is the Constitution of the country itself. Constitution-making involves producing a document that limits the powers of the government, defines the patterns of authority, sets up government institutions, and, potentially, also symbolically defines the nation and its goals (Elkins, Ginsburg, and Melton 2009 cited by Jermanová, 2021,1112). The members of the Higher Commission decided that the crucial first stage of the transition would be the full revision of the Constitution and tackling the inequalities of power, which had so greatly benefited the president over the legislative branch of government, eventually leading to a dictatorship. (Zoubir,2015:12). It took four draft Constitutions, five conciliation initiatives and the establishment of ad hoc structures to bring the process to a successful conclusion. (Abdelkefi,2016:1).

Adopting a new Constitution was the first step undertaken by the government, as doing so



would pave a path of the transition planned after the revolution. Three years following the fall of the Ben Ali regime and more than two years after the 2011 election of the National

Constituent Assembly, Tunisians took a decisive step in their quest to break from the country's authoritarian past, adopting a new Constitution on Jan. 27, 2014. Though the road to the Constitution was challenging, a spirit of openness to compromise and consensus-building prevailed, ensuring that Tunisia could reach this historic milestone. (The Carter Center,2011/2014:4). The work on drafting the Constitution, which began on 13 February 2012, involved several bodies: six constituent committees, each tasked with producing drafts of one or more chapters, and a Joint Coordination and Drafting Committee, tasked with coordinating the work of those committees and producing the final version of the draft Constitution that would be examined in plenary session. (Abdelkefi,2016:1). One of the most important milestones of the Tunisian transition process certainly was the adoption of the new Constitution on 27 January 2014, combining a civic state with Islam as state religion. 200 of 216 NCA members voted in favour of the Constitution (12 against, 4 abstentions), which guarantees fundamental rights and freedoms, human rights, freedom of faith, gender equality, and introduces new rights, such as the right to a proper environment. The Sharia is not mentioned in the Constitutional text, and does not represent a source of law. The Constitution was officially and solemnly celebrated in the NCA on 7 February 2014. (Schäfer, 2015:23). According to ConstitutionNet, in their online article, the making of the Constitution was divided into several steps:

- January 2014-Constitution
- 01 June 2013-Draft Constitution of June 2013
- 22 April 2013- Draft Constitution of April 2013
- 14 December 2012-Draft Constitution of December 2012
- 14 August 2012 -Draft Constitution of August 2012

Comparative table of drafts of August and December 2012

- 15 and 26 May 2012-Draft Preamble May 2012
- 24 April 2012- Draft Preamble April 2012
- 16 December 2011- Constituent Assembly Rules of Procedure

The task of drafting a Constitution is entrusted to six standing constitutive committees, each of which is charged with studying and then writing a draft for the articles that fall within its area of competence. Taking into consideration the possibility that the topics of certain committees may overlap, rule 66 allows two or more committees to meet together to consider overlapping issues, either at their own initiative or at the request of the Joint Committee for Coordination and Drafting. (Proctor & Ben Moussa,2012:26). Proctor and Ben Moussa (2012), then add, that According to article 3 of Constitutional Act no. 6, the draft Constitution is to be adopted one article at a time by an absolute majority of NCA members. The entire draft must then be adopted by a two-thirds majority. If this majority is not reached, the draft is to be adopted with the same required majority following a second reading, which must take place within one month of the first reading. If the draft Constitution does not obtain the required majority following the second reading, it is to be submitted to a referendum. However, during the process of drafting the Constitution the absenteeism was concerning. Tellingly, in the entire two-year process, only the final vote on the constitution succeeded in drawing all deputies to a session. (The Carter Center, 2011/2014:9).

In Tunisia, some of the NCA's choices created tensions and led to delays and frustrations. At times, these choices threatened to derail the constitution-making project. Chief among them was the failure to put in place a clear road map to chart a course and address timing and sequencing issues. Other challenges included the assembly's sparse and vague Rules of Procedure, the absence of a judicial review mechanism, and an ill-defined role for experts. The process took place in an environment of constantly shifting political alliances within the assembly without consistent cross-party coalitions on issues. These shifting alliances made fair representation within commissions and other assembly structures a challenge. The problem was compounded by chronic absenteeism on the part of deputies, which was never addressed by the NCA bureau. This dynamic was partly to blame for the Tunisian public's negative perceptions of the assembly's work (The Carter Center,2011-2014:46).

The NCA encountered different challenges while writing the new Constitution as it needed to tackle everything and avoid any flaw or misinterpretation of the articles. According to The Carter Center (2011-2014), one of the major challenges faced by the drafters of the Tunisian Constitution was the absence of a clear work plan spelling out the different stages of the process and the approximate time it would take to complete them. Instead of tackling delays through more realistic planning and better communication, the NCA responded to growing public dissatisfaction with the pace of progress by announcing deadlines considered by many

to be unrealistic, including some in the assembly itself. The NCA did not only stumble upon difficulties in the organisation of the writing of the Constitution, but also on some of the main subjects of the articles to write. For instance, one of the first challenges and questions faced by the NCA was the religious identity of the country that has been a debate for a long time. All of the players in the National Constituent Assembly had agreed, after a debate lasting several months on this initial stumbling block, that Article 1 of the 1959 Constitution would be reproduced in full in the new Constitution. The debate on religion was not going to stop there. The 2011 Constituent Assembly had, from the earliest drafts, included multiple identity-shaping references. Islam was mentioned not only in Article 1, but in the Preamble and in another provision in the main body of the Constitutional text. These provisions, and particularly the one declaring inviolable the status of "Islam as the State religion", would be the major source of division throughout the Constitution-making process (Abdelkefi,2016:2).

Even though the road was paved with difficulties, the NCA was able to give birth to a new Constitution from scratch, a Constitution representing a new era for Tunisia. The political transition thus far has seen the ratification of a progressive Constitution that respects the human rights of all groups, grants the freedom of religious practice and beliefs, provides protection for women's rights and recognizes gender equality (Mansouri,2020:3). In reality, the approval of a new progressive and democratic Constitution granted the Tunisian people with freedom and rights they were before deprived from. "A new Constitution was drafted that guaranteed the freedom of speech, freedom of religion, and women's rights" (McGee 2019:9).

## *2.Free and Fair elections:*

Elections are one of the basic constituents of democracy! If people cannot choose in a free and fair manner their leaders and government, the root of democracy is already broken since the essence of a future of a country relies in the people that govern it. According to Facing History and Ourselves, in their online article, *Explainer: Free and Fair Elections:*

"A free election is one in which all citizens are able to vote for the candidate of their choice, and a fair election is one in which all votes have equal power and are counted accurately. There are standards that governments need to meet before, during, and after an election to ensure that an election is free and fair."

Unfortunately, elections have not always been free and fair in Tunisia, as during his 23 years of governance, Ben Ali always won all the elections and had his party as head of the

assembly. Therefore, not a great amount of people bothered to go vote anymore already knowing the outcome of the elections before they were held. Elections run by the ministry of interior (MOI) had consistently produced landslides in favour of Ben Ali and the ruling Constitutional Democratic Rally (RCD) party. Despite large voter turnout figures released by the government, actual participation was much lower. arbitrary legal restrictions prevented credible opposition candidates from running, while leaders of “loyal opposition” parties regularly endorsed Ben Ali. The RCD consistently won all of the directly elected seats in Tunisia’s national assembly. Ben Ali allegedly won a fifth term with nearly 90 percent of the vote in the October 2009 presidential poll, an election widely criticized as fraudulent by Tunisian opposition activists. opposition candidates were prevented from running as the regime brutally suppressed internal dissent and independent political organizing.

(NDI,2011:11). In order to have a genuine free and fair elections, the country had to take everything into account, financially prepare themselves for the candidates campaigning budget, for the registration of new voters, for the building that were going to be used so on and so forth. A lot had to be taken into account aside from having people voting without knowing the outcome of the elections for the first time. The process was not easy and was full of challenges. To start with the whole elective process needed to be reviewed and the NCA needed to regulate it in order to avoid any fraud and mistakes leading to the perturbation of one the components of the democracy that Tunisia wanted to achieve. As well explained by Russel and Tavana (2014), On May 1, 2014, the NCA passed a Basic Law on Elections and Referenda (Law no. 36), by a vote of 132 to 11, with nine abstentions. The law stipulates the system by which Tunisians will elect members of Parliament and the President. The law contains 176 articles in seven sections:

- General rules
- Voting
- Candidates
- Election period
- Polling, counting, and results
- Electoral offenses
- Transitional and closing provisions

In addition to that, The ISIE was mandated to prepare, supervise, and monitor the NCA elections and to ensure that the electoral process was “democratic, pluralistic, fair, and transparent.” (The Carter Center,2011:3). Following the regulations for the upcoming elections, the mapping of the road towards the day of the elections themselves started. The voter registration exercise began on July 11 for an initial period of three weeks and was later extended through Aug. 14. (The Carter Center,2011:4).

The campaign period for parliamentary elections officially began on October 4, in Tunisia and abroad. Legislative campaigning is permitted for roughly three weeks: on October 24, campaigning must end, in advance of a “day of silence” to be held just before election day. Voting will take place in country October 26 and abroad October 24-26. The ISIE plans to announce preliminary results no later than October 30. Final results must be released no later than November 24. (Russel and Tavana, 2014:4). The ISIE announced preliminary election results on Oct. 27 and published results at the district level by the number of seats won by parties and independent lists. (The Carter Center,2011:6).

In terms of following the plan the elections went the way they were supposed to, even though the aftermath of the election days did not go perfectly as planned, due to the great number of voters. The counting process took more time than it was supposed to. For the vote-counting process, polling staff worked diligently in following the procedural manual; however, the process was slow and laborious due to a lack of experience, insufficient training on the counting process, and the high number of candidate lists (The Carter Center,2011:5). During the pre-campaigning and campaigning period the popular vote suggested that Ennahdha Party, whose members were mainly exiled during the Ben Ali Regime, would win the parliamentary elections, and the fact that the party won the elections confirmed the transparency and strengthened the idea of fair and free elections. Due to its organization and relatively long history, Ennahda was poised to win the elections in 2011. Although most observers of Tunisia predicted this success, the extent to which Ennahda outperformed every other party surprised many. Ennahda won 37 percent of the popular vote— 28 percent more than the next-highest performing party—thus exceeding pre-election polling predictions, which predicted the party would win around 25 percent of the popular vote. The party secured 89 seats, which placed the party short of having an outright majority in the NCA. (Russel and Tavana, 2014,6-7). Even with Ennahdha party winning the 2011 parliamentary elections, the president that was elected in the presidential elections thereafter was not part of the party, on the contrary he was leading another party, the CPR. Party leader Marzouki, a former human rights activist of the

Ligue Tunisienne des Droits de l'Homme (LTDH), became the first president of the new Tunisia in December 2011; he was designated after a long dealing process between Ettakatol, Nahda and the CPR. (Schäfer, 2015:15). In concordance, Russel and Tavana (2014), state that on December 12, the NCA held an election for the Tunisian presidency. Ten candidates had submitted their candidacy, but only CPR leader Moncef Marzouki was determined eligible to run. Marzouki was elected President with 153 representatives voting in his favor. The country has had successive rounds of fair and credible elections, namely for the initial constitutive assembly, the parliament and the presidency (Mansouri,2020:3).

What's important in understanding the sense of the post-revolution elections process an analysis of numbers of voters and number people that registered in the elections is needed. In fact, in the two tables below, we can see the difference between the numbers of voters and the number of registrations, in both parliamentary and presidential elections, throughout the years. In the first table, there are the numbers for Presidential elections. Between 1994 and 2019 we can notice that the number of registrations increased more than the double going from 3,150,880 people to 7,074,566. This shows the way elections were not perceived the same anymore. This table proves without no doubt that the number of people registering does not foreshadow the number of voters in the end of the elections. However, even if the number of voters between 1994 and 2019, is higher it does not correspond to the number of registrations. While 7,074,566 people registered for the 2019 elections, only 3,892,085 voted in the end, making the percentage of participation very low. On the other hand, even if the result of the elections was always known before voting, back under Ben Ali's regime, in 1994 out of the 3,150,612 people that registered 2,909,880 people went to vote. As a matter of fact, according to this data, more people participating in the voting during 2004 and 2009 than in 2014 and 2019, respectively 4,464,337 and 4,737,367 compared to 3,189,382 and 3,892,085. The lowest and most shocking numbers of voters were in the 1999 elections, where out of a population of 9,466,081; 218,400 registered for the elections and only 195,906 people ended up voting. It is true that these numbers show that throughout the years, both during the authoritarian regime and the post-revolution period, apart from 1999, the number of voters was approximately the same. However, elections in Tunisia were never trusted in terms of results and people did not believe that voting would make a change. The fact that the number of registrations increased considerably in the 2019 Presidential elections thus proves that the system put to control, supervise and manage the elections as well as the few well-coordinated previous elections, made Tunisian people consider the fact that their votes would make a

change and that the process of building the Democratic state through the component of elections was working, leading to regaining their faith in the electoral system.

(Vdem,2018: 7) argue that, to be classified as successful, a democratization episode must meet the following two conditions: (1) institutional changes that are substantial enough to make the regime transition to an electoral democracy, and (2) these gains are maintained during a period of time that makes it meaningful. We argue that maintaining the democratic quality of institutions at the level required to be classified as an electoral democracy and practicing the processes of electoral democracy over at least two consecutive elections (either two legislative or presidential, or including one constituent election) is evidence that an episode was successful. According to the tables below, Tunisia has successfully achieved two presidential and three parliamentary elections during the last 10 years, which highlights the fact that the country victoriously reached electoral democracy.

Presidential								
Year	Voter Turnout	Total vote	Registration	VAP Turnout	Voting age population	Population	Invalid votes	Compulsory voting
2019	55.02 %	3,892,085	7,074,566	47.35 %	8,219,612	11,622,134	2.66 %	No
2014	60.11 %	3,189,382	5,306,324	40.44 %	7,885,952	10,937,521	2.49 %	No
2009	89.45 %	4,737,367	5,296,008	64.84 %	7,306,000	10,486,339	0.16 %	No
2004	91.52 %	4,464,337	4,877,905	68.00 %	6,565,677	9,974,722	0.30 %	No
1999	89.70 %	195,906	218,400	3.52 %	5,563,704	9,466,018	0.60 %	No
1994	94.90 %	2,989,880	3,150,612	63.40 %	4,715,820	8,733,000		No

Voter Turnout by election type, Tunisia

Source: International IDEA institute for Democracy and Electoral Assistance



When It comes to parliamentary elections, something different is easily noticeable; In fact, on the contrary of Presidential elections and a part from the 2019 elections. The number of voters almost always resembles the number of registrations, showing that people invested in voting during parliamentary elections more than presidential elections. This is understandable, knowing that the party that had the majority of seats would indirectly control the parliament. In 2019, however even though, just like the for the presidential elections, the number of registrations increased considerably, out of 7,065,885 registrations only 2,946,626 people voted representing only 41,7% of the registrations. When compared to the first parliamentary elections after the revolution in 2011, the number of voters in 2019 is minimal. In fact, in 2011, 4,308,888 people voted representing 92,24 % of the 4,671,276 registrations. In 2019, people were more concerned about who was going to represent and rule the country, after the death of President Beji Caied Essebsi, than what party was going to have the majority in the

government. In fact, after the birth of dozens of parties after the revolution and the continuous dissatisfaction felt by the Tunisian people, they did not really have faith in the outcomes of the parliamentary elections.

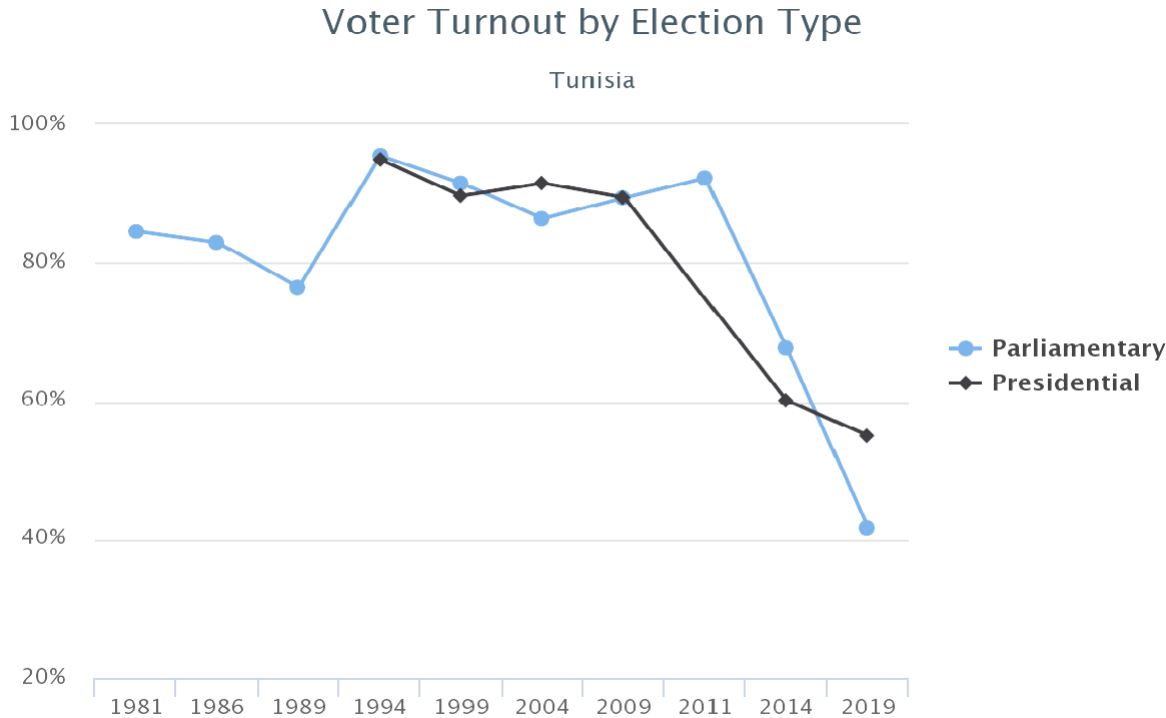
Parliamentary								
Year	Voter Turnout	Total vote	Registration	VAP Turnout	Voting age population	Population	Invalid votes	Compulsory voting
2019	41.70 %	2,946,628	7,065,885	35.85 %	8,219,612	11,622,134	2.58 %	No
2014	67.72 %	3,579,257	5,285,136	45.39 %	7,885,952	10,937,521	4.78 %	No
2011	92.24 %	4,308,888	4,671,276	53.90 %	7,993,924	10,606,714	6.30 %	No
2009	89.40 %	4,447,388	4,974,707	60.87 %	7,306,000	10,486,339	0.20 %	No
2004	86.41 %	4,215,151	4,877,905	64.20 %	6,565,677	9,974,722	0.40 %	No
1999	91.51 %	3,100,098	3,387,542	55.72 %	5,563,704	9,466,018	0.30 %	No
1994	95.47 %	2,841,557	2,976,366	60.26 %	4,715,820	8,733,000	0.30 %	No
1989	76.47 %	2,073,825	2,711,925	50.42 %	4,113,200	7,910,000	1.50 %	No
1986	82.94 %	2,175,093	2,622,482	59.46 %	3,657,850	7,465,000	0.50 %	No
1981	84.54 %	1,962,127	2,321,031	63.59 %	3,085,550	6,565,000	1.00 %	No

Voter Turnout by election type, Tunisia

Source: International IDEA institute for Democracy and Electoral Assistance

In this comparative graphic of Parliamentary and Presidential elections between 1981 and 2019, we can notice that before 2011, thus before the outburst of the revolution, both Parliamentary and Presidential elections were close to each other in terms of percentage and outcome of voters. Yet, when it comes to 2014 and 2019, during which both elections were held on after the other, we can observe that in 2014, the period during which most changes were made within the government, changing the Constitution and building the state, the percentage of voters in Parliamentary elections was higher than that of Presidential elections. On the other hand, when it comes to 2019, the period following the death of the former president, the percentage of voters during the Presidential elections was higher than that of the Parliamentary elections. We can also detect that even if the number of voters, for both Parliamentary and Presidential elections, was almost evenly balanced throughout the years, the percentage of voters kept decreasing until reaching under 60% and 50%, respectively for

Presidential and Parliamentary elections, a matter explained by the fact that even when the number of registrations increased the number of voters stagnated.



Voter Turnout by election type, Tunisia  
 Source: International IDEA institute for Democracy and Electoral Assistance

*3. Freedom of speech:*

When putting upfront different components of democracy, freedom of speech comes as one of the most important. That is perfectly understandable due to the fact that it reflects the freedom the society as a whole (citizens, media, NGOS etc.) lives under. Closely linked to democracy, freedom of expression and freedom of the press form an indivisible whole. Most of the established democracies tend to benefit from functioning public spheres; spaces for equal, inclusive, rational, and free deliberation (Yacoub, 2017:109). However, one the main issues in Tunisia under the authoritarian regime, was that everything was controlled by the dictatorship, including freedom of speech and expression. Freedom of speech, freedom of expression, freedom of thought, individual freedom, freedom of inquiry, press freedom. For decades, freedom was synonymous with crime in Tunisia and severely restricted. All the basic human rights related to freedom were prohibited, since they were the worst enemies of autocracy and

dictatorship (Benarous,2019:229). As a matter of fact, as Petersson (2012), claims, Ben Ali suppressed any opposition through limiting freedoms of expression and the circulation of information in order to keep his power. Negative comments about his rule were banned; journalists, activists or opposition parties who disobeyed this faced harsh consequences. The suppression and prohibition the Tunisia society was under when it comes to their freedom and right to expression and speech, is one of the reasons behind the revolution. The regime not only stripped the people from their rights, but it was corrupt, stole money from the country, took no actions whatsoever towards poverty and unemployment and the poor conditions people were living under within and outside the capital. In addition to this, it silenced people and the press, stripped them from one of the basic human rights, freedom to express themselves and made them live in fear of the repercussions if they ever dared to speak against the regime. For more than 55 years, the country was a one-party state and during many years, specifically the last two decades before the Revolution of 2011, the country suffered from horrors of despotism, tyranny, censorship and all kinds of abuses. Opponents were arrested, tortured or forced into exile. Independent thinkers and dissidents were hunted down, harassed, repressed, jailed and forced to keep quiet. Those who did not obey and submit paid a heavy price. Very often, their lives were threatened and their relatives' daily lives became a nightmare. Journalists were considered the worst enemies of the old regimes, simply because freedom of speech is intimately linked to press freedom and both include the right to have an opinion, to speak and to be heard. Obviously, local public and private media were under close control until 2011. They contributed for years to reflect a polished and an attractive image of Tunisia, an illusion of a free, multicultural and stable country (Benarous,2019:229/230).

What was problematic in the control played by the government on freedom of speech is that it was clearly shown in the way one of the main roots of expression, media and the press, was suppressed. In order to control the population, there was nothing better than controlling the media, the press and the journalists, since first it spread fear but also gave the opportunity to the regime to keep a certain image nationally and internationally. The Tunisian media public service, two television stations, nine radio channels and the national news agency, TAP, have always been a governmental service ruled by the government, and most of the time by the President himself. During Ben Ali's rule, the appointment of the directors, chief editors and even some journalists needed presidential approval, and in order to put an end to such undemocratic practices, new legislation introduced measures to ensure an independent, functioning public service media (Yacoub,2017:114). Yacoub (2017), goes further with

giving examples of journalists that were harassed and are a living proof of the censorship under the authoritarian regime. In fact, Yacoub (2017) states that in October 2009, Slim Boukhdir, a journalist who had already served a prison sentence for allegedly insulting an official, was forced into a car by four men (most likely security forces), taken to a park and beaten severely, and given a warning to stay away from “that woman”. She adds another example, in 2005 online journalist and father of three Mohamed Abbou was arrested for publishing an online article critical of the state, comparing prisons in Tunisia to those in Iraq as well as comparing Ben Ali to Ariel Sharon. As a result, he was given a three-year prison sentence. The unfair and horrible treatment of journalists did not stop immediately after the revolution and the abuse continued for some time as the Constitution laws did not change until 2014. With 84 aggressions against journalists reported by the end of the 2012, the Troika-led government is considered the worst of all the post revolution periods for press freedom. Considering the history of the country in suppressing freedom of speech, it was a certainty that this component was going to be among the changes made in order to achieve democracy. It was primordial to tackle the issue in the new Constitution to make sure that the right to freedom of speech was not in any way suppressed again. As a matter of fact, according to

Hamrita (2016), one of the major newly acquired freedoms that Tunisians are enjoying in post revolution era is freedom of speech. Freedom of speech has allowed Tunisian people to exteriorize their ideas and their views in relation to politics, economy, arts, society, etc. It is thanks to freedom of speech that Tunisians are nowadays free to criticize the political system, political parties and everything related to their reality. Accordingly, one can easily notice the new spirit created by the revolution among Tunisians wherever you walk in the country. Before the New Tunisian Constitution of 2014, the media, journalist and the press were still living in a constant struggle when it comes to freedom of speech since technically no law gave the full right to enjoy it freely. The only existing legislation relating to access to information in Tunisia was the decree-law 2011-41, enacted in March 2011 by interim President Foued Mebazaâ, and the decree-law 2011-54 of June 2011, which amended and supplemented it. Back in 2011, the enacting of this decree-law represented a big step towards the achievement of government transparency. However, its essential deficiencies, such as a limited definition of information, procedures requiring improvement, and a need for bodies to provide important information, have subsequently been highlighted by civil society on both the national and international stage (Yacoubi, 2017:116/117). Article 19 (2012) made a

thorough analysis of the draft of Constitution, focusing on the freedom of speech, expression and the media. Through their analysis, Article 19 (2012) mentioned several crucial patterns and constituent that should be included in the Constitution for it to match and abide by the international law when it comes freedom of speech:

- There must be no prior censorship;
- Any bodies with regulatory powers over the media, including governing bodies of the public media, must be independent from political, economic or other undue influences;
- The right of journalists to protect their confidential sources must be guaranteed; There must be no licensing of print media outlets;
- There must be no licensing of individual journalists, whether print, broadcasting or online and;
- Journalists must be guaranteed the right to associate freely.

It was then, necessary to include an article granting their full rights, not only to the people but also to the media and the press, when it comes to freedom of speech and expression. Several articles within the current Tunisian Constitution mention, directly or indirectly, freedom of speech and expression, media and press wise but also for individuals;

Article 31, of the Tunisian Constitution of 2014 states that “Freedom of opinion, thought, expression, information and publication shall be guaranteed. These freedoms shall not be subject to prior censorship.”

Article 127, of the Tunisian Constitution of 2014 states that “The Audio-Visual Communication Commission is responsible for the regulation and development of the audio-visual communication sector and ensures freedom of expression and information, and the establishment of a pluralistic media sector that functions with integrity. The Commission has regulatory powers in its domain of responsibility. It must be consulted on draft laws in its areas of competence. The Commission shall be composed of nine independent, neutral, competent, experienced members with integrity, who serve for one six-year term. One third of its members are replaced every two years.”

Article 42, of the Tunisian Constitution of 2014 states that “The right to culture is guaranteed. The freedom of creative expression is guaranteed. The state encourages cultural creativity and

supports the strengthening of national culture, its diversity and renewal, in promoting the values of tolerance, rejection of violence, openness to different cultures and dialogue between civilizations. The state shall protect cultural heritage and guarantees it for future generations.”

These articles from the Constitution prove that officially freedom of speech and expression, for individuals, all sectors in the country, the press, the media, cultural scope etc. is guaranteed and everyone is protected by the law. However, seeing how things are going today, the implementation of this right can be questioned especially in 2021 with the unstable political situation. For instance, in their online article Fatafta and Samaro (2021), Freedom of expression was one the biggest gains of the Tunisian revolution. And while Tunisia is widely considered the only lasting success story of the Arab Spring, in recent years the government has tightened its noose around activists, bloggers, journalists and anyone who is critical of the government and expresses themselves online. Both the government and security forces exerted increased repression and cracked down on peaceful protesters, political opponents, and journalists. In the January 2021 protests, police used excessive force including firing tear gas to disperse protesters which led to the death of a 21-year-old protester, and the injury of another, after being hit by a gas canister. Another online article also points out at this breach in the system concerning freedom of speech. In fact, Article 19 (2021) state that on 16 April 2021, the Minister of Health issued a memo informing all of the Ministry’s employees that only a specific list of persons within the Ministry and its affiliated structures are authorized to speak publicly in written, audiovisual and social media formats related to the situation of the pandemic. The memo stipulates that all other employees must obtain prior permission from the Minister of Health before speaking to the media or posting on social media. This memo contradicts the provisions of Article 31 of the Constitution, which prohibits the exercise of prior censorship of freedom of expression and the media. Requiring employees of the Ministry of Health to obtain prior permission from the Minister of Health before speaking with the media or publishing on social media is a dangerous violation of their Constitutional right to freedom of expression through all means they deem appropriate. This kind of censorship still present in today’s Tunisia proves that the root of the problem does not come from the existing laws, that protect the rights to freedom of opinion, speech and expression without any censorship, but comes from executing them and applying them in all circumstances.

### **3. Tunisia today:**

Eight years on, political and civil groups present a different picture, very different from the one they had in the immediate aftermath of the revolution. They have overcome psychological and ideological barriers inherited from the past and they have transformed framework.

(Marzo,2020:326). Going through the progress of Tunisia over the years provides us with an overview of what direction the process of democratization took. However, it is very important to see what the country is doing 10 years after the revolution. What economic, political and social stability and sustainability it reached and at what extent is democracy implemented efficiently. The state of Tunisia's democracy has been evaluated from two formal perspectives, and according to both, Tunisia is indeed a democratic success. The first is comparative and focuses on the MENA region. Tunisia has neither fallen into civil war, nor returned to robust autocratic rule. Accordingly, Tunisia stands out as a glimmer of hope as well as an exemplary model from which lessons can be drawn and adjusted for other cases. The second perspective is domestic and procedural. Here, a register of democratic institutions is employed as a barometer to gauge democracy: regular cycles of free and fair elections, including municipal elections; a progressive Constitution; national dialogues and pacts to overcome political stalemates; proliferation of regulatory institutions; robust civil society and a free press (Chomiak, 2021:2). After some type of stagnation, 2019 was a tumultuous year for Tunisia. The year saw a transition of presidential and legislative power, persistent economic challenges including rampant corruption, and an ever-growing mistrust of the political class. But there were also signs of hope and progress, as the country prepared for a reset, with many new faces in government and a new president who enjoyed the support of nearly 90 percent of young Tunisians, all under a mostly calm security environment. Nevertheless, the outbreak of Covid-19, which first hit Tunisia in February 2020, days after the formation of the new government, is a massive test for the Tunisian government and people, particularly those in the traditionally marginalized southern and interior regions (Yerkes,2020:216).

#### *1. Political state of Tunisia:*

A decade after the Jasmin revolution, Tunisia faces increasingly difficult economic and political conditions. Persistent political instability has prevented the implementation of reforms to open up an economy that remains inefficiently closed to investment and trade. (Reliefweb,2021:176). Tunisia has gone a long way to reach a political stability, including succeeding in a process of free and fair elections, creating a new Constitution to avoid falling



back into old authoritarian habits. However, the political crisis the country has been living in, especially in 2021, dragged the country towards instability. As a matter of fact,

Democratisation in Tunisia has hinged on the widely celebrated mechanism of consensus among political adversaries in Parliament, and among key political and civil society actors. Yet, instead of achieving consensus on critical political and economic-structural reforms, compromise-based arrangements have fallen apart due to intense party infighting, regular resignations of governments, and enormous public pressure resulting from a stagnating economy and lack of vision for comprehensive and equitable economic reform. The effect has been sustained infighting over economic and social policy, which in turn has resulted in diminishing public trust in political parties and new democratic institutions, an all-time low level of satisfaction with the government's performance and a significant rise in contentious politics, particularly between 2019 and 2021 (Chomiak,2021:1). The state of the country politically speaking was not suitable and stable for the Tunisian people. The failure of the government to provide sustainability , created a never ending political turmoil and dissatisfaction that led to President Saïd freezing the government and dismissing the prime minister on July 25th 2021. In fact as Atlantic Council (2021) refers to it in their online article, on July 25, Tunisian President Kais Saïd took drastic measures to bring "peace" to Tunisia and "save the state" from a political system that he claims is plagued by corruption and unfit to handle the current economic and health crises facing the country. President Saïd invoked Article 80 of Tunisia's Constitution to sack Prime Minister Hichem Mechichi and freeze the Parliament. By invoking Article 80, which entitles the President to take the necessary measures to halt any imminent "danger threatening the integrity of the country," Saïd assumed full powers under the executive branch. In a publicly broadcast speech, President Saïd said he would name a new Prime Minister within the next thirty days—a deadline which Saïd said can be extended until the "situation settles down." This decision, that lasted more than planned, led to protests and riots due to the fear of a possible "Coup d'état" by President Saïd. In their online article, Aljazeera (2021), declares that hundreds of people took to the streets of the Tunisian capital to protest President Kaïs Saïd's recent decrees bolstering the already near-total power he granted himself two months ago. They include the continuing suspension of the parliament's powers, the suspension of all legislators' immunity from prosecution, and a freeze on their salaries. The situation during the months following the president's decision was critical as any decision taken after that would be decisive in the future of the government. After more than 30 days of looking for the perfect candidate for the role of Prime Minister, Kais Saïd finally appointed Najla Bouden Ramadhane as Prime Minister of the country the 29th of Septembre 2021. In another online article, Aljazeera (2021), points at the fact that Tunisian President Kais Saïd has named Najla Bouden

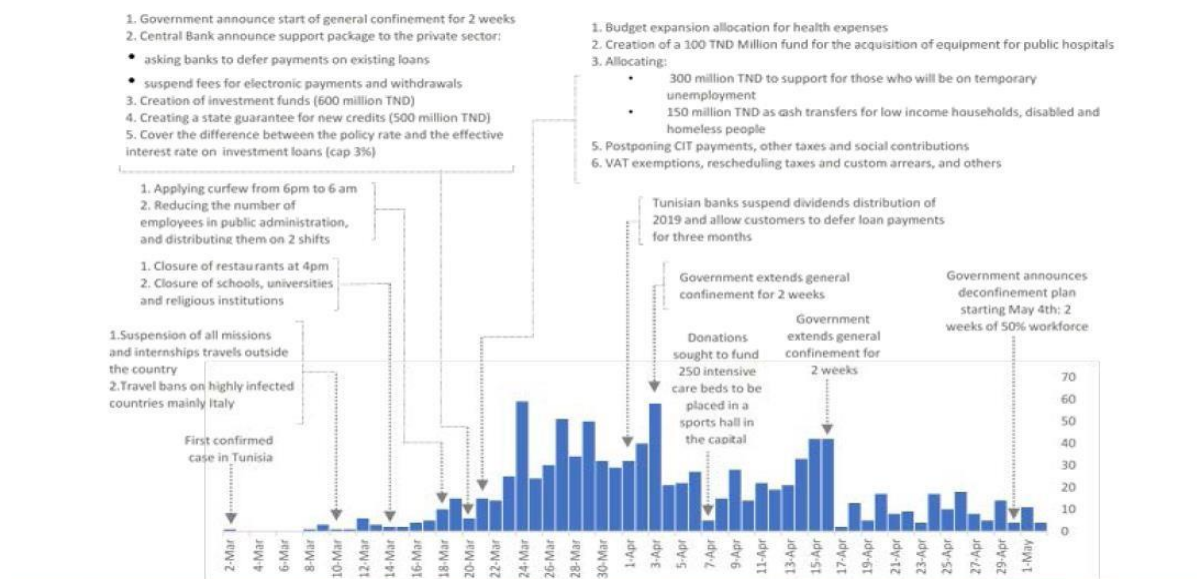
Romdhane, a little-known university engineer who worked with the World Bank, as the country's first female Prime Minister, nearly two months after he seized most powers in a move his foes call a coup. Romdhane will take office at a time of national crisis, with the democratic gains won in a 2011 revolution in doubt and as a major threat looms over public finances. The road for political stability is still paved with difficulties and mostly uncertain, but decision-making is at the key of its advancement.

## *2. Covid-19 Crisis:*

The pandemic that hit the world by the end of 2019, left a lot of countries and economies struggling economically and politically. In the case of Tunisia, the country was and is still struggling with building the democracy as it is a process that requires change on all perspectives. At the beginning of the pandemic in Spring 2020, it was not so much the health crisis, which hit developing countries like Tunisia hard. While Europe and the US struggled with the health impact of the pandemic, it was the global economic impact, which devastated the Tunisian economy (Friedrich-Ebert-Stiftung,2021:6). The past year had seen the beginning of some positive economic improvement including the inflation rate, which had fallen to 5.8 percent in February 2020 after hitting a high of 7.3 percent a year earlier; unemployment, which fell below 15 percent for the first time in five years; and tourism revenues, which reached \$2 billion in 2019, with a 13.6 percent increase in the number of tourists over the previous year. However, the virus threatens to devastate the Tunisian economy. Covid-19 has already had a dramatic impact on the tourism industry, which makes up eight percent of Tunisia's GDP, and which is expected to lose \$1.4 billion in revenue this year. The virus has also shed new light on existing disparities between regions.

The traditionally marginalized interior and southern regions have far fewer public resources than the coastal areas. The Tunis region has more than 10 times the number of doctors as 19 of the other regions (Yerkes,2020:218) It is clear that the pandemic's impact on the economy has been severe and that the costs of mitigating its effects have worsened Tunisia's already weak public finances (World Bank Group,2020:x). Since the announcement of the first case on 2 March, the Tunisian government put in place a series of measures to mitigate the health, economic, and social effects on the Tunisian economy and the most vulnerable members of Tunisian society. The government on 22 March shut down the national borders, stopped non-essential activities, closed restaurants and cafés, and, for companies wishing to continue working, allowed them to only use 15 percent of their workforce. These exceptional measures have had a strong impact on economic activity. (ElKadhi,Elsabbagh, Frija, Lakoud, Wiebelt,

and Breisinger,2020:2). In the Figures down below, ElKadhi,Elsabbagh, Frija, Lakoud, Wiebelt, and Breisinger (2020), divided 2020 in a figure where all decision, cases and responses were put within the timeline (See figure)



Source: Zouhair ElKadhi, Dalia Elsabbagh, Aymen Frija, Thouraya Lakoud, Manfred Wiebelt, and Clemens Breisinger (2020) The Impact of COVID-19 on Tunisia’s Economy, Agri-food System, and Households

Note: TND = Tunisian Dinar (TND 1.00 = USD 0.34); CIT = corporate income tax; VAT = value-added tax.

## Conclusion:

This thesis started by explaining and showing the historical background of Tunisia. Going through the pre-revolution period starting from the protectorate period until days before therevolution in 2011 was necessary to understand and analyze the progress the country achieved in the transition between authoritarian regime and the democratic state of today. Tunisians have succeeded in creating what I call a “burgeoning democracy,” particularly in the areas of free and fair elections, freedom of speech, freedom of religion, and women’s rights. By “burgeoning,” I mean that democracy in Tunisia is beginning to grow and has made significant gains. It is not yet fully grown or mature, but Tunisia still looks and feels completely different than it did under the Ben Ali regime (McGee 2019:12). Political parties, national institutions and civil society leading groups have acquired a level of competence and a system of balances which do not suggest that imminent democratic regression. Although the economic crisis looms large, the political transition seems solid and political parties and civil society groups are capable of reproducing democratic

practices and avoiding authoritarian backsliding (Marzo,2020:326). On the economic side , Tunisia is still behind, due to old debts, poor maintenance of the economy post-revolution and also the Covid-19 crisis. However, Tunisia has the structural foundations needed to facilitate sustained and robust growth. It now needs to undertake comprehensive and deliberate reform to unlock economic growth and ensure the equitable distribution of opportunity for all Tunisians (Kwasi, Cilliers and Welborn, 2020:26). Civil society and the government need to work in unison to be able to productively and efficiently achieve a true democracy. A robust civil society can shape, support and sustain democratic movements but it can also scuttle democratising efforts. Political associations and capable not crumbling institutions are as important as civil society instruments in determining the impact of civil society activism. Tunisia's civil society and state institutions need to co-evolve in a mutually productive way (Deane,2013:21). In spite of many remaining challenges and hurdles, Tunisia's transition to democracy is already a success story in the Arab, African and Muslim world. Overall, the transition has been peaceful and the various political parties, civil society, media, trade unions and associations have demonstrated a level of political consciousness and tolerance unrivalled in the MENA region. The main tasks of the new government are now to bring about greater stability, revamp the economy and restore Tunisians' confidence in the state and in the democratisation process (Zoubir , 2015:16). It is not to be forgotten that a democracy does not stabilize 10 years after a revolution, especially when a country and a population only knew authoritarianism and dictatorship, along with continuous crisis, corruption and so on so forth. It is to be agreed on that Tunisia is still implementing different social, economic and political components of an efficient democracy, however the last 10 years were an example and a certain draft to avoid falling back in old habit. Tunisia's example is not for the people of the west to analyze and repeat. Tunisia must be the example for the people of the Arab world to know that such a transition is possible for them. The example set can show the people that authoritarian and theological governments are not the only answer conducive to their beliefs, practices, and culture. ( Millett, 2021:69)

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