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Discourses of Domination

Women's Political Rights, Human Rights Abuses
and Strategic Politics of Public Legitimacy in Tunisia

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Abstract: The survival of the Tunisian political regime is based around a precarious tension: it must negotiate between strategic practices to consolidate political power and enforce the regime's dominance, while at the same time generating inclusive policies to engender collective national authority. If the state looks to build an effective body politic, the regime must enforce its political dominance while at the same time generating support from a broad constituency and cultivating a sense of national membership. Using strategic politics of state legitimacy (characterized on one hand by "open" discourses on women's political rights, and "non-open" discourses on human rights abuses on the other), the Tunisian state has secured the power to vitiate and appropriate the public sphere and its democracy-promoting potential for its own strategic state ambitions. The situation is paradoxical: the Tunisian state requires the collaboration of the public in order to maintain its unquestionable hegemonic power, even though the non-open discourses upon which the state's legitimacy depends undermines the very idea of a public sphere and an autonomous citizen public. How does the Tunisian regime negotiate the fine line between maintaining social and political control while still sustaining a façade of legitimacy and accountability?

Keywords: Tunisia; discourse; hegemony; human rights abuse; women

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List of Abbreviations

| | |
|----------------|--|
| AI | Amnesty International |
| ATFD | Association Tunisienne des Femmes Démocratiques/Tunisian Association of Democratic Women |
| l'ATL MST/SIDA | l'Association Tunisienne de Lutte contre les Maladies Sexeuellement Transmissible et le SIDA/ Tunisian Association to Fight Against Sexually Transmitted Diseases and AIDS |
| CAWTAR | Center of Arab Women for Training and Research |
| CEDAW | Convention on the Elimination of All Forms of Discrimination against Women |
| CSP | Code du Statut Personnel/Code of Personal Status |
| FH | Freedom House |
| HRW | Human Rights Watch |
| LTDH | Ligue Tunisienne pour la Défense des Droits de l'Homme/Tunisian League for the Defense of Human Rights |
| MDS | Mouvement des Démocrates Socialistes/Movement of Social Democrats |
| MENA | Middle East and North Africa |
| OTM | l'Organisation Tunisienne des Meres/Organization of Tunisian Mothers |
| PUP | Parti de l'Unité Populaire/Party of People's Unity |
| RCD | Rassemblement Constitutionnel Démocratique/Democratic Constitutional Rally |
| RWB | Reporters without Borders |
| UGTT | L'Union Générale Tunisienne du Travail/Tunisian General Union of Labor |
| UNFT | l'Union Nationale de la Femme Tunisienne/National Union for Tunisian Women |
| UNINSTRAW | United Nations International Research and Training Institute for the Advancement of Women |
| UPI | United Press International |

I. Preface

That [human rights abuses] is not something I can talk about here, understand? I am part of this opposition. I am a woman. There are already so many marks against me, and I have a family to think of. Your next question? (Interview with Leila¹, Tunis, November 2009)

Tunisia has successfully marketed itself as one of the most liberal and modernized countries in North Africa and the Middle East – a top tourist destination and a rising economic star which has staved off many of the social and political instabilities of its neighbors. An export-oriented country with close ties to both the European Union and the Arab world, Tunisia has worked for the past decades to develop its social welfare state and labor market policy, and now boasts one of the most progressive policies for women’s political rights in the Arab world. Advances in secularism, domestic policy, education, direct foreign investment, youth culture and even sports have marked Tunisia as an up-and-coming partner in the world market, and fiscal growth continues year by year at an incredible rate. Nevertheless, domestic rumors and international reports hint at a government that stands at a crossroads between democracy and autocracy, autonomy and dependency, tolerance and dogmatism, modernization and stagnation. Human right abuses, limitations on freedoms of speech and assembly, harsh restrictions on the press, unknown levels of internet censorship and a generalized sense of unease at the perception that “Big Brother is watching” mar the progressive image that the Tunisian state has worked so hard to create. The government is left negotiating the line between maintaining dictatorial social and political control while still creating an image of legitimacy and accountability both domestically and internationally.

Description of Study

This thesis will investigate the strategic politics of public legitimacy that the Tunisian state employs in creating and maintaining open and non-open discourses with its citizen public. The study will use the example of women’s political rights to illustrate an example of an “open” discourse, in contrast to the “non-open” discourse on human rights (and human rights abuses). The analysis will explore how women’s political rights are constructed and how the discourses surrounding those rights are presented to and by the Tunisian public as a demonstration of the state’s seemingly avant-garde policies, and how an “openness” of discourse (demonstrated by the population’s generalized knowledge of women’s rights, repeated references by the president, and international recognition for Tunisia’s “progressiveness”) is promoted both domestically and internationally. In contrast, the thesis will examine how and why the state constructs “non-open” discourses on human rights abuses, and how that imperfect information is influential to construct and maintain the legitimacy of the regime. Further, it will be illustrated how, by using a discourse of state stability, the Tunisian state has secured the power to vitiate and appropriate the public sphere and its democracy-promoting potential for its own strategic state ambitions. The discussion will conclude with a paradox: the Tunisian state requires the collaboration of the public in order to maintain its unquestionable hegemonic power, even though the non-open discourses

¹ Names changed to protect the identity of interviewees.

upon which the state's legitimacy depends undermine the very idea of a public sphere and an autonomous citizen public. In this way, the Tunisian public can be seen as consenting to, and in a way culpable for, the persistence of a non-open, politically and socially repressive authoritarian regime which undermines open discourses and freedoms of expression.

II. An Introduction to a Tunisian Transformation: Background Notes

Tunisia is a constitutional republic with a population of approximately 10 million which is dominated by a single political party, the Rassemblement Constitutionnel Démocratique (Democratic Constitutional Rally, hereafter RCD). Zine El Abidine Ben Ali has been the president of the country and the leader of the RCD since 1987, when he took control from his predecessor, Habib Bourguiba, in a constitutional coup. Tunisia has a republican presidential system characterized by a bicameral parliamentary system, including the Chamber of Deputies (214 seats; members elected by popular vote to serve five-year terms; 25% reserved for "opposition parties" as of 2009), and the Chamber of Advisors (126 seats; 85 members elected by municipal counselors, deputies, mayors, and professional associations/trade unions; 41 members are presidential appointees; members serve six-year terms) (BTI Country Report 2010).

The president is the head of state, the supreme commander of the armed forces, the promulgator of laws, and the official appointer of civil servants, soldiers and judges of the state. He is elected to an unlimited number of 5-year terms, and is responsible for appointing a prime minister and cabinet, and the regional governors and local administrators are also appointed by the central government. On 25 October 2009, President Ben Ali ran against three opposition candidates and was declared the winner with 89.6 percent of the popular vote, while the RCD won 161 out of 214 seats in the elections for the Chamber of Deputies (CIA World Factbook, 2010). Political power is highly concentrated in the hands of the president, both formally and in practice. The president is rumored domestically to reshuffle his cabinet every six to eight months to avoid any one person from gaining too much political knowledge or expertise that could destabilize his monopoly over state power. Both chambers of parliament serve mainly to rubber stamp the decisions of the president and the ruling RCD party. On the whole, since 1987, Tunisia's political system has remained essentially authoritarian and police-based, ranking 141 out of 167 in the 2008 Democracy Index (The Economist 2008: p. 7). Despite the guise of procedural democratization, elections are not deemed free and fair, there is a minimum of checks and balances in place to control the executive, and the ruling RCD has maintained a persistent hegemony over local and national politics (BTI Country Report, 2010).

The link between the Tunisian state and civil society is nepotistic and blurred. The RCD is composed of more than 2 million members and more than 6000 representations throughout the country, and largely overlaps with all important state and non-state institutions. The majority of the officially legalized 9,400 civil society organizations are incorporated into the regime in order to "cover" certain sociopolitical issues, such as the regime's modernistic views on gender, development or environmental issues. The leaders and

many of the members of most of these organizations (e.g. the UNFT - l'Union Nationale de la Femme Tunisienne/National Union of Tunisian Women; the OTM - l'Organisation Tunisienne des Meres/Organization of Tunisian Mothers) are members of the ruling party and report directly to the party leaders. The few existing independent civic associations (e.g. the LTDH - Ligue Tunisienne pour la Défense des Droits de l'Homme / Tunisian League for the Defense of Human Rights, one of Africa's oldest human rights movements) cooperate little among each other and are often subject to different kinds of government pressure. Hence, certain social interests – particularly those of the young, the unemployed and those advocating improvements in political rights – remain underrepresented. Despite the well-rooted and growing urban middle class and an educational level that is high by regional standards, self-organization in civil society clashes with authoritarian intra-societal relationships, the absence of freedom of association and a lack of interpersonal trust (BTI Country Report, 2010).

President Ben Ali has established and maintained a pro-western foreign policy, and supported the integration and westernization of the economy which has been growing since the early 1990s. Key economic indicators show Tunisia to be a middle-income country, and the government has pursued economic policies that support liberalization and the reduction of the public sector's role in economic activity. The 2009/2010 Global Competitiveness Report of the World Economic Forum ranked Tunisia 40th out of 134 developed and emerging countries (World Economic Forum 2009: p. 37), making it the most competitive Maghreb and African economy. Particularly relevant with regard to market-based competition, Tunisia performed well in the area of stability of state institutions, trust of the public in politicians' decisions and the efficacy of public spending (BTI Country Report, 2010). Tunisia's foreign trade regime is one of the most liberal and open among Middle Eastern and North African countries, and was the first in the region to reach a free trade agreement in the industrial sector with the European Union in January of 2008.

Domestically, freedom of expression is severely limited by harsh governmental controls over the media and the internet. Public criticism of the regime is not tolerated, and all types of protests are severely suppressed (and subsequently ignored by the domestic media). Although internet use is widespread even in rural parts of the country, censorship and surveillance is severe, with banned sites including YouTube, Amnesty International, opposition party pages and occasionally Facebook. Reporters without Borders has included Tunisia on its list of "Enemies of the Internet" together with North Korea, Saudi Arabia and Cuba (BBC News 2006 – an article which, ironically, caused the BBC news site to be blocked for three days), and, most recently, on its 40 Predators of Freedom list in 2010 (Reporters Without Borders 2010a, 2010b). Tellingly, Freedom House ranks Tunisia at the same level as Saudi Arabia (tied at number 176 out of 195, characterized as "not free") in terms of its freedom of the press in its 2009 report (Freedom House 2009: p. 5). Additionally, self-censorship is widespread because of extensive networks of under-cover police and government informants. Conversations in public spaces such as cafés or restaurants are monitored and self-regulated because of the generalized perception that "someone is always listening." The feeling that "Big Brother is watching" is heightened by billboards of President Ben Ali found on many public buildings and major streets, portraits of the president in a variety of different costumes posted in the majority of privately-owned shops, and "spontaneously" erected banners praising both him and the RCD. In addition, daily

newspapers in both French and Arabic run laudatory articles highlighting the president's achievements, while the national TV and radio channels publicize and applaud his every action.

The Contradiction: Women's Political Rights and Human Rights Abuses

In contrast to the strict controls over its people, the Tunisian government has signed a number of important treaties guaranteeing the rights of its citizens, including (but not limited to) the Vienna Declaration (1993), the International Covenant on Civil and Political Rights (1969), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1979), the Convention on the Rights of the Child (1992), and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1988). In addition, as previously alluded, Tunisia entered into an Association Agreement with the EU in 2008 which commits both parties to strengthen political dialogue, trade, economic, social and cultural issues, and which also contains a legally-binding human rights clause that stipulates that relations between the parties shall be based on respect for human rights and democratic principles. The agreement outlines that Tunisia must work towards respect for human rights and fundamental freedoms pursuant to international conventions, as well as work to promote fundamental social rights and core labor standards.

At the same time, Tunisia has historically boasted one of the most progressive state policies regarding women's rights in the Arab world – guidelines that have allowed women to participate in nationalistic struggles and nation-building since the early twentieth century. The women's movement in Tunisia enjoys the ideological and financial backing of the government, and has become part of a prioritized political narrative. Most recently, in a highly publicized move on the eve of the 20th anniversary of the Change in 2009, President Ben Ali called on political parties to work to increase the rate of women's presence on the lists of candidates they field in the legislative and municipal elections through the use of gender quotas. He necessitated an increase in the ratio of women on his party's lists of candidates for legislative and municipal elections to at least 30%. In this way, women will be better integrated into the political realm through a government-established internal quota system, and currently account for more than 23 percent of the parliament.

Nevertheless, despite its seemingly-progressive actions to protect the rights of women, and the legal precedence set by signing international treaties, the Tunisian state has been accused of egregious violations of the human rights of domestic reporters, political prisoners, religious extremists, human rights defenders and opposition party members. As Sarah Leah Whitson, Middle East director at Human Rights Watch notes (Human Rights Watch 2010b: p. 1): "Tunisia's intolerance for human rights dissents makes it a prime example of a worldwide trend among repressive countries to cover up abuses by trying to silence the messenger." Especially during the 2009 election year, the Tunisian government carried out a wide range of repressive measures against political prisoners and opposition members, with no marked improvement in institutional freedoms. Local and international nongovernmental organizations reported that security forces tortured and physically abused prisoners and detainees, and arbitrarily arrested and detained individuals. The government

remained intolerant of public criticism and used intimidation, criminal investigations, the court system, arbitrary arrests, residential restrictions, and travel controls to discourage criticism by human rights and opposition activists. As BBC (2009a: p. 1) reported in a story during the lead-up to the election, people are afraid of talking to the media, particularly in public; most will explain as much when approached for their opinion, because - as one student put it - "they're watching".

How can the state reconcile and justify such a tenacious set of policies, in which women's rights are so progressive and yet human rights abuses are, if not ignored, then at least widely accepted by the government and the citizen public? What is the benefit (and to whom) of publicizing women's rights while concealing human rights abuses? Ultimately, it is the predicament of the Tunisian regime that its survival is based around a precarious tension: it must negotiate between 1. strategic practices to consolidate political power and enforce the regime's dominance; and 2. inclusive policies to generate collective national authority. If the state looks to build an effective body politic, the regime must enforce its political dominance while at the same time generating support from a broad constituency and cultivating a sense of national membership. This thesis, then, will address the overarching question: How does the Tunisian regime negotiate the fine line between maintaining social and political control while still sustaining a façade of legitimacy and accountability?

Methods of Research

Using a mixed-method combination of literature-review and interactional interviews, this study will take a theoretical approach to analyze the open and non-open discourses of the Tunisian state. Key theoretical and analytical points to be addressed include:

1. Historical and contemporary political social theories that use the notion of the "public sphere" as a way of discussing the dichotomy between publicness, openness and visibility in opposition to privacy, non-openness and invisibility.
2. Agnes Ku's three-fold distinction of openness/non-openness/secretcy of information presented by the state and consumed by the public. Here the analysis will investigate how a discourse can be considered "open" or "non-open" by the public, as opposed to information that is considered a state "secret," noting the role of publicity and accountability in the public sphere.
3. A comprehensive understanding of "discourse" and how it pertains to the production of knowledge and "truth" within the public sphere – specifically focusing on how discourses shape and are shaped by the public sphere.
4. A Gramscian reading of hegemony and hegemonic discourses which help to define and affirm political power. This discussion will center on the coercion/consent dichotomy which allows a hegemonic power to maintain its dominant position. Also, it will explore the role of the citizen public in defining state legitimacy, and how a state must struggle to maintain its legitimacy through its discourses.
5. The idea of "strategic politics of public legitimacy," which allows a state to selectively publicize discourses that will foster the support of its people and create legitimacy, while at the same time stifling information that would undermine, discredit, or weaken the state. Of particular interest will be the ways in which selective discourses can cultivate strategic state interests, and how this information can be consumed and reproduced by the citizen public in order to maintain the state's hegemonic power.

The bulk of this thesis' analysis will be based on the aforementioned political and sociological theories which will be addressed at greater length in a following section. This theory will be supplemented with published reports from international human rights organizations such as Amnesty International, Human Rights Watch and Freedom House and dossiers from governmental organizations, such as the US State Department's Human Rights Practices Report. These documents will be used to help define and contextualize the situation of human rights within the country on an "official" level – which is helpful, given the lack of transparent and reliable information coming from the Tunisian government itself.

In addition, the thesis' arguments will be augmented with supplemental supportive data regarding specific "open" and "non-open" discourses based on qualitative semi-structured interviews conducted in three different locales in Tunisia. Selected quotations and anecdotes from the interviews will be used to establish a generalized sense of the public discourses on women's political rights and human rights abuses. By no means an exhaustive survey of the depth and breadth of opinions and knowledge of the Tunisian public, these selected cases nevertheless will help to illustrate the situation "on the ground" for a number of Tunisians. While the theoretical line of reasoning can stand alone, the interviews help to augment the vibrancy and power of the argument. And, as theorist Henry Mintzberg (1979: p. 113) points out, "Theory building seems to require rich description, the richness that comes from anecdote. We uncover all kinds of relationships in our 'hard' data, but it is only through the use of this 'soft' data that we are able to 'explain' them, and explanation is, of course, the purpose of research."

Interview Methodology and Structure

The series of interviews upon which this collaborative evidence is based were conducted during a period of field research in three Tunisian municipalities; Tunis, Zaghouan and Kairouan (selected for their demographic designation of urban, rural and quasi-urban, respectively)². The interviews focused on the intersections between ethnography, socio-cultural structures, ideologies and power relations using a methodology known as *interactional sociolinguistics* (Gumpertz 1982a, 1982b, 1996; Kotthoff 1996; Swann & Leap 2000). Rather than conducting an exhaustive discourse analysis of the interviews or employing targeted discourse analysis methods to break down individual sentences, this broader method takes a more holistic approach and looks to *interpret* conversational interaction within an ethnographic context. Interactional sociolinguistics focuses not only on linguistic forms such as words and sentences, but also on body language, hesitations, pauses, and other paralinguistic behavior (e.g. laughter, eye rolls, furtive glances, etc.) to interpret what the speaker *intended* rather than simply what the speaker said (Holmes 2008: p. 372). The method takes into account the result of any and all aspects of society, including cultural norms, expectations and context, on the way that language is used – in essence, studying the effect of the society on the language.

This method is particularly useful in a milieu such as Tunisia where non-verbal cues, silences and coded conversations are used to circumvent direct and self-imposed censorship. The repressive atmosphere of expression (linking back to the aforementioned perception that

² See Appendix 1 for an overview of the interview subjects.

“Big Brother is watching”) limits citizens’ interactions with the media and (in many cases) foreigners in general, so the necessity of “reading” non-verbal or coded social cues becomes essential to understand many communicative nuances. Because the ways in which relationships are negotiated and maintained through speech (both overtly and subtly) are key components of interactional sociolinguistics, such an approach would be an appropriate framework within which to analyze the discourses surrounding sensitive topics such as human rights abuses and women’s rights in Tunisia - both of which are predicated on asymmetrical power relations between government and citizen.

The goal of the interviews was to foster a greater understanding for the researcher of what Tunisian citizens knew and were willing to talk about (so-called “open” discourses), as opposed to that which they were unwilling (or unable) to talk about (i.e. a non-open discourses). The lines of questioning regarded the subject’s personal knowledge of the topic (either women’s political rights or domestic human rights abuses), the general public’s knowledge of the topic, where citizens got their knowledge from, and, in the case of domestic human rights abuses, who they thought was being abused and why. In particular, the interview method focused on subjects’ silences, pauses and strategic/ambiguous word choices (e.g. “our leader” rather than “President Ben Ali”; “ruling party” rather than “RCD”; “those people” rather than “political prisoners” or “torture suspects”; or “foreign organizations” rather than “Amnesty International”) when delicate themes were raised. For example, interview subjects who spoke candidly and at great length on the record about women’s political rights, gender quotas and women’s rights organizations would refuse to answer or would ask for the tape recorder to be turned off when the “touchy” subject of state human rights abuses was raised. Tellingly, none of the subjects was willing to speak on the record about human rights abuses, although all of them freely recorded their responses to the questions on women’s political rights. In several cases, subjects requested to see a photocopy of the researcher’s passport to prove her foreign identity (presumably to establish that she did not work for the government). Some requested specifically that their anonymity be guaranteed. Such overt signs of enthusiasm or reluctance to discuss a topic can help the researcher to establish examples of “open” or “non-open” discourses.

Importantly, though, because of the inherently unreliable and unsystematic style of interactional sociolinguistic method (indeed, who can claim to be an “expert” on reading the body language, syntax and hidden conversational cues of strangers, especially in a foreign cultural, linguistic and religious milieu?), the data collected from the interviews will be used exclusively as supplementary examples to the larger theoretical argument and the reports published by international and national bodies. For example, while it is less difficult to miss overt contemporary references³, it is nearly impossible for any researcher, let alone a non-Arab, non-Muslim, non-Arabic speaking female researcher with few ties to the community, to catch the double or even triple meanings of some French and Arabic words. Due as well to the small sample size, the limitations of geographic location and demographic choice, linguistic restrictions, time constraints and hundreds of other complicating factors, the interviews cannot be seen as a systematic basis for analysis. As such, the primary unit of analysis for this thesis will be the theoretical argumentation of the first section, amplified by

³ One subject noted the “gatherings in the south last year that caused so many troubles” – an allusion to the riots in Gafsa in the spring of 2009 that left 8 people dead, 40 wounded, and hundreds imprisoned and tortured.

reports from Amnesty International, Human Rights Watch, Freedom House and the US Department of State, and supported by the anecdotal evidence gathered from the interviews.

III. Private, Public and Openness in the Public Sphere

Discussions in political social theory and various substantive areas of sociology have addressed the notion of the public sphere as a way of analyzing the dichotomy between publicness, openness and visibility as opposed to privacy, secrecy and invisibility. Building upon these critical divisions, this section will address the idea of the “public sphere” as introduced by Jürgen Habermas and critiqued by Agnes Ku, John Thompson and Nancy Fraser. Importantly, the distinction between that which is “public” (within the realm of the state) and that which is “private” (within the realm of the citizen) will be made, especially applied to an understanding of “open” versus “non-open” policies of the state. The section will take as a starting point that the public sphere is a public space instituted in the private realm of civil society, independent from and unique to any imperative from the state. The analysis will demonstrate how the public sphere acts as the interface between publicity and political secrecy, and discuss the idea of “openness” in the public sphere as it pertains to the processes of democratization.

Habermas’ “Public Sphere”

The significance of the public sphere lies in it being an arena for democratic practices among citizens as distinct from both state apparatuses and economic markets (Arendt 1985; Habermas [1962] 1989; Fraser 1992; Ku 2000). Jürgen Habermas, seen as the pioneer of writing on the public sphere [1962] (1989), conceives the public in spatial and institutional terms, i.e., as a public sphere, and locates the public sphere in structural terms. The so-called bourgeois public sphere (thusly named for Habermas’ understandings of education and property ownership as requirements for citizenship) is a part of the private realm of civil society that is distinct from, and yet related to, the public realm of state authority (Ku 2000, p. 217). According to John Thompson’s (1990) interpretations of Habermas, the public sphere is lodged within a conception of publicness that is essentially spatial and dialogical in character – the public as an assembly of individuals meeting in an open or public place where they discuss issues of general concern. In essence, the public sphere is not so much a place as a series of actions.

An important distinction to make in this case is between that which is “public” (within the realm of the state) and that which is “private” (within the realm of the citizen) – understanding that the public sphere is conceptualized as a public space embedded in the citizens’ private realm of civil society. Most importantly, this “public sphere” is founded upon the capacity of the civil society of private individuals to organize independently of any imperative from the state. In other words, a public sphere is a space in which members of a political community can join together to discuss communal issues, where the public’s

political autonomy vis-à-vis the state can be safeguarded (Ku 1999, p. 173). Put most pithily by Habermas himself ([1962] 1989: p. 27): “The bourgeois public sphere may be conceived above all as the sphere of private people come together as a public.”

In the discussions of this paper, a careful distinction of terms must be made. In colloquial English, the noun “public” is used to describe the people constituting a community, state, or nation; for example: “The discussion was open to the public.” This nounal definition can be confusing in relation to Habermas’ definition of public (here used as an adjective), which is invoked as a symbolic constructive pertaining to the state or nation; for example: “A public official.” The public (as a noun) refers to the collection of *private* citizens, whereas public (as an adjective) refers to something within the realm of the state. To avoid confusion, the analysis will use the expression “citizen public” when referring to the collection of private citizens, and the adjectival “public” in line with Habermas’ use of the word in his distinction of the “public sphere.”

Habermas ([1962] 1989) writes that the public sphere is concerned with the social and cultural bases within civil society that are capable of solving political disputes through rational-critical discourse. In this way, civil society acts within the public sphere to bring the concerns of the private citizen into the public eye, thereby providing a bridge between the private individual and the public state. Intrinsically, Habermas rationalizes the ideal role of the public sphere as a way for civil society to articulate its interests. Ideally, he conceives of the public sphere as a realm of rational-critical debate which gives citizens universal access that permits the free exchange of ideas that helps to form public opinion. While Habermas does not specifically define the public sphere in terms of “openness” (a point which is critiqued by Ku [2000] and Thompson [1995]), he does discuss the ideas of “general accessibility” and “visibility” in his definition. Ku (2000, p. 224) concludes, therefore, that publicness is embodied in the institutional norms of general accessibility or inclusiveness. Importantly, therefore, that which is “public” is, by association, visible and “open” to the participation and knowledge of the citizen body as a whole. As Ku (2000, p. 223) writes succinctly: “What is public is what is visible or what is, in principle, open to all.” Information within that public sphere is, as a result, open for consumption and critique by all citizens. In that way, an open public sphere provides space for the processes of democratic reformation of the state through the active dissemination and utilization of information. For the sake of this argument, information that is “public” and information that is “open” is one in the same.

However, historical shifts in economic and structural changes have led to the eroding of the boundaries between state and society, resulting in what Habermas ([1962] 1989) calls the “refeudalization of society” – which indicates a return to the public sphere of feudal times before the segmentation of power. As state and society have become involved in each other’s spheres, the private sphere has collapsed into itself, allowing representatives of the state (politicians, government officials, public administration, etc.) to manipulate public opinion – establishing a domination of the public sphere (the state) over the interests of the private individuals. In contemporary times, especially in the case of Tunisia, the distinction between “private” and “public” has become blurred, and the interests of the state are juxtaposed onto the interests of the people so that discourses of the people are set by state priorities.

The public sphere works as the interface between publicity and political secrecy, as citizens strive to obtain more perfect and free information from the state. This struggle to make information open is a key aspect in the fight for democracy - which can be seen as a struggle for openness in state politics, and a struggle against the privilege of secrecy (Ku 2000). Information that is “open” and available to the public sphere can be critiqued and challenged by members of the public, whereas information that is non-open remains outside the realm of public opinion and therefore counter-democratic. If the information coming from the state to the public sphere is imperfect, or if specific issues are considered to be non-open, then such secrecy must be established in the values, narratives and interpretations of public interest in order to maintain a source of moral authority. The “secrecy” of the state therefore must be somehow justified to the public interest if it is to be accepted by the citizen public. In short, consequently, what must be theorized in the understanding of the openness/secrecy dynamic of the state are the political and cultural fluxes involved in public struggles over the open-secret boundary of state practices – or instead, what allows a state to deny complete and open information to the citizen public. Why and how can state non-openness be strategic or beneficial to the state, and how does (or can) the population struggle to demand open information?

IV. Openness and Non-Openness: State Secrets and Citizens’ Knowledge

As media sociologist John Thompson (1995, p. 123) argues, historically: “...there is a complex and shifting relation between forms of government and the visibility of power,” and the development of new forms of democracy has seen the emergence of new strategies and techniques of secrecy and openness as a result. Thompson continues his argument to assert that what characterizes modern democracy is not simply an increase in visibility; rather, this increase is accompanied by new forms of invisible power or hidden government. The power to keep information secret, or the power to allow the citizen public access to that information, is but one of many ways that the state can practice visible or invisible power.⁴ In other words: “...with the limited development of the modern constitutional state, the invisibility of power was limited in certain ways... Limiting the invisibility of power has rendered power fully visible: on the contrary, the exercise of power remains in many ways shrouded in secrecy and hidden from the public gaze” (Thompson 1995, pp. 124-5). And of course, practices of visible/invisible power, and especially the idea of openness/secrecy take on different political meanings under different state regimes.

For this argument, the idea of “openness” will be juxtaposed to “secrecy” (and more specifically, non-openness, a concept which was mentioned before and will be in the next section) as it pertains to the idea of visible/invisible displays of power. Secrecy, like privacy⁵,

⁴ See Ku (1998) for an historical discussion of visible/invisible displays of power.

⁵ As Ku (1998) notes, there is a distinction between “privacy” and “secrecy.” As Bellman (1984: p. 4, italics original) summarizes: “The term *private* usually establishes that the other person does not have a right to some knowledge because of his or her social distance. A secret, on the other hand, concerns information that the other person may have rights to, but that the possessor chooses, is told to, or is obligated to withhold.”

involves boundaries between persons to whom access is or is not permitted (Ku 1998, p. 177). In most instances, secrecy implies "...the concealment of something which is negatively valued by the excluded audience and, in some cases, by the perpetrator as well" (Warren and Laslett 1977, p. 44), whereas openness implies a commitment to public interests as well as to the noble ideals of the community (Ku 1998, p. 178). Openness is based on a principle of democratic accountability to the citizen public, in contrast to secrecy which enforces the idea of non-liable, non-democratic power exercised by a small circle of privileged elites, decision-makers and power-holders who are not institutionally accountable to their citizens. Secrecy is, as Ku (1999: p. 181) argues, "... a strategy used for purposes that may be legitimate or illegitimate," and can be used strategically by the state to promote actions that would not be supported by the citizen public. Good (though not Tunisian-specific) examples of "secret" information would be the surreptitious politically-motivated state killings of government opposition members, or underground detainment camps that exist outside of realm of official documentation – furtive deeds or locations which purposely are not disclosed to the public.

If secret information is that which is concealed or withheld *entirely* from the public (i.e. something that is not known by anyone but the privileged), then "non-open" information is that which is purportedly secret, yet nevertheless partially disclosed to the public through rumor, gossip or other non-official means of admission. In the loosest of terms, non-open information is that which the citizen public is not "supposed" to discuss because of widely-accepted social taboos or active prohibitions, but that many know about anyway because of private or clandestine discussions. In many cases, non-open information includes that which one party would *rather* keep from another, but because of outside influences (the media, watchdog organizations or other public accountability committees), must be acknowledged. Non-open information lacks for democratic accountability and liability in the same way as secret information, but can be critiqued more fully because the citizen public is at least *partially* aware of its existence. An example of non-open information would be state wire or internet-tapping which, although not officially acknowledged or publicized by the government, is made known through the media, generalized public gossip or some other independent accountability sources.

For the purpose of this argument, the distinction between open/non-open/secret will be used in two different discussions: open/non-open/secret *information* (such as data, facts or intelligence that pertains to state politics and state policies); and open/non-open *discourses* (in the Foucauldian sense of a social boundary defining what can be said about a specific topic). The distinction is ontological – the former refers to disclosures about particular (sensitive) topics, whereas the latter refers to the discussions of people and groups vis-à-vis those disclosures. In both cases, the freeness with which the topics are discussed will be used as the mode of inquiry.

Strategic Interfaces of Informational Openness/Non-Openness/Secrecy

Of course, the question of openness/non-openness/secrecy forms but one set of codes in the discursive structure of civil relationships – and due to the multiplicity of thematic

discourses, the same event may be interpreted in a variety of ways by actors drawing on divergent codes. In this way, there are circumstances under which secrecy or non-openness might be justified or defended: for example, secretive acts performed in the name of national security, protection of the “national interest,” or even back-door politics that help to “grease the wheels” of political mechanisms in otherwise democratic societies. As Beryl Bellman (1981, p. 6) has pointed out, secrecy can be “...either negative or positive, consensual or nonconsensual, legitimate or illegitimate.” In this way, a state can justify to itself and its constituents that secrecy or non-openness are tools which can be used to promote a larger end, be it security, prosperity, stability or democratic progress.

Drawing on the idea that secrecy or non-openness can be beneficial to a government and its people by promoting security or prosperity, many states and political elites use the justification of a *discourse of stability* (Ku 1998, p. 183) to substantiate an opposition to democratic reforms that might bring disorder, conflict or unstable change to the status quo. By referencing communal values, narratives and interpretation of public interest (such as keeping the population safe, prosperous or fed), the public is invoked as a source of moral authority in politics (Ku 2000, p. 230) to justify an opposition to democracy. In that way, certain “hot topics” that might undermine a state’s legitimacy are effectively (and non-democratically) swept under the rug in order to maintain focus on strategic state ambitions – as well as being justified as being in the “interest of the people.” Thus, (generally undemocratic) secret or non-open politics or discourses are perpetuated by the state as another form of invisible or hidden power that is outside the realm of political or social accountability.

Tunisian Political Openness/Non-Openness

The example of Tunisia is a perfect illustration of strategic policies of open/non-open/secret information. What Middle East and North Africa researcher at Human Rights Watch Rasha Moumneh (2010, p.3) calls the “carefully crafted façade of ‘modern, democratic, and moderate’ Tunisia” is the result of the investment of enormous sums of money in public relations in an effort to improve Tunisia’s image. The ways in which the state uses open/non-open/secret information is visible (or invisible, as the case may be) in countless strategies and procedures used in every facet of political and social life. The state is remarkably open in the international and domestic press about many of its policies (including its economic growth platform, education strategy, secularist governmental policies and women’s rights – which will be discussed at length in the following sections) – leading French President Nicolas Sarkozy to declare in April 2008 that the “the sphere of liberties” in Tunisia was widening (Human Rights Watch 2009: p. 533). The government’s approach to these topics is remarkably transparent and straight-forward (and, in this way, open), which helps to create and enforce the veneer of modernity, liberalism and progress that Tunisia is known for.

On the other hand, beneath the modern and moderate trappings of the government fascia lies another hidden side which is far less easy to access. The topics that remain “taboo” include political corruption, criticism of the president or the government, domestic terrorism, labor disputes, student unrest, political pluralism, Islamism, domestic violence and, of course,

human rights abuses. Historically, the government has justified its more abstruse or debatable policies through repeated reference to the necessity of state security⁶ and continued prosperity, even if those policies are morally or legally questionable. And, conspicuously, the Tunisian government has practiced a close-mouthed approach to most topics that may be politically detrimental, stifling internal dissent and preventing much of the international community from interfering in its affairs. So while the aforementioned taboo topics are by no means illegal or outlawed from the public sphere, they nevertheless are not open for public debate or consumption – replaced instead by a state-prioritized discourse on some other topic. Ku has commented on this process, terming it a *narrative displacement of democracy* (Ku 2000: p. 232), a strategy of concealing the undemocratic practices of exclusion, privilege, discrimination and control by making democratic codes out of place, irrelevant or peripheral in a narrative construction. In this way, different communal codes are prioritized while the processes of democracy take a back seat, so to speak. In this way, the information provided (or denied) by the Tunisian government about taboo topics can be seen as non-open. And perhaps more importantly, as a result, the *discourses* surrounding particular topics shape and are shaped government priorities and strategies, rather than by the citizen public deliberating freely within the public sphere.

Publicity and Accountability in the Public Sphere

The way that secret or non-open information comes to light and enters into the realm of political and social accountability is through *publicity* – which Ku (2000: p. 228) conceptualizes as the “very meeting point between civil society and [the] public sphere.” The modern media, national and international watchdog organizations, public accountability commissions and independent research organizations work at the interface between publicity and political secrecy/non-openness, helping to define the boundary between the two realms through day-to-day struggles. These groups strive to publicize that which is secret or non-open to the citizen public, transforming the existing political boundary of openness/non-openness/secretcy enforced by the state. The ways in which the world can know of the goings-on of non-open or secret practices is through the intervention of such groups – and indeed, much of the information in this thesis is predicated on such exposé reports.

In the case of Tunisia, complete and accurate information regarding “sensitive” topics such as human rights abuses is not made readily available (or open) by the government (because of various strategic interests), or by either the citizen public (due to self-imposed censorship and/or the fear of the gaze of “Big Brother”). Official government manifestos regarding human rights and human rights abuses (which will be discussed more fully in a later section) are often at odds with information coming from international bodies such as Human Rights Watch (HRW), Freedom House (FH) or Amnesty International (AI). And

⁶ See Ben Ali’s 2007, 2008 and 2009 speeches on the Anniversary of the Change for references to the “dangers of retrogression or deviation” (2008b: p. 2) that are faced elsewhere in the world; to condemnation of “...those who are accustomed to disseminating false allegations and trying to undermine the country’s higher interests” (ibid); appeals to avoid any action that would promote “...an acute political crisis, deep social divisions, lack of stability and serenity, deteriorating economic conditions, and serious dangers fed by internal and external covetous desires” (2007: p. 2); the desire to “...protect our society against extremism and violence” (2006: p. 2) and to create “... factor of stability” and “...a protective shield against uncertainties” (ibid).

while these international organizations themselves cannot be seen as impartial or unprejudiced, they can and do provide to the international community contrasting or parallel information that brings into question the validity and scope of the information provided by the state. Much to the consternation of the Tunisian state, these organizations disclose citizens' accusations of human rights abuses and violations by the state – in essence attacking the state-created boundary of open/non-open/secret information. In this way, these international organizations are able to uncover information that the state would rather keep secret and (to some extent) hold the government accountable. And though these dossiers cannot be seen as the unquestionable “truth,” they nevertheless provide information that allows the international community to draw their own conclusions.

Unfortunately, though, due to strict media restrictions⁷ and the concerted efforts of the Tunisian state to control and limit knowledge to its citizen public, this information is not made open to the general public and is often-times ignored by the international community. And, although many Tunisians are aware of “problems” regarding the behavior of the state, they lack for concrete evidence such as the information provided in Amnesty International, Freedom House or Human Rights Watch reports because such websites are blocked. Because of this systematized informational control, the state has succeeded in institutionalizing the non-open status of certain “touchy” concerns. Therefore, in lieu of banking on reliable information from interviews or government proclamations, this thesis will use the information from the reports by Amnesty International, Freedom House and Human Rights Watch to support claims of non-open discourses, while at the same time recognizing that the boundary between open/secret/non-open is fluid, tenacious and challenging to define. As previously stated, these reports are not necessarily accepted as “truth,” but they do help to form a more complete picture of the situation “on the ground” in Tunisia.

V. Discourses: “Truth” and Openness/Non-Openness

The following section takes as a start the understanding of a discourse as written or spoken communication of knowledge which creates human reality or “truth.” The utility of a discourse is that it systematically constructs the subjects and the world of which they speak – essentially defining what can be spoken of, where and how. Discourses play a key role in the wider social processes of legitimating and defining power, constructing current truths and demarcating the power relations they carry with them. Language, the medium of interaction, creation and dissemination of discourses, is deeply caught up in the creation of regimes of

⁷ According to reports by Reporters Without Borders (2010a, 2010b) on internet censorship in Tunisia: “Censorship applies above all to political opposition, independent news, and human rights websites. Websites now inaccessible include those of *Tunisnews*, *Nawaat*, the *Progressive Democratic Party* (PDPinfo.org), the “*Al-Nahda*” (Renaissance) movement, *Tunisonline*, *Assabilonline*, Reporters Without Borders, and *Al-Jazeera* in Arabic. *Al-Jazeera* in English, however, is still available. Social networks and other participating websites whose mobilization whose potential as a mobilization tool terrifies the regime are targeted when their users behave too boldly. *Facebook* was blocked in August 2008, raising a wave of general protests within Tunisian society.”

truth. In this way, discourse acts as a way through which realities are constructed, made factual and justified.

For this argument, the ways in which discourses are created as open or non-open will be discussed, especially in regards to the ways that relationships of power are produced and reproduced. To (fittingly) use Michel Foucault's (1972a: p. 227) words, this section will look at "...the manner in which knowledge is employed in a society, the way in which it is exploited, divided and in some way attributed." It will focus on the ways that discourses are used strategically, in what is known as the *politics of discourse* (defined by Barker [1998: p. 15] as the political interest a discourse serves, how it participates in the politics of truth, what the speaker's benefit is, who speaks on behalf of whom and what particular positions emerge from it). The analysis will focus on what within a discourse defines the relationships of power between and among state and non-state actors. To paraphrase Foucault once again (1976: p. xix, as quoted in Barker 1998: p. 14), what counts in the discourses said by men is not so much what they may have thought or the extent to which these things represent their thoughts, but rather the ways that those thoughts are systematized and transformed by authority, control and hegemony.

For this analysis, the concept of discourse will be used in two ways described by Foucaultian scholars Cousins and Hussain (1984): 1. within the analysis of speech and conversation to bring out the dynamics and rules governing particular social situations (as a branch of socio-linguistics); and 2. as an object of general speculation about the relations of language to the possible positions of the human subject in language (the linguistics of subjectivity). For this type of analysis, different categorizations of "varieties of discourse" must be adapted for the sake of clarity. One variety of differentiation is described by Alvesson and Karreman (2000) and distinguishes between discourses which analyze localized contexts (i.e. the first type of discourse described above by Cousins and Hussain) from the concept of discourses that are used in long-range theory building (i.e. the second type described by Cousins and Hussain). The bifurcation between localized discourse and long-range discourse respectively correspond to 1. the study of the social text (talk and written text in its social action contexts); and 2. the study of social reality as discursively constructed and maintained (Alvesson and Karreman 2000: p. 1126) – both types of which are key to understand societal constructions and maintenances of power.

Foucault: Discourse, Power and Truth

Beyond question, the works of Foucault, the social theorists who inspired him⁸ and the Foucaultian scholars who critique and rationalize his understandings of discourse⁹ are prolific, illuminating and must be mentioned in any discussion of discourse and discourse analysis. However, for the purposes of this thesis, a deeper grasp of the minutiae of Foucault is superfluous. Far from an exhaustive exploration of the works and ideas of Foucault, this thesis would not benefit from a prolonged discussion of either him or his critics, as the convoluted nature of his approaches to discourse and the production of knowledge detract

⁸ See in particular the works of Nietzsche, Hegel, Descartes, Derrida, Lacan and de Saussure

⁹ See in particular Douglas Kellner, Philip Barker, Maureen Ford, James D. Marshall, Paul Patton, John Pratt, Arnold I. Davidson, Hubert L. Dreyfus and Paul Rabinow

from the argument at hand. That said, though, the analysis will consider some of Foucault's more generalized ideas on discourse, but focus more attention on the ways in which discourses are produced by and produce the citizen public *tactically* rather than the ways in which discourses can be theorized.

Briefly, Foucault argues that discourses are historically situated truths or means of specifying knowledge which play a role in the social construction of reality. Iara Lessa (2006: p. 285) summarizes Foucault's definition of discourse in *Archeology of Knowledge* (1972) as "...systems of thoughts composed of ideas, attitudes, courses of action, beliefs and practices that systematically construct the subjects and the worlds of which they speak." Put concisely, a discourse can be considered to be: 1. a formalized or institutionalized way of thinking that can be manifested through language; 2. a social boundary defining what can be said about a specific topic, or 3. as Judith Butler (1997: p. 34) puts it, "the limits of acceptable speech." Foucault's focus (and the important focus of this thesis) is upon questions of how some discourses have shaped and created meaningful systems that have gained the status and currency of "truth" and "legitimacy."

Importantly, while knowledge and power are not the same thing, each incites the production of the other in an intimately and productively related manner (Barker 1998: p. 25), and result from social relations (Rooney et al., 2003). Power and knowledge are intimately linked together through a multiplicity of discursive elements, and ultimately bonded in the formation of discourse. Power, as defined by Chris Weedon's (1987: p. 113) interpretation of Foucault is "...a dynamic of control and lack of control between discourses and the subjects, constituted by discourses, who are their agents. Power is exercised within discourses in the ways in which they constitute and govern individual subjects." Discourse is created and perpetuated by those who have the power and means of communication. Therefore, discourse creates power, and those with power create discourse. According to Foucault:

We must make allowance for the complex and unstable process whereby discourse can be both an instrument and an effect of power ... Discourse transmits and produces power; it reinforces it, but also undermines and exposes it, renders it fragile and makes it possible to thwart it ... there can exist different and even contradictory discourses within the same strategy. (Foucault 1990: p. 101)

Stated simply, those who are in control decide who we are by deciding what we discuss. In this way, there are both discourses that constrain the production of knowledge, dissent and difference, as well as those that "enable" new knowledge and difference. Therefore, the questions that arise within this framework have to do with how some discourses maintain their authority, how some "voices" are heard while others are silenced and who benefits and how.

Regimes of Discourse and Discourse of the Regime

If we accept that there is no one version of "truth," but instead competing versions which enhance and draw on each other, then the argument follows logically that different societies will have different versions of the truth. Foucault argues that:

Each society has its regime of truth, its 'general politics' of truth: that is, the types of discourse which it accepts and makes function as true; the mechanisms and instances which enable one to distinguish true and false statements, the means by which each is sanctioned; the techniques and procedures accorded value in the acquisition of truth; the status of those who are charged with saying what counts. (Foucault 1980 [1977]: p. 131)

If knowledge and power are linked, as Foucault argues, then access to knowledge confers power, and thus power tends to protect "true" knowledge. In this sense, those who are in power have access to (or create) knowledge and therefore have the ability to establish and maintain what is "true" by privileging statements that induce certain practices that perpetuate the conditions of its possibility. Importantly, through Foucault's argumentation, there is no one "truth," but rather a series of perceived "truths" that are produced by those with power and consumed by others. It is therefore impossible to speak of one "truth," but instead "strategies of truth." Social agents perpetuate power through the knowledge (and "truth") contained in the dominant discourse. Foucault argues that "approved" knowledge is a key means of exercising power to mobilize various economic, social and cultural resources, and that this power becomes manifest in the language of the dominant discourse (Foucault 1972a, 1979). Stated simply, those in a position of power (those who are charged with saying what counts) establish the generally-accepted dominant politics of truth which others, in kind, take as genuine, factual or real. Put another way by reclaiming an old aphorism: "He who has the power makes the Truth."

It must be appreciated that in order to understand discourses, one must understand the speaker's values, what they aspire to and, most importantly, their political or ideological agenda. Different people or groups, because of their different positions and roles, are imbued with vested interests and different degrees of power. Those who have the power to say what counts, or to establish the dominant knowledge discourse, cannot be and are not neutral or impartial. Therefore, the *politics of discourse*, or the political interest a discourse serves, is inherent in the creation of "regimes of truth." Who speaks on behalf of whom, the origin of a discourse, and what the speaker's benefit is must be valued in any discussion of an accepted "truth." The epistemology of any discourse, therefore, holds a strategic interest and must be taken into account in order to understand the power relations that create (and are created by) that discourse.

For the case of Tunisia and the analysis of this thesis, a "discourse" will, in the simplest sense, refer to written or spoken communication of knowledge. Those discourses (be they statements by interviewee, printed or spoken government manifestos, or reports from international organizations), are equally valid and important communications of knowledge; all of these discourses systematically construct the subjects and the world of which they speak, and all of them define and legitimate (and are defined and legitimated by) power in particular ways. However, the crux of this analysis focuses on what discourse(s) are seen as most dominant, who is producing them, how they are reproduced in the public sphere so that the discourses become "truth," and who benefits from a prioritization of these discourses. Who produces "truth," who consumes "truth," and the politics behind that "truth" must be problematized. Most importantly, the politicization of a dominant discourse and the systematic exclusion of non-dominant discourses by those with power function as

mechanisms to sustain the interests of those who benefit from those specific discourses – in effect maintaining the power of the discourse-creators.

The following section will take as its starting point this nuanced analysis discourses, the power dynamics that creates (and are created by) specific modes of inquiry and the idea of information that is open/non-open in the public sphere. The production and consumption of the discourses on women's political rights – both that of the government and that of the Tunisian population – are vital for understanding the strategic politics behind the discourses' prioritization. As such, the politicization of women's political rights as a dominant discourse will hold particular relevance in this discussion.

VI. Women's Political Rights: Discourses and Perceptions

Women's rights in Tunisia are seen widely, both domestically and internationally, as progressive and avant-garde. Strong efforts have been made during the last decades to promote gender equality through legislation and socio-economic means, and the promotion of social development has been translated into concrete results. In 2007, Tunisia was ranked the highest in North Africa by a "gender gap" index compiled by the World Economic Forum; and by examining women's school enrolment, access to jobs, earnings and other indicators around the world, the index also ranked women's status in Tunisia as the second highest among all Arab countries. Tunisians are justifiably proud of the advances made in the realm of women's rights, and the ruling body politic has set women's rights as one of its top domestic priorities. Literacy rates among adult women have risen from 55 percent in 1995 to over 80 percent in 2007, according to UNICEF, and the rate of women's education has increased exponentially to the point that women now outnumber men in institutes of higher education (World Bank Country Brief 2009).

Tunisia has historically boasted one of the Arab world's most progressive state policies regarding women – guidelines that have allowed women to participate in nationalistic struggles and nation-building since independence. Since President Habib Bourguiba proclaimed the Code du Statut Personnel (Code of Personal Status, CSP)¹⁰ in August 1956, the Tunisian government has worked to "remove all injustices" and promulgate "laws rehabilitating women and conferring upon them their full rights" (the CSP, as quoted in Curtiss 1993: p. 2). Bourguiba was dedicated to a vision of a nationalist, secularist and socialist society in which all citizens participated – a requisite of which was to enable women to become active in the public sphere. The CSP, which established the social and moral equality of women in the eyes of the law, paved the way for women to move out of the domestic sphere and into the public eye as productive members of society (Murphy 2003: pp. 172-3). In short, the CSP provided a framework of protection from gender-based discrimination for women.

¹⁰ See Tessler et al.: 1978. The rights established include, among others: the abolition of polygamy; the establishment of a minimum age of marriage for girls (17); and the right to child custody for the mother in the case of the death of the child's father.

After Ben Ali came to power in a constitutional coup on 7 November 1987, he sought to advance further the equality of women in the public and private spheres. His ruling party, the RCD, pushed for a modernizing agenda that would set Tunisia apart from the rest of the Arab world – and that included the voices of women’s organizations in drafting its National Pact in November 1988. Ben Ali also made a highly-publicized effort to increase the participation of women in higher levels of government and civil service through a variety of measures. He introduced a series of amendments¹¹ to the CSP on 14 August 1992 which confirmed the principle that women’s rights are inseparable from men’s rights, and which eliminated legal provisions that could be interpreted as discriminatory or sexist. Several more amendments were made to the CSP over the next ten years which further strengthened women’s position in regards to marriage, childcare, and the home (Murphy 2003: p. 171).

Government Discourses: Women’s Political Rights and State Interests

In addition to his original push to modernize the position of women in the public sphere, through Ben Ali has outlined key changes regarding the position of women in the political sphere, in particular calling on political parties to work to increase the rate of women’s presence on the lists of candidates they field in the legislative and municipal elections. In his 2007 State of the Nation Speech, he announced that the RCD has increased the ratio of women on the RCD lists of candidates for legislative and municipal elections to at least 30%, up from 22.8% in previous years (Ben Ali 2007). This move has secured Tunisia as perhaps the most progressive Arab state in the realm of women’s rights, and has placed women in the position to contribute to public life and to participate in building the future of the nation. This sort of quota is seen as a way of promoting equality and redefining citizenship in a more inclusionary direction, as well as strengthening the ruling party’s legitimacy in legislative and municipal elections by including more voices (Krook 2008: p. 348).

The quota system has been quite effective in encouraging the participation of women in the political sphere.¹² In 1999, 11.5 percent of the Lower Chamber of Deputies Lower was female (21 out of 182 members), a number that has risen to 27.57 percent in 2009 (59 out of 214 members). In total for both the Chambers of Deputies and the Chamber of Councilors (the lower and upper houses of parliament, respectively), the rate of female participation in 2009 was 23.31% (76 out of 326 members). In addition, based on information from government officials interviewed by the author, the RCD plans to further increase its quota to 35 percent during the next two years. The graph below shows the rates of increase of women’s participation in Tunisia compared to rates of participation worldwide.

¹¹ These amendments include (among others) the caveat that mothers may participate in the management of their children’s affairs, are equally able to file for divorce and must be given special compensation in the event of infidelity. Additionally, the changes included amendments to the penal code that criminalized domestic violence. See the 2008 Freedom House Report on Tunisia.

¹² For a more in-depth discussion of the implication of the system of parliamentary gender quotas on Tunisian society, see Goulding (2010).

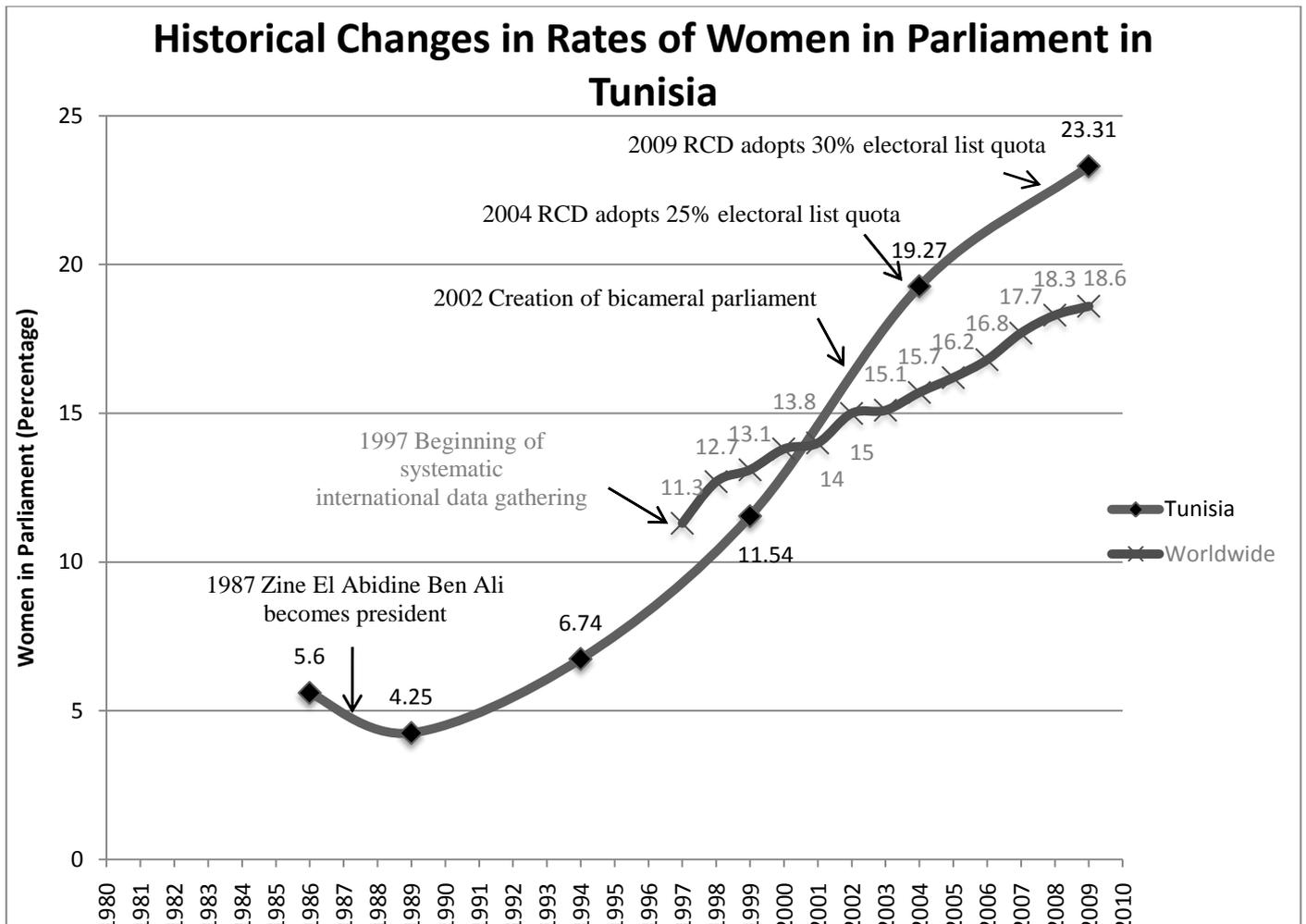


Figure 1. Graph showing rates of women in parliament in Tunisia over time, compared to worldwide rates. Data compiled by author, in conjunction with CAWTAR/UN-INSTRAW, Tunis, Tunisia.

Domestically, women's political and social rights are well-publicized in the local and national media, and spot-lighted in frequent speeches by the President, First Lady Leila Ben Ali (who holds, among other positions, the role of chairwoman of the Arab Women's Organization), Tunisian NGOs and representatives from the Ministry of Women and Family Affairs and the Ministry of Culture. The recent 13th National Congress of l'Union Nationale de la Femme Tunisienne (UNFT, the National Union of Tunisian Women, chaired by First Lady Leila Ben Ali) made headlines throughout the country, as well as maintaining a front-page status on the UNFT's website for months prior. A month before, Mrs. Ben Ali gave an interview to the United Press International (UPI) agency in which she highlighted the "...qualitative change made by Tunisian women who hold today leading positions in all political and economic decision-making institutions and in public life," as well as stressing "...the importance of establishing quotas, which act as positive discrimination, to help achieve equality and partnership between men and women" (Tunisia News Online, 11 March 2010). The article was translated and published on the front pages of "Le Temps," "La Presse," "el-Anwar" (The Light) and "el-Sabah" (The Morning), several of the primary national newspapers in Tunisia.

Additionally, l'Agence Tunis Afrique Presse, Tunisia Online News and Afrol News (the three primary English/French-language Tunisian news sites) feature almost daily stories on the accomplishments of both individual and groups of women, especially those with the backing and favor of the First Lady. Domestic workshops, conferences, festivals and international symposiums on gender, leadership, job training, quotas and decision-making are well-publicized on the aforementioned domestic news sites, and are held on a regular basis in locales throughout the country. Signs and posters advertising these activities, oftentimes sponsored by the UNFT and/or the RCD, can be seen throughout the city center of Tunis and major highways leading out of the city. And, perhaps most tellingly, most Tunisian citizens seem to be acutely aware of the progressive levels of women's political participation that has come to characterize their country.

Citizen Discourses: Women Defining Society

Generalized perceptions of the recent prioritization of women's political rights seemed overwhelmingly positive in the three locales (Tunis, Zaghuan and Kairouan) surveyed by the author. All of the respondents interviewed knew about the parliamentary gender quotas, approximately when the quotas had been established, the rates at which the quotas had been set, and (in the author's opinion) were quick to talk about the strides that had been made by the RCD and the current government towards gender equality. Many seemed proud of the high rates of women's participation (particularly compared to the US' rate of female political participation – which, as was emphasized on multiple occasions, was only a fraction of Tunisia's). The delegate of social affairs for the regional government of Zaghuan went so far as to say that Tunisia was the “best in the world” for women's political affairs.¹³ Even during non-formalized conversations with Tunisians from many lots of life (taxi drivers, café workers, university students, etc.), many individuals volunteered information unsolicited, conceivably in order to make sure that the author – as a non-Tunisian – was aware of the progress that had been made. In general, the author found women's political rights and gender quotas to be topics that were discussed with little or no inducement by a range of people, regardless of education, socio-economic standing or geographic location.

The discussions of women's political rights - and specifically quotas - happened in settings as varied as government offices, taxis, restaurants, personal offices, buses, university classrooms, cafés and research institutions, with few or no articulated reservations on behalf of the interviewees. Men and women alike were willing to discuss their personal opinions on quotas (most supported the quotas instituted by the RCD, although with some reservations and criticisms of the types of women who were becoming politicians under the new law), and were quite candid in their discussions of women as political candidates (the most common criticisms or provisos made to the quota system were 1. the “double burden” women endured because of their duty of motherhood, and 2. the lack of competence of many of the relatively-inexperienced newer female members of parliament).¹⁴ In general, therefore, it appeared to

¹³ Interview in Zaghuan, Tunisia, December 2009.

¹⁴ For an exhaustive discussion of local perceptions of parliamentary gender quotas in Tunisia, see the author's forthcoming publication “The Quandary of Gender Quotas in Tunisia,” in collaboration with CAWTAR/UN-INSTRAW's project “Strengthening Women's Leadership and Participation in Politics and Decision-Making Processes in Algeria, Morocco and Tunisia”.

the author that discourses of the citizen public on parliamentary gender quotas were easily undertaken, with a marked level of candidness and openness on behalf of the interviewees.

As a note: the only topic of which interviewees seemed moderately uncertain and uncomfortable discussing was the matter of opposition parties and their non-existent system of quotas. Many interviewees were apathetic about establishing quotas for the opposition because of the perceived lack of influence by the opposition. Interestingly, “the opposition” (which is actually made up of between six and eight independent parties) was grouped together into one cartel, even by members of opposition parties, and individuals appeared reluctant (or unable) to name specific opposition parties or leaders. Interviewees declined to use the proper names of the opposition candidates, similarly to how they bypassed using the president’s name or political party. When asked to comment on her abjuration to use names, one woman explained that: “When people hear us [the author and the interviewee] speaking French and discussing the leader by name, what will they think? That we are foreigners, not Tunisians, and that we are speaking ill of him. And we would not want to do that.”¹⁵ These examples of reluctance, hesitation or discomfort in discussing opposition parties (and, one could hypothesize, pluralism and democracy in general), provide an excellent example of a possible “non-open” discourse. Opposition parties and their leaders, while certainly not secret or forbidden to discuss, still impart a realm that is not “supposed” to be addressed in the public sphere due to widely-accepted social taboos and norms. The strategy behind this and other non-open discourses will be discussed at length in the following section.

Evidence, demonstrable through official government publications, political speeches of the president, his wife and other officials, press releases, conferences, international symposiums and anecdotal evidence, points to a generalized acceptance of discourses on women’s political rights in the public sphere. One can conclude, therefore, that the topic of women’s political rights can be, and is, discussed openly and freely in the public sphere by a range of citizens. Importantly, the government seems to encourage awareness and knowledge of the newly-designated gender quotas, and has made what appears to be a concerted effort to publicize their prioritization of women’s political rights both domestically and internationally.

VII. Human Rights Abuses: Discourses and Perceptions

Human rights are indeed a sign of civilization as well as an ethical and political necessity to achieve the humanity of Man and ensure the dignity of peoples. Human rights, in fact, give relations between individuals on the one hand, and the citizen and the State on the other hand, and also between States and peoples, their special human dimension and the needed civil essence that can make of human society a truly human one. (Ben Ali 2008b) *National address on the occasion of the 60th anniversary of the Universal Declaration of Human Rights, 12 December 2008.*

¹⁵ Interview with Rim, Tunis, December 2009.

In March 2010, Human Rights Watch (HRW) researcher Rasha Moumneh traveled to Tunis to hold a press conference following the release of a report detailing the Tunisian government's treatment of political prisoners¹⁶. In great contrast to similar conferences held in 2004 and 2005, her 2010 trip was marred by "incident" after suspicious "incident," culminating in the government banning journalists from the news conference and physically barring those who tried to attend. State security agents follow the HRW representatives wherever they went, and, as Amnesty International (AI) reported (2010b: p. 1), not a single journalist was able to attend the HRW press conference to launch *A Larger Prison: Repression of Former Political Prisoners in Tunisia*. As Hassiba Hadj Sahraoui, Deputy Director of AI's Middle East and North Africa program stated in the press release: "Rather than addressing the ongoing concerns raised by national and international NGOs, the Tunisian authorities have opted instead to silence them... The authorities have shown to the world a reality already well known to Tunisians and have provided this week another demonstration of their ruthless practices." She continued: "They have denied the NGOs the use of venues or prevented independent journalists from reporting on the two publications and the dire situation of former political prisoners. This shows the government's unwillingness to face the facts and end the denial that human rights violations are routine in Tunisia" (ibid: p. 2)

Criticisms of human rights practices in Tunisia have been voiced volubly by organizations such as AI, HRW, Freedom House (FH) and the U.S. Department of State for several decades. Almost weekly reports by AI and HRW detail and update the claims of abuse within the country, while annual reports from FH, the U.S. Department of State and independent organizations within the EU supplement and expand upon the claims. As HRW's World Report 2009 asserts, Tunisia, which has one of North Africa's longest traditions of independent human rights activity, is today without a single human rights monitoring group that is allowed to operate both legally and freely (Human Rights Watch 2009: p. 4). Authorities prevent Tunisian human rights organizations and independent journalists from operating freely, and representatives of HRW and AI reportedly work covertly within the country to avoid detection and deportation by the Tunisian authorities. The situation of human rights in Tunisia is, according to all major international sources, dire. Charges of torture¹⁷, prisoner abuse, politically motivated abduction and physical harm¹⁸, prison neglect and cruelty, arbitrary and undocumented imprisonment, and "softer" abuses such as limitations on free speech and the press are fairly commonplace, although unreported in local

¹⁶ See Moumneh 2010 for her full account.

¹⁷ For example: "Reported methods of torture included sexual abuse; sleep deprivation; electric shock; death threats; submersion of the head in water; beatings with hands, sticks, and police batons; suspension, sometimes manacled, from cell doors and rods, resulting in loss of consciousness; and cigarette burns. According to international human rights groups, on occasion police and prison officials used threats of sexual assault against prisoners' wives and daughters to extract information, intimidate, and punish" (U.S. Department of State 2009: p. 1).

¹⁸ "On October 28, 2009, several assailants, allegedly plainclothes police, abducted prominent independent journalist Slim Boukdhir. Boukdhir reported the assailants blindfolded and bound him, taking him to a park where they beat and verbally assaulted him. The assailants also threatened to kill him. Earlier that day, before his abduction, Boukdhir gave an interview to BBC Arabic radio in which he accused the first lady of corruption. His assailants took his shoes, clothes, wallet, and cell phone and warned him to 'leave the woman alone'" (U.S. Department of State 2009: p. 3).

or national newspapers.¹⁹ Even Tunisian human rights groups recognized by the government are prone to government interference and repression.²⁰ The number of political prisoners remains unknown, though human rights organizations alleged that the government had arrested and imprisoned more than 2,000 persons (many of whom were tortured) under the terrorism law since 2005 without sufficient evidence (U.S. Department of State 2009: p. 8). The human rights situation is very clearly summarized by Leah Whitson, Middle East and North Africa Director at HRW (Human Right Watch, 27 April 2010): “Tunisia pays much lip service to respecting human rights, but the reality is otherwise.”

Government Discourses: Human Rights Accomplishments

Despite the accusations of international human rights organizations, legally Tunisia could be seen as one of the most operational Arab states in the sphere of institutional and constitutional reforms and the reassertion of human rights values – and the discourses from government sources are always extraordinarily positive. A number of official institutions in the field of human rights were designed and created to protect the rights of the people, which the Tunisian state attests are effective. Organizations include the High Commission for Human Rights and Fundamental Freedoms²¹; the President’s General Advisor on Human rights (who informs the president about the condition of human rights in Tunisia); and the Ministerial Departments for Human Rights, including the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of Social Affairs, the Ministry of the Interior and the Ministry of Information. The Higher Institute of Security Forces and Customs is tasked with reinforcing human rights, improving law enforcement, and reducing corruption. However, it must be noted that there were no public reports of the organization's activities during the year, nor any law that requires public access to government documents upon request (U.S. Department of State 2009: p. 4).

In addition, Tunisia is the signatory to dozens of international treaties guaranteeing the rights of its citizens, including (but not limited to) the Vienna Declaration (1993), the International Covenant on Civil and Political Rights (1969), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1979), the Convention on the Rights of the Child (1992), and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1988). Additionally, Tunisia entered into a Neighborhood Associate Agreement with the EU in 2008, the foundation of which was

¹⁹ See the U.S. Department of State’s 2009 report “Human Rights Report: Tunisia” for a detailed account of abuses, including dates, locations and specific anecdotal instances.

²⁰ For example: “The government consistently blocked meetings of the Tunisian Human Rights League (LTDH) in its headquarters in Tunis and in regional offices. On January 24, 2009, prior to a public civil society event to introduce a newly created organization to facilitate coordination among human rights leagues in the Maghreb, a large number of plainclothes police officers reportedly surrounded the LTDH headquarters and blocked the entrance, denying access to all guests except the LTDH steering committee. The guest of honor, Mohamed Ismail from the Algerian Human Rights League, was also denied entry, as were several journalists, civil society leaders, and foreign diplomats.” (U.S. Department of State 2009: p. 15)

²¹ 14 independent personalities, 8 members representing the various human rights’ associations, and 9 members representing the different government’s ministries. The President selects all the members of the commission. (U.S. Department of State 2009: p. 1)

a mutual agreement over human rights. While Tunisia agreed to pursue a better record of human rights, the EU has made little concerted effort to problematize the human rights record in the country (Kelley 2006; Powel 2009), a point which the Tunisia government has taken to mean tactile approval by the EU.

President Ben Ali has made declarations that human rights are a central concern of his government, and was even awarded the Louise Michel Prize Democracy and Human Rights in 1989 for his work in promoting human rights (Government of Tunisia, 1989). As the President stated in his State of the Nation address (Ben Ali 2007: p. 9): “We have established in the Constitution the grounds for the protection of human rights in their universality, comprehensiveness and correlation. We have also emphasised the respect of the integrity and dignity of individuals. In this regard, custody is obligatorily subject to judicial control, and no preventive detention takes place unless with judicial authorisation.” At the same time (as was mentioned earlier), he emphasized the necessity of maintaining state security by “..protect[ing] our society from extremism and violence” (Ibid: p. 2), although he did not elaborate on the manner in which that goal could be accomplished.

As the president pointed out in a 2009 interview with *Afrique Magazine*, reprinted in English on the webpage for his 2009 electoral campaign:

Tunisia is a country where respect for human rights and the continuous expansion of their scope are a tangible reality and an irrefutable fact testified to by UN specialised institutions and objective observers. Mention can be made, in this regard, of the conclusions of the UN body in charge of human rights, the Human Rights Council, which has commended Tunisia's numerous gains in terms of human rights. Moreover, our legislation in terms of protection and promotion of human rights is in conformity with international instruments. In some cases, it goes even further. As regards the rights of children, women and disabled people and political, economic, social and cultural rights, Tunisia boasts a strong edifice which we are continually consolidating through introducing the necessary reforms. We have, in fact, opted for a gradual and comprehensive approach to promoting human rights, political, economic, cultural and social, while seeking to protect our country against all risks of regression. We are convinced that human rights are an indivisible whole. Our commitment to human rights is irreversible, and our determination to promote them comprehensively is constant and unwavering. (Official webpage of the electoral campaign of President Zine El-Abidine Ben Ali 2009)

Criticisms of human rights abuses are dismissed as “inflammatory” and arising from “...the tarnished point of view of some Tunisian opposition [members] who failed to present a political agenda” (BBC 2009b). The government has almost universally refused to acknowledge or respond to specific criticisms by international human rights organizations, claiming that the groups present a “distorted image” (ibid).

Nevertheless, specific *types* of human rights abuses (particularly accusations of torture, arbitrary imprisonment or harassment that are seen to be politically motivated, or

allegations of free speech abuse and information surveillance) remain unrecognized and disregarded by the state. And, tellingly, the websites for the international human rights groups making the charges of abuse (as of May 2010, Amnesty International, Human Rights Watch, Freedom House, Reporters without Borders, YouTube, the International Human Rights Group, The Fund for Global Human Rights, Human Rights First and OneWorld.net, among others) are blocked to the public by the government.

Citizen Discourses: Reluctance, Resistance and Refusal

The discrepancies between the accounts of the Tunisian government and the international human rights community point to an inconsistency in the information available within the country. Meanwhile, the reactions of members of the citizen public to the topic of human rights abuses is potent in helping to understand the ways in which those inconsistencies have been institutionalized and reproduced within the public sphere. On the whole, a generalized sense of aversion to, apprehension of and discomfort regarding any discussion of human rights abuse characterized the reaction of interviewees.

While the author attempted multiple conversations on the topic of human rights abuses in a variety of locales (geographically in the three municipalities of Tunis, Zaghouan and Kairouan, and specifically in the author's office, the office of interviewees, cafés, restaurants and private residencies), the information that interviewees were willing to share was erratic and gleaned only with great difficulty. Even Tunisian human rights lawyers and social activists²² were reluctant or unable to provide concrete examples of abuse, despite working with the affected victims. In a statement that seemed symptomatic of many other responses, the executive director of studies and documentation at UGTT (the Tunisian General Union of Labor, L'Union Générale Tunisienne du Travail), when asked what he knew about the detainment of union activists in Gafsa following the labor riots in the spring of 2009, responded: "I know nothing about it. No riots happened. And even if they did happen, do you think I could talk to you about it? Even if I knew people in prison, do you think I would say it? To my knowledge and in my opinion, there are no prisoners" (Interview, November 2009, Tunis). In another example, Leila, a member of the opposition party Mouvement de la Rénovation Ettajdid (Ettajdid Renewal Movement) and a retired human rights lawyer, was indisposed to discuss the specific cases of abuse she had witnessed in her career because of the recent parliamentary elections²³ and because her daughter had just returned to Tunisia from her studies in France - which Leila saw as a personal liability.

The information collected from the author's series of interviews was spotty and inconclusive, to say the least. Most often, interviewees would refuse to answer questions,

²² Walid is the project coordinator at l'Association Tunisienne de Lutte contre les Maladies Sexuellement Transmissibles et le SIDA (l'ATL MST/SIDA, Tunisian Association to Fight against Sexually Transmitted Diseases and AIDS), a government-funded but socially precarious organization due to the widespread social taboo regarding AIDS. While he was vocally critical of the government's high-handed policies, lack of democratic accountability and stigmatization of the gay community, he was still unwilling to discuss the types of persecution that individuals with AIDS experienced – even though he admitted that victims of persecution would come to his office (Interview, Tunis, December 2009).

²³ She indicated that the office of the opposition party had been "especially visible" directly before, during and immediately following the elections, perhaps meaning that the office had been tapped or that there were people working for the government listening to our conversation in her office.

would change the subject, or were so visibly uncomfortable that the author did not press for an answer. Perhaps more telling than what was said (or not said), though, were the physical and linguistic reactions of the interviewees to the questions. During one interview in a café in Kairouan, English professor and city council member Mohamed physically removed the inactive tape recorder from the middle of the table and shook his head to stop the conversation about press freedom when he saw someone he knew enter the room. He later admitted that the man worked for the national police, and that he did not feel comfortable knowing that a recording of the things he had said could be confiscated. In other interviews that took place in more public or busy restaurants and cafés, the interviewees would scan the room to see who was present before even considering answering a question. In most cases, they seemed to have an idea of the type of person to “watch out” for, or of whom to be suspicious.

When asked where the interviewees got their information regarding their knowledge of human rights, most often they answered either “the government” or that they “just knew it,” i.e. through gossip or informal exchanges of information. Interestingly, those who knew information via the government seemed to have more positive impressions of the situation of human rights than those who had heard information through more informal routes. Several mentioned that the president had discussed human rights in his State of the Union recently, although they did not recall in what capacity. Neither those who had heard about human rights from the government, nor those who had heard through gossip, seemed especially willing (or able) to discuss specific cases of abuse, and none was familiar with the reports by Human Rights Watch, Reporters Without Borders or Amnesty International (and none was willing to use the names of those groups). Several interviewees smiled or laughed when asked about the international human rights groups, questioning the author if she was familiar with “Error 403 and 404”²⁴ on the internet.

Curiously, when asked about the identity of those they had heard were incarcerated or abused, the more than 90% (both of those who got their information from the government and those who had other informal information sources) agreed that those who were abused were most likely “Islamists,” “terrorists,” “against the government,” “dangerous” and/or “deserved it.” Even among interviewees who were highly educated, members of altruistic civil society organizations, left-leaning and socially conscious politicians, or practicing Muslims, there seemed to be very little sympathy for either those currently incarcerated by the government or former prisoners who had claimed abuse. Several interviewees volunteered that even though the purported abuses were “tragic” or “horrible,” the actions of the government was, if not justifiable, then at least understandable to help prevent the spread of Islamism. Others said that even though they may not like it, they understood why the government monitored the internet and phones so closely - and some felt “safer” because of the tight control. The president of the regional delegation of l’Organisation Tunisienne des Meres (OTM,

²⁴ Web filtering in Tunisia is achieved through the use of a commercial software program, SmartFilter, sold by U.S.-based company Secure Computing. Because all fixed-line internet traffic passes through facilities controlled by ATI, the government is able to load the software onto its servers and filter content consistently across Tunisia’s eleven ISPs. Tunisia purposefully hides its filtering from internet users. SmartFilter is designed to display a 403 “Forbidden” error message when a user attempts to access a blocked site; the Tunisian government has replaced this message with a standard 404 “File Not Found” error message, which gives no hint that the requested site is actively blocked (OpenNet Initiative 2009).

Organization of Tunisian Mothers) stated that she felt strongly that Tunisia not become like Algeria²⁵, and that the freedoms that Tunisian women enjoyed (a reference to a previous discussion of women's political rights) were sometimes dependent on a "tough stance" against terrorists and Islamists.

While the lack of specific or anecdotal information makes definite conclusions regarding the occurrence of human rights abuses challenging, it appears that the ways in which human rights abuses are discussed in the public sphere can be categorized in several ways. Firstly, the discussion of human rights abuse is certainly not undertaken lightly or easily, and people are reluctant or unable to provide specific instances of first-hand accounts. Nevertheless, most of the interviewees seemed aware that *something* is happening because the government has recognized (or, more accurately, denied) the problem, or because of clandestine conversations held in private. However, human rights abuses is clearly a topic that is not "supposed" to be discussed in the public sphere because of widely accepted social taboos, fears of retribution or the generalized fear that "Big Brother is watching." Consequentially, the discourse on human rights abuses can be qualified as "non-open." Interestingly, because the discourse exists outside of the realm of the casually "discussable," the topic can also not be critiqued openly by the public, nor can the government be held socially or politically accountable by its people. In this way, this non-open discourse exists in a vacuum – neither democratic, in the sense that it can be discussed, criticized and change; nor secret, in the sense that the people are denied access to knowledge.

Secondly, the ways in which people are willing or able to discuss human rights abuses seem, in a way, to mirror the discourse of the state. The perception that "someone deserved it [abuse]" is prevalent, and the justification of "state security" seems to be generally accepted to rationalize of the actions of the state. The collective fear of religious extremism, domestic insecurity or political instability seems to be highly institutionalized, to the point that people are able to explain away the self-described problematic practices of the state. This curious institutionalized sense of acceptance, consent and collaboration will provide the starting point of analysis in the following section, shedding light on the so-called "strategic politics of public legitimacy" that the Tunisian state employs to appropriate and retain categorical hegemonic political power in the public sphere.

VIII. Hegemony, Legitimacy and Truth as Power: A Gramscian Approach

Any discussion of hegemony and hegemonic discourse must begin with Italian theorist Antonio Gramsci. And although the link between Gramsci and Foucault has been often criticized and questioned, the shared political concerns and ontological similarities make the two theorists compatible for this analysis of the case of Tunisia. As a number of

²⁵ A common Tunisian perception; Algeria's history has been marked by bloody civil war and the rise of a conservative Islamist movement, which has eroded many of the social freedoms enjoyed by Algerian women. Tunisian women in particular seem anxious of becoming like their Algerian neighbors, and stigmatize wearing the *hijab* for fear of encouraging an encroaching conservative Islamist ideology that has been spreading throughout the Arab world in recent years.

commentators have argued, there is a basis for convergence between Foucault and Gramsci²⁶, whereby Foucault is viewed as a “poststructuralist reading of Gramsci” (Kenway 1990: p. 172). Olssen (1999: p. 102) further suggested that Gramsci’s more unitarist approach resulted in the use of terms like “cultural and moral leadership, cultural hegemony, and so on,” which could be adjusted “to echo Foucault’s mode of expression, where he speaks in the plural of ‘hegemonies’, ‘knowledges’, ‘regimes of truth’ and so on.” And, as Olssen concluded in his final analysis (ibid: p. 110), Gramsci and Foucault present a more powerful perspective on social structures taken together than each does on his own. While the author appreciates that Gramsci and Foucault belong to fundamentally different theoretical traditions, their similar views regarding the ways in which power is produced and institutionalized prove to be useful for this analysis of the case of Tunisia. As such, the following section will take as its starting point the utility of both Gramsci and Foucault for a deep and nuanced understanding of the workings of power and the production of strategic politics of public legitimacy by the state.

Gramsci and Political Hegemony

Gramsci has entered the popular sphere of political and sociological study in the past three decades because of his useful application of the concept of “hegemony” as a tool of social analysis and political strategy. In broad terms, hegemony has come to denote the ideological domination of one social group over others: the exercise of “intellectual and moral leadership” over subordinates that diminishes the need for direct, coercive measures to ensure compliance (Martin 1997: p. 38). Taking a Gramscian perspective, the state – the hegemon of a particular society – encompasses the entire complex of practical and theoretical activities. In this way, the ruling class can not only justify its dominance, but also manage to win active consent over those whom it rules (Crehan 2002: p. 102).

Power exists on a continuum, with direct coercion through brute force at one pole and willing consent at the other. This means that in order for a hegemon to maintain its dominant position, it must not only control material circumstances (through coercion), but more importantly it must acquire ideological consent from the masses in order to prevent rebellion. Hegemony, therefore, connotes a form of social control that is “...characterized by the combination of force and consent variously balancing one another” (Forgacs 2000: p. 423). Gramsci’s argument, limited in scope for the sake of this thesis, can be summarized as such: no regime, regardless of how authoritarian it might be, can sustain itself *primarily* through organized state power and armed force. In the long run, it must have popular support and legitimacy in order to maintain stability. Importantly, though, consent here should not be understood as a permanent state of affairs; rather it conveys the impression of a struggle between competing ideological positions that are shifting constantly to “...accommodate the changing nature of historical circumstances and the demands and reflexive actions of human beings” (Giroux 1981: p. 25).

In a similar way to Habermas’ conceptualization of the public sphere (as discussed in a previous section), Gramsci’s works on cultural and political hegemony divide public life between “political society,” which is the arena of political institutions and legal constitutional

²⁶ See in particular Cocks 1989; Holub 1992; Kenway 1990; and Olssen 1999

control (seen by Gramsci as overtly coercive), and “civil society” which is commonly seen as the “private” or “non-state” sphere (seen by Gramsci as non-coercive, or consensual). The former division is the realm of force and the latter of consent. Gramsci stresses, however, that the classification is purely conceptual and that the two, in reality, often overlap. And, curiously, it is the “autonomy” of civil society that allows civil and political society to be confused so that “consent is not a State affair but effected [sic] by public opinion” (Gramsci 1971: p. 196, 242, 254, 262-3, as quoted in Sim 2006: p. 150).

The overlap between public and private can be seen as perhaps the most important contribution of Gramsci to this thesis: the space in which the public and the private spheres intersect provides the meeting point between force and consent, where the state is able to coerce the consent of its people. This in turn gives rise to the creation of a dominant or hegemonic discourse²⁷, which (as discussed earlier) is created by those in power to justify the interests of the dominant group. This discourse is used to legitimize the differential power that groups hold and, as such, offers a specific reading of the situation in which people find themselves. To be clear: a hegemonic discourse, created by the ruling class to maintain the power of the ruling class, becomes accepted by society as “common sense” or as “the only way of running society.” While there may be complaints about the way that the ruling class manages specific topics, and people may look for improvements or reforms, the basic beliefs and value systems underpinning society are seen as either neutral or of general applicability.

The hegemonic discourse of a society is a plausible interpretation of reality, created through the previously-discussed dynamics of power, generally accepted to be the truth (Hall 1998: p. 1057). This version of “truth” is conventionalized within society so that the citizen public believes it to be true, to the point that the citizens themselves reproduce the discourse as truth. This process was termed by Gramsci as the “ideological acquiescence” of the subordinate, by which citizens submit to, comply by and internalize the dominant discourse of society. It is in this way that the consent of the citizen public to the ruling class is collectivized. Coercion is used as the agent to institutionalize that consent – using both the carrot and the stick, so to speak, to maintain power and hegemonic dominance. Put another way, the ideological acquiescence of the citizen public is established by the internalization of a dominant discourse.

Legitimacy and Hegemonic Discourse

If one accepts that a hegemonic discourse is seen by the citizen public as “common sense” and “beyond the realm of question” because it is so obvious, then the argument flows logically that such a discourse must be seen as plausible and legitimate by those members of society. In its simplest terms, a hegemonic discourse that is accepted as “truth” by a population must be rational and believable in order to persist. While the point seems fairly self-evident, the importance of the “legitimacy” of a discourse must nevertheless be stressed to assist in the understanding of the implications of a hegemonic discourse. And while

²⁷ Defined here in a similar manner to Sutherland (2005), as an adaptable but internally coherent belief system that offers an interpretative explanation of society coupled with practical measures for maintaining or changing the political status quo.

“legitimacy” has been acknowledged by political theorists such as Samuel Huntington (1991: p. 46) as a “mushy” concept, it is nevertheless widely employed by social scientists. As Wedeen (1999: p. 7) argues, social scientific understandings of the world revolve around belief and opinion, and therefore how a discourse is perceived has a direct affect on its persistence and durability.

According to political philosopher Dolf Sternberger (1968, p. 244): “Legitimacy is the foundation of such governmental powers as is exercised both with a consciousness on the government’s part that it has a right to govern and with some recognition by the governed of that right.” Put plainly, something that is legitimate is in accordance with established rules, principles or standards. In that way, Seymour Martin Lipset (1960, p. 77, cited in Schaar 1989, p. 20) proposes an interesting understanding of legitimacy as “...the capacity of the system to engender and maintain the belief that the existing political institutions are the most appropriate ones for society.” Legitimacy, therefore, can be seen as establishing and established by the dominant discourse of the community and exists: “...through reference to communal values and narratives, interpretation of public interest, and/or appeal to public opinion that the public is invoked as a source of moral authority in politics” (Ku 2000: p. 230). This view of legitimacy is premised on an evaluative claim made by the citizen public regarding the moral status or moral authority of political actors, institutions or the whole government made on the basis of their decisions, actions and claims. Because legitimacy is a subjective concept pegged to the perceptions of the ruled, the question of how authoritarian regimes can be seen as legitimate and why they endure must be approached as an issue of hegemony and popular consent (Sim 2006: p. 151).

To summarize, a hegemonic discourse is so deeply entrenched in the collective national consciousness that it is seen as beyond question. The discourse must, almost by definition, be legitimate in order for citizens to believe it; and indeed, they have established its legitimacy by consuming it without question. Paradoxically, the hegemonic discourse exists because the citizen public believes it, and they believe it because it exists.

IX. Keeping Control: The Tunisian State and Strategic Politics of Public Legitimacy

The biggest strength of hegemonic theory is its sensitivity to how history, culture and ideology can come together to engender offsetting forces that stabilize and legitimize authoritarian regimes, offering a genuine response to the question of why authoritarianism endures. Applied to the case of Tunisia, it is clear that the regime keeps power through a combination of coercion and consent, through a combination of carrot and stick relations that not only enforce, but also *internalize* control – to the point that people are so indoctrinated in the discourses of the regime that they control themselves. And, as Sutherland pointedly argues, “If authority can be exercised by means of either coercion or consent, the more desirable long-term option is to *manufacture* consent by propagating and consolidating a form of grand discourse legitimating the status quo” (2005: p. 189, italics added).

Strategic Politics of Public Legitimacy

In a previous discussion, the importance of the *politics of discourse*, or the political interest that a discourse serves, was highlighted. The question that arose in conjunction with this analysis regarded the politics behind the “truth” and who benefited from a dominant discourse that comes to be viewed as the “truth.” If we are to accept that the Tunisian government, in their capacity of hegemon of the state, has helped to produce (and in turn, is produced by) the hegemonic discourses of society, then it stands to reason that there is political reasoning behind their decisions to prioritize some discourses and repress others. It appears that the practice of the state has been to strongly publicize discourses that will foster both the support of its people and create legitimacy for the regime, while at the same time stifling discourses and information that would undermine, discredit, or weaken the state. This, in turn, cultivates strategic state interests, in a way perpetuating the state’s hegemonic power over the population by institutionalizing discourses into the collective consciousness of the citizen public.

An important point to recognize in understanding the hegemonic discourses of Tunisia are the curious dynamics of power in the Tunisian state, which epitomize the consent/coercion dynamic described by Gramsci. While most international organizations can agree that Tunisia is a dictatorship in the strictest sense of the word²⁸, the country is not managed exclusively through overtly repressive or authoritarian means (a point which will be examined further in the following section). Rather, the image of Tunisia as a politically progressive, quasi-democratic and liberal state lies at the root of the regime’s strength.²⁹ Much of the support of the people comes from a belief that their country is forward-thinking, economically stable and able to compete in the world market – unlike their Algerian or Libyan neighbors who suffer from terrorism, economic instability and social “backwardness”³⁰. Therefore, establishing and maintaining legitimacy can be seen as perhaps the most important goal of the Tunisian government in order to sustain their authority, even though threats of violence are an important enforcement mechanism on the continuum of state power. For this reason, the Tunisian state walks a precarious line between exerting too much coercion and not enough consent, as the both will undoubtedly lead to widespread political and social unrest. It is for this reason that discourses that establish the state’s legitimacy are so important for retaining hegemonic power over the people.

As was mentioned earlier, perhaps the best example of a state-prioritized dialogue that is used to establish the state’s legitimacy is the discourse on women’s political rights. As was argued, the discourse can be considered to be “open” and easily reproduced by the citizen public in the public sphere. Citizens and the government alike are willing and able to discuss

²⁸ See, for example, Freedom House 2009; BTI Country Report 2010; and the National Democracy Index

²⁹ It is for this reason, seemingly, that the regime goes to such pains to establish the legitimacy of its elections. Although the president has been re-elected in the last five elections over the course of more than 20 years, with a margin of between 89 and 94 percent of the vote (U.S. Department of State 2009), the government nevertheless highlights the “democratic” nature of the country and the legitimacy of its electoral system by inviting international watchdog organizations to monitor the elections and broadcasting hour-by-hour updates of the voting counts.

³⁰ Interview with Mouna, Tunis, November 2009

the advances made in the realm of women's political rights, and the widely-extolled example of Tunisian gender quotas is used throughout the world as a model for successful state-sponsored feminism.³¹ Given the level of domestic and international attention, one must ask the question: what does the state gain by fashioning itself in the image of a women-friendly, politically progressive state? Who benefits, and how? Remarkably, the answer to this question is fairly simple. As Ku (1998: p. 181) puts it, open politics wins public support and shapes public opinion by attracting attention: at the same time, it is amenable to the test of public credibility. On the discursive level, openness signifies a symbolic code that, in a discourse of democracy, goes hand in hand with the codes of clean, honest and publically accountable politics. By promoting women's political rights, the state has found a positive symbol around which to mobilize public opinion – something in which citizens can find pride and confidence. This, in turn, lends to the greater legitimacy of and faith in the regime, which helps to re-entrench the idea that (to paraphrase Lipset) the existing political institutions are the most appropriate ones for society. The hegemonic discourse on women's political rights, therefore, can be seen as a highly public sign that reaffirms the legitimacy of the regime.

At the same time, though, and in an antipodal manner that also (ironically) works to uphold the state's legitimacy, the Tunisian government works to suppress information that would undermine or discredit the regime and its policies. The previously-discussed example of human rights abuses and the conflicting (and incomplete) non-open discourses surrounding human rights abuse illustrate clearly how the state has worked to cover up an embarrassing reality of its coercive strategies of power. Due to the (unwanted) publicity of organizations such as Amnesty International, Human Rights Watch and Freedom House, the international community (and, to some extent, the Tunisian people) have been made aware of the extent to which human rights are violated in the country – and the state has, at least partially, been held accountable for its actions. Nevertheless, the state has worked to keep control of the discourse regarding human rights, in a way formalizing and defining the discussion on human rights abuses in a non-open way that disallows free discussion in the public sphere. While the government cannot and will not forthrightly prohibit discussions of human rights abuses while still maintaining the façade of a “free” or “democratic” state, its agents can use the variety of tools available to vitiate the discourse in their favor.

To help preserve some of the veneer of the image that the Tunisian state has created, the state has done everything in its power to “sweep under the rug” the negative image created by accusations of human rights abuse. Quite simply, it is bad for business (and for the country's image) to be known domestically or internationally as a state that disregards human rights.³² As a result, the regime has made a concerted effort to redefine the discourse on

³¹ For example, the OECD has, in recent months, invited numerous Tunisian scholars and politicians to various conferences throughout Europe to discuss the impact of gender quotas. In addition, organizers of conferences on gender equality, business, economic development and political change in Europe and the US are interested in finding representatives from Tunisia to speak about their “success model” and how it could be applied to other MENA and Asian countries.

³² Because of the Association Agreement between Tunisia and the EU, the latter has leveraging power to incentivize Tunisia to improve its human rights records by threatening to reduce trade or place limitations on the treaty. Human rights organizations and political advocacy groups throughout Europe have worked actively to persuade the EU to take a stronger stand on the enforcement of human rights law in Tunisia, as the economic incentives provided by the Associate Agreement are seen as an excellent opportunity to “push” Tunisia in a more open and free direction. The Association Agreement, which benefits strongly the economic growth and

human rights abuses, or to remove it entirely from the public sphere. This process can be seen in two different ways which were already mentioned in the previous analysis. Firstly, the vast majority of people are reluctant or completely unwilling to discuss human rights abuses on their own accord – in effect practicing self-censorship. The fear of the state, or the fear of retribution, prevents them from speaking openly, even if no one is listening. Secondly, and perhaps most interestingly, the citizen public has become so indoctrinated in the dominant discourse of the state that they reproduce it themselves to justify the state's human rights abuses. For example, the people interviewed in Tunis, Kairouan and Zaghuan excused the behaviors of the state by explaining that those abused are most likely “terrorists,” “Islamists,” “enemies of the state” and “probably deserved it,” even if they may not agree morally with the abuses. Much of the population believes the discourse of the state as the “truth,” and in that way internalizes the control of the state. In this fashion, the citizen public is able to justify and consent to the actions of the state, thereby preserving the state's legitimacy and sustaining the hegemonic power of the state over the people – even if they do not necessarily agree with the specific actions of the state.

Interestingly enough, the strategy behind the Tunisian politics of public legitimacy can be seen not only in examples of open and non-open discourses on women's political rights and human rights abuses, but also in cases of education policy, economic growth, direct foreign investment, youth culture and even sports. The struggle to build a national identity which can sustain future growth and change, as well as keep the pre-existing regime in power, requires the calculated and premeditated formulation of hegemonic discourses of control – and it goes far deeper than a state-prioritized discourse on women's political rights or a de-prioritization of discussions of human rights abuse.

X. Conclusions: “Common Sense” and the Status Quo

As has been shown, the Tunisian regime is maintained through a perilous tension of enforcing dominance by maintaining absolute social and political control, while at the same time generating popular support and cultivating a proud national identity. The regime's control is premised both on its legitimacy to its people *and* its ability to use force to discipline those who do not agree. Unlike other dictatorships in the Arab world, the Tunisian regime cannot be seen as exclusively tyrannical or brutal, but more “benevolent” in nature. Valliant attempts are made to promote the national economy and social development in order to keep the population happy, and in many ways the country can be seen as progressive, liberal and modernizing. At the same time though, international reports and even the words of the president himself hint at the undercurrents of violence that saturate society in an attempt to maintain control. It appears that people legitimately fear becoming victims of abuse themselves if they step outside the norms of self-censorship. A student at the École Polytechnique, the premiere university of engineering and mathematics in Tunisia, summarized the tension felt by the Tunisian public quite aptly³³: “It is a fine place to live, as

prestige of Tunisia, stands to collapse if the EU representatives feel that the human rights agreement has not been upheld (Kelley 2006).

³³ Interview in La Mara, Tunisia, December 2009

long as you know who you should not upset. You can make a lot of money, be very successful, raise a good family. Just stay with the status quo. Don't make trouble for them [allegedly, the government] and they won't make trouble for you."

The Tunisian government maintains control not just through violence and political and economic coercion, but also ideologically, through a hegemonic culture in which the values of the bourgeoisie became the "common sense" values of all. Thus, a consensus culture develops in which people in the working-class identified their own good with the good of the bourgeoisie, and helped to maintain the status quo rather than revolting. And indeed, why would the people revolt? The government has worked to provide jobs, social infrastructures, a burgeoning economy, security from outside threats such as Islamism and terrorism, decent schools and many of the other basic material needs that a population could hope for. There are visible examples of citizens who have been able to profit from the largesse of the government, and the potential is there for many others to succeed. As long as the government is able to keep people happy (or at least create the image of keeping people happy), there is no reason for widespread discontent. As the same student at the *École Polytechnique* queried: "Why would you bite the hand that gives you bread?"

In that comment lies the genius of the Tunisian regime: the vast majority of Tunisians perceive the political and social situation in the country as acceptable because of the highly publicized open discourses regarding the "good" aspects of life – such as women's political rights. This hegemonic discourse has become so deeply indoctrinated into the public consciousness that it is seen as "common sense" – the truth, so to speak – and is readily reproduced by the government and the population in the public sphere. And while citizens are aware that society and the government may not be perfect (most conceded, after all, to know that human rights abuses appear to be fairly widespread), they see no reason to "bite the hand that gives them bread" for two reasons. Firstly, there are enough tangible and material benefits allocated to the citizen public that it seems illogical to question the status quo for fear of losing what they have. Secondly, however, in the case that one does "bite the hand that gives it bread" by questioning or revolting against the status quo, the hand (the government) will hit back. The strength and coercive force of the government is beyond question, and the general perception that "Big Brother is watching," combined with the fear of becoming one of the victims of state violence, is strong enough to keep the population in check.

As the private sphere collapses into the public sphere, as predicted by Habermas and played out in reality through the nepotistic melding of civil society and the state, the discourses of the government become the discourses of the people. And so the combination of consent and coercion, carrots and sticks, and tolerance and fear, allows for the maintenance of the status quo and the persistence of government-fashioned hegemonic discourses of domination that perpetuate unquestionable state power.

XI. Executive Summary

Tunisia, seen internationally as one of the most liberal and modernized countries in the Middle East, is touted as a top tourist destination and a rising economic star which has staved off many of the social and political instabilities of its neighbors. Advances in secularism, domestic policy, education and direct foreign investment have marked Tunisia as an up-and-coming partner in the world market, and the country boasts one of the most progressive policies for women's political rights in the Arab world. Nevertheless, domestic rumors and international reports hint at a government that stands at a crossroads between democracy and autocracy, autonomy and dependency, tolerance and dogmatism, modernization and stagnation. Human right abuses, limitations on freedoms of speech and assembly, harsh restrictions on the press, unknown levels of internet censorship and a generalized sense of unease at the perception that "Big Brother is watching" mar the progressive image that the Tunisian state has worked so hard to create. The government is left negotiating the line between maintaining dictatorial social and political control while still creating an image of legitimacy and accountability both domestically and internationally.

This thesis will investigate the strategic politics of public legitimacy that the Tunisian state employs in creating and maintaining open and non-open discourses with its citizen public, using the example of women's political rights to illustrate an example of an "open" discourse, in contrast to the "non-open" discourse on human rights abuses. The analysis will explore how women's political rights are constructed and how the discourses surrounding those rights are presented as a demonstration of the state's seemingly avant-garde policies. In contrast, the thesis will examine how and why the state constructs "non-open" discourses on human rights abuses, and how that information is influential to construct and maintain the legitimacy of the regime. Further, it will be illustrated how, using a discourse of state stability, the Tunisian state has secured the power to appropriate the public sphere for its own strategic state ambitions. The discussion will conclude with a paradox: the Tunisian state requires the collaboration of the public in order to maintain its unquestionable hegemonic power, even though the non-open discourses upon which the state's legitimacy depends undermines the very idea of an autonomous citizen public. In this way, the Tunisian public is seen as consenting to, and in a way culpable for, the persistence of a non-open, politically and socially repressive authoritarian regime which undermines freedoms of expression.

Tunisia is a country where the president and his ruling political party, the RCD (the Rassemblement Constitutionnel Démocratique), exercise indirect control over most aspects of political and social life. The RCD is composed of more than 2 million members and more than 6000 representations throughout the country, and largely overlaps with all important state and non-state institutions. Although President Ben Ali has established and maintained a pro-western foreign policy and supported the westernization of the economy, freedom of expression is severely limited by harsh governmental controls over the media and the internet. Public criticism of the regime is not tolerated, and all types of protests are severely suppressed. Importantly, the Tunisian state has been accused of egregious violations of human rights against a variety of groups. Yet, the women's movement in Tunisia enjoys the ideological and financial backing of the government and has become part of a prioritized political narrative – demonstrated through the establishment of a 30% quota for women on all RCD party lists, which places Tunisia at the forefront of women's political rights in the

Middle East. The thesis asks the questions: How can the state reconcile and justify such a tenacious set of policies, in which women's rights are so progressive and yet human rights abuses are, if not ignored, then at least widely accepted by the government and the citizen public? How does the Tunisian regime negotiate the fine line between maintaining social and political control while still sustaining a façade of legitimacy and accountability?

Using Jürgen Habermas' distinction between that which is "public" (within the realm of the state) and that which is "private" (within the realm of the citizen), a closer understanding of "open" versus "non-open" policies of the state is addressed. The public sphere is a space in which members of a political community can join together to discuss communal issues, where the public's political autonomy vis-à-vis the state can be safeguarded. Information within that public sphere is open for consumption and critique by all citizens, and in that way, an open public sphere provides space for the processes of democratic reformation of the state through the active dissemination and utilization of information. "Openness" is based on a principle of democratic accountability to the citizen public, in contrast to "secrecy" which enforces the idea of non-labile, non-democratic power exercised by a small circle of power-holders who are not accountable to their citizens. In contrast, "non-open" information is that which is purportedly secret, yet nevertheless partially disclosed to the public through rumor, gossip or other non-official means of admission. These types of information are used strategically by the state to justify a *discourse of stability* that substantiates an opposition to democratic reforms that might bring disorder, conflict or unstable change to the status quo. Only through the processes of *publicity* undertaken by the modern media and international watchdog organizations, does secret or non-open information become available to the citizen public, transforming the existing political boundary of openness/non-openness/secrecy enforced by the state.

Following from the public sphere, the next section examines *discourses*, defined as written or spoken communication of knowledge which creates human reality or "truth." The utility of a discourse is that it systematically constructs the subjects and the world of which they speak – essentially defining what can be spoken of, where and how. Discourses are used strategically in what is known as the *politics of discourse* – essentially the political interest a discourse serves, how it participates in the politics of truth, what the speaker's benefit is and who speaks on behalf of whom. As Foucault argues, while knowledge and power are not the same thing, each incites the production of the other in an intimately related manner. Those who are in control decide who we are by deciding what we discuss, which raises questions that have to do with how some discourses maintain their authority, how some "voices" are heard while others are silenced and who benefits and how.

An example of a strategic policy of openness is demonstrated through the public discourse on women's rights. Domestically, women's political and social rights are well-publicized in the local and national media, and spot-lighted in frequent speeches by the president and his cabinet. Importantly, most Tunisian citizens seem to be aware of the progressive levels of women's political participation that have come to characterize their country. In general, based on interviews throughout the country, it appeared that discourses of the citizen public on parliamentary gender quotas are easily undertaken, with a marked level of openness on behalf of the interviewees. Importantly, the government seems to encourage awareness and

knowledge of gender quotas, and has made what appears to be a concerted effort to publicize their prioritization of women's political rights both domestically and internationally.

In contrast, the discourse on human rights abuses is contradictory between government accounts and accusations by international human rights organizations such as Amnesty International, Freedom House and Human Rights Watch. While the international community has loudly voiced their opposition to human rights abuses ranging from torture to politically motivated abductions to strict internet censorship, the government maintains that such abuses do not happen, or are the result of discontented opposition members who distort reality. The population, in the meantime, demonstrates a generalized sense of aversion to and discomfort regarding any discussion of human rights abuse. Although human rights abuses is clearly a topic that is not "supposed" to be discussed in the public sphere because of widely accepted social taboos, fears of retribution or the generalized fear that "Big Brother is watching," most interviewees seem aware that *something* is happening. Interestingly, when asked about the identity of those they had heard were incarcerated or abused, interviewees agreed that many were most likely "Islamists," "terrorists," "against the government," "dangerous" and/or "deserved it," even if the interviewees did not agree with the methods of abuse used by the government. Consequentially, the discourse on human rights abuses can be qualified as "non-open."

The discussion continues with a discussion of *hegemony*, which connotes a form of social control that is characterized by the combination of force and consent variously balancing one another. Regardless of how authoritarian a regime might be, it cannot sustain itself *primarily* through organized state power and armed force. In the long run, the regime must have popular support and legitimacy in order to maintain stability. In that way, a regime can work to establish a *hegemonic discourse* which is created by those in power to justify the interests of the dominant group and so deeply entrenched in the collective national consciousness that it is seen as beyond question. The discourse must, almost by definition, be legitimate in order for citizens to believe it; and indeed, they have established its legitimacy by consuming it without question. Consequently, the ideological acquiescence of the citizen public is established by the internalization of a dominant discourse, wherein a state-created truth is accepted and reproduced unquestionably by the people.

The practice of the Tunisian state has been to strongly publicize discourses that will foster both the support of its people and create legitimacy for the regime, while at the same time stifling discourses and information that would undermine, discredit, or weaken the state – otherwise known as the *strategic politics of public legitimacy*. This, in turn, cultivates strategic state interests, in a way perpetuating the state's hegemonic power over the population by institutionalizing discourses into the collective consciousness of the citizen public. By promoting women's political rights, the state has found a positive symbol around which to mobilize public opinion – something in which citizens can find pride and confidence. This, in turn, lends to the greater legitimacy to the regime, which helps to re-entrench the idea that the existing political institutions are the most appropriate ones for society. In contrast, the Tunisian regime has made a concerted effort to redefine the discourse on human rights abuses, or to remove it entirely from the public sphere in a non-open way that disallows free discussion in the public sphere. While the government cannot and will not forthright prohibit discussions of human rights abuses while still maintaining the façade of a

“free” or “democratic” state, its agents can use the variety of tools available to vitiate the discourse in their favor. In that way, the citizen public has become so indoctrinated in the dominant discourse of the state that they reproduce it themselves to justify the state’s human rights abuses. Consequently, the citizen public is able to justify and consent to the actions of the state, thereby preserving the state’s legitimacy and sustaining the hegemonic power of the state over the people – even if they do not necessarily agree with the specific actions of the state.

To conclude, the Tunisian regime’s control is premised both on its legitimacy to its people *and* its ability to use force to discipline those who do not agree. Power is maintained by enforcing absolute social and political control, while at the same time generating popular support and cultivating a proud national identity. There are enough tangible and material benefits allocated to the citizen public that it seems illogical to question the status quo for fear of losing what they have, while at the same time the fear of becoming one of the victims of state violence is strong enough to keep the population in check. And so the combination of consent and coercion, carrots and sticks, and tolerance and fear, allows for the maintenance of the status quo and the persistence of government-fashioned hegemonic discourses of domination that perpetuate unquestionable state power.

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Appendix 1: Demography of Interviews in Tunisian Municipalities

| Name ³⁴ | Gender | Affiliation | Municipality | Interview Location | Discussed Human Rights Abuses? |
|--------------------|--------|--|--------------|---------------------------------------|--------------------------------|
| Amal | Female | President of the regional delegation of l'Organisation tunisienne des meres (OTM, Organization of Tunisian Mothers) | Kairouan | Restaurant | |
| Kaouther | Female | Regional delegate, <i>Union Nationale de la Femme tunisienne</i> (UNFT, National Union of Tunisian Women) | Kairouan | Workshop, UNFT office | |
| Mohamed | Male | English teacher, Higher Institute for Juridical and Political Studies, Kairouan city council member | Kairouan | Café | Yes |
| Nadia | Female | President of UNESCO ALECSO ISESCO (United Nations Educational, Scientific and Cultural Organization, Arab League Educational, Cultural and Scientific Organization, Islamic Educational, Scientific and Cultural Organization) | Kairouan | Workshop, UNFT office | |
| Ahmed | Male | Chief of bilateral cooperation, Ministry of Women, Family, Children and the Elderly Affairs | Tunis | His office/ Café | Yes |
| Alam | Female | Member of Parti de l'Unité Populaire (PUP, Party of People's Unity) and wife of presidential candidate | Tunis | CAWTAR | Yes |
| Anis | Male | Parliament deputy, Mouvement de la Rénovation Ettajdid (Ettajdid, Renewal Movement) | Tunis | CAWTAR | Yes |
| Fareed | Male | Student, École Polytechnique | Tunis | Café | Yes |
| Hind | Female | Parliament deputy of Mouvement des Démocrates Socialistes (MDS, Movement of Social Democrats) | Tunis | CAWTAR | |
| Ibtissam | Female | Ex-parliamentary deputy, Rassemblement Constitutionnelle et Démocratique (RCD- Constitutional Democratic Rally) | Tunis | CAWTAR | |
| Khalil | Male | Dental surgeon, self-identified political nihilist | Tunis | His office | Yes |
| Leila | Female | Member of Association tunisienne des femmes démocratiques (ATFD, Tunisian Association of Democratic Women), member of Mouvement de la Rénovation Ettajdid (Ettajdid, Renewal Movement) | Tunis | Her office | Yes |
| Mouna | Female | Program presenter of Forum (call-in cultural-political radio show) at MosaïqueFM | Tunis | Her office | Yes |
| Rim | Female | University professor, psychologist, researcher, founder of Association Des Femmes Tunisiennes Pour La Recherche Et Le Developpement (AFTURD, Association of Tunisian Women for Research and Developpement) | Tunis | Her office | Yes |
| Walid | Male | Project coordinator at l'Association tunisienne de lutte contre les maladies sexuellement transmissible et le SIDA (l'ATL MST/SIDA, Tunisian association to fight against sexually transmitted diseases and AIDS) | Tunis | CAWTAR | Yes |
| Youssef | Male | Executive director of studies and documentation at L'Union Générale Tunisienne du Travail (UGTT, Tunisian General Union of Labor) | Tunis | His office | |
| Ali | Male | Mayor of Zaghouan, member of Rassemblement Constitutionnelle et Démocratique (RCD- Constitutional Democratic Rally) | Zaghouan | Workshop, Municipal office | |
| Bassem | Male | Assistant to the Mayor of Zaghouan, member of Rassemblement Constitutionnelle et Démocratique (RCD- Constitutional Democratic Rally) | Zaghouan | Workshop, Municipal office/Restaurant | Yes |
| Salim | Male | Delegate of Religious Affairs, Zaghouan | Zaghouan | Municipal office | |
| Salma | Female | Delegate of Social Affairs, Zaghouan | Zaghouan | Municipal office | |

³⁴ All names have been changed to protect the identities of the respondents