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MASTER’S THESIS

ANALYSIS OF DEMOCRATIC TRANSITION PROCESS IN TUNISIA
FOLLOWING THE JASMINE REVOLUTION: IMPACT OF THE CIVIL
SOCIETY

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İZMİR- 2018

DECLARATION

I hereby declare that this master thesis titled as “Analysis of Democratic Transition Process in Tunisia Following the Jasmine Revolution: Impact of the Civil Society” has been written by myself in accordance with the academic rules and ethical conduct. I also declare that all materials benefited in this thesis consist of the mentioned resources in the reference list. I verify all these with my honor.

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ABSTRACT

Master's Thesis

**Analysis of Democratic Transition Process in Tunisia Following the Jasmine
Revolution: Impact of the Civil Society**

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The uprisings that began by late 2010 and early 2011 in the Middle East and North Africa region and entered the academic literature as the ‘Arab Spring’ have had a great impact on political, social and economic spheres in the region. The popular uprising, which initially took place in Tunisia, was then followed by other Arab countries. This process led to growing expectations for democratization in the Arab World. Democratization literature underlines the significance of a number of factors, among which the essence of civil society stands out. The aim of this thesis is to analyze the role played by Tunisian civil society in democratic transition in the country following the Jasmine Revolution.

In Tunisia, the basis of civil society consciousness goes back a long way. It is contended that civil society organizations’ active participation in the Jasmine Revolution and their constructive engagement in the post-revolution transition period have made the Tunisian case different from other Arab societies with respect to the democratization process in the post-Arab Spring. In this regard, this dissertation highlights the capacity of the Tunisian civil society in changing the political landscape in the country and its ability to include various segments of the Tunisian society to encourage mobilization both during and after the Jasmine Revolution. The historical background of Tunisian civil society’s development, its

activities during the uprising and the success of Tunisian civil society to find a middle ground among different sides throughout the complicated transition period are examined in a detailed way in the study.

Keywords: Tunisia, Jasmine Revolution, Arab Spring, Civil Society, Democratic Transition, Middle East and North Africa



ÖZET
Yüksek Lisans Tezi
Yasemin Devrimi Sonrasında Tunus'ta Demokratik Geçiş Sürecinin
Analizi: Sivil Toplumun Etkisi
Hasan BİLİCİ

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2010 yılı sonu, 2011 yılı başında Orta Doğu ve Kuzey Afrika bölgesinde başlayan ve akademik literatüre 'Arap Baharı' olarak giren başkaldırı hareketlerinin bölgedeki siyasi, sosyal ve ekonomik alanlar üzerinde geniş etkisi olmuştur. İlk olarak Tunus'ta görülen halk ayaklanması, zamanla diğer Arap ülkelerince takip edilmiştir. Bu süreç, Arap dünyasında demokratikleşmeye dair artan beklentilere neden olmuştur. Demokratikleşme literatürü, aralarında sivil toplumun varlığının ön plana çıktığı birtakım faktörlerin önemini altını çizmektedir. Bu tezin amacı, Tunus sivil toplumunun Yasemin Devrimi sonrası ülkedeki demokratik geçiş sürecinde oynadığı rolü analiz etmektir.

Tunus'ta sivil toplum bilincinin temeli eskiye dayanmaktadır. Sivil toplum örgütlerinin Yasemin Devrimi'ne aktif katılımının ve ülkede devrim sonrası geçiş sürecindeki yapıcı tutumlarının, Arap Baharı sonrası süreçte demokratikleşme konusunda Tunus'u diğer Arap toplumlarından farklı kıldığı savunulmaktadır. Bu bağlamda; bu tez, Tunus sivil toplumunun ülkedeki siyasi manzarayı değiştirme kapasitesi ve Tunus toplumunun farklı kesimlerini sürece dahil etme kabiliyeti ile hem Yasemin Devrimi sırasında hem de sonrasında toplum içinde seferberlik sağlama teşvikinin altını çizmektedir. Tunus sivil toplumunun tarihi gelişimi, başkaldırı sırasındaki faaliyetleri ve Tunus sivil toplumunun karışık geçiş

sürecinde farklı taraflar arasında orta yolu bulma konusundaki başarısı, çalışmada detaylı olarak incelenmektedir.

Anahtar Kelimeler: Tunus, Yasemin Devrimi, Arap Baharı,Sivil Toplum, Demokratik Geçiş, Orta Doğu ve Kuzey Afrika



**ANALYSIS OF DEMOCRATIC TRANSITION PROCESS IN TUNISIA
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ABBREVIATIONS

AİSHA	Forum of Arab Women
ANND	Arab NGO Network for Development
ALTT	Tunisian Association for the Struggle against Torture
ARTD	Association for Research on the Democratic Transition
ATDC	Tunisian Association of Constitutional Law
ATFD	Tunisian Association of Democratic Women
ATIDE	Tunisian Association for the Integrity and Democracy of Elections
CDR	Democratic Constitutional Rally
CGT	French General Confederation of Labor
CNLT	National Council for Liberties in Tunisia
CPR	Congress for the Republic
CPS	Code of Personal Status
CSID	Center for the Study of Islam and Democracy
CSOs	Civil Society Organizations
DAMJ	Tunisian Association for Justice and Equality
DRI	Democracy Reporting International
ECOSOC	United Nations Economic and Social Council
EITI	Extractive Industries Transparency Initiative
EMHRN	Euro-Mediterranean Human Rights Network
ERIS	Carter Center, Electoral Reform International Services
EU	European Union
FDTL	Democratic Forum for Labour and Liberties
FES	European Union, Friedrich Ebert Foundation
GONGOs	Government-organized Non-governmental Organizations
HAARO	Higher Authority for the Achievement of the Revolution's Objectives, Political Reform and Democratic Transition

HIROR	Higher Commission for the Fulfilment of Revolutionary Goals, Political Reform, and Democratic Transition
HRW	Human Rights Watch
ICCPR	International Covenant on Civil and Political Rights
ICJT	International Center For Transitional Justice
ICRC	International Committee of the Red Cross
IDEA	International Institute for Democracy and Electoral Assistance
IFES	International Foundation for Electoral Systems
IMF	International Monetary Fund
IRI	International Republican Institute
ISIE	Independent High Authority for Elections
LTDH	Tunisian Human Rights League
MDS	Movement of Socialist Democrats
MENA	Middle East and North Africa
NATO	Council of Europe and the North Atlantic Treaty Organization
NCA	National Constituent Assembly
NDI	National Democratic Institute
NGOs	Non-governmental Organizations
OECD	Organisation for Economic Co-operation and Development
ONAT	Tunisian National Order of Lawyers
OSCE	Organization for Security and Co-operation in Europe
PCOT	Tunisian Workers' Communist Party
PCT	Tunisian Communist Party
PSD	Destourian Socialist Party
PSP	Social Party for Progress
PUP	Party of People's Unity
RSP	Socialist Coalition for Progress
SNJT	National Syndicate of Tunisian Journalists
UDHR	Universal Declaration of Human Rights
UDU	Unionist Democratic Union

UGGT	General Union of Tunisian Workers
UK	United Kingdom
UNDP	United Nations Development Program
UNHRC	United Nations Human Rights Committee
US	United States
USAID	United States Agency for International Development
UTICA	Tunisian Confederation of Industry Trade and Handicrafts



INTRODUCTION

The uprising in Tunisia which commenced on December 18th, 2010, and then spread to the Arab world is called after Tunisia's national flower 'Jasmine'. The Jasmine Revolution was a source of inspiration for other Arab societies in their demands for more political rights and liberties. The purpose of this dissertation, on the one side, is to examine civil society's role in the democratic transition process in Tunisia, whereas on the other hand to analyze the internal dimension of the Tunisian experience as a more successful example when compared with other post-conflict countries in the Arab world.

Tunisians case has revealed the critical role played by civil society organizations against repressive political regimes such as the authoritarian regime of Ben Ali who came to power in 1987 and remained in power until 2010. Tunisian civil society organizations demonstrated that civilian resistance and collective criticism against an oppressive regime can succeed. The protests started with Tunisian people taking the streets due to the demolitions in the political, social and economic areas. One of the well-known leverage events that are self-immolation of street vendor named Mohammed Bouazizi also triggered the frustration to turn into a massive uprising. Ben Ali, who could not stand the increasing pressure, was overthrown and democratic elections were held in Tunisia after he left the country. In the light of the priority of this study, the relationship between civil society and democratization in the Tunisian political context is examined and the civil society's prominent status in resisting actions of an oppressive regime is exhibited.

In the period after the uprisings, opportunities for democratization that have not seen in the history of Tunisian political structure took place. For instance, the first fair and transparent parliamentary elections were experienced with the implementation of democratic requirements. Although democratic transition process has opened the door to various debates for the future of Tunisian political context, the preparation of a democratic constitution for Tunisia has reflected the common objectives of all actors involved in the process. Despite critical developments like ongoing economic problems, severe debates in the political arena, youth revolts and the assassinations of political figures, the new constitution of Tunisia were adopted in January 2014 with the

participation of domestic and international actors along with their influential works in the constitution drafting process.

The objective of this thesis in the framework of the relevant context is to examine the interaction between democracy and civil society. While it examines how the dynamics of the concepts have changed over time, it also evaluates the conceptual and analytical interaction among them. In recent years, the concept of civil society, which has been used frequently in the academic literature since 1980, has been generally depicted as a driving force behind the collapse of the non-democratic regimes. Tunisia experienced repressive and authoritarian state practice under the two regimes after independence and then became an example for the role played by civil society on democratization process as a result of the uprisings that began in late 2010.

In the first chapter of this thesis, theoretical approaches to democratization are covered. With respect to the democratization process, many scholars have pointed out how a transition period should be and they have established the qualifying pre-conditions for a country to be called as democratic. In this context, requirements for democratization, including the political economy, the essence of civil society, the political culture's role; and the interactions of the domestic and international systems are discussed in order to understand the role of civil society in the democratic transition process of Tunisia.

In the second chapter, the civil society concept is examined. The transformation of the concept in the historical process is revealed with how the concept is being addressed today in accordance with the theoreticians' approaches and definitions in their academic studies. Then, the debates on the concepts of democracy and democratization are covered. In the light of the definitions on the concepts, there is an attempt to find an answer to the question of why the relationship between democracy and civil society is critical and needs to be taken into account as an essential part of the democratic development of today's societies.

In the third chapter, the domestic political context prior to the Jasmine Revolution is analyzed. Afterward, while the background of the Jasmine Revolution is examined, the effects of political, economic and social factors during the uprising are being

assessed. In the historical development of civil society in Tunisia, firstly the situation in the French and Ottoman period is mentioned and then the role played in the experience of independence and gaining identity is emphasized. Then, the general structure of civil society and repressive practices that were exposed during the Bourguiba between the years 1956 to 1987 and Ben Ali from 1987 to 2010 periods are revealed and the relationship between democratization and civil society is evaluated in the political context of Tunisia. The stances of Tunisian civil society with domestic and international actors along with Tunisian people are analyzed to demonstrate the civil society's role in involving those actors in the democratic transition process.

In the fourth chapter, the civil society's influence on the democratic transition in Tunisia is evaluated. While doing this, impact on inclusive participation, transparency, and accountability, impact on women, inequality and discrimination, impact on establishing communication networks between public and government and impact on civil, political and minority rights and freedom are assessed in a detailed way.

Finally, the reasons behind why Tunisia can be seen as a relatively successful model among post-conflict countries in the Arab world are put forward. In this process, Tunisian political tradition which is built on the basis of reaching a solution based on mutual negotiation, a deeply long history of civil society tradition, the inclusion of all actors in the process preventing the creation of an exclusion syndrome among others, and the application of transparency and accountability principles at every process of the new constitution drafting stage are presented as leading reasons to support Tunisia as a successful example in the transition period of democracy.

CHAPTER ONE

DEMOCRATIZATION PROCESS AND ITS REQUISITIES

Democracy and its indicators are defined and questioned various ways by a number of scholars. In that sense, there are also some stages in order to experience a transition process with a democratic end. This study focuses on the last two transition stages which can originally be categorized in three main phases including breakdown, democratic transition and democratic consolidation. In the first stage, regime change which refers to deconstruction and dissolution of ex-regime starts with ‘regime breakdown’, second stage continues with ‘transition’, which means the process of shifting from old-regime structures to new ones and this process ends up with ‘consolidation’ which is conceived as embodying and reinforcing new ones into political and social context.¹

The next chapter will illustrate that democratic systems do not have static features, those systems may either collapse or reestablish after breakdown. This process, called as ‘democratic transition’ is also analyzed by prominent scholars. While Przeworski approached the transition to democracy as a shift from an authoritarian system to institutionalized democratic governance,² Gunther et al. stated that transition starts firstly with when the former authoritarian regime breakdowns and then completes with the comparatively stable form of political institutions within a democratic regime is established.³ Another crucial stage for democratic transition is ‘transfer of power’. Stradiotto and Guo pointed out that democratic transition is a process between the democratic polity and authoritarian one. In this process, the ‘transfer of power’ is

¹ Graeme Gill, **The Dynamics of Democratization: Elites, Civil Society and the Transition Process**, St. Martin's Press, New York, 2000, p. 8.

² Adam Przeworski, **Democracy and the Market: Political and economic reforms in Eastern Europe and Latin America**, Cambridge University Press, Cambridge, 1991, p. 10.

³ Richard Gunther, P. Nikiforos Diamandouros, and Hans-Jürgen Puhle, **The Politics of Democratic Consolidation: Southern Europe in Comparative Politics**, The Johns Hopkins University Press, London, 1995, p. 3.

designated as one of the significant elements in defining a democratic transition that could be seen commonly equal to democratization.”⁴

Within the scope of existing literature, scholars contribute discussions on factors, which are regarded as essential and pre-conditions for a country to become a democracy, including the political economy, the presence of civil society and its role, the existence of political culture; and the interaction of domestic change with forces within the regional and international system.⁵

1.1. ECONOMIC REQUISITES

Major contemporary research asserts that a great number of quantitative analyses have highlighted the argument that there is a positive relationship between democracy and socioeconomic development.⁶ One of the main concerns of this group of scholars is to show the impact of a limited period of economic conditions on the terms of transition and nature of political alignments.⁷ Even though there exist some exceptions such as Arab oil-producing countries that have oil wealth classifying those countries as ‘middle’ and/or ‘lower middle’ income states with lack of democracy, some factors proposed for this hypothesis include modernization effect which break old authority structures down building the possibility of political changes, higher degrees of education and satisfaction of social demands, which lead to less conflictual political social environment and a more equal distribution of wealth, the development of more complex society, and the growth of a bourgeoisie.⁸

⁴ Gary A. Stradiotto and Sujian Guo, “Transitional Modes of Democratization and Democratic Outcomes”, **International Journal on World Peace**, Vol. 27, No. 4, December 2010, p. 10.

⁵ Rex Brynen, Bahgat Korany and Paul Noble, “Introduction: Theoretical Perspectives on Arab Liberalization and Democratization”, in **Political Liberalization and Democratization in the Arab World Vol. 1: Theoretical Perspectives**, Ed. Rex Brynen, Bahgat Korany, Paul Noble, Lynne Rienner Publishers, London, 1995, p. 6.

⁶ Juan J. Linz, Larry Diamond, and Seymour Martin Lipset, “Introduction”, in **Politics in Developing Countries: Comparing Experiences with Democracy**, Ed. Larry Diamond, Juan J. Linz and Seymour Martin Lipset, Lynne Rienner Publishers, London, 1995, p. 18.

⁷ Sujian Guo, “Democratic Transition: A Critical Overview”, **Issues and Studies**, Vol. 35, No. 4, July/August 1999, p. 139.

⁸ Brynen et al., pp. 14-15.

In the transition process, economic conditions have an influence on the capacity of government officials to determine timing and nature on the breakdown of authoritarianism; the economic and institutional legacies of the transition affect economic policy-making in the newly emerging democratic regimes, and thus market-oriented reforms and democracy would be reconciled and consolidated.⁹ This connection results from the aspirations of individuals and societies because a prosperous society is a society where economic aspirations, as well as democratic ones, can be realized.¹⁰

In this regard, Lipset focuses on the correlation between economic development and the possibility of a country to become and remain a stable democracy. Lipset advocated that if a country is developed in an economic sense, it is more likely that country would be sustained and remain democratic.¹¹ He stated that defending democracy to be associated with the state of economic development is considered to be the most common generalization that links a political system to other aspects of society. This means that the better a nation develops, the greater the chances of continuing democracy.¹²

In that sense, Lipset attributed his argument between per capita income and democracy in a broad sense that the whole various aspects of economic development; industrialization, urbanization, wealth, and education, are tightly related to each other so as to form an important factor possessing the politically mutual relation of democracy.¹³

In his study, while Lipset accepted other factors as influential in transition to a democratic regime such as existing strong middle or bourgeoisie class in where that class encourages moderate democratic parties and alleviates potential conflicts by penalizing extremist groups. However, those factors are perceived to create relatively

⁹ Guo, p. 139.

¹⁰ Boutros Ghali, **The Interaction Between Democracy and Development**, UNESCO, France, 2003, p.10, Retrieved from: <http://unesdoc.unesco.org/images/0013/001323/132343e.pdf>, [Accessed: 3 July 2017]

¹¹ Seymour Martin Lipset, "Some Social Requisites of Democracy: Economic Development and Political Legitimacy", **American Political Science Review**, Vol. 53, No. 1, March 1959, p. 71.

¹² Lipset, p.75.

¹³ Ibid.

less necessary causes for democracy when compared with economic factors.¹⁴ Although those indicators were illustrated separately, what Lipset tried to reveal is the correlation between the democracy and development level within societies that the chances for the emergence of a democratic political system are greater in economically developed countries than for underdeveloped countries.¹⁵ Therefore, Lipset underlined the significant role of the private sector, strong middle class, and the ascent of education level as a better condition for democracy.¹⁶

Another significant point between the transition level to democracy and economic development is asserted by Muller. Muller illustrated sorts of chart including firstly 58 and then 64 countries' income levels and income inequality and change in democracy score.¹⁷ Under the light of some questions, Muller emphasizes the significance of the democratic transition process. If the democratic transition happens in the early stages of industrialization (or stages of economic development), even if the level of income rates is high, democracy would become unstable and would often be interrupted due to the income inequality at a high level. Conversely, in the later stages of industrialization, where income inequalities are beginning to decline, democratization will have a more stable structure. The underlying reason for this is that, although developed middle class or urban working class support democracy, the reaction of the forces opposed to democracy will be relatively weak. Accordingly, in that sense, there is a correlation between democracy and economic development.¹⁸

Bhagwati notes that democratic regimes steer a particular environment that paves the way for the technical innovations' emergence and entrepreneurship's improvement which is needed for uninterrupted development when compared with authoritarian regimes. It should be noted that Bhagwati embraces democracy as a factor that leads a remarkable growth only with when the markets are expanded and competition is

¹⁴ Selim Başar and Şaduman Yıldız, "İktisadi Büyümenin Demokratikleşme Üzerindeki Etkileri", **Balıkesir Üniversitesi Sosyal Bilimler Enstitüsü Dergisi**, Cilt. 12, Sayı. 21, Haziran 2009, p. 63.

¹⁵ Lipset, pp. 73-75.

¹⁶ Ibid, p. 83.

¹⁷ Edward N. Muller, "Economic Determinants of Democracy", **American Sociological Review**, Vol. 60, No. 6, 1995, pp. 961-969.

¹⁸ Ibid, p. 969, pp. 980-981.

accompanied.¹⁹ The presence of markets in one country makes it easier to create new ideas and technologies. Even if the country has democratic institutions, the transformation of ideas and technologies into production will be restricted in the absence of markets. As a result, democracy and markets could be seen as same columns when built ceaselessly.²⁰

1.2. SOCIAL REQUISITES: ESSENCE OF CIVIL SOCIETY

The second-wave civil society debate in academic and public discourse emerged during the 1980s, especially within the context of transition of totalitarian and despotic Eastern Europe and Latin American countries' political regimes to democratic regimes. This period, known also as the democratic transition period, is called the resurrection of the civil society concept.²¹ Therefore, the civil society concept emerged as the other critical requisite for democracy and democratization or transition to democracy.²²

In that sense, White argues that civil society can change the balance of power between society and state in a way that would benefit the society.²³ For him, vigorous civil society can play a structural role against the state by providing the accountability of both politicians and government officials, while reinforcing public morality standards. White continued his argument with that civil society possesses as an intermediary role between the society and the state in order to facilitate communication between those actors. With these functions, civil society can establish different sets of norms between individual citizens and states in which then democracy would deepen between these sectors.²⁴

¹⁹ Jagdish Bhagwati, "Democracy and Development: Cruel Dilemma or Symbiotic Relationship?", **Review of Development Economics**, Vol. 6, No. 2, 2002, p. 158.

²⁰ Bhagwati, p. 159.

²¹ Fuat Keyman, "Sivil toplum, sivil toplum kuruluşları ve Türkiye", **Sivil Toplum ve Demokrasi Konferans Yazıları**, No.3, 2004, p.8, Retrieved from: http://stk.bilgi.edu.tr/media/uploads/2015/02/01/keyman_std_3.pdf [Accessed: 5 July 2017]

²² Bryen et al., p. 10.

²³ Gordon White, "Civil Society, Democratization and Development(I) : Clearing the Analytical Ground", in **Civil Society in Democratization**, Eds. Peter J. Burnell and Peter Calvert, Frank Cass And Company Limited, London, 2004, p. 13.

²⁴ White, pp. 14-16.

Gill claims that if there exists a strong and independent civil society, it will utilize essential conditions in order to lead to a democratic transition after a political crisis rather than stuck in a mere change of leadership.²⁵ As Broussard states, if civil society would not powerful enough and could not respond to legitimacy crisis, that would have enabled the emergence of another potential authoritarian power rather than democracy. In that sense, the civil society's strength can be forced political officials or regime elites to initiate democratic reforms.²⁶

Simultaneously, Huntington laid emphasized on civil society as a precondition for democracy. According to Huntington civil society consists of a wide variety of differentiated social structures emerged from autonomous groups and these groups can restrict state power, so that the state can be controlled by society, and then provide the basis for the formation of democratic political institutions as the most effective means of implementing that control.²⁷ Therefore, one of the substantial functions of civil society during the transition period is limiting state power which provides society to control state and democratic political institutions.

Diamond offers a comprehensive theoretical assessment of the virtue of civil society in the context of democratic transition and consolidation. In that sense, vibrant civil society can play a significant role in full-fledged democracy as a forcing symptom for governing officials to lead them identifying and solving relevant problems for stabilizing democracy. In addition, through enunciating main problems and needs by media channels, civil society organizations can produce various messages for elected officials and locate exactly the problems related to democratic shortages. In that sense, civil society can contribute to the resolution of disruptions and raise the issues in public circles.²⁸

²⁵ Gill, p. 42.

²⁶ Caroline Boussard, "**Crafting Democracy: Civil Society in Post-Transition Honduras**", Department of Political Science: Lund University, 2003, p. 100, Retrieved from: <http://portal.research.lu.se/ws/files/4726458/4770572.pdf>, [Accessed: 10 July 2017]

²⁷ Samuel P. Huntington, "Will More Countries Become Democratic", **Political Science Quarterly**, Vol. 99, No. 2, Summer 1984, p.203.

²⁸ Larry Diamond, **Developing Democracy: Toward Consolidation**, The Johns Hopkin University Press, Baltimore, 1999, pp. 219-221.

As Moore observes the social environment in which democracy and democratic culture develop is shaped and developed is where non-governmental groups resist power and where that limitation by the state is threatened.²⁹ Here, the non-governmental groups are intentional, civil and independent social dynamics. That is called civil society. Therefore, the democratic principles' development and democratic culture are in parallel with the civil society concept.³⁰

1.3. POLITICAL-CULTURAL REQUISITES

For a better conceive of the political culture, it is necessary to clarify the concept of culture and its priorities. It should be noted that many people have analyzed the concept of culture. Tylor asserted a broad definition of culture which became the foundational one for anthropology. According to him; culture is entirely complex that includes knowledge, belief, art, morals, law, custom, and any other capabilities and routines obtained by man as a member of society.³¹ In this context, Kroeber and Kluckhohn stated in their work one hundred sixty-four definitions of culture that make it difficult to give a clear definition of culture.³² Therefore, it is hard to define culture without making an enormous number of categories and great artificiality in order to complete consistency. Kroeber and Kluckhohn particularly emphasized that culture is an abstraction;³³ however, they did not define what abstraction is. But rather, Kroeber and Kluckhohn pointed out that culture is not the behavior itself, but something abstracted from behavior.³⁴ For Malinowski, culture is “an instrument which enables man to secure

²⁹ Abdülkadir Gölcü, **Türkiye’de Demokrasi Kültürü ve Medya**, Sebat Ofset Matbaacılık, Konya, 2015, p. 48.

³⁰ Ibid.

³¹ Helen Spencer-Oatey, “What is culture? A compilation of quotations”, **GlobalPAD Core Concepts**, 2012, p.1, Retrieved from: <http://www.warwick.ac.uk/globalpadintercultural>, [Accessed: 15 July 2017]

³² Alfred L. Kroeber and Clyde Kluckhohn, **Culture: A Critical Review of Concepts and Definitions**, The Harvard University Printing Office, Cambridge-Massachusetts, 1952, p. 43.

³³ Kroeber and Kluckhohn, p. 61.

³⁴ Ibid, p.114.

his bio-psycho survival and subsequently a higher mental-intellectual survival.”³⁵ As he stated, culture is created by the functional fulfillment of biological, psychological and social needs, in that sense if one aspect of a culture is changing, the whole of it will change.

Based on these definitions it can be said that due to the lack of a single definition of culture, each definition might not include another aspect of culture leaving the meaning of the concept incomplete.³⁶ For this reason, it will be more accurate to mention some features that will make the concept plausible to understand. Initially, culture is a sort of production; pertaining to a human being and cannot be considered without human being, being transferred from generation to generation by communication and learning; including community’s common ideas, patterns, and values; is selective, founded on symbols; and affect people’s behavior and institutions.³⁷

Each society produces ideas, develops solutions and creates worthy judgments to meet their needs, solve their problems, realize their ideas come to power, and create their own unique culture.³⁸ Due to this specificity, significant differences among cultures arise in many contexts. Especially, when political processes are considered, the functioning of these processes differ from society to society stemming from the cultural varieties of societies. It is, therefore, necessary to have a political dimension for each community’s culture on how the administration will ensure.³⁹

For this reason, the versatility of culture makes concept closely related to politics. By looking at the definition of culture, political culture also reflects several meanings. Diamond describes political culture as “a people’s predominant beliefs, attitudes, values, ideas, sentiments, and evaluations about the political system of its

³⁵ “‘Malinowski’s Concept of Culture’”, **Sociology Guide**, Retrieved from: <http://www.sociologyguide.com/socio-short-notes/malinowski-concept-of-culture.php>, [Accessed: 21 July 2017]

³⁶ Ahmet Taner Kışlalı, **Siyaset Bilimi**, Ankara Üniversitesi Basın Yayın Yüksekokulu Yayınları: 9, Ankara, 1987, p. 103.

³⁷ Kışlalı, pp. 104-105.

³⁸ Edward Muller and Mitchell Selingson, “Civic Culture and Democracy: The Question of Casual Relationship”, **The American Political Science Review**, Vol. 88, No. 3, September 1994, p. 636.

³⁹ Ibid.

country and the role of the self in that system.”⁴⁰ Pye relatively concurs that “the notion of political culture assumes that the attitudes, sentiments, and cognitions that inform and govern political behavior in any society are not just random congeries but represent coherent patterns which fit together and mutually reinforcing”⁴¹

Political culture is both the spirit of community traditions, the style of citizenship and leadership, the quality of public institutions and products of historical experience. Politics and culture conform to each other as a meaningful part of the whole and form understandable relationships. For this reason, political culture is a system of values that determine beliefs, symbols and the position of political action.⁴² In short, political culture refers to the system of empirical beliefs, expressive symbols, and values, which defines the situation in which political action takes place.⁴³

One of the most prominent research on political culture-civic culture is a comparative public opinion survey by Almond and Verba, conducted in the United States (US), United Kingdom (UK), Italy, Mexico, and Germany. This classical research aims to determine countries’ democracy development conformity with a degree of the political cultures of these. For this reason, Almond and Verba stated that the purpose of their work was to investigate the impact of political culture on democracy and political system by analyzing the social structures and processes that affect political culture.⁴⁴

Almond and Verba identified three broad types of political culture: parochial political culture, the subject political culture, and the participant political culture. In this context, the parochial political culture accords with the non-centrist traditional structure, which is exemplified by African tribal societies, where there are no specialized political roles and there are no expectations on the political system, and people are politically informed in this culture. While the subject culture appears in an authoritarian and

⁴⁰ Diamond, **Developing Democracy**... , p. 163.

⁴¹ Lucian W. Pye, “Political Culture and Political Development in Lucien”, in **Political Culture and Political Development**, Eds. Lucian W. Pye and Sidney Verba, Princeton University Press, Princeton, 1965, p. 7.

⁴² Pye, p. 24.

⁴³ Ibid, p. 513.

⁴⁴ Gabriel A. Almond and Sidney Verba, **The Civic Culture: Political Attitudes and Democracy in Five Nations**, Princeton University Press, Princeton, 1989, pp. 10-12.

centrist structure, where the individuals are not active participants and emotionally adapts to the system, the participant political culture suits in a political system that has been explicitly adhered to both political and administrative structures and processes.⁴⁵ According to them, a participant is assumed to be aware of and know about the political system.⁴⁶ A subject tends to be cognitively oriented primarily to the output side of government: the executive, bureaucracy, and judiciary. The parochial tends to be unaware, or only indistinctly aware, of the political system in all its aspects.⁴⁷

Almond and Verba argue that a balanced and harmoniously coexistence of these three political culture models has a positive impact on both determination and well functioning of democracy. Because, if an incongruity between political culture and political structure and/or system arises, the political system may enter into a crisis of legitimacy and as a result, collapse may become inevitable.⁴⁸ Among the considered countries, the US and the UK present table democracies, where the public gives almost the same importance on both democratic system itself and its results.⁴⁹ Italy and Germany, while represent institutional democratic structures their public evaluate democratic system according to the results, in that sense democracies collapse and dictatorships have emerged when things are not going well in those two. Lastly, Mexico has emerged as a non-Atlantic community and a new democratic authoritarian.⁵⁰

According to the authors, the civic culture that allows democracy come to exist when parochial and submissive subject values are less adopted, but when stronger participant culture balances the political values.⁵¹ In countries where there is civic culture, citizens are interested in political events such as the results of elections, tolerate

⁴⁵ Almond and Verba, pp.16-19, pp.118-120.

⁴⁶ Ibid, p.45.

⁴⁷ Ibid, pp. 45-46.

⁴⁸ Kışlalı, p. 106.

⁴⁹ Kışlalı, pp. 106-107.

⁵⁰ Almond and Verba, pp. 361-364.

⁵¹ Yaprak Gürsoy, “Rejim Değişiklikleri: Otoriterleşme ve Demokratikleşme”, in **Karşılaştırmalı Siyaset: Temel Konular ve Yaklaşımlar**, Ed. Sabri Sayarı – Hasret Dikici Bilgin, İstanbul Bilgi Üniversitesi Yayınları, 2013, p.87.

different views and political views, participate in local institutions such as non-governmental organizations and local governments, and are open to trusting.⁵²

Another leading study of political culture exemplified by Dickerson, Flanagan, and O'Neil distinguishes between polyarchal culture, fragmented culture, and collectivist culture. According to this approach, polyarchal cultures are based on basic social values and a strong sense of activity with common citizen participation.⁵³ In this culture, people actively participate and agree on the key rules of the political game and also believe that it is successful. Disagreements cannot be resolved violently such as Canada, the US, and France. In fragmented cultures, there is a high level of citizen participation similar to the polyarchal culture, but with a very low level of agreement on the rules of the game.⁵⁴ In these cultures, politics are often violent, cruel and deadly where governments are rarely permanent such as Rwanda and Bosnia. Finally, in collectivist cultures, there is a common view on basic social values as in polyarchal cultures, but citizen participation is very low. The lack of participation in these cultures stems from the thought that it is useless and even dangerous such as Cuba and North Korea.⁵⁵

According to Ronald Inglehart, political culture studies should show changes in political culture, and therefore should not be confined to a specific time frame, but rather should be examined constantly.⁵⁶ For this reason, Inglehart has argued that political culture does not only affect democratic stability as Almond and Verba alleged, but also has an influence on economic performance in a positive way.⁵⁷ Inglehart finds that, among the polities of Europe, life satisfaction, political satisfaction, and levels of interpersonal trust go beyond together and strongly correlate with both the existence of relatively long-lived and stable democratic institutions. As he contends; “viable democracy does not depend on economic factors alone. Specific cultural factors are

⁵² Gürsoy, pp. 87-88.

⁵³ Mark O. Dickerson, Thomas Flanagan and Brenda O'Neill, **An Introduction to Government and Politics: A Conceptual Approach**, Eighth Edition, Nelson Education Ltd., Toronto, 2010, p. 53.

⁵⁴ Dickerson, Flanagan and O'Neill, p. 53.

⁵⁵ Ibid.

⁵⁶ Ronald Inglehart, “Renaissance of Political culture”, **The American Political Science Review**, Vol. 82, No. 4, 1988, pp. 1203-1206.

⁵⁷ Ibid.

crucial, and they, in turn, are related to economic and macropolitical developments. [...] Stable democracy reflects the interaction of economic, political, and cultural factors.”⁵⁸

Kalaycıoğlu states that it would not be wrong to argue that the environment in which democracy can develop needs a special political culture. In this context, political tolerance in a society’s culture, confidence in others, trust in political institutions, sense of efficacy, political interest, knowledge and participation tendencies are the main contributing factors to the formation and consolidation of democracy.⁵⁹ It is easy to place a democratic system in societies, where a democratic culture dominates over citizens, whereas it is rough to settle a democratic political system in societies, where authoritarian cultures are common. In short, it is thought that the political structure is determined by political culture and the political culture is determined by culture.⁶⁰ For this reason, components of the democratic culture such as “political tolerance”, “political interest and participation”, “trust and confidence in social and political institutions” and “political activity” are vital in the consolidation of democracies.⁶¹

1.4. CONTEXTUAL REQUISITES: IMPACT OF THE REGIONAL AND INTERNATIONAL CONTEXT

In addition to the requirements specified in the above sections on the transition to democracy and/or during the democratization process, another critical factor derives from regional and international context influences. Regional and international factors or external influences contain central aspects which encourage a relevant country to become or remain democratic. That means the distribution of democracy is not independent among countries.⁶²

⁵⁸ Ibid, pp.1215-1220.

⁵⁹ Ersin Kalaycıoğlu, “Türkiye’de Siyasal Kültür ve Demokrasi”, in **Türkiye’de Demokratik Siyasal Kültür**, Ed. Ergun Özbudun, Levent Köker and Ersin Kal, Türk Demokrasi Vakfı Yayınları, Ankara, 1995, pp. 50-52.

⁶⁰ Şaban Sitembölükbaşı, “Siyasal Kültürün Kavramsallaştırılmasında Karşılaşılan Bazı Güçlükler”, **Süleyman Demirel Üniversitesi İktisadi ve İdari Bilimler Fakültesi Dergisi**, No.2, 1997, p. 250.

⁶¹ Birol Akgün and M. Cüneyt Özşahin, “Soğuk Savaş Sonrası Dünyada Demokratik Konsolidasyon Sorunu: Teorik Bir Çerçeve Anlayışı”, **Uluslararası İlişkiler Dergisi**, Vol. 7, No. 28, 2011, p. 48.

⁶² Kristian S. Gleditsch, “International dimensions of democratization”, **University of Glasgow**, Typescript, 2000, p.2.

The spread of ideas across borders has always been a feature of the international system. Therefore, Gleditsch states that external influences, even non-governmental social and domestic political networks, may alter the balance of power and they can make indirect impacts by changing the available resource allocation or the effects of groups that the states can gather.⁶³ That is to say, the international context may lead to diffusion of democratic values and democratic demonstration effects that means transitions in one country accelerate transitions elsewhere in its region.⁶⁴ In this context, international dynamics which trigger, shape and perhaps limit effects on internal dynamics are variables that must be considered on democratization and democratic consolidation process.⁶⁵

Whitehead systematically analyzes both the interactions between internal and international contexts and the international dimensions of democratization with suggests that international influences are at least as important as domestic ones. Whitehead points out the simple geographical contiguity of democratic transitions that first took place in southern Europe, then in the Caribbean and Latin America, then in the former communist countries and African countries.⁶⁶ Whitehead assesses three sets of international dynamics that transmitted democratic effects across borders, including first contagion which means dissipating experiences without deliberate intent from one country to another with excluding some details that may help to observe the geographical distribution of the countries classified as democratic or not, with given examples of various countries such as Belgium, France, the Netherlands, Norway, Denmark, Germany, Italy, Austria, as a democratic ones and the countries are Trinidad, Jamaica, Barbados, Dominica, the Bahamas, St. Lucia, St. Vincent Antigua, St. Kitts

⁶³ Ibid, p. 5.

⁶⁴ Brynen et al., p. 18.

⁶⁵ Andrew Hurrell, "The International Dimensions of Democratization in Latin America: The Case of Brazil", in **The International Dimensions of Democratization: Europe and the Americas**, Ed. Laurence Whitehead, Oxford University Press, Oxford, 1996, pp. 146–147.

⁶⁶ Laurence Whitehead, "Three International Dimensions of Democratization", in **The International Dimensions of Democratization: Europe and the Americas**, Ed. Laurence Whitehead, Oxford University Press, Oxford, 1996, pp. 3-4.

with , East Germany, Poland, Czechoslovakia, Romania, Hungary, and Bulgaria analyzed to present the contagious feature of democratization.⁶⁷

The second control which means promoting democracy principle through certain policies supported by positive and even negative enforcements by one country in another with using vaccine as a proper metaphor for international dimension of democratization than virus that spread from one organism to another without intentionality and gives the examples of US actions in several part of world such as in Grenada, Dominican Republic, Panama, and (indirectly) in Nicaragua, El Salvador, and Guatemala besides with the US positions after the Second World War in general.⁶⁸ And during the Cold War over the Europe, South America and Asia, Greece and Turkey (under the Truman Doctrine) and in addition to those with the cases of Germany-Japan and Afghanistan-Iraq to promote or impose democracy as an attributing example to where democratic government placed by external power and foreign actors play influential role on the stabilizing democratic government.⁶⁹

Finally, consent that is more complicated and comprehensive from the other two with respect to the interactions between internal and international processes. According to Whitehead's view, a robust democracy "requires the positive support and involvement of a wide range of social and political groupings. [...] Such support must be more or less freely given for the term 'democracy' to apply."⁷⁰ Therefore, he illuminates four aspects of international dimension that produce consent; the territorial limit of successive democratization, the international structures responsible for generating consent for such regime changes, the emergence of national democratic actors, and the role of international demonstration effect ⁷¹ that engenders new democratic norms and expectations.

⁶⁷ Whitehead, pp. 5-7.

⁶⁸ Philippe C. Schmitter, "The Influence of the International Context Upon the Choice of National Institutions and Policies in Neo-Democracies", in **The International Dimensions of Democratization: Europe and the Americas**, Ed. Laurence Whitehead, Oxford University Press, Oxford, 1996, pp. 27-28.

⁶⁹ Whitehead, pp. 12-15.

⁷⁰ Ibid, p.15.

⁷¹ Ibid, p.16.

Philippe C. Schmitter adds one more crucial category to the Whitehead's argument mentioned above; 'conditionality' that its distinctive nature provides to use compulsion as a negotiator factor by adding special conditions to the distribution of benefits to recipient countries.⁷² In this case, multilateral institutions possess an essential function by fastening particular conditions to the distribution of benefits to recipient countries.⁷³ In the past, this feature was encompassed by the International Monetary Fund (IMF), but now the Council of Europe, the European Union (EU), and the North Atlantic Treaty Organization (NATO) and so on insist upon a certain standard of political behavior as a condition for membership and membership is conditional on fulfilling a set of requirements, performing specific political acts among democratic principles.⁷⁴

In the contemporary world, it becomes inevitable for policymakers to take into account the democratic sensitivities of other states, international organizations, international non-governmental organizations, and even international media.⁷⁵ Within this scope, Pridham classified significant roles of foreign powers on the democratic transition process and during the establishing democratic consolidation. As he states, external actors may accelerate the liberalization process during the pre-transition period.⁷⁶

During the strengthening and promoting liberalization process, external actors may lead to providing a better condition for fertilizing democracy. To achieve this purpose, international actors can act in oppressive attitude with transnational multilateral contacts or may use influential mechanisms through supporting domestic opposition parties, leaders and or groups and/or tools on political attempts to facilitate and consolidate democratic values. Then, domestic actors can sustain and contribute to the

⁷² Philippe C. Schmitter, p.29.

⁷³ Ibid, p.30.

⁷⁴ Ibid, pp. 42-43.

⁷⁵ Karen E. Smith, "Western Actors and the Promotion of Democracy", in **Democratic Consolidation in Eastern Europe: Volume 2 International and Transnational Factors**, Eds. Alex Pravda and Jan Zielonka, Oxford University Press, New York, 2001, p. 31.

⁷⁶ Geoffrey Pridham, "The Politics of the European Community, Transnational Networks and Democratic Transition in Southern Europe", in **Encouraging Democracy: The International Context of Regime Transition**, Ed. Geoffrey Pridham, St. Martin's Press, New York, 1991, pp. 214-215.

diffusion of democratic values among masses especially by media agencies releasing reports on violations or political harassments of government authorities to inform international actors.⁷⁷

International actors and organizations such as the EU, Council of Europe, the Organisation for Economic Co-operation Development (OECD) and the Organization for Security and Co-operation in Europe (OSCE) can implement isolation policy and economic sanctions to the authoritarian regimes through freezing their diplomatic and trade relations, which may provide a new space for opposition parties to get mass support and in doing so the authoritarian regime can take steps in the framework of democratic principles.⁷⁸

While assessing the effects of external dimensions of democracy, these impacts should also be evaluated with regard to internal factors.⁷⁹ In this regard, it is better for emerging new democratic milieu, while engaging internal and external factors with consolidation and transition process. But, it should be noted that while both processes have mutual relations that we can not think one without other, some scholars pay attention to the importance of one while comparing the others. Therefore, on one hand, Haggard and Kaufman suggest that consolidation will be influenced by political choices that alter the initial terms of the transition, as well as by international and domestic developments on the farther side from the control of political leaders.⁸⁰ On the other hand, as Schmitter states; notwithstanding of the form (control, contagion, consent, or conditionality) that it takes, the exterior intervention on the consolidation of democracy will be prominent and have a further impact than on the transition.⁸¹

While the transition can be an unpredictable situation which you cannot control or intervene in real time, during the consolidation process as actors are known and political and social life settled, it is much easier for the external power to intervene for establishing democratization process.⁸²

⁷⁷ Pridham, pp. 216-219.

⁷⁸ Ibid.

⁷⁹ Gleditch, p. 13.

⁸⁰ Haggard and Kaufman, p. 279.

⁸¹ Schmitter, p.40.

⁸² Ibid, pp. 40-41.

CHAPTER TWO

THE CONCEPTUAL FRAMEWORK OF CIVIL SOCIETY

The notion of civil society has undergone significant changes and transformations since the concept has been beginning to analyze in Ancient Greece later on during the 18th century and finally the presence of the concept has come to nowadays with its popularity.⁸³ Based on the accumulation of this historical process, the literature on the concept emerged in the West for the past two centuries and is gradually expanding. Depending on the expansion of literature, the field of civil society is also examined from various angles.⁸⁴ In this regard, Dominique Colas figured out that civil society is a comprehensive term that has various meanings with a long history.⁸⁵ For example, in the 19th century, while Roman Catholic Church spoke of civil society referring to the state, as opposed to the church; Marx used this term somehow indicating the economic basis of society, as opposed to the state.⁸⁶

It is generally agreed today that influence of ambiguous nature of the concept had also changed the concept of meaning throughout the historical process. Since the liberals, totalitarian and later Marxist thinkers bring various approaches and interpretations on the concept, it is hard to say that there is a simple definition of the concept as accepted today. For this reason, the concept has undergone transformations and alterations make it difficult to conduct research for the civil society concept.⁸⁷

Therefore, before examining the relationship between civil society and democracy, which is the subject of this research, the relationship between civil society and democracy would become meaningful and functional initially analyzing the

⁸³ Seyfettin Aslan, “Kavramsal Değişim ve Dönüşüm”, **Elektronik Sosyal Bilimler Dergisi**, Vol. 9, No. 33, 2010, p. 188.

⁸⁴ Özkan Yıldız, “Sivil toplum, demokrasi ve çoğulculuk”, **Sivil Toplum Dergisi**, Vol. 2, No. 5, 2004, p.85.

⁸⁵ Dominique Colass, “Civil Society From Utopia To Management, From Marxism to Anti-Marxism”, in **Nations, Identities, Culture**, Ed. Valentin-Yves Mudimbe, Duke University Press, Durham, 1995, p. 1011.

⁸⁶ Ibid.

⁸⁷ Aslan, p. 189.

historical development of the concept with approaches and thinkers who have examined the civil society in different aspects.

2.1.HISTORICAL BACKGROUND OF CIVIL SOCIETY CONCEPT

Discussions in the framework of civil society can be traced back to Ancient Greece. In this context, the civil society concept was initially encountered in Aristotle's works.⁸⁸ Aristotle conceptualized Politike Koinonia as a political society formed by equal and free citizens within a legally defined administrative system.⁸⁹ He underlined separation of Oikos and police in Ancient Greece, and in that sense, Politike Koinonia corresponds to the police. Oikos is where people live their senses and their instincts. The police is the place, where the human mind reflects the language. Citizens of the police are equally, freely and mutually share reasons on common problems and try to form a common thought with collective voices and ideas by negotiating.⁹⁰ Human beings realize themselves in the police, live and accomplish their humanity. By definition, police refers to the cradle of civilization. People become assets and values only if they are police citizens.⁹¹ The area that Aristotle expressed as police is the field that characterizes the political society that is coinciding with civil society which stands outside citizen's private space.

Colas stated that Aristo used the term with comprehensive meaning and function, thus civil society includes and encompasses all other local, specific associations such as; household, family, army, or guild which also meant that the term reflected and served the interest of all society, not only any specific group.⁹² Also, we can see that Aristo used the concept interchangeably. On one hand 'politike koinonia' indicated political community of equal and free citizens of 'polis' who are legalized by rules and on

⁸⁸ Funda Onbaşı, **Sivil Toplum**, Ed. Ahmet Sait Akçay, L&M Yayınları, İstanbul, 2005, p. 13.

⁸⁹ Ayhan Biber, "Türkiye'de Sivil Alanın Darlığının Tarihsel Nedenleri Üzerine Bir Değerlendirme", **Gazi Üniversitesi İktisadi ve İdari Bilimler Fakültesi Dergisi**, Vol. 11, No. 3, 2009, p. 30.

⁹⁰ J. Roy, "'Polis' and 'Oikos' in Classical Athens", **Greece & Rome, Second Series**, Vol. 46, No. 1, April 1999, pp. 10-13.

⁹¹ Yıldız, pp. 85-86.

⁹² Colas, p.1012.

another side, represented the whole society with parts outside itself.⁹³ The concept is used here with the same meaning as the state and the political society. Because at that time, being a member of a civil society means being a member of the state that refers to obeying the law of the state and accepting not to harm other members.⁹⁴ That means the concept does not yet define a civil society that is separate from and is opposed to the state or political society.⁹⁵

The civil society concept also has a general use in the Old Greek tradition following Aristo. For instance; while Augustine used *societas terrena* as a meaning of ‘political community’ instead of *koinonia politike*, Aquinas referred *politike communitas* synonym with *societas* as a ‘political association’, Giles of Rome accepted ‘civil society’ as ‘a state’ opposed to Church, Hobbes used ‘civil society’ as a synonym for commonwealth, and Hegel accepted the ‘civil society’ as one of the elements to contain the state.⁹⁶

The concept of political society, which is generally used in the Ancient Greek philosophy tradition, encompasses fragmented sovereignty units (patrimonial rulers, corporate bodies, towns, etc.) of feudal regimes, kingdoms and whole empires in the medieval ages.⁹⁷ Towards the end of the medieval ages, with the beginning of the dissolution process of feudalism, civil society has begun to express the emergence of some civil freedoms obtained in urban life. In the works of Thomas Hobbes, John Locke, and Jean Jacques Rousseau, who later used the concept of civil society and called it as social contractors, civil society emerged in a way that was not fully conceptualized separately from the political realm.⁹⁸

⁹³ Jean L. Cohen and Andrew Arato, **Civil Society and Political Theory**, Ed. Jean L. Cohen and Andrew Arato, MIT Press, Cambridge, 1992, p. 84.

⁹⁴ John Keane, ‘‘Despotizm ve Demokrasi: Sivil Toplum İle Devlet Arasındaki Ayrımın Kökenleri ve Gelişimi 1750-1850’’, in **Sivil Toplum ve Devlet: Avrupa’da Yeni Yaklaşımlar**, Ed. John Keane, (Çev:Erkan Akın, Aksu Bora, Ahmet Çiğdem, Levent Köker, Mehmet Küçük and Ayşe Nur), Ayrıntı Yayınları, İstanbul, 1993, p. 48.

⁹⁵ Onbaşı, p. 13.

⁹⁶ Colas, pp. 1013-1015.

⁹⁷ Cohen and Arato, pp. 85-86.

⁹⁸ Duygu Duman and Ilgın Barut, ‘‘İslam ve Sivil Toplum Tartışmaları Üzerine Eleştirel Bir Bakış’’, **Uluslararası Sosyal Araştırmalar Dergisi**, Vol. 8, No. 37, 2015, p. 872.

In that sense, according to Keane, in the first stage, civil society means a tool for legitimizing the state's existence.⁹⁹ Hobbes states that nature created people equally and this equality is also the reason that causes distrust among people because if two men simultaneously desire something which cannot be attained by both, they will become hostile to each other.¹⁰⁰ The only way to get rid of this situation and force people to obey the state of natural laws is the presence of a power to keep people under control. To create such power, all people need to assign their power to a single human being or a delegation, and then as the outcome of this social contract, 'STATE' (political community) or 'CIVITAS' which is called as Leviathan might establish.¹⁰¹ According to Thomas Hobbes' (1588-1679) theory, in the idea of 'social contract', civil society has the same meaning with a political society that means also state.¹⁰² But, the main argument is that; the state has been created by social contract, not by society and the power of the state is accepted as a forcing side for the fusion of society.¹⁰³

Jean Jacques Rousseau explains the procedure that; the state of war was not derived from pessimist characteristic of human nature as Hobbes explained, but rather derived from the changes of maturity process on human nature, desire to have power and to dominate others with the property.¹⁰⁴ For him, people are happy in their natural life. Community life involves conflicts and struggles. People come together to live in peace and to preserve their own property, and to engage in social contract by transforming private interests and wills into 'general will'. Individuals will provide their property and life security by social contract,¹⁰⁵ therefore this engagement leads to civil society. In

⁹⁹ Keane, "Despotizm ve Demokrasi...", pp. 48-49.

¹⁰⁰ Thomas Hobbes, **Leviathan**, 6. Baskı, Ed. Selahattin Özpabıyıklar, (Çev: Semih Lim), Yapı Kredi Yayınları, İstanbul, 1992, pp. 127-128.

¹⁰¹ Hobbes, pp. 128-130.

¹⁰² Cohen and Arato, p. 87.

¹⁰³ Ibid.

¹⁰⁴ Ekrem Ekici, "Hobbes ve Rousseau: Toplumsal Sözleşme Kuramı", **Kaygı/Uludağ Üniversitesi Felsefe Dergisi**, No. 6, 2006, p. 87.

¹⁰⁵ Ömer Çaha, **Sivil Kadın: Türkiye'de Sivil Toplum ve Kadın**, Ed. Ertan Özensel, Vadi Yayınları, İstanbul, 1996, pp. 23-24.

short, in the first phase, the civil society concept has been depicted by two philosophers as an escape from the state of nature and gathering around political authority.¹⁰⁶

In the second phase, which Keane refers to, there is an understanding that segregates the civil society from the state.¹⁰⁷ Under that understanding, Locke underlined the civil government as an alternative term for civil or political society.¹⁰⁸ According to Locke, unlike Hobbes' argument in which everyone will fight each other; the state of nature has been tied to the condition of freedom and equality.¹⁰⁹ Locke mentions that freedoms and the rule of law should be defended against the state (power).¹¹⁰ In this context, legitimacy and continuity of the state in Locke's conception of the social contract are bound to the condition that whether individual's property, possession, and life are insecure or not.¹¹¹ For this reason, they accept that through attending to a social contract leads to the monopolization of jurisdiction and punishment right to central authority in case of the state of nature, where freedom and property are not protected. Thus, they pass from state of nature to political and civil society, which means a transition to social life.¹¹²

In short, it can be suggested that while Hobbes advocates strengthening of state power for the benefit of civil society, and views state of nature as a source of social inequalities, Rousseau refers to a general will, where individuals are inseparable parts of whole society. In the meantime, Locke claims that the restriction of state power is for the benefit of civil society and state of nature is seen as a source of equality and justice. The concept of civil society, which had been identified with the state and political spheres until the 18th century, has undergone a semantic fracture since that century.¹¹³ On the

¹⁰⁶ Mine Gözübüyük Tamer, "Tarihsel Süreçte Sivil Toplum", **Edebiyat Fakültesi Dergisi**, Vol. 27, No. 1, June 2010, p. 94.

¹⁰⁷ Keane, "Despotizm ve Demokrasi", p. 51.

¹⁰⁸ Krishan Kumar, "Civil Society: An Inquiry into the Usefulness of an Historical Term", **The British Journal of Sociology**, Vol. 44, No. 3, September 1993, p. 376.

¹⁰⁹ Gülgün Erdoğan Tosun, **Demokratikleşme Perspektifinden Devlet Sivil Toplum İlişkisi: Türkiye Örneği**, Alfa Yayınları, İstanbul, 2001, pp. 32-33.

¹¹⁰ Kürşat Bumin, **Sivil Toplum ve Devlet: Kuramlar, Deneyler, Arayışlar**, Yazko Yayınları, İstanbul, 1982, p. 22.

¹¹¹ Fatih Duman, "Sivil Toplum", in **Siyaset**, Ed. Mümtaz'er Türköne, Opus Yayınları, İstanbul, 2009, p. 350.

¹¹² Onbaşı, pp. 21-22.

¹¹³ Duman and Barut, p. 872.

advancing processes, civil society has begun to be defined in a new semantic framework in the context of these new social relations that have undergone a change of meaning with the emergence of the modern state and capitalist social relations.¹¹⁴

In the third stage, as Keane mentions, the thought against the state was weak in the separation of civil society and the state.¹¹⁵ Hegel was the first to radically change to the traditional meaning of the concept of (Bürgerliche Gesellschaft) *societas civilis*, linking the term with economy within the state as a totality of the social, political, and cultural life of a nation.¹¹⁶ Hegel accepted the state as the only social entity due to its universality, rationality, and objectivity, which can ensure coordination and make a civilized life for everyone and also described the ‘civil society’ as an arena that leads to arising individuals’ particular interests, private needs, and egotistical aspirations.¹¹⁷ In that sense, Hegel uses civil society in the sense of bourgeoisie society and defines it as a “system of economic requirements based on interdependence”.¹¹⁸ In civil society, where self-interest is the main target, the state is given a balancing role in regulating civil society.¹¹⁹ In that sense, civil society is crucial to protect freedom and to find a solution to societal problems or conflictual issues.

Later on, Marx in his book of *A Contribution to the Critique of Political Economy* (Ekonomi Politğin Eleştirisine Katkı) where he analyzed the civil society as a market-related entity and the realm of economics and economic relationships states that both legal relations and political forms are rooted in the material conditions of life. It contradicts the view that these relations are the result of a development of the human mind or that it is on their own. As Hegel argues that this unity, which has been taken up

¹¹⁴ Ibid.

¹¹⁵ Keane, “Despotizm ve Demokrasi”, p. 52.

¹¹⁶ Matko Mestrović, “The Sociality of Information and Civil of Society”, in **Information Society and Civil Society: Contemporary Perspectives on the Changing World Order**, Ed. Slavko Splichal, Andrew Calabrese and Colin Sparks, Purdue University Press, West Lafayette, 1994, p. 140.

¹¹⁷ Mestrović, p. 140.

¹¹⁸ Tosun, p.39.

¹¹⁹ Ibid, p.40.

in term of civil society concept in the eighteenth century, must be sought only in the political economy.¹²⁰

In his critique, Marx argues that Hegel is wrong because he sees the state and civil society as separate from each other and according to him, the distinction between political society and civil society is not correct and that civil society has a material meaning corresponding to the economic realm.¹²¹ Marx delineates civil society as the form of class relations characterized by the productive forces existing in all previous historical stages. According to Marx, civil society is a substructure, in which the idea that civil society emerges from the state is abandoned, inversely it is assumed that the state is dependent on society and is determined by civil society.¹²²

As he explicated that civil society had been developed along with the bourgeoisie in the 18th century, so that civil society is not tied to the state, but rather the state is dependent on civil society. In other saying, in Marx's theory, civil society escaped from the idea that it is supposed to be dependent on the state, whereas on the contrary it is assumed that the state is dependent on civil society and that it is determined by civil society. In this sense, civil society also became a field that produced control of the bourgeoisie class over the state.¹²³

In the early 20th century, the content of the civil society concept began to differentiate from its former use that was associated with the state, market and political community. Antonio Gramsci, the Italian intellectual of the Marxist theory, contributed to the resurgence of the civil society concept in the twentieth century.¹²⁴ To start with that point, Gramsci separated civil society from economic infrastructure and divided the superstructure into civil society, that is the totality of private organisms through which class domination is achieved, and political society included coercive apparatus, and

¹²⁰ Karl Marx, **K.Marx- F. Engels Seçme Parçalar Cilt 1**, Çev: Sevim Belli, Sol Yayınları, Ankara, 1976, pp. 608-609.

¹²¹ Adam B. Seligman, **The Idea of Civil Society**, The Princeton University Press, New York, 1992, p. 51.

¹²² Seligman, pp. 52-54.

¹²³ Çaha, **Sivil Kadın...**, p. 199.

¹²⁴ Mary Kaldor, "Civil Society and Accountability", **Journal of Human Development**, Vol. 4, No. 1, 2003, p. 8.

generated the state.¹²⁵ As Gramsci states; the civil society's position is between the economic structure and the state with its legislation and its coercion.¹²⁶ In other words, civil society has been defended both within the production and economic process and also within the state.¹²⁷

On one hand, civil society is multifariously defined as the counterpart of the state which is said to be either same with political society or its leading organizational form, and on the other hand, the civil society is a component of the state coupled with and counterpoised to political society, and as identical with the state.¹²⁸ Gramsci does not see the state as the only means of the bourgeoisie or a means of the ruling class. According to him, the state is a mixture of social, economic and political relations.¹²⁹ These social, economic and political relations are explained by two methods, through the state or the ruling class. Those elements are domination, authority, and hegemony, in other words, political leadership with moral and intellectual leadership. The domination, authority, and hegemony which refer to political leadership and moral means refer to intellectual leadership that emphasized the importance of non-economic struggles among the classes.¹³⁰

Both political and civil society united in the state, where the superstructure of the 'historical bloc' according to Gramsci takes place. In other words, the concept of 'historical bloc' is referred to as the ensemble between the structures and superstructures.¹³¹ Contrary to Marx, Gramsci treats civil society as a superstructure rather than a sub-structural space. According to Gramsci, civil society is a cultural hegemony that a social group carries out over the entire society and hegemony is a key concept because the hegemony in the cultural area represents the civil society and

¹²⁵ Mestrović, p. 140.

¹²⁶ Antonio Gramsci, **Selection From the Prison Notebooks**, Eds. Quentin Hoare and Geoffrey Nowell Smith, Lawrence & Wishart Publishing, London, 1999, p. 408.

¹²⁷ Kumar, p. 382.

¹²⁸ Cohen and Arato, pp. 144-145.

¹²⁹ Gramsci, p. 504.

¹³⁰ Ibid, p. 193, pp. 212-215.

¹³¹ Nilüfer Karacasulu, "Hegemonik Düzen Tartışmaları ve Eleştirel Görüşler", **Dokuz Eylül Üniversitesi Sosyal Bilimler Enstitüsü Dergisi**, Vol. 11, No. 4, 2009, p. 61.

besides, hegemony in the political area represents the state. In other words, hegemony has both cultural and political areas, not just taking place in the field of production.¹³²

According to Gramsci, civil society falls within the state. That is, the state equals the sum of political society and civil society.¹³³ In that sense, with the concept of hegemony, civil society institutions can provide ideological or consensus control to those who voluntarily participate to challenge the state at large. In Gramsci's understanding, the civic society is positively associated with demonstrating resistance against the hegemonic interests of the state, especially through the 'war of position' through alternatively established institutions and intellectual resources in the society.¹³⁴

In the section of this work up to now, the evolution of the concept and some theories that determine this evolution is mentioned. Although it cannot be said that there is a complete agreement on the contents of civil society concept, it can be suggested that even though the concept is both ambiguous¹³⁵ and does not belong to a single thought stream, there are some common themes on the concept.¹³⁶

2.2. CONTEMPORARY DEBATES ON CIVIL SOCIETY: WHAT IS THE MEANING OF CIVIL SOCIETY TODAY?

The concept of civil society was born and developed within the developmental period of Western societies and Western political tradition as well. Within the same tradition, civil society is a concept that guides a political-managerial system and embarks on a quest of encompassing main themes of democracy and democratization studies.¹³⁷ Within this context, with the emersion of modern bourgeois society, the civil society concept reawakened in the 18th century in Europe to explain the transition from

¹³² Çaha, **Sivil Kadın**..., pp. 32-33.

¹³³ Gramsci, p. 532.

¹³⁴ Michael W. Foley and Bob Edwards, "The Paradox of Civil Society", **Journal of Democracy**, Vol. 7, No. 3, 1996, p.40.

¹³⁵ Carolyn M. Hendriks, "Integrated Deliberation: Reconciling Civil Society's Dual Role in Deliberative Democracy", **Political Studies**, Vol. 54, No. 3, September 2006, p. 486.

¹³⁶ Ellen M. Wood, "The Uses and Abuses of Civil Society", **Socialist Register**, Vol. 26, 1990, p. 63.

¹³⁷ Fuat Keyman, "Avrupa'da ve Türkiye'de Sivil Toplum", 20 Nisan 2009, **Sivil Toplum Geliştirme Merkezi**, 2010, p. 7, Retrieved from: <http://www.stgm.org.tr/tr/icerik/detay/avrupa-da-ve-turkiye-de-sivil-toplum>, [Accessed: 1 August 2017]

traditional society to modern society and to define what modern society was. Civil society was a concept that was synonymous with modern society and used to define modern society on the basis of the individual and free market.¹³⁸ It could be said that the discourse of the concept gained significance during establishment and consolidation process of liberal democratic systems referring to a period before and after the democratic revolutions of the first part of the 18th and 19th century, but thereafter the concept lost its importance during a period of consolidated legitimacy and the institutionalization of political modernity, which occurred during the second part of the 19th century and the 20th century until the 1970s and 1980s.¹³⁹

A certain historical and philosophical background is influential in achieving today's modern understanding of the term civil society. By mentioning these steps, civil society has parallels to social, political and economic developments. Especially, the evolution of Western European socio-economic and political variants is the most effective reality in the modern civil society's categorization. According to Keane, modern civil society is built on four contradictory and crossing phases. First, civil society is deployed as an independent category against a sovereign, centralized state on its citizens.¹⁴⁰ In the second stage, independent 'societies' within civil society correspond to the legitimacy of defending themselves against the state. In the third stage, civil society achieves its autonomy over the state and is seen as a freedom which is considered to be a conflict-producing factor, and therefore civil society is subject to more rigorous state regulation and control. In the last category, it refers to the point, where new forms of state power, which check and control civil society through the third phase, have begun to be considered as the fear that might gradually erode civil society. In this direction, the protection and consolidation of a pluralistic, self-organizing, and an independent civil society from the state is reemphasized.¹⁴¹

¹³⁸ Ibid.

¹³⁹ Dragica Vujadinović, **Civil Society in Contemporary Context**, Ed. Dragan M. Mitrović, The Faculty of Law University of Belgrade Center for Publishing, Belgrade, 2009, p. 15.

¹⁴⁰ Keane, "Despotizm ve Demokrasi", p. 51.

¹⁴¹ Keane, pp. 51-53.

The concept of civil society, which had been forgotten for nearly two centuries after the European Enlightenment, during the transition period from the authoritarian, single-party and planned economy to democratic structures of the Eastern European and Latin American countries¹⁴² come to the fore again with regarded as a way of expressing of political action or the right to self-determination that is placed in society rather than a state.¹⁴³ Meanwhile, democratic opposition movements within communist Central-Eastern Europe engaged their struggle with civil society to create a protected societal sphere separated from party-states.¹⁴⁴

In that period, for those movements, civil society was accepted as a new way of experience for the purpose of struggling against the totalitarian governors. At that time, citizens were directly organizing themselves non-violently within kinds of legal groups or any other associations in order to make state authority to adopt policies in line with their interests that presented civil society preferable for them. Therefore, adopting such featured civil society is expected to generate a new constitutional democratic system and a market economy endowed with fair and rightful vision.¹⁴⁵ The reason for Gellner's emphasis on civil society is that democracy as an 'ideal' is far from being real because it adopts and generalizes an abstract human model, whereas he emphasizes that 'civil society' is a much more realistic concept.¹⁴⁶

The next period where civil society organizations realized their presence and identities without being state dependent and subject to government intervention.¹⁴⁷ Civil society has not only been involved in a national or regional movement but also has become globalized, especially since the 1990s.¹⁴⁸ In particular, the underlying independence from the state, which constitutes political society, appears to be frequently used in definitions about the concept. White defines independence from the state (as

¹⁴² Keyman, pp. 6-7.

¹⁴³ Gideon Baker, **Civil Society and Democratic Theory: Alternative Voices**, Routledge Publishing, London, 2002, p. 89.

¹⁴⁴ Baker, p. 6.

¹⁴⁵ Ernest Gellner, **Conditions of Liberty: Civil Society and its Rivals**, Hamish Hamilton Publishing, London, 1994, p. 213.

¹⁴⁶ Gellner, pp. 188-189.

¹⁴⁷ Duman, p. 358.

¹⁴⁸ Keyman, pp. 10-11.

non-state) as an intermediate organizational space between the state and the family. This field is a field created voluntarily by the members of the society. But the civil society takes advantage of autonomy with the state and tries to maintain or expand its own interests or values in this field.¹⁴⁹

The autonomy of civil society in face of the state apparatus is emphasized as the first basic character in the literature. In this context, Cohen presents articulation of three elements of modern civil society concept with reference to 'autonomous' feature of concept. Modern civil society contains three important dimensions. First one is legality due to its dependence on civil, political, social equality and rights, the second one is plurality because of its inclusion of autonomous, self-constituted voluntary associations and the third one is publicity that means containing spaces of communication, public participation in the genesis, conflict, reflection on and articulation of political will and social norms.¹⁵⁰

In addition, civil society is defined in several ways due to the concept has a comprehensive and diverse nature. Another source to refer is the definition of Larry Diamond underlined the necessity of formulating a clear definition of civil society in his study and emphasized the importance of determining and defining what civil society is and is not.¹⁵¹ Diamond defines civil society as: "the realm of organized social life that is voluntary, self-generating, (largely) self-supporting, autonomous from the state, and bounded by a legal order or set of shared rules. It is distinct from society in general in that involves citizens acting collectively in a public sphere to express their interests, passions, and ideas, exchange information, achieve mutual goals, make demands on the state, and hold state officials accountable."¹⁵²

Keane, on the other side, describes civil society as not only outside of the state apparatus but also as having both complex and conflicting relations with state institutions. He views "civil society as a complex and dynamic ensemble of legally

¹⁴⁹ White, p. 10.

¹⁵⁰ Jean Cohen, **Class and Civil Society: The Limits of Marxian Critical Theory**, University of Massachusetts Press, Amherst, 1982, p. 225.

¹⁵¹ Larry Diamond, "Rethinking Civil Society: Toward Democratic Consolidation", **Journal of Democracy**, Vol.5, No.3, 1994, p. 5.

¹⁵² Ibid.

protected non-governmental institutions that tend to be non-violent, self-organizing, self-reflective, and permanently in tension with each other and with the state institutions that ‘frame’, constrict and enable their activities.”¹⁵³

Through holding of that feature, civil society has a connection with the state, but not with the single-handed effort of obtaining state power because the civil society has in its essence diversity, pluralism and proportionality. For this reason, there is no group looking for a full representation of the interests of community or individual.¹⁵⁴ Like Diamond, Uhlin also points out the same purpose for civil society groups. According to him, civil society groups can act against and or with the government for the purpose of ensuring democratic agenda rather than seeking any position or getting governmental power.¹⁵⁵ The point mentioned here is that the state regulates the boundaries of civil society, protects pluralism and freedom, and thus civil society restricts the state actions within the limits of its autonomy.¹⁵⁶

Charles Taylor perceives civil society either as an ‘autonomous’ field apart from the state or even articulated in the state or even transformed it in three stages. According to Taylor, in a minimal sense, civil society can prevail if there are free associations without the state pressure. In a strong manner, if the entire society can shape and form its actions and itself by the efforts of those associations, civil society can exist as well. And finally, as an alternative or complementary to the second manner, civil society can be seen if the associations’ unity has a power to alter the state policy.¹⁵⁷

Habermas states that due to the division of feudal powers into the churches, principality and lords experienced a polarization process, which caused private and public aspects.¹⁵⁸ For this reason, structural transformation of the public sphere is related

¹⁵³ John Keane, **Civil Society: Old Images New Visions**, Polity Press, Oxford-Cambridge, 1998, p. 6.

¹⁵⁴ Diamond, pp. 6-7.

¹⁵⁵ Anders Uhlin, **Post-Soviet Civil Society: Democratization in Russia and the Baltic States**, Routledge Press, New York, 2005, p. 24.

¹⁵⁶ Jean Cohen, ‘Interpreting the Notion of Civil Society’, in **Toward a Global Civil Society**, Ed. Michael Walzer, Berghahn Books Publishing, New York-Oxford, 1995 p. 37.

¹⁵⁷ Charles Taylor, ‘Modes of Civil Society’, **Public Culture**, Vol. 3, No. 1, Fall 1990, p. 98.

¹⁵⁸ Jürgen Habermas, **Kamusalığın Yapısal Dönüşümü**, Çev: Tanıl Bora and Mithat Sancar, İletişim Yayınları, İstanbul, 1997, p. 62.

to the state and the economy.¹⁵⁹ Therefore, Habermas believes that civil society must be a non-state organization as well as a non-economic organization. According to him, the institutional context of civil society is constituted by voluntary associations outside the state and economy.¹⁶⁰

In this context, Habermas conceives civil society as ‘communities of citizens’ forming groups (the public’s), as structures that are voluntarily outside of the economy and the domain influence of the state through engendered communication institutions in their social relations.¹⁶¹ According to him, pluralism and transparency are essential in civil society. Civil society is interested in small-scale voluntary organizations, in which individuals are directly involved and dealt with injustices, identifying and discussing problems in social life.¹⁶² Civil society contributes to small-scale voluntary organizations to produce solutions to their problems autonomous from the state. In this regard, civil society has an active structure over the control of the solutions produced by the state regarding public affairs. It is essential to openly discuss the problems within civil society that will perform such a task.¹⁶³

Edward Shils describes the civil society with ‘civility’. Civilization means protecting the rights and interests of others as well as their rights and interests, accepting that all human beings have equal rights and obligations, and therefore reconciling individual and local interests around the common good.¹⁶⁴ Shils opposes to the fact that civil society is regarded as a totally independent structure from the state and underlines a relationship of legitimacy where the constitution and legal tradition determine the responsibilities and rights of civil society and the state towards each other.¹⁶⁵ He states that civil society is a society in where the citizens are connected as well as the state by law. The civil society protects individuals from arbitrary and unfair decisions by high

¹⁵⁹ Habermas, p. 25.

¹⁶⁰ Ibid, p. 52.

¹⁶¹ Fatih Balkaya, “Yeni Toplumsal Hareketler, Sivil Toplum Ve Müzakereci Demokrasi”, **Gazi Üniversitesi Sosyal Bilimler Dergisi**, Cilt. 2, Sayı. 4, 2015, p.73.

¹⁶² Cohen and Arato, 1992, p. ix.

¹⁶³ İlyas Doğan, **Özgürlükçü ve Totaliter Düşünce Geleneğinde Sivil Toplum**, Alfa Basım Yayın, İstanbul, 2002, pp. 267-268.

¹⁶⁴ Edward Shils, “The Virtue of Civil Society”, **Government and Opposition**, Vol. 26, No. 1, January 1991, pp. 3-5.

¹⁶⁵ Shils, pp. 4-7.

political authorities, bureaucrats, the police, the armed forces, and the wealthier ones. In civil society; rule of law dominates, and therefore approaches each member in the society equally as opposed to the individuals seeking only their own interests.¹⁶⁶ Similarly, in that line, Cohen and Arato underline that civil society is “institutionalized through rights (political rights and property rights especially) continuous with the fabric of rights that secure modern civil society”.¹⁶⁷

Gellner argues that unlike the dominant approach that sees the economic sphere outside of civil society, he assesses the civil society has a counter balance function to prevent the state’s monopoly power on penetrating and atomizing the whole society, but this is not meaning that the civil society hinders the state’s peacekeeper functions or mediator role among major interests.¹⁶⁸ In addition, according to him in the industrial age, an independent civil society from the state can be deployed not only in political and religious areas but also in the economic arena as well.¹⁶⁹

Ehrenberg argues that the answer to what is civil society can be seen only by looking carefully at what its constituent structures do, how they are organized, and what political and economic forces are at work.¹⁷⁰ For this reason, according to Ehrenberg, civil society composes of associations networks with organizations and movements that spontaneously emerge, absorb and adopt specific aspects of social problems, and convey these reactions to the public sphere.¹⁷¹

According to Richard Norton, civil society is “more than an admixture of various forms of associations, it also refers to a quality, civility, without which the milieu consists of feuding factions, cliques, and cabals.”¹⁷² In parallel with that, pluralism has presented us to the recognition of society that is divided into varying patterns of class,

¹⁶⁶ Ibid, p. 16.

¹⁶⁷ Cohen and Arato, p. ix.

¹⁶⁸ Gellner, p. 5.

¹⁶⁹ Ibid, pp. 87-89.

¹⁷⁰ John Ehrenberg, **Civil Society: The Critical History of an Idea**, New York University Press, New York and London, 1999, p. 235.

¹⁷¹ Ehrenberg, pp. 222-223.

¹⁷² A. Richard Norton, “Introduction”, in **Civil Society in the Middle East Vol. 1**, Ed. A. Richard Norton, E. J. Brill Publishing, Leiden, 1995, p. 11.

race, belief, ideology, and religion.¹⁷³ Thus, it can be suggested that civil society is a political space which cannot have a quest for the public official and does not pursue financial gain where voluntary associations intentionally attempt to form the rules that regulate one part of social life or other direction.¹⁷⁴

Scholte asserts that; civil society organizations contain actors as:

academic institutions, business forums, clan and kinship circles, consumer advocates, development cooperation initiatives, environmental movements, ethnic lobbies, faith-based associations, human rights promoters, labour unions, local community groups, peace movements, philanthropic foundations, professional bodies, relief organizations, think tanks, women's networks, and youth associations.¹⁷⁵

Parallel to those explanations, Kaldor describes civil society as a means of negotiation between individuals and political and economic power centers, which includes self-organized social movements, media, religious organizations and sometimes political parties in civil society.¹⁷⁶ In the same breath, the civil society organizations educate politicians on issues such as organizing the society, negotiating and reconciliation, therefore civil society constitutes a basis for political society.¹⁷⁷ Thus, those various meanings reflect different kinds of groups such as women, indigenous or other excluded people of voice, and can be viewed as consent was negotiated among them.¹⁷⁸

Caroline Boussard uses a broad explanation of the concept that contained other collectively aggregated organizations as all voluntary non-profit collectivities that encourage or preserve a social interest and are neither part of the state nor of the family realm.¹⁷⁹ The concept of civil society as mentioned above has different meanings that gained concept itself various approaches while defining what civil society is. Because of the concept has a diversity, Mudde defines the civil society making a distinction between state, individual and economic society from civil society and thus stated that;

¹⁷³ Salvador Giner, "The Withering Away of Civil Society", **Praxis International**, No. 3, October 1985, p. 256.

¹⁷⁴ Jan Aart Scholte, "Civil Society and Democracy in Global Governance", **Global Governance**, Vol. 8, No. 3 July–Sept. 2002, p. 146.

¹⁷⁵ Scholte, p. 283.

¹⁷⁶ Mary Kaldor, **Global Civil Society: An Answer to War**, Polity Press, Cambridge, 2003, p.44

¹⁷⁷ Cohen, "Interpreting the Notion...", p. 37.

¹⁷⁸ Kaldor, "Civil Society and Accountability", p. 8.

¹⁷⁹ Boussard, p. 81.

“as a set of organizations that operate between the state and the family and economic product”.¹⁸⁰

As the concept contains versatility within itself, the concept shows blurriness about providing a certain description of what the civil society is. However, rather than reaching an exact definition of civil society, Kumar expresses that this point of the concept is a sign of having richness meaning; “contemporary theorists are evidently mining a rich but highly variegated vein.”¹⁸¹ For this reason, it can be said that civil society is multifaceted. As a contemporary concept discussed above, it includes non-official groups, voluntary associations, cultural and communication oriented institutions, individual moral systems, laws and individual rights.¹⁸²

The concept of civil society reached its present meaning, passing through various stages. The definition of the concept, ‘civil society’ which is referred in this thesis is based on a social organization structured as an intermediary among the family, private realm, and the state, voluntarily self-creation, self-supporting and autonomous from the state.¹⁸³

This study tries to present different approaches to civil society. But, one of the basic claims here is that these strands tend to impose a positive meaning on the concept while attributing to the concept as a non-state or an outside position from the state. As it is mentioned above, the main differences among scholars approaches emerge from the concept’s role, its aim and the limit of civil society regarding what kind of activities, functions, and institutions can be accepted within the nature of civil society.

¹⁸⁰ Muddle Cas, “Civil Society”, in **Developments in Central and East European Politics 4**, Ed. Stephen White, Judy Batt, and Paul G. Lewis, Duke University Press, Durham, 2007, pp. 213-214.

¹⁸¹ Kumar, p. 384.

¹⁸² Schmidt, p. 926.

¹⁸³ Ali Yaşar Sarıbay, **Kamusal Alan Diyalojik Demokrasi Sivil İtiraz**, Alfa Yayınları, İstanbul, 2000, p.58.

2.3. FOCUSING ON CIVIL SOCIETY AS AN IMPACT PARAMETER IN DEMOCRATIC TRANSITION

2.3.1. Democracy and Democratization

The concept of democracy has a central position in the search for political models of the collective life of mankind from ancient times to the present day. Due to the fact that the concept has a historical nature in seeking the ongoing model, the evolution of the democracy notion continues over time. Containing the ‘relativity’ and ‘spatiality’ characteristics that have been gained by historicity factor of the concept, ‘democracy’ demonstrates relative differences in every social space as it has a dynamic nature that rebuilds itself in every social setting.¹⁸⁴ Democracy is a compound word that is made up with the words of ‘demos’, meaning ‘people’ and ‘kratein’ inferring to ‘sovereignty’ and ‘governance’ in Greek.¹⁸⁵

Herewith, complexity stems from the common definition of democracy adopted as ‘public power’¹⁸⁶ that is based on an ambiguous concept of ‘people’. In this respect, democracy had been transformed into a historical concept from ancient Ancient Greece that had been accumulated for hundreds of years by applying positive and negative meanings, articulating and taking various forms.¹⁸⁷ The absence of a single understanding of democracy in modern politics has brought about an understanding of democracy in each society, depending on their historical and social conditions.¹⁸⁸ Different regimes benefitting from this situation pointed out the possibility of different democratic practices, defining themselves as democratic.¹⁸⁹

There have always been discussions about what democracy is. According to dictionary democracy means government by the people and is a form of government or

¹⁸⁴ Tosun, p. 95.

¹⁸⁵ Geraint Parry and Michael Moran, “Introduction: Problems of Democracy and Democratization”, in **Democracy and Democratization**, Ed. Geraint Parry and Michael Moran, Routledge Publishing, London, 1994, pp. 1-2.

¹⁸⁶ Giovanni Sartori, **Demokrasi Teorisine Geri Dönüş**, Çev: Tunçer Karamustafaoğlu - Mehmet Turan, Yetkin Hukuk Yayınları, Ankara, 1996, p. 36.

¹⁸⁷ Andrew Heywood, “Demokrasi”, in **Sosyal ve Siyasal Teori - Seçme Yazılar**, Ed. Atilla Yayla, Siyasal Kitabevi, Ankara, 1999, p. 77.

¹⁸⁸ Ibid.

¹⁸⁹ Heywood, pp. 82-83.

rule. In the simplest terms, people directly govern themselves as a body without a superior authority set over them.¹⁹⁰ And democracy is accepted as the best or at least the ‘least bad’ method of governing in which all social arrangements represent the interests of whole and in which all live actively for their society and remain as free as before.¹⁹¹

In this regard, having different aspects of goals, Beetham and Boyle’s understanding of democracy is based on equality in a sense that everyone counts as equal and no one is counted more than once.¹⁹² In this context, they have uncovered four main principles of a functioning democracy or construction process of democracy. These are free and fair elections, open and responsible government, civic and civil rights, and democratic or civil society. Beetham and Boyle illustrate these elements more systematically through using democracy pyramid. In this diagram, each element is necessary for the whole.¹⁹³

Robert Dahl states three other features besides these characteristics. According to Dahl, the concept of democracy is judicial and represents an ideal that will never be attained in this framework.¹⁹⁴ He stated that those interpretations are complementary rather than contradictory therefore polyarchy emphasizes different aspects or consequences of the institutions “whether it is a polyarchy or not.”¹⁹⁵ In order for any political regime to be regarded as a polyarchy, Dahl argues that the term democracy should be reserved for political systems that are totally responsive to all their citizens and figures out seven characteristics:

- 1) elected officials; 2) free and fair elections are held at specific time intervals; 3) inclusive suffrage allows all adults in a country to formally enjoy the relevant rights; 4) the right to run for office; 5) freedom of expression means political matters is established

¹⁹⁰ Paul Hirst, “Representative Democracy And Its Limits”, **Political Quarterly**, Vol. 59, No. 2, 1988, p. 191.

¹⁹¹ Johan Arnason, “The Theory of Modernity and The Problematic of Democracy”, in **Between Totalitarianism and Postmodernity: A Thesis Eleven Reader**, Ed. Peter Beilharz, Gillian Robinson, and John F. Rundell, The MIT Press, London, 1992, p. 48.

¹⁹² David Beetham and Kevin Boyle, **Demokrasinin Temelleri**, Çev: Vahit Bıçak, Liberte Yayınları, Ankara, 1998, p. 3.

¹⁹³ Beetham and Boyle, pp. 32-34.

¹⁹⁴ Robert Dahl, **Polyarchy: Participation and Opposition**, Yale University Press, New Heaven, 1971, pp. 2-4.

¹⁹⁵ Dahl, **Polyarchy**..., p. 12.

and protected; 6) access to alternative information, and 7) associational autonomy are referring to citizens right to form associations and/or political parties to protect their interests.¹⁹⁶

Philippe Schmitter and Lynn Karl also added two criteria that can be incorporated into the Dahl's polyarchy concept, and broaden the boundaries of the concept in this framework. The first criterion is that the elected members should be able to exercise constitutional rights they have gained by election without being subject to the restrictions arising from bureaucratic or not elected political actors, for instance; the armed forces, while the second is independence from any other political systems which means that governments should have autonomy which can decide independently regardless of the transcendental political ideology or the actor's influence.¹⁹⁷

The concept of democracy is often simply defined as administration of people, by the people, and for the people but in political terms, democracy in the first place means "government institutions that are representative and accountable, whose occupants may be periodically removed through regularized accepted procedures; and who, when occupying office, are held accountable to the rule of law."¹⁹⁸ Another common use is to express a political mechanism, in which citizens can freely participate in the process of taking any kind of political decision affecting their private or collective life.¹⁹⁹

Concordantly, Hirst argues that democracy is a type of decision-making procedure, and people use it to select the public actions that they demand the government to do, there can be no singular type of democracy and so that diversities of political mechanisms and theories related to the decision-making process can be presented as indicators of that.²⁰⁰

¹⁹⁶ Dahl, p. 236.

¹⁹⁷ Philippe C. Schmitter and Terry L. Karl, "What democracy is... and is not.", **Journal of Democracy**, Vol. 2, No. 3, Summer 1991, pp. 9-10.

¹⁹⁸ Yehudah Mirsky, "Democratic Politics, Democratic Culture", **Orbis**, Vol. 37, No. 4, Autumn 1993, p. 569.

¹⁹⁹ Michael Goodhart, "Human Rights and Global Democracy", **Ethics & International Affairs**, Vol. 22, No. 4, 2008, pp. 401-402.

²⁰⁰ Hirst, p. 191.

In this context, Diamond pointed out a broad definition of democracy; “democracy is not just a system in which elites acquire the power to rule through a competitive struggle for the people’s vote. It is also a political system in which the government must be held accountable to the people, and in which mechanisms must exist for making it responsive to their passions, preferences, and interests.”²⁰¹

According to Przeworski, democracy is a regime in which government officials are appointed by depending on the election results. It should be noted, however, that if the opposition parties are allowed to compete, to win and to take office, the regime can be called as democratic.²⁰² As Przeworski states, democracy determines the organization of political power as a political system, meanwhile, it specifies capacities of certain groups to realize their specific interests.²⁰³ Besides those, democracy is often equated with or makes a connection with voting. Although regular, fair and free elections are the indispensable factors for contemporary representative democracies, participation is something that exceeds the scope of voting because, citizens are getting involved in politics in various ways such as; attending public meetings, taking part in demonstrations, and signing petitions. Democracy requires not only that nobody is excluded from the process of discussion and decision-making, but also that everybody is included on equal terms.²⁰⁴

In the context of the above approaches, one side of democracy closely relates to a civil society that is being one of the mechanisms that regulate state and society relations. This mechanism sometimes refers to a political mechanism, sometimes to a system of social values.²⁰⁵ In addition to that, three concepts on democracy stand out: competition, participation, and fundamental rights, or democratic governance and political

²⁰¹ Larry Diamond, **Developing Democracy toward Consolidation**, John Hopkins University Press, Baltimore, 1999, p. 219.

²⁰² Adam Przeworski, Michael Alvarez, José A. Cheibub, and Fernando Limongi, “What Makes Democracies Endure?”, **Journal of Democracy**, Vol. 7, No. 1, 1996, pp. 50-51.

²⁰³ Adam Przeworski, “Some Problems In The Study Of The Transition To Democracy”, in **Transition From Authoritarian Rule: Comparative Perspectives**, Eds. Guillermo O’Donnel, Philipe C. Schmitter and Laurence Whitehead, John Hopkins University Press, Baltimore, 1986, pp. 56-57.

²⁰⁴ Iris Marion Young, **Inclusion and Democracy**, Oxford University Press, Oxford, 2002, pp. 24-25.

²⁰⁵ Tosun, p. 107.

freedoms.²⁰⁶ It can be said that attempts to explain theories in the field of democracy require a very difficult intellectual activity to deal with the evolution of a concept that extends over from ancient Greek to the modern day and even to postmodern day. For this reason, although the concept contains within itself a sense of meaning, it is difficult to find a definite form of democracy.²⁰⁷ For this reason, as Aktan points out, the true meaning of democracy has been subjected to meaning erosion and interpretation inflation throughout the history of mankind.²⁰⁸

So far, the basic qualities of democracy that have been compromised are mentioned. If 'democratization' concept is to be defined here, it essentially refers to applying the process of basic criteria mentioned above as a definition of liberal democracy. As a matter of fact, democratization is considered a process by Najem. According to Najem, there is a trend towards democratization, a more accountable government, more free and fair contest elections, wider political rights, and finally a stronger and free civil society.²⁰⁹

The global progress of democracy has gone beyond Western Europe and North America through the years. Huntington's democratization is the story of three major waves of democracy that occur at the global level and two reverse waves that cause democratic tension.²¹⁰ The first wave includes countries that are seated centrally experiencing democratic diffusion and complementing political developments in specific historical contexts, such as Britain, France, and the US. In the 1820s the first wave began and continued until 1926 with twenty-nine democracies but then witnessed a reversed wave after 1922 by Mussolini's dictatorship period in Italy which led to a decreased number of democracies of twelve.

²⁰⁶ Kenneth A. Bollen and Pamela Paxton, "Subjective Measures of Liberal Democracy", **Odum Institute**, Vol. 33, No. 1, 2000, pp. 59-60.

²⁰⁷ Tosun, p. 97.

²⁰⁸ Coşkun C. Aktan, "Yeni Sivil Toplum Sözleşmesi", **Yeni Türkiye Dergisi: Sivil Toplum Özel Sayısı**, No. 18, Kasım-Aralık, 1997, p. 135.

²⁰⁹ Albrecht Schnabel, "A rough journey: Nascent democratization in the Middle East", in **Democratization in the Middle East, Experiences, Struggles, Challenges**, Ed. Amin Saikal and Albrecht Schnabel, The United Nations University, Tokyo-New York- Paris, 2003, pp. 5-6.

²¹⁰ Samuel P. Huntington, **The Third Wave: Democratization in the Late Twentieth Century**, University of Oklahoma Press, Norman, 1993, p. 16.

The second wave of democratization coupled with countries such as Japan, West Germany, and India, which adopted the democratic rule in accordance with the post-World War II political context and it resulted in thirty-six democratic regimes. The second reverse wave that followed the first wave of democratization in a similar manner dropped the number of democratically the governed countries to thirty from the 1960s to mid-1970s through coup d'états. The last, third wave of democratization continued from the 1970s to the early 1990s; including Spain, Greece, and Portugal, as well as numerous Asian and African countries.²¹¹

The causes and consequences of democratization have been discussed for many years. In doing so, democratization phenomenon is usually dealt with in a trilateral framework that includes liberalization of autocratic regimes, democratic transformation, and democratic consolidation. Schneider and Schmitter called this process as “political liberalization of authority”.²¹² Within this framework, Sorenson states that there must be three dimensions of democracy in a society as a means to call society as a democratic. These dimensions are competition, equal participation for every individual, and finally civil and political rights and freedoms.²¹³ Also, Gros states two different stages can be seen in the democratization of regimes. But, either one of these stages does not guarantee that the other will exist or will take place. The first stage is to open the political system of countries to competition by leaders, sometimes expressed as political liberalization. The second stage, which is both more difficult and requires a much longer time, is the creation of conditions that will ensure the rule of law.²¹⁴

Vanhanen Tatu has opened a debate on a new principle for functioning democracy in a country.²¹⁵ Vanhanen explicates power as an intervening mechanism for

²¹¹ Huntington, pp. 13-26.

²¹² Carsten Schneider and Philippe Schmitter, “Liberalization, Transition and Consolidation: Measuring the Components of Democratization”, **Democratization**, Vol. 11, No. 5, 2004, p. 60.

²¹³ Georg Sorenson, **Democracy and Democratization: Processes and Prospects in a Changing World**, Westview Press, Oxford, 1998, p. 16.

²¹⁴ Jean Germain Gros, **Democratization in Late Twentieth-Century Africa: Copying with Uncertainty**, Greenwood Press, Connecticut, 1998, pp. 2-3.

²¹⁵ Vanhanen Tatu, **Democratization: A comparative analysis of 170 countries**, Routledge Publishers, London, 2003, pp. 9-11.

political struggle in order to get available or scarce resources.²¹⁶ In this regard, he made a correlation between the distribution of political power and the degree of resource distribution. As he stated, “because politics constitutes a part of the general struggle for existence, in which struggle people tend to use all available resources, the distribution of political power must depend, to a significant extent, on the degree of the distribution of power resources.”²¹⁷ According to him, the democratic content of a state government is linked to the distribution or division of power resources (resource distribution theory) in society and economy. Accordingly, the more sources of power are distributed, the degree of a country’s democratization will be higher.²¹⁸

On the other hand, there are scholars who further elaborate on the process of democratization, for example focusing on the dimension of gender and democratization. Indeed, as Kelly specifies, some scholars of feminist opinion claim that democratization is not a linear process, and thus it cannot be the same for all genders. It is, therefore, necessary to include women in the process of democratization in public institutions, in legislation, in the country bureaucracy, in courts, in local governments, and in other institutions such as family, business, religious institutions, and voluntary organizations.²¹⁹

In sum, the notion of democracy is rooted in Plato and Aristo and is, therefore, a European-western-oriented formation. Democracies were settled in the West and gained their own main characteristic²²⁰ until the 1940s, there was not much hesitation about what people understood from democracy. Democracy protected its centrality in the West and was treated as a concept unique to there. But then, we see that different and opposing views emerged parallel to increasing number of democratic states and that the various ideological and institutional structures were increasingly called as democratic.

²¹⁶ Natig Abdullayev, “Demokrasi ve İstikrar Açısından Parlamenter ve Başkanlık Hükümet Şekli Karşılaştırması”, **İ.Ü. Siyasal Bilgiler Fakültesi Dergisi**, No:41, Ekim 2009, p. 258.

²¹⁷ Tatu p. 26.

²¹⁸ Ibid, pp. 27-29.

²¹⁹ Jane H. Bayes, Mary E. Hawkesworth and Rita Mae Kelly, “Globalization, Democratization, and Gender Regimes”, in **Gender, Globalization, and Democratization**, Ed. Rita Mae Kelly, Jane H. Bayes, Mary Hawkesworth and Brigitte Young, Rowman & Littlefield Publishers, Newyork-Oxford, 2001, pp. 5-6.

²²⁰ Sartori, p. 3.

As a result, the divisions began to emerge more violently on what democracy is and it became almost impossible to reach a consensus on the particular definition of democracy.²²¹

In terms of democracy and democratization, above-mentioned elements are undoubtedly important in a region like the Middle East, where democratic governance is not very effective. In that case weakness in a societal or state level of countries in the region suggests that the region is away from the democratic structure. It is seen that the difficulties encountered in the stability point of democratic transformation experienced by many countries and unqualified features of existing democracies are evaluated as signs of how fragile and inadequate are the young democracies while completing their democratic transition.²²²

Today, through the consideration of more than 550 different democracy classifications in the democracy literature²²³, it can be better understood how important these criteria are in terms of understanding democracies. Therefore, democratic values within the relevant conceptual framework will be considered when discussing the democratization process in Tunisia.

2.3.2. The Relationship Between Civil Society and Democracy

Civil society, a concept that social scientists had been focusing on until the end of the 19th century, lost its attraction in the 20th century. In the 1980s, in the last quarter of the 20th century, interest in the concept revived. Western researchers called it as ‘revival of the concept’²²⁴ or resurrection, reemergence, reconstruction, or renaissance of civil society.²²⁵ In particular, in the aftermath of the Second World War, another important issue that has been debated outside of the definition of civil society in contemporary civil society debates was the relationship between civil society and

²²¹ Sartori, p. 10.

²²² Sangmook Lee, “Democratic Transition and the Consolidation of Democracy in South Korea”, **Taiwan Journal of Democracy**, Vol. 3, No. 1, 2007, pp. 105-106.

²²³ Andreas Schedler, “What is Democratic Consolidation?”, **Journal of Democracy**, Vol. 9, No. 2, 1998, p.93

²²⁴ Gellner, **Conditions of Liberty...**, p. 1.

²²⁵ Cohen and Arato, p. 29.

democracy. The concept now is more than being only a critique to differentiate Western civilized society from other uncivilized societies and has become a theoretical tool for analyzing state-society relations of efficiency and productivity of a democratic system, and thus regarded as a global discourse with gained a political character on criticizing authoritarian regimes. According to Naidoo and Tandon, civil society is associated with democracy in terms of both conceptually and practically too good governance and to sustainable democracy.²²⁶ Also, Ibrahim discusses the reasons why civil society-democratization debates become popular around the world. According to Ibrahim, there are three reasons for discussions to expand worldwide. First; ending of Cold War, second; demonstration effect of democratization in varied parts of the world and lastly; arising of the new middle class.²²⁷

The concept of civil society can be seen in the academic field as one of the components in terms of democratization. Therefore, civil society is being analyzed and is taken into account as one part of the democratic development of today's societies. As Entelis notes totally developed civil society provides supportive grounds for democracy. And the more atmosphere for free individuals and free expressions in political manners, the better environment for non-political ones in that society.²²⁸ The basic assumption here is that an active civil society has a considerable function in the transition process for sustaining the democracy with consolidation because new democracies do not have the legal and bureaucratic means to prevent corruption that may arise at the beginning of a statist and arbitrary administration.²²⁹

Thus, beyond the contradictions of state and market, public and private, the idea of defending and civil society's efforts on democratization is the best way to

²²⁶ Kumi Naidoo and Rajesh Tandon, "The Promise of Civil Society", **Civil Society at the Millenium**, Ed. Kumi Naidoo, Kumarian Press, West Hartford, 1999, p. 8.

²²⁷ Saad Eddin Ibrahim, "Democratisation in the Arab World", in **Civil Society in the Middle East Vol. 1**, Ed. A. Richard Norton, E. J. Brill Publishing, Leiden, 1995, pp. 51-52.

²²⁸ John Entelis, "Civil Society and the Authoritarian Temptation in Algerian Politics: Islamic Democracy vs. the Centralized State", in **Civil Society in the Middle East, Vol. 2**, Ed. Augustus Richard Norton, E. J. Brill Publishing, Leiden, 1996, p. 47.

²²⁹ Diamond, "Rethinking Civil Society...", p. 7.

characterize the really new, common strand of contemporary forms of self-organization and self-constitution²³⁰ on the level of rights.²³¹

In parallel with above-mentioned activities and aims of the social groups constituting civil society, the concept has gained importance in the way of democratization. For instance, any group within civil society can seek to seize state or authority via illegitimate ways. Kumar states why it is not enough with the notions of constitutionalism, citizenship or democracy to limit misuse of state power and instead he underlines applying civil society due to its multifaceted function.²³² For this reason, it is accepted that one factor which makes civil society in the face of state and other communities within itself as being democratic is not to have a uniform identity like ‘people’, ‘society’, ‘class’ or even ‘citizenship’. The reason is that the ethics of democracy depends on explicitness boundary line between different groups, based on the responsibility principle.²³³

In this respect, civil society’s relation with democratization is an important point as an output of transformation from a rhetorical point of view to a concrete and lively political culture. The underlying reason is that the distance between civil society and ideological social formations also require a ‘pluralist’ paradigm. In other words, civil society included difference and pluralist elements and in case of violating these elements that include legitimated political conflicts through accompanied by democracy.²³⁴

Within this context, for instance, Çaha assesses the idea of pluralism in organizations within the democratization process as a primary norm for development of civil society. According to him, ethnic, cultural, religious, ideological, political, economic or gender-based differences in social life are essential for civil society development.²³⁵ He explains dependence between pluralism and civil society as follows: “the more differentiation as a sociological rule, the more interdependence and solidarity

²³⁰ Cohen and Arato, p. 30.

²³¹ Ibid, p. 413.

²³² Kumar, p. 391.

²³³ Ali Yaşar Sarıbay, **Postmodernite Sivil Toplum ve İslam**, Alfa Basım Yayınları, İstanbul, 1994, p.143.

²³⁴ Naidoo and Tandon, p. 12.

²³⁵ Ömer Çaha, **Sivil Toplum, Aydınlar ve Demokrasi**, İz Yayıncılık, İstanbul, 1999, p. 35.

comes into play. And a dynamic solidarity spirit emerges parallel to sociological differentiation so that everyone becomes a compulsory element for the other.”²³⁶ It should be noted that the legitimization of political conflict does not mean the suppression of social segments’ freedoms or autonomies.

Another reason for handling civil society in relation to democratization stems from the fact that civil society forces have pointed out important points about the roles they play in defining, checking and legitimizing the state power.²³⁷ It is proposed that civil society contributes to the development of a democratic political system and governance in four ways; by providing balanced opposition in favor of society by altering balance of power between the state and society, by establishing public moral principles and to ensure their implementation, by creating an alternative representation process to convey organized groups demands to the system, and to by establishing and maintaining democratic values.²³⁸

In sum, without an independent civil society with secure, autonomous, public objectives, it may be difficult to achieve goals such as freedom, equality, participatory planning, and freedom of communities to make their own decisions. Moreover, unless the state has a protective, redistributive and reconciliation function, the challenges for developing civil society will be great; and civil society will likely be fragmentized and transformed into an area where new forms of inequality and oppression arise on power, status, or wealth basis.²³⁹

2.3.3. Civil Society and Its Role in Democratic Consolidation

The concept of democratization is tried to be explained in the previous section, which emerged within a complex historical process. The term’s scope evolved around the ending of undemocratic regimes by following the inauguration of a democratic regime, and then the consolidation of a democratic system. Among these phases of

²³⁶ Çaha, *Sivil Toplum, Aydınlar ve Demokrasi*, p. 74.

²³⁷ Ömer Faruk Gençkaya, “Demokratikleşme ve Sivil Toplum İlişkisi”, *Yeni Türkiye Dergisi: Sivil Toplum Özel Sayısı*, No.18, Kasım-Aralık 1997, p. 103.

²³⁸ Gençkaya, p.104.

²³⁹ Çaha, *Sivil Toplum, Aydınlar ve Demokrasi*, pp. 37-38.

democratization, the transition and consolidation phases have received great attention from the academic area.²⁴⁰

Democratic consolidation corresponding to the collapse of a democratic regime also means to deepen democracy and to overcome the deficiencies.²⁴¹ One of the most striking assessments of democratic consolidation comes from Przeworski. Przeworski stated the view that democracy “can not be dictated; it emerges from bargaining.”²⁴² Democratic consolidation can be described as the consolidation of a democratic system without any doubt, and in a more technical definition is that democracy has become “the only game in the town”-with its rules, principles, and institutions, willingly accepted-or, at least, respected-, where even the losing party in the system does not consider compensating their losses beyond democratic rules of play. Przeworski underlines that consolidation is considered as a condition for democracy to be the only game in town.²⁴³ The fact that democracy is the only game suggests the exclusion of other non-democratic political ideas as an option.²⁴⁴

In this regard, the term democratic consolidation needs to be clarified in order to understand its’ position on the democratization process. Within the following of his questions, Özbudun also defined democratic consolidation in behavioral, attitudinal, and constitutional terms as:

Behaviorally, a democratic regime in a territory is consolidated when no significant national, social, economic, political, or institutional actors spend significant resources attempting to achieve their objectives by creating a non-democratic regime or turning to violence or foreign intervention to secede from the state. Attitudinally, a democratic regime is consolidated when a strong majority of public opinion holds the belief that democratic procedures and institutions are the most appropriate way to govern collective life in a society such as theirs and when the support for anti-system alternatives is quite small or more or less isolated from the pro-democratic forces. Constitutionally, a democratic regime is consolidated when governmental and nongovernmental forces alike, throughout the territory of the state, become subject to, and habituated to, the

²⁴⁰ Lee, p. 102.

²⁴¹ Schedler, p. 94.

²⁴² Adam Przeworski, **Democracy and the Market: Political and Economic Reforms in Eastern Europe and Latin America**, p. 80.

²⁴³ **Democracy and the Market...**, p.26.

²⁴⁴ Ibid.

resolution of conflict within the specific laws, procedures, and institutions sanctioned by the new democratic process.²⁴⁵

Linz and Stepan explain five interconnected areas, each functioning in accordance with its own organizational principle, for the existence of a democratic consolidation, and they include a free and active civil society among them.²⁴⁶ As they stated, those five dimensions are “political society, rule of law, state bureaucracy, institutionalized economic society and finally civil society.”²⁴⁷ Similarly, Özbudun also puts forward “five other interconnected and mutually reinforcing conditions must also exist or be crafted” for consolidation of democracy:

First, the conditions must exist for the development of a free and lively civil society. Second, there must be a relatively autonomous and valued political society. Third, there must be a rule of law to ensure legal guarantees for citizens’ freedoms and independent associational life. Fourth, there must be a state bureaucracy that is usable by the new democratic government. Fifth, there must be an institutionalized economic society.²⁴⁸

Besides those scholars, Diamond focuses on civil society’s role in democratic consolidation and gives the name of thirteen functions of civil society on a democratic consolidation process.²⁴⁹ For the first one is checking and limiting function on state actions and encourages it to be accountable to the law²⁵⁰, secondly generate alternative ways for political involvement and increase political proficiency through promoting the rights of democratic citizenships²⁵¹, thirdly acts as an educator to explicit both domestic and international actors for democratic norms²⁵², fourthly civil society able to structure multiple channels articulating and/or representing various interests of groups such as; women, racial or ethnic minorities²⁵³, fifthly deepening the democracy through different

²⁴⁵ Ergun Özbudun, **Contemporary Turkish Politics: Challenges to Democratic Consolidation**, Lynne Rienner Publishers, London, 2000, p. 4.

²⁴⁶ Juan J. Linz and Alfred Stepan, **Problems of Democratic Transition and Consolidation: Southern Europe, South America And Post-Communist Europe**, John Hopkins University Press, Baltimore and London, 1996, p. 7.

²⁴⁷ Linz and Stepan, p. 17.

²⁴⁸ Özbudun, p. 5.

²⁴⁹ Diamond, **Developing Democracy, Toward Consolidation**, pp. 240-241.

²⁵⁰ Ibid, p. 241.

²⁵¹ Diamond, **Developing Democracy, Toward Consolidation**, p. 242.

²⁵² Ibid, p. 243.

²⁵³ Ibid.

channels²⁵⁴, sixthly contains a rich and pluralistic structure to alleviate political conflicts and generate new democratic arena²⁵⁵, seventhly promoting democracy with recruiting and training new political leaders in order to gain them technical and administrative skills²⁵⁶, eighthly monitors elections for maintaining democratic consolidation on eliminating electoral fraud and enhance confidence²⁵⁷, ninthly disseminates objective information among society to defense their interests and values²⁵⁸, tenthly cooperates with governments and act as a consulting actor to inform society on economic reforms and policies²⁵⁹, eleventhly mediation and resolution role including formal programs, training of trainer to ease political and ethnic tensions²⁶⁰, twelfthly strengthens the social foundations of democracy such as struggle against poverty, fortifying the farming, bring citizens together to cooperate²⁶¹, and finally “by enhancing the accountability, responsiveness, inclusiveness, effectiveness and hence legitimacy of the political system, a vigorous civil society gives citizens respect for state and positive engagement with it.”²⁶²

This chapter attempts to present a theoretical framework of the relationship between civil society and democratic consolidation. Therefore, in order to maintain and strengthen democratic consolidation, civil society can be termed as one of the key factors. As it is mentioned above, Diamond’s categorizations, which briefly clarify the roles and functions of civil society, will be used to examine the Tunisian case.

²⁵⁴ Ibid, p. 244.

²⁵⁵ Ibid, p.245.

²⁵⁶ Ibid.

²⁵⁷ Ibid, p. 246.

²⁵⁸ Ibid.

²⁵⁹ Ibid, p. 247.

²⁶⁰ Ibid.

²⁶¹ Ibid, p. 248.

²⁶² Ibid, p.249.

CHAPTER THREE

DOMESTIC POLITICAL CONTEXT IN TUNISIA PRIOR TO THE JASMINE REVOLUTION

The pro-reform movement called as the Arab Spring started in Tunisia and paved the way for major events in Egypt, Yemen, Libya, Syria, Algeria, Jordan and Bahrain and then caused small-scale uprisings in Mauritania, Saudi Arabia, Oman, Iraq, Lebanon, and Morocco. It was not only a momentary popular uprising but also emerged as a result of many economic difficulties and oppressive governance mentality from the historical process. Before examining the causes of this uprising in the Tunisian context, it would be better to take a brief look at the evolution of Tunisian political and social history.

3.1.HISTORICAL CONTEXT OF TUNISIA

Tunisia's geographical location between the Mediterranean and the Sahara has made the country a significant center of attraction in the North Africa and the Mediterranean throughout history. Tunisia was governed by the Ottoman State administration from the 16th century until 1881. During this period, about 100,000 Muslims fled to Tunisia from 1492 to 1611, along with the Jews expelled from Spain.²⁶³ Tunisia has relatively a homogeneous social structure in terms of ethnic and religious diversity and the country's population exceeded 11 million by mid-2017²⁶⁴ and 66% of the population live in cities and 34% of them live in rural areas. Jews who had a significant social presence over the region in the past are now underpopulated. Today around 98% of the Tunisian population is Sunni Muslim Arabs.²⁶⁵

²⁶³ Georgie Anne Geyer, **Tunisia: A Journey Through a Country that Works**, Stacey International Press, London, 2003, p.194.

²⁶⁴ **World Pop Data**, "Tunisia", 15 August 2017, Retrieved from: <http://www.worldpopdata.org/map>, [Accessed: 05 September 2017]

²⁶⁵ **Index Mundi**, "Tunisia Demographics Profile 2018", 20 January 2018, Retrieved from: https://www.indexmundi.com/tunisia/demographics_profile.html, [Accessed: 01 February 2018]

Starting from 1881, Tunisia's status was under French administrative authority and political oversight²⁶⁶ which brought great historical emphasis on the country's domestic context. For instance; there is still a noticeable strong relationship between these two countries. Besides that, French is the second language in Tunisia and some of the Tunisian elites had chosen France for studying, and also even when they were exiled from Tunisia for example during the Ben Ali regime between 1987 to 2011, some of them maintained their life in France.²⁶⁷

During the first half of the 20th century, Tunisia ended up French rule and gained independence endowed with the wave of growing rhetoric of nationalism and nationalist movements on 20th February 1956. During that period Habib Bourguiba, who benefitted from his public profile and positive image by nationalist tendencies among people dedicated his struggle to mobilize hundreds of thousands of ordinary Tunisians against the protectorate when French regime began to rule the country.²⁶⁸

In domestic politics, Bourguiba had given priority to social change in order to create a modern society. Under his regime, the country had embarked on the construction of a society with modern values, free from the boundaries of religious and traditional practices. Meanwhile, in the context of women's rights, important steps had been taken in many areas for example; the right to elect and be elected, right of divorce, equal pay for equal work and education. However, in addition to limiting religious education and bringing religious institutions under state control, the prohibition of headscarves in public institutions and educational units has led to a public reaction.²⁶⁹ After Bourguiba established his regime, changes began with Personal Status Code in 1956 which removed discriminatory traditions such as customary marriage and secret divorce, and reformed the judiciary by replacing the Islamic, Christian and Jewish courts with a uniform, secular system and promoted the rights of women by outlawing

²⁶⁶ Kenneth J. Perkins, **A history of modern Tunisia**, Second Ed., Cambridge University Press, New York, 2004, p. 10.

²⁶⁷ Perkins, p. 44.

²⁶⁸ Ibid, p. 130, 135.

²⁶⁹ Veysel Ayhan, **Arap Baharı İsyanlar, Devrimler ve Değişim**, Marmara Kitap Merkezi Yayınları, Bursa, 2012, pp. 26-28.

polygamy and wearing hijab (headscarf with or without a veil)²⁷⁰, ensuring minimum age for girls for marriage²⁷¹ and guaranteeing equal pay to both sexes for equal work.²⁷²

There were turning points and moments of nuance during the 1970s and 1980s, due to both external and domestic factors. At that time, Bourguiba's autocratic governance caused to aggressive resistance from an extensive range of actors ranging from rivals within his own party to the far left.²⁷³ In the 1970s, Tunisian Islamist movements gradually captivated the attention of Tunisian inhibitory security services, one of which was the Islamic Tendency Movement, the key opposition movement precursor to Ennahdha. Bourguiba's action to consolidate the power under his authority led to the flourishing of new situations for protests, by workers, students, and Islamists.²⁷⁴

In the protests, there were trade unions and many union members including students and workers, many of whom were exposed to repressive policies. During the second half of the 1970s, the demonstrations, and strikes concentrated against the economic problems in the country. In 1984, another riot movement emerged due to economic problems spreading throughout the country.²⁷⁵ Within these circumstances, Ben Ali took power through a non-violent coup in 1987 by removing Bourguiba from power, who had ruled the country since 1956. When Ben Ali came to power, he stated that he agreed with all political opposition movements on behalf of national unity and would undertake reform in the field of economy. He explained that in the first days of his presidency he directly attached importance to cooperating with all opposition groups and unions. As a matter of fact, in the period between 1988-1990, opposing political

²⁷⁰ Jane Adas, "Tunisia's personal status code and "Modernity, Development and Human Rights." **The Washington Report on Middle East Affairs**, Vol. 26, No. 2, March 2007, pp. 42-43.

²⁷¹ Lilia Labidi, "From Sexual Submission to Voluntary Commitment: The Transformation of Family Ties In Contemporary Tunisia", in **Cairo Papers in Social Science: The New Arab Family**, Ed. Nicholas S. Hopkins, Vol. 24, Numbers 1-2. American University in Cairo Press, Cairo and New York, 2003, p. 117.

²⁷² Labidi, p. 129.

²⁷³ Alaya Allani, "The Islamists in Tunisia: Between Confrontation and Participation: 1980-2008," **Journal of North African Studies**, Vol. 14, No. 2, 2009, pp.258-259.

²⁷⁴ Christopher Alexander, "Back from the Democratic Brink: Authoritarianism and Civil Society in Tunisia", **Middle East Report**, No. 205, Oct. - Dec., 1997, pp. 36-37.

²⁷⁵ Ayhan, pp. 36-38.

parties and segments were allowed to organize throughout the country.²⁷⁶ For example, the International Foundation for Electoral Systems (IFES) rapporteur on the elections in Tunisia stated that the democratization steps committed by Ben Ali took place in 1988 and these steps were liberal.²⁷⁷

Ben Ali who was a former minister of interior and briefly the prime minister in Bourguiba regime, took power with a non-violent coup in 1987. As he alleged to follow liberalizing policies in domestic affairs, at the beginning he freed thousands of previous regimes' prisoners, formally approved the United Nations convention against torture, exterminated presidencies for life and launched a new dialogue ground with Ennahdha. However, a short time later Ben Ali became more autocratic. While initially, he started a dialogue with Ennahdha, the Islamist party, was banned and the party's members put down by force and tens of thousands of Ennahdha members were imprisoned then.²⁷⁸

Ben Ali regime had become one of the world's most repressive regimes because of illegal arrests, tortures, media control, oppression of the opposition through police forces and intelligence agencies, and violations of fundamental rights and freedoms. On the one hand, the people were angry with the corruption news about the ruling elite, on the other hand, they initiated a social movement in which was triggered by the violent oppressive environment in combination with the compelling economic conditions.²⁷⁹

Tunisia became a complete police state during Ben Ali in power, and the police were not only as a source of power for autocrats but also has functioned as a basic instrument for suppressing domestic opposition.²⁸⁰ According to Amnesty International report released in 2008, Tunisia was criticized for torture, prolonged incommunicado

²⁷⁶ Ayhan, p. 69.

²⁷⁷ William Zartman, "Report on the First Tunisian Multiparty Legislative Elections", Iğphio, **International Foundation for Electoral Systems**, 2006, p. 4, Retrieved from: http://www.ifes.org/sites/default/files/r01910_0.pdf, [Accessed: 28 January 2018]

²⁷⁸ Christoffer K. Lamont and Hela Boujneh, "Transitional Justice in Tunisia: Negotiating Justice during Transition", **Politicka Misao: Croatian Political Science Review**, Vol. 49, No. 5, December 2012, pp. 35-36.

²⁷⁹ "First Wikileaks Revolution: Tunisia descends into anarchy as president flees after cables reveal country's corruption", 15 January 2011, **Daily Mail**, Retrieved from: <http://www.dailymail.co.uk/news/article-1347336/First-WikileaksRevolution-Tunisia-descends-anarchy-president-flees.html>, [Accessed: 15 September 2017]

²⁸⁰ Derek Lutterbeck, "Tunisia After Ben Ali: Retooling The Tools of Oppression?", **Policy Brief**, Norwegian Peacebuilding Recourse Centre (NOREF), May 2013, pp. 1-2.

detention, absence of free judiciary system and the country's counter-terrorism laws and policies which was adopted on 10 December 2003 were pointed out to be in compliance with international, regional and bilateral agreements and treaties and with full respect for constitutional guarantees but rather led to injustice and undermining of human rights protection and the rule of law.²⁸¹

Ben Ali was interested only in the welfare of the upper class in the country causing masses to remain economically behind. Problems such as increasing aggressive tendencies of government on the violation of economic and social rights, inequality on income distribution, escalating of corruption engendered the dissatisfaction of people and enforced the Tunisian Jasmine Revolution. Zine El Abidine Ben Ali, who came to power in a bloodless process, was withdrawn from the power in a similar way and left his regime.²⁸² Radwan Masmoudi, President of the Center for the Study of Islam and Democracy (CSID) described Tunisia under Bourguiba and Ben Ali regime:

Bourguiba, he was a patriotic dictator. He was not a corrupt dictator. But, Ben Ali was a dictator who didn't care about the nation, he was very corrupt; he had no values at all. Bourguiba was trying to make Tunisia developed. His goal, in an authoritarian way, was to have Tunisia developed. But Ben Ali was the opposite: his goal was to enrich himself and his family, that's all he cared about.²⁸³

3.2. UNFOLDING OF THE FACTORS WHICH LED TO JASMINE REVOLUTION

The demonstrations that started after Mohammed Bouazizi, a Tunisian street vendor who burned himself on 17 December 2010, and gained an anti-governmental content causing the people who were disturbed by the administration to fall into the streets in masses and resulted in Ben Ali's leaving his seat. The process which led to

²⁸¹ Amnesty International, **"In the Name of Security: Routine Abuses in Tunisia"**, 23 June 2008, MDE 30/007/2008, pp.8-12, 19, Retrieved from: <http://www.refworld.org/docid/4860b0292.html>, [accessed 10 October 2017]

²⁸² Konur Alp Koçak, "Yasemin Devrimi'nden "Arap Baharı"na Tunus", **Yasama Dergisi**, Sayı: 22, 2012, pp. 30-34.

²⁸³ Hayat Alvi, "The Human Rights and Development Impetuses for Tunisia's Jasmine Revolution", **Contemporary Review of the Middle East**, Vol. 1, No.1, December 2014, p. 39.

Ben Ali's escaping out of the country is often called as the 'Jasmine Revolution'. The 'Jasmine Revolution' expression was used when the term of 'Arab Spring' was not widely used, and the latter term also included the street movements and mass demonstrations in the following countries such as Egypt and Libya. However, the Jasmine Revolution has become a unique name for Tunisia and the uprisings that leaped to other countries are termed as the Arab Spring.²⁸⁴

The Arab Spring paved the way for repressive regimes in the Middle East to begin moving away from governance by popular movements. In Tunisia, the Jasmine Revolution began in 2010, became the first successful ring of the overthrow of authoritarian regimes over the region by the uprising. After the uprising in Tunisia succeeded to change Zine El Abidine Ben Ali regime, people living in other North African and Arab countries, especially in Egypt and Libya, were encouraged and protests increased. After the fall of Ben Ali, the Ennahdha Movement came to power in the first free elections. Tunisia is a country with a relatively developed economy, a homogeneous ethnic structure and a pre-existing state order, and perhaps a very serious success rate in the post-authoritarian regime of democratization.²⁸⁵

From this perspective, it becomes even more important where the new period that begins in Tunisia will reach. Tunisia, where people's movement was seen first, occupies an important place among the countries, where the Arab Spring takes place, yet also it is the first country where the elections were held and the administration changed after the overthrow of the government. Therefore, it will be more explicit to understand the factors lead to public demonstrations. This section will focus on the political, economic and social causes behind the uprising in Tunisia.

3.2.1. Background of The Tunisian Revolution

The Middle East and North Africa (MENA) is a strategic region in terms of economic and political interests of many countries. This region has been associated with instability, despotic governments, economic difficulties, rich natural resources and

²⁸⁴ Koçak, pp. 24-25.

²⁸⁵ Ali Oğuz Diriöz, "Bağımsızlığından Günümüze Tunus'a Kısa Bir Bakış." *Ortadoğu Analiz* 3, No. 36, Aralık 2011, p. 80.

radical currents for decades.²⁸⁶ The high level of income generated from natural resources in the region is kept under the control of only a certain section and this group ignores people's demands for democracy and wealth which brings social tension to the high level. Although harboring rich resources, the poverty and unemployment have increased tension in the countries pouring people into the streets for more freedom, democracy, and better living conditions. Especially, the high unemployment rates among university graduated youths have confronted them with the countries' political administrations. Educated young people, who are able to use information communication technologies and especially social media in a good way, have been able to quickly organize themselves and diffused the uprising to the region.²⁸⁷

What we usually have in mind when talking about Arab geography is, the Middle East includes countries in interaction with each other. For this reason, changes and rebellions in one country can spread to other countries. The revolutionary fire came to light with Bouazizi who burned himself in December 2010, spread rapidly to other Arab geographies in 2011 and revealed that in Arab countries, people could overthrow dictatorial leaders if they want. And in this case, it was an example of encouraging opposition movements in other countries. People go to the streets to protest for government change and to express a new political and social order; leading people in other regions to think critically about their regimes and to shake up international influences that are active over the region's politics.²⁸⁸

3.2.1.1. Political Factors

Arab Spring is a comprehensive term that covers the uprisings and protests in the Middle East which started in December 2010 and continues to this day. While the Middle East has witnessed insurgencies throughout history, the flourishing of Jasmine Revolution can be identified by the self-immolation of Mohammed Bouazizi in Tunisia.

²⁸⁶ Ahmet Salih İkiz, “Arap Baharının Kelebek Etkisi: Batı Dünyasında Beklenen Değişmeler”, **Journal of Social Sciences and Humanities Researches**, Autumn2015, Issue. 35, p.63.

²⁸⁷ İkiz, pp. 64-65.

²⁸⁸ Koçak, pp. 55-56.

It is widely accepted that his reaction to authoritative government policies, later on, caused the downfall of President Zine El Abidine Ben Ali. Events have spread rapidly to other countries and many people began to protest against oppressive governments.²⁸⁹

The long-time colonial governance of Tunisia has been influential in the continuation of authoritarian structures as a powerful tribal clan tie. In addition to this, the region has not fully developed the industrial space, the basic economic activity of agricultural production, and lack of strong individualist understanding paved the way for the authoritarian structure in the region until now. For these reasons, although governments in the region are mentioned as kingdoms or republics, there were in general authoritarian governments, and between 1956 and 2011, Tunisia was ruled by only two leaders, Habib Bourguiba (1957-1987) and Zine El Abidine Ben Ali (1987-2011); so the republican government system could not pass into practice.²⁹⁰

Internal dynamics including the absence of separation of power, prevention of opposition segments by means of exile, arrest, deprivation of citizenship, symbolic elections, parliamentary system working under the control of ruling party and the limitation of representation by ruling power have prepared the political grounds for the uprisings.²⁹¹

The Political Parties Act of 1988 implemented oppressive policies on political parties basically on ethnic, religious or regional interests. This power has also been used as a legalization instrument for Ben Ali government to outlaw political parties. For instance, in the first election of Ben Ali in 1989, he was the only one to being elected, because he kept the law upon his interest only to define the preconditions for the presidency. When he manipulated the law, it was clearly seen that his party, the

²⁸⁹ Fouad Ajami, “The Arab Spring at One: A Year of Living Dangerously”, **Foreign Affairs**, Vol. 91, No. 2 (March/April 2012), pp. 56-65.

²⁹⁰ Muzaffer Ercan Yılmaz, “Arap Devrimleri ve Ortadoğu’nun Yeniden Yapılanması”, **Ortadoğu Analiz**, Cilt: III / 27, Mart 2011, pp. 47-48.

²⁹¹ Nebahat Tanrıverdi O. Yaşar, “Komplo Teorileri ve Ortadoğu’da Sokak Siyaseti”, **Ortadoğu Analiz**, Cilt: V / 57, Eylül 2013, p. 22.

Democratic Constitutional Rally (CDR), was the only one to meet and fulfill the parliamentary prerequisites and achieved the majority of legislative seats.²⁹²

Under that regulation, while the Tunisian Workers' Communist Party (Parti communiste des ouvriers tunisiens– PCOT) and the Renaissance Party (Nahdha) – were declared to be illegal, five parties were legalized in Tunisian political agenda all of which had an anti-Islam, centralist, and pro-urban identity. These were: the Party of People's Unity (Parti de l'Unité Populaire – PUP); the Social Party for Progress (Parti Social pour le Progrès–PSP); the Socialist Coalition for Progress (Rassemblement Socialiste Progressiste–RSP); the Unionist Democratic Union (Union Democratique Unioniste–UDU); the Tunisian Communist Party (Parti Communiste Tunisien–PCT), later it was re-founded as the Movement Ettajdid (Mouvement de la Rénovation–Ettajdid); and the Movement of Socialist Democrats (Mouvement des Démocrates Socialistes – MDS).²⁹³

Even though the diversity of political parties' participation was high, tensions increased on the issue of legitimacy and Ben Ali again held the majority of seats in 1994 elections. In the five elections he won, Ben Ali did not receive less than 85% of the votes.²⁹⁴ In this regard, it can be suggested that although Tunisia allowed some degree of political pluralism, it has never made it pluralistic in a true sense at that time because the only factor that determined the country's destiny was always the head of state. It was the president, who determined domestic politics as well as external politics.

During the time of Ben Ali, there was a relatively softening period between 1987 and 1989. However, in the 1989 elections, the Democratic Constitutional Rally (CDR), Ben Ali's party, won 80.48% of the votes, while 19.52% of the opposition won the election giving rise to the diminishing of the relatively moderate political period. In the face of the election results, Ben Ali carried out a kind of liquidation process for the permanence of his power. About 5 to 7 thousand people from the Islamists were imprisoned and many were exiled. Neither Habib Bourguiba and nor Zine El Abidine

²⁹² Guadalupe Martínez Fuentes, “Divisive electoral policies within authoritarian elections: the Tunisian casuistry (1989-2009)”, *The Journal of North African Studies*, Vol. 15, No. 4, December 2010, p. 525.

²⁹³ Ibid.

²⁹⁴ Ibid, pp. 525-526.

Ben Ali allowed the opposition in any real sense. However, Ben Ali allowed it partly in the 1989 elections, but he began to oppress opposition shortly after the election results were announced.²⁹⁵

Another destructive factor that undermined the Ben Ali regime is was nepotism. For instance, although Leila Ben Ali who married Ben Ali in 1992 with an insufficient education background, began to run the most influential institutions with her family members. During that period, one of the main criteria to get permission for running a business, or getting job opportunity in public and/or private sector, or even obtaining a credit to sustain your business was to know a member of 'family'. The corruption was accompanied with nepotism and became a daily routine for officials. It can be said that almost the whole of the Tunisian economy had been controlled by Ben Ali's relatives ranged from banks, car dealerships to real estate and grocery stores. For instance, in 2006, a \$3 million luxury yacht called the Beru Ma disappeared off the coast of Corsica. A few weeks later, the vessel cruised into the Tunisian port of Sidi Bou Said with a fresh coat of paint and a new set of registration papers. The man reportedly behind the caper was Leila's nephew Imed Trabelsi.²⁹⁶

Zine El Abidine Ben Ali escaped from the country on January 14, 2011, after 23 years of repressive ruling. Contrary to the dissatisfaction of the Tunisian people with Ben Ali's years in power, Ben Ali was supported by the western states, and albeit tragic he was seen as a guarantor of stability and secularism in Tunisia. As a matter of fact, following the overthrow of Ben Ali, political Islamist structures under pressure in Tunisia have been strengthened. Rashid Ghannouchi, the exiled leader of the Ennahdha movement, also known as the 'Islamic Movement', banned by the Ben Ali administration, returned to his country at the beginning of the rebellion and was

²⁹⁵ Angelique Chrisafis in Tunis and Ian Black, "Zine al-Abidine Ben Ali forced to flee Tunisia as protesters claim victory", **The Guardian**, 15 January 2011, Retrieved from: <https://www.theguardian.com/world/2011/jan/14/tunisian-president-flees-country-protests>, [Accessed: 14 October 2017]

²⁹⁶ Babak Dehghanpisheh, "Tunisia's Ben Ali and Family Ran A Mafia State", **The News Week**, 23 January 2011, Retrieved from: <http://www.newsweek.com/tunisias-ben-ali-and-family-ran-mafia-state-66921>, [Accessed: 14 October 2017]

welcomed by a mass of people.²⁹⁷ Following the overturning of the Ben Ali regime, the permission of establishment of Ennahdha party had been granted by the Tunisian Transitional Government, and later on, the Tunisian Constituent Assembly elections held in October 2011, by 37% of the votes with 89 seats as a victorious party was Ennahdha. The Constituent Assembly of 217 seats undertook all the authority of the Transitional Government and was tasked with preparing a new constitution draft within a year.²⁹⁸

It can be said here that, despite the appearance of the self-immolation of Mohammed Bouazizi as a trigger factor of the uprising, larger masses played critical roles. In that sense, the young cyber activists, the well-educated unemployed young, the trade union movements, the lawyers and civil society organizations, and also opposition parties' members have played an important role.²⁹⁹

3.2.1.2. Economic Factors

Economic difficulties also provided a powerful basis for the eruption of the Arab Spring. Inequalities in income distribution, widespread poverty, corruption, favoritism, and chronic unemployment were among these economic difficulties. Especially the high unemployment rate among educated young people had caused social tensions in Tunisia.³⁰⁰ More than half of the country's territory are agricultural lands, but unfortunately, most of these fields are not arable. Contrary to this, Tunisia's stable and competitive economy has made itself one of the strongest economies in the region. Tourism sector and service sector are the indispensable sources of livelihood of Tunisia. Besides these, phosphate production is also an important source of income. The tourism

²⁹⁷ Veysel Ayhan, "Tunus isyanı: Arapların Devrim Ateşini Yakması", **Ortadoğu Etütleri**, Vol. 3 No. 2, Ocak 2012, p. 78.

²⁹⁸ Ibid

²⁹⁹ European Commission Directorate-General for Economic and Financial Affairs, "**Labour Markets Performance and Migration Flows in Arab Mediterranean Countries: Determinants and Effects**", Volume 1, Final Report & Thematic Background Papers No. 60, April 2010, p.30, Retrieved from: http://ec.europa.eu/economy_finance/publications/occasional_paper/2010/pdf/ocp60_1_en.pdf, [Accessed: 13 March 2018]

³⁰⁰ Adeel Malik and Bassem Awadallah, "The Economics of the Arab Spring", **World Development**, Vol. 45, 2013 pp. 296-297.

sector constitutes the biggest stake of the income. In addition, the service sector, agriculture, textile, and light industry are other sources of income.³⁰¹

Following the proclamation of the Republic of Tunisia, the state intervened largely in the economy until the 1970s. As a result of colonialism, the land that was taken away by foreigners was expropriated and distributed to the public in 1964. Private sector incentives have increased since 1972, but the full transition to the free market economy took place in 1987. The socialist economic policies hindering foreign investments in the 1960s led to the devaluation of the Tunisian dinar for the first time in 1964. The disorder and the bust in the economy pushed the people into the struggle for equal living rights which later on caused a widespread uprising.³⁰²

Even though Tunisia began an endeavor of industrialization after it gained independence, the country has not achieved a developed economy. One of the reasons is related with above-mentioned economic conditions, the other one is a misinterpretation of Bourguiba period policies which refers to the Neo Destour Party's position and Bourguiba's stance as a 'One Man'. At that time, young population realized the loss of democratic governance of Bourguiba's party as Bourguiba headed towards to buckle down the state apparatus and there was no place for heroic past of the Neo-Destour in the eyes of youth.³⁰³

Under these circumstances, increasingly protestors got into trouble with the regime, which resulted in attempts to reform the economy. Habib Bourguiba took over Ahmet Ben Salah who is was a former economy minister and ex-chairman of the General Union of Tunisian Workers (UGTT), due to the concerns of his policies on following socialist economy politics, and Habib Ashure, a liberal economist, was appointed instead of Salah. This was a symbol of reform initiatives. However, attempts for the transition to the liberal economy had not been successful until 1987 due to the opposition's efforts on the social economy.³⁰⁴

³⁰¹ Emma C. Murphy, **"Economic and Political Change in Tunisia: From Bourguiba to Ben Ali"**, Macmillan Press, New York, 1999, pp. 81-82.

³⁰² Murphy, pp. 82-83.

³⁰³ Ibid, pp. 50-52.

³⁰⁴ Ayhan, "Tunus isyanı: Arapların Devrim Ateşini Yakması", p.64.

In this regard, Tunisia faced economic difficulties during the mid-1980s and carried out both IMF's and the World Bank's packages on stabilization reforms and market-oriented policies. As a consequence of these policies, total income poverty reduced and people's access to health and education amenities significantly increased in Tunisia. For instance, expenditures on education and health doubled during the 1986-2002 period, while expenditure on social welfare increased by 214%.³⁰⁵ Although there was an improvement in welfare and social policies as an instrument to hold power in the regime's hand and to control over Tunisian society, most Tunisians were willing to accept the lack of political freedom as the price to pay for socio-economic development and welfare.³⁰⁶

Another problematic issue associated with employment conditions in Tunisia, followed by increasing tendencies on the unemployment rate which leads to periodic riots in the country where the education level was high under the Ben Ali government. That period also illustrated the challenges inherited by Bourguiba's government policies. According to the Global Employment Trends 2010 Report, on the one side, the unemployment rate is high in the region, whereas the problems related to the quality of employment have become chronic for the country.³⁰⁷ The report also pointed out that existing jobs have a low profile, are unsecured, provide poor payment, and are ineffective for managing basic needs.³⁰⁸

In the meantime, President Ben Ali created a monopoly in possession of all major investments of the country and for his family members and relatives such as his wife Laila and her siblings were leading all initiatives from the pharmaceutical industry to all communication channels, including also shipbuilding, banking, food, and beverage sectors.³⁰⁹ In addition to these nepotistic practices, as the World Bank indicates,

³⁰⁵ Maria Cristina Paciella, "Tunisia: Changes and Challenges of Political Transition", **Medpro Technical Report**, No. 3, April 2011, pp.3-4, Retrieved from: <https://www.ceps.eu/publications/tunisia-changes-and-challenges-political-transition> , [Accessed: 20 October 2017]

³⁰⁶ Ibid.

³⁰⁷ Nebahat Tanriverdi, "Background of The Tunisian Revolution", **Alternative Politics**, Vol. 3, No. 3, November 2011, p. 559.

³⁰⁸ Ibid.

³⁰⁹ "Labour Markets Performance and Migration Flows in Arab Mediterranean Countries: Determinants and Effects", p. 30.

unemployment rates in Tunisia did not decrease much but have always risen. The total unemployment rate reached 13% in 2010, the unemployment rate among young people was 29.39% while the unemployment rate among university graduates was 32%.³¹⁰

It can be said that the Tunisian people began to question the regime as a result of this worsening situation. While the level of education increased through free education, the unemployed educated population grew and the majority of the unemployed educated young population had s become unhappy. For this reason, it is possible to see such kinds of economic reasons behind the uprisings.

3.2.1.3. Social Factors

Looking at the pre-revolutionary period of Tunisia, it gives the impression that there was no suitable environment for the revolution. Tunisia had higher living standards than its neighbors such as Algeria and Libya. The national income per capita was almost twice that of Morocco and Egypt, and it was in a better position in areas such as poverty reduction, literacy, education, population control, and women's rights.³¹¹ Despite the lack of oil wealth, Tunisia has a large middle class, produces and exports textiles and olive oil. On the other hand, it welcomes hundreds of thousands of European tourists every year. Along with the revolution, this seemingly good situation was detected as an illusion, especially in the rural areas, where local residents' frustration began to intense on authority's arbitrary practices and unemployment.³¹²

From the independence of the country, the state dominance over Tunisian society can be seen. The government elites intentionally hold the power to control society in every manner in order to make people directly obey the rules. Under these circumstances, Tunisian civil society was also restricted and regulated by government

³¹⁰ **The World Bank**, "World Development Indicator: Tunisia", Retrieved from: <http://databank.worldbank.org/data/reports.aspx?source=world-development-indicators&Type=TABLE&preview=on>, [Accessed: 20 October 2017]

³¹¹ Eric Goldstein, "A Middle-class Revolution", in **Revolution in the Arab World Tunisia, Egypt, and the Unmaking of an Era**, Eds. Mark Lynch, Susan B. Glasser, and Blake Hounshell, Washington DC: Foreign Policy, Slate Group, 2011, pp. 66-67.

³¹² Goldstein, pp.67-69.

policies, too. There was no place for people and public voice in politics and the police forces acted in the name of government interests, where opposition groups came across the police brutality in general. Therefore Tunisian people began to feel unsafe and had no feeling of belonging to the state.³¹³

The upheaval spread to widespread masses through the reflection of economic problems to social life. Despite the threats of imprisonment and torture, teachers, students, workers and lawyers attended Sidi Bouzid, where clashes occurred between residents and the police following the public suicide of Mohammed Bouazizi. The uprising emerged due to the people's desire for freedom and their rights, and also there was growing discontent on poverty, unemployment, and corruption within the society. Tunisian young people are not satisfied because they are not familiar with the authoritarian structure like their parents are, and they supported the uprising with other people who shared the same strains for changing this situation.³¹⁴

In this context, increasing number of civil society organizations can be seen including a large number of voluntary associations with domestic organizations that cover a great variety of activities such as; human and women's rights along with artistic and cultural activities which came into existence through social reforms during both Bourguiba and Ben Ali periods. However, their roles did not extend to questioning the state authority. For instance, one of the Tunisian lawyer and human rights defender Mohammed Abbou was sentenced to three-and-a-half years in prison accusing of posting internet articles that criticized the Tunisian authorities in April 2005 and a year later in April 2006, human rights defender Lasad Juhri was harassed and intimidated by Tunisian the security forces as a result of the establishment of Torture Victims against Impunity.³¹⁵ The majority of these organizations were supported and created by the

³¹³ Kareem Fahim, "Slap to a Man's Pride Set Off Tumult in Tunisia", **The New York Times**, 21 January 2011, Retrieved from: <http://www.nytimes.com/2011/01/22/world/africa/22sidi.html>, [Accessed: 25 October 2017]

³¹⁴ Yasmine Ryan , "How Tunisian Revolution Began", **Al-Jazeera**, 26 January 2011, Retrieved from: <http://www.aljazeera.com/indepth/features/2011/01/2011126121815985483.html>, [Accessed: 25 October 2017]

³¹⁵ Mervat Rishmawi and Tim Morris, "Overview of Civil Society in the Arab World", **International NGO Training and Research Centre (INTRAC)**, October 2007, Praxis Paper, No. 20, pp. 22-23,

regime in order to control them or force them to follow state policies and ten or less of these organizations like International Federation of Human Rights, the Tunisian Association of Democratic Women (ATFD), and the National Council for Tunisian Liberties (CNLT) carried out their activities apart from the state intervention in sensitive areas such as human rights and civil liberties.³¹⁶

For this reason, most of the Tunisian civil societies are government-organized non-governmental organizations (GONGOs), as they legally exist but acted as a state propagation agency with supporting political leaders. For example, in 2009 elections 8,500 associations declared their support to Ben Ali regime in the press briefing.³¹⁷ In general, these associations can be seen as a part of pluralist society and have a positive role, but in reality, most of them have played a deceptive role and they do not go further than state propaganda instrument. For instance, although Amnesty International has operated its activities in Tunisia, it was not allowed to conduct meetings within the country.³¹⁸

Another factor which contributed to uprisings is related to women's position. In that sense, it can be said that Tunisia has a high esteem and honor of being the most progressive women-friendly country in the MENA. The 1956 Tunisian Code of Personal Status legislation abolished polygamy and established women's legal equality in most manners and besides this, another significant phase took place in the 1990s with citizenship law embodied in the Tunisian Code of Nationality.³¹⁹ In contrast to what happened in the 1950s, during the 1980s and 1990s, women's associations emerged with a feminist discourse which made women's rights as a forefront of public debates. This was a period women's rights advocates when they made their voices heard.³²⁰ Other

Retrieved from: <https://resourcecentre.savethechildren.net/node/1999/pdf/1999.pdf>, [Accessed 1 November 2017]

³¹⁶ Freedom House, **"Countries at the Crossroads 2011: An Analysis of Democratic Governance"**, Eds. Christopher Walker and Vanessa Tucker, Rowman & Littlefield Publishers, New York, 2011, p. 658.

³¹⁷ **"Countries at the Crossroads 2011: An Analysis of Democratic Governance"**, p.659.

³¹⁸ Ibid.

³¹⁹ Mounira M. Charrad, "Tunisia at the Forefront of the Arab World: Two Waves of Gender Legislation", **Washington and Lee Law Review**, Vol. 64, 2007, p. 1514.

³²⁰ Charrad, "Tunisia at the Forefront of the Arab World: Two Waves of Gender Legislation", pp. 1522-1523.

reforms on women's rights were inaugurated during the Ben Ali regime in the 2000s, with regard to marriage contraction, alimony, and custodial rights over children.³²¹

Although there were increasing positive points on women's rights, the problem emerged from brutal police forces stances. Ben Ali strengthened the security structure and suppressed any opposition voices. Tunisia's security structure consisted of 35,000 personnel in military force; 130,000 of them are security forces; 8,000 of in Presidential guard and 20,000 of them are the National Guard.³²² The security structure also comprised of political police, tourism police, and university police.³²³

Under Ben Ali's dictatorship, women have exposed the police' harassment and violence. The security forces humiliated women, roughed them up on the streets, and tortured them as brutally as men were. Besides these, rapes and sexual assaults were systematically handled as a form of torture. One of Tunisian woman said that, although Ben Ali did a lot of feminization, there had been further rape cases and violations against women.³²⁴ Therefore, a number of well-known female journalists, activists, and their colleagues took part during the Tunisian insurgency.

In this regard, demonstrations began first in disadvantaged regions in response to marginalization and social exclusion. These regions could not or did not take a share by from national development. For example; the absolute poverty rate in Sidi Bouzid was 20.7% in 1990, it decreased by 19.6% in 2000, whereas in Kasserine the absolute poverty rate was 19.3% in 1990, later on, rose to 30.7% in 2000.³²⁵ While the country

³²¹ Mounira M. Charrad, and Amina Zarrugh, "The" Arab Spring and Women's Rights in Tunisia", **E-International Relations**, 4 September 2013, Retrieved from: <http://www.e-ir.info/2013/09/04/the-arab-spring-and-womens-rights-in-tunisia/>, [Accessed: 29 October 2017]

³²² Peter. J. Schraeder and Hamadi Redissi, "The Upheavals in Egypt and Tunisia: Ben Ali's Fall", **Journal of Democracy**, Vol. 22, No. 3, July 2011, p.6.

³²³ Ibid.

³²⁴ Carlotta Gal, "Women in Tunisia Tell of Decades of Police Cruelty, Violence and Rape", **The New York Times**, 28 May 2015, Retrieved from: <https://www.nytimes.com/2015/05/29/world/africa/women-in-tunisia-tell-of-decades-of-police-cruelty-violence-and-rape.html>, [Accessed: 29 October 2017]

³²⁵ African Development Bank, "**Economic Brief - Poverty and Inequality in Tunisia, Morocco and Mauritania**", 2011, p.9, Retrieved from:

https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/North%20Africa%20Poverty%20Anglais%20ok_North%20Africa%20Quarterly%20Analytical.pdf [Accessed: 15 November 2017]

was enriched by one side, the standards of living in these two cities were either never changing or getting worse. So, it must not be surprising that the feeling of exclusion felt by these people, who could not benefit from the development of their countries, caused growing anger among them, which precisely led to uprisings that started in these two cities.

3.3. THE HISTORY OF TUNISIAN CIVIL SOCIETY

Tunisia's pre-colonial period, ranging from its native roots in Berber heritage to being ruled by the Ottoman Empire, was exposed to the influence of numerous types of governments with political and social systems. From time to time, however, the Berber population has seized independence and succeeded in establishing short-lived kingdoms, such as Massinissa, Jugurtha, and Juba.³²⁶ These non-centralized systems considerably conducted to social capital and self-determinate governing traditions' which was essential for the foundation of democratic governance and civil society in the future. Following by the Ottoman Empire period, the Ifriqiya region was divided into three regencies (ojaks); Tripoli, Tunis, and Algiers, that can be roundly seen as forming the process of the modern borders of these states.³²⁷

These decentralized governance structures had provided North African states greater autonomy than other colonized territories. Although the colonial rule continued over the region, these governance systems relatively contributed to the political and civil life for local systems of each region. Under these circumstances, amid the states under the Ottoman rule, Tunisia asserted itself as distinctly progressive.³²⁸ For example, in the legislative perspective, Tunisia was the first state in the region to adopt a bill of rights in 1857 and then a constitution in 1861.³²⁹

³²⁶ Nikhsoy C. Chatterji, **Muddle of the Middle East Vol.1**, Abhinav Publications, New Delhi, 1973, p. 213.

³²⁷ Chatterji, p. 214.

³²⁸ Mounira M. Charrad, **States and Women's Rights: The Making of Postcolonial Tunisia, Algeria, and Morocco**, University of California Press, Berkeley-Los Angeles, London, 2001, pp. 89-91.

³²⁹ Amor Boubakri, "Interpreting the Tunisian Revolution: Beyond Bou'azizi", in **Routledge Handbook of the Arab Spring: Rethinking Democratization**, Ed. Larbi Sadiki, Routledge-Taylor and Francis Group, London-New York, 2015, pp. 65-67.

Later on, under the French administration structure, the colonial period had engendered a fertile environment for the civil society's improvement in Tunisia through its developed administrative structures and political bodies. As Charrad enunciates that while Tunisia was under French rule in 1881, it had already a well-established political system with advanced administrative structures, a strong foreign trade tradition between the political center and the rural areas, with a relatively homogeneous population at its national borders.³³⁰

In the meantime, the country's colonial past experiences furnished in an expansion of civic thoughts through absorbing of liberal French values, substantial advancement in political activism via movements against the external occupation. During the 20th century, there was a beginning of the trade unions' diffusions through the help of those civic thoughts and activism which also played a constructive role in political bodies and civil society organizations. In that sense, while the General Federation of Tunisian Workers was founded by Mohammed Ali al-Hammi in 1924, it then combined with other 'unions' under the General Union of Tunisian Workers (Union Générale Tunisienne du Travail, the UGTT) formed in 1946 and one year later Farhat Hached was elected as the first General Secretary of the UGTT.³³¹

Prior to his appointment as the General Secretary of the UGTT, he was a member of the French General Confederation of Labor (CGT) and he learned union organizing and activism during that period which could be seen as one of the imponderable results of French colonialism on Tunisian civil society. Later on, the UGTT gained the majority of masses' support, positioned itself to initiate the popular demands which applied pressure over French rulers for further political and social rights in the names of Tunisians.³³² In the end, through expansion of, non-governmental organizations with unions, improvements on the education system, the media influence on the public, and

³³⁰ Charrad, **States and Women's Rights: The Making of Postcolonial Tunisia, Algeria, and Morocco**, p. 97.

³³¹ Mohamed-Salah Omri, "The labour union movement and 'alternative' culture in Tunisia: the long view of a close relationship", in **Where are the Unions?: Workers and Social Movements in Latin America, Middle East and Europe**, Ed. Sian Lazar, Zed Books Ltd, London, 2017, p. 66.

³³² Omri, pp. 67-68.

the strengthening of nationalist movements against the French protectorate, flourishing of civil society took place in Tunisia during the colonial period.

This study's objective is to analyze the civil society's role in Tunisian political culture with the above-mentioned sections. Civil society term will be used to cover wide-scope of non-state organizations which are seeking to defend a common sense of public interests including women's rights organizations, individual lawyers, Tunisian youths, and activists. As is well known, Tunisia was ruled by only two heads of government from its independence in 1956 to 2011 uprising. During the Habib Bourguiba's and Zine El Abidine Ben Ali's presidencies, Tunisia was governed by a monist system which did not allow for the possibility of pluralism. But especially during the Bourguiba period, Tunisia had undergone a serious modernization process, in which modern and democratic values were tried to be placed in society and politics. Although these values were set by the government's will, it is very important today in the analysis of Tunisian social and political culture. Therefore, in this section so far, the factors leading to the Jasmine revolution and historical events affecting the transformation of the emergence of Tunisian civil society are examined.

In the following sections, the civil society evolution process during the Habib Bourguiba and Zine El Abidine Ben Ali period will be examined and Tunisian civil society after the revolution and the developments in these processes will be examined in the next chapters.

3.3.1. The History and Development of Tunisian Civil Society During And After the Independence

Tunisia has always been at the cutting edge in terms of civil society capacity in comparison to other Arab countries. There are a number of reasons behind it. First of all, there are no ethnic and religious divisions and conflicts in Tunisia that are common in

many Arab countries. According to indicators, 98% of the population are Muslims with 2% Christian, Judaism and other religions.³³³

Another reason is that the country has followed a serious educational policy since the Bourguiba period, the founder of the Tunisian independent state. Community education has been one of the priority policies covering a significant part of the state budget since the establishment of the Tunisian state. This has led to the formation of a seriously educated middle class in Tunisia, and the middle class has a major role in the development of civil society.³³⁴ For example, Tunisia adopted liberal policies to support the private sector in the trade and industry, and also Tunisia was the first Arab country that banned Arab Socialism. In Tunisia, where the socialist ideology is generally unsuccessful, more liberal policies have dominated and this has opened the way for civil society to become widespread and empowered in the country. Finally, perhaps the most important reason is that the Tunisian state has given free reign to the development of civil society, in general starting from the Bourguiba's period but particularly from the 1980's, which witnessed a variety of organizations of civil society.³³⁵

Although the civil society is highly developed in Tunisia compared to other Arab countries, non-governmental organizations (NGOs) have not achieved a significant development in terms of number and political activities due to a habit of granting civil society as a controlled freedom by the heads of state. Therefore, between 1956 to January uprisings, Tunisian society was governed by a classic form of single-party state with its own rules as an apparent pluralism and managed the sources of pluralism so as to moderate them within the single-party framework.³³⁶ However, there are two important dates in which civil society organizations demonstrated their strength in the country. The first one was during Zine El Abidine Ben Ali came into power instead of the Bourguiba regime in 1987, and the second was the 2011 revolution's aftermath. Though the number of non-governmental organizations swiftly increased in 1987 when

³³³ World Population Review, “**Tunisia Population 2018**”, 14 February 2018, Retrieved from: <http://worldpopulationreview.com/countries/tunisia-population/>, [Accessed: 14 February 2018]

³³⁴ Hamdy Abdel Rahman Hassan, “The State and civil society in Africa: A North African perspective”, **African Journal of Political Science and International Relations**, Vol. 3 No. 2, February 2009, p. 74.

³³⁵ Hassan, pp. 75-76.

³³⁶ Zartman, p. 11.

Ben Ali was president, this situation lasted only two years, and the trend of the increase after 2011 will be seen in the processes going on in Tunisia.³³⁷

While the years of 1988-1989 and 2011-2012 witnessed the rapid rise of NGOs in Tunisia, the NGOs established at these dates are quite different from each other in terms of quality. While NGOs established in the first period aimed to improve the education especially in primary schools, the institutions opened in 2011-2012 aimed to encourage human rights.³³⁸ Most of the civil society organizations were established to play a part in a pluralistic political system on a ground tied to the rules of law during the post-revolution period of 2011. These organizations have spread to many areas, such as workers' and employers' unions and charities at a local and regional level.

Looking at civil society organizations before 2011, it is seen that these were merely constitutive elements contributing to the national government's political system operations, and these organizations were incompatible with social reality and were far from unveiling the real problems over society. In this way, there were less civil society organizations which were not state controlled. These were the Tunisian General Labour Union (the UGTT), The Tunisian Human Rights League (Ligue tunisiennedes droits de l'homme, the LTDH), the Tunisian Association for the Struggle against Torture (the ALTT), the National Council for Liberties in Tunisia (the CNLT) and feminist organizations.³³⁹

After the revolution, civil society organizations have experienced many changes in quality as well as in quantity. First of all, the main agenda of civil society organizations after revolution include democracy, human rights, citizenship, freedom of expression, social development, fight against censored, gender equality and women's rights, local and regional development, and solidarity.³⁴⁰ As can be seen, the period of

³³⁷ Rumeysa Köktaş, Tunus Politik Kültüründe Sivil Toplum: Tarihsel Bir Analiz, **Ormer Perspektif Serileri**, Nisan 2016, No. 18, p. 2.

³³⁸ Foundation for the Future, "Study on Civil Society Organizations in Tunisia", **Foundation For The Future Report**, January 2013, p. 7, Retrieved from: <http://africanphilanthropy.issuelab.org/resource/study-on-civil-society-organizations-in-tunisia.html> pp.1-86, [Accessed: 5 November 2017]

³³⁹ **Foundation For The Future Report**, p. 8.

³⁴⁰ **Foundation For The Future Report**, pp. 10-11.

Bourguiba and Ben Ali regimes and the post-revolutionary period in Tunisia offer two separate pictures to interpret the adventure of civil society organizations. In this respect, it will be valuable to examine the civil society in these periods.

3.3.1.1. Tunisian Civil Society During the Habib Bourguiba Period

Tunisia is seen as relatively more liberal and democratic than any other Arab regime. The most basic reason for this is the policies applied during the Bourguiba period. In the years of Bourguiba period, a decisive process of modernization took place and in this process improvements were made on women's rights such as granting women right's to elect and to be elected, prohibition of polygamy and secular and progressive modernization was adopted in many different ways associating itself intimately with the French rationalist tradition and France itself. Institutionalization of civil society within these modernization practices had also become one of the outstanding topics in the period of Bourguiba.³⁴¹

When civil society in Tunisia is said to be institutionalized for the first time under Bourguiba's rule, it should be underlined that there was no autonomous and independent structure of these institutions. Because although modernization and democratization processes were the main policies of Bourguiba, monopoly and authoritarian rule were also the effective political tendencies in this period.³⁴² Hence, strict measures had been taken to ensure that the civilization of Tunisian democracy in Bourguiba period was institutionalized, while at the same time these organizations were of a quality that did not constitute an opposition voice contrary to the one-party regime.³⁴³

In this context, Bourguiba's most basic method was to cooperate with these NGOs by giving place to the executive branch of some organizations at the highest

³⁴¹ Eva Bellin, "Civil Society in Formation: Tunisia", in **Civil Society in the Middle East Vol. 1**, Ed. A. Richard Norton, E. J. Brill Publishing, Leiden, 1995, p. 126.

³⁴² Abder-Rahmane Derradji, "Tunisia: From Bourguiba's Era To The Jasmine Revolution & Fall of Ben Ali", **Adam Akademi**, No. 2, 2011, pp. 38-39.

³⁴³ Yusuf Yaman, "Tunus'ta İstikrarın Formülü: Üç Sacayağı", **Bilecik Şeyh Edebali Üniversitesi Sosyal Bilimler Enstitüsü Dergisi**, Cilt. 3, Sayı. 1, Haziran 2018, p. 25.

positions in the party. Thus, one of the most important characteristics of the NGOs was that the state-independent and the non-profit-oriented working principle was destroyed and instead a state-led civil society understanding had been settled. In addition, during the Bourguiba period, the financial support for these organizations was provided by the state, while those organizations independent of the state were subjected to severe pressure from the state.³⁴⁴

After the breakdown of NGOs' autonomy in the Bourguiba era, the development that brought these institutions under state control came with the Law on Associations under the 1959 Constitution. According to this law, freedom of expression and of the press, of assembly and of institutionalization was only possible under the conditions that were appropriate to the legislation.³⁴⁵ Moreover, the law provided that NGOs could be charitable organizations, women's groups, sports, arts, scientific and cultural organizations, however political organizations such as democracy, and human rights could not be allowed. Another noteworthy issue was that the institutional functioning of NGOs became subject to the approval of the Ministry of Internal Affairs. According to this ruling, the Ministry of the Interior had an authority not to allow any NGOs due to a violation of the law and moral values, and with the grounds that they constituted a menace to the social order.³⁴⁶ This decision led to the closure of many NGOs during the Bourguiba regime, which resulted in the condemnation of a large number of people.³⁴⁷

The UGTT was the most resilient union against these strict policies, which Bourguiba followed in the face of polyphony. Since 1956, when the state gained its independence, this union, which was very active and had a large number of members, exhibited an important stand against the anti-state rhetoric and protest.³⁴⁸ But, while the UGTT began to gain social support, a large part of anti-government action had caused the union to be perceived as a serious threat by the government and it came under

³⁴⁴ Bellin, p. 124.

³⁴⁵ **World Intellectual Property Organization (WIDO)**, "The Constitution of Tunisia, 1959", pp. 2-3, Retrieved from: http://www.wipo.int/wipolex/en/text.jsp?file_id=188948, [Accessed: 10 June 2018]

³⁴⁶ **International Center for Not-for-Profit Law (ICNL)**, "LAW NO. 154 OF 1959", p. 8, Retrieved from: <http://www.icnl.org/research/library/files/Tunisia/154-1959-en.pdf>, [Accessed: 10 June 2018]

³⁴⁷ Christopher Alexander, **Tunisia: Stability and Reform in the Modern Maghreb**, Routledge, London, New York, 2010, pp. 40-41.

³⁴⁸ Ibid.

intense pressure. In particular, at the end of the 1970s, the state followed a bloody solution for the union's activities, and the soldiers killed many trade union members and many members were imprisoned.³⁴⁹

In the 1980s, Bourguiba began to pursue softer policies in the face of pluralism. Because the Islamic movement gained a stronger position against the government and the fact that Bourguiba's breaks within his own party had encouraged him to pursue more liberal policies. Two of its key indicators were the softening of relations with the UGTT and the legalization of the LDTH, which was the first human rights institution in Tunisia.³⁵⁰

In sum, two of the most fundamental characteristics of the Bourguiba period from 1959 to 1987 include the existence of a strict modernization process followed by a social and political context and the adoption of an authoritarian conception of governance that did not allow for pluralism under a single party rule. The authoritarian policies that followed in this period directly affected the modernization process and the modernization policies were applied so as not to affect the single party system. One of the most fundamental outputs of this situation was that civil society could not develop in the real sense. Many non-governmental organizations were established in this period, but they had always remained in a more passive position that could not penetrate into the state, were governed by politics and could not bring social issues to forefront except for charity work. Those which were independent of the state were subjected to serious pressure by the state.

3.3.1.2. The Civil Society During the Zine El-Abidine Ben Ali Period

Afterward, of Habib Bourguiba, Ben Ali's coming to power was met by many Tunisians with hopes that liberties would develop in the country and the oppression would end. Because when Ben Ali was president in 1987, the greatest promise was to open a new era of political freedoms in the country, completely different from the old regime. These hopes were found in the first years of Ben Ali, and many political

³⁴⁹ Ibid, pp. 47-49.

³⁵⁰ Bellin, pp. 131-132.

prisoners were released, and the attitude towards the Islamic Tendency Movement, the most important opposition Islamic group, was softened by the state. Also, obtaining an approval for civil society organizations from the Ministry of Interior was facilitated by the law enacted in 1988.³⁵¹ But, this positive atmosphere commenced to change at the beginning of the 1990s, and Ben Ali began to spread its authoritarian policies like the predecessor to the political and social space.³⁵² Civil society was also affected by authoritarian policies, and the period of Ben Ali was a time when civil society had been obstructed in Tunisia and NGOs could only function in cooperation with the state.

From the beginning of 1990, some restrictive rights were given to the Ministry of Interior and other Party apparatuses to neutralize NGOs that would pose a threat to state authority. In addition, different control mechanisms were put in place to ensure that NGOs did not violate the national consensus. During this period, the Ministry of Interior was given the task of granting approval for the establishment of NGOs as well as strengthening pro-government positions by financing NGOs.³⁵³ Yet, another way for the regime to neutralize the civil society organizations was through creating an equivalent civil society organization stand against the other organization which was against the regime. The government thus broke the effectiveness of the NGOs that could pose a threat.³⁵⁴

An important change in NGOs in Tunisia took place in 1992 with the amendment concerning the associations. According to this arrangement, organizations with general character were obliged to include everyone in its structure who expressed their commitment to their own mission and ideals.³⁵⁵ This arrangement allowed the people assigned by the party or those directly involved in the government to easily infiltrate the

³⁵¹ Lisa Anderson, “Political Pacts, Liberalism, and Democracy: The Tunisian National Pact of 1988”, **Government and Opposition**, April 1991, pp. 249-252.

³⁵² Vickie Langohr, “Too Much Civil Society, Too Little Politics: Egypt and Liberalizing Arab Regimes”, **Comparative Politics**, Vol. 36, No. 2, January 2004, pp. 183-185.

³⁵³ Daniel Lawner, “Tunisian Civil Society Before and After the Revolution”, in **Tunisia: Understanding Conflict 2012**, Ed. Terrence Hopmann and William Zartman, Johns Hopkins University School for Advanced International Studies, Washington-Bologna-Nanjing, 2012, p. 118.

³⁵⁴ Ibid.

³⁵⁵ Lawner, p.119.

NGOs' structures so that there were no free areas of NGOs independent of the government.³⁵⁶

During the following decade, the harassments, arrests, and imprisoned of journalists, bloggers, human rights activists, and political opponents of the government had been continued by the authorities. Under these circumstances, civil society in Tunisia still suffered weaknesses as the banning all activities reached from organizations to the streets and from the broadcast stations to internet networks. Those organizations which pursued political objectives and activities were legally prohibited by government sanctions. Under Ben Ali regime, especially human rights groups had been obliged to act with illegal bodies in order that pretends them as performed illegal activities in the eyes of the public.³⁵⁷ For example, in mid-2009, a virtual coup was organized in the National Union of Tunisian Journalists by pro-government forces, and afterward, major leadership positions within the union were seized which led to Ben Ali's nomination in the presidential election.³⁵⁸

It is crucial to state here that, in the early period of his reign, Ben Ali promised to release political prisoners. But, being relieved from imprisoning was practically not a release at all. The surveillance of citizens continued through restrictive control mechanisms and these mechanisms were also implemented in civil society organizations. It was difficult for NGOs to manage their research without being surveillance by the security forces. That meant even although people participated in peaceful demonstrations, the authorities kept watching an eye on those who engaged in such activities and government officials easily accused them of unfair accusations.³⁵⁹ For example, as Amnesty International reported, Ben Ali released 68 political prisoners who participated in peaceful protests in 2009. The authorities, on the other hand, claimed that those people participated in pursuing to create a criminal group to destroy

³⁵⁶ Ibid.

³⁵⁷ Freedom House, **Tunisia: Freedom in the World 2011**, Retrieved from: <https://freedomhouse.org/report/freedom-world/2011/tunisia>, [Accessed: 1 November 2017]

³⁵⁸ Ibid.

³⁵⁹ André Chiesa, **A New Era? Civil society and the Tunisian revolution**, 2013, Lund University Department of Political Science, p.12, Retrieved from: <http://lup.lub.lu.se/student-papers/record/3798440>, [Accessed: 7 November 2017]

public and private property, as well as armed attacks and revolts to government officials while performing their duties.³⁶⁰

After Bourguiba, Ben Ali reigned from 1989 until the year of the revolution in 2011. During this period, Tunisia was again governed by a dictator and his authoritarian policies, which had influenced all aspects of society, from politics to economic life. Ben Ali's autocratic administration was characterized by corruption and nepotism.³⁶¹ In Tunisia, between the years 1956 and 2011, Habib Bourguiba's Neo-Destourian Party and later the Destourian Socialist Party (PSD) and Zine El Abidine Ben Ali's Rassemblement Constitutionnel Démocratique (RCD), exercised different strategies to limit the civil societies' actions in order to abolish any opposition against their regimes and tried to make them as fragmented and impotent.³⁶² In that sense, Lawner articulates that; while Bourguiba pretended to promote a strong civil society and encouraged mass political mobilization, Bourguiba was actively manipulated opposition figures while at the same time treated different factions against each other. But Ben Ali was a more oppressive figure than Bourguiba. Ben Ali closely monitors and strictly controls all kinds of opposition movements, while concurrently maintained a thin layer of democratic openness.³⁶³

Therefore, there had been no improvement and development in civil society, as it was in the Bourguiba period, and civil society had been limited to all areas. This led to civil society's institutionalization under the state monopoly during the Ben Ali's and Bourguiba's periods in Tunisia.

³⁶⁰ Chiesa, p.13.

³⁶¹Malikat Rufai, "Defining the Uprising", in **Tunisia: Understanding Conflict 2012**, Ed. Terrence Hopmann and William Zartman, Johns Hopkins University School for Advanced International Studies, Washington-Bologna-Nanjing , 2012, pp. 17-18.

³⁶² Lawner, p. 116.

³⁶³ Ibid.

CHAPTER FOUR

ASSESSING THE IMPACT OF CIVIL SOCIETY ON DEMOCRATIC TRANSITION IN TUNISIA

In Tunisia, the number of non-governmental organizations is was around ten thousand in 2011. “By early 2018, the 9,000 social and cultural NGOs had grown into a hodgepodge of political, economic, religious, social, cultural, and good administration organizations that numbered 21,400 strong.”³⁶⁴ Among these organizations, those with the lowest rate of 1% are engaged in human rights, while the highest number of organizations are engaged in improvement and development.³⁶⁵ Organizations that existed under the political setting of the regime until the revolutionary period, have been supplanted by the new generation civil society organizations with the revolution process. Since January 2011, 310 cases of citizenship, 190 cases of rights and 68 cases of women’s rights organizations have been established, and 494 new cases in working on scientific issues, 43 cases of children’s rights, 63 cases of youth and 167 cases of non-governmental organizations have started to operate in Tunisia.³⁶⁶

Although the civil society organizations’ participation showed a growing tendency between the years 2013 and 2014³⁶⁷, it is still completely not widespread. Therefore, while Tunisia can be seen as a democratic success example of the Arab Spring and showed higher levels in democratization, as Amnesty International report showed, worsening conditions for individual activists and civic space have occurred due to the extension of the public emergency in Tunisia.³⁶⁸

³⁶⁴ Brian Klass and Marcel Dirsus, “Non-Governmental Organizations, International Organizations, and Civil Society in Tunisia”, **Nato Open Publications**, March 2018, p.8, Retrieved from: <https://www.openpublications.org/single-post/2018/03/28/Non-Governmental-Organizations-International-Organizations-and-Civil-Society-in-Tunisia>, [Accessed: 01 March 2018]

³⁶⁵ **Foundation The Future Report**, p.11.

³⁶⁶ **Foundation The Future Report**, pp.11-12.

³⁶⁷ “Civil Society Organizations in Tunisia”, **Varities of Democracy (V-DEM)**, 08 April 2015, Retrieved from: <https://www.v-dem.net/en/news/civil-society-organizations-tunisia/>, [Accessed: 01 March 2018]

³⁶⁸ “Tunisia: Abuses in the name of security threatening reforms”, **Amnesty International**, 10 February 2017, Retrieved from: <https://www.amnesty.org/en/latest/news/2017/02/tunisia-abuses-in-the-name-of-security-threatening-reforms/>, [Accessed: 05 April 2018]

The space for civil society expanded with the new Tunisian Constitution's Article 35 which guarantees the freedoms to form and run associations regulated by Decree-Law 2011-88.³⁶⁹ But, while a declaration for registration is enough for organizations, and those organizations can only be dissolved by a judicial decision, the law includes a restrictive limitation on foreign donors from countries with which Tunisia has no diplomatic relations, or from organizations that advocate the interests and policies of those countries.³⁷⁰ Following that, in November 2017, over 198 organizations were dissolved by the government, referring them to courts on charges of being not fixed financial regularities or obtaining foreign funds to support terrorism that moderately is seen as an indirect contravention of the provision.³⁷¹

4.1. TUNISIAN CIVIL SOCIETY DURING AND AFTER THE JASMINE REVOLUTION

4.1.1. Tunisian Civil Society During the Jasmine Revolution

The stance of Tunisian civil society is clear that all civil society actors along with Tunisian people have been willing to involve d in the transitional process. However, the civil society activism prior to the revolution was relatively limited and the authoritarian state heavily controlled the regulation apparatus on all activities of these organizations in Tunisia. Following the overthrow of the Ben Ali regime, Tunisian civil society experienced establishment of more than 2,000 new associations offering new platforms for expression including blogs, newspapers, TV talk shows, magazines, radio stations, cinema, public art, and comedy by 2012.³⁷² In that sense, the Tunisian 'transition' has

³⁶⁹ **Civicus**, "Association", 01 November 2016, Retrieved from: <https://monitor.civicus.org/newsfeed/2016/11/01/association-Tunisia/>, [Accessed: 05 April 2018]

³⁷⁰ Ibid.

³⁷¹ Wafa Ben-Hassine, "Tunisian Civil Society's Unmistakable Role in Keeping the Peace", **The Atlantic Council**, 19 January 2018, Retrieved from: <http://www.atlanticcouncil.org/blogs/menasource/tunisian-civil-society-s-unmistakable-role-in-keeping-the-peace>, [Accessed: 31 January 2018]

³⁷² **Freedom House**, Countries at the Crossroads 2012: Tunisia, Retrieved from: <https://freedomhouse.org/report/countries-crossroads/2012/tunisia>, pp. 3-5, [Accessed: 15 November 2017]

been accepted as an exceptional accomplished story among the many Arab countries in the 2011 Arab Spring and its aftermath.³⁷³

Along with other civil society groups, one of the lawyers' associations called as the Bar Association called upon its members to hold a national demonstration ahead of the courthouses in Tunis and other cities to protest against government abuses and to shield human rights with civil liberties on December 31st, 2011.³⁷⁴

During the uprising, President Ben Ali was compelled to depart the country by Tunisian protestors in January 2011, and the various actors that played a substantial role in the uprisings had managed to shape the political transition. At that time, the High Council for the Realization of the Goals of the Revolution, Political Reforms and Democratic Transition enabled Tunisian civil societies, political parties, and numerous trade unions representatives to prepare the elections as a cooperation function on April 5th, 2011.³⁷⁵ Yet, while all the political and legislature institutions and actors had played a significant role during the transition process, Tunisian civil society has assumed as a key stakeholder on demanding the public engagement in the process of drafting the new constitution.

While cyber activists, youth groups, and women had played a crucial role in widening the movement, it can be said that the civil society organizations such as; the UGTT, the LTDH, Tunisian National Order of Lawyers (the ONAT), the ATFD, and the National Syndicate of Tunisian Journalists (the SNJT) acted more visibly and instigated the uprising for the favor of themselves independently from the state apparatus. These organizations declared a strike on 12 January, helped to form a national coalition against the regime, joined youth into the uprising and linked needs with political demand.³⁷⁶

³⁷³ Arch Puddington, Discarding Democracy: Return to the Iron Fist 2015, **Freedom House**, pp.6-7, Retrieved from: https://freedomhouse.org/sites/default/files/01152015_FIW_2015_final.pdf, [Accessed: 15 November 2017]

³⁷⁴ Alcinda Honwana, **Youth and Revolution in Tunisia: African Argument**, Zed Books Eds., New York, 2013, p.66.

³⁷⁵ Timo Behr and Aaretti Siitonen, "Working Paper – Building Bridges or Digging Trenches? Civil Society Engagement after the Arab Spring", **The Finnish Institute of International Affairs**, No. 77, January 2013, pp.15-16.

³⁷⁶ Honwana, pp. 67-69.

Throughout the four-years of constitution drafting period, the civil society directly monitored and commented on the drafting process, while served to express a public voice in the political spectrum and stood as a counterpoise to the political elites' power. The civil society boosted for transparency, accessibility and public participation during the constitution-making process. One of the main efforts of the NGOs was to involve citizens into reconstruction period because "when citizens are confident that their voices have been heard, the Constituent Assembly also gains in legitimacy."³⁷⁷ One of the clearest examples of that approach can be seen in youth actions before and after the revolution. Sarah Dickson has analyzed voter trends in Tunisia showing different aspects of political opinion among Tunisian people. With respect to the young people, the majority of them abstained themselves from politics and were not participated in political agenda prior to the revolution, but they have, now, extremely interested in political developments and most of them have become aware of their needs and demands.³⁷⁸

The struggle for Tunisian revolution was also seen in social media platforms like; Facebook pages and Twitter feeds or in internet forums and blogs which led to a cyberwar between Tunisian cyber activists and young bloggers and the government due to the fact that the regime censored the social networks to prevent information distribution and to prevent government abuses to be seen. In that sense, some of the cyber activists' actions such as Slim Amamou, Aziz Amami, Bullet Skan, and Housem on formulating, organizing, and sharing ideas about their political insurgency through the Internet was critical in revealing the regime's abuses and brutalities to the Tunisian citizens and to the world.³⁷⁹

³⁷⁷ The Carter Center, "The Constitution Making Process in Tunisia: Final Report 2011-2014", **The Carter Center**, 23 October 2011, p.58, Retrieved from: <https://www.cartercenter.org/.../tunisia-constitution-making-process.pdf>[Accessed: 01 January 2018]

³⁷⁸ Sarah Dickson, "To Vote or Not to Vote: Youth Political Agency in Post-Revolutionary Tunisia", **Independent Study Project (ISP) Collection 4**, No. 1, 2013, p. 13, Retrieved from: http://digitalcollections.sit.edu/isp_collection/1626, [Accessed: 01 January 2018]

³⁷⁹ Alcinda Honwana, "Youth and the Tunisian Revolution", **The Conflict Prevention and Peace Forum**, September 2011, pp. 8-11, Retrieved from: http://webarchive.ssrc.org/pdfs/Alcinda_Honwana,_Youth_and_the_Tunisian_Revolution,_September_2011-CPPF_policy%20paper.pdf, [Accessed: 3 January 2018] pp. 1-24.

The Islamist organizations which were weak throughout the Bourguiba's and Ben Ali's periods due to the influence of political hegemony started to gain political identity simultaneously increasing in number with the revolutionary process. In the beginning, the religious charities were not powerful enough and established on loose structures, in contrast to their secular counterparts.³⁸⁰ But in this process, the Islamic NGOs defined themselves differently from secular organizations.³⁸¹ They differentiated themselves from other social actors, mainly focusing on local needs and means, and gained support for finding solutions to the problems of disadvantaged segments of society. In this period, they also created shared databases to avoid duplicative interventions.³⁸²

On the other side, Salafis, 'a Sunni Muslim who emulates the example of Prophet Mohammed and his first generations of followers', in Tunisia participated demonstrations during the revolutionary movement process as well and raised demands for the establishment of a constitution based primarily on sharia.³⁸³ Some of them resorted to protests, threats, and/or violence to challenge the government, as well as journalists, artists, labor union activists, academics, and women, assumed insufficiently humble.³⁸⁴ Although a majority of political Salafis groups voted for Nahdha in the October 2011 elections, it should be noted here that, hallmarking Ennahdha supporters as Islamists and the party's opponents as seculars would not be appropriate in the Tunisian political context. As Rachid Ghannouchi, Ennahdha's philosophical and political leader stated; "Salafism is not rooted in the Tunisian heritage and was inspired

³⁸⁰ Ester Sigillo, "Tunisia's Evolving Islamic Charitable Sector and Its Model of Social Mobilizations", **Middle East Institute**, 15 September 2016, Retrieved from: <http://www.mei.edu/content/map/which-civil-society-post-revolutionary-tunisia> [Accessed: 05 January 2018]

³⁸¹ Ibid.

³⁸² Ibid.

³⁸³ Monica Marks, "Youth Politics and Tunisian Salafism: Understanding the Jihadi Current", **Mediterranean Politics**, Vol. 18, No. 1, March 2013, p.108.

³⁸⁴ Alexis Arieff and Carla E. Humud, "Political Transition in Tunisia", **Congressional Research Service Report**, October 22, 2014, p.5, Retrieved from: <https://fas.org/sgp/crs/row/RS21666.pdf>, [Accessed: 06 January 2018]

instead by the experiences of torture in prison as well as the lack of a moderate alternative.”³⁸⁵

Besides those, Tunisian women's and feminist organizations participation in the uprisings performed a decisive role during the uprising and can be seen as critical to the success of the democratic transition. Before the revolution, during the 1980s, the Tahar Haddad Club was founded and the women feminist magazine *Nissa* was launched in 1985, and from that time onwards, two of the frontmost women's organizations started to emerge.³⁸⁶ The ATFD and the AFTURD were formed respectively in 1982 and in 1986 to empower women's status and rights and to enable women to encounter diverse internal views and to consider their desire for liberty from institutions and parties.³⁸⁷

The first relatively noteworthy step took place as women's and feminist organizations distributed information through internet channels and organized meetings with other actors and provided some sort of materials such as pictures and videos during the revolution. On the one hand, women increased their voices against dictatorship and violence in an attempt to improve women's knowledge, and on the other hand, they targeted traditional religious and cultural patterns on discrimination, which excluded a certain gender that is women from the public sphere. In August 2011, the Tunisian parliament passed the CEDAW law (Convention on the Elimination of All Forms of Discrimination against Women),³⁸⁸ and right after, President Beji Caid Essebsi called for two revisions. First one is Tunisia's inheritance law, and the second one is the abolition of a 1973 ban that prevented Muslim Tunisian women to marry non-Muslims.³⁸⁹

Other civil society groups organized numerous conferences, roundtables, and workshops on the content of the different drafts creating a public space that became an

³⁸⁵ Jennifer Nath, "Islamism and Laïcité in the Tunisian Constitution", in **Tunisia: Understanding Conflict 2012**, Ed. Terrence Hopmann and William Zartman, Johns Hopkins University School for Advanced International Studies, Washington-Bologna-Nanjing, 2012, pp. 53-54.

³⁸⁶ Giulia Daniele, "Tunisian Women's Activism after the January 14 Revolution: Looking within and towards the Other Side of the Mediterranean", **Journal of International Women's Studies**, Vol. 15, No. 2, July 2014, p. 19.

³⁸⁷ Ibid.

³⁸⁸ Daniele, p. 17, p. 25.

³⁸⁹ Katie Nadworny and Danielle Villasana, "Grassroots efforts in Tunisia to advance women's rights", **PRI's the World**, 06 November 2017, Retrieved from: <https://www.pri.org/stories/2017-11-06/grassroots-efforts-tunisia-advance-women-s-rights>, [Accessed: 10 January 2018]

arena for debate, reconciliation, and learning to accept difference. For instance, the Tunisian Association of Constitutional Law (ATDC) often in partnership with the Association for Research on the Democratic Transition (ARTD) organized a conference.³⁹⁰ Furthermore, while Al Bawsala, which means compass, acted as a monitoring structure made up by young Tunisian activists and journalists distributed information to other civil society organizations for advocacy efforts;³⁹¹ on the other side the ATIDE, Conscience Politique, Free Sight Association, I Watch, Jeunesse Sans Frontières, Lam Echaml and Ofyia Center organized a set of debates between citizens and elected members of the Constituent Assembly.³⁹²

It can be suggested here that, Tunisian civil society has served two key functions, on one hand, they try to provide a controlling mechanism on state institutions and on the other side hand to they offer new ways for citizens to engage in the process through various perspectives. Furthermore, during the constitution period, civil society has facilitated a dialogue between the actors participated in drafting the new constitution and Tunisian society while helping the citizens to understand and to explain the issues under debate.³⁹³ Jemail indicates the contribution and significance of NGOs' efforts in this period as; more than 6,000 citizens, over 300 non-governmental organizations and university representatives, have established a nationwide dialogue for the drafting of a new constitution.³⁹⁴ As a result of the dialogue efforts, the new constitution was overwhelmingly approved by 216 members of the 200 Tunisia's National Constituent Assembly members. Together with the Constitution, civil society groups have also been lobbying for new legislations entry into force for the rights to access information. In addition, civil society groups have collaborated with international development

³⁹⁰ Carter Center, p. 73.

³⁹¹ Rangita de Silva de Alwis, Anware Mnasri, and Estee Ward, "Women and the Making of the Tunisian Constitution", **Berkeley Journal of International Law**, Vol. 35 No: 1, 2007, pp.117-118.

³⁹² Merve Birdane, "Arap Baharı Sürecinde Tunus'un Demokrasiye Geçişinde Sivil Toplumun Rolü", **International Journal of Humanities and Social Science Invention**, Vol. 6, Issue. 10, October 2017, p.93.

³⁹³ Carter Center, p. 72.

³⁹⁴ Donia Jemail, "Tunisian civil society: from revolutionaries to peace keepers", 15 October 2015, **The World Bank**, Retrieved from: <http://blogs.worldbank.org/arabvoices/tunisian-civil-society-revolutionaries-peace-keepers>, [Accessed: 12 January 2018]

organizations in a variety of areas ranging from developing business skills among young people to contributing to social stability, to improve services in backward regions.³⁹⁵

In that sense, the constitution-making process came to the agenda as a vital stage to present the need for reforms while underlying the social and economic inequities in the Tunisian case. Through underlying the needs of Tunisian society and insisting on the participation of all actors as mentioned above in this chapter, civil society organizations could “even confront deep-seated regional, ethnic, or religious issues in a way that top-down elite-driven constitutional reform may not.”³⁹⁶

4.1.2. Tunisian Civil Society After the Jasmine Revolution

The uprisings that started with the self-immolation of one of the Tunisian street vendors, Mohammed Bouazizi, on December 17, brought many changes in the politics and social life of the country at this point. The revolts started against the dictatorial regime’s policies in the country and expanded due to massive oppression, inequality and unjust actions of the regime revealing ed public demands for a free, equal and fair social and political life.³⁹⁷

After the uprising, elections took place on 23 October to determine the National Constituent Assembly (NCA) in charge of preparing the constitution within one year in accordance with the statutory decree, and the results were announced on October 27th, 2011 and resulted in a three-party coalition or ‘troika’ among the Ennahdha Party, the Congress for the Republic (the CPR), and the Ettakatol.³⁹⁸ According to these results, the Ennahdha Party (the Renaissance Party), often described as ‘moderate Islamist’, won 41% of the votes and won 89 seats in the 218-member National Constituent Assembly and formed the largest political group in the Assembly. In the meantime, the CPR party

³⁹⁵ Jemail, “Tunisian civil society: from revolutionaries to peace keepers”

³⁹⁶ Jason Gluck and Michele Brandt, “Participatory and Inclusive Constitution Making”, **Peace Works**, January 2015, No. 105, Retrieved from: <http://www.usip.org/sites/default/files/PW105-Participatory-and-Inclusive-ConstitutionMaking.pdf>, p.12, [Accessed: 21 January 2018]

³⁹⁷ Mohamed A. El-Khawas, “Tunisia’s Jasmine Revolution: Causes and Impact”, **Mediterranean Quarterly**, Vol. 23, No. 4, Fall 2012, pp. 9-10.

³⁹⁸ Prudence Buxton, “The Post-Transition Constitutional Process”, in **Tunisia: Understanding Conflict 2012**, Ed. Terrence Hopmann and William Zartman, Johns Hopkins University School for Advanced International Studies, Washington-Bologna-Nanjing, 2012, p. 85.

under Moncef Marzouki's leadership won 13% of the votes and gained 29 seats as the second largest group in the Assembly, and the left-wing Ettakatol (Democratic Forum for Labour and Liberties, the FDTL) gained 20 seats. Besides those, the Al Aridha Chaabia party, which means Popular Petition, became the fourth party with 19 seats and the Progressive Democratic Party became the fifth party with 16 seats. All other parties won 40 seats in total.³⁹⁹

Under the coalition agreement of 2011 October, the Ennahdha party made an alignment and shared authority with the two main left-wing parties. After the consensus, the General Secretary of Ennahdha, Hammadi Cibali was appointed as Prime Minister of Tunisia, the CPR led by Moncef Marzouki elected President of the Republic, and the Ettakatol party headed by Mustapha Ben Jaafar appointed the leader of the Parliament.⁴⁰⁰ While constitution drafting process continued the crises that took place in the political arena put the coalition government in a difficult situation. Especially, when Ennahdha rejected a proposal for Islamic sources of law, the Salafi opposition has resorted to mass demonstrations against the government. In this process, also efforts to set up an alternative justice system in accordance with Shari'a in line with the demands of the Salafists and their attempts to ban the sale of alcohol in the country made the secular segments uneasy. Ennahdha struggled to persuade the public that these extreme claims were not related to the party's vision.⁴⁰¹ In addition, the attack on the American Embassy over a film denigrating the Prophet Mohammed⁴⁰² and the assassination of left-wing figures Chokri Belaid and Mohammad Brahmi⁴⁰³ triggered the crises and threatened the entire transition process to a halt.

Under this chaotic context, the UGTT became the most influential civil society organizations that played a sensible part on spreading public demands on large and

³⁹⁹ Buxton, p. 85.

⁴⁰⁰ Koçak, pp. 44-45.

⁴⁰¹ Koçak, pp. 45-47.

⁴⁰² "Embassies under attack over anti-Islam video", 15 September 2012, **Al-Jazeera**, Retrieved from: <https://www.aljazeera.com/news/middleeast/2012/09/201291482159758224.html>, [Accessed: 14 January 2018]

⁴⁰³ Carlotta Carl, "Second Opposition Leader Assassinated in Tunisia", 25 July 2013, **The New York Times**, Retrieved from: <https://www.nytimes.com/2013/07/26/world/middleeast/second-opposition-leader-killed-in-tunisia.html>, [Accessed: 14 January 2018]

organized masses and to the cities rapidly. The UGTT was established in 1946 and undertook affluent actions in the independence war of Tunisia, the union is the largest and oldest opposition organization. The UGTT has more than 680,000 current members and 150 offices across the country within every governorates and district, it has constituted a credible alternative.⁴⁰⁴ The UGTT had also tried to maintain its activities during the Bourguiba and Ben Ali periods through the strike organization in 2008-2009, Gafsa and in 2010, Sfax.⁴⁰⁵ These activities were perceived as an important threat by the governments of Bourguiba and Bin Ali. Therefore, the UGTT, which has a stronger and more radical structure in Tunisia than other NGOs, has taken a more active role in the organization and spread of the rebellions compared with other NGOs.⁴⁰⁶

Considering the post-revolution civil society situation in Tunisia, it is seen that almost all of the restrictions imposed on the NGOs during the time of Ben Ali regime were abolished and many new civil society organizations emerged with the abolishment of these restrictions.⁴⁰⁷ On February 18th, 2011, the provisional government constituted the Higher Council for the Realization of Revolutionary Goals, Democratic Transition, and Political Reforms, and through this council, protective legislation on NGOs was introduced.⁴⁰⁸ The newly enacted law legalized the involvement of civil society organizations in political issues. Moreover, with the amendment of the law, it is now sufficient to register only by municipalities instead of obtaining permission from the Ministry of Interior for the establishment of a civil society organization. With 8,000 NGOs established in December 2010, this number increased to 20,000 as of June 2011 with the amendments that set the stage for the emergence of many new civil society organizations.⁴⁰⁹

In that sense, Tunisia's post-revolutionary reforms addressed the right of association and assembly for civil society organization (CSO) groups as well as for

⁴⁰⁴ Mohamed-Salah Omri, "No Ordinary Union: The role of UGTT in the Tunisian path to revolution and transition", **Workers of the World**, Vol. 1, No. 7, November 2015, pp. 18-20.

⁴⁰⁵ Kasper Ly Netterstrøm, "The Tunisian General Labor Union and the Advent of Democracy", **The Middle East Journal**, Vol. 70 No. 3, July 2016, p. 392.

⁴⁰⁶ Netterstrøm, pp. 393-394.

⁴⁰⁷ **Foundation by The Future Report**, p. 8.

⁴⁰⁸ Lawner, p. 120.

⁴⁰⁹ Ibid.

citizens. These include Article 26, which states that two or more associations can form an associations network; Article 29, stating that the network gains legal personality free from the personality of its member associations; and Article 30 stating that the network can affiliate branches of foreign associations in its membership.⁴¹⁰

Developments in Tunisian civil society after the revolution cannot be explained only by the increase in the number of NGOs because, after the revolution, civil society organizations have also fulfilled important missions in Tunisian political life, such as undertaking a mediation role. The clearest example of this took place in 2013 through the process of the National Dialogue by the Quartet members including the UGTT, the Tunisian Confederation of Industry Trade and Handicrafts (UTICA), the LTDH and the Tunisian Order of Lawyers. These negotiations were initiated, due to the revolt of the Tunisian people against the government and were then succeeded by the Quartet members through creating a consensus and dialogue atmosphere between the government and the Tunisian citizens after the killing of Mohammad Brahmi and Chokri Belaid from the opposition left leaders in 2013. Under the UGTT leadership, a roadmap for the government was issued as a result of the National Dialogue negotiations initiated by the Quartet members, and a new constitution was agreed on a definite date.⁴¹¹

After the Brahmi and Belaid assassinations in 2013, over ten thousand people were gathered in front of the National Constituent Assembly occupying the Bardo Square for more than two weeks and demanded the parliament to be dissolved. Many Tunisians believed that Ennahdha did not give any kind of executive orders, but accused Ennahdha of not fully implementing the laws and adopting a moderate approach to the

⁴¹⁰ Shelley Deane, "Transforming Tunisia: The Role of Civil Society in Tunisia's Transition", **International Alert**, February 2013, p. 23, Retrieved from: <http://www.international-alert.org/sites/default/files/publications/Tunisia2013EN.pdf>, [Accessed: 17 January 2018]

⁴¹¹ Gazete Monica Marks, "What did Tunisia's Nobel laureates actually achieve?", 27 October 2015, **Washington Post**, Retrieved from: https://www.washingtonpost.com/news/monkey-cage/wp/2015/10/27/what-did-tunisias-nobel-laureates-actually-achieve/?utm_term=.95e353680aee, [Accessed: 25 January 2018]

militant Islamists. For this reason, protestors put the main responsibility of assassinations and two years of mismanagement on Ennahdha.⁴¹²

After October 25th, 2013, when Ennahdha agreed to partake in the National Dialogue with the Quartet and the opposition parties to resolve the political dilemma and prepared a constitutional draft based on mutual consensus, the protestors subsided. With more than five hundred thousand members, UGTT is the only organization that can press for a solution on Ennahdha and is a leading force in the Quartet and the National Dialogue. In this confusion, General Secretary Hussein Abbasi forced political parties to come to terms and to agree.⁴¹³ Later on, in January 2014, a technocratic government took over the government of Ennahdha. Twelve days later, a constitution was adopted, guaranteeing the full equality of men and women, and recognizing Islam as the state religion without referring to Sharia. Lastly, the parliamentary elections were scheduled for October 2014.⁴¹⁴

On January 26th, 2014, the Constitutional Assembly of Tunisia approved the new constitution with the majority of 200 member's votes supported the draft, while only 12 of them rejected it.⁴¹⁵ As Houfman states, this implies that the referendum is no longer necessary for the approval of the new constitution.⁴¹⁶ The Quartet-four civil society organizations, which initiated consensus and dialogue talks in this crucial transition period for Tunisia in 2014, were also awarded the Nobel Prize in 2015. Tunisia's deserved recognition of civil society among the Arab countries, governed by repressive and authoritarian regimes, once again highlighted the importance of civil society in the political culture of the country.⁴¹⁷

⁴¹² Lassaad Ben Ahmed, "Who killed Al-Brahmi and Belaid?", 02 August 2013, **Al-Ahram Weekly**, Retrieved from: <http://weekly.ahram.org.eg/News/3602.aspx>, [Accessed: 25 January 2018]

⁴¹³ ST McNeil, "Tunisian Protesters Occupy the Streets as Parliament on Verge of Collapse", **The Truthout**, 01 August 2013, Retrieved from: <http://www.truth-out.org/news/item/17927-tunisian-protesters-occupy-the-streets-as-parliament-on-verge-of-collapse>, [Accessed: 01 February 2018]

⁴¹⁴ McNeil, "Tunisian Protesters Occupy the Streets as Parliament on Verge of Collapse"

⁴¹⁵ Klaus Hofmann, "Assessing Tunisia's New Constitution", 05 February 2014, **Democracy International**, Retrieved from: <https://www.democracy-international.org/assessing-tunisias-new-constitution>, [Accessed: 12 February 2018]

⁴¹⁶ Hofmann, "Assessing Tunisia's New Constitution".

⁴¹⁷ "The Nobel Peace Prize 2015 - Press Release", 10 October 2015, **The Nobel Prize**, Retrieved from: http://www.nobelprize.org/nobel_prizes/peace/laureates/2015/press.html, [Accessed: 12 February 2018]

As an outcome of the consensus and dialogue talk during the transition period, Tunisian constitution was adopted with two-thirds majority votes rather than a referendum. Such influential efforts to reach out and consult numerous actors during negotiation and drafting period helped to provide glorious legitimacy and support for the new constitution. In this regard, one of the Tunisian parliament members declared that although the constitution is not perfect, it is a sign of our consensus.⁴¹⁸

4.1.3. Tunisian Civil Society and February 2015 Presidential Elections

Another significant indicator for Tunisia to exhibit an example of democratic transition and to become a consolidated democracy was the presidential election of 2015, in which a liberal secularist party, Nidaa Tounes (Call for Tunisia), appeared as the largest party followed by the moderate Islamist Ennahda.⁴¹⁹ On October 26th, 2014, the elections for House of Representatives began and the Independent High Commission for Elections announced the results that the secular Nidaa Tounes won 85 of the 217 seats (37.56%), while Ennahda won 69 seats (27.79%) as the second party, with other smaller groups captured the rests.⁴²⁰ After the results, President Moncef Marzouki invited Nidaa Tounes to form a coalition government, and Habib Essid nominated as Head of Government by Nidaa Tounes was appealed to form a new government, but Essid could not obtain 109 members' support to ratify his government and ended up with no results to form a coalition with the Free Patriotic Union which was the third largest party in the parliament.⁴²¹

Besides that, the first period of the presidential elections, in which 28 candidates were competing, took place on 23 November 2014.⁴²² The second election for

⁴¹⁸ Gluck and Brandt, p. 10.

⁴¹⁹ Tarek Amara, "Tunisian PM-designate proposes new coalition cabinet", **Reuters**, 2 February 2015, Retrieved from: <https://www.reuters.com/article/us-tunisia-politics-government/tunisian-pm-designate-proposes-new-coalition-cabinet-idUSKBN0L60ZP20150202>, [Accessed: 15 February 2018]

⁴²⁰ Md. Muddassir Quamar, "Tunisia: Presidential and Parliamentary Elections, 2014", **Contemporary Review of the Middle East**, Vol. 2 No. 3, December 2015, pp.281-82.

⁴²¹ Tarek Amara, **Reuters**, 2015.

⁴²² "Tunisia election: Essebsi wins presidential run-off", 22 December 2014, **BBC**, Retrieved from: <http://www.bbc.com/news/world-middle-east-30579662>, [Accessed: 25 February 2018]

presidential run-off then took place among two-top placed candidates due to the fact that there was no winner in the first phase. In the second phase of presidential elections dated back to December 21st, 2014, Nidaa Tounes' nominee Beji Caid Essebsi, who was the Interior Minister under Habib Bourguiba and Interim prime minister in 2011 after the uprising, competed against incumbent Moncef Marzouki, the candidate of Congress for the Republic, also backed by Ennahdha and Essebsi gained 55.68% of the vote, while Marzouki secured 44.32 % of the vote.⁴²³

Finally, an inclusive new coalition government was announced by the Head of Government on 2 February 2015 including representatives of the Ennahdha Party and the Nidaa Tounes, the Free Patriotic Union and the liberals of Afek Tounes.⁴²⁴ Under Essid's leadership, the new inclusive coalition government was settled on February 5th, 2015, and the cabinet headed by Prime Minister Habib Essid was approved on Thursday by 166 members of the 217-seat parliament.⁴²⁵

During the presidential elections, Tunisian civil society's stance to promote transparent elections can be defined as a small but a crucial step for the country's path on democratization. It should be noted that despite the Independent High Authority for Elections (ISIE- its French acronym) was formed as a government agency to organize and monitor elections and referendums in mid-2014, due to fact that the head of the agency was not neutral and that some members still belonged to political parties and taking place of violations during the electoral process led to criticisms by the Tunisian Association for the Integrity and Democracy of Elections (the ATIDE).⁴²⁶

Throughout the electoral process, 28 observers participated under European Union, the Arab League sent a delegation to participate the observation process and more than 14,000 observers were appointed by civil society to supervise the elections for

⁴²³ **BBC**, "Tunisia election: Essebsi wins presidential run-off".

⁴²⁴ "Tunisia parliament approves unity government", 6 February 2015, **Al-Jazeera**, Retrieved from: <https://www.aljazeera.com/news/2015/02/tunisia-approves-coalition-government-150205123748042.html>, [Accessed: 01 March 2018]

⁴²⁵ **Al-Jazeera**, "Tunisia parliament approves unity government".

⁴²⁶ Hafedh Chekir, "The legislative elections in Tunisia - The start of a new phase or continuation of trench warfare?", **Arab Reform Initiative: Policy Alternatives**, 15 December 2014, p. 3, Retrieved from: <https://www.arab-reform.net/en/node/489>, [Accessed: 03 March 2018]

the sake of transparency and to guarantee the election process.⁴²⁷ Also, voter enrollment centers from each one of the 27 constituencies with six constituencies abroad were established by the ISIE and leased more than 2,000 registration workers to assist the registration process.⁴²⁸ In addition, roughly 600 fixed registration offices and almost 300 mobile offices were founded to ensure that all Tunisian citizens' desire to vote.⁴²⁹

Tunisian civil society appeared in determinant position during the democratic transition as during the electoral process Tunisian civil society monitored the electoral process and guaranteed integrity and transparency through registering voters and also supported "the then newly-established Independent High Authority for Elections in its work to avoid such problems in the presidential elections, followed by local council elections."⁴³⁰ In this regard, 2014 elections result was recognized as free and fair by international and local observers. Compared to 2011 elections, significant improvements were reported by international nongovernmental organizations, containing improved communication with the general public and domestic observers, and rapid and proactive reactions to international criticism and recommendations.⁴³¹

Nevertheless, Tunisia's election results and Nidaa Tounes' electoral victory did not mean that the country overcame the problems such as unemployment, economic growth, religion, radical Islam, women's rights, and state. Because each of these issues is associated with one another creating citizens' anger since 2011 and much of the security threats are imputed to Islamist groups and ideology.⁴³² One of the radical Salafi groups Ansar al-Sharia was banned in August 2013 accused of involving in the assassinations of well-known politicians Chokri Belaid in February 2013 and Mohamed Brahmi in July 2013. Moreover, a number of terrorist attacks were launched such as the assault at the Bardo National Museum in Tunis on March 18th, 2015, when 21 people

⁴²⁷ Chekir, pp. 3-4.

⁴²⁸ Avery Davis-Roberts, "Legislative and Presidential Elections in Tunisia", **Elections at The Carter Centre**, 28 December 2015, Retrieved from: <http://electionstandards.cartercenter.org/tunisia-election-observation-mission-report/>, [Accessed: 01 April 2018]

⁴²⁹ Ibid.

⁴³⁰ Chekir, pp. 4-5.

⁴³¹ Freedom House, **Tunisia: Freedom in the World 2015**, Retrieved from: <https://freedomhouse.org/report/freedom-world/2015/tunisia>, [Accessed: 29 April 2018]

⁴³² Quamar, p.283.

mostly European tourists died and the attack on the beach of Sousse city on June 26th, 2015, again targeted mainly European tourists were undertaken by the Islamic State (ISIS)⁴³³ which resulted in public emergency announced by the President Beji Caid Essebsi in 2015 that was renewed several times⁴³⁴ until 2018.

4.1.4. International Organizations' Support for Tunisian Civil Society in Democratic Transition

Although there were relatively few regional and international organizations operating in Tunisia before the revolutions, during the uprising many of them played a sensitive role to support Tunisian transition period. Numerous of those organizations started to cooperate with Tunisian civil society organizations such as the UGTT, the LTDH, the ATFD, The Forum Tunisien pour les Droits Economiques et Sociaux (FTDES) or the ONAT, through both sides' willingness to work on specific issues.⁴³⁵

In that sense, some of the international and state-independent actors which contributed to Tunisian democratic transition process such as; include the United Nations, the United Nations Economic and Social Council (ECOSOC), the International Human Rights Federation, the European Union, Friedrich Ebert Foundation (FES), the International Trade Union with European, Latin American and Arab Labour unions and regional organizations such as the Forum of Arab Women (AĪSHA), The Arab NGO Network for Development (ANND), Salma network against women violence, Institute for Arab Human Rights and Collectif 95 Maghreb-Egalité as well as Forum Social Maghrébin for Maghreb.⁴³⁶

⁴³³ Quamar, p. 284.

⁴³⁴ Helen Coffey, "The state of emergency has been in place since November 2015", **The Independent**, Friday 16 March 2018, Retrieved from: <https://www.independent.co.uk/travel/news-and-advice/tunisia-state-of-emergency-extended-safe-uk-tourists-holidays-what-means-a8259791.html>, [Accessed: 29 April 2018]

⁴³⁵ Jan-Erik Refle, "Tunisian civil society and its international links", **Conference Paper**, April 2016, pp. 13-14, Retrieved from: https://www.researchgate.net/publication/301771112_Tunisian_civil_society_and_its_international_links, [Accessed: 22 April 2018]

⁴³⁶ Refle, pp. 14-16.

The United Nations Development Program (UNDP) was the most important external sponsor of the transition process in Tunisia. The UNDP supported the development of institutional capacity of the National Constituent Assembly and at the same time carried out useful work in the participation of citizens and civil society to constitution drafting process.⁴³⁷ The Democracy Reporting International (DRI), an international NGO, provided expert services to many political parties and members of the NCA on international human rights.⁴³⁸ Other organizations, including the International Institute for Democracy and Electoral Assistance (International IDEA) and the Max Planck Institute, provided seminars, conferences, and expert services. The Venice Commission, the consultative body of the Council of Europe, also contributed to the process through legal experts as a consultant service offering some recommendations to the NCA.⁴³⁹ Also, Tunisia has strengthened the country's interaction with EU in a 'Privileged Partnership' and an ambitious ENP Action Plan by 2012. In particular after the revolution between the years 2011- 2016, EU economic assistance reached to EUR 2 billion that amount of EUR 1.2 billion in grants and €800 million in macro-financial assistance. Moreover, in September 2016, the Joint Communication Strengthening EU support for Tunisia was adopted to show the EU's commitment to Tunisian democratic and economic transition. Besides, the EU Delegation is responsible for over 70 projects, worth €58.5 million, funded by the European Instrument for Democracy and Human Rights (EIDHR), the Non-State Actors programme (NSA), the Civil Society Facility and ENPI/ENI instruments by 2016.⁴⁴⁰

Tunisian civil society organizations engaged in international links with other actors and also tried to influence international organizations in the Tunisian case on human rights. For instance, the FTDES criticized the neighborhood policy of the EU towards Tunisia as not being focused on human rights.⁴⁴¹ On the other side, Human

⁴³⁷ The Carter Center, p. 75.

⁴³⁸ Ibid, pp. 75-76.

⁴³⁹ Ibid.

⁴⁴⁰ European Commission, "Tunisia", **European Neighbourhood Policy And Enlargement Negotiations**, 6 December 2016, Retrieved from: https://ec.europa.eu/neighbourhood-enlargement/neighbourhood/countries/tunisia_en

⁴⁴¹ Refle, p.9.

Rights Watch (HRW) involved in the process by releasing reports highlighting women's rights, violations of discrimination and freedom of thought.⁴⁴² Also, organizations like UNESCO, UNICEF, and U.N. Women also advocated human rights and tried to impose international standards of human rights, children's rights, gender equality and freedom of thought in the Tunisian community throughout the constitution drafting process.⁴⁴³

Considering the economic, social and political struggles of Tunisia during and after the revolution, it was unavoidable for civil society organizations to look for economic assistance from foreign organizations.⁴⁴⁴ And during the transitional period, not only states but also major international organizations were involved to fund Tunisian civil society organizations on political reforms and activities. For instance, while the Qatar Emir, Sheikh Hama Ben Khalifa al Thani financed Ennahdha's 2011 election campaign through granting of US\$150 million to Ghannouchi, Saudi Arabia backed Tunisian Islamists peculiarly, and supported Salafist groups in general.⁴⁴⁵

Simultaneously, many international organizations and foreign states played an effective role in funding Tunisian civil society organizations and groups operating in the area of human rights including those with a focus on transparency, public voice, and accountability. At international level, United States Agency for International Development (USAID) and MEPI; the EU institutions, including the European Commission; EU member states; particularly France, Spain, Germany and Italy, the United Nations Development Programme (UNDP), the International Monetary Fund (IMF), the World Bank, the National Democratic Institute (NDI), the International Republican Institute (IRI), the Carter Center, Electoral Reform International Services (ERIS), Freedom House, the International Foundation for Electoral Systems (IFES), Search for Common Ground, the Euro-Mediterranean Human Rights Network

⁴⁴² The Carter Center, p. 77.

⁴⁴³ Carter Center, p.77.

⁴⁴⁴ Malak Chabkoun, "Foreign Funding to Tunisian CSOs Can Harm Social Capital", **Al Jazeera Center for Studies Report**, 16 March 2015, pp. 6-7, Retrieved from: <http://studies.aljazeera.net/en/reports/2015/03/201531692158762938.html>, [Accessed: 22 April 2018]

⁴⁴⁵ Kristina Kausch, "Foreign Funding in Post Revolution Tunisia", **Fride**, 20 May 2013, p. 11, Retrieved from: <http://fride.org/publication/1128/%E2%80%98foreign-funding%E2%80%99-in-post-revolution-tunisia>, [Accessed: 25 April 2018]

(EMHRN), and the German party foundations Konrad Adenauer, Friedrich Ebert, Friedrich Naumann and Hanns Seidel Stiftung have provided financial support to mitigate problems such as poverty, youth unemployment and corruption and encouraged a pluralist approach in Tunisia.⁴⁴⁶

Existing elements of the Tunisian justice system and rule of law are inadequate to abolish violations of human rights.⁴⁴⁷ Independent organizations applying the transitional law rules are engaged to work on to protect and to recognize the individuals' honors, to eliminate and compensate the violations. During the Jasmine revolution, in order to abolish any violations for the sake of Tunisian people, Tunisian civil society organizations intensely worked with many international organizations to get advice and resources to improve and protect human rights, consolidation of transparency, transitional justice and the rule of law.⁴⁴⁸ In that case, International Center For Transitional Justice (ICTJ),⁴⁴⁹ the Amnesty International⁴⁵⁰, Human Right Watch⁴⁵¹, Freedom House⁴⁵², the International Committee of the Red Cross (ICRC)⁴⁵³, the World Justice Project⁴⁵⁴, and the African Development Bank Group⁴⁵⁵ since the beginning of the Arab Spring in Tunisia, have supported the transition process, organized meetings and prepared and revealed numerous reports for the transition period to be democratic.⁴⁵⁶ In that sense, it can be seen in Tunisian case that, Tunisian democratic transition process supported by both domestic and external actors paved the way for a new democratic agenda for Tunisian people.

⁴⁴⁶ Kausch, pp. 12-13.

⁴⁴⁷ Deane, p. 22.

⁴⁴⁸ Klass and Dirsus, pp. 6-10

⁴⁴⁹ **International Center For Transitional Justice (ICTJ)**, Retrieved from: <https://www.ictj.org>, [Accessed: 28 April 2018]

⁴⁵⁰ **The Amnesty International**, Retrieved from: <https://www.amnesty.org>, [Accessed: 28 April 2018]

⁴⁵¹ **Human Right Watch**, Retrieved from: <https://www.hrw.org>, [Accessed: 28 April 2018]

⁴⁵² **Freedom House**, Retrieved from: <https://freedomhouse.org/>, [Accessed: 28 April 2018]

⁴⁵³ **The International Committee of the Red Cross (ICRC)**, Retrieved from: <https://www.icrc.org/>, [Accessed: 28 April 2018]

⁴⁵⁴ **The World Justice Project**, Retrieved from: <https://worldjusticeproject.org/>, [Accessed: 28 April 2018]

⁴⁵⁵ **The African Development Bank Group**, Retrieved from: <https://www.afdb.org/en/>, [Accessed: 28 April 2018]

⁴⁵⁶ Deane, pp.13-14.

As is seen, Tunisian civil society has a long history of activities and experiences which were mostly gained during the 1984 bread riots, later on, 2008 Gafsa uprising and the revolutionary process that started in 2011. Although the civil society tries to take steps within the framework of democratic rights and achievements in critical periods of the country's history, it still cannot be claimed that the democratic consolidation for Tunisia has been fully achieved. However, the activities of civil society have provided dramatic gains in the democratic consolidation of the 2011 and 2014 elections with the new constitution drafting process.

In the second chapter of the thesis; Diamond points out civil society's role in democratic consolidation and lists thirteen functions of civil society on a democratic consolidation process. The next section will examine Tunisian civil society organizations' attempts to ensure the necessary requisites to consolidate democratization process such as; the regional and international actors' involvement in the post-revolutionary process, providing pluralism, transparency and preserving individual rights in the electoral and constitutional processes with respect to the state institutions' and civil society organizations' activities and will claim that the civil society's existence in Tunisian political culture, since Tunisia gained its independence; have demonstrated its importance for democratic transition period and the relative success of democratic consolidation.

Even though during the election processes accusations about corruption in the money spent on campaigns and issues of violations occurred, these negativities have not been large enough to affect the outcome of the elections, and political actors accepted the results. All actors' desire for independent and fair voting, both increased the legitimacy of the election results and helped Tunisia to consolidate democracy during the transition period. In this context, Tunisia is at a crucial stage of transition, and although the discussions on the political polarization and the sustainability of political pluralism continue, it can be emphasized that achievements of the country have come a long way towards democratization.

For Tunisia, which has left eight years behind the revolution, today civil society organizations are key institutions in the country, which played a significant role on the

success of Jasmine revolution in Tunisia when compared with other countries. Because, in current Tunisian politics, the inclusion of many NGOs, especially the UGTT, in active politics, has demonstrated a noteworthy influence over the country's domestic and foreign affairs, also leading country to engage in the democratization process. The next section will examine the findings and results that were obtained in the aftermath of the transition period.

4.2. EVALUATING THE IMPACT OF TUNISIAN CIVIL SOCIETY ON DEMOCRATIC TRANSITION

The key function performed by civil society in Tunisia during the revolution is largely due to its active functioning since the beginning of the uprising, and its civil society knowledge going back to a long historical period. Non-governmental organizations, which were institutionalized since the 1920s, have actively participated in all major political events, thanks to the experiences they gained through important historical acquisitions such as transformation, independence, and the lessons they learned during periods of repression under pressure. In that sense, civil society organizations have faced many problems in economic and social fields during the process. It can be noted here that, Tunisian civil society has adopted a more determined attitude on the issue of democracy across the Arab world due to having a handicap of the inexperience of the new institutions and the worn-out of old ones, and also as a result of resistance on freedom of thought and pressures on the media.⁴⁵⁷

As mentioned in the first chapter, there are undoubtedly many definitions and types of democracy, which causes an 'uncertainty' on the concept. Various scholars working in this field stated that social change is crucial in the consolidation of democracy and economic development. On the other hand, toleration on differences and considering opposition voices that other parts of society may not like can be seen as another important requirement for democracy. In that sense, as Adney and Taggart

⁴⁵⁷ Messaoud Romdhani, "Challenges Facing the Civil Society in Tunisia", **Alternatives International**, 01 November 2012, Retrieved from: <http://www.alterinter.org/spip.php?article3889>, [Accessed: 05 March 2018]

underlined in their article, the obvious thing is that democracy is more than a plural term, and it would be better option to take into account quite varied patterns of how it works and how it develops. Also, it should be beneficial to being sensitive to an overly enthusiastic optimism about a democratic transition.⁴⁵⁸

Having considered these approaches on the concepts, the main question is, how has the Tunisian civil society contributed to the democratization process in Tunisia? In that sense, the following sections aim to analyze how Tunisian civil society managed the transition process, how it transformed its experiences into positive steps, and how Tunisian civil society fulfills its responsibilities.

4.2.1. Impact on Inclusive Participation, Transparency, and Accountability

Regarding the elections, civil society organizations have worked extensively to establish various commissions and to hold the election process in a healthy way in coordination with other political parties and international non-governmental organizations. Three leading independent national commissions were established in this process. The first one is the Higher Commission for the Fulfilment of Revolutionary Goals, Political Reform, and Democratic Transition (HIROR), the second one is the National Commission for the Investigation of Bribery and Corruption referred to as the Ben Amor Commission, and the last one is the National Commission to Investigate the Abuses Recorded during the period of December 17th, 2010 led by lawyer Taoufik Bouderbala.⁴⁵⁹

Ben Amor Commission was established to investigate bribery and corruption in the last 20 years and focalized on the corruption of Ben Ali period.⁴⁶⁰ The Bouderbala's Commission has focused on human rights violations since the beginning of the

⁴⁵⁸ Katharine Adeney and Paul Taggart, "Introduction: The Future of Democracy", **Government and Opposition**, Vol. 50, No. 3, July 2015, pp. 333-334.

⁴⁵⁹ S. El Gantri, "The Role of Lawyers as Transitional Actors in Tunisia", **Lawyers, Conflict and Transition Project**, Economic and Social Research Council, August 2015, pp. 3-4.

⁴⁶⁰ Amin Al-Ghali, "The journey of transitional justice in Tunisia: From civil movement to legislation", **UNDP in the Arab States**, 26 September 2016, p. 3, Retrieved from: <http://www.arabstates.undp.org/content/dam/rbas/doc/Compendium%20English/Part%202/32%20Amine%20Ghali%20EN.pdf>, [Accessed: 13 April 2018]

revolution and was established in relation to the responsibilities of the state.⁴⁶¹ The Higher Authority for the Achievement of the Revolution's Objectives, Political Reform and Democratic Transition (HAARO), established in March 2011, is a commission addressing the Tunisian reforms related to the democratic transition revolutionary purposes.⁴⁶² This commission has undertaken a dialogue process with the prime minister and served as a monitor to prepare and to reveal necessary reforms in the transition to democracy.⁴⁶³

Having a historical background from the pre-colonial period to the present days, the Tunisian civil society has taken part a significant action in public and other settlements' participation in the constitution drafting period. According to some reviews reports, instability can be seen during the transition period of the regime and that the initiation of democracy can be destabilized and caused controversion.⁴⁶⁴ In that sense, a new sustainable political governance can be achieved through the inclusion of both political and social settlements in a local and national level that are either state actors and institutions or also civil society organizations, community leaders, the private sector.⁴⁶⁵

Besides above, Tunisian interior and southern regions have a plentiful amount of natural resources and oil, gas and phosphates that have been produced over fifty-years representing 13 percent of total export in those regions.⁴⁶⁶ Ironically, those regions remained the poorest ones in the country. After the 2011 revolution, Tunisian civil society especially Al-Bawsala and an international NGO, the Natural Resource Governance Institute, launched some initiatives to emphasize the regional politics of the

⁴⁶¹ Domenica Preysing, **Transitional Justice in Post-Revolutionary Tunisia (2011-2013), How the Past Shapes the Future**, Springer Vs, Berlin, 2015, p. 104.

⁴⁶² El Gantri, pp. 4-5.

⁴⁶³ Ibid.

⁴⁶⁴ Alina Rocha Menocal, **"Inclusive political settlements: evidence, gaps, and challenges of institutional transformation"**, Birmingham, UK: International Development Department, University of Birmingham, pp. 9-10, Retrieved from: http://publications.dlprog.org/ARM_PoliticalSettlements.pdf, [Accessed:15 April 2018]

⁴⁶⁵ Ibid.

⁴⁶⁶ Marie Lintzer and Wissem Heni, "Lessons from Tunisia: Empowering Civil Society in the Post-Truth Era", 8 February 2017, **Brink**, Retrieved from: <http://www.brinknews.com/lessons-from-tunisia-empowering-civil-society-in-the-post-truth-era/>, [Accessed:15 April 2018]

issue.⁴⁶⁷ In that sense, the inclusion of Article 12 in the new constitution which represents a balance between regions and natural resource accountability⁴⁶⁸ and Article 13 which guarantees the Assembly's sovereignty and oversight over national contracts for natural resources in the name of Tunisian people⁴⁶⁹ can be counted as a first progressive step.

Another initiative launched by young-cyber activists in November 2011 was that Tunisia joined the Open Government initiative (OpenGovTn) to promote more accountable and responsive government, while engaging civil society to address how good governance and transparency should be for the government to follow.⁴⁷⁰ Tunisia also committed itself to the Extractive Industries Transparency Initiative (EITI), the global transparency standard. This initiative is expected to help the government to fight against the corruption and to provide Tunisian people information on reserves with the rights allocation and the public will see how much money their government receives from oil, gas and mining operations.⁴⁷¹

In this regard, higher commitment to inclusive, participatory and transparent processes has helped Tunisia to reach consensus on Tunisia's democratic transition and has led to growing legitimacy perception by the public.⁴⁷² As it is pointed out that the process of creating a transparent constitution is a process in which people are aware of what is happening at every stage of the process and information is easily accessible to them. Such endeavors also reveal the accountability principle. In the constitution-making process, citizens should not only be informed about the process or elections but

⁴⁶⁷ Lintzer and Heni, "Lessons from Tunisia: Empowering Civil Society in the Post-Truth Era".

⁴⁶⁸ Ibid.

⁴⁶⁹ Hannah Pannwitz, "Oil and Accountability in Tunisia: 'Winou el pétrole'", 5 August 2015, **openDemocracy**, Retrieved from: <https://www.opendemocracy.net/hannah-pannwitz/%E2%80%9Cwinou-el-p%C3%A9trole%E2%80%9D-oil-and-accountability-in-tunisia>, [Accessed: 15 April 2018]

⁴⁷⁰ Honwana, **Youth and Revolution in Tunisia**, 2013, pp. 119-120.

⁴⁷¹ Anders T. Kråkenes, "Tunisia commits to natural resource transparency through EITI", 6 June 2012, **The Extractive Industries Transparency Initiative (EITI)**, Retrieved from: <https://eiti.org/news/tunisia-commits-to-natural-resource-transparency-through-eiti>, [Accessed: 17 April 2018]

⁴⁷² **The Carter Center**, "The Constitution-Making Process in Tunisia Final Report: 2011–2014", p. 59.

should also be given a real opportunity to citizens reach out their direct opinions to the decision-makers involved in the preparation and discussion of the constitution.⁴⁷³

4.2.2. Impact on Women, Inequality, and Discrimination

In Tunisia, adoption of 1956 Personal Status Code, foundation of Tahar Haddad Club, the debut of women's feminist magazine of *Nissa* and the enuring of the Tunisian women legal status in terms of the equality of all citizens before the law with CEDAW in August 2011, has contributed to women emancipation over the MENA region countries as well as to women's involvement in political and social transformations.⁴⁷⁴

While problems related to women's political participation and representation still exist in most countries, this situation becomes an even more profound problem in Arab countries. Even though there exist various political systems among Arab countries, women's rights have been consistently restrained by all the governments in the region.⁴⁷⁵ In the Tunisian case, women status' are more or less the same as that of the Arab World. However, as Khedija Arfaoui, a leading women's rights activist and member of the ATFD stipulates "aside from a couple of key reforms, women in Tunisia are the 'most spoiled' of all women in the Arab World."⁴⁷⁶

In Tunisia, which is defined as the most reformist country in terms of women's rights among the Arab countries, the role of the state in being the main actor behind the change is important. In this respect, state feminism is an important concept in the Tunisian context. The concept means that whereas women's demand for their own rights creates a problem for the state before, the state takes control and grants women rights in a controlled way.⁴⁷⁷ In addition, Tunisian women have always been at the center of

⁴⁷³ Ibid.

⁴⁷⁴ Daniele, p. 17.

⁴⁷⁵ Fereydoun Hoveyda, "Arab Women and the Future of the Middle East", **American Foreign Policy Interests: The Journal of the National Committee on American Foreign Policy**, Vol. 27, No. 5, August 2006, p. 423.

⁴⁷⁶ Sarah O'Rourke, "Women's Rights in Tunisia: A "Non-Issue" at the Center of the Debate'', **in Tunisia: Understanding Conflict 2012**, Ed. Terrence Hopmann and William Zartman, Johns Hopkins University School for Advanced International Studies, Washington-Bologna-Nanjing, 2012, p.67.

⁴⁷⁷ Alcinda Honwana, **Youth and Revolution in Tunisia**, pp. 166-167.

debates between the secular regime and the Islamists. Both sides claimed that they had granted some rights to women. While the secular regime has offered women tolerance and political rights, Islamists have put forward cultural authenticity and traditionally defined gender roles.⁴⁷⁸ As a result of these debates, Tunisian women have achieved their rights through top-down, state-enforced legal reforms beginning with Bourguiba's revolutionary Code of Personal Status (CPS) and it continued with Ben Ali's progressive updates to the law.⁴⁷⁹

Tunisian women were actively involved in the uprising. They expressed their rights and demanded more politically than in the past. Women played an active role in attracting people to the squares, especially by actively using social media. During the uprising; activists, trade unionists, students, lawyers, bloggers, journalists all mobilized and intensely participated in demonstrations and took to the streets for freedom and dignity. In the elections, which took place in October 2011 after the revolution, the Nahda Party came to power with a rate of 41%.⁴⁸⁰

According to the election results, 59 of 217 seats in the parliament were won by women.⁴⁸¹ Looking at the 2010 data, 59 seats out of 214 seats in the parliament belonged to female members of parliament, so it is seen that there is not a large numerical increase in the representation of women in politics.⁴⁸² When we look at the level of the Council of Ministers, it is seen that only 3 of 41 ministers are women.⁴⁸³ These ministers were also appointed to the ministries concerned with women and environmental issues. In addition, women's quota practice was introduced according to the new election law and in the general elections, the number of women and men was set equal among the candidates that the parties showed. In the last parliamentary elections held in 2014, 68

⁴⁷⁸ Alcinda Honwana, **Youth and Revolution in Tunisia**, pp. 166-167 and Daniele, pp. 18-20.

⁴⁷⁹ O'Rourke, p. 63.

⁴⁸⁰ FIDH, "**Women and the Arab Spring: Taking their place?**", 8 March 2012, p.8, Retrieved from: <https://www.fidh.org/IMG/pdf/femmesarabangbassdef.pdf>, [Accessed: 20 March 2018]

⁴⁸¹ Ibid, p. 9.

⁴⁸² Ibid, pp. 9-12.

⁴⁸³ International Institute for Democracy and Electoral Assistance (International IDEA), "**Country View: Tunisia**", Last updated: 22 Mar 2018, Retrieved from: <https://www.idea.int/data-tools/data/gender-quotas/country-view/284/35>, Accessed: 18 April 2018

seats were won by women out of 217 seats in the assembly and the female representation was 31%.⁴⁸⁴

A debate on women's rights inside Tunisian society paved the way for new grounds for the future of women's struggle during the constitution drafting process. Tunisian people elected the NCA in October 2011, which drafted a new Constitution and adopted in January 2014, prepared better conditions for new elections in October-December 2014.⁴⁸⁵ Article 21 of the new constitution approved the equality of all citizens stating that they "have equal rights and duties, and are equal before the law without any discrimination. The state guarantees to citizens, male and female, individual and collective rights, and provides them with conditions for a dignified life".⁴⁸⁶

Yet, during the first draft of constitution in 2011, main debate centered around 'complementarity' context in article 28 released by Constitution Assembly stating that; "The state guarantees the protection of women's rights and consolidation of [past] gains based on women being fundamental partners to men in nation-building, with their roles complementing one another within the family", meaning that women's rights exist only in relation to men's rights.⁴⁸⁷ The Ennahdha has repeatedly declared its commitment to the Code and willingness to work within its framework⁴⁸⁸ which is interpreted by others as a disadvantage of women.

Contrary to Ennahdha, Selma Mabrouk the ANC deputy and a member of Ettakol Party criticized the language used in the Code and said that; the term was used for married women in the family rather than encompassing for all women.⁴⁸⁹ Following the debates, in 2012, over 10,000 men and women marched against the

⁴⁸⁴ Ibid.

⁴⁸⁵ Nihel Ben Amar, "Women's Political Participation in Tunisia", **Euspring Policy Brief**, 21 January 2016, p.3, Retrieved from: http://www.epc.eu/pub_details.php?cat_id=1&pub_id=6252, [Accessed: 20 March 2018]

⁴⁸⁶ Ibid.

⁴⁸⁷ Larbi Sadiki, "Tunisia: Women's rights and the new constitution", **Al-Jazeera**, 21 September 2012, Retrieved from: <https://www.aljazeera.com/indepth/opinion/2012/09/2012918102423227362.html>, [Accessed: 20 March 2018]

⁴⁸⁸ Larbi Sadiki, "Tunisia: Women's rights and the new constitution".

⁴⁸⁹ Jane D. Tchaïcha and Khedija Arfaoui, **The Tunisian Women's Rights Movement: From Nascent Activism to Influential Power-Broking**, Routledge Press, London, 2017, p. 116.

‘complementarity’ term.⁴⁹⁰ While religious-leaning citizens and politicians attached a positive meaning on the term that women’s role balancing that of men in the society; feminist activists claimed that the term was unidirectional which only mentioned women are complementary to men but did not mention that men are complementary to women.⁴⁹¹

Many civil society organizations including also women’s movements such as the AFTURD, the Association of Women Democrats, the UGTT, the Tunisian section of Amnesty International, Women’s Commission, and the National Council for Freedom in Tunisia have strongly expressed their grievances and offered alternatives.⁴⁹² Later, the constitutional commission had to remove the article about the complementarity of the woman in the draft. The main article on women’s rights in the last constitution, Article 46, states that the state is responsible for protecting and supporting the gains on women’s rights.⁴⁹³

Women’s past struggles for their rights contributed to their later participation in the uprising. In the early stage of the revolution, many feminist activists and organizations upheld the voice of “no democratic transition without women’s rights”.⁴⁹⁴ In that sense, the ATFD and the AFTURD⁴⁹⁵ with the new Tunisian League of Women Voters encouraged women’s participation through organizing meetings and protests to demand and to protect their rights in the constitution. In December 2011, the ATFD’s role on liberties and women’s rights was awarded by Simone de Beauvoir Prize for

⁴⁹⁰ Ibid.

⁴⁹¹ Ibid.

⁴⁹² Mounira M. Charrad and Amina Zarrugh, “Equal or complementary? Women in the new Tunisian Constitution after the Arab Spring”, **The Journal of North African Studies**, Vol. 19 No. 2, March 2014, p. 236.

⁴⁹³ İrem Aşkar Karakır and Müge Aknur, “Devrimler Sonrası Arap Kadını’nın Siyasi Temsili”, **Ankara Üniversitesi SBF Dergisi**, Cilt 70, No. 1, Nisan 2015, p. 145.

⁴⁹⁴ Jo Tomkinson, “Women’s Rights and the Arab Uprisings”, 19 February 2016, **Development Studies at SOAS**, Retrieved from: <https://blogs.soas.ac.uk/development-studies/2016/02/19/womens-rights-and-the-arab-uprisings/>, [Accessed: 21 April 2018]

⁴⁹⁵ Alwis et al., p.101.

Women's Freedom.⁴⁹⁶ Also, ATFD's role on communicating with partners like the UGTT and the LTDH to establish new network channels to pressure decision makers and to reach out women who did not know the organization or who are unwilling to seek help⁴⁹⁷ can be seen as the strength of women's activism for Tunisian transition.

During the transition period, women's rights activists supported gender parity provisions in international and national agreements. While the Universal Declaration of Human Rights (UDHR) refers to the rights, freedoms, and equal protection for men and women in Articles 2, 7, 16, 25, the International Covenant on Civil and Political Rights (ICCPR) requires that "[e]ach State Party[...] undertakes to respect and to ensure to all individuals within its territory[...] without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."⁴⁹⁸

The United Nations Human Rights Committee (UNHRC) recommended that countries in transition, "should reopen talks on the constitutional reform in a transparent process and on a wide participatory basis."⁴⁹⁹ Through their struggles in August 2011, the Tunisian parliament passed the CEDAW law with reservations on Articles 9, 15, 16 and 29 of CEDAW which were lifted by transitional government related to guaranteeing women's rights to nationality, and women's rights in marriage and family relations, including property ownership.⁵⁰⁰

In 2018, The Tunisian Coalition for Equality in Inheritance, which is comprised of some 70 women's rights groups, mobilized hundreds of protesters for a demonstration on March 10 in front of the parliament to call for a law guaranteeing equal inheritance

⁴⁹⁶ Farah Samti, "Tunisian Democratic Women Win the Simone de Beauvoir Prize", 24 December 2011, **tunisi-live.com**, Retrieved from: <http://www.tunisia-live.net/2011/12/24/tunisian-democratic-women-win-the-simone-de-beauvoir-prize/>, [Accessed: 21 April 2018]

⁴⁹⁷ Anna Antonakis-Nashif, "Contested Transformation: Mobilized Publics in Tunisia Between Compliance and Protest", **Mediterranean Politics**, Vol. 21, No. 1, 2016, p.136.

⁴⁹⁸ Silva de Alwis et al., pp. 110-111.

⁴⁹⁹ Ibid.

⁵⁰⁰ Shira Stanton, "Equality and Justice in Employment: A Case Study from Post-Revolution Tunisia", **The Equal Rights Review**, Vol. 15, 2015, p. 117.

rights.⁵⁰¹ President Beji Caid Essebsi called for a revision of Tunisia's inheritance law, and the abolition of a 1973 ban that prevented Muslim Tunisian women from marrying non-Muslims to establish gender parity.⁵⁰²

Later on, civil society and foreign organizations' recommendations were taken into consideration to shape all gender rights provisions by the Committee of Human Rights and Liberties under the National Assembly. Drawing on that issue, the success of all those efforts mentioned above on women's equality can be seen in as the benefits of robust civil society for Tunisian transition. Under that framework; guarantees for women are included in Article 21 on gender equality, Article 34 on political guarantees for women, and Article 46 on protecting women against all forms of violence.⁵⁰³ Article 39 on the right to public education, Article 44 on the right to the voter, and Article 40 on the right to work indirectly address a woman's right to accessing basic human services.⁵⁰⁴ Adoption of law on violence against women in July 2017 which includes punishment against any physical, moral, sexual, economic, or verbal aggression against women both in public and private life⁵⁰⁵ can be seen as the successful outcome of multiple efforts by both domestic and international organizations' as well as women's participation to support women parity in Tunisian democratic transition period.

4.2.3. Impact on Establishing Communication Networks Between Public and Government

It requires special effort to reach as many citizens as possible in a constitution-making process. In that sense, all actions under these efforts should encompass the

⁵⁰¹ Amel al-Hilali, "Tunisian women fighting for equal inheritance rights", **Al-Monitor**, 13 March 2018, Retrieved from: <http://www.al-monitor.com/pulse/originals/2018/03/tunisian-women-rally-demand-equal-inheritance-rights.html#ixzz5CHGtVBVi>, [Accessed: 21 March 2018]

⁵⁰² Ibid.

⁵⁰³ Ben Amar, pp. 3-4.

⁵⁰⁴ Ibid, pp. 4-6.

⁵⁰⁵ "Tunisia: Landmark Step to Shield Women from Violence", 27 July 2017, **Human Right Watch**, Retrieved from: <https://www.hrw.org/news/2017/07/27/tunisia-landmark-step-shield-women-violence> [Accessed: 21 April 2018]

country's ethnic, religious, cultural, tribal, linguistic, gender, and geographic diversities and encourage inclusiveness (i.e., having all key stakeholders represented in the constitution-making body) and participation (i.e., reaching people directly). Reaching people is important for countries that are in transition in order to prevent provoking accusations of partisanship and favoritism with unfairness and marginalization among citizens.⁵⁰⁶

During the Tunisian constitution drafting process, Tunisian people were not well-informed about the content of the constitution and issues at stake due to the fact that the NCA did not have a communication department and the Assembly's members' ability to communicate audiences and conducting public outreach were insufficient,⁵⁰⁷ and also there was no administrative, financial, or logistical support provided by the NCA for outreach activities. Later on, the NCA bureau appointed Baddredine Abdelkafi (Ennahdha) as deputy to the NCA president in charge of the relationship with citizens, civil society, and Tunisians from abroad which brought a positive signal on issues at stake.⁵⁰⁸ Before the revolution, Tunisia used to be highly controlled and centralized state limited citizens' participation and there were no transparency and accountability mechanisms.⁵⁰⁹

Besides that positive initiative, another crucial point realized throughout the process was that civil society and state institutions in Tunisia need to co-evolve and to collaborate in a mutually productive way for the sake of democratic transition.⁵¹⁰ While a robust civil society is important to shape, to support and to sustain democratic movements and efforts, strong political associations and institutions have a noteworthy importance on civil society activism. That means the strong parliamentary system of government can provide greater opportunities for civil society activism through

⁵⁰⁶ Gluck and Brandt, p. 19.

⁵⁰⁷ The Carter Center, p. 8.

⁵⁰⁸ The Carter Center, p. 68.

⁵⁰⁹ OECD, **Open Government in Tunisia**, OECD Public Governance Reviews, OECD Publishing, Paris, 2016, p. 252, Retrieved from: <http://dx.doi.org/10.1787/9789264227118-en>, [Accessed: 21 April 2018]

⁵¹⁰ Deane, p.21.

information networks. In that sense, a robust representative Tunisian parliamentary assembly provided Tunisian civil society to sustain civic engagement.⁵¹¹

For Tunisian civil society, it is important to engage the public in the process by establishing a communication channel with the government. Because, when people feel the constitution process is insincere, they would lose their trust both in the constitution results and their leaders along with institutions.⁵¹² As mentioned above, the NCA members' inabilities on communication and lack of institutional plans for outreach activities hampered to explain the process and to publicize it to citizens causing the public's loss of trust in the NCA. This feeling reached to a peak with demonstrations in front of the assembly's building, the Bardo, in August 2013, requesting the dissolution of the institution after the assassination of NCA member Mohamed Brahmi⁵¹³ as this can be seen as an example of why the civil society and state institutions in Tunisia need to collaborate in a mutually productive way for the sake of democratic transition.

The collaboration of civil society and state institutions in Tunisia in a mutually productive way for the sake of democratic transition, took place between December 2012 to February 2013, when the NCA held the national public consultations which were seen as one of the main initiatives to consult citizens.⁵¹⁴ Also, IWatch and al-Bawsala, the prominent NGOs in Tunisia, focused on the fight against corruption and for transparency and oversight of government operations⁵¹⁵ and their project, Marsad, and Tounsa, was formed to promote the ideals of democracy and citizen's participation, and these organizations gathered together in OpenGovernment through social networks as opengov.tn or tnOGP-new collective group.⁵¹⁶ For the government's part, websites of www.consultations-publiques.tn and www.ogptunisie.gov.tn were formed by the Tunisian government to inform citizens and provide information on events and

⁵¹¹ Ibid, pp. 21-22.

⁵¹² Gluck and Brandt, p. 19.

⁵¹³ The Carter Center, pp. 8-9.

⁵¹⁴ The Carter Center, p. 69.

⁵¹⁵ Klass and Dirsus, pp. 9-10.

⁵¹⁶ OECD, **Open Government in Tunisia**, p. 94.

reforms.⁵¹⁷ Furthermore, the issuance of Circular No. 12 and Circular No. 13 in 2011 were two main initiatives for more openness to dialogue for citizens after the Jasmine Revolution.⁵¹⁸ While the first one was set up for a participatory process in order to monitor the public service performance by civil society, citizens and service providers, the latter one was established for the formal basis for broader participatory governance and increased social responsibility, trying to reach citizens by public service providers.⁵¹⁹

In this regard, Tunisian civil society mobilized the public to involve in the constitution drafting process and also has worked for establishing linkages between the government and citizens as an agent. These efforts can be seen collective actions of civil society actors, Tunisian citizens and government officials to find new ways for democratic progress.

4.2.4. Impact on Civil, Political and Minority Rights, and Freedom

After January 14, 2011, significant developments took place for Tunisia. In this context, especially human rights activists adopted a remarkable effective agenda, and proposing policies, advocating legislation as well as supporting and implementing institutional reforms became the most prominent activities of them. In that sense, particularly the role of NGOs and actions of the human rights community, in general, were welcomed in Tunisian political life.

Having a historical background, Tunisian civil society has undergone considerable structural and functional changes since the 2011 uprising. The attention of human rights organizations shifted to economic and social rights with individual

⁵¹⁷ Khaled Sellami, “Open Government in Tunisia & OGP second action plan” in **Open Government and Emerging Technologies in the Arab Region Meeting Report**, 26-27 April 2017, p. 17, Retrieved from: <https://www.unescwa.org/sites/www.unescwa.org/files/events/files/khaled-sellami-open-government-tunisia.pdf>, [Accessed: 07 June 2018]

⁵¹⁸ OECD, **Open Government in Tunisia**, p. 95.

⁵¹⁹ Ibid.

freedoms after struggled with torture and defended public and political freedoms such as the right to association, freedom of expression and assembly.⁵²⁰

One of the action started with the High Commission to Achieve the Objectives of the Revolution, Political Reform, and Democratic Transition, which included several human rights activists, either as public figures or representing their own organizations.⁵²¹ The High Commission was the institution that brought together representatives of various political and ideological circles to develop legal mechanisms for peaceful democratic transition (electoral law, press law, political party law, and associations law). The LTDH, the ATFD, the Tunisian Women's Association for Development Research, the National Council for Liberties in Tunisia, the International Association for the Support of Political Prisoners and Hurriya wa Insaf all became members of the High Commission.⁵²²

A number of rights activists worked within the High Commission for Fundamental Human Rights and Freedoms in their personal capacity or as representatives of their respective organizations, including Abderrahman Hedhili (LTDH), Souad Triki (ATFD), Rami El-Salhi (Euro-Mediterranean Human Rights Network), as well as the Tunisian Association Against Torture, the ATFD and the National Union of Journalists in their organizational capacity.⁵²³ In addition, the UGTT has always played a key role in Tunisian politics. According to El-Asmi since its formation, it has been advocating freedom and democratization.⁵²⁴ This had left negative

⁵²⁰ Asma Noura, "Origins, Evolution and Challenges to the Human Rights Movement in Tunisia", **Arab Reform Initiative: Research Paper**, September 2017, p.3, Retrieved from: <https://www.arab-reform.net/en/node/1111>, [Accessed: 1 May 2018]

⁵²¹ Mohammad Selim, "Where Have All the Democratic Expectations Gone? Tunisia and Egypt in Comparative Perspective", in **Democracy and Reform in the Middle East and Asia: Social Protests And Authoritarian Rule After the Arab Spring**, Ed. Amin Saikal and Amitav Acharya, I.B. Tauris, London-Newyork, 2014, p. 20.

⁵²² Noura, p. 15.

⁵²³ Ibid, p. 16.

⁵²⁴ Ali Mohamed Farah, "The Role of Civil Societies in Democracy: The Tunisian Revolution", **Humanitarian and Social Research Centre (INSAMER)**, 16 February 2015, p. 6, Retrieved from: http://insamer.com/en/the-role-of-civil-societies-in-democracy-the-tunisian-revolution_944.html, [Accessed: 1 May 2018]

experiences on the members who sometimes faced imprisonment, torture and even assassination.⁵²⁵

As a result of all activities and efforts of Tunisian civil society organizations as mentioned above, the final text of the constitution includes several key civil and political rights, such as freedom of expression, gender equality, and the protection of women's rights.⁵²⁶ Several key economic, social, and cultural rights were protected in Article 40 to Article 49. The rights and freedoms chapter in Article 49 ends with the statement that “no amendment is allowed that undermines any human rights acquisitions or freedoms guaranteed in this constitution.”⁵²⁷

The fourth draft, for example, guaranteed the right of access to information in Article 32 the state guarantees “the right to information and the right of access to information and communication networks.”⁵²⁸ Article 31 stated that freedom of expression, media, and publication could not be “subject to prior censorship.”⁵²⁹ The right to peaceful assembly and demonstration were guaranteed in Articles 36 and 37, but could only be exercised per procedural regulations provided for by the law “without prejudice to the essence of the right.”⁵³⁰ Article 24 suggested that the right to privacy and freedom of movement could be limited by law but required a judicial order.⁵³¹ Article 33 guaranteed academic freedom and freedom of scientific research and the state was obliged to provide resources.⁵³²

Another controversial matter is freedom of belief and Article 6 that prevents any condemnation because of religious belief. This article has created debates between Ennahdha and the opposition parties and later on was revised as;

⁵²⁵ Ibid.

⁵²⁶ Nouria, pp. 7-8.

⁵²⁷ Ahmed Driss and Fadhel Blibech, “The New Tunisian Constitution and Citizenship Rights”, **Centre for Mediterranean and International Studies Arab Citizenship Review**, No. 5, May 2014, p. 3.

⁵²⁸ ConstitutionNet, “**The Constitution of the Tunisian Republic**”, 26 January 2014, p. 12, Retrieved from: http://www.constitutionnet.org/sites/default/files/2014.01.26_-_final_constitution_english_idea_final.pdf, [Accessed: 20 June 2018]

⁵²⁹ Ibid.

⁵³⁰ The Carter Center, p. 83.

⁵³¹ Ibid.

⁵³² Ibid.

The state is the guardian of religion. It guarantees freedom of conscience and belief, the free exercise of religious practices and the neutrality of mosques and places of worship from all partisan instrumentalization. The state undertakes to disseminate the values of moderation and tolerance and the protection of the sacred and the prohibition of all violations thereof. It undertakes equally to prohibit and fight against calls for Takfir and the incitement of violence and hatred.⁵³³

As a result of the fourth draft of the constitution, the new constitution was adopted on January 27, 2014, with the approval of 200 of the 216 deputies.⁵³⁴

Another contradictory issue is the article 230 of the Penal Code which imposes a penalty of up to three years on homosexuality as a criminalization matter.⁵³⁵ Even after 2011, the violations of LGBT rights have not ended, like homophobia, discrimination, stigmatization, and the criminalization of homosexual practices have continued. Even if mobilization among the LGBT community exists, especially around awareness and intra-community work, criminalization has prevented the consolidation of LGBT movement based on global human rights standards.⁵³⁶

However, since last year, members of the LGBT community have started to speak freely and have organized demonstrations. The support of non-governmental organizations, intellectuals, and artists advocating the rights of the LGBT community has contributed significantly to this process. For example, on May 17, 2014, one of the first newspaper reports on LGBT people's rights in Tunisia did not include public statements and was written in a broad framework for the defense of minority rights.⁵³⁷ A year later, the same newspaper published almost the same article, but this time all LGBT organizations clearly expressed themselves as a part of the LGBT movement with

⁵³³ Birdane, p. 94.

⁵³⁴ **BBC**, "Tunisia assembly passes new constitution", 27 January 2014, Retrieved from: <https://www.bbc.com/news/world-africa-25908340>, [Accessed: 25 June 2018]

⁵³⁵ **HuffPost Tunisia**, "Tunisia's New Gay Rights Fight", 02 February 2016, Retrieved from: https://www.huffingtonpost.com/2014/12/11/tunisia-gay-rights_n_6304872.html, [Accessed: 25 June 2018]

⁵³⁶ Alessandra Bajec, "Tunisia Rocks taboo on LGBTQ+ rights", **The New Arab**, 31 March 2018, Retrieved from: <https://www.alaraby.co.uk/english/indepth/2018/3/31/tunisia-rocks-taboo-on-lgbtq-rights>, [Accessed: 25 June 2018]

⁵³⁷ Mégane Ghorbani, "Tunisia: A Collective Fight for Individual Rights and Freedoms", 3 February 2016, **Awid**, Retrieved from: <https://www.awid.org/news-and-analysis/tunisia-collective-fight-individual-rights-and-freedoms>, [Accessed: 2 May 2018]

representatives in the report.⁵³⁸ Also, for the first time, all human rights organizations in Tunisia publicly announced the need to respect the rights of LGBT people within the framework of human rights.⁵³⁹

Also, Tunisian Association for Justice and Equality (DAMJ) working on the promotion and defense of minorities⁵⁴⁰, and Shams, which defends the rights of the Tunisian LGBT community, denounced the harsh sentences.⁵⁴¹ The Mwjoudin association for LGBT rights announced that they would be intensifying their campaign ‘On existe, on est criminalisé’ (We exist, we are criminalized) against law 230. Reforming this law seems to be the least of the government’s priorities under emergency rule.⁵⁴²

Besides above, problems existed with respect to the ethnic Berber population, some of who consider themselves as Berber and others call themselves as Arab, most of who live in the south part of the country and seen as one of the minority communities of Tunisian society. Several times, this community members’ associations were banned by the governments and their culture and language, Amazigh, constitute practiced by 1–2% of Tunisia’s 10 million persons were ignored as well before the uprising.⁵⁴³

Through the revolution process with the flourishing of political and press freedom, Amazigh activists quickly made their voices heard in Tunisia’s public sphere. From that time, the first ever Tunisian Amazigh association, the Tunisian Association for Amazigh Culture, was established and numerous activities have been conducted to promote Amazigh culture and language.⁵⁴⁴ Also, Khadija Ben Saidane, the president of the Tunisian Association for Amazigh Culture, announced an initiative to establish a chairmanship for the study of Amazigh culture in the Faculty of Arts of the University of

⁵³⁸ Ghorbani, “Tunisia: A Collective Fight for Individual Rights and Freedoms”.

⁵³⁹ Ibid.

⁵⁴⁰ **Peace Insights**, “Damj, Tunisian Association for Justice and Equality”, November 2015, Retrieved from: <https://www.peaceinsight.org/conflicts/tunisia/peacebuilding-organisations/damj/>, [Accessed: 29 April 2018]

⁵⁴¹ Debora Del Pistoia and Lamia Ledrisi, “Tunisia’s fight against its revolutionary youth”, 7 January 2016, **openDemocracy**, Retrieved from: <https://www.opendemocracy.net/north-africa-west-asia/debora-del-pistoia-lamia-ledrisi/tunisia-s-fight-against-its-revolutionary-youth>, [Accessed: 29 April 2018]

⁵⁴² Ibid.

⁵⁴³ Bruce Maddy-Weitzman, “A turning point? The Arab Spring and the Amazigh movement”, **Ethnic and Racial Studies**, Vol. 38, No.14, August 2015, p. 2507.

⁵⁴⁴ Weitzman, p.2507.

Manouba in order to institutionalize Amazigh language and culture as an integral component of the country's rich heritage.⁵⁴⁵

During and after the revolution, Salafist movements began to gain support by Tunisian people living in underprivileged areas of Tunisia. Salafists have used the country's socio-economic difficulties and a high unemployment rate of youth through the help of ultra-conservative preachers. At first, journalists, human rights defenders, and members of secular political parties were targeted by Salafists. Later on, while dozens of Sufi mausoleums and shrines were plundered by them, Jews' holy places in Kef and Sousse were ransacked and a Jewish school in Djerba was attacked by their supporters and hate speeches against Jews were reported in Salafist-controlled mosques.⁵⁴⁶

Although the minister of tourism announced the government's support to the Jewish community, the announcement was seen as inadequate. But, on the other side, more strict reactions came from Tunisian civil society against the poor expression by the government and the rise in Salafist activism. In this regard, "an association to monitor hate speech in mosques and other contexts such as schools was set up in 2013, while incitement to hatred in the media is being tracked by the regional media watchdog Arab Media Group for Media Monitoring, seated in Tunis."⁵⁴⁷

Also, a number of rights activists worked within the High Commission for Fundamental Human Rights and Freedoms in their personal capacity or as representatives of their respective organizations, including Abderrahman Hedhili (LTDH), Souad Triki (ATFD), Rami El-Salhi (Euro-Mediterranean Human Rights Network), as well as the Tunisian Association Against Torture, ATFD and the National Union of Journalists in their organizational capacity in order to promote and produce

⁵⁴⁵ Houda Mzioudet "Tunisian Amazighs Push to Institutionalize Language and Culture in Tunisia", **Amazigh World News**, 23 February 2017, Retrieved from: <https://amazighworldnews.com/tunisian-amazighs-push-to-institutionalize-language-and-culture-in-tunisia/>, [Accessed: 24 April 2018]

⁵⁴⁶ **Minority Rights Group International**, "State of the World's Minorities and Indigenous Peoples 2014 – Tunisia", 3 July 2014, available at: <http://www.refworld.org/docid/53ba8dcd14.html>, [Accessed: 24 April 2018]

⁵⁴⁷ **Minority Rights Group International**, "State of the World's Minorities and Indigenous Peoples 2014 – Tunisia"

produce a new, more effective Basic Law on Rights and Freedoms.⁵⁴⁸ All these efforts performed by Tunisian civil society can be seen as a critical contribution to broader transformation as a part of the democratic transformation of society and state.



⁵⁴⁸ Noura, p. 16.

CONCLUSION

In Tunisia, the basis of civil society consciousness goes back a long way. The Tunisian civil society's transformation in the early 20th century, the experience civil society organizations gained through the activities they carried out against oppressive French colonialism, Habib Bourguiba's restrictive policies and his successor Zine El Abidine Ben Ali's brutal repression and their active participation in the 2010-2011 revolution have led Tunisian civil society to create new ways to change the system. This intensive activism and social movements' engagement has made the Tunisian case different from other Arab societies with respect to the democratization process in the post-revolution period.

As already mentioned in the relevant chapter, civil society can be defined briefly as an area that is outside the state control, indirect or direct, but which has a certain political character, also corresponding to an area that actualizes the civil activities aimed at solving social problems, while maintaining relations among all actors through protecting rights and interests for individuals. Therefore, it can be said that civil society is one of the fundamental pillars and a requirement for democracy and democracy cannot occur without an active civil society. But, that does not mean that there is a perfect democracy, where there is a civil society. As the civil society develops, the state's position as an inaccessible, unquestionable, and semi-divine authority diminishes and the state becomes a technical organization and a servant unit that can be fallible, criticized, and questionable by civilians. In that sense, when the Tunisian state's position and its perception prior to and after the Jasmine revolution are compared, it can be argued that transition to democracy, which is one of the main aims of the Tunisian uprising is closely related with the civil society's culture and values in the country.

Regarding the struggle for democracy in Tunisia, it can be suggested that that civil society is an important part of Tunisian political culture and an active component of its relative democratic political system. During the Bourguiba period, civil society was seen as a part of the modernization policies, but on the other hand, during Ben Ali's presidency, there was an intensely repressive policy against civil society activities.

Although numerous restrictive policies were implemented against the civil society, it is difficult to ignore the progressive efforts of the UGTT, the ATFD, the AFTURD, the Tunisian youth movements with cyber activists, Iwatch and Open Government Initiative, the Islamic Tendency Movement (present-day Nahdha) and so on. All their efforts to achieve a democratic system demonstrate that restrictive actions against civil society could not prevent institutional settlement of civil society into Tunisian political culture. Civil society activities during and after the revolution are clear indications that a meaningful civil society exists in Tunisian political culture which was gained through certain efforts.

Tunisian civil society has also illustrated that a culture of dialogue can be created through participatory, inclusive and transparent process bringing all actors including regional and/or international organizations, leaders, unions, associations, media, activists, women, and youth together to establish a new democratic constitution including respect for freedom of press and assembly, individual liberties, and the rule of law. In this context, Tunisia's experience has shown how a robust civil society has been able to mediate negotiations, to encourage reconciliation, and to support and to maintain a democratic transition by balancing government institutions along with playing as a monitoring mechanism in free and fair elections and accountable government institutions.

In this context, the Tunisian example shows that civil society composed of non-governmental organizations including trade unions and associations, women's and youth movements, religious and secular structures can play important roles in educating, informing and mobilizing people in transition and national dialogue processes. During the national reconciliation and constitution drafting process, international organizations, foreign governments, transition leaders and local people all together formed integral parts of civilian activities and engagements to help the transition period to begin with new breath through hindering negative experiences of the past and enabling a move forward with a new constitution.

It can be concluded that the Tunisian case offers important insights and way outs for other countries that have undergone a post-conflict process while presenting

perspectives on how civil society should be and what kind of roles it has to play during the transition period. One of the important lessons Tunisian civil society has shown in this context is that positioned itself as a neutral throughout the transition period, posed as a pressure group outside the government, demonstrating peaceful ways to resolve disputes in the country has led the Tunisian civil society to undertake a critical role in the development of democracy, particularly when compared with other societies following the Arab Spring.

On the one hand, Tunisian civil society's preference for reconciliation to solve varied problems instead of polarizing or clashing around the two divergences, liberal-secular and Islamic sides, has helped to end the expansion of polarization among Tunisian community. On the other hand, Tunisian civil society has effectively encouraged a common ground between the two sides representing the major tendencies of the country in the constitution making process. As mentioned earlier, claiming the success of only one actor, which is civil society, in particular the UGTT would indicate a reductionist approach, since it would be more appropriate to point out the importance of the insistence of all sides willing to work on resolution without stipulating any conditions for the sake of reaching mutual reconciliation. In this regard, it is difficult to ignore the role played by the new political actors during the national dialogue negotiations, especially by En-Nahdha leadership (led by Rachid Ghannouchi), even when the secular segments harshly criticized En-Nahdha and condemned the party for aiming to establish a religiously-oriented governmental system after the revolution. In this context, the most concrete proof of all actors' insistence on the mutual consensus and concessions can be seen through the 2014 Tunisian Constitution.

The civil society in Tunisia has shown significant efforts to keep the transition process moving forward to a national dialogue by establishing communication channels and institutionalizing the trust between the government and the citizens. One of the crucial steps that were taken in that line was the establishment of the Truth and Dignity Commission as a public platform to uncover the past crimes and abuses against civil victims and political opposition figures under the dictatorial regime. Tunisian civil society has believed that building trust between citizens and government would provide

multiple benefits. While contributing to the legitimacy of the new constitution and promoting the justice it would also serve as a guide to see necessary institutional reforms such as protecting human rights, fight against violations, and compensations for those who suffered and were tortured by the old regime.

Tunisian Jasmine Revolution has also illustrated the importance of international organizations' and actors' involvement and their financial support for the sustainability of a national consensus for post-conflict countries following the Arab Spring. In that sense, such actors' efforts including the UN and its organizations, the US, some Arab states such as; Qatar and Saudi Arabia, the EU, Human Right Watch, Amnesty International, Freedom House and so on, contributed to the success of national dialogue and defined new objectives on human rights, institutional reforms for transparency and accountability and advocative assistance for the government.

Over the last seven years, since the beginning of the uprising in 2011, it can be said that in Tunisia, civil society organizations, international actors, political leaders, varied unions and movements, all the differences that constitute Tunisian society and government institutions have contributed significantly to the roadmap of country's democratization process. However, it should be noted that although Tunisian government and society have gained successive achievements, Tunisia is still facing challenges to consolidate its democracy. In that sense, the country is still struggling with security issues as Islamist extremists carried out dozens of terrorist bombings and attacks in 2015 killing dozens of policemen and later 38 tourists were killed by a gunman which led President Essebsi to declare a state of emergency which has become permanent from 2015 to 2018 and increased house arrests. Also, the economy is in constant decline and high unemployment, inflation, and inequality between regions such as; the Sahel (the eastern coastal region) accommodating the rich elites and marginalized regions like Thala, still constitute main problems.

Tunisian democratization process demonstrates a more successful example than other post-conflict countries following the Arab Spring. The struggle for modernization efforts, the educational system's impact on advancing Tunisian society, and women's struggles for emancipation and active participation of Tunisian civil society to open new

dialogue and consensus within the context of establishment of common values instead of division and conflict have led to protection of Tunisian identity for all segments of the society contributing to the country's progress of democratization. In that sense, the synergy effect on the pluralist structure of the Tunisian transition that arose when all sides participated in the transition process was associated with civil society's efforts and this can be seen as one of the most progressive successes in the democratization process in Tunisia.

Despite all these achievements, there are still problems in the country that need to be solved. For ongoing problems between secular-liberal and Salafist sides in Tunisia, mutual toleration principle can work that is, while citizens must respect the elected representatives and state officials' authority, the state and officials should respect citizens to express their views freely without imposing any restrictions. With respect to the economic agenda, Tunisian government should pay greater attention to the economically disadvantaged regions and should implement new economic development policies in order both to provide new job opportunities to the youth and to reduce the financial burden for those citizens living there. Also, regarding challenges to country's democratization, Tunisian government should support and maintain institutional reforms enabling civil society organizations and citizens to participate in the decision-making process for the sake of reaching full-fledged democracy.

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