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Academic citation of this article: Quattrini, Silvia (2020) "Religion, Identity and Ethnicity: The Quest of Tunisian Religious Minorities for Full Citizenship", *Rowaq Arabi* 25 (2), pp. 67-82.

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Religion, Identity and Ethnicity: The Quest of Tunisian Religious Minorities for Full Citizenship

Silvia Quattrini

Abstract

Although Tunisia is usually presented as ethno-religiously homogenous when compared to other countries in the region, its minorities have long undergone a process of invisibilisation and/or assimilation into the dominant Arab-Muslim identity. Moving from a status of *dhimmi* under Muslim empires to instrumentalisation by Western powers under colonialism, more than sixty years after independence and nine years after the revolution, is the quest of Tunisia's religious minorities for full citizenship still ongoing? To answer this question, this article provides an overview of their history as interlaced with issues of identity and ethnicity, legal recognitions before and after the revolution, and societal representation through targeted interviews with community members from three groups. Primarily utilizing a minority-rights theoretical framework, the research shows that religious minorities, although having acquired a certain set of rights, still lack full citizenship to some extent and face societal stigma.

Keywords: Tunisia; Religious Minorities; Citizenship; Identity; Ethnicity

Introduction

Despite economic difficulties and some obstacles in terms of transitional justice, it is generally acknowledged that the 2011 Tunisian revolution has successfully shifted the country into a functioning democracy while bringing improved legal guarantees and a general sense of respect for human rights. One can mention, for instance, the entry into force of Organic Law no. 2017-58, relating to the elimination of violence against women and Organic Law no. 2018-50, relating to the elimination of all forms of racial discrimination. The latter represents a key milestone for Tunisia's black ethnic minority, who, alongside other minorities, has been on the frontline of the demands for change since 2011. However, the quest for full citizenship of the country's minorities has not come to a conclusion; it is rather an in-progress effort that involves not only change at the

legislative level, but first and foremost at the societal level, and for which those directly concerned have been advocating.

Tunisia has a population of approximately 11,700,000 inhabitants¹ and it is usually presented as ethno-religiously homogenous when compared to other countries in the region. This image has been continuously promoted by the Tunisian government since independence (1956).² Because the Tunisian government does not collect data on its population disaggregated by religion and/or ethnicity, the figures provided below are estimates based on NGOs, CSOs and independent research, including the author's.^{3 4}

While the country's longstanding diversity has started to be acknowledged in recent years, the long process of invisibilisation and/or assimilation into the dominant Arab-Muslim identity has put the country's minorities and indigenous peoples in a position of 'secondary citizens' or 'guests of honour'.⁵

This paper will analyse the evolution of religious freedom guarantees since the 2011 revolution by focusing on three groups facing different challenges, thus showing how acceptance, tolerance and/or rejection intertwine with other concepts, such as race, identity, and apostasy. The religious minorities that we will focus on are Tunisian Baha'is, Tunisian converts to Christianity, and Christian sub-Saharan migrants.

The article is based on a minority rights theoretical framework, and it also refers to concepts borrowed from sociological and cultural studies on citizenship and identity from theoretically, geographically and linguistically diverse authors. The article includes desk-based research of national legal texts around freedom of religion or belief and religious minorities,⁶ a reading of local media, and a series of targeted interviews with community members. The interviews were conducted online between April and May 2020, due to the restrictions imposed by the spread of COVID-19, with five respondents.⁷ The article starts with an overview of the history of religious minorities in Tunisia and then moves to the legal guarantees achieved (or not) after the revolution. The following sections provide a glimpse of the issue of ethnicity as well as the lived realities of the concerned groups before drawing the article to its conclusions.

Historical Overview on Religious Minorities in Tunisia and Identity Issues

Historically, Jews and Christians have been the main two religious minorities in Tunisia. Although the Tunisian Jewish community is known to be one of the most ancient in the world, its numbers decreased dramatically over the last century due to several factors. As is the case with Jewish communities in other North African countries, this dramatic decrease can be traced to the impact of Nazism and fascism on the European colonising countries and the creation of the state of Israel. The Nazi occupation of northern France in 1940, the consequent restoration of the Vichy regime in southern France, and the Italo-German occupation of Tunisia in 1942-43 not only brought discriminatory laws but also brought the spread of anti-Jewish sentiments, although it must be said that the impact in Tunisia and North Africa in general was not as tragic as in Europe.⁸

Nevertheless, anti-Jewish sentiments increased in the following years, with the creation of Israel and the consequent Arab-Israeli wars. On the one hand, Habib Bourguiba, a key figure in Tunisian independence and its first President (1956-1987) known for his secularist stances and dismantling of Islamic institutions in internal politics, was mindful of separating his denunciation of Zionism from the country's minority. On the other hand, he also rhetorically used Islam in anti-colonial and nationalist campaigns that contributed to their exclusion.⁹

As a result of all these factors, many Tunisian Jews migrated after the independence. At the end of the nineteenth century, there was believed to be approximately 20,000 Jews (a number that increased during the first half of the twentieth century with some reporting 100,000 members after World War II).¹⁰ Nowadays, there are approximately only between 1,500 and 3,000 Tunisian Jews left, mostly living on the island of Djerba and in some areas of the capital Tunis.¹¹

As for Christians, according to different sources, there is approximately 25,000 in Tunisia, the majority of whom are Catholics.¹² Those are mainly composed of three groups: foreigners living in Tunisia (mostly from sub-Saharan countries and Europe); Tunisian descendants of people of European origins who have settled in the country over various periods (mostly from Italy, France and Malta); and Tunisians of Muslim origins who converted to Christianity. Although there are no official statistics, foreigners are believed to represent more than 90% of this figure. According to the CSO Attalaki (founded in 2016 by a group of Christian youth), the approximate number of Tunisian Christians is 6,000.¹³ This categorisation is however made on an ethnic/national basis, not necessarily reflecting different sectarian identities. Catholics in the country are in fact represented in all three sub-groups mentioned above, and so are smaller confessions, such as Protestant and Orthodox. Although these churches were established through French and Italian missions in the previous centuries, the majority of practicing Christians right now in Tunisia are sub-Saharan migrants.¹⁴

Although the presence of Christianity dates back to the 1st century A.D., the Catholic Church is deemed to have officially entered modern Tunisia in 1841 under the direct overview of the Vatican.¹⁵ After the imposition of the French protectorate, the archdiocese of Carthage was established in 1884, and the Catholic presence became stronger. After independence, in 1964, the Vatican concluded an agreement with the Tunisia Republic called 'Modus Vivendi' to regulate relations between State and Church. Although this document provided several protections, it also guarded against public expressions of faith, such as ringing bells, processions and all acts of proselytising. There are now twelve Catholic churches in Tunisia, one monastery and other associated services (schools, libraries etc).

The other confessions are represented mostly by: the Evangelical Reformed Church (instituted in 1882; originally a French speaking congregation, with fifteen to twenty nationalities represented in three cities, including Tunis);¹⁶ the Anglican Church of Saint Georges in Hafsiya (Tunis) (instituted in 1901);¹⁷ and the Orthodox Church, represented by the Greek and Russian Church (instituted in 1862 and 1956 respectively). It is difficult to gauge exact figures about these communities because the Tunisian State does not recognise any other Church beyond the Catholic one (apart from the recognition of the existence of foreigners practicing those religions).

Although some sources report that the Protestant Church received formal recognition in 1933 through a Beylical decree,¹⁸ in a 2012 TV documentary on Christianity in Tunisia, two counsellors of the Ministry of Religious Affairs stated that Tunisians belonging to Christian communities lacked any legislative framework to exercise their religion in public.¹⁹ Rached and Wided from Attalaki stressed that these Churches operate under foreign supervision (French supervision for what concerns the Reformed Church), but Tunisians are not recognised.²⁰

In Tunisia, like in every country that became part of the Islamic empire in the 7th century A.D., Jews and Christians were recognised as *ahl al-kitab* (people of the Book) and were subjected to the *Dhimmi* system. This system, based on acceptance and tolerance, allowed for certain rights, but not for all of them in a way that we would understand full civil and political rights nowadays.²¹ While establishing the earliest protection of minorities, this system also came with a separate and ultimately inferior status, which still partially influences today's perception of religious minorities.

Whereas in contemporary Tunisia, the great majority of rights are guaranteed, religious minorities cannot (by law, by practice or by shared belief) occupy a very limited, but still relevant, number of professions as seen below. In my experience, I found that the concept of minority is itself often rejected in the region, including in Tunisia, most likely because of the above and because of the legacy of French colonial rule, which privileged certain communities over the majority and the perceived 'loyalty' of these groups to groups that are seen as *Other* to the emerging national identity. The tendency of being associated with Western powers was captured by Ghassen Ayari, a human rights activist: 'For a Tunisian citizen, it is normal to hear that someone is a Jewish Tunisian, although this is dealt with a bit as a folkloristic topic. But for an ordinary Tunisian to hear that someone is a Christian Tunisian, it means they are either receiving money to spread a foreign agenda or they want to get a visa to leave the country.'²²

All these factors have contributed to a persistent societal perception of religious minorities as foreigners (Christians more than Jews due to the longer presence of the latter), or at least as not fully Tunisian. This can be linked to a construction of identity based on a monolithic concept where the 'perfect citizen' of Tunisia is Arab *and* Muslim, and where being Arab automatically means being Muslim and vice-versa. On the one hand, as Abu-Assad notes in the case of Jordan, since there is no clear conceptualisation of what it means to be Jordanian, as nationalism in Jordan was constructed around the concept of 'Arabism', it is generally assumed that being Jordanian means being Arab, thus putting non-Arab Jordanians in a situation where they develop narratives to negotiate their identity.²³ The same can be argued for the Tunisian scenario. On the other hand, as noted by an interviewed Tunisian Amazigh woman, 'when you start speaking with people about the Amazigh issue, they ask you immediately whether you are Muslim. There's always a lack of distinction between religion and identity'.²⁴

When it comes to Baha'is, they can be considered a 'recent' religious minority in Tunisia: Baha'ism arrived in the country in 1921 with Mohieddine Kurdi.²⁵ One could argue that, not being historically recognised as *ahl al-kitab*, Baha'is face more barriers towards acceptance, as they are still not officially recognised. A fatwa was issued in 2008 by the at-the-time mufti of the

Tunisian Republic Kamaledine Djait, stating that ‘Baha’i as a creed [or a sect] is out of Islam and has nothing to do with Islam, rather it is contradicting and destroying whatever Islam has brought’.²⁶ This can attest to the fact that Baha’ism is at times perceived as a ‘threat’ to the Muslim community, something that may be amplified by the general societal lack of knowledge around their beliefs. Nevertheless, Baha’is try to counteract this ignorance by sharing information and participating actively to public events around coexistence, human rights and citizenship. For instance, in March 2020, the Baha’i community invited all religious groups to an online collective prayer against COVID 19.²⁷

As a result of those barriers and also because Baha’is are not organised around a clergy, it is very difficult to get an accurate estimate of Baha’is in Tunisia. Although they have democratically elected institutions, the faith is lived at a more individual level as one is not automatically born into the religion. Some say they number in the hundreds or few thousands, but community representatives are very reluctant to confirm this. An official Facebook page with 16,000 likes may attest to a growing interest in the community though this cannot be used to provide estimates for the number of actual believers.²⁸

As is the case with the other minorities mentioned above, but probably even more so in the case of Baha’is, the concept of minority is not particularly endorsed; instead, the community stresses the need to work around the concept of citizenship. This attitude can be supported by the fact that, among the main beliefs of Baha’ism, there is a call to pay special attention to the current era in which one is living, to contribute to society, and to respect the laws of the state.

In conclusion, the Jewish, Christian and Baha’is communities in Tunisia present a very different history, which is reflected in the level of legal guarantees presented in the next section. However, they all struggle with a certain negotiation of their identity vis-à-vis a monolithic conception of the Tunisian citizen, who is understood to be Arab and Muslim.

Legal Guarantees for Religious Minorities after the Revolution

The 2014 Constitution stresses in its preamble the ‘Islamic-Arab identity’ of Tunisia. Article 1 reads: ‘Tunisia is a free, independent, sovereign state; its religion is Islam [...]’ Over the last six years, several debates arose on whether ‘its’ was meant to indicate the State or Tunisia as ‘the people’, but most commentators believe that this confusion is clarified by Article 2, which clearly states that ‘Tunisia is a civil state’ and therefore Islam cannot be legitimised as a source of law.

Freedom of religion or belief has long been recognised in the modern Tunisian state. The *Ahd al-Amen* (pledge of security), introduced in 1857 by Mohammad Bey, granted civil and religious equality to all, which represented a turning point in the history of Tunisia and its minorities. Just a few years later, in 1861, the Constitution ensured the protection and equality of all citizens, regardless of their religion (Articles 86 and 98). In 1957, the Tunisian jurisdictional system was unified (with Qur’anic, Rabbinical and French courts being abolished). The first Republican constitution, issued in 1959, guaranteed the ‘free practice of religious beliefs, provided this does not disturb public order.’ (Article 5).

Freedom of religion or belief is currently guaranteed by Article 6 of the 2014 Tunisian constitution. However, this article also mentions that ‘the state is the guardian of religion’ and it undertakes ‘protection of the sacred’ without describing what that entails. As noticed by the UN Special Rapporteur on Freedom of Religion or Belief, Ahmed Shaheed, after his visit to Tunisia in 2019, ‘[s]uch a provision could be problematic if it is interpreted as an obligation upon the State to protect religion per se, rather than individuals’.²⁹ Some commentators argued that it seemed to have been applied so far only to defend Muslim sensitivity, while incidents of hatred against religious minorities’ representatives and sacred places are not taken as seriously as the incidents described below.

Moreover, freedom of religion or belief is meant to cover the freedom to convert or to not have a religion; however, this has proved to be a sensitive issue. In Tunisia there are no explicit laws condemning apostasy; however, family and societal pressure applies to those converting from Islam. There are also no laws condemning blasphemy, yet since the revolution, public order and public decency articles of the Criminal Code have been invoked in some instances to prosecute speech or behaviour that offends religious sensibilities. One can mention a case from 2012 where two Tunisian youths were sentenced to seven and a half years in prison after posting caricatures of the Prophet Mohammed on Facebook, based on Article 121(3) of the Criminal Code, for publishing material ‘liable to cause harm to the public order or public moral.’ One was convicted in absentia and the other was released in 2014 after serving two years.³⁰ Another case concerned some non-fasters (*fattara*) during the month of Ramadan in 2017 who were convicted on the basis of article 226 and 226 *bis* of the Criminal Code (offense to decency and good morals) for eating, smoking or drinking in public.³¹ Similar incidents were reported by a collective of CSOs in 2019, such as the episode of a café owner in Kairouan, who was convicted with a suspended sentence of one month and a fine for publicly offending morality because he kept his café open during Ramadan fasting hours.³²

The prohibition on proselytising for religious minorities is attributed to different sources: a circular from the 1980s (which text is not accessible online), the ‘Modus Vivendi’ agreement with the Vatican, and the aforementioned Criminal Code provisions. This has proved to be particularly problematic for converted Christians, who were targeted in several incidents in recent years. In 2016, anti-terrorism forces questioned a group of Christians of different origins (Algerian, Egyptian and Tunisian) as they were speaking about religion among themselves in a café.³³ In February 2020, a group of foreign missionaries were arrested for reading the Evangel. Although the news was reported by several outlets, the legal basis upon which they were accused remains unclear.³⁴

According to Ayari, the accusation of proselytising can be loosely applied by the authorities, and people could be arrested for simply owning a Bible and giving it to someone. He also added that this problem seems to impact Protestant believers more than Catholic ones, since the Catholic presence is acknowledged and regulated as seen above.

The fact that the Jewish community is recognised by the State as a longstanding presence can be exemplified by the fact that the Chief Rabbi is paid directly by the State. The State also

provides security for all synagogues. In 2019, significant attention and governmental representation was given at the annual Jewish pilgrimage to the El Ghriba on the island of Djerba (thousands of years old and recognised as one of the main Jewish sites). This had followed the 2018 appointment of a Jewish businessman, René Trabelsi, as Minister of Tourism, which was seen by many as a marked gesture for the relaunch of tourism.³⁵

The main legal battle for recognition has been led by the Baha'i community, who filed three cases to register as a civil organisation after the revolution. Since 2012, they have attempted to register under the name of 'Baha'i Association of Tunisia'. The request was refused by the Prime Minister because of the inclusion of 'Bahá'í' in the name of a civil organisation (with the justification that civil organisations are not supposed to be religious in nature, even though several civil Muslim organisations exist). They went to the administrative tribunal to appeal this decision, and because they did not receive a reply, they also initiated procedures for the same case before the Tribunal of First Instance. Their case was rejected there on the basis of the decision resting with the Prime Minister.

In late 2017, the community sent a letter to the President of the Republic, the President of Parliament and the Prime Minister, denouncing discrimination against the community and asking for recognition of their faith, in particular the National Spiritual Assembly. Finally in 2020, the community received a positive judgement on the first verdict from the administrative tribunal. Yet the decision was not definitive at the time of writing, as there is the potential for an appeal by the Presidency of Government. The time to present an appeal has technically expired, however, because of the lockdown measures imposed in response to COVID -19, the tribunals halted most of their work and it remains unclear when the final judgement will be published. Welcoming the first-degree decision and the text adopted by the tribunal, Mohamed Ben Moussa, member of the information office of the Baha'i community, found it 'has impressive references and arguments and can be used as jurisprudence on the subject by others. This is not just a Baha'i business; it is a contribution towards citizenship'.³⁶

When it comes to mixed marriages, a circular in place since 1973 that prevented Tunisian women of Muslim origin from marrying non-Muslim men was repealed in September 2017. However, some civil state officers still refuse to conclude those marriage contracts,³⁷ an action that also contradicts the fact that marriages in Tunisia are technically civil (the religious ceremony can be added by the family by bringing an imam to the office). Moreover, based on a 1957 law, official documents, such as birth, marriage and death certificates do not contain information about a citizen's religion.

While cemeteries are deemed to be public according to the law (since they belong to the municipalities and not to a religious institution), in practice issues of burial are dealt with according to the Sunni Muslim tradition. Because other Christian minorities are not recognised, the Catholic diocese of Tunis takes care of the main Christian cemetery of Borgel (which is next to the Jewish one) in Tunis. This means that all Tunisians born with a Muslim name (i.e. everyone except those born out of Jewish families) who converted to other religions, such as Baha'ism and Christianity, do not have the right to be buried according to their faith, with exceptions made for

the few who went through the official Catholic baptism. In 2018, the Baha'i community petitioned the Minister of Local Affairs to establish a Bahá'í cemetery but have yet to receive a reply. The association Attalaki also requested to have a cemetery for all Christian confessions that can host Tunisians and foreigners alike.

When it comes to churches other than the Catholic one, they are left in a sort of legal void since they are under the aegis of the countries who founded them, for instance, the French Church for what concerns the Reformed Church of Charles-de-Gaulle. However, the Tunisians who frequent those churches are not recognised. Since those churches are frequented mostly by foreigners, and particularly by sub-Saharan migrants, authorities seem to deal with them with an esprit of 'laissez-faire', while those churches in return keep 'quiet' not to attract any problem, for instance, by keeping celebrations strictly within their premises. The main demand of Attalaki has been the creation of an independent Tunisian Church gathering all Christian confessions in order to have ownership over the administration of their affairs; they are therefore working to improve the communications between the different groups to have a unified voice.

The main legal direct discrimination faced by religious minorities is captured in Article 74 of the Constitution, which affirms that only Muslims are eligible to stand for the office of the President. First of all, this can be considered a subjective criterion, since although being Muslim is usually 'assessed' by the family name it does not necessarily mean that a person is a believer or has not converted, as most Tunisians converting to Christianity or other religions keep their birth name. Second, it reinforces this aforementioned perception that a 'real' Tunisian is Muslim and that a non-Muslim Tunisian does not have the interest of his/her country at heart as much as does a Muslim in order to assume such a prestigious role.

While conducting interviews with religious minorities for a previous study, it emerged that, even if the article was not in place, there was a shared feeling that no one from a religious minority would 'dare' consider running for the presidency. Moreover, although Law No. 112 of 1983 protects freedom of conscience for public servants, in practice - to take certain public functions or enter certain professions, such as judge and lawyer - one is required to swear on the Qur'an as part of their induction.

It is also worth mentioning Article 39 of the Constitution, which guarantees the right to free public education, but it adds that '[The State] shall also work to consolidate the Arab-Muslim identity in the young generations'.³⁸ The lack of information in school curricula on the different religions and ethnicities, as well as the Amazigh origins, of the country, has been highlighted as a major issue by most respondents in previous and current interviews. This has contributed to the invisibilisation of the country's diversity over the years.

In conclusion, it can be stated that Tunisia's religious minorities are not among those who have so far enjoyed the most progress in terms of legal guarantees for individual freedoms and rights brought by the 2011 revolution. Indeed, the legal framework has progressed only slightly forward compared to the pre-revolution situation where most religious minorities already enjoyed a certain amount of rights. The climate, not just from the legal standpoint but also from a societal

one, remains one of ‘tolerance’ rather than full citizenship, as we will see in the next sections. However, we will first discuss how the issue of ethnicity may intertwine with that of religion.

Ethnicity in Tunisia: The Invisibilisation of Black Communities

The issue of ethnicity in Tunisia is particularly sensitive and could be summarised in two main problematic points. First, the government does not seem to mind acknowledging the mixed origins of the country: Amazigh, Byzantine, Ottomans are often mentioned when discussing the past. However, the government also presents a position where the population is now ‘ethnically integrated’; this reinforces a discourse where 99% of Tunisians are supposed to be Arab-Muslim and where Amazigh are presented as people from the past with no link to the present. According to Ayari, ‘the discourse that has been proclaimed since independence, and even after the revolution, is that the history of Tunisia is strongly linked to the Arab period only. The rest of history is suppressed along with all the richness and diversity we have (Judaism, Christianity, non-Sunni Islam, the Amazigh history etc)’.

The second problematic point concerns black Tunisians. If, on the one hand, Amazigh and Arab communities could have mixed without this being externally noticeable nowadays, the ethnic question is impossible to escape for black Tunisians, as their bodies are easily identified. In this regard, although Tunisia passed a law against racial discrimination in October 2018, the government seems much less enthusiastic in recognising the African origins of the country. The history of the black population is mostly linked to the history of trans-Saharan slave trade in Husainid Tunisia (1705-1881) (with smaller groups coming as economic migrants and to study religion at the Zitouna).

Although it is difficult to find exact figures since the government does not collect disaggregated data, community-based organisations refer to approximately 10% or 15% of the population as being black.³⁹ As a result of this invisibilisation, black Tunisians are exposed to racism and sometimes even to treatment as non-Tunisians, at least by those who do not know them personally, since a person might assume that they are sub-Saharan until they hear them speak Tunisian Arabic. As clearly explained by Jankowsky,

[w]hereas Berbers and Jews have been considered [...] indigenous others to politically dominant Arabic-speaking Muslims, sub-Saharan have been understood to be geocultural outsiders. However, it has not always been possible to categorize them as non-Muslim and non-Arabic speakers, as most slaves were converted to Islam before or after their arrival in North Africa and learned to speak Arabic once there.⁴⁰

At the time, many organised in what are known as ‘communal houses’ (diyar jama’a), a self-support network of households hosting slaves, then ex-slaves and the offspring of displaced marginalised migrants, who kept their rituals alive and mixed them with Islamic practices popular in Tunisia. This mix gave life to what is known as Stambeli.⁴¹ Stambeli is a word used to refer to a set of customs and practices, including healing-trance music, representing a phenomenon of syncretism between sub-Saharan and North-African traits, such as the cult of black and white saints. Stambeli cannot be considered as a religious minority strictly speaking:

up to relatively recent times they represented a social group consisting of people whose interrelation was based on a certain sense of unity and interconnection. The term “community” would thus not be inappropriate as far as it is applied to groups of individuals sharing communal cultural and linguistic traits, social solidarity and hierarchical organization features.⁴²

Although Stambeli was criticised by certain Muslim scholars because of the cult of saints and the introduction of animist practices, one must note that: a) Stambeli consider themselves Muslims, their religion is Islam and it would be an offense to them to be considered a religious minority; b) Stambeli clients are Muslim Tunisians (sometimes even Jewish) and the lack of contradiction for most Tunisians can be ascribed to the history of Sufism, general respect for the cult of saints and the moderate Muslim orientation that is typical of the country.⁴³ It is also important to stress that, although similar movements can be found in other North-African countries, Stambeli is a complex mix of sub-Saharan, Islamic, Tunisian and Ottoman referents that can be found only in Tunisia and has not originated in any sub-Saharan country.

My understanding is that there is no contemporary connection between the (few left) Tunisian descendants of sub-Saharan Africans still practicing Stambeli nowadays and the current sub-Saharan migrants. According to the 2014 official census there were 53,490 foreigners living in Tunisia, of whom 53% come from MENA countries, 28% from Europe and 14% from sub-Saharan Africa (7,524). However, two things must be noted. One, the numbers could be actually *much* higher considering the high percentage of those being in an irregular situation. For instance, in 2015 the Association of African Students and Interns in Tunisia reported more than 8,000 sub-Saharan students. Two, although sub-Saharan migrants do not make up the highest percentage, two thirds of those applying for asylum in Tunisia come from sub-Saharan countries.⁴⁴ Among the migrant population, they are therefore those usually in the most vulnerable situation (including exposure to human trafficking) due to several factors: their pre-travel conditions, the difficulty of obtaining papers, and the socio-economic precarity and racism to which they are exposed.

The number of sub-Saharan migrants in Tunisia started increasing in the early 2000s and increased even more after the revolution. Tunisia can no longer be considered as a transit country, but it is nowadays a destination for studies, work and opportunities. However, because of diffused racism, in 2017 the Association for African Students and Interns in Tunisia (AESAT) affirmed that approximately half of the 12,000 sub-Saharan students in Tunisia left in recent years due to public humiliation and verbal or physical assault.⁴⁵

Although migrants cannot be considered as a minority and constitute a category of law in itself according to international law, it is important to mention them in this context because they constitute approximately 90% of the Christian population in Tunisia (without forgetting that there are also many Muslim sub-Saharan migrants) and this has a certain number of consequences.

First, the high number of sub-Saharan migrants who actively practice their religion compared to European migrants is reflected in the composition of the Catholic clergy in Tunisia: out of a total of almost thirty priests, the great majority are sub-Saharan, including the Vicar General of the Diocese of Tunisia, attesting to a changing reality as in previous decades most of them were Italian and French. French is the official language of the Tunisian Church and,

although there are efforts to introduce sections of the mass in Standard Arabic as some of the clergy came from Arabic-speaking countries, it must be noted that the choice of French allows all nationalities to understand, as many Sub-Saharan and European migrants do not speak Arabic. This reality is also reflected in the Protestant Christian confessions, where the great majority of clergy is from sub-Saharan countries.

Second, this has led to the consolidation of a spirit of tolerance and non-interference from the State, which is linked to the increasing number of migrants, the relocation of the African Bank of Development in Tunisia between 2003 and 2014, and the bilateral agreements between Tunisia and sub-Saharan countries. While the State has never interfered with foreign communities' religious practices, these communities in return have been careful to not be too visible or attract problems.

Although the State's tolerance of this presence indicates a spirit of openness typical of Tunisian politics, it also shows how certain opportunities can be missed. For instance, the State may send security officers and representatives during official Catholic ceremonies, yet it does not do so for Protestant ceremonies. As pointed out by an interviewee from the migrant community, 'even in this COVID-19 situation, where those religious representatives could play a role in raising awareness, there was no official mobilisation, for instance in explaining that places of worship are closed and to stress that migrants should not gather in private places to practice their religion. There is a risk not only of breaking the rules, but of spreading the virus.' Moreover, 'These people [religious figures] can play a strategic role also in the fight against human trafficking'.⁴⁶

In conclusion, the spirituality of black Tunisian communities has not been taken into consideration in the Tunisian official narrative. As for black migrants, their religious practices are tolerated. Indeed, the accounts of controls over private religious gatherings or the limitations over the expression of one's freedom of religion or belief mentioned above only relate to situations where Tunisians were involved. I believe tolerance towards the practices of migrants is due to the fact that, as foreigners, they are not perceived as a 'threat' to the Arab-Muslim identity of the country.

A Glimpse of the Lived Realities Beyond Legal Guarantees

According to Ayari, there are between sixty and seventy Catholic Tunisians who were baptized and received the consequent certification from the Church allowing them to be recognised by other Dioceses for marriages, etc. This means that technically - since the Tunisian state recognises the Catholic Church as seen above - it should also consequently recognise all the believers recognised by this authority.

However, the path to Christianity takes a considerable amount of time, as the clergy is responsible for ascertaining the sincerity of the disciples while not undertaking any proselytising. While there is no Catholic Tunisian priest in the modern history of Tunisia, there is currently a novice preparing to become one. Research has unearthed the existence of several Tunisian

Protestant clergy. Yet they do not appear to have any relationship with the Tunisian Ministry of Religious Affairs, as is the case with the foreign Protestant clergy, who are appointed and managed by the countries supervising those churches.

The fact that the regularisation of Church affairs took place during the French protectorate first and then during independence, with the view of regulating the lives of French, Italians, and Maltese living in the country, still has an impact on Tunisian Catholics: 'we are seen by a majority of Tunisians as some sort of continuation of the French presence in Tunisia. [...] Even in the media discourse up until today, there is a utilisation of this link between Catholic Tunisians and French people', says Ayari.

When it comes to mainstream media, the minority issue is often ignored or discussed in a problematic and stereotypical way. In the aforementioned 2012 documentary by El Hiwar Ettounsi on Christian Tunisians, the journalist starts off by asking people in the streets whether they know of and accept the existence of Christian Tunisians. The journalist then tries 'to catch' Tunisians leaving a Protestant church while asking them questions in a tone that seems to aim at depicting them as apostate.

Fear, lack of information, and societal stigma around conversion are accompanied by the use of French as a factor that can 'put off' those interested in learning more. In fact, although French is the most practical solution considering the composition of the Christian community in Tunisia, not all Tunisians feel at ease with the language and with the fact that the majority of believers are from different communities. As for Tunisian and Arabic-speaking Protestants, they managed to get services in Arabic once a week in one of the Tunis churches.

Although the language issue is important, Ayari thinks that:

The priority right now for a Catholic Tunisian is to be accepted by society. When the President speaks on TV, he is supposed to speak to all Tunisians, not only to Muslims, but sometimes we don't feel addressed, treated as if we are something without identity. We cannot be 100% Tunisian because we are not treated as such from a legal point of view, and neither are we from an identity perspective. It is given for granted that one as a Tunisian is Muslim; the question about religious affiliation is not even asked.

This feeling is confirmed by Wided, 'people ignore the existence of different sects within Christianity and it is weird for them to hear that a Tunisian is Christian'.

While Ayari has never faced issues with his family or people he knows, he sporadically receives insults on social media as he is visible for his human rights activism, religious belonging, and artistic activity. He acknowledges himself to be lucky compared to others who faced hardship and rejection from their families because of their conversion. Attalaki reported several incidents of harassment and intimidation faced by converts, mostly coming from family members, acquaintances and neighbours 'but they never want to file a complaint, when they go to the police office those episodes are trivialised; even when they file one, then they're scared of going to the court and they annul after one or two months' says Wided.

Although members of the Tunisian Christian community and the Baha'i one share similar concerns, they also share a certain sense of hope for future developments. In the words of Ben Moussa:

It is just a matter of time. The awakening of awareness is a long path, from having a country in which everything was monochrome – one colour, one political party, one ideology, one nation, one religion, the non-recognition of racial discrimination... People now start to realise we are in the utmost diversity, some accept it, but some are still scared of it and it is understandable, but it is inevitable to eventually create this acceptance of diversity because monochromatism is an illusion.

Ayari also admits that the Tunisian Catholic community has very recently emerged, and their issues will be therefore addressed with time and effort 'thanks to the strong sense of citizenship that Tunisia has and that goes beyond any type of sectarianism'. For Wided what they need is 'perseverance, endurance and patience'.

As for sub-Saharan migrants, their concerns seem to be mostly centred on issues linked to racial discrimination: 'I hear all the time people who are discriminated because they are black, because they are foreigner, but I have never heard of incidents connected to their religious affiliation' says one interviewee.

Ben Moussa stresses that the priority of the Baha'i community is the public health emergency created by COVID - 19 and what will follow, rather than the specific interests of one group.

As a community, we prioritise the call to solidarity, unity and cohesion. We need to be united in our diversity [...] and recognise the limits of identity politics. This is in the best interest of dignity in a situation where many people in Tunisia are living in a catastrophic situation [referring to worsened economic situation due to the measures to limit the spread of the virus], including our sub-Saharan brothers and sisters. We need a call to solidarity that goes beyond the national and nationalistic framework for a new consciousness of citizenship.

Several existing interfaith initiatives consolidated between March and May 2020. Religious leaders, representatives of the different communities, as well as civil society actors active in the field of religion attended online meetings to discuss how to adapt to the current situation and to coordinate initiatives to support people in need.

Nevertheless, there is still minimal visibility of religious minorities in the public sphere; especially when it comes to political participation. Known figures can be counted on the fingers of one hand.

Conclusion: The Quest for Full Citizenship Continues

I have observed that, on the one hand from a legal perspective, religious minorities do not seem to be among those who benefitted the most from the guarantees brought by the revolution and the consequent democratic transition. On the other hand, we have seen that in the past nine years, apart from some reported incidents where security forces and judges targeted non-Muslims, the

State does not seem to have a confrontational approach towards religious minorities, instead dealing with them in a ‘esprit de tolerance’ typical of the Tunisian approach. Yet this tolerance comes without full acknowledgment, leaving many religious minorities in a legal void and on a continuous path of advocacy for their complete recognition.

We have also seen that most harassment comes from society and is reflected in media and political discourses depicting non-Muslim Tunisians as ‘second class’ citizens (or, in the worst case scenario, even as apostates when it comes to those who converted). This relegation to second-class citizenship is linked to a history of minority invisibilisation, in which the modern Tunisian state is built upon a conceptualisation of identity that is both Arab *and* Muslim.

As for sub-Saharan migrants, they certainly face challenges linked to racism, but they do not seem to be discriminated against on the basis of religion, most probably because they are not perceived as a threat to the identity of the country. Although the focus of this research was on religious minorities and not all minorities, we briefly touched upon the situation of black Tunisians, who have been completely removed from the official discourse, to show how issues of ethnicity may intertwine with religion to disrupt or challenge the conception of Tunisian national identity as an Arab-Muslim monolith. Eventually, the changing demographics must be taken into account, as well as the long-standing religious and ethnic diversity in Tunisia. Time and the effort of those directly concerned seem to be the main impetus towards the acquisition of full citizenship for all Tunisians.

Acknowledgements

The author would like to thank the interviewees for their time and dedication and Prof Joshua Castellino for his feedback.

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¹ According to the Tunisian National Institute for Statistics, the population on 1st of July 2019 was 11,722,038. Accessed 22 May 2020 <http://www.ins.tn/fr/indicateur-cle>

² See preamble and Article 1 of the 2014 Constitution, as well as preamble and Article 1 of the 1959 Constitution.

³ Some authors refer to figures provided by the United States government, of between 98% and 99% of the population being Arab and Sunni Muslim. I reject these data for the reasons just mentioned and that will emerge in the article.

⁴ Academics also refer to this questionable and almost absolute percentage of Arab and Sunni population: Masri, Safwan M. (2017) *Tunisia: An Arab Anomaly* (New York: Colombia University Press); Alexander, Cristopher (2016) *Tunisia: From Stability to Revolution in the Maghreb* (London and New York: Routledge) p.1.

- ⁵ Quote from a Jewish Tunisian respondent interviewed by the author in August 2018 in the framework of a previous study.
- ⁶ Some research was conducted in the framework of a previous study, the results of which are still relevant. Quattrini, Silvia (2018) 'Identity and Citizenship in Tunisia: The Situation of Minorities After the 2011 Revolution', *Minority Rights Group International*, November 23.
- ⁷ They were conducted in French and Tunisian Arabic and quotes are translated into English by the author.
- ⁸ Cherif, Fayçal (2011) 'Jewish-Muslim relations in Tunisia during World War II: Propaganda, Stereotypes, and Attitudes, 1939– 1943' in Emily Benichou Gottreich and Daniel J. Schroeter (eds) *Jewish Culture and Society in North Africa* (Bloomington: Indiana University Press).
- ⁹ Masri, op.cit., p.175. Jankowsky, Richard C. (2010) *Stambeli: Music, Trance and Alterity in Tunisia* (the University of Chicago Press), p.63.
- ¹⁰ Anderson, Lisa (1996) 'North Africa: Changes and Challenges', *Dissent* (43) 3, pp.113-116; Masri, op.cit, p.238.
- ¹¹ The United States Department of State (2017), *International Religious Freedom Report: Tunisia*, reports between 1,500 and 2,000 Jews, while the Tunisian government (2007), *report to the UN Committee on the Elimination of Racial Discrimination* (CERD/C/TUN/19) reported 3,000.
- ¹² L'Observatoire de la Liberté Religieuse, accessed 22 May 2020, <https://www.liberte-religieuse.org/tunisie/>
- ¹³ In the aforementioned report to the CERD (2007), the Tunisian government refers to 2,000 Tunisian Christians.
- ¹⁴ Cathédral Catholique de Tunis [Catholic Cathedral of Tunis], accessed 22 May 2020 <http://www.cathedraledetunis.com/>
- ¹⁵ Eglise Catholique de Tunis: notre histoire [Catholic Church of Tunis: our history], accessed 20 June 2020 <http://www.eglisecatholiquetunisie.com/notre-histoire/>
- ¹⁶ Eglise Reformée de Tunisie [Reformed Church of Tunisia], accessed 10 May 2020 <https://www.ertunis.com/>
- ¹⁷ St George's Anglican Church, accessed 22 May 2020 <https://stgeorgetunis.com/>
- ¹⁸ Report of the Special Rapporteur on Freedom of Religion or Belief to the Human Rights Council, 3 October 2019 (A/HRC/40/58/Add.1).
- ¹⁹ TV Tounsia (2012) 'Fī al-ṣamīm: al-masīhiyat fī Tūnis' [In depth: Christianity in Tunisia], accessed 22 May 2020 <https://www.youtube.com/watch?v=agdTCVyHF1U>. The documentary addressed the issue in a problematic and derogatory manner. It was shared by other YouTube channels where insults and negative comments can be found.
- ²⁰ Joint interview conducted on 23 May 2020.
- ²¹ Castellino, Joshua, and Kathleen Cavanaugh (2014) 'Transformations in the Middle East: The Importance of the Minority Question', in Will Kymlicka and Eva Pfostl (eds) *Multiculturalism and Minority Rights in the Arab World* (Oxford University Press) p.63.
- ²² Ghassen Ayari is a human rights activist and member of the association Attalaki, which advocates for the rights of religious minorities. He is also a filmmaker and university teacher. The interview was conducted on 27 April 2020.
- ²³ Abu Assab, Nour (2011) "Narratives of ethnicity and nationalism: A case study of Circassians in Jordan" PhD thesis (University of Warwick), accessed 20 May 2020 <http://go.warwick.ac.uk/wrap/50794>
- ²⁴ The interview was conducted by the author in December 2019: "Azref i Tamezla: The right to diversity", *Minority Rights Group blog*, 18 December 2019, accessed 20 May 2020 <https://minorityrights.org/2019/12/18/azref-i-tamezla-right-to-diversity/>
- ²⁵ 'Al-Bahā'iyūn fī Tūnis: Tārīḥ al-Bahā'iya fī Tūnis' [The Bahá'is of Tunisia: Baha'i history in Tunisia], accessed 22 May 2020 <http://bahaitn.org/arabe/histoire.html>
- ²⁶ Basheer, M. (2009) *Bahai Awareness*, accessed 22 May 2020 http://www.bahaiawareness.com/fatwas_tunisia.html
- ²⁷ Salman, Hassan (2020) 'Ṣalāt ḡamā'iyya ...' [Collective prayer...] *Al-Quds Al-Arabi* Mars 30, accessed 22 May 2020 <https://bit.ly/2zdYlmi>
- ²⁸ Les Bahá'is de Tunisie [The Baha'is of Tunisia], accessed 22 May 2020 <https://www.facebook.com/bahais.Tunisie/>
- ²⁹ Report of the Special Rapporteur to the Human Rights Council (2019).
- ³⁰ Amnesty International (2014), 'Jabeur Mejri, Tunisia: How your words change lives', December 3, accessed 20 June 2020 <https://www.amnesty.org/en/latest/campaigns/2014/12/jabeur-mejri-tunisia-how-your-words-change-lives/>
- ³¹ The Civil Collective for Individual Liberties (2017) *2017 State of Individual Liberties: Continuing and Intensifying Violations* (Tunis), p.3.
- ³² The Civil Collective of Individual Liberties (2020) *Individual Liberties in 2019: the danger of populism*, April (Tunis), p.12.
- ³³ 'L'ATSM dénonce : la police harcèle des Chrétiens à Gafsa' (2016) [ATSM denounces : the police harasses some Christians in Gafsa] *Kapitalis*, December 1, accessed 22 May 2020 <http://kapitalis.com/tunisie/2016/12/01/latsm-denonce-la-police-harcele-des-chretiens-a-gafsa/>

³⁴ ‘Un groupe de missionnaires évangéliques arrêté à Sousse’ (2020) [A group of evangelical missionaries is arrested in Sousse], *Webdo*, February 18, accessed 22 May 2020 <http://www.webdo.tn/2020/02/18/un-groupe-de-missionnaires-evangeliques-arrete-a-sousse/>

³⁵ Castel, Frédéric (2019) ‘En Tunisie, le pèlerinage juif de la Ghriba pour relancer le tourisme’ [In Tunisia, the Jewish pilgrimage to the Ghriba to re-launch tourism] *BBC Afrique* May 24, accessed 22 May 2020 <https://www.bbc.com/afrique/region-48404272>

³⁶ Mohamed Ben Moussa is also professor of architecture and an active member of civil society. The interview was conducted on 10 May 2020.

³⁷ Civil Collective of Individual Liberties, op.cit, p.8.

³⁸ The Arabic and French version are slightly different in the choice of terms.

³⁹ Mazzei, Vanessa (2015), ‘The continued discrimination facing black Tunisians’, in Minority Rights Group, *Afro-Descendants: A Global Picture*.

⁴⁰ Jankowsky, op.cit., p.17.

⁴¹ See chapter 2 of Jankowsky, op.cit.

⁴² Meneghelli, Valeria (2016) *Campaign for Stambeli tradition: Report on Stambeli tradition today*, April (Art Solution: Tunis) p.13.

⁴³ See chapter 2 of Jankowsky, op.cit. For the last point see Ghrissa, Saloua (2015) ‘De la coexistence culturelle et religieuse en Tunisie : l’exemple de la communauté noire’ [On cultural and religious coexistence in Tunisia : the example of the black community] in Farchichi, Wahid (ed) *Libertés Religieuses en Tunisie* [Religious Liberties in Tunisia] (ADLI: Tunis).

⁴⁴ Terre d’Asile Tunisie (2016) *Portraits de Migrants : les composantes migratoires du paysage tunisien* [Migrants portraits : the migratory components of the Tunisian landscape] , December 15, accessed 22 May 2020 <https://www.france-terre-asile.org/images/stories/newsletters/Portraits%20de%20migrants.pdf>

⁴⁵ ‘Six mille étudiants subsahariens ont quitté la Tunisie’ (2017) [six thousand sub-Saharan students left Tunisia] *African Manager*, January 16, accessed 22 May 2020 https://africanmanager.com/51_six-mille-etudiants-subsahariens-ont-quitte-la-tunisie-pour-des-raisons-dinsecurite/

⁴⁶ Anonymous, interview conducted on 19 May 2020.