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The financial character of policing in Tunisia: collusions, extraversion and the criminalization of informality

Le renseignement financier en Tunisie : enchevêtrements, collusions et criminalisation des échanges informels d'argent

موسينا دانيلا، الاستخبارات المالية في تونس: تشابكات وتواطؤات وتجريم الصرافين غير الرسميين

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Abstracts

English Français العربية

This article attempts to shed light on the development of a financial/security assemblages in Tunisia, from an international political sociology perspective that looks at the development of practices of security and policing from a transnational and postcolonial vantage point. Financial policing in the Global South nowadays takes largely shape through the combination of anti-money laundering (AML) and counter financing of terrorism (CFT) agendas, which are systematically and racially coupled to target Asian or African contexts and, as such, largely exclude money and profits benefitting high capital concentration contexts and actors that is usually laundered for tax evasion. To advance the argument, the article first aligns with theoretical sociological accounts that deconstruct and overcome methodological nationalism and exceptionalism of analyses of coercive power in Tunisia and the region. It contributes to these perspectives by mobilizing together concepts of entanglement, assembled and collusion for understanding the practices and effects of the AML/CFT agenda. These concepts serve to illuminate the co-constitutive (entangled) character of these practices, while bearing their negotiated dependent extraverted configurations, but also their complex and networked (assembled) character. Finally, they serve to identify relations of legitimation (collusions) that follow horizontal lines while enabling, in particular critical junctures, discursive and material manipulations used to recentralize power vertically, ultimately repositioning the 'security custodians' around central presidential power: an effect rendered particularly sharp by the self-coup of 2021 and its unfolding consequences. The article then attempts to give empirical salience to the theoretical argument by tracing the processual developments of financial and pre-emptive intelligence from transnational forms of blacklisting (which affected Tunisia in 2018) to profiling, tracking, fund freezing practices that unfold contextually. This process generates three visible effects in the Tunisian context. Firstly, it generates a legal expansion of the financial policing assemblage, including in its repressive outcomes, and the making of exception that has to be



understood in its performative, experimental and relational character, and not as ontologically absolute. Secondly, the related creation of new institutions that, although having little power on their own and being substantially controlled by the presidential power and that of the Ministry of Interior, are embedded in transnational networks and serve to channel extraverted strategies vis à vis donors and external partners. The Commission Nationale de Lutte Contre le Terrorisme (CNLCT) and especially the Commission Tunisienne d'Analyse Financière (CTFA), this latter receiving the bulk of attention here, with all their different functional and political significances, are a case in point. Experiments with new technologies, such as blockchain, come into play here (and in line with a broader trend visible in the whole African continent) not only as extraversion practices to reassure investors in European countries and international economic institutions, and consequently exit sanctioning lists, but as they strengthen the contemporary experimental and infrastructural character of 'security' which maintains and reproduces its regimes. Finally, the third effect considered is the disqualification and criminalisation of the informal economy, considered here through the observation of how *hawala* channels and exchange networks for money, good and people circulation acquire centrality to legitimize these attempts at control, whose effectiveness must be relativized, but which nevertheless have violent and disqualifying consequences for vulnerable economies at the Tunisian border and beyond. This process is accelerated by the progressive conflation of informal money circulation channels with mobility and migrant transit, and of money couriers (*passeurs de fonds*) with smugglers.

Cet article cherche à éclairer le développement de l'assemblage sécuritaire financier en Tunisie, en adoptant une perspective de sociologie politique internationale. Cette approche examine le développement des pratiques de sécurité et de maintien de l'ordre sous un angle transnational et postcolonial. Le *policing* financier dans le Sud global se manifeste aujourd'hui à travers la combinaison des programmes de lutte contre le blanchiment d'argent (AML) et le financement du terrorisme (CFT). Ces programmes sont systématiquement et racialement couplés pour cibler les contextes asiatiques ou africains, excluant ainsi largement les fonds et profits des acteurs et contextes à forte concentration de capital, souvent blanchis pour l'évasion fiscale.

Pour soutenir son argument, l'article s'appuie sur des théories sociologiques qui déconstruisent et dépassent le nationalisme méthodologique et l'exceptionnalisme dans l'analyse du pouvoir coercitif en Tunisie et dans la région. Il contribue à ces perspectives en utilisant les concepts d'enchevêtrement, d'assemblage et de collusion pour comprendre les pratiques et les effets des programmes de lutte contre le blanchiment d'argent et le financement du terrorisme. Ces concepts éclairent le caractère co-constitutif (enchevêtré) de ces pratiques, leurs configurations extraverties et complexes, ainsi que les relations de légitimation (collusions) qui permettent, à des moments critiques, des manipulations discursives et matérielles pour recentraliser le pouvoir, repositionnant les acteurs de la sécurité autour du pouvoir présidentiel central. Cela a été particulièrement évident lors du tournant de 2021.

L'article donne une importance empirique à cet argument théorique en retraçant les développements de l'intelligence financière et préemptive. Il explore les pratiques transnationales des 'listes noires' (qui ont touché la Tunisie en 2018) et les mesures de suivi et de profilage traçage et de gel des fonds qui en résultent. Ce processus engendre trois effets visibles dans le contexte tunisien. Premièrement, il entraîne une expansion juridique de la police financière, y compris dans ses résultats répressifs, et crée une exception à comprendre dans son caractère performatif, expérimental et relationnel, et non comme ontologiquement absolue. Deuxièmement, de nouvelles institutions sont intégrées dans des réseaux transnationaux, et elles canalisent des stratégies extraverties vis-à-vis des bailleurs et partenaires extérieurs. La Commission Nationale de Lutte Contre le Terrorisme (CNLCT) et la Commission Tunisienne d'Analyse Financière (CTFA) en sont des exemples. En même temps, ces institutions sont soumises aux manipulations du pouvoir central et coercitif. Les expériences avec les nouvelles technologies, comme la blockchain, entrent également en jeu ici – conformément à une tendance plus large visible dans tout le continent africain – non seulement comme pratiques d'extraversion visant à dé-sanctionner la Tunisie et à rassurer financièrement les investisseurs étrangers et les institutions économiques internationales, mais aussi car elles font preuve du caractère expérimental et infrastructurel de la sécurité contemporaine.

Enfin, le troisième effet est la disqualification et la criminalisation de l'économie informelle, observée à travers la manière dont les canaux *hawala* et les réseaux d'échange pour la circulation de l'argent, des biens et des personnes sont de plus en plus ciblées et utilisés pour légitimer ces tentatives de contrôle. Bien que leur efficacité soit relative, les mesures financières coercitives ont des conséquences violentes pour les économies vulnérables à la frontière tunisienne et au-delà. Ce processus est accéléré par l'amalgame arbitraire entre les circuits informels de circulation de l'argent, la mobilité et le transit des migrants, et la confusion entre passeurs de fonds et trafiquants.

يحاول هذا المقال تسليط الضوء على تطور التكتيكات المالية/الأمنية في تونس، من منظور علم الاجتماع السياسي الدولي الذي يدرس تطور الممارسات الأمنية والشرطية من منظور عابر للحدود الوطنية وما بعد استعماري. تتشكل الشرطة المالية في الجنوب العالمي اليوم عبر مزيج من برامج مكافحة غسل الأموال (AML)

والتي تقترن اقتراناً منهجياً وعنصرياً لاستهداف السياقات الآسيوية أو الإفريقية، وبالتالي، (CFT) ومكافحة تمويل الإرهاب (CFT) تستبعد في حد ذاتها إلى حد كبير الأموال والأرباح التي تستفيد منها السياقات والجهات الفاعلة ذات رأس المال الكثيف والتي يتم غسلها عادة من أجل التهريب الضريبي.

ولتقديم الحجّة، يصطَفُ المقالُ أولاً مع الحسابات السوسيوولوجية النظرية التي تُفكِّك وتتجاوز القومية المنهجية والسياسة الاستثنائية في تحليلات قوة الإكراه في تونس والمنطقة. ويساهم في هذه المنظورات من خلال استخدام مفاهيم التشابك والتجميع والتواطؤ لفهم ممارسات وتأثيرات برنامج مكافحة غسل الأموال وتمويل الإرهاب.

تُفيد هذه المفاهيم في إيضاح الطابع التكويني بالمشاركة (المتداخل) لهذه الممارسات التي تحمل في الوقت نفسه صورها المنفتحة غير المستقلة المعتمدة على التفاوض، ولكنها تحمل أيضاً طابعها المعقد والمتشابك (المركب). وأخيراً، تُفيد في تحديد علاقات الشرعة (التواطؤات) التي تتبع خطوطاً أفقية وهي تُنتج، في لحظات حرجة معينة، التلاعبات [المناورات] الخطابية والمادية المستخدمة لإعادة مركزية السلطة عمودياً، مما يؤدي في النهاية إلى إعادة تموضع الجهات الفاعلة الأمنية حول السلطة الرئاسية المركزية: وهو تأثير تجلّي بشكل خاص في الانقلاب الذاتي عام 2021 ونتائجه المستمرة.

نمُّ يُحاول المقالُ إعطاء أهمية تجريبية للحجّة النظرية من خلال تتبع التطورات العملية للاستخبارات المالية والاستباقية، بدءاً من الأشكال العابرة للحدود الوطنية للقوائم السوداء (التي أثرت على تونس في عام 2018) إلى ممارسات الترميز والتتبع وتجميد الأموال التي يتم نشرها بحسب السياق. وهذه العملية تُولد ثلاثة تأثيرات واضحة في السياق التونسي. أولاً، تؤدي إلى توسيع قانوني لتجمع الشرطة المالية، بما في ذلك نتائج القمعية، وخلق استثناء ينبغي فهمه في طابعه الأدائي والتجريبي والعلائقي، وليس باعتباره مطلقاً وجودياً. ثانياً، إنشاء مؤسسات جديدة تقوم، على الرغم من أنها لا تتمتع بسلطة كبيرة في حد ذاتها وتخضع بشكل أساسي لسيطرة السلطة الرئاسية وسلطة وزارة الداخلية، تقوم بالاندماج في شبكات عبر وطنية وتُفيد في توجيه الاستراتيجيات المنفتحة نحو الجهات المانحة والشركاء الخارجيين.

CNLCT) من بين الأمثلة على ذلك نذكرُ اللجنة الوطنية لمكافحة الإرهاب

التي تحظى بمعظم الاهتمام هنا، بكل معانيها الوظيفية والسياسية المختلفة. إن (CTFA) وخاصة اللجنة التونسية للتحاليل المالية (تلعّب دوراً)، [سلسلة الكتل أو سلسلة الوحدات المجمعّة] (blockchain) التجارب باستخدام التقنيات الجديدة، مثل تقنية البلوكشين هنا (وتماشياً مع اتجاه أوسع واضح في جميع أنحاء القارة الأفريقية) ليس فقط كممارسات انفتاحية لطمأنة المستثمرين من الدول الأوروبية والمؤسسات الاقتصادية الدولية، وبالتالي الخروج من قوائم العقوبات، ولكن لأنها تعزز الطابع التجريبي والبنوي-التحتي المعاصر لـ «الأمن» الذي يحافظ على أنظمتها ويعيد إنتاجها.

أخيراً، فإن التأثير الثالث الذي تم النظر فيه هو نزاع الأهلية عن الاقتصاد غير الرسمي وتجريمه، هذا الاقتصاد الذي يتم التطرّق إليه هنا من خلال رصد الطريقة التي تكتسب بها قنوات الحوالة وشبكات الصرافة لتداول الأموال والسُّع والأشخاص مركزية relativiser لشرعنة محاولات التحكم هذه، والتي يجب تنسيب فعاليتها [النظر إليها نظرة نسبية

ولكن لها مع ذلك نتائج عنيفة وغير مؤهلة للاقتصادات الهشة على الحدود التونسية وخارجها. وتتسارع هذه العملية من خلال، [الدمج التدريجي بين الدوائر غير الرسمية لتداول الأموال وتنقل وعبور المهاجرين وبين مَهْرَبِي الأموال والتجار غير الشرعيين

Index terms

Keywords : Tunisie, Blanchiment d'argent, Evasion fiscale, Terrorisme, Corruption

Keywords: Tunisia, Money laundering, Tax evasion, Terrorism, Corruption

Index by keyword: تونس، غسل الأموال، التهرب الضريبي، الإرهاب، الفساد

Full text

1 Questions of repression, order and policing have been at the forefront of mobilizations and political debates in 2011 and post-2011 Tunisia (Hmed 2016). Their relevance has come back vigorously to the fore in the current juncture that began on the 25 July 2021 with the invocation of the state of exception through Article 80 of the now abolished 2014 constitution¹, and the subsequent dissolution of the National Assembly by incumbent President Kais Saied. These developments make it urgent to advance analyses on possible reconfigurations of coercive power in Tunisia, including from a transnational perspective that looks at transborder connections and relations.

2 The article argues that global and transnational processes of policing interfere with legal and social formations related to crime, terrorism and delinquency² in Tunisia and with the (re)production of repressive coerciveness. The transnational making of policing is particularly visible if we look at the progressive adoption and conflation of counter-financing of terrorism measures and anti-money laundering (usually referred to with the acronym CFT/AML). Financial intelligence is an often-neglected aspect of studies of security governance, counter-terrorism, policing, coercion and repression. It is gaining traction in Tunisia and across the Global South through the implementation of transnational CFT/AML agendas (see Campbell-Verduyn and Giumelli 2022), a process intricately intertwined with global hierarchies but nonetheless shaped by political dynamics in contexts targeted by those same agendas. In Tunisia, the adoption of Law 2015/26 and its 2019 amendments is increasingly making visible the impact of financial intelligence measures and the ways in which they are being weaponized, not least in the current post 2021 juncture.

3 The article has both a theoretical and an empirical scope. Theoretically, it mobilizes concepts of entanglement, extraversion and collusion to account for both materiality and transnational connectivity, to align with literature arguing that state authoritarian coercion in Tunisia should be analyzed beyond methodological nationalism and linked to transnational processes of policing. These are clearly not new and very popular concepts within international relations/political sociology literatures, but they have hardly been applied together or to the analysis of state coercive power. Empirically, the article shows diachronically and processually how entanglements, extraversion and collusions configure in the Tunisian case of CFT/AML, looking at *ad hoc* measures taken after 2015 and after the 2018 inclusion of Tunisia in the blacklist of countries at risk of terrorism financing and money laundering by the EU. Empirical examples give salience to the argument in three ways. Firstly, by exploring the way in which assembled CFT/AML provisions contribute to formalizing enduring (post)colonial manifestations of preemption and it covers them with a depoliticized veneer of transnational standards and regulations that in turn spur jurisprudence or procedural provisions on listing, tracking and fund freezing. Secondly, the article considers how *ad hoc* bodies and institutions are assembled to advance extraversion strategies vis à vis donors and transnational agendas. Taken together, these provisions and processes enhance centralized regime coerciveness. Finally, it illustrates how financial intelligence, in its specific control capability of cross-border movements of cash, is producing the criminalization of informal everyday economic exchanges, affecting most vulnerable urban and border communities or groups, including migrants. The aim is thus to analyze the threefold performative dimension of financial policing in Tunisia.

4 Empirical observations presented in this article are constructed through secondary sources as well as primary ones: document analysis (of legal texts and international organizations documents), analysis of media output, fieldwork observations (i.e. of trainings³ and other practices that constitute the security assemblage) and interviews⁴ conducted with financial and police staff, both international (such as diplomatic police *attachés*), and Tunisian (especially custom staff from the Tunisian financial intelligence unit – the CTAF), and with people involved in different capacities (as providers or service beneficiaries) in the use of informal money exchange channels. In particular, 12 interviews excerpts are quoted here. The research attempted to respect, by periodically reviewing them, the ethical and integrity criteria that the sensitivity of the topic and the current political developments of the Tunisian context require. Contacts with a few CTAF staff members, which were key for this research, are anonymized either in names and professional capacity, in agreement with the participants and/or on my own initiative. Finally, the theoretical and transnationally *multi-sited* gaze to the phenomenon studied is the result, in addition to my engagement with the literature and debates on the issue, also of a reflexive move. As positionality perhaps cannot give me a thorough knowledge about Tunisia, or one that is not biased by my privileges, language and cultural barriers, it nonetheless enabled me to observe and analyze the ‘inbetweenness’ of things and processes (Marcus 1995; Burawoy 2000). Privilege has therefore constrained access, but at times it has also opened doors (i.e. to a few training sessions or participant observation) that are often not conversely open for many Tunisian researchers or observers.

The Transnational as a Site of Policing: Entanglements, Extraversion and Collusions

5 There is a strong need to escape methodological nationalism, essentialism, and presentism in analyses of coercion and policing in North Africa and the Middle East (Said 2021). Explanations of repressive outcomes, of autocratic drifts and of state

violence have too often remained stuck with dynamics internal to a specific territory, and limited to, at the utmost, comparisons with fixed unities, territories or polities. Much of existing literature looking at police and military institutions at the national level usually tend to neglect the international as “a site of concrete interaction, where the sociological takes many of its forms” (Walker 1993). Repression and policing dynamics in Tunisia are usually referred to the inner workings of the ‘black box’ security apparatus (Hanlon 2012; Nassif 2015). This does not make them immune from policing processes, rationalities and practices that develop transnationally. A growing body of literature engages with the way coercive rule of law and policing are embedded globally or transnationally (Bradford et al. 2016; Honke and Muller 2016; Roché and Fleming 2022; Watson et al. 2023; on the region see this journal’s last Special Issue (*Dossier n°30*, 2023); see also literature on international security assistance (Tholens and Aljabassini 2023; Maryon 2023); and its interferences with civil-military relations (De Bruin and Zakarabat 2021; Grewal 2022), democratization (Hanau Santini and Cimini 2019), marginalization (Pluta 2020); policy and norms transfers (Seurat 2020) or security sector autonomisation (Kartas 2014). Among interdisciplinary literature, Science and Technology Studies (STS) that are worth mentioning here are those who paid attention to transnational assemblages of power, knowledge, technological systems in relation with society (see for instance de Goede 2018; Leese 2021; Campbell-Verduyn and Giumelli 2022).

6 Transformations within a coercive centralized system in relation to the broader ‘social’ do not happen only against supposedly internal dynamics of cooptation, elite coalescence or institutionalization abstracted from transnational and global processes; just as they cannot be explained exclusively looking at endogenous structural processes as they were independent from local mediation and instantiations (see Ben Rohmdane 2011). It is thus useful to move beyond binaries of ‘internalism’ and ‘externalism’ and to consider how transnational developments *relationally* shape dynamics of internal coerciveness sustaining repressive police practices, exception and autocratic drifts or restaurations. In 2001 Didier Bigo argued that internal security could be said to have experienced a widening process, extending beyond national territories and being directly shaped by international issues (Bigo 2001, p. 8). However, such a perspective is still very little present in the IR/Political Sociology literature that looks at authoritarian coercion, polices and policing in the Middle East and North Africa. Framing the question along these terms helps to avoid exceptionalising the Tunisian context, both as durably ‘authoritarian’ and as romanticized and ‘to-be-democratic’ perspectives. In line with this stance, concepts of ‘entanglements’, ‘extraversion’ and ‘collusion’ are particularly useful to frame and understand transformations and patterns within the Tunisian security apparatus and how it is entangled in global policing processes. The concept of ‘entanglement’ hinges on an idea of reciprocity, acknowledges post-colonial encounters that condition present practices (postcolonial continuities), while grasping the co-constitutiveness of phenomena without relegating ‘recipients’ to passivity. That of ‘extraversion’ is a concept borrowed by political sociology, in particular analyses looking at trans(national) power configurations in Africa (Bayart 2000; Hibou 2004)⁵. Extraversion consists of a form of ‘negotiated dependency’ in which ruling employ their dependent relationship with the external world to appropriate resources and authority, and increase their wealth and power at home (see also Hountondji 1997). In the course of history, such strategies of extraversion have included the domestic instrumentalization by some elites of slavery, colonization, development aid, commodity exports, structural adjustment programs, and more. That of extraversion adds to the concept of entanglement the asymmetric dimension to be taken into consideration when studying postcolonial contexts and post-independence capitalism. Finally, the concept of collusions – that I draw from sociological literature on ‘crises’ – is useful to explain how these assembled parts, networks and relations are also legitimized in particular time-space conjunctures (Dobry 2009). ‘Collusions’ or ‘collusive transactions’ happen when actors located in different social spaces, sectors or “fields” and connected through more intense or loose relations, and at first logical

glance having diverging interests, converge in contemporary complex systems to legitimize each other and each other's practices (Dobry 2009; see also Camau and Geisser 2003, p. 191). Collusions would, from this perspective, form between fields of professionals in governance and coercive bureaucracies and polices, or between businesses and these bureaucracies (Bigo 2016, p. 26; see also Strange 1998). Collusive transactions sustaining coercive power in Tunisia find thus an entry point in transnational policing to expand their own fabric, even when they are not based on an immediate reciprocity among actors but sufficiently on mutual recognition of each other's interests (Thétaz 2019). This comes close to Bourdieu's theorization of capital conversions via fields, which are not however confined to the nation-state, but unfold transnationally across metropolises and postcolonies. Collusive transactions are not only a multi-sectoral process, but can happen to reactivate political re-legitimation in times of particular junctures, crisis and political upheaval (Bonelli et al. 2019, p. 15). or to calling into question issues pertaining to the postcolonial condition in which politics in Global South countries unfold. In this sense, in addition to legitimizing *horizontal* lines of power, they also (re)order *vertical* and hierarchical lines of power, benefiting for example from processes of coercive (re)centralization.

7 Taken together, these concepts convey an idea of multiplicity and complexity of power produced by the interplay of the material/practical and symbolic, human and non-human, and that breaks with binary and dialectic thinking. Fixed notions of order are not enough to explain complex realities, if we do not consider the way they are translated through discourses, subjects and technologies (Holmqvist et al. 2015, p. 6). In other words, theories that have 'sovereignty' and 'the vertical state' as their starting point are no longer sufficient to explain phenomena of authoritarian coercion if they do not take into consideration another fundamental concept in our era: that of governance (Mezzadra and Neilson 2013). Following this, complex landscapes of regulation take shape in different fields, including CT and CFT, involving different kind of (f)actors having and having often experimental character, where tensions and contradictions are at play, and ultimately grounding the remit for police and prosecutors to intervene (de Goede 2018). Connections in the assemblage are rendered through a technical language and that of 'expert' knowledge (Bueger and Berling 2015). Such a perspective makes the reproduction of coercive power visible along processual and *horizontal* lines, rather than stable vertical ones, even in contexts, such as the Tunisian one, where this power materializes through high levels of repression and where the political and administrative/territorial power is largely hinged on the Ministry of the Interior.

8 The remaining of this article looks empirically at how transnational entanglements impact on, and contribute (re)producing, domestic power configurations that rely on counterterrorism agendas, including CFT. Asking what could contribute explaining the salience and social formations underpinning coercive power in Tunisia seems more promising than merely asking why the security sector is resistant to reform attempts. By mapping and interpreting evolving arrangements and the progressive Tunisian participation to the CFT global agenda, an attempt will be made to illuminate the co-constitutive nature of these security practices, although acknowledging the background of global uneven economic relations and the postcolonial condition of the Tunisian context. Extraversion and entanglements in the field of CFT/AML produce two main effects in the Tunisian context: the first is the formalization through laws and procedures of (often past inherited) security practices having a preemptive nature (tracing and profiling) and extend them to financial coercion (blacklisting, fund freezing, financial infiltrations). This contributes generating, in turn, opportunities for collusive transactions of security and bureaucratic actors in power, a strong presidency and transnational regulators, including in the post-2021. Another effect is the growing criminalization of the informal economy, as increasing cross-border controls of cash movements impact vulnerable users of informal transfer channels. Transnational financial governance provisions and the "construction of borders" across the Mediterranean and the world, makes it increasingly difficult for the postcolonial state to tolerate informal money trafficking.

Financial Intelligence in Tunisia: Practices and Effects

9 How are entanglements, extraversion and collusions currently and saliently configured in the Tunisian context? What effects they produce? Agendas of counterterrorism (CT) and the fight against terrorism financing (CFT) represent one of the most significant incumbent process of global entanglement of with context-specific developments. CFT/AML measures largely hinge nowadays on financial intelligence – the gathering, tracing, storing and sharing of suspicious financial transactions that might lead to coercive acts (e.g. frozen assets, closed accounts, control on cross-border cash movements and judicial convictions, de Goede 2018). This happens in line with *preemption* logics based on risk assessment and data collection, the new frontier of policing and surveillance, consolidated also thanks to the technical and technological transformations of late capitalism (Susser 2021). This agenda is conflated with that of anti-money laundering (AML) at the global level, a development accelerated after 9/11 and that materialized as Global South countries progressively joint the so-called 'Global war on terror'. AML and CFT are coupled through a racial bias that is reminiscent of colonial times and that nowadays targets specific African/Asian contexts making the link between money laundering, terrorism financing and other criminal activities. Not surprisingly, the AML regime remains largely decoupled from tax evasion or avoidance that would call for a globally fairer application. The focus is therefore on the money acquired from activities that for the state (or the international regulator) are illicit but not on the money and profit *lawfully* accumulated but laundered to escape tax. Aside from tax issues, there seem to be a correlation between AML regimes and practical ways in which informal local economies and everyday money usages are being criminalized, as the Tunisian case illustrates. Tunisia ranked first among other countries in the region for illicit financial flows and misinvoicing (ESCWA 2018)⁶. Further research has indicated how the real bulk of illicit flows are capital-flight related, that is often 'made licit' by macroeconomic and governmental factors (UNECA 2015, p. 15), and how this is connected to foreign direct investments and external borrowing mainly from high concentration capital countries (Dachraoui and Sebri 2022). According to a study published by ESCWA in 2018, while illicit flows linked to organized crime are difficult to measure and usually exaggerated, a majority of the measurable ones is generated from false invoicing in legal foreign trade (ESCWA 2018). This implies that while the real elephant in the room of money laundering through misinvoicing and illicit flow making remains substantially intact, the current AML/CFT apparatus set up instead has deleterious security effects at a broad societal level and at the level of coercive power centralization. This recalls what Foucault called the "differential management of illegalisms" (Foucault 1995) and the existence of an "economy of illegalisms" marked by specific relations of domination (Foucault quoted in Amicelle and Chaudieu 2022). It is interesting to see the today's impacts of these processes in their diachronic and *long durée* developments, to grasp not only their colonial continuities but also how they procedurally evolve through practices and routines.

Diachronic developments of the CT/CFT assemblage

10 Financial intelligence and surveillance is not a 'new thing', but has rather been a prerogative of colonial and dependency relations. The establishment of the French protectorate in Tunisia found its Trojan horse in the insolvency condition and debt - accumulated to cope with the modernization programs - which led, in 1868, to the placing of Tunisia under the tutelage of a French-led International Financial Commission (Ganiage 1961, p. 213). The financial intelligence regime has shifted from more direct forms of control to the co-participation of the former colonies' governments

in this regime, emblematically marked by formulas of 'recommendation' and 'mutual evaluation' that obscure underlying power asymmetries and the persistence of civilizationalist paradigms⁷. Their working mechanisms through peer-to-peer and mutual evaluations is a powerful tool of persuasion and learning, as well as a more easily legitimized form of contemporary governance, as it usually involves World Bank-affiliated experts from the region and from 'friend' neighboring countries (Abdelal 2007, see also Sabel and Zeitlin 2010).

11 When it comes to CT/CFT, embryonic formulations on 'terrorism' and its countermeasures were introduced in the Tunisian Penal Code already after independence inherited from the colonial era, but mostly (ab)used as a counter-insurgency instrument to quell mobilizations of trade unionist, Islamists, Marxists-Leninists and Arab nationalist groups (see Simoncini 2024⁸). The first comprehensive anti-terror law in "support of the international effort to combat terrorism and money laundering" was adopted in 2003 in concert with international efforts in the framework of the so-called 'Global War on Terror' (Law 75/2003, see also Lahlou and Fahmi 2020).

12 After years 2015-2016 that marked by deadly attacks in the country's own soil and by Tunisians in Europe, under the Essebsi presidency a new law against terrorism and money laundering was adopted, replacing the 2003 one (Bras 2016). CT public security expenditures in Tunisia surged by 95% between 2010 and 2019 (UNDP 2021, see also Simoncini 2024)⁹. Tunisia is nowadays praised by its international partners and donors as an example of excellence at a regional but also global level in the fight against terrorism and minimization of attacks which is remindful of the way internationally shared Orientalist views of Tunisia as the 'exceptional', 'bon élève' keep being reproduced - see Hmed 2016; Geisser and Allal 2018). This reputation has been significantly consolidated following the measures adopted following the blacklisting of Tunisia as a country non-compliant with AML/CFT regulations. Yet, crackdowns were not considered sufficient: the need arose to formalize preemption and anticipation of the risk connected to the circulation of money and in line with transnational developments.

Tunisia blacklisted

13 Two years after the terrorist attacks on the Tunisian and European soil, in 2017 the FATF listed Tunisia among the countries having a weak and deficient AML/CFT regime. Tunisia was already part of the Middle East and North Africa (MENA) section of the FATF (Financial Action Task Force) since 2004¹⁰. As a consequence, the EU blacklisted Tunisia as highly exposed to the risks of terrorism financing and money laundering¹¹. The FATF 'coloured' rating system¹² has a significant impact on the image conveyed by states within the international community, determining whether the country is perceived as a safe place for investment or not. These agendas create indeed "penalty defaults", that is, they generate non-compliance costs of different sorts (Zietlin 2015). CT and AML/CFT measures are kept in place in a logic of 'stabilization' and 'pacification' of contexts of strategic-economic interest for the Global North, and condition perceptions about risk-free environments for investments, capital expansion and accumulation, and for tourism (Mullin 2023). This notwithstanding, a zoom-in in their *practical* instantiations illuminates on their experimental, at times clumsy and not merely unilaterally imposed character. These practices are 'assembled' by human relationships (such as the very personalistic and informal ones among financial intelligence units staff members¹³) and non-human tools (lists, sanctions, technological devices to implement them), and of historically grounded entanglements, rather being merely 'diffused' from a 'core' to a 'periphery'. The actual implementation of the AML/CFT regime provisions is very much depending on action and practices as envisaged and carried out by Tunisian concerned institutions and stakeholders. They are, in other words, the result of North-South entanglements. It is therefore crucial to

analyze the process of consolidation of AML/CFT measures in the Tunisian context, trying to sketch the practices in which they consist, and of the effects they produce.

Listing, Tracing, Freezing: The Standardization of Financial Policing

14 As a result of the blacklisting, in a record time of 17 months, the Tunisian government has engaged in the process of adapting its jurisdiction and its instruments to the requirements indicated by the FATF: the adoption of a blacklisting regime in coordination with US, EU and UN sanction lists and with international police bodies such as INTERPOL, including of mechanisms of funds freezing¹⁴ (see also Zelin and Bauer 2019); the consolidation of the work of the Tunisian financial intelligence unit (*Commission Tunisienne des Analyses Financieres* – CTAF), including in the expansion of its staff numbers; the realization of a National Risk Assessment; the compilation of a National Business Register that also includes non-profit organizations and associations and the identification of target non-financial actors (lawyers, accountants, notaries and jewelry merchants) that must be compliant with the AML/CFT regime¹⁵. However, the extent to which transnational funding channels and money laundering were key to keep jihadist cells active in Tunisia still remains to be proved and, in any case, must not be exaggerated, also by virtue of the declining jihadist violence in Tunisia (FTDES 2016; ICG 2021). The CTAF itself has acknowledged in its last available annual report that only the 2% of ‘suspicious transactions’ were related to financing of terrorism¹⁶. Several studies have established that the bloodiest attacks on Tunisian soil required limited funding (ICG 2021; Lounnas and Ayari 2023). The CFT/AML machine has little impact on the very rudimentary way in which attacks were carried out. When it comes to FATF’s Recommendation 8 on the ‘risk of terrorist abuse in the non-profit organizations, only 45 associations out of more than 45 000 have been found non-compliant¹⁷. Beyond mere policy (non)compliance, what I am interested in here is that all these measures are meant to consolidate a preemptive and risk-based approach, and do not respond to a compelling emergency, which instead seems to be performatively reproduced by state discourses and practices. As stated in the 2017 National Evaluation of Risks that the CTAF rendered public :

“The risk-based approach, within the framework of the FATF requirements, allows the adoption of a set of flexible measures, in order to direct resources more effectively, and apply preventive measures that are appropriate to the nature of the risks, with the aim of focusing its efforts in the most effective way”¹⁸.

15 As such, intelligence practices such as profiling, tracking and listing, which have historically evolved in the Tunisian context since Ottoman era and consolidated in colonial times, characterizing coercive state formation under Bourguiba and especially Ben Ali (see Safi 2020), now found anchorage in complex transnational standards and regulations. The legislative device provides formalization and legitimization to already existing off-the-record practices such as wiretapping, deferred or real-time infiltrations and body, place and vehicle searches. In an interview an activist advocating for transitional justice and against police violence told me:

“The police no longer need to resort to unofficial ‘informants’ involved in monitoring the country’s population during previous regimes¹⁹. It now has its own internal professional informants, whose role has been de facto formalized by recent laws”²⁰.

16 This should not be surprising, given that are becoming widely generalized and legalized policing practices globally, pointing to what Ian Patel has defined the synchronization of global security legal trends (Patel 2015). If anything, the novelty lies in their legal recognition as preemptive practices *in a specific* law provision on anti-

terrorism, in a context in which the counterbalance to the discretionary power of the state, the capacity for legal defense of the accused, and the solidity of the organizations for human rights have weakened considerably. If in the Bourguiba, but especially the Ben Ali regime dispensing with formal (and thus publicly known) laws seemed to be a preferred strategy, as secrecy allowed to more easily manipulate and control the population, in the current contingency, repression – and the repositioning of security elites through the outlawing of political opponents and 'state enemies' – seems to occur through more standardized jurisprudence, procedural and emergency measures and increasingly financial surveillance.

- 17 Law 26/2015 was amended in 2019, following the 2018 blacklisting by the EU, to reinforce provisions of preemptive AML/CFT. For example, provisions for a “diligent” proceeding by financial and non-financial stakeholders, and for associations and NGOs have been introduced to the Law with 2019 amendments. Another relevant development is the listing and consequent fund freezing of 141 between individuals and associations directly linked to ‘terrorism infractions’²¹, that is the result of UNSC concerted sanctions. This list is being used to justify measures that have an impact not just on the convicted, but on entire families, close networks, neighborhoods or even loose acquaintances by impeding the use of bank accounts or properties or criminalizing every sort of contact because it becomes pretexts to maintain extra-legal practices of profiling, residency requirements or travel banning, such as the ubiquitous *fiche S17*²². Fund freezings also affect families of journalists or whistleblowers: the wife of a journalist who recently served a year in prison told me that for months she had no longer access to her personal bank account, which was temporarily suspended due to “ongoing checks by the competent authorities”²³. Many of the latest additions to the Tunisian UN-derived sanctioning list are for terrorist financing, which point to how the CT agenda is being reconfigured also as a CFT agenda.

Institutional Proliferation as Extraverted Strategy: Harmless or Collusive?

- 18 Besides legal provisions, a closer look at new control and coordination bodies (the *National Register of Enterprises* - NRE, the CTAF, but also the Tunisian *Commission Nationale de Lutte contre le Terrorisme* – CNLCT) reveals that they are weakly autonomous, if not totally dependent on central power, and nonetheless invested by a range of functions, so much so that they have been defined as *façade and pro forma institutions placed there to curry favor with the opinions and also the wallets of international donors*²⁴. These are usually extraverted bodies, charged with contacts with external donors or civil society organizations, and very little influential on executive and coercive institutions.
- 19 This should not erroneously lead us to qualify institutions like the CNLCT or the CTAF as totally harmless, not least for they become instruments for the expansion of the financial policing assemblage and its globally uneven applications, and for the risk of manipulation and collusion that increase the central power’s vertical room for maneuver, including in the post-2021 phase. The creation of a NRE in 2019 placed under the Presidency of Government, replacing the traditional Commercial Register and aimed at increasing businesses (but also no-profit) ownership’s traceability, was largely driven by the need to exit the EU blacklist and to implement the AML/CFT regime. Yet, apparently it poorly performed so far²⁵. Furthermore, measures like this would create control by central administrations over the finances of small businesses or local associations while holding companies connected to large internationally operating companies (multinationals) would remain substantially excluded from these – rather cosmetic– transparency measures.
- 20 The CTAF, it has increased its activity by +500% from 2013 (301 suspicion reports) to 2022 (1831)²⁶. It is specializing in various tracking functions (as we will also see in the

next paragraph) and financial investigation technologies which, although still partially developed, have a potential for surveillance at the mercy of the powerful in power. This financial intelligence unit mainly responds to suspicion statements raised by designated agents (banks, post and other non-financial actors and intermediaries), but does not have the power of autonomously starting an investigation without the approval of the public prosecutor²⁷. It is mainly solicited by the security apparatus: of the total requests for national cooperation received in 2022, the 73% were made by the Ministry of the Interior, as interviews and CTAF official documents seem to confirm²⁸. Recent cases of accusations of '*attaque à la sureté de l'état*', 'conspiracy' or directly 'terrorism' against political personalities, associations but also opponents more generally have seen the involvement of the CTAF for the control or freezing of funds, as different local media report. It seems that the task of 'investigating' into everything that the state deems as a 'threat' and conflates with 'terrorism' is to a great extent metamorphosing first and foremost into a 'financial threat'. This weakness means that they can be subject to political pressure and manipulation, as recent accusations levelled against the CTAF by the Presidency demonstrate²⁹. Not only do these accusations suspiciously assume links between parties, political opposition and terrorism, and between migration and money laundering (see next paragraph), but they are made under the premises that the CTAF should "*stop these suspicion declarations*" that "*make investors flee*" and focus instead on these cases of corruption³⁰. The collusion here is enabled by a sovereigntist rhetoric mobilized against standard AML/CFT procedures (such as the suspicion declarations) and bodies, while at the same time invoking the importance of financial intelligence and of keeping foreign investments flowing into Tunisia, without questioning root causes of the dependent character of its economy. It follows that real matters of contention arising from the Tunisian postcolonial condition or dependent economy are distorted and adapted to the interests of advancing 'strong state' and recentralization goals. Collusions – turning a blind eye to the other's intentions as long as it suits both – in this sense unfold not only between different societal sectors as Dobry theorized it (between different professional fields in the same national territory), but also transnationally. It can also be described as a process of collusive mimicry, the paradoxical -or doubly articulated- strategy of subversively mobilizing anti-external influence stances (sometimes acting accordingly) while maintaining forms of extraversion towards transnational hegemonic practices, agendas, discourses. Financial intelligence agendas are therefore appropriated and shaped by contingent timescapes and practices, and by extraverted means. They take *horizontal* features of standardization that produce transactions, bargained and adapted to the interests of ruling powers, which contribute to the verticalization of power and sustain the coercive state. International donors are aware of the possible legal distortions of AML/CFT measures and are pushing for non-conviction-based confiscation mechanisms (also known as 'civil confiscation') that is less dependent on criminal justice, lengthy court proceedings and "*less subject to political abuses*"³¹. However, it is not clear how this would be immune from political abuse³².

21 Certainly, the most visibly deleterious effect of the CFT/AML machine is that which arose from the implementation of Recommendation 8 on NPOs funding, and the persecution of opposition political figures on grounds of 'corruption' and money laundering³³. Already in August 2018 Organic Law 28/2018 requiring associations to register to the NRE was adopted as in a hurry to speed up the de-listing of Tunisia from EU-FTAF blacklists, amid much criticism. If distortions or political exploitation that conflate 'terrorism' or 'risk of terrorism' with associative life and political pluralism and the gains of freedom post-2011 are widely demonstrated and condemned in Tunisia, the policing of informal life and informality of money exchange remains a largely neglected dimension of coercion in the critical and academic debates. This is because coercive practices are usually associated with the repression of individual or associative freedoms, and less with the reproduction of the capitalist economic system, including through financial regulatory regimes, that impact collectivities or marginal groups. After all, a greater autonomy for the CTAF and a shield from political abuses is

advocated on premises that the flow of capital does not stop: "*If the CTAF does not function autonomously and in full harmony with the international financial institutions, the risk is that it will not do its job properly, and that Tunisia will lose credibility*"³⁴. Next and last section focuses on the control of money circulation, including through the introduction of blockchain technologies, and the criminalizing effects of the informal exchange economy.

Effects On The Margins: Economic Disqualifications, Informality and Mobility

22 The security assemblage set up within the framework of the AML/CFT agenda quickly adapted to the new (geo)political priorities and increasingly chained to migration governance agendas. Blatant positionings against European border policies in the Mediterranean (think of the boycott of Frontex by the Tunisian state³⁵) have been contradicted by more accommodating practices within the framework of integrated border management or border security assistance/capacity building. Financial intelligence efforts are being adapted to securitization objectives and to the language of 'countering the traffic of human beings'³⁶. Again, the shifting of AML/CFT towards counter-migration objectives has accelerated sharply in the current phase³⁷. Cross-border currency/cash movements are particularly important in contexts of high mobility of people and goods (Doron 2022). In a speech in 2014, former Prime Minister Mehdi Jomaa stated:

"We are the children of this republic, we believe in the state, and we will reinforce the state. And the informal economy is a phenomenon that risks striking the state at the heart of its existence. And we will fight it with the same spirit as we fight terrorism". Actually, in Arabic the words are similar³⁸." (quoted in Gallien, 2020, p. 15).

23 If the pre-revolutionary regimes kept "one eye open and one eye closed" on the informal economy in Tunisia (Meddeb 2010), forced by the entrenched relations between formal and informal economy especially after the 1988 instauration of the free circulation regime at the Tunisian/Libya border – and for exploiting its benefits in terms of the creation of patronage networks (Hibou and Hulseley 2006)–, the paradigm of the 'strong state' revived in the post-revolution period (Challand 2023) has given more centrality to disincentivizing of the informal economy (today estimated at 44,8% of total employment in Tunisia³⁹). This objective is a priority in the AML/CFT agenda (Recommendation 6). After 9/11, so-called 'underground' banking circuits, such as the *hawala*, were put under scrutiny presumably for their risk of facilitating the financing of international terrorism.

24 The '*hawala*' is an informal value transfer system consisting of a network of brokers (called *hawaladars*, or *sarafs* in Tunisia) and substantially based on trust and honor⁴⁰. Already in the early 2000s de Goede showed how *hawalas* do not really developed underground but are connected to formal banking in a myriad of ways, it itself is the result of entanglement⁴¹. It has been instead stigmatized to implicitly construct formal, Western-hegemonic banking as the normal and legitimate space of international finance (de Goede 2003). This produced a deflection towards forms of regulation in countries where the *hawala* is widely practiced and not necessarily illegal, and a distorted conflation between regulation and majoritarian Muslim countries. The *hawala* is an easy-accessible, usually very cheap system and its extensive use lies in its reliable and customary character that leaves little record of its transactions. Its success in the global financial era is also due to restrictions to transfer national currencies abroad, including the Tunisian dinar – a consequence determined by economic, political, and regulatory factors and by the vulnerability of weak currencies to

speculation attacks compared to the strength of hegemonic currencies such as the dollar or euro. The *hawala* is also historically connected to the receiving and sending of remittances by migrants and migrant workers and, as a key instrument for securing money during migrant transits, cannot be reduced to “*an instrument of circulation of dirty money*”⁴². From participant observation in a few AML/CFT EU-sponsored trainings that dealt with the issue, an alien conception of borders emerges and is translated in policies that the central state uses to strengthen and regulate the cross-border circulation of money. These policies and relative practices totally ignore the centrality of fluid borders and cross-border exchanges in many areas of North Africa which act as essential nodes in the global circulation of goods, as well as the dependence of the internal Tunisian market on these nodes (Meddeb 2021). High Tunisian customs barriers, attractive prices and lower import barriers in neighboring countries (Libya and Algeria) make of Ben Guerdane one of the “most central marginalized area of globalized merchant networks” (Doron 2020). No substantially proven evidence emerges of a connection, in the Tunisian context, between *hawala* and terrorist financing, and in trainings and training manuals the various case studies presented are used to make a generalization for preventive and risk awareness purposes. Its criminalization also happens on grounds that it would supposedly generate imbalances between *hawala* brokers in different countries, and pushes these latter to transfer money to correct imbalances and settle their accounts' balance through trade misinvoicing, described as a type of money laundering⁴³. These networks are thus *made illicit* by the internationally recognized financial and banking system that conflate them to misuse, risks of terrorism and now increasingly to ‘human trafficking’⁴⁴.

25 At the level of concrete practices, CTAF is developing, in cooperation with international partners, several new technologies for the control of cross-border money transfers. Here again, the purpose is not the level of effectiveness or actorness of CTAF itself, but illustrating processually how these practices contribute to the criminalization of the informal sector, affect vulnerable sectors and lend themselves to collusion between coercive power and transnational security assemblages. There is an ongoing proliferation of technological platforms, including blockchain-based ones, that are the fruit of *experiments*⁴⁵ by the CTAF and partner private/public bodies - financed through cooperation programs.

Technologies, Blockchain experiments and the Financial/Security Encroachment in Tunisia

“The function of the police in Tunisia today is no longer expressed only with the matraque [...]. We fight against what we see, namely physical violence, but we need to understand what logics lie behind and legitimize it. [...] We need to see how the police state criminalize in many ways everyday life [...] and with many different instruments”⁴⁶.

26 I interpreted this statement as a call to dig deeper into non-traditional (but more and more conventional) dispositives that justify the maintenance and expansion of the security machine in Tunisia, that happens, in line with transnational trends, through professionalization dynamics and specialization over a wide range of new domains. Non-human factors, namely new technologies, are a site of constituent articulation of securitization processes and attempts of social pacification nowadays. The proliferation of regulative dispositions -i.e. FTAF recommendations and their integrations in the national legal/regulative framework- is spurring not only technical appropriation by countries across the Global South of mechanisms of compliance with global or transnational regulations, but also experiments with technologies. The use of blockchain technologies is not only part of cyber-libertarianism that sees in

cryptocurrencies or 'Web3' the new frontiers of anarchism (Jutel 2021), but it is also seen as an opportunity by states or regulative/executive authorities, especially and increasingly in the Global South.

- 27 A new technological platform is being developed in Tunisia to respond to FTAF recommendations and assessments, in particular FTAF Recommendation 32, a platform using blockchain technology called 'Hannibal'⁴⁷. The choice of name is emblematic as it conveys a nostalgic sense of martial, reactive and exceptional performativity of a Tunisian past. The platform has been financed in the framework of the EU-sponsored security sector reform program (EU PARSS), pointing to how security sector reform programs consists more of technical and material practices than anything else. The platform developer is the consulting group Talan, owned by businessman and former Franco-Tunisian Minister of Commerce and Tourism Mehdi Houas, and uses Ethereum technology⁴⁸. The platform is the result of a 2014, 60-day project (called "operation Hannibal") led by Tunisian police and custom authorities and inspired by a similar exercise conducted by the Netherlands authorities, in which all transportations of cash into and out of Tunisia were monitored and recorded⁴⁹. Blockchain-based technologies are presented as particularly innovative in the AML/CFT field and, here again, Tunisia is praised as a pioneer in the region. There is a growing hype around blockchain as an experimental technology in the Global South, and many countries, including Tunisia, are being included in this techno-optimism. However, existing literature has underlined how mainly sanctioned or blacklisted countries that experiment with these technologies to make up for their sanctioning, or how fintech inclusion often increases rather than reducing North/South hierarchies, or how it serves the purpose of 'capturing informal economies' (Jutel 2021). As stated by a participant:

"We have put the blockchain revolution to work for the regulatory authorities, and that's a great achievement in the regional landscape. (...). The fact that it works with ledgers, nodes and 'smart contracts', makes it unfalsifiable and transparent (...). What better tool to fight money laundering, especially money laundering related to smuggling, but also to fraud and misinvoicing (...). We are gradually asking banks, non-financial institutions and also 'passeurs de fonds' and other intermediaries [he did not use the word 'sara'f'⁵⁰] to register with relevant regulatory authorities and obtain licenses to operate legally... Some of them are already known by the CTAF (...). The use of platforms like Hannibal to disrupt money laundering through smuggling is crucial also because the use of technology and virtual currencies as currency converter/money exchange channel is also increasing in the informal sector"⁵¹.

- 28 Tunisia represents a good case from which to observe technological experiments of this type as cases of encroachment of security logics and practices, and their political collusions, the assessment of which complexifies arguments pointing to neo-colonial or imperialist diffusionism (see Jutel 2021, 2023). Certainly, changing geopolitics are a leverage on Tunisian institutions to control and disrupt informal exchanges. The increasingly assertive role of China and Turkey in the trade of textile, plastic and common-use with Tunisia and the fear of the West-projected business sectors for the trade deficit levels accumulated by Tunis vis-à-vis Beijing or Ankara serves as the backdrop to these financial cross-border control measures (Meddeb 2021), for which AML/CFT security discourses act as a legitimizing echo chamber. And yet, the way in which experiments of alleged financial decentralization like Hannibal materialize, in this case with a marked top-down and coercive character which sees MoI and police authorities as key nodes of fund seizure⁵², point to their ultimately centralized/ing effects. They serve to reinforce perceptions of an inexorable strong and stable state, that also keeps up with the times and seizes new opportunities offered by technologies. Such a 'performative state' would be able to govern old and new issues: the need to preserve foreign currencies to pay the high cost of imports and the integration of the underground economy, which in this acute phase of precarious socio-economic balance is expanding and represents an uncomfortable counterweight to dominant monopolistic firms (Malik and Gallien 2019). A state that aligns with international financial

institutions and donor's provisions that de facto disqualify informality as the source of many economic and security problems in Tunisia, while capitalizing, in this phase, on a discourse of enfranchisement from them. The financial/security encroachment becomes thus visible.

- 29 And yet, whether this wannabe performance is actually able to reduce informality seems unrealistic. The convenience of informal money/trade exchanges for Tunisian traders and consumers who lose purchasing power pushes even more the reliance on *hawala* or letters of credit issued to importers via cash transfers. Meddeb reports a quote from a well-established Tunisian entrepreneur that, commenting on the informalization trend, remarked that “*the challenge today is not the formalization of informal trade but the informalization of what is currently formal.*” (Meddeb 2021, p. 10). The fact that companies and entrepreneurs in the formal sector have adopted or adapted informal practices further supports the argument that the formal economy and the informal economy should not be understood as mutually exclusive. Technological adventurism will hardly be able to reverse these trends. A person making use of *hawala* to send remittances or buy goods in Medenine told me however that such a control is really weak at the Tunisian border, and that probably only concerns a few *sarafs*.

“The majority of them, [he the added: those who survived and are still operative in Ben Guardane and did not leave to invest in the Sahel or Le Lac in Tunis] still operate under tacit agreements with local custom officers (...). It is very difficult to get into the business, and there are not very many of them, but enough to move an entire local economy”⁵³.

- 30 What seems to be happening is, conversely, that the security logic with which these practices are imbued is already having negative effects on the most vulnerable who survive thanks to informal monetary and economic exchanges (Lamloum 2016). The AML/CFT dispositive is targeting and discouraging *hawala* informal transfers by an array of means, for example, by prohibiting the issuing of prepaid cards or anonymous telephone cards in line with ‘know your customer’ provisions⁵⁴ and forcing already known intermediaries to legalize themselves, which would undermine their trust as independent, cheap and trustful intermediaries on which the *hawala* itself is based. The diversion of these agendas towards objectives of migration securitization would seem to be based on a superficial knowledge of the ways in which people in transit financially secure their travels, and on a conflation of *sarafs* and ‘*passeurs de fonds*’ with smugglers⁵⁵. Attempts to control the border and the passage of people, goods and currency, with all their contradictions and subpar results compared to policy objectives, have already had deleterious effects on border economies and in general on the production/worsening of violence and vulnerability. Institutional violence generally entrenches socio-economic disqualification and community insecurity (Lamloum 2016; Catousse and Lamloum 2020). The border remains open (although systematically closed every time clashes break out in close Libyan regions) but violence and deadly episodes have been documented along the Ras Jdir and Dhehiba border (where smugglers have been shot dead or were killed in car accidents after police chases) and cross-border trade is said to have significantly reduced⁵⁶. The harmful effects of the persistent and artificial conflation of crime/terror with economic informality and mobility are thus once again stronger at the margins.

Conclusion

- 31 This article attempted to shed light on the development of the assemblage of financial intelligence in Tunisia, from an IR/international political sociology perspective that looks at the development of practices of security and policing from a transnational and postcolonial vantage point. Financial intelligence in the Global South nowadays takes largely shape through the combination of anti-money laundering (AML) and counter financing of terrorism (CFT) agendas. To do so, the article first makes the theoretical

point about the validity of the concepts of entanglement, extraversion and collusion for understanding the practices and effects of the AML/CFT agenda. These concepts serve to illuminate the entangled character of these practices, and the dissolution of binary visions that separate the international from the local; but also, their complex and diverse configurations. Finally, they serve to identify relations of legitimation (collusions) that follow horizontal lines, while enabling collusive transactions that follow vertical lines of legitimation of power and political agenda, that become hyper visible in particular crisis junctures such as the post-2021 one. The article then gives empirical salience to the theoretical argument by tracing temporalities and developments of financial and pre-emptive policing from transnational forms of blacklisting (which affected Tunisia in 2018) to profiling, tracking, fund freezing and technological experimental practices that unfold contextually. This process generates visible effects in the Tunisian context: the expansion of the financial security assemblage and its standardization according to laws and transnational provisions, and in its power collusions; the creation or strengthening of ad hoc and extraverted bodies substantially dependent in their functioning on the presidency and security apparatus; and the disqualification and criminalization of informal economic exchanges, accelerated by the progressive conflation of informal money circulation channels with mobility and migrant transit. This analysis more generally intends to fit into a broader debate on order and coercive force, policing and securitarian institutions in Tunisia by detaching it from fixed and typological conceptions of 'regimes' (see Allal and Vannetzel 2017) and returning it to sociological analyses of power in its present, experimental and contingent configurations. In this sense, looking at processes that intensify criminal, punitive and marginalizing mechanisms as assembled and entangled transnationally and as productive of collusions points to a salience of the present that is shaped, but not pre-determined, by the past. It is a present where authoritarian restoration occurs by way of "constituting and empowering new groups of actors or by re-empowering existing groups in new ways" (Sewell 2005, p. 110) and taking advantage of the opportunities offered by new arrangements across national borders or polity boundaries, of which transnational (in)security agendas are an example. More studies and analyzes that look at the different forms that policing takes today, in continuity or break with the past, are necessary, including and especially when it comes to North African contexts in their global connections.

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Notes

1 President Saïed promulgated a new constitution which was adopted on 25 July 2022, the day of Republic Day and the first anniversary of the regime change. Article 80 of the 2014 Constitution foresaw the possibility to establish a state of exception in the event of "imminent danger threatening the national integrity, the security or the independence of the country and hindering the regular functioning of the public powers" (JORT, 10.02.2014. Author's translation).

2 These terms have strong biased connotation and doubtful heuristic value, and are often used to stigmatize rather than to explain the social phenomena under examination. Although for space constraints is not possible here to deconstruct them thoroughly, the article reports them precisely to illustrate their stigmatized use by governance actors and processes.

3 Observations from participation to trainings and other pedagogically-framed settings in Tunisia, in Europe and online, between June 2022 and February 2023 were particularly informative. In particular, one session organised by UNODC, two by CEPOL and from a workshop organised by the EU Global facility and CEPOL in Tunis in October 2022.

4 All interviews excerpts that follow here translated from French and a few of them from Arabic.

5 Samir Amin has also talked about extraversion, but in a different and mainly systemic meaning (Amin 1976). I nonetheless contend with Bayart, Hountondji, Grovoui among others in arguing that the peculiar condition of the African continent requires that structural and historically developed asymmetries are considered – not deterministically but constantly reworked and subject to transformation.

6 See also Observatoire Tunisien de l'Economie (OTE), Tunisie : premier pays arabe en termes de flux financiers illicites, datanalysis n°19|2019, available at: <https://www.economie-tunisie.org/sites/default/files/20190117-datanalysis-19-fr.pdf>.

7 This persistence is well illustrated by the continuity between the "softened" language of paradigms of 'good governance' and 'capacity building' - now omnipresent in any field of

international cooperation - and that used in 1868 by the Marquis de Moustier, then French Minister for Foreign Affairs in his proposal to establish an International Financial Commission in Tunisia, a language that employs terms such as ‘proper management’, ‘incapable hands’ (Ganiage 1961, p. 260).

8 For a comprehensive analysis on the emergence of CT in Tunisia, see Simoncini 2024, especially p. 47 - 88.

9 In particular, the 2015 *Loi Complementary de Finances* (Complementary Financial Law) has considerably increased military and security expenditure, La Presse, 10 July 2015.

10 The FATF was established in 1989 by the then G7 (Canada, France, Germany, Italy, Japan, United Kingdom, and the United States) with a mandate of setting international standards for AML/CFT (Zelin and Bauer 2019, p. 28). Its main normative output are the 40 Recommendations to its 190 member states.

11 An Inkyfada investigation on the topic shows how the EU decision was contested by the institutional bodies in charge in Tunisia (such as the CTAF) because its intervention materialized the harm of the FTAF recommendations (extra banking controls, investments, etc.)

12 Countries are listed according to ‘under surveillance/reinforced monitoring’ (grey list) and high-risk regimes (black list).

13 It is worth mentioning the Egmont Group “*within which Tunisia cultivates excellent relations*”, Interview with a CTAF staff member, Tunis, October 2023.

14 See Government Order n°457/2017, available at: http://www.cnlct.tn/fr/wp-content/uploads/2019/09/Modif-loi2019-419-Fr_VF-003.pdf.

15 All these measures are documented chronologically in the FTAF’s follow-up reports for Tunisia, available at: <https://www.fatf-gafi.org/content/dam/fatf-gafi/fsrb-fur/MENAFATF-FUR-Tunisia-2020.pdf.coredownload.pdf>

16 CTAF Annual Report for 2021, available at: <https://www.ctaf.gov.tn/data/uploads/pdf/62f36c15a09912.63614312.pdf>.

17 Interview with a staff member of the Al-Kawakibi centre, Tunis 24/03/2023. Figure confirmed by Inkyfada’s interview of a lawyer of Legal Agenda, available at: <https://inkyfada.com/en/2022/03/15/kais-saied-threat-civil-society-tunisia/>.

18 CTAF, Evaluation Nationale des Risques, p. 3. Author’s translation from Arabic. Available at: <https://www.ctaf.gov.tn/data/uploads/pdf/6368ff4f9af2b1.19543002.pdf>.

19 These included, in particular, members of the ruling RCD (*Rassemblement constitutionnel démocratique*) party but also ‘ordinary’ civil servants, professional associations, as well as public and even some private companies (Lutterbeck 2015, p. 10).

20 Interview, Tunis, 27 October 2023.

21 Commission Nationale de Lutte Contre le Terrorisme (CNLCT), *Liste nationale des personnes, organisations et entités associées à des infractions terroristes*. Available at: http://www.cnlct.tn/fr/?page_id=1684

22 Interview with OMCT staff member, Tunis, November 2022. In another conversation a person told me that a friend of him had been profiled only because he bought a second-hand motorbike from a person that has been listed in the CNLCT national list, Tunis, April 2022. For more on S17 profiling, see OMCT report “*Etre S*”.

23 I met this person through a friend, and this information came out not from an interview but from an informal conversation we were having sitting in a bar. Tunis, October 2022. Law 25/2015 in fact provides that anyone who circulates information relating to terrorist crimes without informing the police authorities is liable to conviction.

24 Interview with a police attaché of a European embassy, Tunis 12 December 2022.

25 As reported by some news channels, the NRE is said to actually have a good potential to improve transparency by operating business in Tunisia, except that many companies do not complete or update their data and limit themselves to asking for an identification number without fully registering/updating their data. See for instance: <https://www.webmanagercenter.com/2021/12/02/476392/transparence-le-rne-ne-serait-pas-du-gout-de-nos-entreprises/>

26 CTAF, Annual report 2022, p. 13. Available at: <https://www.ctaf.gov.tn/data/uploads/pdf/658c40d77bd246.73657925.pdf>

27 Interview with former CTAF official, Tunis, April 2022.

28 Interview with former CTAF official, Tunis, April 2022.

29 The CTAF was accused by President Kais Saied of “*not doing its job properly*”, especially with respect to the seizure of funds transfers through the Postal service and to the control of associations that “*take foreign funding and then transfer them to political parties*”. The speech has been published at the Presidency’s Facebook page:

https://www.facebook.com/Presidence.tn/videos/24055584357360251/?ref=embed_video&t=1149.

30 Ibid, Presidency's Facebook page.

31 Interview with Euromed Justice legal consultant, online, July 2022.

32 Such mechanisms are also frowned upon in Tunisia because they are more generally associated with political projects of economic and judicial reconciliation (amnesties) of old members of the *ancien regime*. Think of campaigns like that of the movement *Manich Msamah* (I don't forgive).

33 A category "Politically Exposed Persons" has been introduced by the FATF and other financial security regimes and has been used to justify recent investigations and arrests in Tunisia, including that of Rached Ghannouchi accused of AML/CFT in the in the case of the Neema association.

34 Interview with CTAF staff member, Tunis, 11 October 2023.

35 Council of the EU, Commission Service. 'Operationalisation of the Pact – Action Plans for Strengthening comprehensive migration partnerships with priority countries of origin and transit – Tunisia', 11392/1/21 REV 1, final, p. 4.

36 CTAF, Annual Report 2021 et 2022. News media have reported similar trends: <https://africanmanager.com/ctaf-la-tunisie-presente-le-projet-regional-sur-le-blanchiment-dargent-issu-de-la-traite-des-etres-humains/>.

37 In various public appearances and in his meeting with Central Bank and CTAF representatives, President Saied used a racial discourse criminalizing migrants' money transfers, mentioning the Tunisian Poste in Sfax. See for reference reporting by local journal 'African Manager', 15 July 2023: <https://africanmanager.com/saied-preside-le-conseil-national-de-securite-des-transferts-de-dizaines-de-millions-de-dinars-pour-les-migrants-subsahariens/>.

38 He was referring to the term *tahrib* (trafficking) and *irhab* (terrorism), which have assonance but different linguistic etymologies.

39 Institut National des Statistiques Tunisien, Report "Tunisie en chiffres 2021", available at: <https://www.ins.tn/publication/tunisie-en-chiffres-2021>.

40 The *hawala* works by means of simpler exchanges between intermediaries in different countries, or more complex exchanges which involve the passage through nodes of the transnational market (especially Dubai and Yiwu). Its modern and global development is associated to the 1947 partition between India and Pakistan, when the transfer of money between the two countries was made illegal and substituted by informal networks (Miller, 1999 quoted in de Goede 2003).

41 The role of *hawala* networks as chains of modern endorsements whose role in the progress of the post-medieval economy in the West is well known.

42 I report the appellation for this financial instrument used in a training session on AML/CFT by CEPOL in the framework of the Euromed Police program, online training, 5 October 2022.

43 CEPOL training, online, 5 October 2022 and Eurojust documents on criminal judicial cooperation with Tunisia obtained under EU transparency Laws in September 2023.

44 This term is equally not neutral, see note 2.

45 On experimental security practices, see Bueger and Edmunds 2021.

46 Interview at the FTDES premises with an activist engaged in transitional justice causes, Tunis, 17 april 2023. The *matraque* (from French), also known as *tonfa* in Tunisian dialect, is the stick usually associated with police violence.

47 Interview with CTAF custom officer, Tunis, 31 May 2023.

48 Interview with CTAF custom officer, Tunis, 31 May 2023.

49 But the project itself has been developed in close cooperation with France and French consultants of the group Paris Europlace. See: <https://talan.com/actualites/detail-actualites/news/la-banque-centrale-de-tunisie-paris-europlace-et-talan-organisent-lafrica-blockchain-summit-1/>.

50 But when I asked him who these intermediaries are, he answered "for example people that are already active in currency exchange"

51 Interview with CTAF custom officer, Tunis, 31 May 2023.

52 I viewed the functional architecture of Hannibal through some slides kindly provided by CTAF custom officer before our meeting, May 2023.

53 Interview with a local journalist from Medenine that accompanied me to visit a *saraf* shop. Medenine, 28 April 2023.

54 Training CEPOL, 5 October 2022. See also CTAF 2021 Annual Report.

55 The Tunisian CTAF is increasing regional cooperation (a MENAFATF project co-led by Tunisia, Egypt and Libya is ongoing) and cooperation with the GIZ in the framework of a technical assistance project, see CTAF 2021 Annual Report.

56 Inkyfada, 'Along the informal route, from Ben Guardane to Libya', published on 8 April 2022. Available at: <https://inkyfada.com/en/2022/04/08/ben-guerdane-libyan-border-informal-economy-smuggling/>.

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