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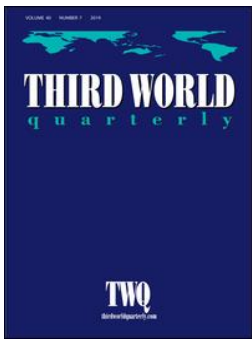
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# Tunisia's migration politics throughout the 2011 revolution: revisiting the democratisation–migrant rights nexus

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## ABSTRACT

How does democratisation affect the politics of migration? This paper analyses Tunisian immigration and emigration politics in the decade before and after the 2011 revolution, drawing on 57 interviews with Tunisian high-level civil servants, as well as representatives of civil society and international organisations. It shows that the democratisation of policy processes and the expansion of citizens' political freedoms did not result in pro-migrant rights reforms, but instead led to the continuation of restrictive migration policies inherited from Tunisia's authoritarian past. The paper explains this by dissecting the ambiguous effects of democratisation on political legitimisation, as well as on inter-institutional and transnational dynamics of migration policymaking. It demonstrates that despite the unprecedented dynamism of Tunisian civil society and efforts of various institutional actors to reform Tunisia's security-driven migration policy, there were both domestic and international forces that put brakes on migration reform. By focussing on the intricacies of Tunisian migration policymaking, this analysis allows to advance theory-building on the link between political regimes and migration politics, to revisit regime transformations from the inside and to overcome the still-dominant Eurocentrism in scholarly debates on North African migration policies.

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## Introduction

After more than five decades of authoritarian rule, first under independence hero Habib Bourguiba and then under Zine el-Abidine Ben Ali, Tunisia embarked on a democratic transition process in January 2011. This paper analyses the politics around Tunisian immigration and emigration policies in the decade before and after the 2011 revolution to advance insights into the link between political regimes and migration policymaking and to revisit Tunisia's regime transformation from the inside.

From the outset, migration and revolution were intrinsically linked: the emigration of young Tunisians skyrocketed in early 2011 as Tunisia's security apparatus and border controls fell apart. In parallel, the civil war in neighbouring Libya prompted several hundred thousand Asian, Arab and sub-Saharan African migrant workers as well as Libyan families to cross into south-eastern Tunisia. The democratic transition also fundamentally reframed the context within which Tunisian

migration policy was debated and decided upon. Not only did freedom of speech, multipartyism and civil society activism change the actors involved on migration; freedom of movement was in fact a core demand of Tunisian revolutionaries, and the return of previously exiled politicians from Europe and elsewhere put migration at the top of Tunisia's post-revolution agenda. In this context, the political treatment of continuing emigration and large-scale immigration provided a litmus test for the young democracy and its human rights ideals.

Yet, one decade after the fall of Ben Ali's autocratic regime, Tunisia's securitised migration policies have not been substantially reformed. This is surprising given the importance of immigration, emigration and human rights in post-revolutionary Tunisian political life, as well as migration scholarship suggesting an intrinsic link between democratisation and migration policy liberalisation. What accounts for this striking continuity in Tunisia's restrictive immigration and emigration policies? To explain the stickiness of securitised approaches, this paper analyses (1) how the need for democratic legitimisation affected the politics of emigration and immigration differently; (2) how inter-institutional dynamics around migration have become more transparent, yet also more complex and prone to stalemate; and (3) how democratisation reshaped the transnational politics around migration, leading to unexpected coalitions among state, civil society and international actors. It does so by drawing on archival research covering the 2000–2020 period and 57 in-depth interviews with representatives of Tunisian state institutions, civil society organisations (CSOs) and international organisations (IOs) conducted in 2016 and 2017 (see [Table 1](#)).<sup>1</sup>

The article argues that despite the unprecedented dynamism of Tunisian civil society on immigration and emigration, as well as efforts of various institutional actors to reform Tunisia's security-driven migration policy, there were both domestic and international forces that put brakes on migration reform. In particular, the security priorities of Tunisia's Ministry of Interior and (European) external actors have not been fundamentally affected by the democratic transition and, especially on immigration, there is no clear majority within Tunisian society and politics to politicise the issue through a human rights lens. By focussing on the intricacies of Tunisian domestic policy processes, the article demonstrates the value of looking into the 'Southern' state as a vector of migration politics and to move debates on North African migration policies beyond their still-dominant portrayal as result of European migration externalisation (Cassarino 2014; FTDES and Migreurop 2020; Lixi 2018; Roman 2019).

In this vein, the next section discusses how the scholarly debate on the role of political regimes in migration policy can benefit from a critical perspective that decentres analyses beyond 'Western liberal democracies' and leverages comparisons across the globe. After that, the paper zooms into the Tunisian case to retrace the continuities and changes in Tunisia's policy towards foreigners, as well as Tunisians residing abroad (*Tunisiens résidant à l'étranger*, TRE) before and after the 2011 revolution. It shows that while discourses on emigration, immigration and migrants' rights have shifted, actual policies have remained largely unchanged. The paper then delves into the ambiguous consequences of democratisation, focussing on three core aspects of migration policymaking: democratic legitimisation, inter-institutional and transnational dynamics. It showcases how, in the context of regime transitions, Tunisian migration politics have been structured by the complex interplay between the ambiguous demands of a democratic electorate, the stickiness of authoritarian institutions and the inherently transnational dynamics around migration. Rounding off the analysis, the conclusion explores how such insights can provide food for thought for more general theory-building on the role of political regimes in migration policy.

**Table 1.** Interviewed actors.

State institutions	<ul style="list-style-type: none"> <li>• Ministry of Foreign Affairs</li> <li>• Ministry of Social Affairs</li> <li>• Ministry of Justice</li> <li>• State Secretariat for Migration and Tunisians Abroad (SEMTE)</li> <li>• Ministry of Employment and Professional Formation</li> <li>• Ministry of Culture</li> <li>• Parliament</li> <li>• Centre for Legal and Judicial Studies (CEJJ)</li> <li>• Tunis Municipality</li> <li>• National Migration Observatory (ONM)</li> <li>• Organization for Tunisians Abroad (OTE)</li> <li>• Regional Directorate of Child Protection</li> <li>• National Statistical Institute (INS)</li> </ul>
Civil society and migrant organisations	<ul style="list-style-type: none"> <li>• Caritas Tunisia</li> <li>• Tunisian Red Crescent</li> <li>• Arab Institute for Human Rights (IADH)</li> <li>• Tunisian Association of Democratic Woman (ATFD)</li> <li>• Tunisian Forum for Economic and Social Rights (FTDES)</li> <li>• Al Bawsala</li> <li>• General Union of Tunisian Workers (UGTT)</li> <li>• Tunisian Union of Industry, Trade and Crafts (UTICA)</li> <li>• General Confederation of Tunisian Workers (CGTT)</li> <li>• Doctors of the World Belgium</li> <li>• Euromed Rights</li> <li>• Mercy Corps</li> <li>• Media and Human Rights Observatory</li> <li>• Adventist Development and Relief Agency (ADRA)</li> <li>• Terre d'Asile Tunisie (TAT)</li> <li>• Maison des Droits et des Migrations</li> <li>• Association Adam</li> <li>• Association of African Students and Trainees in Tunisia (AESAT)</li> <li>• Union of African Leaders (ULA)</li> <li>• Association of sub-Saharan Workers in Tunisia (ASTT)</li> </ul>
International organisations and diplomatic actors	<ul style="list-style-type: none"> <li>• EU Delegation in Tunisia</li> <li>• United Nations High Commissariat for Refugees (UNHCR) Tunisia</li> <li>• International Organization for Migration (IOM) Tunisia</li> <li>• International Labour Organization (ILO) Tunisia</li> <li>• German Development Agency (GIZ) Tunisia</li> <li>• Swiss Development Cooperation Tunisia</li> <li>• Expertise France Tunisia</li> <li>• French Office for Immigration and Integration (OFII) Tunisia</li> <li>• International Centre for Migration Policy Development (ICMPD) Tunisia</li> </ul>

## Decentring Eurocentric discussions on regime effects in migration policy research

This paper engages with two distinct yet related conceptual efforts in migration studies: (1) the recent ‘decentring’ of migration politics research to overcome Eurocentrism, and (2) the debate around the ‘regime effect’ in migration policymaking, a debate that reaches back to the 1990s but has regained salience in the context of thriving research on illiberal and authoritarian migration politics.

Indeed, research ‘decentring’ European perspectives on migration politics and ‘recentring’ policy processes in the Middle East and North Africa has flourished over the past years, pluralising the view on migration politics and bringing local actors centre stage (Cassarino 2018a; El Qadim 2017; Fiddian-Qasmiyeh 2020; Stock, Üstübcici, and Schultz 2019). Such studies have paid particular attention to the role of local civil society actors (Bustos et al.

2011; Gazzotti 2018; Üstübcici 2016) and to the heterogeneity of interests within state bureaucracies (Adam et al. 2020; Mouthaan 2019). Taking the 'African' or 'Arab' state as a complex, powerful actor and not just as a passive implementor of European policy demands, such studies have also examined how migration policies can constitute an asset for authoritarian regimes in the European neighbourhood to consolidate their power (Natter 2020; Norman 2020; Stel 2020; Thiollet 2015; Tsourapas 2018, 2019).

Research on Tunisia in particular has dissected the role of civil society actors, showcasing how they can both resist and reinforce European externalisation goals through their actions on the ground (Bartels 2015; Cuttitta 2020; Dini and Giusa 2020; Pastore and Roman 2020; Roman 2019). Scholars have also retraced migration policy developments within the context of democratisation, highlighting changes in discourse as well as continuities in policies and practices (Cassarini 2020; Cassarino 2018b; Geisser 2019). This paper draws on and advances this decentring effort by disentangling how democratisation has affected the leverage and dynamics of actors involved in Tunisia's migration policy field.

Such debates on the role of democratisation in migration politics relate to the broader issue this paper engages with: the (ir)relevance of a 'regime effect' that would tie migration policy substance and dynamics to the type of political regime in place. Over the 1990s, comparative research on Western Europe and North America has advanced the argument that liberal democracies have an inherent tendency for migration liberalisation (Hollifield 1992), as powerful employer lobbies would push governments to liberalise immigration (Freeman 1995; Messina 2007), legal constraints such as constitutional or human rights norms would limit the extent to which liberal democracies can restrict immigration (Joppke 1998), and activist bureaucrats would play a key role in driving progressive reforms (Bonjour 2011). Over the past decade, critical migration and security studies have shown that those initial assumptions of a 'regime effect' do not hold against realities on the ground, where consolidated liberal democracies in Europe and elsewhere have enacted more and more illiberal, rights-denying policies towards foreigners within or at their borders (Adamson, Triadafilopoulos, and Zolberg 2011; Bigo et al. 2008; Guild, Groenendijk, and Carrera 2009; Skleparis 2016).

Yet the 'regime effect' debate has recently been revived from two sides: On the one hand, qualitative researchers have sought to pin down the distinctiveness of autocratic im- and emigration policy by emphasising how population control, and thus coercive migration policies, are key to assuring autocratic regime survival (de Haas and Vezzoli 2011; Filomeno and Vicino 2020; Natter 2018; Tsourapas 2018). At the same time, quantitative scholars have mobilised large-scale databases to explain the openness or restrictiveness of migration policies through countries' categorisation as either autocratic or democratic (Miller and Peters 2020; Ruhs 2011; Shin 2017). Such research (often implicitly) reinforces the assumption of an intrinsic link between liberal immigration policy and democracy, as well as restrictive immigration policy and autocracy.

On the other hand, case study research from across the globe has yielded contrasting insights on the role of democratisation for migration policy and reopened the debate on the 'regime effect' from the perspective of regime transitions: research on South Korea (Chung 2010; Mosler and Pedroza 2016) and Latin American countries such as Ecuador, Chile, Argentina and Brazil (Acosta Arcarazo and Freier 2015; Álvarez Velasco 2020; Filomeno and Vicino 2020) has shown that civil society groups central to these countries' democratic transitions were key in mobilising for migrants' rights and triggering liberal migration policy

reforms once migration became politicised in the public sphere. In contrast, the work by Milner (2009) on asylum policy in Tanzania, Guinea and Kenya, by Brobbey (2018) on the place of xenophobia in Ghana's democratisation, or by FitzGerald and Cook-Martín (2014) on ethnic immigration selection criteria in North and South America has shown that democratisation also provides an opportunity for restrictive migration policy reform, particularly when newly empowered voters showcase clear anti-migration preferences.

In Tunisia, immigration and emigration were intrinsically tied to the revolutionary moment and freedom of mobility was a core request of the revolution. Yet despite the (initial) politicisation of migration and civil society engagement, attempts at liberalising policy remain unsuccessful, a decade after the revolution (FTDES and Migreurop 2020; Geisser 2019). Tunisia is thus a critical case to advance the debate on the 'regime effect' and to delve into the democratisation–migrant rights nexus. In particular, the analysis in this paper offers a nuanced insight into the ambiguous dynamics and effects of democratisation, showing that: (1) political legitimisation in the young democracy required the accommodation of divergent popular views on immigration and emigration, rather than the adherence to principles of equality and freedom; (2) inter-institutional dynamics resulted in policy stalemate rather than progressive reforms by activist courts or bureaucrats; and (3) democratisation led to unexpected coalitions among state, civil society and international actors on migration as well as equivocal dynamics of international norm adherence.

Ultimately, such a political sociology analysis of migration politics sheds light on Tunisia's regime transformation from the inside – in particular on how the boundaries of legitimate discourses shift, how democratisation translates (or not) into more transparent inter-institutional and state-society dynamics, and how alliances between domestic and international actors are recast in the process. From this perspective, the stickiness of securitarian policies towards immigrants and emigrants might suggest that there has in fact not been a total regime transition in Tunisia when it comes to its migration and border regime. Migration policy research is thus not only relevant in its own right, but also because it offers a powerful analytical lens to investigate broader socio-political transformations.

## Tunisian migration: policy continuity despite changing patterns

### *The authoritarian era (1956–2010)*

With 1.2 million Tunisians living abroad in 2012 (OTE/DIRP 2012) – more than 11% of the population – Tunisia is a prime emigration country in the Mediterranean region. The majority of Tunisian emigrants reside in France, Tunisia's coloniser until 1956, but Italy has become the second most important destination since the 1980s and emigration to Libya has also been a constant since the 1970s, even if statistically not well captured. More recently, soaring unemployment among Tunisia's university graduates has increased student and high-skilled emigration, especially to Germany and North America (Natter 2015). Because of its scale as well as its political and economic importance, emigration has always figured high on the agenda of Tunisian post-independence political leaders, who pursued a two-fold emigration policy: encouraging emigration to stimulate the economy through remittances and to relieve domestic unemployment; and monitoring the Tunisian diaspora to dissipate political engagement and regime criticism from abroad (Brand 2002). Key to implementing this policy were the Office of Tunisians Abroad (*Office des Tunisiens à l'étranger*, OTE) – considered 'the

eye of Ben Ali abroad' (author interview, 2017) – and a system of 'social attachés' across Europe who were members of Tunisia's ruling party and tasked with surveilling the Tunisian diaspora (Bel Hadj Zekri 2009).

In contrast to emigration, immigration to Tunisia has remained rather low after independence, dominated by Algerian and Palestinian refugees and Moroccan labour migrants from the 1960s to the 1980s. Since the mushrooming of private universities in the late 1990s and the relocation of the African Development Bank from Ivory Coast to Tunis in 2003, Tunisia also experienced growing migration from sub-Saharan Africa for studies, labour and refuge (Boubakri and Mazzella 2005; Cassarini 2020). As in many North African countries, immigration regulations under Bourguiba and Ben Ali combined securitisation – characterised by sanctions for irregular stay and work, arbitrary detentions and expulsions – with a welcoming discourse for a select group of immigrants such as investors and foreign competences (Natter 2019; Perrin 2009). In 2004, a new immigration law stepped up penalties for irregular migrants and anyone assisting them, including lawyers and doctors. Although implemented inconsistently (Meddeb 2012, 380–392), the law created an overall climate of fear and suspicion towards migrants and their supporters. As a result, immigration was silenced, decision-making confined to the Interior Ministry and the Presidential palace (Geisser 2019) and CSOs almost absent: 'No one was allowed to move on this topic, other than the state', a long-term analyst of Tunisian migration summarised.

More generally, Ben Ali mobilised migration policies to bolster his authoritarian regime: diaspora surveillance sought to prevent political activism from abroad, and cooperation on irregular migration with Europe was a relatively cheap instrument for Ben Ali to foster his image abroad and guarantee external support for his regime (Cassarino 2018b). In this vein, the 2004 law not only served Ben Ali's regime in responding to European demands and consolidating his international legitimacy; it was also a tool for the authoritarian state apparatus to increase surveillance of Tunisian society (Geisser 2019; Meddeb 2012). Despite this securitised grip on migration, some human rights associations tacitly began to mobilise on migration in the mid-2000s, such as the Tunisian Association of Democratic Women (*Association Tunisienne des Femmes Démocrates*, ATFD), the Tunisian League of Human Rights (*Ligue Tunisienne des Droits de l'Homme*, LTDH) and the Tunisian Forum of Socio-Economic Rights (*Forum Tunisien pour les Droits Economiques et Sociaux*, FTDES) (Bel Hadj Zekri 2009; Boubakri and Mazzella 2005). Yet migration became truly politicised in the public sphere only in the aftermath of the 2011 revolution.

### ***The 2011 revolution: a migratory game changer?***

The 2011 revolution was a game changer for Tunisia's migration patterns: first, the collapse of Tunisian border controls prompted an immediate surge in irregular emigration, with 28,000 Tunisians arriving at Italy's shores compared to an annual average of 1,700 over the 2000–2010 period (FRONTEX 2011, 29). Second, more than 345,000 people crossed from Libya into South-East Tunisia within less than a year, seeking refuge from the Libyan civil war (IOM 2012). Third, there has been a steady immigration of Libyan citizens since 2011. As they mostly live irregularly or on a tourist visa in Tunisia, statistics are unreliable, but estimates range from 8,800 (in the 2014 census) to over a million Libyans residing in Tunisia (Boubakri 2015). A safe estimate hovers around half a million, which represents 5% of the Tunisian population.



These new migration dynamics, combined with unprecedented political freedoms for Tunisian citizens after 2011, provided an opportunity for institutional and civil society dynamism on migration. First of all, a different perspective on emigration gained ground with the return of previously exiled left-wing and Islamist politicians from Europe, who took on key political positions in the new democratic institutions. For example, Moncef Marzouki, Tunisia's president between 2011 and 2014, worked as a doctor in France for two decades, and a key figure of the State Secretary for Migration and Tunisians Abroad told me in an interview: 'I was exiled for 20 years, so I knew migration as a subject, I was a subject of emigration'. The integration of diaspora members into political life accelerated the decision to assign Tunisian emigrants 18 parliamentary seats in the National Assembly. Other institutional creations included a State Secretary for Migration and Tunisians Abroad (*Secrétaire d'état chargé de la migration et des tunisiens à l'étranger*, SEMTE) in 2011, a National Migration Observatory (*Observatoire National de la Migration*, ONM) in 2014 and a High Council for Tunisians Abroad in 2020. On immigration, the immediate post-revolutionary period was dominated by emergency measures to address the situation of incoming migrants and refugees in Southern Tunisia, such as the establishment of the Choucha refugee camp by the United Nations High Commissariat for Refugees (UNHCR) in early 2011. In addition to the intensification of contacts with international actors, discussions on the need to revamp the country's securitised immigration law and to elaborate an asylum law began (Cassarini 2020; Natter 2019). Simultaneously, however, the financial penalty for irregular stay, introduced in 1994, was doubled to 20 dinars per week in 2013, and control of student migration tightened.

In parallel to such institutional developments, increased political freedoms prompted civil society activism of an unprecedented scale. The September 2011 law on associations facilitated the creation of Tunisian CSOs, and thousands of new associations were established to advocate for more dignity, freedom and human rights, including for migrants (Boubakri 2015; Natter 2015): 'If you look at civil society, there has been a real revolution', one civil society respondent highlighted. Two issues were particularly politicised early on: the drowning of Tunisian emigrants in the Mediterranean Sea (Ben Khalifa 2013; Giusa 2018) and the situation of rejected refugees stuck in the Choucha camp (Garelli and Tazzioli 2017). On both issues, migrants organised sit-ins and hunger strikes, and raised public awareness with the support of established Tunisian human rights organisations such as LTDH and FTDES as well as European CSOs such as Cimade and Migreurop: 'These people put a lot of pressure on the Tunisian government', one respondent from an international organisation recalls. Over the years, Tunisian civil society, together with Tunisian diaspora organisations and European CSOs who opened offices in Tunisia, such as Euromed Rights or Terre d'Asile Tunisie (TAT), started advocating for a more rights-based approach towards racial discrimination, immigration and asylum in Tunisia. Also, migrants organised themselves more systematically within the African student association AESAT (*Association des Etudiants et Stagiaires Africains en Tunisie*) and the Association of Sub-Saharan Workers in Tunisia (*Association Subsaharienne des Travailleurs en Tunisie*, ASTT).

Yet despite this initial institutional and civil society dynamism, the substance of migration policies has remained strikingly unchanged throughout Tunisia's democratic transition. Although emigration and diaspora politics have stayed central to Tunisia's development

agenda, little has changed for Tunisian emigrants since 2011, as claims for more rights continue to clash with European interests to reduce immigration (Lixi 2018). In addition, the migration-terrorism nexus – both in Tunisian domestic politics and in Tunisia–EU cooperation – has reinforced security approaches on emigration (Cassarino 2018b). On immigration, initial reform efforts were cut short in 2013 by a series of political assassinations, growing tensions in neighbouring Libya and continued economic struggles (Cassarino 2020; FTDES and Migreurop 2020; Geisser 2019). As a result, policymakers have actively depoliticised immigration and sidelined it from the political agenda. This is most striking with regards to large-scale immigration from Libya: no political party has tried to scapegoat Libyan migrants, and no decisions are taken to regulate or limit their presence in Tunisia. Those immigration policy changes that have been implemented remained informal or limited to specific migrant groups, such as human trafficking victims (Natter 2021). Ultimately, this meant that the core of Tunisia's immigration regime inherited from the authoritarian era – the securitised approach and restrictive rules on entry and stay – has remained untouched.

### **Tunisian migration politics: the ambiguous effects of democratisation**

Against expectations, the liberalisation of the public sphere and the consecration of human and political rights for Tunisian citizens have not spilled over into more migrants' rights in the first decade after the revolution. This striking continuity in *migration policies* is the outcome of the fundamentally ambiguous consequences of democratisation on three core aspects of *migration politics*: the domestic legitimisation of migration policy decisions, the inter-institutional dynamics around migration, and the shifting coalitions among state, civil society and international actors in an inherently transnational policy field.

#### **Domestic politics: the importance of democratic legitimisation**

Under Ben Ali's autocratic regime, migration policy was primarily a regime survival tool, used to gain international support through migration cooperation and to step up population surveillance through border and internal mobility controls. The democratic transition fundamentally reshaped the foundations of political legitimacy, as Tunisian political leaders now needed to legitimise decisions in front of an electorate. For post-2011 governments, it has thus been crucial to assure public adherence to policies and to frame them as 'home-made', i.e. emerging from domestic demands instead of imposed by external actors. However, democratic legitimisation has played out differently for emigration, where it required navigating between clashing domestic and international demands, than for immigration, where it meant considering divergent popular views.

#### **A deepening impasse on emigration**

The popular mandate on emigration was clear for Tunisian policymakers: safeguarding and expanding Tunisian migrants' rights. Indeed, the rights to emigrate and to participate in the polity from abroad emerged as core demands of the revolution, and any infringements on migration freedoms and citizenship rights were cast as authoritarian (Giusa 2018). In addition, the return of leftist and Islamist political figures from exile integrated migrant experiences into the Tunisian government and set emigrants' rights on top of the political agenda.

CSOs lobbying for the rights of Tunisians abroad have profited from improved relations with state institutions and the need to democratically legitimise policies. In particular, CSOs have used their *absence* in political processes to force authorities to take their positions on board. The negotiations around the EU–Tunisia Mobility Partnership signed in March 2014 are exemplary for this, as Tunisian CSOs actively boycotted invitations to meetings in order to achieve a more systematic civil society involvement. One civil society respondent involved in this process recalled:

I remember the civil society consultation process by the EU for the establishment of the new treaty [...] the first time we went, we said, how come you invite us and we don't have the documents to discuss with you; they said, no it's internal. So we said, we will not come again next time. Next time we boycotted [the consultation] and since then they send us the documents in advance. So you feel the pressure works.

Because Tunisia's government now needs to back up its policies domestically, the absence of civil society support symbolises lacking democratic adherence, which in turn can harm the political process.

This popular mandate to expand Tunisian emigrants' rights, however, clashes with Europe's continuous pressures for migration externalisation, i.e. the attempt to shift migration control towards European neighbouring countries. To strengthen Tunisia's diplomatic negotiation position on emigration, governmental actors regularly emphasise that their demands are backed by the entire political spectrum. For instance, during a visit of the Tunisian Foreign Affairs Ministry to Rome in September 2012, a member of the Republican Party highlighted the symbolic character of the delegation that included representatives of both government and opposition: 'The participation of the opposition in the Tunisian delegation constituted for the Italian side a message of national unity in the face of the tragic ordeal experienced by the Tunisian people' (Ben Khalifa 2013, 182). Ultimately, democratisation has meant that Tunisian policymakers are now caught between claims of an increasingly self-confident civil society and relentless international demands for restriction. This impasse between domestic and external interests has made it difficult for successive Tunisian governments over the last decade to live up to popular demands and expand Tunisian emigrants' rights in practice (Lixi 2018; Roman 2019).

### *A deliberate depoliticisation of immigration*

In contrast to emigration, Tunisian decision makers are confronted with contradictory popular claims on immigration, as democratisation allowed migrants who felt discriminated against to demand equality and Tunisians who felt endangered by diversity to voice their fears. On the one hand, freedom of expression created space for civil society activism on migration, diversity and discrimination (Pouessel 2012; Roman 2019). While official discourse had highlighted the homogeneity of Tunisian culture and identity before 2011 (Hibou 2010; Zemni 2016), the increase in civil liberties after 2011 spurred diversity debates. One civil society respondent centrally involved in those debates told me: 'Before the revolution, we spoke of *the* Tunisian, period. [...] After the revolution, everyone was talking about differences, about the black, feminist, Muslim, atheist Tunisian and so on'. This has translated into the multiplication of CSOs engaged in issues of migration, anti-racism and diversity.

On the other hand, however, democratisation freed up previously repressed racist sentiments and increased the stigmatisation of Black Tunisians and sub-Saharan African

immigrants in the public sphere (Garelli and Tazzioli 2017; Scaglioni 2017). In part, such overt racism was due to the institutional protection that African Development Bank employees who arrived after 2003 received from Ben Ali's regime. As respondents from migrant organisations highlighted, this indirectly created a relatively safe environment for sub-Saharan students and irregular workers in Tunis: 'At the time you were left alone, no one disturbed you, no one insulted you on the street – no one dared to, because somehow foreigners were well protected by the police, they were the president's guests'. Once Ben Ali's police state was toppled, sub-Saharan migrants became an open target.

Given these contradictory popular demands and the pressing economic and security issues in transitional Tunisia, political leaders deliberately sidelined immigration from the political agenda. As both international observers and Tunisian civil society respondents highlighted, 'they have other fish to fry at the moment'; 'it's a luxury to think about questions like immigration'. Even a respondent from within Tunisia's state secretary for migration (SEMTE) told me 'the protection of migrants is not the biggest priority'. To justify this deliberate depoliticisation, policymakers referred to the need to unite the Tunisian population under a common identity instead of risking further polarisation. As one civil society observer remarked: 'We are in an atmosphere of consensus where everyone agrees that we should not be debating or should not be fractured as a population'. Civil society calls to grant migrants more rights did not fit this agenda of societal depolarisation (Zemni 2016), and instead of being seen as a contribution to democracy, pro-migrant civil society activism was cast as unpatriotic.

Only on the issue of racial discrimination have migrant associations and Tunisian CSOs become increasingly vocal – and ultimately successful. In June 2016, three CSOs submitted a draft law against racial discrimination in parliament. In December, three Congolese students were attacked with knives in the centre of Tunis, leading to demonstrations and a social media campaign around the slogan 'I don't want to die in Tunisia because I'm black'. Media coverage of these events forced institutional actors to react and, after two more years of discussion, the law against racial discrimination was finally adopted in October 2018. It was welcomed by political leaders and civil society as 'a turning point in the history of Tunisia, equal to the abolition of slavery' (Attia 2018). Despite this symbolic change, however, claims for a more rights-based polity ultimately did not spill over into more rights for 'the other', as the core of Tunisia's immigration regime – rules on entry and stay permits – has remained untouched (FTDES and Migreurop 2020; Geisser 2019).

### ***Bureaucratic politics: the complexity of dynamics within the Tunisian state***

Next to the differentiated effects of democratic legitimisation on the politics of emigration and immigration, the democratic transition also had ambiguous consequences for inter-institutional dynamics within the Tunisian state. While democratisation led to more inclusive and transparent policy processes, it also increased institutional actors' awareness of their 'power to say no', leading to turf wars, inconsistencies and, ultimately, stalemate around migration reform.

### ***Turf wars and lacking inter-institutional cooperation***

Under Ben Ali, the state's involvement on migration was limited to the Interior Ministry's security approach and to negotiations between the Foreign Affairs Ministry and European countries; inter-institutional cooperation was almost nonexistent. The end of authoritarianism meant that the politics of isolation broke down: high-level civil servants reclaimed political

initiative and inter-institutional dialogue was attempted anew. But the opening up of policy processes to diverse stakeholders also made politics more complex and conflict-prone.

In particular, more inclusive policy processes created frictions between the Interior Ministry and a range of other ministries, showing how ‘the Interior Ministry used its veto right’ (author interview, 2017). For instance, when the Choucha refugee camp was closed in July 2013, around 250 asylum seekers were still living there, refusing to return to their countries of origin but also lacking refugee status or a Tunisian stay permit. The then-Minister of Social Affairs, Khalil Zaouia, offered remaining asylum seekers a stay permit if they registered their fingerprints at the local police station in Ben Guerdane (see also Garelli and Tazzioli 2017, 23). However, none of the asylum seekers who took this opportunity ever received a stay permit, because – according to respondents – the Interior Ministry blocked the initiative. A similar dynamic was visible in April 2015, when the Foreign Affairs Ministry announced the removal of visa requirements for Burkina Faso, the Democratic Republic of Congo, Congo-Brazzaville, Zimbabwe, Botswana and the Central African Republic, to boost tourism and encourage trade. Interviewees confirmed that this measure has never been enforced by the border police, which is under Interior Ministry tutelage and continues to require visas for citizens of these countries. New migration-facilitating initiatives of Tunisian ministries thus clash with the fact that, as an IO respondent put it, ‘in Tunisia, what counts in the end, on all topics, is the position of the Interior Ministry’.

In addition, the institutionalisation of the migration dossier after 2011 has triggered turf wars between the Social and Foreign Affairs Ministries around the tutelage of the State Secretary for Migration (SEMTE). Created in 2011, the SEMTE was transferred in August 2016 from Social Affairs to Foreign Affairs in response to Parliamentarians representing Tunisians Residing Abroad, who lobbied for a ‘more prestigious’ (author interview, 2017) treatment of emigration. This shift has triggered open discontent from the Social Affairs Ministry: as a consequence, the directorates formerly attached to the SEMTE – such as the OTE and the ONM – refused to work with the new state secretary at the Foreign Affairs Ministry. This conflict has jeopardised cooperation with other ministries, civil society and international actors, as it created ‘institutional uncertainty’ (author interview, 2017) about who the right interlocutor on migration is. As one respondent within the SEMTE confessed: ‘Cooperation partners don’t even know how to reach us, whether they should send invitations to the Ministry of Social or Foreign Affairs’. With the September 2017 governmental change, the SEMTE returned to the Social Affairs Ministry. More generally, however, institutional ambiguity has obstructed reform processes and rendered long-term strategic planning around migration almost impossible.

### *Taking initiative vs the power to say ‘no’*

This lack of inter-institutional coordination and the weakness of the SEMTE have opened up space for other ministries to develop their sector-specific visions on migration, depending on their institutional identities and worldviews. Both national and international respondents unanimously pointed at the continuity of the Interior Ministry’s approach to immigration throughout the revolution, characterised by an exclusive security focus (Cassarino 2018b): ‘They are in charge of the security of the country, it is their role’ (author interview, 2016). In contrast, the Higher Education Ministry consistently promotes Tunisia as a regional scientific hub and a destination for African students, despite the fact that Interior Ministry obstructs the entry and stay of those students. One representative of a migrant organisation lamented:

‘You get the impression that the Ministries of Interior and Higher Education don’t know each other at all’. In both cases, ministerial positions on immigration thus seem more influenced by their institutional identity than by the political context and regime type in which they operate.

More generally, the multiplication of voices within the Tunisian state apparatus has reinforced policy incoherencies: while democratisation made people aware of their powers – to discuss, disagree and formulate ideas – increased bureaucratic activism also made policy-making more incoherent and dependent on individual or institutional agendas. A former State Secretary of Migration I interviewed criticised the endless discussions and sluggish decision-making: ‘In Tunisia, now, discussions are fashionable [*laughs*]. There is always someone who does not agree’. As interviews suggest, this might be due to an ‘overshooting of democratic responsibility’, whereby everyone feels responsible for everything and empowered to decide. In the words of an international observer: ‘There are individuals who can block everything because they disagree. [...] I would say they are discovering the power of saying no’. Rather than triggering the reset button, democratisation has thus added a new layer of complexity in the administrative architecture of the Tunisian state.

### *Transnational politics: the varying leverage of external actors*

In addition to reshuffling domestic legitimisation strategies as well as reinforcing old and triggering new bureaucratic politics dynamics, democratisation also affected the role and leverage of international organisations and diplomatic actors. Yet while it opened up space for external actors to reinforce their cooperation with Tunisian institutions and CSOs, the democratic transition did not automatically increase their impact on domestic decision-making. In fact, the dynamics among IOs, state institutions and CSOs in post-revolutionary Tunisia showcase shifting coalitions of ‘strange bedfellows’ (Tichenor 2008): on emigration and border controls, civil society and state institutions join forces to resist pressure from international actors. On immigrants’ rights, civil society and international actors join forces to lobby state institutions for progressive reforms. These dynamics suggest that external influence is always negotiated and entails both attempts at domination of and leverage by actors at the receiving end of migration control pressures.

### *New opportunities and limits for external agenda setting*

Under the regime of Ben Ali, all interactions with IOs or diplomatic partners were under tight state surveillance, controlled by the presidential office and certain directorates within the Interior and Foreign Affairs Ministries. This limited international cooperation activities to the state’s priorities and red lines. The revolution has opened up the Tunisian state apparatus and civil society to external cooperation. After 2011, international funding and so-called ‘capacity building’ activities by IOs such as UNHCR or IOM have burgeoned, and their daily interactions with Tunisian institutions and CSOs multiplied (Cassarini 2020; Garelli and Tazzioli 2017).

This has created more room for ‘external agenda setting’. In particular, external actors have successfully set the issue of immigration on the Tunisian governmental agenda, despite the government’s initial reticence. As respondents recount, IOs have nagged Tunisian state actors time and again to include pilot activities on immigration within their broader cooperation agenda on migration. In this vein, a Foreign Affairs Ministry representative said, at a

public event in May 2017, 'The fifth axis of the migration strategy [on immigration] takes up the priorities of the international community'.

However, attempts by external actors to impose certain frames have also been met by open or subtle resistance from Tunisian state actors. The EU-funded LEMMA project is exemplary in this regard. This project was initially elaborated to support Tunisian authorities in developing their national migration strategy with regards to emigration, return and immigration. Yet, in the final project outline, references to immigration are limited to the section on return. 'They know how to defend themselves', a European funder highlighted. But resistance does not stop at the level of policy development, as project implementation offers a vast terrain for Tunisian actors to limit external interference. According to Garelli and Tazzioli (2017, 90) for instance, the 2014 EU–Tunisian Mobility Partnership is limited by Tunisia's 'silent disobedience' at the level of policy practices: 'Tunisia's resistance to playing the role of the watchdog of European borders has in fact been found not at the level of official declarations but in the ordinary practices of migration governance on the terrain'.

### *Strange bedfellow coalitions among state, civil society and international actors*

Foreign expertise thus turned out to be a double-edged sword in the context of democratisation: while it backed civil society lobbying of Tunisian institutions regarding immigrants' rights, it also increased Tunisia's political reticence towards externally imposed migration control agendas. In fact, relations between external actors and Tunisia's administration vary according to the issue at stake and are mediated by alliances with or against CSOs. Two main dynamics emerge: CSOs team up with external actors against state authorities to lobby for immigrants' rights, and CSOs team up with state authorities to resist against external pressures for more emigration controls.

On immigration, civil society and international actors join forces in lobbying Tunisian state institutions to expand immigrants' rights. IOs attempt to get civil society on board in their advocacy of state institutions to back up their requests with domestic legitimacy. Vice versa, Tunisian CSOs mobilise the 'boomerang effect' (Keck and Sikkink 1998) when relying on their international networks to exercise transnational pressure on national political actors. However, CSOs and IOs form a 'strange bedfellow coalition': although they share the same goal, their underlying motivations are often antagonistic (Roman 2019). For instance, when lobbying for the enactment of an asylum law, EU actors are guided by externalisation goals to transform Tunisia into a safe destination for migrants and refugees, and hence reduce the 'pressure' on Europe's southern borders. In the words of a Tunisian civil society representative: 'They push Tunisians to improve the rights of migrants here to create a favourable ground for return'. In contrast, Tunisian civil society actors are guided by a rights-based logic, asking for migrants' rights in the context of Tunisia's democratisation and consolidation of rule of law. As one former Tunisian minister said, 'the democratic process is incomplete as long as asylum is not covered'.

On emigration, however, civil society and Tunisian state institutions join forces against international actors. In particular, Tunisia's Foreign Affairs Ministry has welcomed civil society criticism of EU migration policies to back up Tunisia's refusal of EU migration control demands. As one civil society respondent said:

We have our red lines, and apparently they converge with the red lines of the Foreign Affairs Ministry and the SEMTE [...]. The sign we received from the Ministry is: Go for it! Like that they can tell Europeans that civil society is opposing these agreements and thus they cannot sign them. In a sense, our work gives them more strike force.



This dynamic has been particularly evident in the coalition between Tunisian policymakers and civil society against European attempts to sign a new readmission agreement (Cassarino 2014; Pastore and Roman 2020). Ultimately, the democratic character of post-2011 Tunisia allows the government to better face European pressures by highlighting the need to consider civil society actors and popular opinion. Indeed, while cooperation with the European Union is still economically vital for Tunisia, it is no longer critical for the government's political stability and legitimisation.

But what about the role of African diplomatic or regional actors in these transnational dynamics? Apart from the African Development Bank, which secured privileges and protection for its employees over the 2000s, African actors have not actively engaged in the protection of their citizens in Tunisia. According to a former Tunisian state respondent, 'sub-Saharan embassies don't defend the sub-Saharanans when they are victims of violence or administrative abuses from the police; they always try to keep their distance from the Tunisian government'. Also, Tunisia's African interests have been relatively absent from discussions around immigration policy so far. Although Tunisia's political elite has sought to revive political and economic cooperation with African countries since 2011 – successive Tunisian Prime Ministers Marzouki, Essid and Chahed went on 'African tours' in 2014, 2016 and 2017 – this has not translated into immigration policy changes. In contrast to Morocco (El Qadim 2015; Natter 2020), cooperation with neighbouring African countries on migration thus does not (yet) function as a counterweight to migration cooperation with Europe.

## Conclusion

Tunisia's 2011 revolution and subsequent transition from an autocratic one-party regime to democracy has shifted the fundamentals of Tunisian political life. Yet, despite newly gained political freedoms and more open policy processes after the revolution, Tunisia's securitised migration policies have remained strikingly unchanged in the first decade of democratisation. This article explains this dynamic through the ambiguous effect of democratisation on three core aspects of migration politics: their political legitimisation, the inter-institutional dynamics around them, and the shifting coalitions among state, civil society and international actors.

The analysis showed that the need to democratically legitimise policies played out differently for emigration and immigration, requiring political leaders to accommodate divergent views rather than adhering to principles of equality and freedom. In parallel, more inclusive policymaking triggered contradictory dynamics within the Tunisian state, leading to more transparency and engagement, but also to more inter-institutional conflict. This ultimately resulted in policy stalemate rather than progressive reforms by activists, courts or bureaucrats. Lastly, democratisation did not reduce external demands for migration control, but instead gave rise to shifting coalitions among state, civil society and international actors on immigration or emigration. In particular, it triggered equivocal transnational dynamics, as Europe's political goal to reduce migration to its southern borders paradoxically implied both pushing for restricting Tunisian emigrants' rights and for expanding immigrants' rights in Tunisia.

Such nuanced insights on the democratisation–migrant rights nexus allow us to revisit some of the assumptions around the 'regime effect' and to advance theory-building on the link between political regimes and migration policies. On the one hand, the analysis showed



To further advance insights on the democratisation–migrant rights nexus, and to overcome Eurocentrism in migration policy research, two issues seem particularly relevant. First, future research should more systematically assess how democratic legitimisation shifts transnational dynamics around migration, particularly the resistance strategies devised by both civil society and state actors at the receiving end of externalisation pressures. Second, as this article has shown, a political sociology approach to migration policy has the potential to shed new light on how democratisation shifts boundaries of legitimate discourses, inter-institutional dynamics, and alliances between domestic and international actors. In this vein, future research should more forcefully leverage migration policy as an analytical lens to investigate regime transitions from the inside.

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## Notes

1. To preserve my respondents' anonymity, I refrain from revealing their identity (names, job descriptions) and only mention their broader affiliation as state, civil society or international actors. In cases where reference to the respondent's identity is either irrelevant or would compromise his/her security, I refer only to the year in which I conducted the interview.
2. Such insights showcase striking parallels with the Ecuadorian case since 2008. While the idea of 'universal citizenship' introduced in the new constitution offered civil society opportunities for legal claims-making on migrants rights, restrictive migration policies dating back to the authoritarian era were not reformed for nearly a decade, as internal and external pressures from the Ministry of Interior and the United States sought to limit the human rights guarantees implied by the 'universal citizenship' concept (Pugh 2017; Álvarez Velasco 2020). The ambiguities in immigration politics resulting from the stickiness of domestic and international security priorities alongside reinvigorated civil society dynamism strongly remind the Tunisian case. I thank the anonymous reviewer of this manuscript for pointing out this interesting comparison.

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