

## DECENTRALIZATION IN TUNISIA

**Empowering Towns, Engaging People** 

Sarah Yerkes and Marwan Muasher



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#### **Contents**

About the Authors	V
Summary	1
Introduction	3
Goals and Benefits of Decentralization	5
Challenges of Decentralization	11
The Role of Government	15
The Role of Civil Society and Citizens	21
The Role of the International Community	25
Conclusion	26
Notes	29
Carnegie Endowment for International Peace	34

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The authors would like to thank Houda Mzioudet and Kareem Asfari for their exceptional research assistance. They would also like to thank Samuel Brase, Michele Dunne, Intissar Kherigi, Lori Merritt, Blair Scott, and Jocelyn Soly for their valuable contributions to this paper. They offer their gratitude to the participants in Carnegie's February 2018 civil society workshop in Tunis as well as those individuals whom the authors interviewed in the course of the research. Finally, they are deeply grateful to the Open Society Foundations for its generous support of this paper and the larger Tunisia Monitor project.

#### **Summary**

Since the 2011 revolution, Tunisia has taken several steps to devolve power from the highly centralized structures run by the Ben Ali family to the new, democratic central government and then from the executive to the parliament. Today, Tunisia faces the crucial task of shifting power from the national to the local level. This decentralization of power has the potential to address long-standing issues of dramatic regional disparity in the healthcare and education sectors, as well as in poverty and infrastructure.

#### The Opportunities of Decentralization

- If done right, decentralization will empower local actors to make decisions regarding their municipalities and regions that lead to real changes for their constituents.
- This could introduce a new political class, which would be outside the country's traditionally dominant political parties and could provide more opportunities for women and youth to enter politics.
- Decentralization should also improve service delivery at the local level—where poor performance since the 2011 revolution has resulted in mistrust between citizens and the state as well as low tax revenues.
- Decentralization requires strong political will—from officials in the central government, who must willingly give up some of their own power and demonstrate their commitment to participatory governance at the local level; and from local officials who must build trust with their constituents, provide opportunities for citizen engagement, and prevent the re-creation of ineffective institutions at the local level.

#### What Can Be Done?

- The Tunisian government can manage public expectations by communicating clearly about the devolution of administrative and financial power.
- It can provide opportunities for participatory governance outside of those mandated by the law, such as the creation of citizen councils or regular policy preference surveys.

- The national government should also provide adequate financial and human resources, including ensuring the distribution of tax revenue to the local level.
- **Civil society** must continue to guard the democratic process. But it has an even more important role to play at the local level to encourage and ingrain a culture of participatory democracy by conducting an outreach campaign to the public regarding decentralization.
- It can help connect citizens with participatory governance mechanisms and devise mechanisms to capture citizen preferences and communicate those preferences to local officials.
- International donors should work to enhance the ability of local (and national) grassroots organizations and networks to encourage participatory governance.
- Additionally, donors should continue to fund e-government efforts, including the digitization of local government forms and processes, to create a one-stop shop for citizens to access municipal services and communicate with municipal officials.
- Donors must also train and equip local officials based on best practices from around the globe.

#### Introduction

Tunisia's May 6, 2018, municipal elections, the country's first-ever democratic local elections, constitute an important step that will move the country closer toward fully consolidating its democratic transition. By democratically electing 7,200 local officials who will represent 350 municipalities, Tunisians will signal their commitment to democracy. But these elections are only one small piece of a much larger decentralization program, whose fate is uncertain. Elections will be meaningless without a strong legal framework for decentralization that clearly delineates power and responsibility between the national and local levels. The process will also require the political will to implement decentralization at both the national and local levels.

On paper, Tunisia has had local governance for some time, with municipal and regional authorities empowered to make some, albeit mostly administrative, decisions. However, the decentralization practiced since Tunisia's independence in 1956 has been "just pure fiction" according to Tunisian scholar Neji Baccouche. In reality, the political system was highly centralized under both presidents Habib Bourguiba and Zine el-Abidine Ben Ali, a "political choice which addressed the need of rebuilding a united state which was able to fight against an ancient tribal system," as Baccouche put it. Most local authorities were appointed by the central state, and they reported to the feared Ministry of the Interior.

Local actors who exhibited any sort of political independence were summarily dealt with by a central state that retained authority to replace councils with their own handpicked officials. The official in charge of Tunisia's post-2011 decentralization process, Mokhtar Hammami, explained it this way: "The main dilemma that we faced [when starting the decentralization process] was the dominance of the central system, which . . . turned [the municipalities] into dependent facilities and stripped them of their powers. [This centralization] created an expensive bureaucracy and distorted the image of the municipalities." Additionally, regions and municipalities were created based largely on security concerns to divide problematic areas, and the division of territory was "used to impose the authority of the central state over the entire territory." Thus, "many [regions] were created in exceptional circumstances regardless of development requirements." Furthermore, "the role of municipalities was limited to classic

services such as waste collection and urban planning. The vital services related to the basic needs of citizens, such as health and education, were outside their authority, which contributed to the weakening of municipalities and the lack of confidence in this structure."<sup>5</sup>

Tunisia's decentralization process has the potential to reinvigorate the democratic transition by empowering local actors, improving service delivery, injecting new energy and ideas into the policy process at the local level, and alleviating some pressure on the central government. But the process must provide long-term systemic changes to governance and fiscal authority as well as demonstrate short-term wins, particularly in the country's traditionally disadvantaged interior regions. Decentralization's success depends on it.

Figure 1. Tunisia Political Map



#### **Goals and Benefits of Decentralization**

Globally, decentralization is believed to have several positive effects, from increasing government efficiency and reducing corruption to improving the relationship between citizens and the state. Officials who are physically closer to the people and live among them can more easily identify their needs, leading to more efficient public services. This is a virtuous cycle in which better and more transparent service provision leads to higher tax collection rates, which in turn lead to more money in the coffers to provide even better services. As some scholars have noted, "Decentralization, and in particular devolution will plausibly improve accountability and governance by bringing government closer to the people."7 And as Tunisian Minister of Local Affairs and the Environment Riadh Mouaker said, "Decentralization, if successful, will become the key driver of local development."8

Decentralization also offers the opportunity to experiment and try out different policies. Because policy change is far easier at the local level and needs and resources vary by municipality, decentralization can allow policymakers to evaluate what types of programs and initiatives are most effective and where. Furthermore, national-level bureaucrats and politicians are often more riskaverse than their local-level counterparts; thus, local governments can be more creative in developing policy solutions to local issues. While not all creative

solutions are successful, local officials may be more willing to try new ideas, which, if successful, could be replicated elsewhere.

Aside from the overarching plan of devolving administrative and financial power from the central state to the localities, Tunisia's decentralization efforts have three other goals: to ensure a more equitable distribution of resources; to empower local actors to make decisions for their communities; and to improve service delivery across the country.

Yet for decentralization to be successful, it requires a tremendous amount of preparation as well as certain institutional and psychological conditions.

But for decentralization to be successful, it requires a tremendous amount of preparation as well as certain institutional and psychological conditions. The most important precondition is political will and vision, particularly from the central government. A central government that either attempts decentralization half-heartedly or actively undermines the process will produce failed policies.

In addition to a legal framework and the institutional structures aligned with the newly devolved functions, the decentralization program must be backed by significant financial and human resources at both the central and local levels. There must be some form of interbureaucratic management procedures to both ensure accountability and prevent a duplication of efforts. And there must be some form of societal dialogue—at the national and local levels—to invest

6

**Table 1. Tunisia's Regional Indicators** 

Region	Unemploy- ment Rate, as a Percent (2016)	IAR Index Ranking <sup>i</sup> (2016)	Moderniza- tion of Roads and Higways <sup>ii</sup>	Mechanisms for Consulta- tion Between Municipal Authorities and Local Actors <sup>ii</sup>	Youth Involvement in Municipal Decisions <sup>ii</sup>	Women's Involvement in Municipal Decisions <sup>ii</sup>
Ariana	11.6	1.89	1.78	0.34	1.25	1.64
Веја	18.5	1.54	2.6	1.1	1	1
Ben Arous	18.4	3.03	3.04	3.16	2.27	2.51
Bizerte	11.5	2.09	1.68	0.5	1.61	1.71
Gabes	24	2.41	2.07	1.87	2.13	2.47
Gafsa	28.2	1.92	1.3	1.45	1.53	0.91
Jendouba	20.1	1.98	2.47	2.06	0.91	1.82
Kairouan	15.2	2.09	1.95	1.32	2.63	2.53
Kasserine	21.7	1.74	1.56	1.44	1	1
Kebili	25.8	1.48	1.71	1.43	1.57	1.57
Kef	11	1.77	2	2	2.5	1.8
Mahdia	12.2	1.99	1.57	1.36	1.64	1.93
Manouba	21.7	1.72	1.73	1.36	1.27	1.45
Medenine	19.9	2.4	3	2	2.11	2.06
Monastir	6.6	2.17	1.8	1.8	1.67	1.4
Nabeul	10.3	2.26	3.39	0.43	0.37	0.57
Sfax	9.8	3.46	2.56	2.31	2.36	2.26
Sidi Bouzid	15.4	1.94	1.83	1.92	1.58	1.42
Siliana	17.2	1.56	1.57	1.86	1.29	1.29
Sousse	11.6	2.71	2.33	1.9	2.45	2.38
Tataouine	32	1.67	2.83	3	2.5	2
Tozeur	20.9	1.8	2.2	1.8	1.2	1.4
Tunis	19.5	3.84	2.17	1.62	1.61	1.6
Zaghouan	10.5	1.4	1.33	1.33	0.67	0.67

Sources: For unemployment rates, see Amor Belhedi, "Disparités spatiales et développement régional en Tunisie" (conference paper, Conference at Beit al-Hikma, December 7, 2017, Tunis); for the rest of the data, see Instauring an Advocacy Champion for Economy, "Rapport sur l'Attractivité Régionale 2016," January 6, 2017, http://www.iace.tn/rapport-sur-lattractivite-regionale-2016/. i: The Regional

the public in the process. The public, through civil society organizations and informal networks as well as direct participatory processes, plays a crucial role in providing oversight and accountability.

#### **Distributing Resources Equitably**

Currently, Tunisia suffers from dramatic regional disparities on virtually all indicators (see table 1). In 2013, eighteen municipalities (including Tunis and its suburbs of La Marsa, La Goulette, Sidi Bou Said, and Carthage) held 51

Public Transport <sup>ii</sup>	Telephone and Internet Service Providers per 10,000 Inhabitants	Availability and Maintenace of Green Space	Access to Structures and Institutions of Culture	Number of Primary Schools per 10,000 Inhabitants	Number of Public Hospitals per 10,000 Inhabitants	Number of Doctors per 10,000 Inhabitants
1.42	4.49	2.07	1.36	2.18	1.88	2.45
1.7	0.2	0.8	0.5	3.95	0.45	0.61
2.5	2.86	1.96	2.25	3.92	1.58	1.63
1.46	0.82	1	1.29	5.45	1	1.02
2.67	1.43	2.53	2.6	4.25	0.67	0.2
1.73	0.2	1.36	1.91	4.93	0.48	0.2
2.12	0.41	1.18	2	6.13	0.68	0.61
2.47	0.41	1.11	2.42	8.34	0.42	0
2.5	0.2	1.22	1	0	0.17	0
2.14	0.41	1	1	1.93	0	0
2.5	0	1.5	1.8	5.1	0.26	0
2.46	0.41	2.57	2.21	4.96	0.82	0.41
1.64	0.82	1.82	1.64	2.4	0.74	1.43
2.05	2.45	1.89	2.2	6.59	1.18	0.61
2.53	1.63	1.29	1.4	4.06	0.72	0.41
2.42	3.88	2.03	2.48	7.14	2.38	1.02
2.38	3.67	1.97	2.06	9.81	2.58	1.22
1.5	0	2.17	1.92	8.66	0.32	0.41
1.14	0.2	1.86	2.14	5.04	0.18	0.2
2.7	3.27	2.3	2.68	4.71	3	1.63
2.2	0	1.33	2	2.83	0.07	0.2
2	0.2	1.2	1.75	1.14	0.08	0.2
1.64	10	2.04	1.7	4.74	10	10
1.33	0.2	1	0.33	2.78	0.77	0.15

Attractiveness Index uses 96 indicators in 6 domains (municipal services, the participatory approach, transparency and access to information, nonmunicipal services, the living environment, and the availability of manpower) to rank regions. ii: This is based on a survey measuring satisfaction: 5 = very satisfied; 1 = not at all satisfied.

percent of the state's municipal budget, while 246 municipalities held the remaining 49 percent.9 A study by the International Labor Organization in June 2017 found dramatic inequality in various regions when comparing the poverty rates, purchasing power, and quality and proximity of public services. 10 In the Ben Ali regime's final budget before it fell, 82 percent of state funds were dedicated to coastal areas, compared to only 18 percent for the interior.

Furthermore, in the past, more than 50 percent of the territory was "nonmunicipalized," so that more than one-third of the country's population lived outside of a municipal district and therefore had no ability to elect local officials. To ensure every citizen resides in a municipality, the government created eighty-six new municipalities and expanded the territory of several others. Additionally, one of the key pillars of Tunisia's decentralization process is to correct regional disparities through the process of "positive discrimination." This process is intended to provide for *equitable* (rather than *equal*) resource distribution (from state budget support to administrative and human resources) that will eventually level the playing field for all Tunisians, regardless of where they live.

Figure 2. Tunisia's Regional Attractiveness



Note: The IAR is an index of 96 indicators in 6 domains (municipal services, the participatory approach, transparency and access to information, nonmunicipal services, the living environment and the availability of manpower) used to rank regions on a scale of 1-5. A higher score indicates a more attractive region.

Positive discrimination is enshrined in the 2014 constitution (in article 12), but it is not a new concept in Tunisia. Tax incentives and investment bonuses for regional development have been in place since the 1970s.<sup>13</sup> However, the decentralization process is framed, in large part, as a way to sustainably correct the long-standing regional disparities by prioritizing certain regions over others.

Citizens in Tunisia's traditionally marginalized regions hope that decentralization will bring more attention to their regions. As a civil society activist in Sidi Bouzid noted, as of early 2018 there are no national ministers or highly ranked officials from Sidi Bouzid.<sup>14</sup> This contributes to the alienation and physical and psychological distance from the center. One resident of the Siliana Governorate, who is running in the municipal elections in the town of Kesra, said he is hopeful that decentralization will bring improvements to his town because "people will be elected who will respond to the needs and voices of citizens," unlike the current officials who are inexperienced and take their direction from Tunis.15 The newly elected municipal council will likely have more legitimacy, he said, in part because the members are elected but also because they will "understand the reality of the region." 16 While decentralization will likely not correct the problem of having local interests represented at the national level in Tunis, it will provide the opportunity for Sidi Bouzid's citizens to make decisions about Sidi Bouzid and Siliana's citizens to make decisions about Siliana.

Residents of Kesra echoed the issue of visibility, hopeful that decentralization will provide them with the chance to show off their region to other Tunisians.<sup>17</sup> Few Tunisians—let alone foreigners—are aware of Kesra, which is the highest elevated town in Tunisia and is home to tremendous biodiver-

sity, historical sites, and tourism potential. While tourism increased in Kesra after the revolution, the tourism and agricultural sectors remain vastly underdeveloped.

According to another candidate for local elections in Kesra, decentralization there has purely developmental goals.<sup>18</sup> Siliana is one of the marginalized governorates of the country. Advocates for decentralization there hope it will increase economic development through better allocation of resources to the agricultural and tourism sectors. The candidate said he has a vision for how to The decentralization process is framed as a way to sustainably correct the long-standing regional disparities by prioritizing certain regions over others.

improve the tourism industry, how to address pollution, and how to upgrade the town's agricultural industry so it becomes an example for organic farming, but he needs financial resources and administrative and political independence to carry it out.19

#### **Empowering Local Actors**

According to the World Bank, one of the primary goals of decentralization is to make municipalities "more active players in the planning, implementation and delivery of municipal infrastructure and services."20 Some analysts have noted that local government is more responsive due to access to better information as well as stronger incentives, than central government.<sup>21</sup> Noted Ghanaian scholar Joseph Ayee wrote that decentralization in his country "awakened the spirit of voluntarism and 'awareness' among most sections of the communities." It led to "incremental access of people living in previously neglected rural areas to central government resources and institutions" and "created a huge number of opportunities for mostly young people who aspired to a career in politics."22

Decentralization can also bring job opportunities for unemployed youth, particularly those with degrees in management or policy who can take on new roles as local bureaucrats. And the new local leadership will give women and youth the opportunity to be part of the political decisionmaking process. As one Tunisian civil society activist noted, even when they are active members of their political party, women and youth are often "discarded" when they try to run for national office.<sup>23</sup> The law governing the municipal elections tries to address this issue, stipulating that municipal and regional councils must have gender parity. That's to be achieved by alternating between men and women on each candidate list with parity among heads of lists for parties with more than

one list.<sup>24</sup> And each list must include someone under age thirty-five among the first three candidates.<sup>25</sup> As a result, over 75 percent of registered candidates are under forty-five and more than 50 percent are under thirty-five.<sup>26</sup>

#### **Improving Service Delivery**

Globally, decentralization has been shown to improve efficiency in the use of public resources as well as increase competition for public resources.<sup>27</sup> In Porto Alegre, Brazil, for example, access to basic water, sewage treatment, and elementary and secondary school enrollment nearly doubled between 1989 and 1996, and the city increased revenue collection by 48 percent.<sup>28</sup> In Bolivia, decentralization resulted in a massive shift in public resources favoring smaller and poorer municipalities. There, public investment in education, water treatment, and sanitation rose in three-quarters of all municipalities, representing a shift from large-scale production to social needs.<sup>29</sup>

According to civil society actors working on decentralization, Tunisians would most like improvements to already existing services, such as street lighting, waste collection, construction and quality of roads as well as local transport.<sup>30</sup> Citizens in Tunisia's traditionally disadvantaged regions are particularly hopeful on this score.

Improving service delivery has numerous secondary effects as well. It helps to rebuild the trust between citizens and their elected officials. According to a November 2017 survey by the International Republican Institute, 57 percent of Tunisians rated the performance of the government as "very bad" or "some-

Globally, decentralization has been shown to improve efficiency in the use of public resources as well as increase competition for public resources.

what bad." And 67 percent said the ministries do "nothing at all" to address the needs of people like them, while 73 percent said the same of parliament.<sup>31</sup>

Additionally, there is some research that suggests that fiscal decentralization can reduce corruption.<sup>32</sup> By creating more direct links between citizens and authorities, there is more transparency—people can identify the centers of power and how to communicate with them. This is "highly symbolic," as one activist put it, but easy to achieve.<sup>33</sup> Currently, Tunisians receive very little com-

munication from their municipalities. According to a 2015 World Bank survey, only 3 percent of respondents had received any form of communication from their municipality during the previous year.<sup>34</sup> Part of the issue is digital infrastructure—many municipalities do not have functioning websites, so municipal officers must use their personal Facebook pages to communicate.<sup>35</sup> Furthermore, many municipalities do not have a communications officer, and others have only one or two staff members to cover all issues in an entire municipality. Thus, there is a need for a dramatic increase in local staffing.

Another secondary effect of better service delivery is that it can help make municipalities—particularly those in the interior—more attractive to foreign

donors and the private sector. For example, there remain dramatic disparities in the road conditions between Tunis in the north and the southern and

northwestern regions. Driving south from Tunis, the highway is in good condition to Kairouan, about 100 miles. However, the route then becomes unpredictable turning at times into a dirt road and at other times into a pristine highway. And due to poor road conditions, the drive southwest from Tunis to Siliana, about 80 miles away, takes longer than the drive from Washington, DC, to Philadelphia, which is nearly twice as far.

Finally, decentralization can also help remove the bureaucratic bottlenecks and red tape that tend to delay decisionmaking, frustrating citizens and encouraging

corruption.<sup>36</sup> In this regard, decentralization is beneficial to not only local leaders but also national officials, who, by delegating the routine tasks of governing to local officials, are free to focus on statewide policymaking.<sup>37</sup>

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#### **Challenges of Decentralization**

Yet there are numerous challenges—structural, logistical, and psychological—that decentralization in Tunisia continues to face. The biggest logistical challenge is that the Code des Collectivités Locales (Local Authorities Code), the law governing the entire decentralization process (Organic Law No. 48 of 2017), was only passed by parliament on April 26, 2018—just ten days ahead of the municipal elections.<sup>38</sup>

Numerous civil society activists expressed dismay that the law would not be completed far enough in advance of the elections process for candidates to understand what their roles would be and for the Tunisian voting public to digest what they were voting for. The new law, which is one of the longest and most complex in Tunisia's history, replaces the 1975 law on municipal governance. The old law gave local officials "neither real authority nor real administrative and financial autonomy," according to Tunisian journalist Hayfa Dhouib.39

A further structural challenge is that eighty-six new municipalities (out of 350 total) were created during the decentralization process, and so far they are only "ink on paper." <sup>40</sup> In fact, 18 percent of Tunisians are in a brand new municipality, while 58 percent are in extended municipalities.<sup>41</sup> While some of these new municipalities were split from larger municipalities and therefore already had functioning staff, offices, and budgets, it will be difficult to staff all 350 municipalities and create a culture of community in the short term. As a civil society activist in Sidi Bouzid noted of that mostly rural region, it is very challenging to put the physical systems in place to allow for close contact between local officials and the citizenry.<sup>42</sup>

Finally, the decentralization process is a lengthy endeavor—the government estimates twenty-seven years to fully devolve power to local officials and to bring the most poorly performing municipalities on par with the rest of the country—that risks running out of steam. One participant in a Carnegie-organized workshop noted a fear of partial decentralization. The failure to decentralize fully would create confusion and hinder accountability in both the local and central governments. <sup>43</sup> Partial decentralization has been an issue in some cases around the world. In Brazil, Pakistan, and South Africa, local authorities were given administrative powers but not fiscal powers, depriving them of the ability to enact their policy decisions.

#### **Managing Expectations**

In conversations with officials and civil society activists in and out of Tunis, it is clear that expectations vary widely for what decentralization will bring to the country. Tunisia's traditionally marginalized interior regions have some of the highest expectations for decentralization—that it will level the playing field and provide a more equitable distribution of resources. But these outcomes are not guaranteed. Even under a system of positive discrimination, taxation and distribution of resources might remain unaffected because "certain local areas will find it much easier to raise significant tax revenue than others" due to natural resources, infrastructure, and other issues that do not magically change with decentralization.<sup>44</sup> In Ghana, only those who lived in larger towns or had special political influence were successful in developing their regions. Decentralization was seen as more of a public relations move than reality, and the political will to enforce change suffered as a result. Conversely,

Tunisia's traditionally marginalized interior regions have some of the highest expectations for decentralization, but the outcomes are not guaranteed.

Uganda succeeded where Ghana did not, due to proper coordination among ministries (led by an office within the presidency) and building capacity at the district level (carried out by district staff who had been trained by external trainers).<sup>45</sup>

Part of managing expectations is that, as a report by the U.S. Agency for International Development (USAID) noted, "the benefits of devolution may take years to accrue, but the costs are front-loaded."<sup>46</sup> The Local Affairs

Ministry's twenty-seven-year plan is laudable and was created after years of preparation—from workshops and seminars around the country to consultations with international experts from twelve countries.<sup>47</sup> However, it is not clear what short-term wins decentralization will provide for residents in the interior. A delegate in Sidi Bouzid noted that decentralization is a slow process that will take a decade. Thus expectations shouldn't be too high—"it won't bring miracles," he said.<sup>48</sup>

In conversations with individuals in the interior regions, it was not clear what change they want to see in the short term, other than local control over their affairs. While that is a realistic goal, it will not guarantee the economic development needed by Tunisia's traditionally marginalized municipalities. As other cases have shown, centralized governments are more effective than local governments at redistributing wealth and alleviating economic disparities. Thus, once decentralization moves forward, and the central government's power to intervene locally decreases, the ability of the central government to level the playing field across regions might similarly decrease.

Officials, politicians, and civil society should also manage the public's expectations regarding decentralization's ability to provide improved governance. Ahlem Hachicha Chaker, executive director of the Policy Institute of the Machrou Tounes Party, noted that the public has high expectations that municipal elections will improve citizen participation. Through municipal elections, "the elector chooses, in a direct way, the people who represent him locally [and] manage public affairs on his behalf."49 But, she argues, "I think we are making these elections more meaningful than they are. We want to believe that these elections will solve all the problems of society, that they correspond to an 'instant democracy,' that they will bring this new model of much sought-after governance"—results that are highly unlikely.<sup>50</sup>

#### **Building Political Will**

One of the greatest predictors of decentralization's success is the level of political will at the national and local levels. The basic premise of decentralization is that it shifts power from the central state to the local level. Thus, the centralized bureaucracy is likely to oppose a process that "threaten[s] its power and control."51 In Chile and Uruguay, "subnational officials were largely absent for the negotiations over decentralization. . . . Consequently, decentralizing measures . . . were quite circumscribed, cautious, and gradual, in stark contrast to the often radical approaches adopted in neighboring countries," writes political scholar Kent Eaton.52

Tunisia's political will is there, on paper. The constitution devotes an entire chapter (Chapter 7, articles 131 through 142) to local government, and article 12 describes the process of positive discrimination: "The state shall seek to achieve social justice, sustainable development and balance between regions based on development indicators and the principle of positive discrimination."53 Additionally, article 14 states that "the state commits to strengthen decentralization and to apply it throughout the country, within the framework of the unity of the state."54 Thus, it is clear that the state is de jure committed to decentralization. However, some civil society activists and analysts question the political class's commitment.<sup>55</sup>

One glaring example is the repeated postponement of municipal elections (to say nothing of parliament's inability to finalize the Local Authorities Code well in advance of these elections).<sup>56</sup> Participants in Carnegie's civil society workshop stated that decentralization does not have many advocates. As one

person said, "Politicians are scared of decentralization because of the risks it brings to their own power. Thus, parties are not promoting it."<sup>57</sup>

Furthermore, many citizens question the project's intentions because the Ministry of the Interior has controlled the decentralization process. In particular, some municipal officials and civil society activists are uncomfortable with the "centralization of decentralization," as one activist put it.<sup>58</sup> A civil society actor noted that "the Directorate General of Local Authorities (DGCL) of the Ministry of the Interior wrote the draft Code of Local Authorities intended to

Many citizens question decentralization's intentions because the Ministry of the Interior has controlled the process—some officials and activists are uncomfortable with such a centralization of decentralization.

devolve decentralization. Absolutely, it's the ministry, i.e. the central authority, that imagines decentralization. . . . The center has historically held control over everything and has trouble getting rid of [that control]."<sup>59</sup> These sentiments were echoed by a municipal executive who stated the code was "made by people who are against decentralization. . . . The Ministry of the Interior prepared the bill . . . as long as it is not reformed, we will be under the yoke of the Ministry of the Interior."<sup>60</sup>

In particular, some people are concerned that decentralization will simply re-create the authoritarian structures that plagued the Ben Ali era. One municipal executive

stated, "The question is: how does this new project of decentralization break with the legacy of the police state and authoritarianism, avoid anarchy, and ensure development, which is at the heart of the demands of the revolution?"

When local government structures are created, there is a tendency to replicate the central government's organization. While this may seem to be the easiest path forward, it also risks re-creating authoritarian tendencies and patronage networks and can contribute to localized corruption. As one study on decentralization in the developing world noted, "The fundamental nature of the public sector does not automatically change when a public sector is 'decentralized' by severing the bottom tier of the state bureaucracy from the top layers if, at the same time, the 'big man' at the top of the central government pyramid is merely supplemented by smaller 'big men' at the top of each local government pyramid." The United Nations explained that in some Latin American cases, for example, "decentralization reforms were . . . geared towards better infiltrating society, monitoring opposition forces and increasing stability of authoritarian regimes." Scholars have pointed out that "governments often perform acts of decentralization as theater pieces to impress or appease international donors and NGOS [nongovernmental organizations] or domestic constituencies."

Furthermore, at the local level, it is more difficult to recruit and retain high quality and professional staff, who often set their sights on more prestigious positions in the capital. One study on decentralization in Tunisia noted that several municipalities do not even have a single engineer or architect.<sup>65</sup> In the same report, a mayor explained, "In terms of senior management, we are very

poor, we have a very low staffing rate. This has negative repercussions on the advancement and execution of projects. . . . Who's doing the checking and monitoring projects? We need technicians."66

The issue of human capacity is crucial. The municipal elections will bring to office thousands of new officials who have had no experience holding public office or running a municipality. While some local and international NGOs are planning training programs for these officials, it will be an incredibly difficult challenge to adequately train so many new officials on the tasks of governing, building consensus, communicating with the public, and working with the central government. This is further exacerbated by the fact that the Local Authorities Code has yet to be publicly released—meaning that these new officials will come to power with very little time to learn about their new responsibilities, let alone how to effectively carry them out.

#### **Fighting Corruption**

Decentralized political systems can be more vulnerable to corruption, due to additional layers of bureaucracy that can be influenced.<sup>67</sup> Transparency International found that federal states are on the whole more corrupt than unitary ones, as "restraints by one [state] level merely increase the pickings of the other." Given free rein, subnational officials invariably engage in corrupt practices that undermine the state.<sup>68</sup> Unitary systems limit this possibility. 69 Local structures are typically less developed than national ones, and thus easier to corrupt. Officials are usually less trained and paid less, because those with the requisite education and ambition are likely to seek employment at the national level. With more skilled personnel, national structures tend to be more transparent and accountable to the citizenry.<sup>70</sup> Furthermore, the confidence in decentralization as a cure for corruption neglects to seriously consider the possibility of elite capture of local government resources. Local officials often "over-provided to local elites at the expense of non-elites," thus undermining decentralization by re-creating national problems on a local level.<sup>71</sup>

#### The Role of Government

While both local and national government officials and institutions must work together to make decentralization a reality, the national government's political will is the most critical factor for its success. The national government must drive the process initially, commiting to devolving financial and administrative power as well as by creating a clear separation of powers between the national and local levels. Furthermore, the national government should spearhead the effort to instill a culture of clear and consistent communication between and among officials at all levels. As a report by the Organization for Economic Cooperation and Development argued, "Implementation of controlled decentralization in Tunisia depends on the capacity of the country to establish effective coordination and control systems."<sup>72</sup> However, the central state must simultaneously protect the territorial integrity of the state. As a report by USAID noted, the "national government must be strong enough to defend civil liberties, political rights and the rule of law throughout the territory."<sup>73</sup>

At the local level, decentralization requires effective cooperation and coordination between the various layers of local government (such as between the mayor and the municipal council); between different local departments (such as health, education, and transportation); and collaboration between local officials on one side and the private sector and the greater community on the other. The constitution requires local authorities to operate according to the principles of "good governance," "open governance," and "participation by citizens and civil society," but those principles will remain flimsy unless local officials—in concert with civil society and with encouragement from the central government—devise mechanisms to implement them in practice. The such as the s

#### **National Government**

In addition to giving the entire decentralization process top-cover, the national government has three key roles to play in Tunisia's decentralization process going forward: to devolve power effectively and equitably; to develop a fair and efficient method of fund transfers; and to ensure a qualified workforce at the local level by training and equipping local officials and enticing high performers to take positions in the most marginalized regions.

Devolving Administrative Power Effectively and Equitably

Even in a decentralized state, the national government normally retains significant power. In Tunisia, it will be responsible for determining how much power and responsibility the various levels of local government receive. Here, the debate over the Local Authorities Code in parliament is instructive. Members of parliament had significant disagreements over the role of the governor—who is centrally appointed—versus the elected municipal counselors. Article 20 of the draft law states that "the head of the council and the heads of the municipal councils and the governor as the representative of the central authority in the region shall establish a mechanism for coordination and cooperation between the municipalities and the external departments and departments of the central administration and its affiliated establishments." Some members had been concerned that the law is too vague and risks the governor encroaching on the work of the local councils.

Article 200, which describes the conditions under which the municipal council could be dissolved, also generated significant debate. Some parliamentarians had argued that the council should be totally disbanded if it fails to perform its duties, while others were uncomfortable with the amount of power given to the non-elected officials to disband the council.<sup>78</sup>

And article 264, which states that the governor has the right to take over the mayor's job or appoint a temporary mayor, should s/he refuse or neglect his/her duties, was the topic of heated debate. One member suggested that the municipal council should first attempt to resolve the issue, with the governor only intervening if the municipal council cannot solve the problem. But this amendment was ultimately rejected.<sup>79</sup>

These debates make it clear that disagreement remains over how much power the elected local officials should have and what role the appointed governor should play, as well as about how much power the minister of local affairs and parliament have to interfere in local issues. For decentralization to succeed, it is imperative that the local officials are empowered enough to truly represent their constituents, otherwise the process risks re-creating the toxic authoritarian structures and procedures that plagued the Ben Ali regime as well as contributing to the already dangerously large trust gap between the Tunisian people and their government—or both.

To address this, once the Local Authorities Code becomes law and municipal councils are elected, the national government should prioritize quickly transferring power to the local level as well as clearly communicating the boundaries of that power to the public. For Tunisians who have lived under a highly centralized state for decades, the cultural shift to decentralized and localized governance will take time. This shift can be made smoother with full transparency as to who controls what and what citizens can realistically expect from local officials.

#### Developing Fair and Effective Fund Transfers

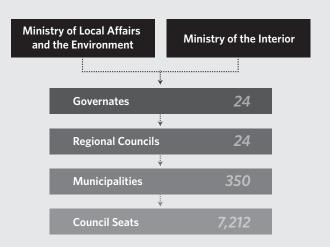
In addition to retaining some modicum of administrative power, the national government will also retain the power of the purse—the ability to provide financial transfers to the localities. Today, Tunis controls 96 percent of public spending, while only 4 percent of the state budget is spent at the local level. This is compared to a global average of 15-35 percent of budgets spent at the local level.<sup>80</sup> The decentralization process is attempting to address this issue, and Minister of Local Affairs Mouakher recently stated that he plans to increase the 4 percent to 10 percent within six years, but simply funneling money to the local level is insufficient.<sup>81</sup> The government must enact a fair and transparent method of transferring funds downstream and promoting an equitable distribution of resources.

A 2011 white paper by the Tunisian government explained the goals of reducing regional disparities:

The first dimension is the upgrading of marginalized regions by reducing socioeconomic inequalities; the second dimension is to link the marginalized areas to the advanced zones in order to exploit the effects training and dissemination by the agglomerations; the third corresponds to the insertion of all the regions in the global economy so as to include them in a dynamic and sustainable development perspective.82

#### **Levels of Government**

There are three levels of local government—the regional, governorate, and municipal. Tunisia's twenty-four regions are headed by a centrally appointed governor (wali). The 350 municipalities are each headed by a mayor, who is elected from the members of the municipal council for a five-year term. The mayor is responsible for planning, public



security, traffic, and environmental management. The mayor also works with the council to develop the municipal investment plan and to levy municipal taxes.<sup>1</sup> The Directorate General for Local Affairs (DGLC), which oversees the municipalities, was previously housed under the Ministry of the Interior, but was moved to the newly created Ministry of Local Affairs and the Environment in 2016.

The Ministry of the Interior supervises regional governors, who are the representatives of the central state, through the Directorate General for Regional Affairs. The Directorate-General for Regional Affairs was removed from the ministry along with the DGLC and attached to the Ministry of Local Affairs and the Environment upon its creation in May 2016. However, in June 2017, it was re-attached to the ministry by government decree.<sup>2</sup> Some of the roles of the Directorate General for Regional Affairs include:

- guiding and controlling the action of governors in administrative, political, economic, social, cultural, and religious matters;
- coordinating with other relevant ministries and agencies on all matters falling within the remit of the Directorate General for Regional Affairs;
- monitoring the implementation of regional development programs; and
- ensuring the coordination between the different governorates, and to study the problems and reforms concerning the regional administrative structures.<sup>3</sup>

<sup>1.</sup> Intissar Kherigi, "How to Make Local Government in Tunisia More Accountable," *Jasmine Foundation*, June 2016.

<sup>2.</sup> Government Decree No. 2017-729 of June 5, 2017.

<sup>3.</sup> See the Ministry of the Interior's website, https://www.interieur.gov.tn/fr/.

A United Nations Development Program report argued that "without appropriate fiscal empowerment, the autonomy of sub-national governments cannot be substantiated and, in this way, the full potential of decentralization cannot be realized."83 Thus, the national government must "clearly define the assignment of expenditure responsibilities in order to enhance accountability, avoid unproductive overlap . . . duplication of authority and legal challenges."84 A significant amount of research and thought has already been put into how to most effectively and fairly accomplish this goal through a partnership between the Ministry of Local Affairs and the World Bank (for more details, see the section on the international community).

Yet many goods and services cannot be easily divided between the national and local levels. Healthcare, education, and transportation all cut across borders and will require careful coordination. Furthermore, the central government must also retain the responsibility of redistributing income among the regions because local governments are less likely to tackle this in a fair manner.85 Furthermore, to ensure a fair and equitable distribution of resources, the central government must encourage development throughout the country, as "raising individual incomes is not the same thing as increasing the development potential of the area."86

In addition to transfers from the federal government, local governments can raise revenue through various taxes on property, retail sales, motor vehicles, and motor fuel as well as user charges for local services. But, according to a 2016 report by USAID, the Tunisian tax code "reinforces inequality, tax eva-

sion, and illegality."87 For example, the municipality of Carthage is fully subsidized—residents do not pay taxes. And, according to a 2014 World Bank survey, 38 percent of Tunisian households do not pay taxes.88 One study on Tunisia's decentralization process noted that "after the revolution . . . many citizens decided they would not pay inefficient and illegitimate local authorities."89 Yet it is critical for local governments to raise and collect taxes— "when citizens pay taxes to local governments, they are more likely to demand services from those governments," thereby creating a virtuous cycle of accountability.90 This

One challenge for decentralization is that many goods and services cannot be easily divided between the national and local levels. Healthcare, education, and transportation all cut across borders.

has already been borne out in Tunisia. In the municipalities where participatory budgeting has been introduced, municipal authorities have reported more residents paying taxes than under the prior system.<sup>91</sup>

#### Ensuring a Qualified Workforce

For national officials to reap the benefits of decentralization, such as a decreased workload and better access to information in the far-flung regions, they must have well-qualified partners throughout the country. While some regions particularly those on the coast—will have no problem attracting the best and

the brightest, and can provide high-quality equipment for local government offices, the traditionally marginalized regions will need support from the central government.

One way to do so, is to develop an incentive structure to entice highly qualified civil servants to move to the most poorly served municipalities. Elected officials may not succeed because of a "gross mismatch between available resources and promised expenditures," which has implications for both the local and the central governments.<sup>92</sup>

#### **Local Government**

In addition to the obvious role played by local government in the decentralization process, the municipal councils, mayors, and governors should work to establish healthy administrative and financial relationships with the central government and stimulate engagement across municipal boundaries. Furthermore, local officials should develop methods to formalize and normalize participatory governance.

#### Formalizing Participatory Governance

While the Local Authorities Code devotes an entire section to participatory governance, it leaves the specifics up to local officials, stating that "the elected local council, in consultation with civil society, determines the mechanisms and modalities of participatory democracy." The code further instructs local and regional councils to adhere to a participatory approach in monitoring utilities and developing the local development plan. It also calls on the local and regional council to establish a committee on participatory governance and local democracy. However, Tunisian scholar Intissar Kherigi has recommended enshrining stronger protections for citizen engagement in the law. In particular, she has advocated for citizens to have the right to demand that local authorities hold public hearings and receive public petitions. As she argued, "This could strengthen transparency by empowering and engaging citizens through multiple mechanisms beyond information requests, and obliging local authorities to communicate and justify their decisions more openly." <sup>94</sup>

One method traditionally used to engage a citizenry is participatory budgeting. In Porto Alegre, for example, participatory budgeting was very effective in enhancing transparency and accountability in the use of public funds, and the decisions that came out of the process led to more equitable spending and needs-based community development.<sup>95</sup> Tunisia already has some experience with participatory budgeting, which was implemented in a few pilot localities. In La Marsa, for example, the process taught that participatory budgeting requires technical knowledge, and thus technical staff are useful in helping citizens understand the overall budget picture as well as making informed decisions.<sup>96</sup> Other methods of encouraging citizen participation are holding town halls, having open council sessions, and conducting citizen surveys to connect

citizen preferences to local government. Civil society can play a role here in increasing participatory options for the citizenry.<sup>97</sup> The Jasmine Foundation, a Tunisian think tank, has already piloted citizen scorecards to present citizen preferences to local government. It hopes to expand this into an index that would show comparisons over time and between municipalities.<sup>98</sup>

Another way to be more responsive to the citizenry is through use of digital documents and electronic governance initiatives. Kherigi recommended "one-

stop shops" for citizens in each municipality to provide simplified access to information on government services and procedures.<sup>99</sup> These could be both physical as well as digital, to provide even greater ease of use, and would free up time for local bureaucrats who would otherwise be spending hours answering questions in person. A model could be the Washington, DC, government's 311 service, which is available by phone, app, and web portal, allowing residents to contact the appro-

Beyond formal mechanisms for participatory governance, local officials should encourage a culture of participatory governance by civil society and the wider public.

priate local government office for the work they need. By phone, citizens dial 3-1-1 and are directed by an operator to the appropriate office. Using the app or website, citizens can report issues (such as a missed trash pick-up or a pothole), see other issues that have been reported, contact the mayor, or grade local services and agencies.

#### Normalizing Participatory Governance

Beyond formal mechanisms for participatory governance, local officials should encourage a culture of participatory governance by civil society and the wider public. Much of the citizen engagement process is discretionary, and in a country where public participation was nonexistent, or dangerous, for decades, local officials will need to work with civil society to encourage public participation. This can benefit all parties. Local officials benefit because they are better able to respond to their citizenry, which makes it more likely that they will be viewed as effective and stay in power. And citizens undoubtedly benefit from stronger public engagement because their priorities and preferences are more likely to be translated into public policies. Furthermore, public engagement supported by the local government can help prevent the sort of massive trust gap that Tunisians currently have with the national government.

#### The Role of Civil Society and Citizens

Civil society has a crucial role to play both in developing Tunisia's decentralization process as well as in implementing it, including serving as a watchdog over the local and national governments; collecting and communicating citizen preferences to local officials; and encouraging and engaging in participatory governance.

#### Serving as a Watchdog

Tunisian civil society has been particularly adept at serving as a watchdog of the national government. And several of the country's most powerful and effective national organizations—Al Bawsala, Mourakiboun, and Barr al Aman—have demonstrated the ability and desire to play this role at the local level. Al Bawsala's Marsad Baladia project was launched in January 2014 to monitor municipalities and connect citizens to them. The Marsad Baladia team collects information on the municipal budget, human resources, property, investments, and activity of the municipal council and publishes that information on the project's website.

Mourakiboun, which began as an elections-monitoring organization in 2011 has undertaken significant work both in monitoring voter registration for the municipal elections as well as in monitoring the health sector. In a partnership with Democracy International, Mourakiboun created a centralized hub of election-related data, maps, and analysis that "facilitate data-driven decision-making to improve the electoral process." <sup>101</sup> In the health sector, Mourakiboun monitored 2,060 basic healthcare centers in 264 districts in January 2017 to observe the state of their infrastructure, the conduct of medical consultations, the status of equipment and supplies, and other indicators. <sup>102</sup>

Barr al Aman works to improve governance through the media. Their hourlong weekly radio program focuses on elected local and national bodies. It seeks to "present concretely and close to the reality of citizens issues related to decentralization, the next local elections, but also the administrative procedures, the functioning and dysfunction of state institutions." Additionally, national organizations like Kolna Tounes have local branches throughout the country that are run by local activists and seek to address local issues.

There is some fear among Tunisian activists that local organizations will be sidelined by Tunis-based or international organizations. As a civil society actor stated,

It is up to regional civil society to give priority to the issue of decentralization . . . . Civil society in the regions will reject the associations that come from Tunis, and so we will create a split inside civil society. We encouraged these people for them to be listened to, the next step is to talk to Tunisian civil society . . . to tell them that we must listen to these people, they must be represented, we must integrate them. In all the analyses, it is necessary that the media invite the associations working in the inner regions, you have to listen to these people. 104

Furthermore, one civil society actor noted that even those organizations based in Tunis are viewed with skepticism by local actors:

The problem with the municipalities is that even if we are a Tunisian NGO, they ask us systematically the question: Who is behind you? What is your agenda? The classic conspiracy theory. . . . At the same time, citizens cannot [accept] more broken promises from civil society. Civil society is replacing the government, civil society actors make meetings everywhere, round tables, talk about

solutions, but there is nothing concrete after. . . . People want concrete things, they do not want to speak just to speak, they are tired of the blah. . . . So we tell them, if you attend the preliminary sessions, your life will not change overnight but you will understand how things work, that's all. We also said to the municipalities, we are going help you talk about your recruitment and equipment issues to citizens, this is the maximum we can do. The broken promises are the worst thing for citizens and for municipalities. 105

#### **Collecting and Communicating Citizen Preferences**

In addition to monitoring local governments' performance, civil society can collect and communicate citizen preferences to local officials. In Sidi Bouzid, the NGO Smart Solutions has worked to actively inform residents about the role of municipal government and how they can best engage with their elected officials. The organization has held more than twenty workshops in some of Tunisia's most disadvantaged regions—Sidi Bouzid and Kasserine—that collectively brought together 6,500 people to answer the question, "What would you do as mayor?"106

Civil society has also been effective at explaining the importance of decentralization and its mechanisms. As a civil society activist in Sidi Bouzid said, "People want to be autonomous, but they don't trust political parties so they

won't vote."107 The growing distrust between people and their government has the potential to block decentralization's benefits. Thus, civil society must convince people that it is in their interest to participate in local government decisions that directly impact their lives. As the civil society activist said, "People's priority is not politics—it is improving the economy and improving their lives," but many people, particularly outside of the capital, do not fully understand they have the oppor-

Civil society has a crucial role to play both in developing Tunisia's decentralization process as well as in implementing it.

tunity to do that by participating in local governance. 108 As a civil society actor in Tunis noted, civil society needs more financial support to be able to raise awareness about decentralization. As of now, "Most people do not know about it."109

And a delegate from Sidi Bouzid pointed out that citizens are "policymakers" at the local level. Another activist echoed this point, stating that citizens must do more than vote—they need to be engaged in making the decisions and policies that will impact their town and their lives. 110

#### **Actively Participating in Available Mechanisms**

The issue of participatory governance has been highly controversial—so much so that it is one of the only aspects of the Local Authorities Code that was postponed until the end of the discussion due to a lack of consensus. Currently,

Tunisia has a process of participatory budgeting, but civil society activists agreed that local participation needs to expand far beyond that.<sup>111</sup> The constitution has an expansive definition of participation: "Local authorities shall adopt the mechanisms of participatory democracy and the principles of open governance to ensure the broadest participation of citizens and of civil society in the preparation of development programmes and land use planning, and follow up on their implementation, in conformity of the law."<sup>112</sup>

But there is some fear that the code does not put the principle of participatory democracy into practice, as described by the constitution. Thus, for decentralization to succeed, civil society must also facilitate citizen participation in local affairs. As one study noted, "Citizen participation in local government decision making does not come automatically. It requires specific strategies to establish communication channels and build capacities of both citizens (and organizations that represent them) and local governments to engage in a constructive dialogue." 114

While participatory democracy tends to be easier to implement locally, the shift from a top-down, centralized form of governance to a bottom-up, participatory process requires formal incentives—at least in the early phases. One way to do this is to create legislation that requires local government to "gather information from citizens regarding their needs and opinions, grant citizens access to council deliberations, or inform citizens of a pending government decision," as described by a USAID report.<sup>115</sup>

But even legally mandated participation can only go so far without political will. One civil society actor stated,

In 2016, all development projects in Tunisia were participatory, and I say that because the Ministry of the Interior has sent the municipalities a participation guide. There is no procedure to control the implementation of the participatory approach, the only instruction received by the municipalities were that they must hold at least two meetings without any indicators regarding the representativeness of the citizens. . . . Municipalities just need to hold at least two meetings, and they just have to document that with pictures and send them as a report. 116

Even the drafting of the Local Authorities Code did not live up to the participatory standard civil society was expecting. As one activist noted, the law was drafted by legal experts who consulted very little with civil society. When the draft law was first presented, half a day was given to the judiciary to review it, half a day for civil society, and half a day for each of the six regions. Most of civil society's day was taken up by the presentation of the code, and civil society organizations were only given two minutes each to respond. Furthermore, the draft law—with more than 300 articles—was only made available to the public three days before this consultation, leaving very little time for civil society and the public to study it. A member of parliament from the Ennahda party argued that there is a "crisis of confidence between citizens and politicians. This can only be resolved by more dialogue with citizens."

#### The Role of the International Community

The international community can both raise awareness of the decentralization process as well as provide technical assistance and financial support to implement it. Several international donors have conducted rigorous analytical research on local priorities, and USAID is working to improve local-level service delivery in a few pilot projects. Here, public-private partnerships can also play an important role. During the lead up to the May 6 municipal elections, international NGOs and donors provided significant support in candidate training, campaign awareness, and get-out-the-vote efforts. In fact, international experts began the process of training local officials well in advance of the elections. As a civil society activist in Sidi Bouzid said, international donors can help civil society and local officials "broaden their lens" by connecting them with the wider world to teach best practices. 119

The World Bank-supported Urban Development and Local Governance Program has been very successful in both incentivizing good governance at the local level and in digitizing and streamlining bureaucratic procedures. The Ministry of Local Affairs' Local Government Portal, supported by the World Bank, "provides users with diversified information on finances, municipal performance, investment plans and the legal and regulatory framework of local authorities. The E-Reclamation area offers citizens a section where they can register their complaints, and the Local Authorities Area makes it possible to strengthen exchanges between the central level and local communities."120

The sixty-month, 1,220-million-dinar (\$508 million, of which \$300 million was paid by the World Bank) program is designed to "implement the constitutional provisions related to: the decentralization enshrined in the Constitution, the adoption of the mechanisms of participatory democracy, and the principle of free administration of the Commons."121 One of the key aspects of the program is a new grant transfer system where the amount of grants given to a locality is determined by a set of performance evaluation mechanisms. The grants support projects to improve infrastructure and services. 122 To qualify for a grant that year, the municipality must meet the following five minimal conditions:

- 1. have a budget adopted by the council;
- 2. submit financial statements to the Ministry of Finance by July 31;
- 3. have an investment plan approved by the council;
- 4. have a procurement plan uploaded to the national procurement website; and
- 5. have an approved memorandum of understanding with the Tunisian Common Loan Fund (known by its French acronym CPSCL).

Beyond those conditions, municipalities are graded on a 100-point scale, with indicators covering governance, sustainability, and management. Municipalities are assessed by an independent audit, and the results are available on the Local Government Portal. If the municipality receives a grade of 70 or above, their grants will double for 2018 and beyond. <sup>123</sup> In the first year, more than 90 percent of municipalities fulfilled the five basic criteria to give them access to grants for 2016.

#### **Conclusion**

Tunisia's decentralization process has tremendous potential. It is both symbolically important as a key step toward fully consolidating the country's democratic transition as well as a practical step toward correcting some of the regional injustices that occurred prior to the revolution. By empowering local actors and improving service delivery, the government's decentralization effort could help narrow the vast trust gap with Tunisians. However, to be successful, the central government, local government, civil society, and international donors must each invest in the process.

#### Recommendations

The Tunisian central government can take several actions to demonstrate its political will to democratization:

- Manage public expectations by clearly communicating about the devolution of administrative and financial power. This includes publicizing the twenty-seven-year plan, which members of parliament had yet to receive as of this writing, 124 as well as short- and long-term benchmarks upon which the decentralization process will be evaluated by the Ministry of Local Affairs. The ministry should also make publicly available the outcomes of the extensive global research that led to the draft Local Authorities Code.
- **Develop an incentive structure** to encourage highly qualified civil servants to serve in the most marginalized regions. This could include bonus pay or basing promotions on required service in certain regions.
- Ensure a proper public review process for public participation at the local level. The Local Authorities Code does not adequately address the specifics of participatory democracy, instead leaving these to a Guide on Participation to be mandated by a government decree. The idea of issuing a decree on public participation is antithetical to participatory democracy. Rather, the state should issue a draft decree and provide sufficient time and opportunity for nationwide review and stakeholder input into the guide.

The local governments can:

- Provide opportunities for participatory governance outside of those mandated by the law, such as the creation of citizen councils or regular policy preference surveys.
- Devise mechanisms for cross-municipality collaboration and communication. Local officials should focus first on their own territory, but should also work with local officials in neighboring municipalities to discuss issues that bleed across borders and to brainstorm creative policy solutions.

Civil society must continue to play its role as watchdog of the democratic process. But it has an even more important role to play at the local level to encourage and engrain a culture of participatory democracy. Specifically, civil society should:

- Conduct an outreach campaign to the public regarding decentralization. This should be led by local grassroots organizations that have strong credibility in their municipalities and should focus on explaining the role of the municipal council under the Local Authorities Code as well as the opportunities for public participation in local government.
- Connect citizens with participatory governance mechanisms. Civil society should both serve as a knowledge base regarding participation opportunities as well as a conduit between the public and local officials. Civil society should devise mechanisms to capture citizen preferences and communicate those preferences to local officials—either through town halls, formal advisory roles, digital comment forms, or informal channels.

To assist civil society in carrying out these tasks, donors should work to build the capacity of local grassroots organizations and networks (as well as Tunisbased organizations) to enhance their ability to effectively encourage participatory governance. Additionally, international donors should:

- Fund e-government efforts including the digitization of local government forms and processes. The goal should be to create a physical as well as a digital one-stop shop for citizens to access municipal services and communicate with municipal officials. Additionally, donors could support the Tunisian government to create an online portal to help match local government job openings by experience and education with existing government officials.125
- Train and equip local officials based on best practices from around the globe. In partnership with the private sector, donors could ensure that local officials across the country have access to appropriate technological resources to enable them to communicate with Tunis as well as with their constituents. Donors should also train local officials on how to most effectively carry out their duties.

#### **Notes**

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