

P2-ABY-778

**DIS**

دعم المؤسسات الديمقراطية

Democratic Institutions Support Project

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**NGO PARTICIPATION IN MUNICIPAL DECISION MAKING:  
LIMITATIONS AND POTENTIAL IN TUNISIA**

August 1994

**GLOBAL BUREAU  
CENTER FOR GOVERNANCE AND DEMOCRACY**

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**ACKNOWLEDGMENTS**

This report was carried out and organized by the Global Bureau's Center for Governance and Democracy under the auspices of its Democratic Institutions Support project. This report was prepared by Dr. Rhys Payne, with assistance from Dr. Robert Springborg, Dr. Ezzedine Moudoud, Dr. Mohamed Ben Mafoudh, Bonnie Walter, and Nadia Bechraoui.

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## EXECUTIVE SUMMARY

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The Government of Tunisia (GOT) has responded to financial and political challenges in seemingly contradictory ways. On the one hand, it has adopted draconian measures against the Islamist opposition and cracked down on political dissent by restricting freedom of expression and autonomous political participation. On the other hand, the GOT has embarked on a cautious policy of reform at the local level, by decentralizing certain governmental functions, encouraging privatization of municipal services, and permitting non-governmental organizations (NGOs) more latitude to articulate political demands.

This apparent paradox is the consequence of a coherent political strategy. The GOT perceives itself to be under threat from the Islamist movement. It is fearful the movement will exploit opportunities for populist mobilization made possible by rapid and broad-scale political liberalization. The first element of government strategy, therefore, is to continue to restrict the political space in which a potentially radical opposition might flourish.

The other component of GOT strategy is designed to complement—not contradict—the first. By decentralizing and privatizing municipal services, the central government hopes to be relieved of some of its financial obligations at the local level. These it is no longer able to meet in the face of declining revenues, competing demands for expenditures, and the needs of a burgeoning population. The government has been careful, however, not to curtail local services abruptly. It is mindful that elsewhere in the region, Islamists have moved in successfully to fill the municipal services vacuum, later using their community ties for political purposes. Instead of surrendering the provision of services to the political opposition, the GOT is encouraging the private sector to perform them.

An associated consideration is driving the GOT. Privatizing municipal services implies increased taxation to cover costs, and taxation, in turn, will generate greater demands for representation. The GOT appears to recognize that government-associated vehicles of participation such as the ruling party (the RCD) and the *comités de quartier*, will be unable to respond fully to these increased demands for representation. Legal, secular opposition political parties are too weak to do so. On the other hand, allowing nongovernmental organizations (NGOs) to become more active will meet at least some of these new demands; thus a necessary accompaniment to GOT plans for decentralization and privatization is to give NGOs some latitude to press demands on municipal government. Simultaneously NGOs will help to ensure that urban services are performed adequately.

Tolerance of NGOs is also intended to signal potential but reticent investors that the political environment in Tunisia is improving. This strategy will help to remove an obstacle to private investment, which is necessary for the success of the country's structural adjustment program. In addition, the GOT is aware that its domestic and international legitimacy will be enhanced by greater tolerance of political participation.

*The cautious opening to NGOs is an experiment with limited participation. If successful, it is likely to lead to other initiatives to enhance political legitimacy through expanded participation.*

NGOs have existed and operated in Tunisia over much of this century and some have made recent and significant contributions to public policy at the local level. Nevertheless, the prospects for rapid expansion of NGO activities should not be overestimated. NGOs continue to suffer from many internal weaknesses. They also operate in an environment that is not hostile, but neither is it particularly conducive to their success. Appropriate expectations are for slow and incremental improvements in governmental policies and in the responses of NGOs to those policies. Since rapid breakthroughs are highly unlikely, and incremental changes are more likely to be sustainable over the long haul, USAID assistance should support gradual change that will help build confidence for a successful democratic transition both within and outside of government.

It is recommended that USAID concentrate its efforts in two areas which will assist NGOs to play a more active role in municipal development.

- Improving the relations between government officials and NGOs, primarily by lessening the suspicions that currently exist on both sides;
- Enhancing the credibility of the NGOs at the grass roots level through the strengthening of their technical capacities.

The over-all approach should follow a bottom-up, rather than a top-down strategy, in which resources should be focused on specific activities located in pilot municipalities. Given the uncertain regional environment, and its potential for reversing progress to date with political liberalization, a step-by-step approach is needed. More specifically, USAID can make a positive contribution by concentrating its assistance within the pilot municipalities in three areas:

- Improving contacts between the municipality (and governorate) and local NGOs;
- Assisting NGOs in the identification and technical planning of activities they could undertake at the municipal level;
- Developing the capacity of local NGOs to become credible partners in municipal development through institutional development and training.

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## SECTION I TUNISIA'S POLITICAL ECONOMY

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The government of Tunisia (GOT) is engaged in a process of political decentralization to broaden political participation in public policy at the municipal level. Increasing the authority of local decision makers is linked to the active encouragement of non-governmental organizations (NGOs) to articulate the concerns and interests of citizen groups. The government characterizes this reform process as part of its ongoing commitment to democratization. The reality, however, is more complex than official discourse would indicate.

Decentralization and NGO representation are but two elements of a sophisticated GOT strategy to cope with profound economic and political challenges. Decentralization will help to relieve the government of growing financial constraints by transferring many of its obligations for municipal services to the private sector. NGO participation will help to absorb some of the anticipated demands for representation that invariably accompany expanded municipal services and taxation. In contrast, these two policies are tempered by ongoing concern for the Islamist threat, resulting in extensive internal security measures and the centralization of power at the national level. As demonstrated in the following analysis, the constraints and opportunities of GOT decentralization and NGO participation must be viewed in the larger context of Tunisia's political economy.<sup>1</sup>

### A. Economic Challenges

#### A1. Overview

During the 1960s and 1970s, the public sector grew to dominate the economy, as the state assumed the role of key actor in providing capital investment, jobs, and social security to a much smaller population than now exists. By the mid-1980s, however, it was clear that the state-centered approach to development was no longer viable. Rapid demographic growth after independence required an equally exponential economic growth to keep pace with the burgeoning demands of young job seekers. Yet the country was faced with economic challenges in the late 1970s and 1980s that placed the required public sector growth beyond reach. These included: increased expenditures on food imports and subsidies to meet the popular entitlements implicit in the "social contract"; inefficient management of parastatal companies, whose deficits ate up 20 percent of public spending in 1980; sharply reduced earnings from petroleum exports (which at one time provided the vast bulk of foreign revenues to the state) due to the drop in prices on the world market in the early 1980s;

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<sup>1</sup> For a more detailed analysis of Tunisia's political economy, see PE Review.

constricted availability of international commercial credit due to the international debt crisis and Tunisia's high political risk rating.

The GOT recognized the storm clouds on the horizon remarkably early for a developing country still heady from the successes of national liberation. No sooner had President Bourguiba rejected the socialist ideology and failed collectivization experiment of Ahmed Ben Salah in 1969, than Prime Minister Nouria embarked on a program to encourage private sector growth to complement the government's economic dominance. Nouria efforts to cede space to the private sector were somewhat stymied by the influence of important personages who interpreted private sector promotion as an invitation to make enormous profits under monopolistic or protected conditions. His efforts were also curtailed through the mid-1970s by the rapidly increasing availability of foreign currency from petroleum exports and commercial credit, which gave the illusion that the long-term viability of the public sector was not as fragile as some feared.

The GOT was well aware of the deteriorating state of affairs. In 1984, Prime Minister Mzali introduced draconian economic reforms, suggesting an element of desperation in the national leadership. The virtual doubling of prices on many basic goods such as bread led to a wave of violent civil unrest and bloody repression. The government was on notice that it no longer had the political legitimacy to impose controversial economic reform by fiat. President Bourguiba personally intervened to salvage the situation by rescinding the reforms, and Mzali's political career was effectively over.

When the financial crisis hit in the mid-1980s, the private sector was small and fairly uncompetitive on the world market. Public expenditures had continued to soar in preceding years as the state tried to keep pace with the needs and expectations of the population. And export revenues were constrained by the relative inefficiency of the dominant public sector and by the sharp decline in world prices for petroleum in the early 1980s.

In 1986, the GOT finally ran out of money. With debt obligations mounting to close to 30 percent of the export of goods and services, the country's foreign exchange reserves plummeted to an all-time low of nine days' worth of imports. Despite unpopular political connotations, the government was obliged to turn to the International Monetary Fund (IMF) for a standby loan to see it through its difficulties. These events marked the official beginning of Tunisia's structural adjustment program (SAP). As with most developing countries in similar situations, Tunisia's reform program was based on a sharp limitation of public expenditures, encouragement of export production, and incentives for expanding private investment.

## **A2. Private Sector Investment**

The GOT has pinned considerable hope on private sector investment to provide an engine of growth and accommodate pressures from a growing population, most importantly by

creating new jobs. Unfortunately, current rates of private investment—both foreign and domestic—have not only been far less than officially forecast, but are actually in decline.

According to official figures, direct foreign investment fell by 13 percent to TD360 million in 1993 from the TD414 million inflow in 1992; and 88 percent of the foreign investment over these two years was designated for the energy sector (primarily to build a gas pipeline to run from Algeria to Italy) rather than in more diversified activities. The Banque de France has recently released figures that show that between 1988-91, net Tunisian investment in France (Fr96 million) was significantly greater than the reverse (Fr59 million), representing a net outflow of private investment capital (EIU, page 15). The much-vaunted Percy Park—to bring together American firms seeking an export base to Europe under preferential conditions—eventually proved to be a non-starter when the principal players balked at laying down their money.

The situation is also critical on the home front, with the government signalling an unquantified decline in private investment rates. Unsubstantiated reports by knowledgeable critics claim that this decline may be as high as 25 percent for 1993 compared with 1992.

### **A3. Spending Priorities**

**Privatization.** Parastatals will continue to consume public revenues because of the slow pace of privatization. National enterprises are often inefficient and overstaffed (by as much as 20 to 30 percent). They tend to run at a deficit, and many are severely in debt. Moreover, the divestiture of public enterprises is seen as politically sensitive because of its anticipated impact on organized labor, requiring an alternate arrangement for the pension plans and social security expectations of the established work force.

**Internal security.** The ongoing emphasis on internal security is a further drain on public revenues. The government of Ben Ali has decided that such expenditures are of utmost priority—a sentiment echoed by private investors but decried by international human rights organizations. The Tunisian concern with security originated with the January 1980 insurrection in Gafsa that the GOT identified as closely linked to Libyan influence. By that time, it was clear that Tunisia had developed the basis for a diversified economy, and it was felt among the country's leadership that the government needed to protect its growing prosperity from the jealous eyes of their neighbors.

Defense expenditures began to mount significantly. While official figures for security expenditure are not publicly available, all signs indicate that the state has spared no expense in developing a formidable system of domestic intelligence and control. These have had considerable impact on the country's debt structure, since military loans are of shorter duration and on less preferential terms than food aid or developmental loans.

#### A4. Public Expenditures for Municipal Services

The emphasis on privatization and internal security means that other areas of public expenditure will be getting a smaller share of a limited pie. One such area is municipal services. For years after independence, the state assumed the role of the great benefactor, providing the country's 255 municipalities with infrastructure and services that were the envy of its oil-rich neighbors. But those days are over, as financial resources become increasingly scarce, and the financial burden for such services is gradually transferred to users.

Nevertheless, the requirement to limit public expenditures on municipal services is worrisome to the government. A massive rural exodus since the 1960s has already ended Tunisia's status as an agrarian society and strained the capacity of urban centers. In addition, the principle recruits for the Islamists are those who are lured from familial yet spartan security in the countryside by false hopes of merit-based opportunity in the cities.

In its Eighth and Ninth Plans, the GOT emphasized its commitment to regionalism by taking concrete measures to provide more infrastructure and growth in previously neglected interior governorates. For instance, the microwave telephone services in remote mountainous villages between Mendjez El-Bab and Beja are already more technically sophisticated than in the capital city. The strain that rural exodus has placed on urban areas is taken extremely seriously by the government, which has apparently deemed it more cost effective to upgrade the *bled* than to keep up with the ever-growing demands of city dwellers.

Three years ago a young entrepreneur launched a clothing business venture, taking advantage of new export incentives by orienting production towards Europe. He built a factory in Salamambo, on the northern outskirts of Tunis, and soon proved his competitiveness on the European market. However, his marketing and expansion plans were held up by the failure of the municipality to provide services. After waiting two and a half years to receive a telephone line, he joined forces with another businessman to put in a new line at a cost of TD7,000. The municipality promptly used the line to provide services to other inhabitants of the neighborhood at no extra cost. The businessman also paved the road outside his factory at his own expense because he feared that European clients might be put off by having to drive up a dusty track to reach his premises.

In short, Tunisia's economic situation means that the GOT must develop more cost-efficient means of providing adequate municipal services. The provision of services is not only essential in stemming discontent, but also in creating a positive environment for potential investors. These factors are further complicated by political challenges, as described below.

## B. Political Challenges

### B1. Existing Political Organizations

As Tunisia progressed through the 1980s, the government found its political legitimacy waning. The ideology of national liberation was no longer significant to the majority of the population born after independence. Remarkable progress in education and women's emancipation had created a revolution of rising expectations among the young. And a change in the structure of Tunisia's debt at the beginning of the 1980s also contributed to the state's declining political fortunes. Finally, and perhaps most important, Tunisia's patronage system was no longer able to accommodate the needs and demands of a growing population, a limitation closely linked to GOT financial constraints.

The financial limitations of the patronage system were evident in the late 1970s. At that time, the government identified organized labor—labelled Marxist by the state—as the principal threat to stability. Public sector workers were organized in one of the most autonomous and powerful trade unions in Africa, the *Union Générale des Travailleurs Tunisiens* (UGTT). Growing strains between labor and state eventually led to bloody rioting in 1978, where labor was supported by other disaffected elements of the population. Thereafter, authorities took several measures to reduce the influence of organized labor, and the UGTT was effectively emasculated in the mid-1980s.

Tunisia's ruling political party also has become increasingly unable to aggregate interests at the local level. During the struggle for independence, the Neo-Destour (now the RCD), was praised for its ability to mobilize people at the grass roots. Indeed, political analysts in the 1960s singled out Tunisia as a model for political development primarily because of the party's popularity and the linkages it provided between national decision makers and the local level.

Since independence the party had also been a key element in the patronage system. Party organization paralleled that of the government, but for many years it was more influential in providing access to decision making and resource allocation, particularly locally. (Of course, many civil servants are also party-faithful, and it is important not to exaggerate the distinction between party and government in the makeup of the state.)

As the state's financial resources failed to keep pace with the growing demands of a burgeoning population, the ruling party became less responsive to local needs. Indeed, the RCD was increasingly perceived as an extension of a state that was moving toward top-down authoritarianism. By the end of the 1980s, the party could only pretend to represent the aspirations of common Tunisians. Many came to view it as the jealous guardian of increasingly scarce resources, rather than as a provider of opportunity. The rise of the Islamists coincided with the party's growing inability to represent individual and local interests or to deliver resources to guarantee continued allegiance.

## B2. The Rise of the Islamist Challenge

The nature of the principal opposition drastically changed at the end of the 1970s and in the 1980s. The emerging Islamist movement drew its base not so much from those who already had jobs and were demanding higher wages, but from the growing segment of the population that had no access to traditional patronage networks. While the leaders of the Tunisian Islamic movement were of a more intellectual bent and drew inspiration from transnational ideology, the rank and file and sympathizers came largely from those who felt themselves to be dispossessed. The rapid growth of the Islamist movement was felt most strongly on university campuses, where students faced bleak employment prospects upon graduation, and among those who had migrated from the countryside to the cities (especially Tunis) in search of economic opportunity, and who had begun to blame the political machine for denying it to them.

The GOT perceives the Islamist movement to be extremely menacing. It has a much wider potential base than organized labor, as year after year, job seekers consistently outstrip job creation. Moreover, the rise of Islamic fundamentalism in neighboring countries (Iran, neighboring Algeria, Egypt, and Sudan) gives militants hope that revolution affecting the very nature of government is possible. The opportunity to negotiate with Islamists over concessions such as higher wage rates or the pace of privatization is also much less than it was with organized labor. Islamists have little to gain from such negotiations, which explains why their demands have centered around the electoral process, as in Algeria, where they first gained a foothold at the municipal level.

Indeed, nowhere has the struggle for influence been more pronounced than at the local level. As the state was forced to retrench for financial reasons, the Islamists moved in to offer social services through voluntary aid organizations and contributions collected at mosques. Before the crackdown beginning in the spring of 1991, Islamists mobilized community projects in needy neighborhoods to demonstrate that they were more serious about social justice than the state and also more capable of delivering it. In the early years, authorities viewed Islamists as a counterbalance to the Marxists and did not object to these activities. Ultimately, however, Islamists were viewed as the state's principal opponents, and even their community work was no longer tolerated.

As part of the trend to centralize power, the prerogatives of the prime minister—once used by Ben Ali to secure his own bid for the Carthage palace—have been significantly curtailed. The 1975 amendment to the constitution had given the prime minister the right to directly command the security forces, but this option was removed in the 1988 amendment to the constitution. (This fact was generally ignored because of the fanfare associated with the abolition of the provision for president-for-life.) Similarly, even ministers no longer have free rein in the nomination of their cabinets, a procedure now overseen by the palace.

### **B3. Centralization of Power**

The GOT has been highly successful in decapitating the Islamic movement and neutralizing its militants through systematic repression. A security-centered approach, however, has also meant a general centralizing of political power, especially visible at the national level.

By centralizing power for security reasons, the GOT appears to be pursuing contradictory policies. On the one hand, many political reforms have been slowed down, particularly at the national level, as a result of militant Islamic fundamentalism and the preoccupation of the state with internal security. On the other hand, the government is committed to decentralizing other governmental functions, including privatization of municipal services, and is simultaneously granting greater latitude to NGOs to articulate local demands. The implications of these policies at the municipal level are explored below.

#### **C. Implications for Decentralization and NGO Participation**

GOT decentralization strategy can be understood as a pragmatic response to the economic constraints and political challenges described. Decentralization has two objectives:

- Developing a cost-effective means of providing services at the municipal level.
- Improving the responsiveness of municipal decision makers to local needs.

Tunisia has historically relied on parastatals to provide municipal services: ONAS (*Office National de l'Assainissement*) for sewerage; SONEDE (*Société Nationale d'Exploitation et de Distribution des Eaux*) for water; and STEG (*Société Tunisienne d'Electricité et de Gaz*) for energy. Tunisia is a small country, and parastatals have been relatively efficient in providing services, most notably water. Because of the inefficiency of municipalities in Tunisia, the World Bank also favored using parastatals when it began work at urban levels in the 1970s. Parastatals are inherently costly, however, and the bill goes to the national treasury. As seen above, the state can no longer adequately finance municipal services, and is seeking to transfer the financial burden for services from the public to the private sector.

The second objective of the GOT decentralization strategy is to improve the responsiveness of municipal decision makers to local needs and interests. To preempt the Islamists, the state is seeking to gain a better feel for the pulse of society at the local level. If local government is more in touch with the pressing concerns of citizens, it is more likely to be able to respond to them, even given financial constraints. This goal will undoubtedly involve some amelioration in the current weakness of trained staff. But it will also require better means for aggregating and articulating interests than currently exists.

In striving to achieve these two objectives, the state has pursued a reform program with several distinct elements. The first is to increase the responsiveness of municipal officials to local concerns by giving them increased autonomy in technical decisions affecting municipalities. With regard to non-political issues, there is an effort under way to modify the top-down mentality that has resulted from years of heavy centralization. The efficiency of local city planners and staff will improve if they assume a role beyond that of implementors of central edicts.

A second key element of the GOT political reform program involves encouraging NGOs to assume some of the functions previously performed by the government. NGOs are viewed as a means of mobilizing community financing and activities from interested parties in the community and also from foreign donors who favor such efforts at the local level.

A third element in the GOT decentralization program is the attempt to provide new outlets for citizen participation in the management of municipal affairs. There has been much internal discourse within the government and the RCD on local participation. Unconfirmed reports suggest somewhat of a cleavage developing within the party. Some members appear to be convinced of the problems associated with a top-down approach. While the influence of this faction is said to be limited, it provides a potential base of support for NGO-based programs.

It is certainly clear in any case that the RCD has lost much of its historic capacity to encourage local participation. When the GOT makes policy pronouncements, it often refers to party input, but it is unlikely that party cells have the capacity, training, or inclination to engage in participatory activities at the grass roots level. The concept of reciprocity in such dealings is conspicuously absent.

This third element of the GOT program is therefore the most ambitious and profound. The GOT has taken some initiatives to create other means than the ruling party to aggregate and articulate interests at the local level. This decision follows a longstanding effort by Ben Ali to improve party capacities by circulating key personnel, such as those serving in parliament. There are now only a handful of deputies remaining in the legislature who served under Bourguiba. Many of those who came in shortly after the 1987 transfer of power have themselves been circulated.

In addition, the Ministry of the Interior (MOI) has created neighborhood associations known as *comités de quartier*, which are reminiscent of a similar program engineered by Mohamed Sayah in the late 1970s, when the state faced growing opposition from the left. The key difference between the Sayah solution and the current *comités* is that the former relied on a multiplication of party cells at the local level, while the current effort is a government initiative. (Of course, the most powerful individuals in the *comités* still tend to be from the RCD, but the associations remain government rather than party creations.)

At the same time, the Destourian machine is still potent, and the patronage system on which it thrives has its roots in primordial social systems. Programs of local democratization that attempt to bypass the party are likely to be short circuited. And even elements within the RCD are beginning to recognize that the party could use help in encouraging local participation.

In short, it is remarkable that the GOT is breaking from the past by not relying solely on the ruling party to aggregate and articulate interests. A review of the constraints and opportunities offered by these reforms is presented below, followed by an analysis of NGOs themselves and their potential for broadening participation in municipal decision making.

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## SECTION II CONSTRAINTS TO REFORM

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The successes of Tunisia's SAP have been hailed by the IMF, the World Bank, and Western governments as a model of economic liberalization. One reason reforms have been so successful thus far is that they have been moderated by a hefty sense of prudence by the country's leadership. Elements of the SAP remain behind schedule because of political constraints, but it is now indisputable that the government is committed to a market economy linked to greater integration with world markets, and while the pace of reform has been slow, it has also been deliberate. This cautious approach to reform is bound to be even more magnified in terms of political reform, especially given the regional context described in Section I.

### A. Traditional Patterns of Governance

Tunisia's modern history is one of a unitary state. Its governmental structures have for centuries been quite centralized, as a result primarily of its small size, homogeneous population, and topography, which allowed relatively easy penetration of interior regions. While the country does not resemble the extreme centralization of Egypt and its historic need to manage the waters of the Nile, it is also clearly distinguishable from pre-twentieth century Morocco, where rugged terrain and ethnic differentiation created a much stronger tradition of decentralized tribalism. While such ancient considerations may seem irrelevant to many American observers, the dominance of the central state in Tunisia's history is rarely ignored by the country's own citizenry.

It is unlikely that the basic orientation towards centralized governance will change solely as a result of official pronouncements on decentralization and democratization. Most Tunisians regard such statements as propaganda and are skeptical about the possibility of real change. The same skepticism applies to civil servants, many of whom view good governance as allegiance to the center and its decisions, and the capacity to implement directives from above. Officials at municipal levels who have limited technical skills and little sophistication in matters of governance still tend to give higher priority to control than to open participation. Therefore, the preoccupation of the GOT with internal security reinforces existing propensities and beliefs that popular participation should not be allowed to get out of hand.

A key stumbling block in the GOT decentralization program will be the issue of financial autonomy at the municipal level. In the absence of such autonomy, important local decision-making capacities will be restricted. Currently, the ability to collect direct and indirect taxes at the municipal level is weak, with budgets relying heavily on the Fonds Commun des Collectivités Locales (FCCL), and capital budgets drawing on the Caisse de Prêt et de Soutien des Collectivités Locales (CPSCL). Regarding current revenues, local direct taxes originate from property tax, business tax, hotel tax, and tax on undeveloped land.

Indirect taxes include market, electricity, road, and slaughterhouse levies, in addition to municipal property revenues and various permit fees.

The revenues originating from the FCCL accounted for 46 percent of the current budgets in 1988 (Kraiem 1990, p. 11), a figure which had fallen to 41 percent by 1990 (Vengroff 1992, p. 15). The FCCL is a national, rather than municipal fund, which depends upon various national taxes. It is the FCCL portion of the local budgets that has been most severely impacted by the nation's financial crisis. Funding for development (capital budget) is also heavily contingent upon national oversight. Concessionary loans are made available through the CPSCL, which is administered by representatives from the Ministries of Interior and Finance, and from the Tunisian Cities Association. Various ministries also provide direct grants to municipalities for earmarked projects.

In short, traditional financial oversight of municipal budgets remains in place, and this fact will limit the autonomy of local decision makers. As funds from the FCCL continue to be reduced and hopefully augmented by NGO fund raising and user fees, this pattern will alter. Nevertheless, it will not occur to any significant extent in the foreseeable future without more substantial reforms.

The persistence of traditional means of representation is also likely to affect changes in participation in the short and medium terms. Even though the RCD cells are no longer viewed by many Tunisians as genuine vehicles for participation, these structures persist and continue to play a large informal role in governance and daily life. It would be unrealistic to expect NGOs to replace RCD cells as the principal means of access to local decision makers. If an autonomous NGO does begin to facilitate grass roots participation, therefore, it must be in conjunction with the RCD. On the other hand, if an NGO has very little autonomy and is essentially an extension of the state, its prospects of encouraging genuine participation and aggregating and articulating interests is almost nonexistent.

The state has indeed sought to create its own NGOs, known as *comités de quartier*. These are creations of the Ministry of the Interior, designed to supplement party cells and facilitate governmental penetration at the local level. Their legal status is not clearly defined, however, and the government prefers to call them NGOs.

There are thus two types of Tunisian NGOs: those that are formed on the basis of specific issues and those that have been formed by the Ministry of the Interior on the basis of territory, i.e. neighborhoods. The GOT is especially anxious to promote these latter *comités* because they can be used to mobilize citizens and raise funds across a wide range of activities. These *comités* are widely viewed by Tunisians, however, as parastatal squads for the enforcement of central edicts and as informants for the security services. They do indeed manage to raise funds and keep tabs on local behavior, but the way in which they do so is a source of resentment among large segments of the population. This dynamic serves to undermine the credibility of other more promising elements of the decentralization program. Therefore, those NGOs with the most potential will be those that are issue-specific.

## **B. Lack of Citizen Experience with Collective Action**

Traditional means of popular expression do not include the type of specialized collective action associated with NGOs. Thus NGOs will need time to develop their capacity to demonstrate to citizens that they have tangible benefits to offer. NGOs also have a much better chance of success at high socio-economic levels, where collective action will not be viewed as suspiciously by authorities as among less advantaged segments of the population.

Attempts to encourage or engage in collective action without the express sanction of the authorities will almost certainly be detected by government informants, and is generally seen as fairly risky. In most urban areas, the most effective means of recourse for citizens remains a personal appeal to the local elite; and citizens are wary of supporting groups whose approach to the state is too antagonistic. NGOs with the best chance of encouraging participation are those that cooperate or whose members overlap with the RCD, i.e., where the objectives of the two organizations are seen as complementary. Indeed, there is no reason the objectives of the RCD and NGOs at the local level need be incompatible or antagonistic.

## **C. Relations between State and Civil Society**

For there to be open tolerance of popular participation, there must first be trust in national unity and in one's fellow citizens. Although the first condition exists in Tunisia, the second condition is generally lacking. Tunisians allocate trust to one another on a personal basis and tend to be wary of everyone else. This general sentiment pervades social relations and helps to explain why the GOT has popular support in moving slowly to widen political participation.

Tunisians expect to see progress on the political front, but there is no question that stability is valued more highly than political experimentation. The country has experienced one peaceful presidential transition, but there are still concerns that the values underlying the political system have not been fully absorbed by the people. It must be remembered that the transition from Bourguiba to Ben Ali went much more smoothly than anybody had imagined, which indicates the fragile nature of the consensus over governance in Tunisia.

In short, not only does the state harbor reservations about the wisdom of opening up too quickly to populism, but these reservations are shared by many Tunisian citizens. There is not a high level of commitment or consensus concerning fundamental issues such as constitutionalism, the rights of private property, majority rule, and popular participation in governance. The lack of widespread consensus argues for cautious and incremental change in political liberalization. Concerns about opening up the political system too quickly predominate among government officials and private citizens alike.

#### **D. Attitudes towards Public Dissent**

Broader political participation will also be affected by limitations on public expressions of dissent. The government has given high priority to internal security, which has been especially vigilant since 1991. The clamp-down began with a campaign against the Islamists, but surveillance and control over society generally has become increasingly systematic and thorough, even though the *an-Nahda* movement was crushed or driven abroad by 1993. The determination to maintain heavy oversight over civil society is bound to have a dampening effect on popular participation and expression even for those not associated with radical Islam.

Intolerance towards criticism of the upper echelons of power has been particularly apparent in the muzzling of the press, both domestic and foreign. The norms of self-censorship are much more firmly developed among the Tunisian media than with international correspondents. Nevertheless, a BBC correspondent was summarily expelled from the country just prior to the elections of March 1994. A journalist from *Le Monde* was denied entry to the country a few weeks later, and shortly thereafter, *Le Monde* itself was banned from Tunisia. The French *Libération* was banned in April. *Le Monde Diplomatique*, *The Guardian*, and *The Financial Times* were also given the same treatment. Even the Kuwaiti News Agency was temporarily suspended although it has since been permitted to resume operations, perhaps because of the special importance the GOT attaches to wooing back Kuwaiti investment after the Gulf War.

On April 9, 1994, President Ben Ali made a speech in the wake of the elections in which he personally singled out foreign journalists for attack. He let it be known that despite opprobrium from international organizations, the GOT was not going to permit itself to become a laboratory directed by those who did not share the risks of failure. While the treatment of the international media does not have a direct impact on participation at the local level, it is symptomatic of intolerance of criticism and freedom of expression. These restrictions on free and open debate will surely have an impact on broadening participation.

#### **E. Limitations on NGOs**

Similar limitations exist on NGO activities that are seen to be crossing an informal line into the political domain. The best known example of the limits of tolerance regarding NGO activity was the treatment of the Tunisian League of Human Rights (LTDH) in March of 1992. The LTDH had enjoyed considerable autonomy prior to this period, and was developing an international reputation for its investigation of human rights violations. That this independent association had been permitted such latitude in the past had in fact moderated criticism of the government, but tolerance had its limits.

It is unclear what finally caused the GOT to react. It was probably related to the international attention the League was helping to attract to the human rights situation in the country, especially since it was the only legal Tunisian organization to call publicly for the investigation of reports of prolonged incommunicado detention and torture and deaths in

custody. In any case, in the spring of 1992, the GOT amended the Law on Associations, outlawing the rejection of membership applications and forbidding leaders in political parties from serving as officers in other NGOs. Both of these conditions appeared designed to curb the LTDH because its central committee represented legal opposition parties and LTDH leaders had expressed concern about infiltration by government security agents.

The LTDH tried to come up with a compromise solution, but was declared dissolved in June 1992 for not adhering to the new law. The LTDH remained closed until March 1993, when it was allowed to resume operations pending further judicial review of its status. Although the change in the law had been general, no other NGOs have had it applied against them, and this reinforces the common impression that laws are often used to punish specific targets arbitrarily.

The signals from the government seem to indicate that considerable space will be accorded to NGO activities, but not if they cross over into the domain of politics. The Marzouki arrest made this point even more clearly. Moncef Marzouki, the former head of the LTDH, was particularly outspoken in his criticism of the government, and yet generally tolerated. He apparently crossed the line, however, after he announced his intention to challenge Ben Ali in the presidential elections and used the foreign press to call for greater political liberalization, including the legalization of Nahdha. Marzouki was arrested in March 1994 and at last report remained incarcerated.

The Moalla affair was interpreted by many to send a similar message to the business community. Moalla was a former minister under Bourguiba, who had also created a bank (BIAT), and was serving as its honorary president. Moalla had also created the Institut Arab des Chefs d'Entreprise (IACE), which is an exclusive club for about 300 of the private business elite. Its activities center around conducting studies on themes of interest to their business interests.

The IACE is one of the most influential among the business NGOs, although its independence is considered to be somewhat muted by the inclusion of many members with close governmental contacts. In 1993, Moalla granted an interview to a journalist from *Le Monde*, who subsequently wrote an article suggesting that Tunisia was perhaps overzealous in its application of the IMF-sponsored SAP. Immediately following this statement, all public agencies withdrew their deposits from BIAT. The reason unofficially given was that Moalla had decided to play politics. To salvage the situation, he was persuaded to resign both from his position as honorary president of BIAT, and from the IACE. The message received by private businessmen was that they could make profits, but were to stay clear of politics.

In such a context, the potential autonomy of NGOs will encounter limits, particularly if they enter into political arenas. The GOT has the prerogative to enlarge or shrink the political space available to such organizations, and has shown it is willing to reduce the freedom of such groups despite international pressures. Nevertheless, as described in Section

III below, there are countervailing reasons for the GOT to widen participation at the local level, and NGOs in particular are well poised to profit from them.

Finally, security measures are providing Tunisia with a level of serenity that is critical to the successful implementation of significant economic and political reforms, at least for the present. That said, security is not the only element of the GOT approach to governance. Even foreign journalists who are harsh in their criticism of the government's more repressive strategies also recognize that the state is simultaneously engaging in important liberalizing reforms.

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### SECTION III OPPORTUNITIES FOR REFORM

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A number of observations may be gleaned from the above review of constraints to reform. First, the movement towards popular participation must be slow but steady to gain the support of the authorities and of most Tunisians. The prestigious Economist Intelligence Unit, which is noted for its perceptiveness on economic and political trends, has sounded a cautionary note on precisely this issue. A recent Country Report on Tunisia observes that supporters of the government justify the go-slow approach by saying, ". . . democracy must be introduced slowly to avoid instability. They point to Algeria and Eastern Europe, where the break with the one-party state and the sudden introduction of pluralism have provoked unrest, as examples not to be followed." (EIU 1994, p. 9)

A second implication is that improving the responsiveness of local government officials to truly autonomous groups will also be slow in the short term. The reform process does not reflect a revolutionary alteration of established governmental practice, but a cautious and incremental implementation of substantial change that could eventually have great significance for state/civil society relations. Therefore, even though local officials may remain suspicious of autonomous NGOs, they are not totally opposed to their activities, and are even likely to encourage NGOs in activities that will help to transfer some of the financial burden away from municipalities.

While municipal officials will ensure that NGO activities remain within certain parameters, successful cooperative experiences between the two could lead to much greater possibilities in the medium term. Moreover, these parameters already do allow for significant activity at the grass roots level. The example of the LTDH illustrates not just that there are limits to NGO activities, but also that room exists for such organizations to become internationally known for their autonomy even on such sensitive and political issues as human rights. While the LTDH did cross the line and suffered the consequences, it had previously criticized the government with relative impunity and is already back in operation, with no apparent diminution in its role as an independent observer of Tunisian politics.

The third implication of the preceding analysis is that the state is likely to rely increasingly on NGOs to augment the ruling party in providing the GOT with a better feel for the pulse of life at the local level. The country's leaders have clearly identified a need for municipalities to become more responsive to local demands, and they have turned to NGOs to play a key role in improving the state's capacities in this domain. Given this noteworthy overture on the part of the state, it would be a mistake to dismiss NGOs as potential actors on Tunisia's political scene simply because of their current weaknesses.

In fact, some of these weaknesses may be effectively countered by other promising elements in Tunisia's political economy. As described below, Tunisia has succeeded in creating the basis for a modern secular state that is the envy of many of its neighbors. Second, NGOs as a vehicle for popular participation already exist in Tunisia and enjoy a large measure of respect for their role in the nation's history. They are active in the contemporary arena as well, in both rural and urban areas, encompassing a variety of issues and activities. Third, the GOT, for its part, has taken concrete measures clearly demonstrating its political will to make local governance more efficient, both financially and politically. Finally, local government is also sensitized to the fact that NGOs have a potentially valuable role to play. While this more receptive attitude may well be the result of instructions from above, the fact remains that municipal officials are already aware that NGOs do have the potential of making valuable contributions in ways that will not immediately threaten existing power structures.

#### **A. Creation of a Modern Secular State**

Among all the other countries of the region (except perhaps Jordan), Tunisia stands out as the most capable of reforming the centralized practices of the past and becoming a model for its neighbors. Tunisians proudly point to the many accomplishments they have made in developing the basis for a secular state with the capacity for meaningful political liberalization. The considerable emancipation of women that has occurred in Tunisia since its independence is virtually unparalleled in the Arab world. The country's farsighted family planning program has been one of the major successes in the developing world, and provides Tunisia with cause for real hope for the future. In about ten years, many of its developmental challenges (such as jobs) will become more manageable.

The priority put on secular education since independence was a rare investment in human capital, and has led to the creation of a cadre that is particularly well suited for interaction with the developed world. The cosmopolitan orientation of most Tunisians has rendered the society generally predisposed against Islamist fundamentalism, whose prospects for increased influence within the country would be greatly reduced were it not for regional events.

Tunisia's economic growth over recent years also distinguishes it from its neighbors. The diversification of the economy that was carefully cultivated by the government over the years has given the country an economic base that has allowed it to withstand regional turbulence such as the debt crisis and the Gulf War much better than its neighbors, despite their being better endowed in terms of economic resources. In regards to economic development, the country is more usefully compared to other developing countries that have been noted for their successes. Tunisia's economic diversity and growth have created a potential for relative prosperity that is a precondition for peaceful progress in the political domain.

Finally, the economic reforms introduced during the past year alone strongly suggest that, if anything, the GOT is actually accelerating the process of change, perhaps as a result of

its greater confidence on the political front. Recent measures regarding the convertibility of the dinar for business purposes provide a strong indication that the GOT is indeed serious about easing up on the centralized levers of control.

On March 1, 1994, the government inaugurated an interbank foreign exchange market. Although still not totally free, banks can now trade foreign currency between themselves at more flexible rates than had been previously and rigidly set by the central bank. While controls remain in place to protect against capital flight and to dampen speculation, the move will hopefully encourage banks to become more competitive and efficient and will certainly enhance the capacity of Tunisian businessmen and exporters. Private businessmen have been greatly heartened by this development, for it significantly enhances their ability to become competitive in the international marketplace. Above all, though, they are impressed by the speed with which the liberalizing measures regarding foreign currency have been implemented. That such progress could be made was almost unimaginable just two years ago.

Other significant economic reforms are also currently under consideration. There has been modest growth in the Tunisian stock market, even though it remains underdeveloped and limited to 17 firms. The growth that has occurred has encouraged the GOT to consider non-direct means for foreign investment, since it fears too much outside capital coming in too quickly. But the biggest obstacle to the enhancement of the stock market remains opaque accounting practices, which limit the financial information that is so important for the development of markets. Studies are thus underway to improve accounting practices. New talks have also begun with the EU to replace the existing 1976 accord. The negotiations could result in the liberalization of trade between Tunisia and the EU, although the first phase would be limited to greater aid to Tunisia to render its industries more capable of competing against European firms. These and other reforms are far from being realized, but they indicate that an important process of change is still underway.

## **B. Historic Role of NGOs as a Vehicle for Reform**

NGOs are not an entirely new phenomenon to Tunisia, but played an important part in the country's national liberation. The role of the Sadiki and Khaldounia associations have a revered place in the nation's modern history. The association formed by graduates of the College Sadiki brought together an intellectual elite whose bonds were to provide a core of leadership before and immediately after independence. Literally thousands of NGOs have sprung up since the GOT liberalized the law on associations in August 1988. Most of these are insignificant in terms of decentralization, but this profusion of groupings show that the societal ground for such activities is fertile, even if the traditional tendency is to turn to the personalized patronage system rather than collective action.

## **C. Success of Existing NGO Activities**

Although NGOs remain relatively weak organizations that operate within constrained political parameters, some have already made positive contributions. These activities have led

to a degree of GOT confidence in NGO potential, which is a precondition for government to embark on this path in the first place.

Many of the success stories that have occurred may have taken place in rural areas, but these have inspired hope that key elements of the rural experience may be transferable to the municipal areas. For example, the rural water user associations (AICs) have been considered quite successful by both the GOT and foreign donors. These associations have shown that it is possible to base development projects on grass roots inputs and needs, and that it is also possible to get users to pay for a greater number of services.

The FTDC (formerly Save the Children) has developed a participatory rural development program with local input from sectoral committees organized around issues. Although these organizational efforts thus far remain informal (i.e. not legally recognized), they have been able to mobilize participation without threatening the power structure. Indeed, in Sidi M'hadheb/Skhira, delegates recently asked the local FTDC for ideas on how to disburse funds. The lessons that may be drawn from this rural organization are limited, but their experience at the local level does seem to indicate that positive results are in reach, even within existing constraints.

In urban areas, some of the older NGOs have also shown an ability to provide valuable municipal services without simply becoming an instrument of the state. In particular the Associations for the Preservation of the Medinas (ASMs) have managed to have a positive impact despite the fact that they work closely with municipal officials. Some of these groups, most notably those in Tunis and Kairouan, are led by professionals such as urban planners and historians who are anything but government stooges, and enjoy great respect among the medina populations. Medina dwellers will frequently approach the leaders of the ASMs of Tunis and Kairouan with immediate concerns about their urban environment.

Although the ASMs receive funding from the government and are obliged by their prominence to work closely with the GOT, one need only recall the successful contributions by the leaders of the Tunis ASM in stopping the central government's project to raze a corridor down the center of the Medina to make way for a new modern avenue linking the Casbah with the downtown area. That this was a pet project of Bourguiba himself further indicates that the capacity for independent lobbying by this organization was not destroyed by its normally good relations with the government. ASMs, such as the one in Kairouan, have also demonstrated how they have been able to raise funds for their projects through such activities as making historical sites more amenable to tourists, who are then charged entry fees. The revenues from these fees are split between the municipalities and ASM projects.

#### **D. GOT Political Will**

What is remarkable about the GOT initiative is that it breaks from history in encouraging NGO activity not just among the elite, but among the general population. The government's decentralization program is built around mobilizing initiative at the local level

and sensitizing municipal officials to the pressing needs of their constituents. This cannot be accomplished by elite associations, but will necessarily include the encouragement of NGOs that are able to reach the grass roots. The government may well be wary of opening this Pandora's box, but it is steadily advancing in this direction while keeping all options open.

If even a small number of NGOs do emerge to play a successful role in increasing municipal sensitivity and responsiveness to urban society, greater confidence in this strategy would be fostered and progress in this direction could be expected. Tunisia has already demonstrated a commitment towards decentralization, and the GOT is looking to the NGOs to foster greater community participation in determining priorities. Even given the constraints discussed above, this policy allows significant possibilities for activities such as water catchment programs, upgrading the quality of local schools, improving roads, and various environmental activities, such as tree planting. These activities are far from transforming the national electoral system into one of populist majority rule, but they do represent a first step towards popular empowerment.

#### **E. Review of Alternatives to NGO Support**

The objectives of the GOT decentralization program indicate that the government is keen on trying to develop partners in its efforts to reach the local population. NGOs appear to be the most viable means of achieving these ends, especially in light of the current status of the parliament and/or Tunisia's legal opposition as an alternative vehicle for popular representation.

The legislative elections on March 20, 1994, provide several lessons regarding GOT decentralization programs. Prior to the elections, the government amended its electoral laws to add an additional 19 seats in parliament that were to be accorded not by the winner-take-all system that accounted for the existing 144 seats, but by proportional representation that allocated these seats among those who did not qualify under the winner-take-all system. In the previous elections, the RCD had won all the seats, and the GOT had evidently decided to introduce an element of pluralism into the national legislature by changing the rules of the game. As expected, the RCD won all of the 144 seats under the winner-take-all system, and the remaining 19 seats were split between the ten seats won by the *Mouvement des Démocrates Socialistes* (MDS), the four seats won by the Renewal Party (HE, formerly the *Parti Communiste Tunisien*), the three seats accorded to the *Union Démocratique Unioniste* (UDU), and the two seats taken by the *Parti Social Libérale* (PSL).

The 1994 elections for the first time in Tunisia's independent history introduced an element of pluralism into the parliament that carried no risks to the supremacy of Ben Ali or his party. Although the actual power of the new opposition deputies will be minuscule, their presence is unprecedented and significant enough to have lured all six legal opposition parties back into the electoral contest after the mass boycott of the 1992 municipal elections. Although their presence in parliament cannot be more than an irritant to the overwhelming

domination of the RCD, the government has made a gesture to democratization by facilitating controlled liberalization.

The actual conduct of the election illustrates the difficulties in introducing change in the political system. The principal opposition, the Islamist Nadha party, remained ostracized and, due to the success of state repression could not even field candidates running as independents as they had in 1989. A new party led by Ben Jaffar (formerly of the MDS) that was linked to the Democratic Forum experiment, was refused legal recognition, probably because it was seeking to form coalitions among the other opposition movements. The six legal opposition parties that were permitted to run won only 2.27 percent of the official tally, and even the most skeptical critics do not claim that they won more than 15 percent of the vote at best.

Most observers found the elections to be relatively free and fair in relation to other Third World countries. Yet it is nevertheless surprising that there was evidence of some typical tactics by local officials to pad the results in favor of the ruling party. Many individuals considered to be politically suspect were simply not issued with voting cards, there were some signs of ballot stuffing, and in some districts the voters' right to a secret choice was discouraged. These excesses were judged by all monitors to be minor and of no significance whatsoever to the outcome of the elections. What is surprising is that such tactics were present at all, since there was absolutely no challenge to the results preordained by the government. Given the electoral arrangements, even under the most scrupulous referendum, the substance if not the numerical details of the elections would have been identical to what did occur.

The greatest significance of the 1994 elections, however, was neither in its introduction of pluralism to the system nor in the nature of the referendum. Above all, what these elections vividly demonstrated was that the legal opposition parties have lost any claim to popular credibility. Even opposition candidates who once were closely involved in the factional infighting of the opposition parties now concede that the Islamists' characterization of them as "partis cartoniques" (cardboard parties) is more or less accurate. Even in the suburbs of Tunis, opposition candidates now admit that most citizens do not even bother to draw any distinction between the legal parties that contest the RCD monopoly. The popular dismissal of the legal opposition places in stark relief the polarization of the political system that has occurred over recent years, with the battered Islamists left in the role of the only opposition with any claim to popular support at the local level.

The citizen's electoral rejection of the legal opposition renders the potential role of the NGOs even more significant. Due to its economic challenges and political constraints, the GOT is seeking to augment the capacity for local society to express itself through channels other than Islamic fundamentalism. The government's nurturing of pluralism through the historic introduction of opposition into parliament is seen by many as too little, too late. The recognized political parties are simply unable to play any significant role in popular representation at the municipal level. Even the national trade union, which once proudly

carried the banner of the common workers' interests, has been marginalized in national politics. Until it was coercively co-opted in the mid 1980s, the UGTT had been the oldest independent trade union in Africa, whose autonomy was never in doubt. Today, its leadership remains reduced to a sounding board for the GOT economic initiatives that is increasingly out of touch with the concerns that motivate the vast majority of citizens.

#### F. Advantages of NGOs over Alternative Means of Interaction

With the legal opposition and the UGTT more or less out of the picture, the state has four means of interaction with municipal communities. The Ministry of the Interior still controls government at the municipal level, thereby playing an active role in urban affairs. The RCD remains a well disciplined political machine with cells in virtually every local community. The *comités de quartier* have been created and encouraged because of the clear limitations of local government and the RCD in penetrating and mobilizing local society. The NGOs represent the fourth option, with their ability to interest individuals on specific issues of everyday concern.

Of these four options, the NGOs clearly offer the most promise in terms of enhancing democratic participation in the local political process. The Ministry of the Interior, the RCD, and the *comités de quartier* are all viewed as integral parts of the state and offer little hope of encouraging widespread voluntary participation in the political process. The NGOs, while generally weak and constrained by various mechanisms of state control, represent the only viable possibility for effective aggregation and articulation of local interests, and for the expression of collective interest on specific and non-political issues.

The GOT has demonstrated unusual innovation in including the NGOs in its decentralization program rather than relying on the other more established means of reaching local society. The state needs such organizations to achieve the objectives of its decentralization program, and NGOs therefore have been accorded a role in local politics with the potential to create new outlets for citizen participation. Were it not for the Islamist challenge, it is unlikely that such a bold initiative would have taken place. But to counter the Islamist appeal in urban areas, the GOT has accorded NGOs the political space to engage in meaningful activities.

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## SECTION IV THE REGULATORY CONTEXT OF NGOs

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### A. The juridical context of NGOs

The juridical context of the NGOs dates back to Article 1 of Law 154/59 of November 7, 1959. The basis behind this early law was largely taken from French conceptions that were dominant at the time. However, in Tunisia, the regulatory context of the associations posed two important problems for the state that were not part of the European model: The autonomy of the NGOs vis a vis the political powers, and the system of state control exercised over the associations. In general, there was a wariness with regards to groupings of individuals for purposes of collective action. At first, the associations were seen in the same sense as parties and unions, with the latter two generating most of the GOT's concerns. But subsequent legislation in this area led to a new law (Law 4/59 of January 1, 1959), which promulgated a separate juridical context for the unions. The distinction between political parties and associations was only elaborated with the Law 32/88 of May 3, 1988, which instituted a separate regime for political parties.

The associations that had been under the rubric of the 1959 law were given a new special status with the enactment of Law 90/88 of August 8, 1988, which was later amended by Law 25/92 of April 2, 1992. They now fall under a system of prior recognition, which means that once they obtain such recognition, they can operate as legal entities, with the attendant rights accorded such organizations. However, before obtaining this recognition, there is a delay of three months while the internal administration of the associations is reviewed to determine whether they conform to Article 4. The juridical context of Tunisian NGOs thus assures them of a certain autonomy on the one hand, while leaving them subject to a system of control on the other that has the potential to be quite restrictive should the authorities decide to limit the activities of the NGOs. Both their autonomy and the system of controls that is available to the authorities are reviewed below.

#### A1. The relative autonomy of the associations

The juridical system of Tunisia is based on a hierarchical framework: At the summit of the hierarchy is the written constitution, which establishes juridical norms. This is followed by ratified international treaties, and then by national laws. The constitution guarantees a certain number of liberties under Article 8. These include the liberties of opinion, of expression, of free press, of publication, of meeting, and of association. This constitutional right of free association is especially relevant to the NGOs.

In Article 32 the Tunisian constitution also assures that this right (to association) takes legal precedence over any subsequent national laws. Hence, Tunisia has ratified in its

constitution and in its ratification of international laws the right of association. In principle, the Tunisian laws relating to associations (most notably that of 1959, which was modified and completed by that of 1988 and that of 1992) reinforce the constitutional values and international conventions on the subject. The Tunisian associations thus theoretically benefit from a fundamental margin of autonomy that is not negligible.

This autonomy is verified by several factors. The associations are formed by individuals, not the government. Their success depends upon their autonomy and ability to pursue special interests. Tunisian law regarding the NGOs recognizes the individual nature of such associations because Article 8 of this law provides for the attributes of such individuality, notably the right to raise funds and to manage its affairs relative to its social objectives. Furthermore, the autonomy of associations is also verified by the rights of its members to elect its members and its governing bodies, most notably its committee of directors via an elected general assembly, as long as such governing bodies conform to the conditions established by the law, most notably regarding quorums and majority decisions (see below). This is not to say that the leaders of the NGOs are all elected by a purely democratic process, for this principle is often circumvented through informal techniques and internal politics within the association. The point, however is that these are techniques that develop within the associations rather than being imposed by the government. Finally, the NGOs also enjoy an administrative and financial autonomy. The associations run their own affairs, which are guided by programs and action plans developed by their governing bodies. The associations themselves decide on their budgets and assure their revenues, although this is all done under the vigilant eyes of authorities.

In sum, the juridical context of the NGOs formally grants them a relative independence and provides them with the means to decide and act according to their own priorities. If one looked just at the legal framework within which these associations operate, it is rather striking how much liberty they are granted in the context of modern Tunisia. Yet the legal framework nevertheless provides the state with a number of measures that allows the authorities to subject the NGOs to a fairly strict system of oversight that encourages a fair amount of self-censorship.

## **A2. Means of state control to limit the actions of NGOs**

There are around 6,000 Tunisian associations according to the figures publicized by the Ministry of Interior in 1994 on the occasion of the national day for associations. This figure appears somewhat impressionistic on the quantitative side, and it should be nuanced on the qualitative side. The existing associations have neither the same importance, nor the same dimensions. Giant associations coexist with tiny ones. But whatever their size or import, their existence and profusion in recent years makes them a significant phenomenon that is bound to be closely watched by the security conscious GOT.

The Tunisian authorities, due to their attempts to draw the NGOs into the decentralization program and the contemporary imperatives imposed by the regional rise of

Islamic fundamentalism, are neither likely to withdraw the rights of associations nor are they likely to accord them total freedom. The current law regarding associations is in large part the product of this complex ambiguity, and it is in this sense that the freedom is inscribed in the texts but is also subject to a system of strict oversight. This oversight is based on three essential dimensions: administrative, financial, and juridical.

- **Administrative regulations**

Administrative oversight of NGOs by the state is established both before and after the creation of the associations. Prior to official recognition of any NGO, the Ministry of the Interior and its regional organs retain considerable discretionary power at the formal and material levels. On the formal level, Tunisian legislation requires the deposition of an extremely detailed application file with the relevant authorities, including the statutes of the association, the nomination list of the leaders, the rules of order of the general assembly, and the founding declarations of the association. This dossier allows the authorities to assure themselves that the project in question does not pose any political risk and complies with the legal framework. It also allows the authorities to evaluate whether the founders of the association have any further ambitions than those delineated by their statutes (Articles 3 to 6). Regarding the objectives of the NGO in question, the authorities seek assurance that the goals of the association are neither incompatible with public order nor with territorial integrity, nor with the republican nature of the regime.

After the formation and legal recognition of the NGO, the authorities retain some oversight power over the formal procedures of the association. The amendment of association statutes, changes regarding the leadership of the organization, the creation of sectors, subsidiaries and any other organisms operating under the aegis of the association, must be communicated to the authorities within one month of any change, as according to Article 6 of the law. In addition, the national value of the association is to be determined two years after its creation if it is to continue to have legal recognition. This provision necessitates the presentation of an additional dossier to the Ministry of the Interior, which if accepted by the authorities, will lead to a decree by the President of the Republic regarding the formal recognition of the NGO (Article 12 and following). This latter provision allows the regime to reevaluate the activities and intentions of the associations after granting them a two year trial period, which further enforces the tendency towards self-censorship among such groups.

- **Financial regulations**

Tunisian law establishes an ensemble of conditions that regulates the financial resources and capabilities of associations. These levers of control are primarily exercised by the Ministry of Interior, but are further reinforced by the Ministry of Finance and subsequently by the selective accordance of government subsidies to the associations in question. The financial influence of the state is augmented by the regulation that limits dues to TD30 annually per member. Any other grants or collection of revenues of any sort must receive special authorization from the authorities. The failure to comply with this restriction

carries criminal penalties. Subsidies from the GOT thus assume more importance in view of the restrictions on other fund raising. Public subsidies fall under the control of the donor organs and depend upon the submission of programs which clearly detail for what purposes the money is to be spent. The Ministry of Finance can at any moment rescind the subsidies should the association be deviating from the understood spending plans.

- **Juridical powers**

NGOs fall under the jurisdiction of common law and are subject to administrative tribunal. This jurisdictional status, however, is not uniquely suited for the purposes of oversight. In certain cases, it can actually be a factor in favor of the rights and autonomy of an association.

This means of state influence comes into play at the initiative of the Ministry of Interior. For example, the Ministry has the right to declare the suspension of an association's activities and the provisory closing down of its offices for an initial duration of 15 days. This time period, however, may be extended for a similar length by request of the Ministry of the Interior with the agreement of the judge of a tribunal of the first instance (Article 23). Tunisian legislation also accords to the Ministry of Interior the right to request the relevant territorial court to dissolve an association whose activities seriously infringe upon the law regarding public order or who are deemed to be unlawfully engaging in political activities (Article 24). Article 25 further gives the Ministry of Interior the right to demand that the relevant court close down local offices and suspend all of the offending association's activities pending further review. This juridical decision is immediately enforceable and subject to no delays. Finally, the authorities can initiate criminal prosecution of all persons who, in the opinion of the authorities, have infringed upon the dispositions of the law in the name of an association. These criminal penalties carry penalties of up to five years in prison.

In their favor, the associations benefit from legal recourse regarding suspensions and the closing of local offices. These means of recourse are detailed in law 140/72 of June 12, 1972, which details the powers of administrative tribunals. In reality, however, the limited autonomy of the judiciary in Tunisia means that NGOs cannot totally rely upon an impartial hearing in court if they are to run afoul of the authorities. To fully enjoy the autonomy that is accorded to them by law, they must assure that they limit their activities to the parameters unofficially accorded to them by the regime. These parameters are broad enough to allow the NGOs to undertake significant and meaningful programs, but the tolerance of the regime does have its limits.

In short, a review of the regulatory context makes it clear that NGOs in Tunisia enjoy sufficient autonomy to ensure that they are not necessarily controlled by the state. The GOT is not seeking to expand its financial obligations but rather needs independent partners to assume some of its previous responsibilities. Yet although the state may not control the NGOs, nor will they allow them to get out of hand, especially given the regional rise of militant Islam.

The current weaknesses of NGOs in Tunisia cannot solely be attributed to the juridical context in which they operate, which actually accords them a relatively high degree of freedom and autonomy under the law. The mechanisms of oversight that the GOT has kept in place to assure that the NGOs are not used for unauthorized political activities are not in themselves sufficiently severe to explain why there are so few truly effective NGOs amidst such a profusion of such organizations. Rather the internal management of these nascent organizations and their sociological context also play a crucial role in limiting the effectiveness of NGOs. There is much that can be done within the existing juridical context to strengthen the potential of NGO activity at the municipal level. The following section will present an evaluation of Tunisian NGOs' strengths and weaknesses within the existing juridical framework.

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## SECTION V DIAGNOSTIC AND ASSESSMENT OF NGOs

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The preceding reviews of the GOT's decentralization program and the juridical context for NGOs indicate that there is a potential for such associations to assume a meaningful role at the local level in Tunisia. This section concerns itself with an analysis of the current and future ability and capacity of NGOs to be active players in the arena of municipal development. Certain aspects of the NGO phenomenon that are in need of improvement to render them more capable of carrying out this role will be identified.

The survey of existing NGOs (Annex A) concludes that there are none which concentrate on "urban development " as such; nonetheless, a certain number concern themselves with more circumscribed activities which take place within the urban arena, such as environmental protection or employment generation. These NGOs have had some experience in undertaking activities at the municipal level, in either one or several cities, as well as at the provincial and national level; from these experiences they have formed attitudes about the potential relationship with local authorities, and the role they can and want to play in urban affairs. There is a clear willingness on the part of NGOs to assume a more active role in municipal management, but they are currently somewhat limited by both the need to conform with the parameters accorded to their activities by the authorities and by internal deficiencies which are more immediately subject to remedies that would enhance their capacities.

### A. The Role of NGOs as a "Third Party" in Tunisia

The principle advantage of NGOs is their 'third party status' in relation to people, government and other corporate organizations; being detached from state and market interests, NGOs are well placed to communicate and to stimulate communication, to mediate and occasionally to co-ordinate the sectoral activities of government agencies. The principle constraints on realizing these potentials are lack of public awareness and of self-awareness by NGOs, their dependence on limited funding, and sometimes, their own constrained policies.  
(B. Turner)

This analysis was based on a world-wide assessment of NGOs active in slum and shelter upgrading but it aptly summarizes both the desired status and self-image of urban NGOs in Tunisia, as well as the constraints under which they operate.

However, the conventional two dimensional split of society into "public" and "private" sectors, with NGOs occupying a place as a "third party" cannot be strictly

adhered to in Tunisia, as the preceding sections have demonstrated. There are many overlaps between governmental, commercial and community-based organizations, particularly at the local level, where NGO activities intersect with local political and administrative structures. For example, the Association for the Protection of the Medina of Bizerte carries out all of its activities using municipal workers, and could not function as an active entity without the approval, agreement, and financing by the municipality.

Because of the historic blurring of public and private in Tunisia (and hence the lack of clarity in the "third party" status of NGOs), there is a dilemma in attitudes on the role and activities of NGOs. On the one hand, some NGOs obtain significant resources (operating funds, project assistance, staff assistance,) from the government and carry out activities which fit in with the objectives of existing government programs. For example, the Union for Social Solidarity, which was initially a charity, now carries out community development projects in conjunction with the government, working in close collaboration with the provincial authorities within the framework of a government-promoted project. The original intent of such organizations was to provide a service which was not being provided by anyone else; their role has increasingly become the filling of a void left by a government in financial straits, and to do a job which the government could not in any case adequately assume. For example, the Association of the Protection of the Medina of Tunis has, with direct government funding, become the technical agency for reconstruction and renovation of both architectural monuments and historic neighborhoods, on behalf of the city of Tunis. The NGO, while still formally independent, has to some extent become an implementer of government policies, and the lines between the public, the private, and the third party status are blurred.

On the other hand, there are also NGOs who purposefully distance themselves (in varying degrees) from direct association with the government, believing that this is the sole way to guard their independence and to avoid being seen by the populace as extensions of the state. These organizations do not "participate" as implementers of government programs, nor do they desire to do so. Nonetheless, almost all of them receive some sort of government subsidy either from a Ministry, such as the National Association for Environmental Protection, or a municipality, such as the Jaycees, through annual grants or donations in kind for specific events such as the use of public meeting rooms, or from multiple sources. They limit their activities to sensitization of public opinion, and, acting as a pressure group on behalf of the citizenry, play a more classic "third party" role, as described above. Foreign-linked NGOs, which are mainly concerned with rural development, such as ENDA-International, are particularly anxious to keep their independence. For historic reasons, they prefer to keep the lines clear between the public and the third party.

There is thus a spectrum of NGO cooperation with the state that runs from those that seek to firmly retain an impression of independence and autonomy to those that

link their fortunes on closer collaboration with the GOT. The extent of collaboration with the authorities is a strategic choice by the NGOs that reflects the relative priority they accord to working with the state in order to enhance their financial status and efficacy in terms of achieving goals versus maintaining an independence from authorities that may enhance their popular appeal but reduces their overall capacity. Naturally, most Tunisian NGOs fall between these two extremes, with the most successful demonstrating a capacity to cooperate with the state while still maintaining sufficient distance from the authorities to retain their credibility among the citizenry. The choice of roles and how closely to relate to, and be identified with the government, affects many aspects of an NGOs existence, as shall be examined below. For purposes of brevity and clarity, however, the following analysis will dichotomize this spectrum into "government associated NGOs" and "independent NGOs". It should be emphasized that this dichotomy is not meant to represent a more nuanced reality, but is intended to facilitate an analysis based around two ideal types.

With few exceptions<sup>2</sup>, the NGOs interviewed were modest in both their goals and the scope of their activities. "Small is Beautiful" is a belief engendered by a myriad of considerations specific to the very recent history of NGOs in Tunisia, the "foreignness" of the concept of participation in associations, and the lack of comprehension by both the citizenry and the government about the meaning of Third Party status. The NGO perception of their present and future role is based on:

- the desire to keep a low profile
- lack of funds
- lack of experience
- lack of comprehension of the independent role of an NGO
- the desire for autonomy from government institutions

They are cautious about embarking on large-scale projects, and it is interesting to note that while the new Integrated Urban Development Program of the government is trying to carve out a specific role for them, the response on the NGO side appears to be one of apprehension; they are afraid to embark on complicated, staff-intensive, management-intensive projects which demand close collaboration with and direction from multiple government agencies. Even those NGOs with successful experience in rural development, such as the UTSS, which has undertaken four rural development projects and contemplates increasing this number, are not comfortable with large projects, and are not necessarily looking to expand into the urban arena. The GOT, for its own reasons, may indeed have opened up the political space for NGO activities at

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<sup>2</sup>Exceptions for example are the Associations for the Preservation of the Medina (ASM) which actively seek a partnership role with the Municipality as implementor of historic monuments preservation, and Medina upgrading and preservation.

the municipal level, but the NGOs themselves remain somewhat wary about the costs to their autonomy that might result from their filling this void. There is definitely a need for mutual confidence building measures between municipal officials and NGOs.

## **B. Assessment of strengths and weaknesses of NGOs<sup>3</sup>**

The strengths and weaknesses of NGOs correlate most strongly with their participation in government-funded programs as opposed to their determination to maintain their independence from such programs and other government sources of funding. It is clear that NGOs that are willing to adhere to a close cooperation with authorities are accorded more resources and official encouragement than those which perceive their integrity as being dependent upon their maintaining a rigid distance from authorities. While the latter type of NGO may see its credibility as an independent advocacy group enhanced in terms of popular perception, the former type of NGO is popularly perceived as being more capable of having an impact on decision-making. The most promising NGO in terms of their potential role in enhancing popular participation in the municipal decentralization program will be one that falls between these two extremes. This section will assess the strengths and weaknesses of these two polar extremes in order to elaborate the potential and constraints of the middle ground. Internal constraints facing NGOs in general will then be discussed prior to moving to programmatic recommendations in the final section.

### **B1. Strengths and Weaknesses of NGOs**

#### *a. Decision Making and Organizational Structure*

- Independent NGOs

A small nucleus of members generally run the organization, principally the membership of the executive committee, often made up of a handful of persons who not only make decisions, but form the core of active participants as well. Both the Union of Planners and the Association for the Protection of the Medina of Sousse function in such a manner, and despite the legal requirement for an elected Executive Board, it appears that in the smaller or less active organizations, this is a formality. Activities are not necessarily selected systematically, but represent targets of opportunity, as was explained by the Association for the Protection of the Environment of Bizerte, who stated that they do not have access to information on which to plan concretely, and thus their activities are generally last-minute and reactive.

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<sup>3</sup>The following assessment was based on interviews with the most viable associations identified in the inventory described in Annex A.

Those NGOs who appear to be successful or at least survive have leaders who are dynamic and have a clear vision of their goal and purpose, even when they have not established a thought-out plan of action. This is important in Tunisia, where the concept of membership participation is not well established, and hence "democratic" decision-making is not the normal modus operandis.

The membership base of the organizations is variable, and precise information is difficult to obtain. Environmental groups count on a wide network of members to sustain their activities, but when asked how many, the answers were not precise ("a lot"). The impression from interviews was that decision-making remains in the hands of a few persons, but that there is a core of volunteer members who can be pulled together for specific activities. However, the Medina protection groups specifically do not have active memberships, and some NGOs are not associations of individuals at all (mainly the development NGOs such as UTSS, ASAD, APEL). Environment groups appear to have the best developed network of members and volunteers.

The Jaycees are unique in that there is a restricted, selected membership which must meet certain requirements, but which is extremely active and implicated in both decision-making and implementation of activities (the Presidency and Executive Committee rotates yearly, and program decisions are decided by the membership, which is obliged to serve on a committee). However, the structure is dictated by the charter of the international organization, which is most unusual for Tunisia. While the highly participatory style doubtlessly contributes to the organization's effectiveness, the constant change in leadership impedes it from taking on long-term commitments.

Independent groups have a reputation in Tunisia of being "closed shops", keeping both membership and decision-making base small for fear of losing their autonomy. While this may be true in some cases, neither the environmental nor the Medina groups appear to have a restricted membership as such. Nevertheless, it is true that most NGOs are run by a small, dedicated group of individuals, with scant reference to the general membership, whatever its size. Given the lack of experience with "participation" in Tunisia, this is not unexpected.

- Government-associated NGOs

Because these organizations participate in projects which necessitate a long-term commitment of resources, large budgets, contracts and personnel, they are far better organized and structured than independent NGOs. There is a tighter structure, and priorities are thought through more carefully and systematically. The UTSS for example, makes its program decisions in a highly structured fashion, based on set criteria related to its overall objectives, the geographic priority areas they have identified, and the type of project which the government is funding. This analysis is presented to the Executive Committee for a decision. Once the project is underway, detailed decision-making is decentralized, and the project is managed by local

beneficiary groups headed by a local director. This decision-making style is fairly typical of the non-membership NGOs, which have strong executive committees.

Certain NGOs have government representatives on their executive committees (the UTSS has representatives of several Ministries, the Association for Environmental Protection of La Marsa has a municipal council member, as does the Association for the Protection of the Medina of Sousse) but some do not, indicating that the government-funding agency does not necessarily have to play a direct role in decision-making within the organization. However, it is clear that collaboration between government and NGO is aided by such representation, and some, but not all, NGOs seem to think it is in their interests to include these figures as a way of assisting their operations. (Nonetheless it was noted by several of the NGOs interviewed that a certain amount of "interference" has also resulted). In the case of the Association for the Protection of the Medina of Tunis, for example, the Mayor of Tunis is by statute the President of the organization; clearly the decision-making within the organization is heavily influenced by this factor.

*b. Staff Capacity and Facilities*

- Independent NGOs

Locally-based organizations, i.e. those operating directly at the municipal level such as the local Associations for the Protection of the Environment and of the Medina, lack full-time staff and facilities such as offices, fax machines, etc.. The Association for the Protection of the Environment of La Marsa is loaned a tiny office within the town hall for its meetings as is the Jaycees of Sousse, whose president for 1994 is the City Manager. The organizations with foreign funding, or with a more national purview, manage to have minimal facilities (such as ENDA, APEL ), while the ATPS has rented its own facilities as part of a project they run. These organizations depend on volunteer members for all aspects of their activities (project identification, analysis, technical expertise, search for funding, implementation...).

Consequently, they are limited in the type and scope of activities they are able to undertake, particularly because they often do not have recourse to required expertise on a volunteer basis, and have insufficient operating funds with which to pay for technical consultants. For example, the Sousse Association for the Protection of the Environment would like to do impact analyses of local projects, but cannot pay for specialized assistance. The ATPS is contemplating a major job training project in connection with the GOT Integrated Urban Development Program, but has no funds with which to do project identification and preparation, and consequently, is not sure whether it will proceed. The La Marsa Association for Environmental Protection would like to work with the municipality on urban upgrading of a squatter area, but has neither the expertise nor the funds with which to undertake project identification. The only way these organizations can function is to "borrow" government staff; the

Association for the Protection of the Environment of Bizerte got municipal assistance in drawing up a proposal for the renovation of the Historic Port; municipal staff carry out all of the Medina restoration work in both Bizerte and Sousse.

None of the organizations interviewed have the internal capability to properly identify and develop a project to the point where it can be presented to a donor--or the government--for funding. Motivation of volunteer members poses a serious problem for some organizations, especially where the leadership has not been sufficiently dynamic to direct them in well-targeted activities, or to define the goal and role of the NGO. This is specifically the case of the Union of Planners, but explains as well why so many NGOs fade out of existence.

Because of these limitations, the more independent NGOs have so far undertaken very small-scale activities which they can manage with limited human resources, such as one-day workshops or conferences, small-scale local publicity campaigns, and "sensitization" of the local population (see below for more detailed discussion of activities).

- Government-associated NGOs

NGOs with contracts to undertake government-sponsored projects have hired a core staff, and have basic operational facilities such as adequate office space (for example, the UTSS, the Association for the Protection of the Medina of Tunis, ASAD). However, they too face the problem of inadequate staff resources for carrying out project identification and development, all the more so because they generally depend on borrowed government personnel for technical expertise in connection with projects they carry out. Rural development projects such as done by UTSS depend on provincial government experts, and the ATPS proposed job training project will only be made possible through the intervention of government-provided trainers. These NGOs do not have a network of volunteers, and therefore are handicapped by their inability to function in areas of activity outside of what has been already sanctioned by the government.

*c. Financial Base*

- Independent NGOs

Independent NGOs are uniformly strapped for resources. The current legislation prevents them from raising significant amounts from membership (there is a maximum annual membership fee of TD 30, but most NGOs ask for under TD10 per year), and donations from individuals and companies are not tax deductible. While these organizations manage to solicit funds for specific purposes such as seminars from the few outside donors interested in NGOs, they have scant recourse to funds for either operational expenses, or project development, which severely limits their capacity to

undertake activities. Since foreign donors fund projects rather than operational expenses,<sup>4</sup> most active NGOs rely on government grants to cover basic operating expenses, despite their desire to remain independent. The grants appear to range from TD500 to TD3,000 annually for local NGOs, and more substantial subsidies for national organizations such as the Association for Protection of Nature and the Environment. Obviously this can become highly problematic should the activities of the NGO be displeasing to the grantor. It would appear from the evidence that fund-raising is not actively pursued for several reasons; first, the mentality which assumes that the government should/will give them money; second, the lack of tradition of active solicitation of membership, and the low financial return it brings; third, the fact that they are in competition for corporate donations with the "voluntary" government social welfare fund.

- Government-associated NGOs

Financing is less of a daily problem for this group because their activities are government-financed through the projects in which they participate. In the first place, they can count on larger operating subsidies from the agencies with whom they collaborate; in the second place, a percentage of the project funds can be used to cover operating expenses. Only the NGOs who have established "contract-cadre" or framework agreements to carry out a scope of work (like a contract agreement) appear to have continuous and adequate funding, such as the UTSS, and the ASM of Tunis because they are undertaking large projects on behalf of the GOT (and foreign-funded NGOs such as ENDA and Fondation El Kef). However, even these organizations encounter problems when they embark on project identification and development, for which start-up funds are needed.

Furthermore, they are constrained within the projects they implement on behalf of the government to follow directives about how the money gets allocated and spent. This inhibits innovations, and also gives the government more control over the project than NGOs feel is desirable. For this reason, some NGOs are seeking other sources of funds in order to be more independent in their projects, and are reluctant to participate in the new GOT Integrated Urban Development Program despite active solicitation on the part of the government, and the obvious availability of money.

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<sup>4</sup>As an exception to the rule, UNESCO helped establish the Association of Protection of the Medina(ASM) of Tunis. However, funding for the Gafsa ASM through the MED-URB program is specifically intended to train local technical staff; it is not clear who will fund the staff in the long term. The Friedreich Naumann Foundation has given small grants to many of the environmental NGOs for purchase of basic equipment such as fax machines, but in general, the financial assistance is limited to specific activities.

In conclusion, the precarious financial situation of most NGOs has a significant impact on their ability to undertake and sustain activities, and on their ability to maintain the independence which they seek. NGOs in Tunisia have had to balance financial security against the degree of autonomy they wish to preserve. This does not mean that NGOs are either totally independent or well financed and linked to the government, but that their chances of developing their resource base is enhanced if they are willing to adopt a cooperative rather than antagonistic stance in regards to the state.

## **B2. Capacity to Implement Activities**

As was mentioned previously, most independent NGOs do not do "projects", as such; their activities are restricted to one-off or occasional actions. This is related as much to their financial problems, as to their inadequate or non-existent staff, as to their relationship with the government, which must approve any activity of substance. To be successful, associations generally need a series of technical structures such as study commissions, project commissions, information bases for planning and programming, etc. For Tunisian NGOs to develop, they will need not only a sound financial footing, but will have to also improve their capacity to manage the human and material resources available to them.

The better-organized NGOs appear competent to carry out small-scale activities, usually with the collaboration, or at least the approval of the local authorities, and sometimes with other organizations, governmental or non-governmental. The Association for the Protection of The Environment of Bizerte has prepared a project proposal for the renovation of the Historic Port, in conjunction with the municipality; they also started an urban tree planting project and have organized a number of workshops. In La Marsa the environmental group concentrates on "environmental day" and "beach cleanup days", while in Sousse the activities center on environmental sensitivity training in schools. The Union of Planners has run seminars on specific subjects and would like to branch into in-service training, but is constrained by lack of participation by the membership. However, all are severely hampered by lack of staff, lack of funds and lack of volunteers to do the work.

The development-oriented organizations run small programs as opposed to occasional activities: ENDA has started a job training program near Tunis (severely hampered by lack of support by the municipality), ASAD has a small job creation project in local construction materials in the south, ATPS has started a community development project centered on income generation, and plans to undertake a second one.

While most NGOs interviewed expressed the desire to undertake many more activities than at present, realistically this can only occur when their organizational situation improves. In terms of the future, they are practical enough to think small, and

limit themselves to sensitization, training and pressure group actions, or small-scale development projects.

It is difficult to generalize about the capacity of government-associated NGOs. Some, like the Association for the Protection of the Medina-Tunis, have developed a high degree of competence and function like a technical consultant agency to the Municipality of Tunis, with a staff of 50. Others, like the Association for the Protection of the Medina (Sousse), have worked with the government only in an advisory capacity, due mainly to organizational weaknesses, and are only now interested in implementation but must first re-organize to play a more active role, and free themselves from complete dependence on the municipality. Yet others, such as UTSS with a handful of projects, ASAD, etc, have mastered the techniques of implementation within the framework of rural projects. Nevertheless, even these "successful" organizations do not have large-scale ambitions for the future. They want to continue to do projects but they prefer to keep them small.

### **B3. Relations between NGOs and the Government**

The relations between NGOs and the government are intimately connected to the activities they undertake, and vice versa. The independent NGOs complain of interference from the government, ranging from refusal from the Bizerte governorate to the Environmental NGO for permission to hold seminars on a "sensitive" subject, to cutting off grants when they protest against government projects (ATPNE), to interfering with non-governmental community development projects (ENDA in Tunis). On the other hand, it should be noted that many NGOs regularly receive assistance, or outright collaboration from municipalities especially for activities which the authorities favor, such as environmental sensitization, clean-ups, professional seminars, etc, of the sort mentioned above, where in many cases the municipality actively participated alongside the NGO (for example, lending municipal workers to plant trees, and assisting with environment parades). And as was already mentioned, some organizations receive operating budgets from either the municipality, the governorate or a ministry. The conclusion we can draw from the organizations interviewed is that when the NGOs undertake activities which the government "favors", all goes well; when they move into areas which are not yet sanctioned for non-governmental action, such as community development, then the relationship cools down.

NGOs need the collaboration of the municipality in order to function effectively, and want to play a positive role, but they believe that they are either ignored or prevented from playing an active role in decision-making. The ASMs are mandated by law to participate as active members of the Building Permit Committee within the municipal government; however, other NGOs, for example the Union of Planners, and the environmental groups are rarely included in decision-making, and their professional advice is not solicited. The apparent lack of positive interaction and consultation can be explained by problems in comprehension of the role of the "third party" in Tunisia.

The concept that associations which are private, independent and non-profit making can initiate and manage activities of their own choosing -- can organize the population, can undertake training, can chose the target populations -- goes against the accepted wisdom and attitudes in Tunisia, and often is met with either hostility or incomprehension on the part of bureaucrats, the political party and technical services of the central and in particular the local government.

NGOs are still viewed by many in the government as groups which should be acting on behalf of the government, carrying out government policy, rather than as independent partners. This attitude explains in large measure why the NGOs are not "listened to", and occasional attempts to co-opt or block their activities. The fact that many NGOs, on their side, are badly organized and incapable of rallying technical expertise engenders a disdain and lack of respect and credibility on the part of the government. Much remains to be done to foster mutual understanding of the role and place of the NGO in Tunisia.

### **C. Measures to Improve the Ability of NGOs to Function**

It has been stated as a general principle that NGOs possess four intrinsic advantages, whether they use them or not: communication, networking, mediation, and co-ordination. The key roles for NGOs to assume are to act as enablers; as mediators or advocates between the people and the government; as advisors or consultants to the controlling authorities on ways and means of changing decision-making structures, rules, and systems; and by increasing local access to resources (B. Turner).

In order for Tunisian NGOs to utilize the advantages of their Third Party status and carry out the above-mentioned roles, changes must take place both external and internal to the organizations involved.

NGOs as well as well-informed outsiders have suggested certain changes in the regulatory climate which would enable fuller participation as partners in both decision-making and in implementation of independent activities.

Regulatory changes include lifting the present ceiling on membership fees, eliminating the need for government approval for gifts or legacies, and application of tax benefits for donations to NGOs in the same measure as is currently applied to donations to the State Social Fund. All of these would help the NGOs to operate on a sounder financial basis, which would not only improve their ability to engage needed personnel and equipment and to carry out activities, but would also free them from dependence on government subsidies and programs.

In addition, there are certain administrative practices whose revision or elimination would improve the operating environment for the NGOs, such as speeding

up the process of authorizing new NGOs, which currently takes months, if not years (and during which time the NGO is treated as a money-making establishment and subject to normal tax policies).

Also important is an improvement in the working relationship between the authorities and NGOs. Informants cite the need to sensitize government bodies about the potential role of even those NGOs that maintain some distance from the government; to encourage the establishment of an umbrella organization of NGOs which could serve as a link between the public sector and NGOs; to create conditions which would encourage NGOs to participate in the Integrated Urban Development Program without losing their independence, and without being overwhelmed by fiscal and bureaucratic requirements.

Because of the relative inexperience and lack of technical competence of most NGOs, institutional and technical support is regarded as an indispensable prerequisite so that NGOs gain the necessary technical and organizational capacity to perform as credible partners. Recently an informal working group of NGOs prepared a Draft Training Program for donor institution funding ("Cycle de Formation des Dirigeants et des Cadres des ONGs de Developpement"); this has been accepted for partial funding by the UNDP/ Tunisia. The program consists of five different training activities which will contribute to meeting the following objectives:

- To improve understanding of the regulatory framework of NGOs, and of sound administrative and financial practices, as well as priority-setting and action planning.
- To train personnel in the techniques of project identification, preparation, management, and evaluation, and of project finance and mobilization of resources.
- To reenforce both theoretical and technical knowledge in specific areas of potential NGO activities such as environment, women in development, micro-enterprise development, low-cost housing.
- To broaden the experience of NGOs through exposure to activities elsewhere in the world.

This program meets many of the assistance needs expressed directly by the NGOs interviewed, in particular improvement in staff and technical capabilities. What is interesting, as well, is the desire of NGOs to depend as much as possible upon their own resources. Frequently cited was the need for Tunisian NGOs to assist and train each other, rather than calling in outside assistance, which, in their experience, has not been well adapted to the Tunisian context or needs.

#### **D. Conclusion**

Tunisian NGOs may have been recently accorded greater opportunity by the government to play a more active role in municipal affairs, but these associations will clearly need to develop their capacities in numerous dimensions if they are to be able to effectively carry out this role. Thus far, the NGOs that have been able to develop the most have been those that actively cooperate with the authorities on a number of issues. But the costs of such cooperation are that such NGOs are largely viewed by the citizens as extensions of the state, and for that reason will be limited in their credibility as neutral arbiters at the grass roots level capable of inspiring participation. On the other hand, those NGOs that insist upon maintaining a visible degree of independence from the government are more limited in their financial capabilities and will more likely be subject to the various forms of oversight and control available to the authorities. The most valuable NGO in terms of complementing the GOT's decentralization program will probably be one that is able to establish goals and priorities that are compatible with the official needs to encourage greater citizen participation, while still maintaining sufficient autonomy to assure its credibility. Once a greater mutual confidence is developed between the GOT and the NGOs, the nature of the relations between the two will be of less significance than the technical weaknesses of the associations.

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## SECTION VI CONCLUSIONS AND RECOMMENDATIONS

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### A. NGOs and Governmental Decentralization

The extraordinary progress made by Tunisia in its economic liberalization program shows that the GOT is committed to the process of change. Tunisia has been singled out as a model by the IMF and World Bank for the progress it has already made in its structural adjustment program. However, if this process is to succeed, it will have to incorporate some elements of political reform.

Many political constraints continue to impede key elements of the ongoing reform program. Nevertheless, what is perhaps most remarkable about the Tunisian experience is that the GOT commitment to its SAP program has remained steadfast during extremely difficult political times. In the midst of stabilizing and restructuring its economy, the country went through its first presidential transition, which most international and Tunisian observers had predicted would spell disaster for the country's political stability. Despite the application of generally unpopular economic reforms, the bloodless transition of power has clearly indicated that the government is serious about its commitment to liberal reform, no matter how slow and deliberate the pace.

In particular, the above analysis of GOT initiatives at the local level make it clear that progress on this front holds the promise of being quite meaningful. Should initial steps in this direction be successful, the possibilities for more substantial progress will be greatly enhanced. To reject the GOT decentralization program as too incremental or to fail to put criticisms of the government in their full context would be short-sighted and inappropriate. Mitigating circumstances have led the government to adopt the go-slow approach that they have. The coming months are a critical period in which technical support from USAID could serve a positive function in encouraging more progress in this domain.

The inclusion of NGOs in the GOT decentralization program is the boldest element of these reforms. The attempt to enhance political participation through alternative means is a demonstration of the realization that new solutions are required to effect significant change in municipal governance. Moreover, the history of Tunisian NGOs provides USAID with an appropriate target for technical assistance, despite internal and external constraints. The enhancement of NGO capacities could have a significance that goes well beyond the individual associations concerned.

## B. Programmatic Implications

The success of the GOT's decentralization program hinges upon the improvement of both the capacities of municipal officials and of the NGOs. Equally important will be the development of more fruitful relations between the two. The Local Government Support Program (LGSP) of USAID has already been working on the first of these requisites, that of improving the technical abilities of municipal staff. This indicative action plan will thus be limited to recommendations designed to enhance the participation of NGOs in municipal decision-making.

It is recommended that USAID concentrate its efforts in two areas which will assist NGOs to play a more active role in municipal development.

- Improving the relations between government officials and NGOs, primarily by lessening the suspicions that currently exist on both sides;
- Enhancing the credibility of the NGOs at the grass roots level through the strengthening of their technical capacities.

Several constraints should be remembered when designing an assistance program. Few NGOs can now achieve the successes needed in the short term to enhance the climate of trust essential for further progress. Aid resources would thus be most usefully directed to those NGOs which have already demonstrated some potential to make a worthwhile contribution to urban life. A broad based national plan would be too ambitious at this point, particularly since the development of trust through successful NGO projects is a precondition to wider NGO participation in the future. It would not be cost effective to try to enhance the abilities of all Tunisian NGOs.

The selection of which NGOs to support should reflect not just their ability to successfully complement the GOT's needs at the local level, but should also take into consideration their credibility among the citizenry. Only such citizen confidence can inspire voluntary participation. On the one hand, NGOs should demonstrate an ability to cooperate with the authorities, but on the other hand, NGOs should not be so closely tied to official support that their autonomy and credibility is jeopardized. It is thus strongly recommended that *USAID limit its support to NGOs that are interest specific, rather than general and territorial in nature.*

In particular, it would be a serious mistake to attempt to provide assistance to the *Comites de Quartier* at this point. The Ministry of the Interior currently appears to favor these neighborhood associations and would be receptive to an aid program designed to enhance their capabilities. But the *comites* have become popularly viewed as a symbol of the state's security measures; this perception has already damaged the credibility of the GOT's attempts to encourage NGO activity in general. Should a more liberal political climate predominate in the future, the *comites* may indeed be able

to play a more credible role in encouraging voluntary neighborhood participation, as some appear to have done in upper-class areas. But for the moment, the entire *comites* experiment remains the target of extreme public skepticism. Due to the symbolic values attached to these groups, USAID should not jeopardize its own credibility by targeting them for support. In any case, since these groups are already favored and encouraged by the state, they need less assistance than do more autonomous associations who could still develop their credibility at the local level.

Tunisia's regional context also has programming implications. The political space accorded to NGO activity has been enlarged because the GOT needs to enhance the provision of municipal services and wants to become more responsive to local interests. Security fears threaten this political space and constrain the GOT's program of political liberalization and decentralization. The rise of Islamism throughout the region is understandably viewed as a grave threat in Tunisia. Events beyond the control of the GOT could thus derail Tunisia's own attempts at political liberalization. In particular, the outcome of the ongoing struggle in Algeria between the government and militant Islamists will affect the priorities of the Tunisian government. Even if selected NGOs show considerable promise as independent partners in municipal development, external developments could derail political liberalization, halt decentralization, and further restrict NGOs.

Given these key constraints, it is recommended that USAID base its action plan around the following two considerations.

- Given the actual status and situation of Tunisian NGOs, *a bottom-up, rather than a top-down strategy should be followed*. Umbrella organizations do not exist in Tunisia, nor is their creation through an outside agent particularly desirable at this stage, as this might increase the climate of suspicion and dislike of outside interference which already exists. An initial phase is needed during which pilot activities demonstrate the possibility of a good working partnership between government and NGOs. It needs to be proved to the government that NGOs represent a potentially positive force in municipal development and this can best be done by fostering successful experiments.
- The somewhat ominous implications of regional developments for Tunisia's political liberalization suggest *concentrating resources activities located in pilot municipalities*. This would not only help to concentrate resources on the most promising municipalities and NGOs, but would also allow for subsequent evaluation of the GOT's willingness and capacity to open up political space at the local level. It is recommended that several pilot programs of assistance be designed that could satisfy the goal of enhancing the role of NGOs in urban development while also

allowing for a future comparative evaluation of the potential of such an approach.

Within the pilot areas, USAID can make a positive contribution by concentrating its assistance in three areas:

- Improving contacts between the municipality (and governorate) and local NGOs. This could involve sensitizing local officials on ways to avoid confrontation with the public through the intermediation of NGOs.
- Assisting NGOs in the identification and technical planning of activities they could undertake at the municipal level.
- Developing the capacity of local NGOs to become credible partners in municipal development through institutional development and training.

Developing such an action plan requires several preliminary steps. Several municipalities should be identified where there is a potential for improving participation in decision-making. This potential will reflect the willingness of local officials to work with NGOs and the presence of promising associations. Program development should reflect input from both local officials and NGOs in developing a consensus on the proposed activities. Finally, the institutional needs of the specific NGOs involved should be factored into the programming of assistance.

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**ANNEX A**  
**INVENTORY AND TYPOLOGY OF NGOs**

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The main objective of this annex is to create an inventory of NGOs that are currently involved or seeking to become involved in municipal decision making and to create a typology that should clarify some of the potential dimensions of future NGO activity.

**A. Brief Overview of the Legal and Historical Context**

The concept of association is very large in Tunisia and needs to be more strictly defined to render the field more relevant for the purposes of this study. The legal status of associations was first defined in 1959 by the Law No 59-154 of November 7, 1959. The law distinguished seven types of associations: Social Help Associations (Associations a Caractere Mutualiste), Agricultural Cooperatives, Non-Agricultural Cooperatives, Cooperatives for Services, Water Users Associations, Forestry Associations, Unions. In 1988, a new law introduced the distinction between political parties and other associations and finally, in 1992, the definition was further refined and eight categories were made: Women Associations, Sporting Associations, Scientific Associations, Cultural and Artistic Associations, Social and Charity Associations, Development Associations, Amicales or Social Organizations, General Purpose Associations (a Caractere General). In addition, a distinction is made concerning Foreign Associations, Association of National Interest, Ordinary Associations (Associations Ordinaires) and General Purpose Associations. Moreover, there are several other types of associations or groups which are not legally recognized but are part of the community life. They include "les comites de quartiers" (see below) and certain NGOs operating in rural development in the North-West of Tunisia.

**B. Quantification of the NGOs**

According to one source of information (cf Zghidi's paper), there should be about 12 000 associations, of which 8,000 are legally recognized. According to Tunisian officials, there are between 5,000 and 6,000 NGOs in Tunisia, of which 143 are oriented towards community development projects, but of these, only 15 are effectively operating.

There is no official list of NGOs operating in Tunisia. Perceptions vary according to the concept one has about what constitutes an association. However, various attempts have been made to establish a more or less exhaustive list without reaching a real consensus. Given this situation, we will base our study on a compilation of information provided by various sources such as UNDP, the Ministry of Plan and Regional Development (MPDR), the Ministry of Environment (MEAT), "le Guide Vert" which is a private initiative sponsored by the Friedrich Naumann Foundation in order to publish an index on Environmentally-oriented associations and institutions, and finally, "El directorio sobre ONG en el Magreb" published by the Spanish Center for Information and Documentation.

Some lists of NGOs are provided in **Annex A1**.

### C. **Methodology Used for the Analysis**

The first step of this work was to gather existing NGOs lists from various sources. The purpose of this activity was to compile information on the roles and status of NGOs and their current or potential interaction with municipalities as well as their involvement in urban-based projects. A set of criteria were defined by the team in order to make a preliminary selection of NGOs to constitute the reference base for the study. Special attention was paid to women's groups, environmentally oriented organizations, and NGOs with business interest if they met the selection criteria. In short, these criteria were to provide a filter by which the relevant NGOs could be singled out from the larger field.

The criteria used to narrow the field were as follows:

- The NGO shall have **locally based activities**; NGOs which are only national in character are not included.
- The NGO should target **urban populations or populations living in rural built-up areas**, in at least certain of its activities (those of interest to this program). NGOs which only work with dispersed rural populations are not included.
- The NGO is or could be engaged in an activities which encourage municipal development and which cover **municipal government concerns**. NGOs whose activities are purely social or cultural in nature are not included.
- The NGO is not formally linked to the Government
- The NGO has sources of financing apart from Government subsidies.
- The NGO has the **potential for, or is currently collaborating** with municipal government in decision-making in areas which are of concern to the municipality, such as urban sanitation, environment, urban infrastructure, housing, income generation linked to urban development projects, land use planning, physical projects such as playgrounds, etc...

A series of interviews was undertaken in Tunis and other cities of the country in order to collect information for our study and data base. Identification forms were designed and used during the field interviews to gather basic information for the inventory. Information on the information forms included:

- Name
- Address
- Tel and Fax numbers

- Date of creation
- Number of members
- Financing sources
- Areas of interest
- Experience at the municipal level

Forms of the Data base are in **Annex A2**.

#### **D. The typology of NGOs**

At first glance, the network of NGOs (reseau associatif) is quite large in Tunisia and covers the entire country. Most associations, however, are still at the embryonic stage due mainly to a lack of means. Despite their weak financial status, though, some of them are very dynamic and efficient, especially in terms of sensitizing actions and in environment related areas. Few are already strictly involved in urban development projects but both the Integrated Urban Development Program (PDUI) and the new policy climate in favor of an increased participation by NGOs in the project implementation process offer new opportunities in this field.

The first stage in our selection process allowed us to identify several types of NGOs which seem to meet our criteria and which operate or have the potential to participate in urban related projects at the local level:

##### **D1. Eco-Development Associations (8-10 groups)**

These associations are generally the best organized and structured. Most of them depend financially on their own resources or private donations and often receive significant international assistance and funds. In addition, they are increasingly trying to get grants through contracts with Ministries and Governorates who hold the decision making power and control the allocation of public funds. Their members are essentially professionals whose expertise is relevant to development projects. Originally, the main area of interest for this type of NGO was rural development in the poorest regions of Tunisia, especially concerning basic health care promotion, appropriate technologies development and job training for the young. Now, the NGOs are being encouraged to participate in PDUI projects related to micro-enterprise and employment development, job training and the strengthening and development of industrial zones in urban areas in order to attract local developers and artisans. In general, though, this type of association only undertakes occasional projects in urban areas. Their participation at the municipal level is often reduced to sensitizing actions to push local authorities to provide basic infrastructure to a target population. Most NGO leaders indicate that their actions are more effective when municipal officials are members of their association. The types of action where they are most involved at the local level, are as follows:

- Sensitization actions designed to encourage the provision of basic infrastructure to a targeted municipal population

- Employment promotion and job training

## **D2. Environmental Associations**

(12-14 principal groupings, with about 60 if local and regional chapters are counted)

Environmental associations are usually fairly dynamic and are developing very rapidly, with many local and regional sections created to cover the entire country. Public sensitization and environmental education are their main activities, which are carried out through campaigns, seminars, contests, etc. They often act as pressure groups once specific environmental threats are identified. They usually work very closely with the local population, sometimes through the medium of schools. They try to undertake various actions with the close collaboration of the municipality and seek to be partners in different environmental commissions along with government officials. Their experience at the municipal level is growing and already noteworthy in the following areas:

- Tree planting along city streets
- Sensitizing the local authorities to pollution threats and providing environmental impact studies
- Attending municipal and regional councils
- Green spaces development
- House rehabilitation
- Cleanliness campaigns for streets and beaches

## **D3. Medina Preservation Associations**

(Associations de Sauvegarde de la Medina - 13 groups)

These were created in 1967 for the purpose of providing technical assistance and advice with regards to issuing building permits in the medinas. Their main objectives are to protect the urban heritage, rehabilitate historical buildings and assist the municipality in urban planning within the medina areas. They are given substantial responsibility for the design of projects related to the renovation of some areas of the medinas. They undertake studies and surveys and collect socio-economic and technical data needed to establish development, protection, and land use plans for the medinas. Their main actions at the municipal level include:

- Building rehabilitation
- Renovation of old neighborhoods
- Oversight of building permits in the medina
- Technical assistance to the population to design plans and prepare cost estimates

## **D4. Jaycees and other civic groups**

(Jeunes Chambres - 55 local chapters)

The Jaycees have the advantage of being very well structured associations and of covering the entire country through a network of local chapters. They have various areas of interest, especially in social and charity assistance. However, the presidents and the committees of each local chapter as well as the leaders of the central association are circulated and elected every year; This situation somehow impedes the continuity of their programs which consequently often consists of short term activities.

#### **D5. Specialized Professional Associations**

Some of them, such as ATU (Association Tunisienne des Urbanistes), and OAT (Ordre des Architectes), organize workshops on topics related to the urban environment. They include professionals who wish to participate in urban projects via consulting and advising activities. However, because of limited means, they have not thus far played a major role nor had any great impact.

#### **D6. Womens Associations (8 groups)**

The main objective of these associations are to support and militate in favor of womens' rights. Some associations such as AFTURD (Association of Tunisian Women for Research and Development) and APROFE (Association for the Promotion of Womens' Economic Projects) include academic researchers with professional interests in gender studies; They encourage the active integration of women in the development process and their participation in the decision-making process. However, their actions remain primarily oriented to the national level and more theoretical than applied. APROFE, for example, seeks to improve the integration of women in investment and employment but doesn't yet have any locally-based activities. ATFD attempts to combat sexual discrimination and for the promotes the participation of women in almost all walks of life. Another type of womens associations are the professional organizations which assist women in the formal economy: CNFCE (National Chamber of Women Business Leaders) is a subsection of the larger UTICA (the national employers' association), and UTAP (National Federation of Women Farmers) advocates the interests of rural women. Both of these professional groups are strongly dependent upon government financing although they claim a certain autonomy in their activities. Several associations are based around establishing research and documentation centers on women, such as CREDIF (Centre Arabe de Recherche sur la Femme), while others are more oriented to womens' health and social issues (Association de Planning Familial, Association des Meres). UNFT is the oldest womens' association in Tunisia and is strongly linked to the ruling party, so much so that it is not popularly considered to be independent. It has many chapters all over the country, with its main activities consisting of seminars and conferences as well as training courses for women. UNFT is currently implementing a project aimed at developing women's participation in the political and electoral process, funded by USAID.

#### **D7. Chambers of Commerce**

Chambers of commerce are parastatals involved in business activities. Their main objectives are to develop business markets and promote Tunisian agricultural and

manufactured products. Since the re-definition of the law on associations in 1988, they have become more dynamic and given a greater potential role in such activities as planning for urban transportation infrastructure (mainly ports and airports). Their financing sources consist primarily of government subsidies, contracts, membership dues, and fees for special events and exhibitions. So far, their experience at the municipal level is limited to the organization of joint programs to promote partnerships and the twinning of cities.

#### **D8. Neighborhood Associations** (Comites de quartier)

The first "comite de quartier" was created in 1988 by the population of El Mourouj II. Citizens organized themselves as a pressure group to protect their interests and to sensitize the government on their problems, especially regarding the location of a municipal landfill. Following this first initiative, 4000 "comites" have been created in 250 cities with the help of the local government and the RCD. Activities include social assistance, cultural events and small works within the municipalities. The local government representative must approve their creation with a follow-up investigation by the Regional Division of the Ministry of Interior. In fact, most members of the "comites" belong to the local sections of the RCD and have been chosen by the party. Therefore, these "comites" are strongly linked to the government and ruling party, which limits their credibility among the community.

#### **D. Case studies**

Interviews with NGOs and local authorities were conducted in Bizerte and Sousse. These interviews indicated that the situation in those two cities did not substantially differ from what exists in Tunis, with the perceptions of both the NGOs and the local authorities corresponding to the pattern that was identified in the capital city.

#### **E. Main Findings**

It is quite difficult to establish a clear typology of NGOs operating in Tunisia because of the lack of centralized information. In addition, the concept of association covers a huge diversity of groups in terms of their structures and activities. However, it does appear that the most important and dynamic associations are currently the "Eco-development Associations" and Environmentally-related associations.

Urban development projects represent a new orientation for most NGOs, which are quite reluctant, given their lack of financial and human means, to undertake projects in this field. NGOs feel that urban projects require many specialized qualifications in order for them to be able to respond to the multiple needs and actors involved. ASM of Tunis is one of the only associations that is comfortable in dealing with urban projects because it includes urban specialized professionals operating almost as consultants, directly under the supervision of the municipality whose mayor serves as its president. It should also be added that this association does not encounter the severe financial problems faced by most other NGOs due to the annual budget given to ASM Tunis by the municipality and the receipt of fees coming

from contracts.

Although all NGOs see the benefits of greater collaboration with municipal officials, many are also determined to preserve their own autonomy. Cooperation appears to be facilitated when municipal officials belong to the association. According to some NGOs, municipalities on their part seem reluctant to collaborate too closely with the associations because they are concerned by the potential role as a pressure group that the NGO might develop.

#### **F. Conclusion**

With the new policy climate in favor of community development, NGOs are developing rapidly across a broad range of issue areas. However, they are in general still at an embryonic stage with limited human and financial means. NGOs were initially dedicated to social activities in rural areas, focused around priorities that held the prospect of receiving government funding. With the implementation of the PDUI (Integrated Urban Development Program), new opportunities have been created for NGOs in the municipal areas. Although none of the NGOs that were interviewed met all the selection criteria, several of them showed considerable potential to successfully participate in urban development projects, most notably the Eco-development associations and the Environmental associations. The experience of the ASMs indicates the important role that NGOs can indeed play in municipal decision-making, although the close links between the ASMs and local authorities reduces their lack of autonomy.