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Research Paper

AN ABORTED COSMOPOLITANISM?

SUB-SAHARAN MIGRATION AND THE ENTRY INTO THE POLITICS OF RACISM IN TUNISIA

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About the Author

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Cover photo: Sub-Saharan African migrants camp outside the headquarters of the International Organization for Migration (IOM) in Tunis, on 2 March 2023. © Hasan Mrad/Shutterstock

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Introduction

In Tunisia, migration issues were historically limited to Tunisians residing abroad and, since the 1990s, has also referred more dramatically to the irregular emigration of Tunisians to Europe.1 National identity in Tunisia remains officially homogeneous and does not include contemporary cultures or migrations in its definition. Since independence, the national narrative has partly recognized cultural diversity, but only in relation to the past. Despite being labeled "homogeneous," the national identity that emerged under Bourguiba has never denied "cultural diversity" insofar as it was associated with the past (Carthage, Berber heritage, Jewish identity). The ruling regime's sloganeering about hiwar al hadharat (dialogue of civilizations – a dialogue led by Ben Ali) refers to an ancestral diversity, one that is therefore non-subversive and politically innocuous. This doctrine could be summed up as follows: We are homogeneous in the name of ancestral heterogeneity, and as such the famous national rhetoric of hiwar al hadharat in the 1990s was a mere facade for dictatorship.

On one hand, the national narrative in Tunisia, since the time of Bourguiba, has proudly emphasized a past "mosaic" in contrast to the present homogeneity; this type of blunt-edged diversity is therefore indirectly non-subversive. On the other hand, there is the foreign presence of Europeans with economic supremacy and a privileged position, as well as other North Africans from the Maghreb region, who are the most numerous foreign nationals and culturally the closest.

In such a flat landscape, sub-Saharan Africans have, since the early 2000s, represented an opportunity for contemporary cosmopolitanism. However, this opportunity has been missed. In February 2023, the Tunisian state began to stigmatize and criminalize this population by endorsing a latent and recently unmasked populo-nationalism. Thus, we are back to square one and entering a new era of "national preference."

However, there is no such thing as a homogeneous category of "sub-Saharan migrants," but rather a diversity of profiles, the outcome of various migratory trajectories and legal statuses, including students in compliance with administrative requirements or seeking to comply, former students who have stayed and work in the informal sector, transit migrants to Europe who are temporarily settled for several years, workers, as well as entrepreneurs and diplomats. Despite their differences, they are all brought together by their experience as victims of racism in Tunisia.

Mirroring the social apprehension towards the Muslim minority in France and Europe, Tunisia views sub-Saharan foreign nationals through the lens of the misdeeds of its own minority, under the pretext of "savagery" or an unassimilable intrusion. In contrast to France, the new public enemy is not "Arabs and Islam," but "Blacks and Africans," which testifies to a populo-nationalism whose controversy sparked by Algerian writer Kamel Daoud in 2016 likely marked its beginnings.[2]

Heterogeneous Migratory Dynamics of Sub-Saharan Africans in Tunisia and the Shared Experience of Normalized Racism

The diversity of sub-Saharan migrants in Tunisia and their varied migratory paths make it impossible to categorize their presence in a unified way. Here is an overview of the different backgrounds of sub-Saharan migrants who live in or pass through Tunisia.

Until the end of the 1990s, unlike other Maghreb countries, the issue of sub-Saharan migrants crossing the land borders while transiting to cross the Mediterranean was hardly ever raised in Tunisia. A new category emerged since the beginning of the Libyan revolution in 2011, with the arrival of sub-Saharan refugees who fled Libya, and who were gathered in refugee camps at the Tunisian-Libyan border. A low rate of transit migration to Europe has always existed,

1 As well as its share of measures/partnerships/pacts that the European Union concludes with Tunisia, such as the "mobility partnership" signed in 2014, https://ec.europa.eu/commission/presscorner/detail/fr/IP_14_208

2 Pouessel Stéphanie, "The Hamburg verdict: Myths, media and a Muslim monster," *Middle East Eye*, 17 November 2016, https://www.middleeasteye.net/opinion/hamburg-verdict-myths-media-and-muslim-monster

which involved "irregular migration of adventurers"[3] such as rejected asylum seekers, individuals arriving in the hope of finding employment, athletes looking for a contract, or students at the end of their studies.

Given such small-scale migratory phenomena, the migration issue was never posed as such in public debate and remained negligible.

In the early 2000s, an attraction for Tunisian private schools began to develop among students from West African countries who came from relatively affluent families and had difficulty accessing European educational institutions.[4] In public education, there were 437 foreign students in 1989 and 758 in 2006. In private education, the number of foreign students increased from 714 in 2004 to 1,235 in 2007.[5] This increase in the number of students in Tunisian universities, especially private ones, has largely normalized the presence of people of sub-Saharan origin in Tunis and university towns (Sousse, Monastir, Gabès, etc.). In 2004, official statistics reported 3,017 sub-Saharan residents in Tunisia, which represents 8.6% of foreign nationals who themselves only make up 0.4% of the country's total population.

At that time, the visibility of sub-Saharan students in private education broke the stereotype that is widespread in the rest of the Maghreb, of the sub-Saharan immigrant as a threat and a public enemy.[6] The issue of sub-Saharan migration does not exist in Tunisia, as it is confined to a niche of the student sector.

As an unexpected continuation of a relatively elitist African migration, the headquarters of the African Development Bank (AfDB) was relocated to Tunis in 2003, amid the urgency of the Ivorian political crisis. Between 2003 and 2014, a few thousand African civil servants, their families, and their staff resided in Tunis. They were of various African nationalities, with Ivorians being the most predominant. This "golden migration", whose signs of wealth stood out in the Tunisian microcosm, once again contrasted with the miserable and Third World image often associated with Africans.[7]

From this golden age of elite migration, an ecosystem of African businesses was born and developed in Tunis. Despite the rigidity of the law that drove some to work illegally, new businesses resulting from Tunisian-African financial cooperation[8] flourished all over Tunis: restaurants, hair salons, nightclubs, computer maintenance companies, and more. They were run by spouses of AfDB employees, former students, or sub-Saharan individuals whose spouses were Tunisian.

Despite the departure of AfDB headquarters and the majority of its staff in 2014, some Ivorian staff, such as housekeepers, remained in Tunis. They cultivated a network of acquaintances from more precarious social classes who settled in working-class neighborhoods. The new political crisis in Côte d'Ivoire attracts young people to Tunisia who aspire for social mobility.[9]

As Ivorians established themselves in Tunisia, this allowed a vast network of migrants to pass through Tunis: friends, family members, and acquaintances could therefore find support in this country.

In the late 2000s, this new category of Sub-Saharan migrants, mostly in search of employment and/or with hopes of reaching Europe, introduced a more popular and precarious image of Sub-Saharan nationals present in Tunisia. They reside in working-class or middle-class neighborhoods such as La Soukra.

Socioeconomic and territorial living conditions are similar between these Sub-Saharan individuals and disadvantaged Tunisians. An emblematic example of a district where these populations coexist is Bhar Lazreg, which borders La Marsa and was built through informal housing by Tunisians living in precarious conditions who moved from the rural areas of the northwest (Siliana, Jendouba, Le Kef). This shared condition can lead young people to be motivated by a common destiny: to aspire to join Europe by any means necessary. As a result, migration for settlement rather than transit or temporary migration emerged. A growing number of young Sub-Saharan

3 Hassan Boubakri and Sylvie Mazzella, "Tunisia Between Transit and Immigration: Migration Policies and Reception Conditions for African Migrants in Tunis", *Autrepart*, n° 36, 2005.

4 Sylvie Mazzela, "African students in Tunisian private universities: new figure of the "international" student", in Sylvie Mazzela (dir.), *La mondialisation étudiante. Le Maghreb entre Nord et Sud*, Paris, Karthala, 2009

5 Nadra Ben Fatima, "African students in Tunisian universities: statistico-sociological studies 2000-2008" (in Arabic), master's thesis.

6 Ali Bensaad (dir.), *The Maghreb put to the test by sub-Saharan migration, immigration after emigration*, Paris, Karthala, 2009.

7 Stéphanie Pouessel, "Racism and cosmopolitism in the Maghreb. The establishment in Tunis of the African Development Bank and renewal of the perception of the other", *Maghreb et Sciences Sociales*, 2014.

8 A foreign national who wishes to create their own business activity is required to associate with a Tunisian partner who will have to hold 51% of shares.

9 Camille Cassarini, "Socio-political dynamics and territorialities of Ivorian immigration in Tunisia" (in French), *L'Année du Maghreb*, 27, 2022.

Africans, waiting to leave for Europe, are eventually led to "settle" in Tunisia. The temporary becomes permanent by force of circumstances and despite Tunisian society's hesitation to welcome and grant them rights (the right to work legally, obtain papers, and access care), which leads them to live in the daily fear of being stopped and imprisoned.

In this impoverished scene of cultural mix and integration for sub-Saharan Africans in Tunisia, the student world remains the most favorable for encounters and exchanges between Tunisians and sub-Saharan Africans. By frequenting the same institutes, schools, and universities, sub-Saharan students maintain relations with Tunisian society and establish contacts both in and outside of class, which are consolidated by shared academic, professional, and generational affinities. Outside of this sector, sub-Saharan Africans are poorly integrated into Tunisian society and develop their own spaces for leisure, and associations, and live in de facto isolation. Moreover, unlike intermarriage between Tunisians and Europeans, intermarriage between Tunisians and sub-Saharan Africans is extremely rare; this fundamental social dynamic is evidence of the degree of integration of foreign nationals into a social body.

Gradually, young people, families, women, and children have settled in Tunis, Sousse, Sfax, with an approach to settlement that breaks with the imperative ambition of leaving for Europe. New generations were born on Tunisian soil without ever acquiring Tunisian nationality.[10] They grow up in Tunisia and raise the issue of children's access to schooling. There are no Ivorian schools or for any other sub-Saharan African nationalities. Therefore, four possibilities are available for school-aged children: to enroll in a Tunisian school with the help of NGOs that handle administrative procedures, while facing racism and accepting to learn Arabic in a country where their families do not necessarily project to reside permanently; to attend a private Tunisian school, provided they can afford the tuition fees, in a schooling context that is less prone to racism because "Tunisian families who attend these schools travel abroad and are more open-minded"; not to enroll in school at all; or to be sent by their parents "back home" to attend school in their country of origin. This last case, which is very common according to our research, reflects a lack of integration and a lack of perspective in society.[11]

Recently, international cooperation in Tunisia has invested in the idea of integrating migrant populations into Tunisian society. This is probably seen as the only way to prevent their migration to Europe. Various development programs aimed at greater inclusion for sub-Saharan "migrant" populations have emerged. For donors and international non-governmental organizations, these populations are now a vulnerable target population with which to intervene. For example, the Support Program for the Empowerment and Inclusion of Populations, funded by the European Union, supports the Tunisian association Terre d'Asile Tunisia, which, in partnership with the European Committee for Training and Agriculture (CEFA), is supporting 15 associations in 2021-2022 to carry out their projects on various migration-related themes such as art, protection, advocacy, education, social cohesion, and socioeconomic inclusion. These associations are based in Greater Tunis, Sousse, Mahdia, Ben Guerden, Sfax, Medenine, and Gabes. Another example is Kufanya, located in Sfax, which is a social incubator for migrant entrepreneurs in Tunisia, funded by the Regional Development and Protection Programme for North Africa (RDPP-NA), under the auspices of the European Union and implemented by the International Organization for Migration (IOM) in Tunisia. Contrary to the concerns of the state, the agenda of donors evolves according to their own rhythm and political interests.

The Painful Transition from an Emigration Society to an Immigration Society

Since independence, the "migration" issue in Tunisia has been confined to the "Tunisian diaspora," i.e. those Tunisians residing abroad who represent 10% of the population.

At the time of independence, the diaspora (then referred to by the state as "Tunisian workers abroad"), was considered a means of solving the problems of the labor market. Dual nationality, except for border countries, was accepted in 1975, "probably as a means of recognizing that Tunisians in Europe would not return."[12] The Tunisian state then focused on protecting their rights abroad (creating the Tunisian Office for Foreigners in 1987), and the right to vote in presidential

10 A foreign national acquires Tunisian nationality if they were born in Tunisia and their father and paternal grandfather were themselves born there. A succession of three generations born in Tunisia allows a foreign national to integrate into the community of nationals, as per Article (7) of the Nationality Code. As for naturalization, it only concerns the foreign wife of a Tunisian.

11 It should be noted that we find similar cases of return migration of those from the precarious Tunisian diaspora from certain countries for economic reasons (education is cheaper in Tunisia) and identity/cultural reasons (learning the Arabic language and culture of their country of origin).

12 Brand Laurie A., 2006, *Citizens Abroad : Emigration and the State in the Middle East and North Africa*, New York, Cambridge University Press

elections was granted to them in 1988. In the immediate aftermath of the Revolution in 2011, the Tunisian diaspora's civil society, structured through associations, obtained an extension of the right to vote in legislative elections and participated in the election of 18 representatives in the National Constituent Assembly.

Recently, the Tunisian state understood "migration" solely as referring to Tunisians residing abroad, and not sub-Saharan migration or any migrants on its territory.[13] However, according to the National Institute of Statistics (INS), there are 58,990 foreign nationals in Tunisia (which is 0.5% of the population). Two-thirds of them are from Maghreb countries and other African countries, while one in five immigrants comes from a European country.[14]

The status of foreign nationals in Tunisia is governed by an outdated and brief law from 1968,[15] which frames the access and stay of foreign nationals in Tunisia as a matter of national security. This status of "foreign residents"[16] is reflected in the rights and freedoms of foreign nationals in Tunisia, which are tightly controlled in relation to family matters (such as marriage and custody of children), and also makes it very difficult to obtain Tunisian nationality. The right of residence is also very strictly controlled, as are social, economic, and cultural rights, such as the right to health, work,[17] and private property. This discriminatory law exposes the limitations of Tunisian law when compared to regional and international law.[18]

Furthermore, the rights of foreign nationals are confronted with the irregularity of daily practices. Tunisia is hampered by an informal system, which primarily affects Tunisians themselves: corruption, bribes, *ktef* (network, social capital, high-level connections), knowledge of how to obtain a service, and bribery, are all common practices that encourage people to live and work informally, undeclared, unassured. Indeed, the laws, procedures, administrative encumbrances, and significant withholding of tax revenue push people to work outside of the declared and legal framework. In Tunisia, the informal sector accounts for 44.8% of jobs (INS, 2020). If one in two Tunisians works informally, how can a foreign national, already legally discriminated against, defy these odds? Yet, foreign nationals in vulnerable situations are asked to abide by laws that a portion of society circumvents. For example, the regularization of foreign nationals through their residence permits is very difficult given the conditions for obtaining them. They require a colossal number of documents that are sometimes simply impossible for the applicant to obtain. For example, to obtain a residence permit, it is necessary to provide a lease agreement for housing that has been approved by the tax office, but not all landlords declare their property to the tax authorities due to the fees involved. At best, the landlord draws up a six-month lease, which is insufficient to file a regularization application. To obtain a residence permit as a worker, it is also necessary to provide an employment contract approved by the Ministry of Employment, which itself functions according to opaque procedures and on a case-by-case basis, and is contingent on the goodwill of certain officials. Furthermore, the few police stations authorized to process residence permits are overwhelmed by the number of requests and remain poorly operational with non-computerized service. Finally, the treatment of southern foreign nationals by officials of the Ministry of the Interior is not controlled at all. All these conditions place the foreign national in an inextricable situation of precariousness and illegality.

Migrants in Tunisia work in sectors dominated by informal labor (construction, agriculture, commerce, personal services, etc.). Without a work contract necessary for obtaining a residence permit, these workers remain in the informal sector. The clandestine nature of both employer and employee combine to create multi-dimensional marginalization. This "informal within the informal"[19] that characterizes the relationship of sub-Saharans to the world of work in Tunisia makes them doubly vulnerable and at the mercy of their employers. They are exploited, underpaid, or robbed, with no means of asserting rights that they do not possess.

The changes to improve the rights of foreign nationals, brought about by the 2011 revolution, have remained ineffective.

13 This concealment is very clear in the draft of the National Migration Strategy drawn up by the Ministry of Social Affairs (2017): http://ote.nat.tn/wp-content/uploads/2018/05/SNM_FRA_FINALE.pdf.

14 Haifa Mzalouat, "Tunisian Migration in Numbers", *Inkyfada*, December 18, 2022

15 Law No. 68-7 of March 8, 1968, relating to the condition of foreign nationals in Tunisia: https://legislation-securite.tn/fr/law/45206.

16 Greek Antiquity: Foreigner residing in Athens without having the rights of a citizen. See Souhayma Ben Achour, "The individual freedoms of foreign nationals and foreign nationals in Tunisia: The metics of the Republic", 2019, ADLI, Heidelberg

17 Mustapha Nasraoui, 2017, "Sub-Saharan migrant workers in Tunisia faced with legislative restrictions on the employment of foreign nationals", *European Review of International Migration,* vol. 33, No. 4.

18 Ben Achour, op. cit.

19 Mustapha Nasraoui, 2017, "Sub-Saharan migrant workers in Tunisia facing legislative restrictions on the employment of foreign nationals", *European Journal of International Migration*, vol. 33, no. 4.

Article 26 of the 2014 Constitution, which enshrines the right to political asylum, is yet to be implemented. Providing real integration possibilities for refugees would require, at the very least, new legislation and a complete overhaul of laws regarding migrant statuses, particularly those related to labor laws. The absence of a legal framework has delegated the management of refugees and asylum seekers to the United Nations High Commissioner for Refugees (UNHCR), an organization that primarily focuses on placing refugees in third countries rather than integrating them into Tunisian society. Moreover, the UNHCR is heavily criticized for its handling of refugees and for spreading anti-migrant discourse.[20] These refugees, "caught between an opaque asylum system and European subcontracting,"[21] often have no prospects for their future, be it integration into Tunisian society or resettlement in a third country, or even a voluntary return to their home country. On 11 April 2023, the police dismantled the refugee camp in front of the UNHCR using batons and tear gas at the request of the organization.

Another symptomatic example of a law that is difficult to enforce is the 2018 law that prohibits discrimination based on race, color, ancestry, or national or ethnic origin and doubles the penalty "if the victim is in a state of vulnerability because of immigration or refugee status".[22] This law is of little use to sub-Saharan Africans, who are regularly attacked and cannot file complaints because they do not possess the required documents to report to the police. Furthermore, sub-Saharan Africans are often extorted by the police themselves.[23]

Thus, Tunisian society, historically one of "emigration", does not have the mechanisms of protection and application of the law for foreign nationals. The state has never provided the legal means to include/integrate foreign nationals, especially if they are nationals in situations of vulnerability and originating from countries in the Global South. The state limits itself to managing its own emigration issues and refuses to question its capacity to welcome and give rights to foreign nationals on its territory. Structures, infrastructure, and the civil service are not up to standard to adequately address the issue. Telling examples are the rooms in the police stations dedicated to the regulation of residence permits, which are overcrowded with applicants. The latter are subjected to absurd, handwritten procedures, and delays that can be counted in months, even years, to obtain regularization – which is mainly desired and sought by sub-Saharan nationals.

An Aborted Cosmopolitanism?

In this context of lack of legal protection for foreign nationals and precarious and poorly integrated sub-Saharan populations, a new populist, nationalist, and anti-democratic political era will unpin a bomb with unprecedented repercussions. This era was endorsed by the President's July 2021 coup d'etat, in which he granted himself full powers and undermined the democratic political authorities of post-2011 Tunisia (parliament, constitution, justice, local authorities, etc.).

The ruling power hopes to boost its popularity by blaming a scapegoat for the country's problems and the "deterioration of national identity," thus absolving itself of responsibility for the issues for which it proves daily it has no solutions to offer. Kais Saied regularly reactivates these nationalist instincts with provocative speeches against "the corrupt, the traitors, the enemies of the Nation who pillage the people," without ever naming the real culprits. In this "populism where the people are conspicuously absent,"[24] Saied locks himself in a "face-off" with his enemies: the people are nothing more than spectators of a war between the self-proclaimed "champion of the people" and the "enemies of the people."[25]

This populist-nationalist bulldozer will target the already marginalized and vulnerable sub-Saharan minority, buoyed

20 Rihab Boukhayatia, 2022, "Refugee Crisis: The Tunisian ordeal and the impotence of UNHCR" (in French), *Nawaat*. https://nawaat.org/2022/07/14/crise-des-refugies-le-calvaire-tunisien-et-limpuissance-de-lunhcr.

21 Michela Castiello d'Antonio, 2021, "Asylum Seekers and Refugees in Tunisia, Stuck Between an Opaque Asylum System and European Subcontracting" (in French), research report, Rosa Luxemburg Stiftung. https://rosaluxna.org/wp-content/uploads/2020/06/Demandeurs-dasile-et-re%CC%81fugie%CC%81s-en-Tunisie.pdf

22 "Is punishable by one month to one year's imprisonment and a fine of 500 to 1,000 dinars or one of these two penalties: Anyone who has committed an act or has made a statement containing racial discrimination, in the intent of contempt or affront to dignity. The penalty is doubled (imprisonment of two months to two years and a fine of 1,000 to 2,000 dinars or one of these two penalties) in the following cases: If the victim is vulnerable because of advanced age, disability, visible pregnancy, or immigrant or refugee status." https://www.arab-reform.net/publication/tunisias-law-against-racial-discrimination-the-mixed-results-of-a-pioneering-legislation/

23 https://www.middleeasteye.net/fr/reportages/tunisie-la-loi-contre-les-discriminations-raciales-ne-profite-pas-ceux-qui-en-ont-besoin

24 Malek Lakhal, "The ghost people and populism from above: The Kais Saied case" *Arab Reform Initiative*, 23 March 2022, https://www.arab-reform.net/publication/the-ghost-people-and-populism-from-above-the-kais-saied-case.

25 Ibid.

by a current of nationalism and deep-seated racism.[26] The Tunisian government is leveraging this enemy to absolve itself of responsibility for the current socio-economic crisis and rally the "people" once again.

During a presidential address on 21 February 2023, President Saied himself accused and threatened the "hordes of illegal migrants" who were responsible for "violence, crimes, and unacceptable acts", as well as those who engage in human trafficking. He accused a "criminal enterprise" of wanting to change the demographic composition of Tunisia in order to turn it into an exclusively African country and erode its "Arab-Muslim" character. He demanded "strict enforcement of the law on the status of foreign nationals in Tunisia and on illegal border crossings." The term "migrant" then becomes synonymous with "clandestine", "threat", "violence", "trafficking",[27] "illegality", and opposition to the "Arab-Muslim" identity.

The very evening of this address endorsing state racism, police roundups hunted down sub-Saharan individuals "without papers", and arrested and detained them. A wave of racist attacks and xenophobic invectives in the public space is causing sub-Saharans to flee from the public space. In some neighborhoods (Ariana Ville, Soukra), their disappearance is total. We observe racial confinement on the part of this population afraid to walk the streets. Sub-Saharans who no longer have a home take refuge in front of the embassy of their country, like Ivorians who consider the embassy their only refuge in a country that is now a threat to them.

Among the population that supports the presidential remarks, two types of anti-migrant reactions emerged: petty crime by Tunisians taking advantage of the situation to attack, loot and rob sub-Saharans, mainly in working-class neighborhoods; and Tunisians who think that "Africans" must go home because the economic crisis forces them to prioritize Tunisians.

On their part, Tunisian employers or landlords of sub-Saharan migrants immediately reject or break contact with them out of fear of sanctions and police intervention. The state criminalizes the employment and housing of sub-Saharan migrants, resulting in their sudden eviction and unemployment without prior notice. This makes it impossible for this sub-Saharan minority to live, let alone survive in Tunisia without work and housing. Through this tightening of security measures, the government has eliminated any possibility of integration into Tunisian society. However, in the days and weeks that followed, employers in the service, construction, or catering sectors faced a shortage of labor. Some were compelled to take steps to legalize the employment contracts with their sub-Saharan staff. But the limits of the administration and the foreign national law have reemerged. "My boss intends to sign a work contract, but the police didn't accept it. We went to the Ministry of Employment because it's impossible to work without a residence permit, but it was all in vain."[28]

Indeed, some Tunisians remain in solidarity with sub-Saharan migrants. While some have denounced the presidential remarks at an "anti-racist" demonstration on 25 February 2023, solidarity has mostly taken the form of appeals for donations and mutual aid networks, which provide direct assistance to the most vulnerable migrants, such as transportation, healthcare, and basic necessities. Due to the fear of police reprisals, these solidarity networks operate underground and organize themselves through messaging applications that offer confidentiality.[29]
The short-term consequences of this wave of racism contradict the outcome that the President's security discourse aimed to achieve. Sub-Saharan Africans with legal status, or those who had attempted to obtain it (including students from wealthy social classes), are leaving Tunisia by joining repatriation flights to their countries, feeling terrorized and disgusted. Meanwhile, most "irregular" nationals, who are the primary target of the President's threats, remain on Tunisian territory. They are in Tunisia on their way to Europe and will not give up. They are aware that they have no chance of being legalized, of working, or of living with rights and dignity in this country.

26 A Tunisian nationalist political party born in 2018 theorizes these ideas that they disseminate and popularize in the media; ideas that sub-Saharan migrants are delinquent and violent, and are the new enemy of the nation.

27 Contrary to this type of inflammatory media statements, trafficking is, firstly, intrinsic to Tunisian society and, secondly, the state has a body that fights against this complex phenomenon: the National Authority for the Fight against Human Trafficking, established via a parliamentary decree in 2016. Trafficking in Tunisia mainly concerns young Tunisian girls and children who are subcontracted as employees in wealthy Tunisian families; a taboo phenomenon that suffers from a "trivialization among employers its Tunisians (Cassarini, *ibid*.). In 2020, Tunisia recorded 907 victims of trafficking on its territory, of which 52% were children and 63.7% women. This number includes 40.4% of foreign victims (report by the National Authority for the Fight against Human Trafficking).

28 Ivorian employee in a printing shop in Manar in Tunis, father of a family who has lived in Tunisia for 5 years (interviewed on 25 March 2023).

29 Examples of messages sent to new members of these mutual aid groups: "Protocol for transporting people in case of encounter with the police: - Keep calm and remain disciplined. - Tell the police officer that you are driving this person or these people to the hospital and that you picked them up on the road after a taxi refused to transport them. - Send a discreet message to the signal group #transport# with your location. - Never hand over the migrant individual to the police. We have lawyers; we will come to your aid and everything will be fine. - Never mention the coordination group in order not to compromise the solidarity network."

Since the President's declarations, illegal departures from the Tunisian coasts to Europe have multiplied tenfold: on 30 March 2023, 635 sub-Saharan migrants were rescued at sea.[30]

This historically unprecedented scenario is less indicative of an ingrained hatred towards foreign nationals from sub-Saharan Africa than of a nationalist and racist discourse at the helm of the state that has criminalized sub-Saharan individuals and thus shattered the already meager possibility of integration into Tunisian society they had until then. The state has not only failed to protect a marginalized minority; it has thrown them to the wolves.

Sub-Saharan nationals in Tunisia have secluded themselves out of fear of racist attacks and fled the country in which they lived overnight. This is a form of terrorism, in the literal sense of the term "the use of terror for ideological, political, or religious purposes."

The different migratory profiles mentioned (students, workers, transit) have very different socioeconomic backgrounds: Congolese students come from a higher social class, while transit migrants to Europe are fleeing poverty. Phenomena of distinction, differentiation, or even rejection can emerge ("I am legal, unlike them") as in any minority that suffers from amalgamation and is turned into a monolith group in the public discourse. We find these differences in immigration to France between children of the North African bourgeoisie who came to study in France and irregular North Africans.

It is difficult to assess the repercussions of this unprecedented situation in the long term, which go far beyond the borders of Tunisia and affect in particular Tunisians residing in sub-Saharan Africa, international trade, as well as Tunisian migrants and Africans in Europe.

Black Sub-Saharan African and Black Tunisians: Connivance and Dissonance around Blackness

The issue of racism towards black populations predates the arrival of sub-Saharan migrants in Tunisia. It concerns black Tunisians, a group that is integrated into the nation but still victim to racist prejudices. This issue has long been taboo in Tunisia as it touches upon the history of intra-African slavery and racial stratifications that society denies.

A set of specific and pejorative terms distinguish this "group". The current terms in use include *chaouachine* (literally "licorice"), *oussif* (which directly refers to the state of servitude and by extension to black people), and newer names such as *asmar* (brown color), and urban names like *kahlouch* (derived from the word "black").

Discrimination based on skin color against black people in Tunisia reflects class contempt. It refers to a low socio-economic status. At the same time, this differentiation in skin color stems from a regional distinction, whereby the coasts of the country (more industrialized and developed) are overvalued compared to the more marginalized regions of the center and the south. "Being from the South" then becomes a pejorative origin. This combination of strong regionalism, class contempt, and pejorative image of black populations results in latent and long-standing racism against Tunisian black populations. They are situated in this paradoxical intersection of being both an integral part of the national body and relegated to a form of otherness and marginality. The history of this marginalized community undermines the national narrative of a homogeneous nation, revealing the deeply stratified character of society.

To combat racial discrimination, a Tunisian anti-racist mobilization emerged in 2011 and the possibility of expressing political and social demands, using the term "of color" and calling for dignity and recognition. This mobilization is unprecedented in the Maghreb context, where identifications, whether religious, linguistic, or lineage-based, have previously neglected the racial dimension. Through associations, declarations, and demonstrations, the voices of black Tunisians were heard. This post-2011 movement contributed to the adoption of the law against racial discrimination in 2018. The political turning point of January 2011 completely reshaped the balance of power within Tunisian society, benefiting the black minority.[31]

This heterogeneous minority finds itself involuntarily caught in the sub-Saharan crisis of February 2023. Indeed, some black Tunisians are arrested, insulted, and grouped with migrants. They become collateral victims of the securitization of the state. While some show solidarity, especially through anti-racist associative networks, other black Tunisians seek

30 https://sosmediterranee.fr/regards-sur-la-mediterranee-centrale/57-chaos-dans-les-eaux-internationales/

31 Stéphanie Pouessel, "Black Tunisians Between Stereotypes, Racism and History: Perspectives on the Actualization of a 'Marginally integrated' Identity" (in French), in Pouessel (ed.), *Noirs au Maghreb - Enjeux identitaires,* Paris, Karthala-IRMC, 2012.

to distance themselves from people of sub-Saharan origins, out of fear or refusal to be perceived as detached from the national body. These citizens, in a perpetual search for legitimacy as Tunisians, have had to struggle to be considered an integral part of society. Being associated with sub-Saharan migrants because of skin color can strike a blow to their desire to be recognized as full citizens in their own country. Caught between solidarity with the black cause and allegiance to the nation, the questioning of this minority in this crisis reveals the pre-existing problem of racism in Tunisia.

Conclusion

The strong current of irregular sub-Saharan transit or settlement migration is present throughout the Maghreb. Morocco and Algeria have been grappling with the difficult question of integrating and managing these populations in their societies for decades. Yet, it was from Tunisia, a recent and minor player in this migratory dynamic, that the clearest blow was dealt, aborting a nascent cosmopolitanism.

The future of the Maghreb, and specifically Tunisia, as a destination for immigration from south of the Sahara, is linked to the concrete presence of sub-Saharan immigration that had long been restricted to the figure of international professionals and students in private schools. These African individuals with a relatively high social status, who had previously challenged the Tunisian representation of the "African" as synonymous with poverty and underdevelopment, have now transformed into transit and family settlement migrations.

In the recent process of changing the nature of the Tunisian political regime from a rule of law to the erosion of its democratic institutions, of which Kais Saied is the embodiment, the populist state is ready to attack its minorities to win over public opinion. This episode targeting sub-Saharan Africans in February 2023 testifies to this change of regime: "Tell me how you treat your minorities, your immigrants, and your refugees, and I will tell you what the state of your democracy is!"[32]

At the international level, and even in African diplomacy, this crisis has had a significant impact. It has served as a platform to expose the assaults on the rule of law that the Tunisian government has been carrying out. This unprecedented crisis, known as the "racism" crisis, was necessary for the international community to finally reopen the Tunisian issue and acknowledge that democracy is in trouble. The issue touches on "universal" values such as racism and discrimination against "black people," despite Western countries' treatment of migrants. Signs of a severe crisis in the rule of law were already apparent, such as the question of political prisoners, but most of them were of Islamist affiliation, and therefore not sufficiently legitimate to be recognized as victims by the international opinion. It was through the voices of a minority of foreign nationals that the Tunisian crisis of the rule of law finally gained international attention – 12 years after the revolution. The rise of racism and the president's attack on cosmopolitanism remain only a small part of the problem.

32 Vincent Geisser, 2019, "Tunisia: Sub-Saharan Migrants Still Excluded From the Democratic Dream" (in French), *Migrations Société*, n° 177, no. 3, p. 3-18

About the Arab Reform Initiative

The Arab Reform Initiative is an independent Arab think tank working with expert partners in the Middle East and North Africa and beyond to articulate a home-grown agenda for democratic change and social justice. It conducts research and policy analysis and provides a platform for inspirational voices based on the principles of diversity, impartiality, and gender equality.

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