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*The Peculiarity of Tunisian Women Activism: Their main achievements in the last century.*

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## Abstract

Tunisia, differently from its neighbouring country, has always been a peculiar case-study for its women's activism. Through the years, the high level of education, the awareness of their skills and the activism have played an important role for the gradual recognition of women rights. The recent and dramatic changes in Tunisia since the Jasmine Revolution have brought new challenges for its citizens and in particular for its women. In fact, "*Les femmes tunisiennes*", long considered the most liberal in the Arab-Muslim world, in the post-revolution period have faced difficulties due to the consolidation of power of Islamic and conservative political party: "*Ennahdha*". In order to give a more general and comprehensive vision of the above-mentioned topic, the initial part of this thesis will describe the historical and political background of the country, highlighting its liberal and modern approaches since its independence. Then, the focus will turn on the origins and evolution of these feminist movements, focusing on the main past and present achievements. The last part of this work will address the concrete involvement of women's groups in the revolution and in the redaction of the new Constitutional text of January 2014. As a matter of fact, the Tunisian Revolution, within the Arab springs, has been a singular and unique case, where women have had the courage to make demands upon the state and voicing their concerns. This activism has transformed the so called "politics from above" to a "politics from below".

**Keywords:** Tunisia, pre-post Revolution period, women movements, activism, achievements.

## Introduction

Tunisia, differently from its neighbouring countries, has always been a peculiar case-study for its women's activism. Throughout the years, the contribution of different scholars such as the Tunisian *Tahar Haddad*, promoter of gender equality and inspirer of subsequent modernist. Avant-guard reforms on the one hand, and the intense and constant involvement of women in the political and social field on the other hand, have led Tunisia, among the Arab countries, becoming an unique case in terms of recognition of rights, especially with regards to women rights.

The purpose of this thesis is to discover the causes that have made the Tunisian female activism a peculiar case in comparison to other Arab countries and to understand the exogenous influences and endogenous changes of Tunisia society that led the female movements to obtain equal rights. Throughout the analysis, the attention will be focused not only to the evolution and transformation of the Tunisian female movements but also to the recent and dramatic changes in Tunisia since the 2011 Jasmine Revolution that have brought "*Les femmes tunisiennes*" to face new challenges after the consolidation of power of the Islamic and conservative political party: "*Ennahdha*".

The long period of political and constitutional transition has seen Tunisian women actively engaged in contrasting the wind of Islamic reformism that *Ennahdha* and the Salafist wing wanted to bring with the introduction of Art. 28 in the new Constitution. The Article 28 was aimed at introducing the word "*complementarity*" in the relationship between men and women and that will lead to a great national and international debate about its appropriate use in a Constitutional text. Also in this case, Tunisian women were found ready and after heated debates, protests and street mobilisations, they obtained the complete abolition of the article from the final text of the 2014 Constitution. As a matter of fact, the Tunisian Revolution, within the Arab springs, has been a singular and unique case, where women have had the courage to make demands upon the state and voicing their concerns. This activism has transformed the so-called "politics from above" to a "politics from below".

The thesis will be divided in three different parts.

In order to give a more general and comprehensive vision of the above-mentioned topic, the first part analyses the historical stages of Tunisia, from the Arab and the French domination to the birth of the new and independent state in 1956 and the 2011 Revolution. It is not possible to understand the peculiarity of contemporary Tunisian women without understanding the steps that have characterized the modernity of a country in which they developed.

In the second part, the focus will turn on the origins and evolution of Tunisian feminist movements, describing their main past and present achievements. Relevant importance will be given to the introduction in 1956 of the *Code of Personal Status* (CPS), strongly wanted by President *Bourguiba*, which will open the doors to young Tunisian girls and women to the participation of public life, as students and workers. Despite the strong criticism against the CPS, considered more as a part of a wider *national building* project, it aimed at favouring women's conditions instead. It, in fact, represented the initial step towards the consolidation of a long social process that will lead to the recognition of gender equality in Tunisia.

The last part of this work will address the concrete involvement of women's groups in the Revolution and even more in the drafting of the new Constitutional text, approved with unanimity in January 2014. Despite the challenges that Tunisian women have faced especially during the last phase of the *Ben Ali* era, they have always been active in claiming their rights both as women and citizens. This has been demonstrated by their massive participation during the uprisings that preceded the fall of *Ben Ali* and especially during the difficult political and constitutional transition process.

In this last phase, thanks to the contribution of two interviews, it was possible to have a direct contact with those Tunisian women who not only actively participated in the Revolution, but who were also engaged in the institutional transitional process.

Being women of different generations, my interviewees, pointed out the different approaches in participating and taking charge of the Transition process, reflection of that current Tunisia society divided between them who openly expressed his dissent with striking acts as the case of *Amina Sboui* and others who worked within the Tunisian political entourage as *Bochra Bel Haj Hmida*.

Despite the different types of activism, Tunisian women have shown, throughout the years, great social participation and a strong desire of equality that have identified them as the most liberal women in the entire Arab-Muslim world.

## Chapter 1

Tunisia Social and Political Background: from *Bourguiba* to *Ben Ali*





## **1.1 Tunisia Social and Political Background**

### **1.1.1 The multicultural roots**

Looking at the Tunisia social and political background, appears clear how it has strongly contributed to its modern and liberal structure. In ancient time, its optimal geographic and strategic position was fundamental for commercial exchanges with the oriental and western world and for acquiring control of the Mediterranean Sea.<sup>1</sup> These reasons had always located Tunisians under the crosshairs of many conquerors. More than three thousand years of Tunisia history tell us the long rivalry between Rome and Carthage, the Arabs and then the France dominations.

Its territory has been inhabited over the centuries by the “*Mediterranean people*” such as Phoenicians, Berbers, Arabs, Italians, Maltese and French which have left an important legacy to the Tunisian people made of cultural vivacity and religious compatibility.<sup>2</sup> For these reasons, modern Tunisia was not only influenced by western traditions, thoughts and ways of life, but it also reflects a mixture of several civilizations, cultures and religions. To truly understand its current modernist and western oriented culture, it seems necessary to look in its past.

### **1.1.2 Arab-Muslim and the Ottoman Domination**

Since the VII century, Tunisia was controlled by different Arabs-Muslims dynasties which succeeded in preserving the existence of other cultures such as the Berbers and the Nomads (*El Houssi, L., 2013, p.9*).

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1 Tchaïcha, J. and Arfaoui, K. (2012). *Tunisian women in the twenty-first century: past achievements and present uncertainties in the wake of the Jasmine Revolution*, *The Journal of North African Studies*, 17(2), p.21

2 El Houssi, L. (2013). *Il risveglio della democrazia. La Tunisia dall'indipendenza alla transizione*. 1st ed. Roma: Carocci editore, p.15

Under the Ottomans, the strategic Mediterranean country developed a semi-autonomous administrative system, the so called “*beylicato*”.<sup>3</sup> This institution, adopted concurrently with the *Tanzimat* <sup>4</sup> reforms, paved the way for a fluorescent period of transformation in Tunisia, where historical improvements were achieved. For the first time in the history of an Arab-Muslim country, in 1846 the slavery was abolished and in 1857 the “*Fundamental Pact*” was promulgated. It was a document aimed at regulating the conditions and the rules between the *Beys* and their subjects. The *Fundamental Pact*, strongly wanted by *Mohamed Bey*, laid down religious and civil freedom and ensured for foreigners the protection of property rights, the possibility of trading and being employed (El Houssi, L., 2013, p.16).

According to historian such as Nathan J. Brown, this document was extremely important because it lead to the adoption of the 1861 first Tunisia written Constitution. This was the *cultural progress* established in the second half of the nineteenth century by the first Minister *Khayr al din*, whose primary goal was to achieve an economic, cultural and institutional modernization of the country on western model.

The cornerstone of those reforms was the renewal of the educational system with the creation of new institutions that joined the religious ones. The most important was the *Sadiki College*, founded in 1875 with the objective to educate and form the future governing class (El Houssi, L., 2013).

The reformist and modernist essence of this country, already highlighted by those achievements, will persist throughout the years. In fact, if Tunisia was endowed with the first Constitution ever promulgated in the Muslim world in 1861, only 150 years later it was the promoter of the first democratic revolution in the MENA<sup>5</sup> region.

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3 Torelli, S. (2015). *La Tunisia Contemporanea*. Bologna: il Mulino, p.15

4 The *Tanzimat* was a set of modern reforms adopted in 1839 by the Ottoman Empire in which all the citizens were declared equal in front of the law, the Millet System was abolished and the educational system renewed.

5 MENA is the acronym used to indicate the Middle East and North Africa Region.

The so called “Arab Spring”<sup>6</sup> that had spread as an oil stain to other countries such as Syria, Libya, Egypt, Yemen, Algeria, Iraq, Bahrain, Jordan and Djibouti.

### 1.1.3 The French Protectorate

In 1869, after a period of economic and financial difficulty, France, Italy and Great Britain established an international financial commission to save Tunisia from bankrupted. The implementation of this institution signed the very first direct influence of European countries in Tunisia (Torelli, S. 2015, p. 16).

That was a period characterized by *colonialism*, where, in order to confirm their predominance in the international scenario, majors *Powers* had the will, and sometimes the necessity, to expand their own territory to acquire direct access to economic and human resources. It was right in this framework where two European powers such as France and Italy showed interest about Tunisia. On the one hand, France was driven by the idea of creating territorial contiguity and assuring security for the occupied neighbouring Algeria<sup>7</sup> and, on the other hand, the possibility to obtain a new land and to protect the Italian community living there, made Tunisia appealing also to the new Italian State. This rivalry became less lively after the Berlin Congress of 1878 where the destiny of Tunisia was almost determined and entrusted in the hand of France without any objections from the two hypothetical opponents Great Britain’s Prime Minister *Benjamin Disraeli* and the German Chancellor *Otto von Bismarck* (Torelli, S. 2015, p. 17).

In May 1881, the “*Bardo Treaty*” signed by the France government and the *Bey Muhammad al Sadiq*, put an end to Italian ambitions on Tunis, becoming *de facto* a France Protectorate. The above-mentioned Treaty, composed by only 10 articles, specified how the administration of Tunisia affairs would have taken place. And even if there were no evident references of any form of colonialism, the treaty made clear which would have been the future of the *bey*’s political autonomy.

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<sup>6</sup> With the Arab Spring (in Arabic الربيع العربي al-Rabī‘ al-‘Arabī) we mean a journalistic term mostly used by the Western media to indicate a series of protests and revolts that began between the end of 2010 and the beginning of 2011.

<sup>7</sup> Algeria was already conquered by France in 1830

Barely two years later, in 1883 with the *Marsa Convention*, the temporary situation became much clearer and Tunisia was transformed into a French colony under the direct administration of the *Eliseo*. Since then, Tunisia was completely administered by them which began to adopt policies aimed at favouring the French communities, economy, language and currency (Torelli, S. 2015). The exporting taxes between the two countries were greatly lower compared with those of Italy or other countries, so that trade between them increased exponentially reaching, by the end of the century, the 60% of the whole international trade of Tunisia.<sup>8</sup>

The policy undertaken by France in Tunisia have created a situation in which French people were constantly enjoying privileges. The taxation system imposed on land and products was completely unequal and in favour of the interests of the small French community; at the working level, the local labour force was discriminated because it was considered unskilled and unreliable. As it happened in 1885 after the discovery of the phosphate deposits in *Gafsa*, where not even a Tunisian worker was employed increasing discontent and dissatisfaction among people (Torelli, S. 2015, p.21). A direct consequence of those policies was the growing gap between the rural indigenous populations that became increasingly poor and the French who gradually became richer.

Like all kind of colonialism, the long period of France's presence in Tunisia led it to experience gradual but steady exploitation of national resources and a progressive impoverishment of the local population. However, shortly thereafter, the disagreements will appear regarding the considerable France's interference in Tunisian internal affairs, giving the chance to increase the nationalistic fervour channelled in the ideals of the new *Dustur* political party.

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<sup>8</sup> Perkins, K. (2014) *A History of Modern Tunisia*. Cambridge: Cambridge University Press, p. 58

#### 1.1.4 Tunisian Nationalism

If on one side, colonialism favoured the development of an economy functional to its own interests, on the other, it failed to stop the process of cultural renaissance which continued to operate secretly to escape from repression and political censorship, all around the Arab countries. The France presence both in the administrative structure, as in Tunis, and in the training of local officials, as in Algeria, favoured the exchange of knowledge and contributed, in some way, to the evolution of thought.<sup>9</sup>

The Arab nationalist, influenced by liberalism and socialism ideas, fostered the growth of national movements, such as the Tunisia one, that would contribute to the birth of nation states after a long independence struggle against the European oppression.

In Tunisia, the two major educational institutions the *Sadiqi* college and the traditional Islamic University centre of *Zaituna*, were the places that saw the rise of debates and disagreements due to the excessive western presence in the territory. In fact, in Tunisia, as happened in the Ottoman Empire, a more educated bourgeois class, partly inspired by Western values, will become the bearer of national defence by creating movements of resistance (*Torelli, S. 2015, p.22*). The Tunisia movement of cultural revival was nourished by the verses of romantic idealism of the Tunisian poet *al-Shabbi* and by *Tahrir Haddad* who wrote in favour of female education, cornerstone of the subsequent women's right achievements (*Corrao, F., 2016, p.100*). The efforts of maintaining the Western and the Muslim culture together led to the creation in 1896 of the *Khalduniyya*<sup>10</sup> association. This association, created by the first two Tunisian Nationalists *Bashir Sfar* and *Mohamed Lasram*, was designed to unite the *Zaituna* teaching with Francophone methods and sciences. So that to create an association that was leaned on western models without departing from the Arab-tradition.

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<sup>9</sup> Corrao, F. (2016). *Islam, religione e politica*. Roma: Luiss University Press. p. 98-99.

<sup>10</sup> The name "*Khalduniyya*" was given in honour of Ibn Khaldun, Tunisian philosopher and politician, as well as one of the most important culture men in Arab-Islamic history

As the “*Young Turks*” in the Ottoman Empire few years earlier, also in Tunisia in 1907 was formed the movement of the “*Young Tunisians*”. It was a secular movement, although not far from the values of Muslim culture, whose political message was aimed at the self-determination of the Tunisian population, at social and economic reforms, especially in the field of education and judicial, administrative and fiscal system. The most important supporter of this movement was exactly an ex member of the *Sadiqi college*, *Ali Bash Hamba* and other figures which immediately became the major protagonist of the Tunisia movement *Abd al’ Aziz Tha’albi* and *Abd al-Jalil Zaouche*. The instrument used by them for the diffusion of the Tunisian nationalist ideology was the newspaper founded by *Bash Hamba* in February 1907: *Le Tunisien*. It was the first newspaper written in French but directed by Tunisian Muslims. In fact, the choice of language indicated what kind of nationalist movement was: reformer and promoter of modernization (*Torelli, S.,2015, p. 24*).

The relations between the movement and France saw a small period of relaxation during the WWI, to sharpen soon after, when the economic situation worsened again. In the meantime, the Nationalist movement in 1919 had created the “*Parti Tunisien*” (Tunisian party), the first political expression of the Tunisian youths’ demands, whose ideology was represented by the literary work *Tunis al-shahida* (Tunisia martyr) written by *Tha’albi*, published in French, but profoundly anti-French (*Torelli, S.,2015, p. 27*).

The failure of finding support in the French left party, pushed the Tunisian nationalists to turn again to the internal scene, founding in 1920, the Tunisian Liberal Constitutional Party (*Al-Hizb al-Dusturi al-Hurr al-Tunisi*), known simply as *Dustur* (Constitution), that would become the main reference for the following years of political struggles. From the east to the west, the second half of the nineteenth century was characterized by the end of the colonial empires, and the affirmation of the national states. The well-known “*decolonization*” phenomenon that lead to the independence of many states such as Afghanistan in 1919, Egypt in 1922, India and Pakistan in 1947, Tunisia in 1956 and Algeria in 1962. In this precise framework lies, in Tunisia, the central role played by the *Dustur* party in bringing Tunisian to one single and common goal: Independence.

### 1.1.5 The *Dustur* party and its efforts to achieve Independence

Despite some of its leaders who have had a Francophone formation, the *Dustur* wanted to be a more “Tunisian” party, not only an expression of the local bourgeoisie, but also rooted throughout Tunisia. The party's objectives were the liberation from the French protectorate, the restoration of the Constitution and the establishment of an elected parliament composed by French and Tunisian members (*El Houssi, L. 2013, p.18*).

At the very beginning, a sort of dialogue with the French authorities had vanished because of the repressive reaction of the latter, while a detente would have arrived in 1921. From an internal point of view, the movement started to be weakened by the split between the *Dustur* and a minority party that, led by *Guellaty*, would have formed the Reformist Party in 1921. At the basis of internal dissent there was a divergence of views about the role of the West. The *Dustur* had become little more traditionalist and *Guellaty's* formation continued to have a more Western vision (*Torelli, S.,2015, p. 31*).

Only after few years of activity, the *Dustur* party was subject to internal divisions, which were, clearly, the mirror of the rise of a new western inspired political and social generation. In 1930, a young man graduate in law, *Habib Bourguiba*, emerged as the pioneer of the anticolonial campaign, becoming the leader that Tunisians had been waiting for long time. His studies at the Sorbonne University and his avant-garde ideas, have helped him to increase a strong spirit of modernization and a desire of creating an autonomous nationalism.

Since the 1930s, national identity and the sense of belonging to Islam emerged clearly and unequivocally as the two characteristics of Tunisia. But, curious is as, at that time, the same *Bourguiba*, who once in power would become a champion of the secularization of the state, stood as a defender of Islam. This was his functional strategy to the anti-French struggle, identifying in the Islamic religion the characteristic element of Tunisia. In this sense, emblematic was the battle in favor of the use of the veil by women, which, at that stage, was even encouraged by one who, later, would become an icon of female emancipation in the Arab-Islamic world (*Torelli, S.,2015*).



Unfortunately, other internal criticisms created the basis for further divisions, in fact, the Party, accused of being too submissive in 1932 was split into two branches: the “new” and the “old”. The “new party”, ruled by *Bourguiba*, adopted a more aggressive tactics against the French Protectorate; it was reorganized and composed by many cells throughout the Tunisian territory, creating the basis for a deeper presence rooted even in non-urban areas (*El Houssi, L. 2013, p.19*).

Since then, a period of intense political activity for independence began. But the French reaction was forthcoming. Instantly, the colonizers, started to repress all kind of activism, arresting, for the first time, *Bourguiba* and other leader of the *Neo Dustur* party. This strong phase of repression saw a short period of relaxation in 1936, when in Paris the left coalition of the Popular Front of Léon Blum won the election. This coincided with the rehabilitation at the local level of the *Neo-Dustur*, thanks to the release of its leaders (*Torelli, S.,2015, p. 33*).

Internally, the party was in a turning point, in fact, this new strategy aimed at broadening the consensus among the population, not only led to an increase of the cells up to 450 (*Perkins, K.,2014, p.103*), but also its range of action was expanded, including new social classes, such as women. As a matter of fact, in 1936, thanks to activists such as *Bashira ben Mrad*, was born the first Tunisian feminist organization: “*Union Musulmane des Femmes de Tunisie*” (UMFT) (Muslim Union of Tunisian Women).<sup>11</sup>

At the end of the Second World War, the accusations of collaborationism with the axis addressed to the *Dustur* party and the radicalization of the situation in Algeria led the French government to further dampen the tone of Tunisian nationalism with the arrest of more than 4,000 members including *Salah Ben Yusuf*, deputy of *Bourguiba* in the *Neo-Dustur*. In this context, *Bourguiba* attempted to internationalize the Tunisian problem, first seeking the support of the Arab League in Cairo in 1945, and later, in 1947, trying to form a common Maghreb front, with the independence struggles of Morocco and Algeria (*Torelli, S.,2015, p. 35*).

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<sup>11</sup> Renata Pepicelli in Corrao, F. and Violante, L. (2018). *L'Islam non è terrorismo*. Bologna: Il Mulino. p.80

However, the simultaneous outbreak of the Israeli-Palestinian crisis and “the Palestine question” stole, completely, the scene from North African. The post-war period, precisely between 1946 and 1948, some significant changes occurred for the nationalist cause. The “*Union Generale Tunisienne du Travail*” (UGTT) represented the real news within the political-social panorama of Tunisia. Founded by *Farhat Hached* in 1946, immediately embrace the cause of the *Neo Dustur*, becoming a leading player in the nationalist struggle. The strategy enacted by the party in those years, was that of enlarging their consent within the civil society. And they did so, following two different paths: on the one hand, thanks to the UGTT, for the first time, the *Neo-Dustur* became a real mass party with a broad popular consensus, on the other, the party attempted a rapprochement with the religious circle of the *Zaituna*, while *Bourguiba* focused more at secularist sectors, opening up to new categories such as businessmen and *qaid* <sup>12</sup> (*Torelli, S.,2015*, pp. 36-37). The return of *Bourguiba* in 1949 increased the independence spirit with renewed energy. In fact, he succeeded in reassembling the party and together with *Salah Ben Youssef*, they started to negotiate with the French government, with no success. So, the Tunisian nationalists, led by *Bourguiba*, started to search external support, turning to the United States which showed themselves open to the demands of countries fighting for independence (*El Houssi, L. 2013*).

In the meanwhile, the then French Foreign Minister *Robert Schuman* recognized the necessity of a plan for Tunisia and with the appointment of *Louis Périillier*, the Resident General in 1950, he declared his intention to bring Tunisia to independence. But, in response to *Bourguiba*, who was searching for support also in Washington, in January 1952 the positions stiffened and a real armed resistance began (*Torelli, S.,2015*, p.37). At the same time, France, which was in difficulty also on other fronts as in Algeria and Indochina, was fearing that Tunisia could have even turned into a second Indochina after the guerrilla actions carried out by the *fellagha*.<sup>13</sup>

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<sup>12</sup> *Qaid* is an Arabic word meaning “commander” or “leader”, later it was used in North Africa referring to the governor of a fortress or the director of a prison.

<sup>13</sup> Literally “banned”, they were armed militants, often unemployed workers, who took guerrilla actions against French targets in Tunisia.

Thus, they announced a transitional period that envisaged a sort of internal autonomy of Tunisia. This announcement was made on July 31, 1954 by *Pierre Mendès-France* just over a month after his appointment as French Prime Minister. This autonomy gave to Tunisia the possibility to form a temporary government with the participation of 3 members of the *Neo-Dustur* (Torelli, S., 2015, pp. 38-39).

This solution was not accepted well by the most intransigent party wing, especially by *Ben Yusuf*, who considered this agreement a failure and an obstacle to the real process of independence. At the end, despite the internal disagreement, the approach chosen by *Bourguiba* was that of compromise with the French authorities. The 20 March 1956 a protocol was signed granting independence from France, thus the Treaty of Qasr es-Said of 1881<sup>14</sup> was abolished and *Bourguiba* was elected Prime Minister. This was a sort of “*independence in interdependence*”, which meant that the independence was framed in the maintenance of bilateral relations of close cooperation with France, especially in the economic, foreign and defence sectors (El Houssi, L. 2013, pp. 19-20). This agreement with France was a deliberate move of *Bourguiba*, which succeeded in promoting him among the leading leaders of the Arab-Mediterranean chessboard.

In 1956, after 75 years of French protectorate, moderate and combined efforts of political and labour movements led Tunisia to its independence. One year later, in 1957, after the dismissal of the *Bey* and the end of the monarchy, *Bourguiba* was appointed as the first President of the new born and independent Tunisia Republic.<sup>15</sup> Having assumed the presidency, he began his long-term mandate defined by the Italian historian *Ennio di Nolfo* as a mandate of “*soft authoritarianism*”.

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<sup>14</sup> Also, known as “The Bardo Treaty”. It was a Treaty according to which the bey was obliged to entrust all power in the field of foreign affairs, defense and administration to the General Resident of France

<sup>15</sup> Douglas, J. (2000). Habib Bourguiba. [online] the Guardian. Available at: <https://www.theguardian.com/news/2000/apr/07/guardianobituaries1>

## 1.2 The *Bourguiba* era

### 1.2.1 The reforms of the Presidential Republic: between Education and Secularism

The undisputed founding father of the country, who had succeeded in obtaining national independence to its people, had now to face many challenges. The country needed to be rebuilt and a multicultural country, as Tunisia was, required the implementation of different policies directed to reconcile the diverse ethnic, social and religious groups.

According to *Leila el Houssi*, the relation of *Bourguiba* with France is crucial to fully understand the policy of secularization from above undertaken by him after the independence. The political antagonism must not make us forget its links with French culture. In fact, *Bourguiba*, married with a French woman, *Mathilde*, was the symbol of happiness of belonging to two great cultures, the Arab and the French (*El Houssi, L. 2013*).

One of the first challenges of the “*founding father*”, in the aftermath of independence, was to find a new ideology, a new common element capable of creating harmony and consensus. In response of these needs, he began to put into practice a series of political and social reforms that would give him the name of the “most radical modernizer of the Arab world”.<sup>16</sup> First of all, Tunisia, sweeping away 250 years of tradition, the so called *beylicato* institution, became a *de facto* Republic, where the powers of the head of government and state were directly transferred to *Bourguiba* (*Perkins, K., 2014, p. 137*). Secondly, a new constitution was approved on June 1, 1959 establishing a five-year term mandate for the President, not re-electable for more than three times. Ensuring to himself at least 20 years of government (*Torelli, S., 2015, p. 47*).

In the initial phase of his 30 years of presidency, he had been able to transform Tunisia into an extraordinary example of modernity in the Arabic world.

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<sup>16</sup> McCarthy, R. (2014). *Re-thinking Secularism in Post-Independence Tunisia*. The Journal of North African Studies, 19, n 5.p.50

Substantially, two were the pillars on which the reform model was based: *education* and *secularism*, both seen as vectors of modernization. In 1958, approximately 19% of the government budget was allocated to the education sector, for the construction of new schools and the training of new teachers.<sup>17</sup> The three main objectives of the education system reform were based on: Democratise, making the education system, not a privilege, but accessible to everyone; Decolonize, modifying the programs of the different disciplines, including more history and socio-cultural values of Tunisia; and finally, Arabized, therefore, a gradual reintroduction of the Arabic language in teaching (*El Houssi*, L.,2013, p.25). Even if the reintroduction of Arabic took place gradually, *Bourguiba*, as a fervent supporter of bilingualism, considered it a necessary condition to cultivate relations with Western countries. Therefore, in the educational institutions, were created sections where the teaching was taught in Arabic and another where it was bilingual. The widespread literacy process also included women<sup>18</sup>, whose emancipation became one of the symbols of Tunisia. Relevant regarding the women emancipation, was in 1956, the adoption of the Code of Personal Status (CPS). This code, was rooted in the progressive ideas of the scholar of the *Zitouna* Great Mosque<sup>19</sup> : “*Tahar Haddad*” (1899-1935). The book from which *Bourguiba* has found inspiration was the *Haddad* masterpiece which contributed to draw attention to the women’s question. Published in 1930 the “*Our Women in the Shari’a and the Society*” was a book dealing with the importance of the women in the modern society (*Bochra Bel Haj Hmida* in *Corrao*, F. and *Violante*, L.,2018, pp.92-95). The Tunisia scholar, was a supporter of women empowerment, he also believed that the interpretations of Islam at that time was unjust toward them.<sup>20</sup> He was a secularist who for long time promoted the liberalisation of women from restrictive customs and traditional bonds. He denounced all forms of discriminations and abuses against women, such as the polygamy, and advocated the female access to education.<sup>21</sup>

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17 See the data reported in UNESCO, *International Yearbook of Education*, vol. XXI Genève, International Bureau of Education, 1959, pp. 412-417

18 In 1956 only 13% of girls enrolled in primary school were attending; while 33% for boys. Perkins, K. (2014) *A History of Modern Tunisia*. op. cit.p. 143

19 Established in 737, it is the higher Institute of Theology and the higher Institute of Islamic Civilizations in Tunis

20 Amel Grami (2008) Gender Equality in Tunisia, *British Journal of Middle Eastern Studies*, 35(3), p.350

21 Tchaïcha, J. and Arfaoui, K. (2012). *Tunisian women in the twenty-first century: past achievements and present uncertainties in the wake of the Jasmine Revolution*, *The Journal of North African Studies*, 17(2), p.218.

Hence, if on one side, Haddad ideas were the heart of the Personal Status Code, on the other, his efforts became also fundamental for the future consolidation of a new modern and liberal Tunisia. Son of a secular culture, *Bourguiba*, was the promoter of the emancipation of the Tunisian women. In fact, to bear the CPS and to educate women to the new code, the party also encouraged the creation of the National Union of Tunisian Women (UNFT), which in 1960 reached about 14,000 members (*Torelli, S., 2015, p. 48*).

The “Code of Personal Status”, the first of its kind in the Arabic-Muslim world, issued a series of progressive laws aiming at diminishing the gap between men and women (*Tchaïcha, J. and Arfaoui, K., 2012*). This program, that will be discussed deeply in the next chapter, gave to women equality. It included a wide range of radical measures, such as the ban of polygamy, now criminally punishable, the introduction of a minimum legal age for marriage, the divorce and it also allowed women to receive public education (*Bochra Bel Haj Hmida in Corrao, F. and Violante, L., 2018, p.95*). According to *Bochra Bel Haj Hmida*, the CPS was the founding act of the post-independence Tunisia because it announced a new Family law, based on the recognition of new responsibilities and rights of both members, and on reducing discrimination over women.

Modern and Muslim, the CPS was the paradigm of a positive right that derived its origin from the *fiqh*.<sup>22</sup> Even if it affirmed the principles of a modern secularism, the Code opens with the classical Islamic eulogy “*al-hamdulillah*” (praise to God), meaning that a secular law could be enacted without contradicting Islam (*El Houssi, L., 2013, p.22*).

To brought the country closer to the Western standard, Tunisia made other strong moves. The “*Dar Joued*”, notorious reformatory where “insubordinate and rebellious” women used to be segregated, were shut down. The women, expected to safeguard “*el Ardh*” (honor), used to be sent there by the “*wali*”<sup>23</sup>, until they learned how to behave themselves. With the CPS these houses, created to avoid any moral or social threat, were closed throughout the country (*Tchaïcha, J. and Arfaoui, K., 2012, p.218*).

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<sup>22</sup> The *fiqh* is the Islamic jurisprudence, born from the continuation of the establishing work of the *shari'a*.

<sup>23</sup> Arabic word used to identify the male guardian, usually the father, the Brother or the Husband, *in absentia* also the Son.

However, criticism arrived immediately. The CPS, attracted the reprobation of traditional religious sectors such as the *ulema* (lawyers) and others as the opposition newspaper “*All Istiqlal*”. But, using a new *Ijtihad*, so, through an effort of finding juridical solutions in line with the religion dictates, *Bourguiba*, was capable to avoid a definitive laceration with the tradition. Through his moderate and modernizing politics, he succeeded in placing himself between the West and the East. In fact, the attention to the social needs and the ability to affirm the prevalence of the political sphere on the religious one decreed its success, not only within the country, but also outside of it. But, despite the appreciation received by different west countries, and especially by the United States, Tunisia, suffered from a democratic tare that was common in many other states on the southern Mediterranean shore (*El Houssi, L.*, 2013, p.23-26).

To guarantee stability and unity in the country, the mid-60s and 70s were characterized by many attempts to repress any form of political dissent. In fact, the only political organization admitted was the “party-state”.

### **1.2.2 The State, Islam and the Socialist experiment**

What clearly emerged in the independence aftermath, was the large social cleavage between the two different ideologies: the modern and the one inspired by Islamic values. Between 1956 and 1961 a real attack on the Tunisia Islamic institutions took place (*Perkins, K.*, 2014, p.143). The attack was functional not only to the implementation of modern policies but also to counteract *Ben Yusuf*, former right-hand man of *Bourguiba*, who, however, embodied the most traditional part of the society.

The first institution to be targeted was the Council of *habus*, which managed the land and the business of mosques, Koranic schools and other Islamic institutions. In 1956, in fact, the government provided to confiscate all the properties, initiating a real nationalization of religious institutions. This move was immediately succeeded by the closing of the Shariatic courts of Hanafi and Maliki<sup>24</sup>, ensuring that, from that moment on, in Tunisia, religious courts would no longer exist.

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<sup>24</sup> Sunni Islam officially recognizes four juridical schools: hanafita, malikita, shafiita and hanbalita.

Following this wake of opposition to traditional Islam, *Bourguiba*, attacked also the major symbol of Islamic culture in Tunis: the mosque-university of the *Zaituna* (Torelli, S., 2015, p. 51).

For the defenders of the more conservative Islamic culture, like the future Islamic leader *Rashid Ghannushi* or the same *Ben Yusuf*, in this way *Bourguiba* was becoming a truly opponent of Islam arriving to: “*forbid what Allah has authorized and authorized what Allah has forbidden*” (Perkins, K., 2014, p.141). Instead, according to others, the state model sponsored by *Bourguiba* was inspired by the founder of contemporary Turkey, *Mustafa Kemal*, better known as *Ataturk*.

In reality, this parallelism with *Ataturk* was misleading. In fact, *Bourguiba*’s desire was not to deny Islam, rather to manipulate it. In fact, if on the one hand, he wanted to diminish the role of institutional Islam, on the other, he was aware of the role of religion within the Tunisian society. Rather than attacking Islam, the Tunisian leader used it for his own political purpose. In fact, he went from being a *mujahid* (one who practices *jihad*, a fighter) to propose himself as a *mujtahid* (one who practices the *ijtihad*, an interpreter of Islamic laws) becoming a promoter of a sort of “rational” Islam. The 1959 Constitution has established Tunisia as an Islamic state, where the President was expected to be Muslim. So, although not *de jure*, Islam was *de facto* the official religion of the state. Nevertheless, the Tunisian model, was not secular as the Turkish one, in the sense of a complete division between the state and religion, but rather the state had politicized Islam, which in turn was subordinated to the state itself (Torelli, S., 2015, p. 53).

Beside limiting the power of religious institutions, another necessity for *Bourguiba* and for the new Independent Tunisia was to identify foreign capital and investments, in order to make the economy more efficient and productive. *Bourguiba*, found an ideological answer into the *State Socialism*. The turning point in that direction took place in 1964, when the party’s name was changed in the “Dusturian Socialist Party” (Parti Socialiste Dusturien, PSD).



The first important socialist reform made, was the “lands collectivization”. The objectives, of redistributing and organizing the lands in the form of cooperatives, were to create surpluses of exports in the food sector, in order to lower the costs of raw materials and to stimulate the internal demand and consumption. Creating more jobs in rural areas and blocking the flow of people who moved from the countryside to the city. Also on an industrial level, the objective was to make Tunisia less dependent on imports. A boost on that direction was given in 1964 by the discovery, from the Italian company AGIP, of an important oil fields. Unfortunately, despite the oil export became, in a short time, the most important source of state income, the disparities between the different areas of the country continued to increase, creating the beginning of the social crisis that interested Tunisia between the seventies and eighty (*Torelli, S.,2015, pp. 56-57*). Soon *Bourguiba* realized that the vast collectivization program of the ‘60 have had not the desired impact on the society and on the economy.

The unsuccessful Socialist experience in Tunisia, constituted another evidence that it was not possible to impose such a rapid and radical social change from above (*Tchaïcha, J. and Arfaoui, K.,2012, p. 219*). The Tunisia crisis of the seventies and eighties would not only have caused the first creaking of the *Bourguiba* regime but would have contributed to the emergence of new forms of political opposition, especially that of political Islam.

### **1.2.3 The 70s and 80s social crises and the *Ben Ali* “medical coup”**

If, with no doubts, the new the Personal Code paved the way for the reconstruction of Tunisia society, it is also true that, the Socialist option led Tunisia into an even more unstable economic and social situation. The unsuccessful Socialist experiment and the liberation from any ideological burden, allowed Tunisia to start an era of economic liberalization and openness to foreign investments.

This phase of *Infitah* (opening), detached from the experience of other Arabs countries such as Egypt in the seventies, because it did not consist in a real withdrawal of the state from the sphere of economics and business.

But the privatization and the opening to foreign markets, however, meant a sharp transformation compared to the previous decade. The necessity to give an image of stability abroad, required greater control of public opinion. Thus, all those who were critical to the regime were turned away from public life. As in the case of ‘*Ashur*, the leader of the UGTT, the left and the trade union movements that were gradually marginalized. The highpoint of this authoritarian choice occurred in 1975, when *Bourguiba*, proclaimed itself President for life (*Torelli, S.*, 2015, p. 58).

Being depended too much on oil exports, which in the 80s represents almost 40% of total exports and almost 18% of GDP,<sup>25</sup> the Tunisian economy, was not that much diversified to meet the increasing internal labor demand. Moreover, the negative effects on exports generated by protectionist policy of the European Economic Community (EEC) in 1976, led the Tunisia exports of food products to fell from 30% to 7% (*Torelli, S.*, 2015, p. 59).

The paradox of Tunisia was that, the social policies of the previous years had formed a highly-qualified population, the quality of life had been improved, the workforce was more skilful, and even the women had entered into the labour market. But, unfortunately, the gap between the labour supply and the real demand was increasing, raising the so-called “structural unemployment”, reaching levels of 14% in 1982. The considerable deterioration of the economy led to a widespread discontent and to the first general strike held in 1978 by the UGTT. This strike, which is remembered as “*the Black Thursday*”, saw a very strong repression by the government and the death of some demonstrators (*El Houssi, L.*, 2013, p. 27). The general strike was the prelude to further mobilisations and riots, as the *Bread riots* that occurred soon after the government announcement of the imposition of subsidy on bread. This time, the UGTT protests were joined by the Socialist Democrats Movement (MDS), founded by *Mestiri* and by the Islamic Movement (MTI) founded by *Rashid Ghannushi* (*Perkins, K.*, 2014, p. 168).

Internationally, the growing tensions in the Middle East, the unfinished Arabic-Israeli conflict, the Islamic revolution in Iran led by the *Ayatollah Khomeini* and the consequent chador imposition on Iranian women coincided with the rising of conservative thinking among Tunisians.

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<sup>25</sup> World Bank data.

Internally, in a stage where the social discontent was high, and more than a quarter of Tunisians lived below the poverty line, the only credible form of opposition was represented by political Islam, which had succeeded in replacing the leadership from the UGTT (Torelli, S., 2015, p. 62).

This movement, which later became known as *Ennahda*, was founded in 1981 by *Rachid Ghannouchi*. It was based more on ideological orientation than on a specific political program with the objective to push the most radical manifestation of political Islam as formulated by *Mawdudi*, *Hassan Al-Banna*, *Sayyud Qotb* and *Khomeiny*.<sup>26</sup> Supported by different members of the traditional *Zeitounian* teaching, such as *Abdelfattah Mourou*, *H'mida Enneifer* and *Sadok Chouroy*, and strongly inspired by the Iranian revolution and the Muslim Brotherhood, the movement will see, from part of it, the adoption to more radical positions.

Being concerned about the incoming Islamic revival, *Bourguiba*, ordered tremendous assaults on the members of the Islamic Tendency Movement (Mouvement de la Tendance Islamique, MTI). The rise of Islamist currents, for him, meant the return to obscurantism, against which he had fought all his life (*El Houssi*, L., 2013, p. 27). The massive government repression, pushed the armed wing of the movement to prepare a “*coup d'état*”, which should have been held on the night of 8 November 1987 (Torelli, S., 2015, pp. 66-67). But, the movement, who was gaining more and more support among the population thanks to ideological factors such as the struggle against the State of Israel and anti-Americanism, was taken by surprise. *Ben Ali*, with a team of doctors, managed to obtain a certificate that established his inability to carry out his role as Head of State, for health reasons.

The 7<sup>th</sup> November 1987, *Bourguiba* was deposed by the Prime Minister, *Zine el Abidine Ben Ali* with a “*medical coup*”. In accordance with the provisions of *Article 57* of the Constitution, the powers would be passed to the Prime Minister, thus to *Ben Ali*.

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26 Ferrari, A. and Toronto J. (2017). *Religious and Constitutional traditions in the Muslim Mediterranean*. The Pluralistic Movement. Routledge editor, Chapter 3 pp. 66-67

The “father of the state”, who was at the centre of Tunisia political life for several decades, left a country marked by high unemployment, discontent and the emergence of a new Islamic current. Despite his efforts to lead Tunisia into a period of flourishing modernization and to transform it into a market economy, the last 15 years of power were marked by strong centralization tendencies and repressions. The new leader *Ben Ali*, which remained in power until the 2011 Revolution, had to face not only imperative issues such as poverty and unemployment but more importantly the increasing of anti-authoritarian feelings. Following the wake of his predecessor, he started to strengthen the western alliance, promoting new filo-Western policies, secular values, and increasing penetration into the global market.

### **1.3 The *Ben Ali* system and the roots of the Jasmine Revolution**

#### **1.3.1 Transformation or Betrayal?**

From the *Zine El Abidine Ben Ali* ascendance to Presidential Office in 1987, Tunisian people expected greater openness towards religious groups and less filo-western attitude. The initial phase, was characterized by a series of attempts to liberalize the political panorama towards a real process of democratization. One of the first steps was to restore, through the 1988 constitutional reform, the maximum number of presidential mandates to three consecutive ones and to establish the maximum age limit to be elected to the presidency. The new president, who wanted to appear different and innovative from his predecessor, gave signs of real openness with some factions of the society and in particular with the opposition forces, previously banned. He granted amnesty to nearly 2,500 political prisoners, including the leaders of the MTI and the UGTT, such as the same *Ghannushi*.

Making gestures in favour of Islam, such as the pilgrimage to Mecca or the legalization of, one of the major movements of student activism, the “Tunisian General Union of students”, which belonged to the MTI, he wished to spread a new climate of trust in the oppositions (*Torelli, S.,2015, p. 74*).

In 1988, organizations from civil society, from secular party movements and political Islam signed the “*National Pact*”. The *National Pact* was an historical compromise for the political and social forces of Tunisia, especially regarding the ideological disputes between Islamists and seculars. On the one hand, the centrality of Islam and Arab culture was recognized; on the other hand, the MTI definitely recognized the CPS. Moreover, the Socialist “*Destur party*” of the former president *Bourguiba* became the “*Reassemblment Constitutionnel Democratique* (RCD) and the national anthem was changed because too tied with the past.

While internally, he sought to restore trust in institutions and to ease tensions between different society factions, on the economic level, *Ben Ali* was a promoter of liberalization policies. In this respect, Tunisia was the first country in the Mediterranean area to sign a free trade agreement with the European Union in 1995.<sup>27</sup> Moreover, in the early nineties, there was a slight growth in many sectors such as fishing and agriculture, which represented the 28% of the GDP, in the tourism sector, which represented the 4.3% and, also, an increase in foreign investments (*El Houssi, L.*, 2013, p. 31).

Although his first moves had aroused some optimism in the Tunisian population, after years of relative liberalism, the economic and political structure remained, profoundly, linked to the interests of the Ben Ali family. The political project of the regime was based on the construction of a malleable opposition, neutralizing anti-government parties and formations. If apparently the 1989 elections seemed to give the possibility to the other formations to participate, the reality was different. The majority system, previously adopted by *Bourguiba*, gave no chance to the opposition to obtain seats in the parliament.

This electoral system, would have guaranteed the majority in all the constituencies to the *Ben Ali*’s party. The only opportunity that *Ben Ali* gave, to the other parties to obtain some seats, was to apply for a coalition with the RCD. Furthermore, to the single true opposition force, the MTI, was denied the chance to participate, even if, it was renamed into “*Harakat al Nahda*” party (*Movement of re-birth*) to eliminate any direct reference to Islam.

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<sup>27</sup> Aldo Nicosia in Corrao, F. (2011). *Le rivoluzioni arabe. La transizione mediterranea*. Milano: Mondadori Università’ p.114

Only five parties participated to the election: the MDS (Mouvement des Socialistes Démocrates), RSP (*Rassemblement Socialiste Progressiste*), PSP (*Parti Social pour le Progres*), the PUP (*Parti de l'Unité Populaire*) and UDU (*Union Democratique Unioniste*). (Torelli, S.,2015, p.76). While the RCD won 141 seats, obtaining a single-color parliament, among the secular parties, only the MDS obtained the 1%, while the others obtained less than 4% together (Perkins, K.,2014, p.195). For the presidential elections, however, they saw Ben Ali running alone and being re-elected for a five-year term with 99% of the votes. The initial opening relations towards the most important Islamic movement in Tunisia, was in a turning point.

Under the pretext of the fundamentalist threat, due it also to the situation between Islamists and the army in neighbouring Algeria, a phase of strong repression of *al-Nahda* began. After the Gulf War in 1991, the threat of Islamic fundamentalism began to concern the West. So, Tunisia wanted to reassure the West and in particular the most important trading partner, The European Community. For those reasons, in the late 1990, the regime launched a massive campaign of repression through arrests, torture, killings and summary trials began.<sup>28</sup>

According to some reports of Amnesty international, victims of repression were also many women, guilty only of being wives or relatives of members of the movement. *Al Nahda* was literally swept away, with part of his leadership arrested in Tunisia and another in exile, including *Ghannushi*. Although some International events, such as the Iraqi invasion of Kuwait and the US campaign against Iraq had caused a rift within *al-Nahda* itself, leading to a radicalization of part of it. The realistic motivation for such strong repression was the *Ben Ali* fears that the Islamic party could have become a real challenge to its regime (Torelli, S.,2015, p. 77).

As emphasized by the American political scientist, *Lisa Anderson*: “the President Ben Ali was exactly following the secular and pro-western policy of his predecessor, continuing to deny the strong religious identity of the country” (Anderson, L. 2011).

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28 Anderson, L. (2011). *Demystifying the Arab Spring: Parsing the differences between Tunisia, Egypt and Libya*. [online] Foreign Affairs. Available at: <https://www.foreignaffairs.com/articles/libya/2011-04-03/demystifying-arab-spring>.

### 1.3.2 Power Centralization, Censorship and Police State

Not only the Tunisian's hope to see a true process of democratization vanished soon, but rather a real process of centralization of power in the hand of *Ben Ali* and his small elite began. Using the words of *Giovanni Sartori*: "with *Ben Ali*, Tunisia, far from becoming a multi-party and democratic system, has gone from representing a unique regime to a system with a hegemonic party".

Once in power, *Ben Ali*, imposed also changes on the RCD party system, reshaping its structure and becoming its new president. In the political structure of Tunisia, the link between the party and the state remained strong; creating a sort of "party-state" dichotomy at all levels (ministries, offices, administration). His omnipresence figure was made explicit in the exercise of power, through the centralization of political and administrative organization. The RCD became the only political party and the government and the ministers gradually lost their freedoms of action. The political bureau passed from 12 to 6 members, which included *Ben Ali* himself and the Central Committee passed from 90 to 200 members, 125 of which directly elected by the president. Furthermore, the legitimized parties to participate in political life were only those who, for reasons of security or internal weakness, were not very dangerous and did not place themselves in direct conflict with *Ben Ali* (*Torelli, S., 2015, p.78*).

*Ben Ali* willingness to concentrate the power was also expressed by monopolizing the elections and what happened in 1994 was an emblematic sign of this. On that occasion, the reform of the electoral system had increased the parliament seats from 144 to 163. The law provided the division of the seats in a way in which 144 seats were assigned on a majority basis, while the remaining 19 were redistributed on a proportional basis to the opposition parties (*Torelli, S., 2015, p.80*).

This was a real smart move, which not only guaranteed permanent RCD majority in the parliament, but led the opponents to focus merely on the competition of the remaining 19 seats, rather than doing opposition to *Ben Ali*. Regarding the Presidential elections, the situation was pretty much the same. *Ben Ali*, began to take actions, which soon would have guaranteed to him an undisputed permanence in the presidential office.

While in 1994 *Ben Ali* was the only candidate, in the 1999 electoral competition, despite the two dummy competitors, *Abderrahman Tlili*, former RCD member and *Mohamed Belhaji Amor*, chief of the PUP (*Parti de l'Unité Populaire*), he obtained 99,44% of votes. In 2002, with a Constitutional amendment, he not only eliminated the limit of three mandate, ensuring his participation to the following election, but he also raised the age limit to be re-elected from 70 to 75 years (*Aldo Nicosia* in *Corrao, F.*, 2011, p.114). It was an *ad personam* law, which would open the door not only for a fourth term in 2004 but also in 2009, the year in which the president would have 73 years. In fact, in 2004 he was re-elected with the 99,49 %. As a result, Ben Ali, thanks to these constitutional extortions, was preparing himself to become, “*Ben a vie*”.

Focusing on the social and economic aspect, the regime created a real mechanism of dependence between the citizen and the new institutions created by *Ben Ali*, the National Solidarity Fund (FSN) and the Tunisian Solidarity Bank (BTS). The pivots around which the new social policy of Ben Ali was based were those two institutions set up respectively in 1992 and 1998.

The FSN has a double face: not only it was aimed to reduce poverty and to favour the less developed areas of the country, through the construction of infrastructures; but, it was mainly addressed to increase popular consensus around the RCD by subtracting it from the political Islam. Ensuring basic services for the poorer, such as water and electricity and creating new jobs for the younger population, the regime would ensure citizens' loyalty and dependence on the regime. On the other hand, to anyone who criticized the regime was denied the access to the programs, as was the case of Islamists during the 1990s, who had been marginalized from the society and from financial aid (*Torelli, S.*, 2015, p. 82).

The mechanism of these economic and social policies was generating a very strong form of political power, which was reflected precisely in the theories of the French philosopher sociologist *Michel Foucault*. According to which, power and control are not exercised only through repression, but also through the subjection of individuals in power.



A further step to consolidate the power, was the “*Security pact*”. The reason why Ben Ali and his predecessor would have governed so long, was given, in part, by the agreement made with part of society. But this covenant, rather than political concertation involving all social forces, was a way of governing consisting of the pre-eminence of the state and the plebiscite of the ruling elite. *Ben Ali*, differently from *Bourguiba*, which governed making a compromise with the Tunisian General Labour Union (UGTT), the only counter-power of the country at that time, concluded a “*Security Pact*” with the middle classes and entrepreneurship, with the private sectors and with State officials. Excluding the new generation of unemployed graduates, poor and farmers. This pact, not only sought to compensate the political and civil lacks with political and social benefits, but also made the State the main actor on access and distribution to national resources (Aldo Nicosia in Corrao, F., 2011, p.113). While internally, Tunisia had developed an extraordinary security apparatus, which combined with an effective network of informants, made Tunisia one of the most repressive police states in the world, that gave it the label of *mukhabarat* state (Arabic term to define the secret services). International, many institutions looked at it positively. Tunisia was a singular case, in the South Mediterranean area, of economic openness and political stability (Torelli, S., 2015, p. 83).

The stability of Tunisia, emphasized also by the tumultuous situations of neighbouring countries, such as Algeria and Libya, should be an example to other MENA countries. In fact, the *Ben Ali* regime, beside the repeated violations of human rights and the widespread control imposed on Tunisian society, was perceived as a guarantor of a peaceful and modern country (El Houssi, L., 2013, p. 43). The 9/11 Twin Towers terrorist attack, increased the *Ben Ali* anti-Islamic feelings. To gain the unconditional support of the West, the fight towards the Islamic terrorism assumed a priority, so Tunisia applied further restrictions to individual freedom especially against the Islamist party, *Al-Nadha*. Notwithstanding the repeated complaints made by Amnesty International, Reporters Sans Frontieres, the UN Committee against torture and other NGOs, no mention was made to the obvious violations of human rights (Anderson, L., 2011, p.115).

As highlighted by *Leila el Houssi*, the anti-terrorist action, worked as a screen to dissuade the international attention from the regime's drift. In fact, after the growing radical Islamism and the bloody attack on the *Ghriba* synagogue in *Jerba* on 11 April 2002, the government, in December 2003, emanated the “*anti-terrorism law*”, aimed at justifying every action of repression and control. In this regard, indicative was the battle against the veil. Qualified as unpatriotic and anti-Islamic, in 2006 Tunisia forbidden the use of the veil, proclaiming a sort of *hijabophobia* or state *velophobia* (*El Houssi, L., 2013, p. 39-40*). Demonstration of continuous violations of fundamental rights suffered by veiled women were reported by different NGOs and International organizations such as the World Organization against Torture and collected in the Amnesty International dossier: *Tunisia. Women victims of harassment, torture and imprisonment* in 1993.<sup>29</sup>

As the current *Ennadha* deputy, *Imen Ben Mohamed*, has revealed: “hundreds were the secular or religious women that during the *Ben Ali* regime, were humiliated, arrested, jailed, and raped.<sup>30</sup> In an atmosphere of real police state in which *Ben Ali* had total control of the country, not only in the public sphere but also in the private one, the first signs of dissatisfaction and social dissents began to be manifested, leading, after a phase of harsh repression, to a popular will's triumph.

### 1.3.3 From the crisis to the “*thwara*” (Revolution)

To maintain an image of open and welcoming country, *Ben Ali* used all means at his disposal to hide all kind of rights' violations. For him, nothing was more important than keeping its international reputation intact. Since the Nineties, Tunisia, started to show new social fractures.

The well-being in which a small bourgeois elite connected to power lived, was badly associated with a progressively more impoverished middle class, unemployed or with low wages and few labour rights.

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29 Amnesty International, *Tunisia. Women victims of harassment, torture and imprisonment.* [online] <https://www.amnesty.org/en/documents/mde30/002/1993/en/>

30 El Houssi, L. (2013), *La parola alle protagoniste della rivolta tunisina*, in “Genesis”: *Femminismi nel Mediterraneo*. Roma: Viella, p.169

Compared to the *Bourguiba* era, in which the Tunisian system supported a solid relation between the state, the party and society, during *Ben Ali*, the progressive disconnection between the regime and society, and the lack of a new political entity that could change the *status quo* through the involvement of the social sphere (as previously happened with the *Dustur*) were all factors that would contribute, over the time, to exacerbate an already critical situation. Towards the 90s the government had already begun a campaign of censorship against public demonstrations of dissent. The media were almost totally under the control of the state. And as demonstrated by the US Organization “Freedom house”, Tunisia was the fifth most repressive country in the world in terms of internet freedom, only behind Iran, Myanmar, Cuba and China (*Torelli, S. 2015, p. 87*).

Political speaking, all the opposition parties had already been co-opted by the regime or they, independently, renounced to political ambitions. Many others, to do not compete with the ubiquitous RCD party, preferred to accept and support the regime in exchange of some favours.<sup>31</sup> The Tunisian economy was transformed into market authoritarianism, where a minority mafia of *Ben Ali* family was created. This matched with the privatization of national companies, such as transport, telecommunications, cement industries and the appropriation of the Tunisian investments network by the clans of *Ben Ali* and *Trabelsi* (*El Houssi, L., 2013, p. 31*).

Internally, even though Tunisia was one of the wealthiest non-oil producing countries, it had still many areas facing poverty and backwardness. The country was divided into the coastal areas which enjoyed a certain wealth, and the Midwest and South hinterland areas, that were extremely poor compared to the previous one, enjoying no adequate infrastructures, no universities and no job opportunities (*Aleya-Sghaier, A., 2012, p. 20*).

According to the 2008 World Bank report, the unemployment rate among graduated people was almost double in 2006-07 with 336,000 graduates compared to 121,800 in 1996-97. The repressive climate, the 2008 global economic crisis and the lack of wealth redistribution, generated unprecedented resentment.

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31 Amira Aleya-Sghaier (2012) *The Tunisian Revolution: The Revolution of Dignity*, The Journal of the Middle East and Africa, 3 (1), p.22

This discontent, was no longer lived only in private form, but entered forcefully into the public sphere, as demonstrated by the mining basin revolt of *Gafsa* in 2008. The desire to break the silence spread to other nearby cities and *Sidi Bouzid*, *Gafsa* mining region and the *Ben Gardanne* revolts gave the first signs of predisposition to the revolution. Indignation, repression and frustration were the three main elements behind the Tunisia revolution, that saw the involvement of many people organized in manifestations, strikes and sit-ins (Aldo Nicosia in Corrao. F., 2011, p. 123).

As Amira Aleya-Sghaier has reported: “The uniqueness of the Tunisia Revolution was that, differently from many other historical Revolutions, it was nor orange, nor red and nor jasmine; it was a “revolution for dignity”. The revolution involved many desperate people and many young unemployed that were looking for a new decent future.

Deeper feelings of hatred emerged among Tunisians and in 2010 many other strikes broke out. However, a turning point occurred in the same year in Monastir, when a young peddler set himself on fire. The self-immolation of *Mohamed Bouazizi*, was considered the starting point of the so-called Tunisian “*thawra*” (revolution). The indignation following the *Bouazizi’s* suicide showed that the situation in Tunisia, was about to explode. Differently from the revolts of 2008, the regime was powerless to contain the rebellion, and despite the mobilization of the army, the police forces and the RCD party militias, the failure of the regime to handle the situation led to the spread of the revolution throughout the country, creating an unstoppable domino effect in the whole Arabic world.

The massive Tunisian demonstration of 14<sup>th</sup> January 2011, was an extraordinary and decisive moment in the history of the Tunisian revolution. On that day, thousands of Tunisians were united by a common goal: the end of the *Ben Ali* regime. That evening the National Tunisian television TVM announced that *Ben Ali* had been deposed, fleeing to Saudi Arabia, and that the Prime Minister *Mohammed Ghannouchi* had replaced him (Aldo Nicosia in Corrao. F., 2011). Tunisia experience, within the Arabic springs, has been a unique case. Its force dwell in the absence of violence, in its leaderless and in its large women’s participation.

Differently from the other revolts, Tunisia has been the only country that not only had broken with the past establishment and overthrown its oppressor, but it was also able to pave the way for the approval of a new Constitution. The successful case of the most democratic and modern country of North African region, has its roots in a well-organized political activism.

Since its independence, Tunisia has been a country where women have always had an important and active role; and the 2011 Revolution was an example. Their effective participation and their unconditional contribution in the uprisings were essential for its positive outcome. The Tunisia women's involvement was even more important in the years that had follow the revolution; when the Islamic party "*Al Nahda*", after its political victory, tried to reduce all the past achievements.

## Chapter 2

### The First Phase of Tunisia Feminism Movements: From its Origin to the *State Feminism*

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## 2.1 An Overview of the Women Conditions in the Muslim Countries

### 2.1.1 The Arab women condition and the contribution of contemporary Arab thinkers

Since the early days of Islam, the condition of women has always been a central topic in the Arab-Muslim world. Nowadays, this debate still sees divergent and antagonistic positions. But despite this, the women engaged in the struggle for their emancipation and for the recognition of their legitimate rights. This is the case of Tunisian women, cornerstone, as the Egyptians, of unique mobilization and activism that today has led them to take the leadership within the Arab female movements.

Islam, a doctrine born on the basis of the Abrahamic monotheistic religions, and particularly the *shari'a* have often been perceived by the West as the origin of the regression position of women.<sup>32</sup> In the Arab world, women's lives are mostly managed by Islamic family law. Family law addresses specific and complex aspects that concern the family life in Islamic society, specifically marriage, divorce, family inheritance and the Islamic custom of assigning a *wali* (a male guardian, usually a male relative) for females and minors. Consequently, many of the rights, privileges, and restrictions endorsed to girls and young women are collected within this legal system.<sup>33</sup>

The accusations, that attribute to Islam the causes of the subordinate female condition, came from western countries who have reserved for women little protection of rights until the end of nineteenth. In fact, only from the twentieth century women's rights began to be extensively contemplated and preserved in the West.

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32 Campanini, M. (2005). *Il pensiero islamico contemporaneo*. Bologna: Il Mulino, p.175.

33 Tchaicha, J. and Arfaoui, K. (2017). *The Tunisian women's rights movement: From Nascent Activism to Influential Power-broking*. Routledge. p. 41

This was the case of Greek Republic, considered the earliest model of democracy and freedom, of Britain, which was considered the oldest democratic country, of The United States of America that, although has approved the declaration of rights two centuries earlier, the equality of genders was declared only in 1920 with a specific law, and finally, following the path of the previous states, France.<sup>34</sup>

Being at the centre of religious dogmatism, Arab women, suffered from a conservative vision and submission to the sacred rules (*qawama*) which provide for: the exclusive authority of the head of the family, the husband's right to polygamy and divorce, diversity of treatment for inheritance. All submissions imposed in the private sector, but that block also their access to education, work, and public space (*Tchaicha, J. and Arfaoui, K., 2017*). On the other hand, Muslim societies have always been characterized by deep divisions between the most rigorous and the most enlightened interpretations based on the exegesis of the Koran and of the word of the Prophet (*sunna*) (*Bohra Bel Haj Hmida in Corrao, F. and Violante, L. 2018 pp. 92-93*).

Long before the twentieth century, the situation in which the woman used to live, was a condition of constant segregation and exclusion from social and public life. They could not leave the house and go outside, unless they cover their heads and faces, they could not participate in the political life, the vote was reserved only for the male population, the education was absolutely denied to them. In practice, any kind of civil and political right was not conceded to them. And it was not only the case of the Ottoman Empire, of Tunisia and Egypt, but it included many other Arab countries too. Unfortunately, most women, in addition to that form of segregation, shared a general condition of ignorance, due to the denied access to the education system. Only from the mid-nineteenth century, the right to women's education, even if with different times of application in the various Middle East and North Africa region (MENA) countries, concretely began to appear in the Arab societies. Women, depending on their social background, began to study at home with the help of preceptors, as it was for women of upper-middle classes, or in public schools, in case of middle-class women (*Pepicelli, R. 2017, p. 34*).

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<sup>34</sup> Mutahhari, M. (1988). *I diritti della donna nell'islam*. Roma: Centro culturale islamico europeo, p.69



At the end of the nineteenth century, in this general situation of submission, the first female Arab movements emerged. Muslim and Christian women, overcoming their confessional barriers, began to fight for emancipation. Their deep rooted history, which records over a century of battles, goes from the struggles for independence and the affirmation of national states to the today's central role in determining the challenges of post-national states.

Characterized by nationalist and separatist features, *Arab feminism*, was subjected to internal and external pressures, such as the desire to spread education among all people, the wish to obtain the same rights of men and the necessity to modernize their own country or by pressures introduced by the European cultural world and by the economic penetration of western powers in the Arab society. Despite, the Arab Feminism Movements interacted with the European activists, since the very beginning *gender activism* and *the struggle for female emancipation* were indigenous elements of the Arab world. Thanks to *Nahdah*, a movement composed by intellectuals of different religions employed in the cultural and social renaissance of the Arab world, between the end of the 19<sup>th</sup> and the beginning of the 20<sup>th</sup>, the first major claims of emancipation took place. Beyond the religion's limits, Christian and Muslim of upper middle classes, found in the gender claims a common denominator against the cultural, social and religious systems that exercised such oppression on them (Pepicelli, R. 2017, pp. 33-34). The common perception that women's emancipation was an imperative and indispensable element for the development and modernization of the Arab world found the consensus of several scholars of that time, both men and women. Among women, who contributed to the evolution of the feminist thought, we remember the Lebanese-Egyptian *Zaynab Fawwaz* (1860-1914); the Egyptian poetess *Aisha al- Taymuriyyah* (1840-1902); the Siro-Lebanese *Mayy Ziyad* (1886-1941); and the Egyptian *Malak Hifni Nasif*. Thanks to their articles' collections and books they narrated stories of women oppressed by patriarchal and macho's culture of that era, and stressed the importance of women education as *Zaynab Fawwab* stated in her book "*Rasa'il al Zaynabiyyah*" that talked about the women's right to receive education.

Among the male figures, there were the Egyptian politicians *Muhammad Abduh* (1849-1905), *Qasim Amin* and later the Tunisian *Tahir al-Haddad* (1899-1935). For them, the women emancipation was a cornerstone of modernity, thus addressing the issue of the women's status in the Islamic world was something of fundamental importance. Unlike the previous who aspired to a real improvement of the female condition, their goal in promoting women's emancipation was principally aimed at achieving the modernization and development of the country (*Pepicelli, R. 2017, p. 35*).

*Qasim Amin*, considered the promoter of Arab female emancipation, in his masterpiece of 1899, *Tahrir al-mar'a* (the liberation of women), highlighted as the contribution of women in a nascent modern state, like the Egyptian one, was necessary. According to him, to better fulfill their duties as mothers, wives, and even more as women, a modern state, not only, had to guaranteed to them a certain type of education, but also fully participation in the political life (*Bochra Bel Haj Hmida in Corrao, F. and Violante, L. 2018, p. 93*). The main critics that *Qasim Amin* received where related to his condemnation of polygamy and the use of the veil and even if many poets and intellectuals supported this cause, such as *Hafiz Ibrahim* (1872-1932), the intellectual *Muhammad Husayn Haykal* (1888-1956) and the writer *Amin al Rihani* (1876-1940); on the other hand, conservative and traditional supporters were against this. In response to those criticisms, *Qasim Amin* wrote another book, entitled "*New Woman*" (*al-Mar'a al jadida*), where he clarified that the emancipation of women could also take place within an Islamic framework and not merely assuming European values (*Pepicelli, R. 2017*).

On the same line of thought was the Tunisian *Tahar Haddad*. In his most famous work: "*Imra'atina fi ach-chariawal-mujtamaa*" (*Our woman in Islamic legislation and in society*), he denounced the prejudices linked to the female condition, rejecting the idea that they derive from Islam and defending what the Koran expresses in terms of freedom. *Haddad*, underscored the necessity for marriage by choice, education for both sexes at every level, and the closing of the famous *Dar Joued*, or House of Correction. He aspired to abolish polygamy, still practiced in almost the whole region, to extend the right to women to divorce and to give them the possibility to access in the inheritance on an exclusive way.

These issues formed the basis of some of the legal reforms for women and children of the 1956 Code of Personal Status (CPS), promulgated by President *Habib Bourguiba* (*Bohra Bel Haj Hmida in Corrao, F. and Violante, L. 2018, pp. 93-94*).

*Haddad* claimed a modernization of society respecting the identity and values of Tunisian. But despite that, *Haddad's* work, met severe opposition from *Zaytunian* thinkers of that period, mainly because of his call for gender equity in the inheritance process. He was condemned by The Administrative Council of the Grand Mosque *Zaytuna* led by Sheikh *Tahar Ben Achour* and composed of two Malekite Muftis, *Abdelazizi Jaiat* and *Belhassen Najjar*, because against to all the Qur'anic law teachings (*Tchaicha, J. and Arfaoui, K., 2017, p. 19*).

The impact that these innovative ideas have on the Arab society, were countless, in fact, the legacy left by the afore-mentioned thinkers combined with the Arab cultural renaissance and with the strong desire of modernization were the springboard that laid to the foundation of the future female struggles in the Arab world. Among those emblematic women who committed themselves against gender inequality, we must mention the Egyptian *Nawal al-Sa'dawi* and the Moroccan sociologist and feminist *Fatima Mernissi*.

### **2.1.2 The Women Condition Between Religious Dogmatism and the Islamic Feminism**

To better understand the problem of women in the Arab world and comprehend what leads the most religious and traditionalist factions to assume attitudes that harm women's liberties, we should understand what the sacred text of Muslims says about it. The Muslim society, in regards of the Arab women condition, is divided by those more orthodox, who rely exclusively on the Muslim Holy book and by those who, instead, believe in the *ijtihad*, which means a re-interpretation of the Koran in order to contextualized the *Allah's* words within the current historical period, as the most recent case of *Islamic feminists*, which, stressed how in the Koran itself many references to gender equality are made.<sup>35</sup>

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35 Mernissi, F. (2002). *Islam and democracy*. Cambridge, Mass: Perseus Pub, p. 160.

Moreover, attribute only to the Muslim religion the persistence of a patriarchal system is totally wrong. Originally, the “*Holy Quran*”, has been revealed to dispel ignorance and to control the animal side of human nature, not to segregate part of its creation. But, an excessively dogmatic interpretation of the sacred book, might lead Arab women to suffer from those attitudes. Thus, the question that haunts many Muslim and non-Muslim is: could the Koran invite the faithful to adopt attitudes that lead women to subordinate conditions or as the Islamic feminists stated, a reinterpretation of the sacred text is needed because it promotes gender equality? Unfortunately, some verses of the Koran can lead to misinterpretations, as in the case of the two Suras reported below. For instance, the verse 34 of the *Sure IV*: “*An-Nisa*”, totally dedicated to women, said: “*Men have authority over women because of the preference that God gives to one another, and because they spend their goods on them..... as for those whose fear of disobedience, admonish them, then leave them alone in their beds, then beat them; but if they obey you, then do not look for pretexts to mistreat them; Allah is great and sublime*”.<sup>36</sup>

Or the *Sure XXIV*, “*An-Nur*” (the light), verse 31: “*And tell the believing women to reduce [some] of their vision and guard their private parts and not expose their adornment except that which [necessarily] appears thereof and to wrap [a portion of] their head covers over their chests and not expose their adornment except to their husbands, their fathers, their husbands' fathers, their sons, their husbands' sons, their brothers, their brothers' sons, their sisters' sons....*” (*Il Nobile Corano*, 2015)

The contents of those *Sure*, expressed also by various hadiths, derived from a tradition that gives to the husband almost absolute authority over his wife. In the aforementioned *Sure*, the male superiority is linked both to divine preference and to an economic motivation. Basically, it also derives from the fact that man assures the woman nourishment. But, can this authority still be considered founded when men no longer provide for the maintenance of women?”; as it happens more frequently in the modern era, where women work and therefore they are self-sufficient? Or is it the case to interpret those verses and adapt them to the new socio-economic changes?

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<sup>36</sup> *Il Nobile Corano e la Traduzione dei suoi significati in lingua italiana*. (2015). Engineering House Press, p. 58

This last approach is backed by the Islamic feminism which prefers to distinguish the social and ethical principles of the Qur'an with what, instead, should be contextualized in response to certain historical circumstance. In fact, the "*Islamic Feminism*", which claims in the Koran and in the Islam the defence of women's rights, have stressed the multiple verses in which, protection and equality of women is expressively suggests. (Campanini, M., 2005, p.180).

Among these we mention just two of them: *Sure XXX, verse 21*: "*And of His Signs is that He has created mates, for you, from your own kind that you may find peace in them, and He has set between you love and mercy. Surely there are Signs in this for those who reflect.*" And the *Sure IX, verse 71*: "*The believing men and believing women are allies of one another. They enjoy what is right and forbid what is wrong and establish prayer and give Zakat and obey Allah and His Messenger....*" Here we note how Allah has created women and men to mutually fulfil their life and to protect each other (*Il Nobile Corano*, 2015).

The first "*ayat*" (verse) clarifies that women are part of humanity and that she is not inferior but important as men. Allah has created humans in two sexes, so that they can share peace and mutual comfort. According to Islamic feminists, religion should not be considered an obstacle to emancipation, but, instead, should be an instrument of women's liberation. For them, the liberation of women and the reform of Islam are indivisible elements of a process involving Muslim women and men. As, also the Moroccan feminist *Asma Lamrabet* has claimed: "the renewal of Islam is realized with the involvement of Muslim women in the reform projects of Islam and their appropriation of religious debate".<sup>37</sup> Despite the different conditions of women from one context to another, the idea that the Koran promotes the equality of men and women and the necessity to pursue gender justice as much in the reinterpretation of the sacred texts as in social, cultural and political practice, remains widely accepted by Islamic Feminist in all contexts (*Pepicelli*, R. 2017, pp. 29-30). To have a wider idea of the feminine footprint within the Arab world, it seems rightful to mention the thoughts of one of the most important international feminist and academics: "*Fatima Mernissi*".

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<sup>37</sup> Lamrabet, A. (2002), *Musulmane tout simplement*, Editions Tawhid, Lyon.

In: “*Women and Islam*” Mernissi highlights how some *hadiths* could have contributed to the creation of a hostile atmosphere towards women. The *hadiths*, which represent the acts and facts of the Prophet’s life, sometimes go beyond his effective intentions. In effect, the *Revelation* had substantially improved the status of the Arab woman, giving them legal personality, the right to commerce and to possess goods (Campanini, M. 2005, p.181).

What the Moroccan researcher stated in most of her studies is that the Islamic misogyny is framed in some specific behaviours common in the MENA area. For these regions, the separation of women and their segregation is seen indispensable mostly for the moral decency and for the defence of the family honour. According to her, some of these habits have even oldest origins. In fact, in the period that preceded the *Muhammad’s Revelation* the women used to be frequently threatened and humiliated. At that point, the Prophet as not the duty to liberate the women from the violence of the pre-Islam period but to guarantee the security of his wives and to that of other Muslim believers (Mernissi, F., 2002). As the surah XXXIII, verse 59 said: “*O Prophet, tell your wives and your daughters and the women of the believers to bring down over themselves [part] of their outer garments. That is more suitable that they will be known and not be abused. And ever is Allah Forgiving and Merciful*” (Il Nobile Corano, 2015).

Thus, the potential segregation of women and their obligation to wear the *hijab*, for instance, could be seen not as a characteristic of Islam but as a peculiar vision of woman and its sexuality that goes back to the pre-Islamic era and that has additionally been conditioned by the overzealous conservative jurists (Mernissi, F., 2002).

Conservative cultures and ancient traditions on the one hand, and a meticulous interpretation of the Qur’an on the other, have endorsed and worsened the disparities among genders, placing women in subordinate positions with few or sometimes without any civil and political rights. Within this socio-cultural context, is evident that the feminist thought has had difficulty to be spread across Islam. But, although these difficulties, it has a venerable tradition parallel to the USA and Europe feminist movements of the end of IXX and XX century (Campanini, M. 2005, p.175).

In this framework, Egypt and Tunisia emerged as the earliest Maghreb countries to assist to the first women mobilization. In the XX century, in both countries new female figures and organizations started to appear animated by a strong desire of revenge. This is the case of the Egyptian feminist *Huda Sha'rawi* which was the leader of the most radical feminist movements in the world “The Egyptian Feminist Union” (EFU), and the Tunisian *Bchira Ben Mrad* who, inspired by the readings of the previous one, founded in 1936 the “*Union Musulmanes des femmes en Tunisie*” (UMFT) (Mernissi, F., 2002).

Despite their diversities, the feminist movements have proved to be peculiar for the history of these States. Tunisia, daughter of a long historical trans-cultural process, has experienced an important process of modernization and emancipation. Process that, within the Arab countries, has led it to do not have equals on women emancipations.

### **2.1.3 The Feminist Movements in the Arab world**

If at the beginning of the twentieth century, the debate on the status of women was provided mainly by men, the end of the twentieth and the beginning of the twenty-first century, instead, saw the birth of well-organized, autonomous and coordinated women's associations all around the Arab world.

The battle for women's rights in the Middle East, which has had different phases and approaches, experienced the first reforms in favour of women in 1917 with the Ottoman reform of the family code that addressed central themes such as raising the age limit for marriage, the control of repudiation, the reduction of polygamy (Corrao, F., 2011, p. 51). The project of *Mustafa Kemal* was aimed to transform the society promoting development through a reform in the gender relations. The veil was strongly discouraged because it appeared as an obstacle to the secularization and modernization of Turkey.

In this phase, many Egyptian and Siro-Palestine women moved in two directions, such as: the contemplation about the women's rights and the actions that as to be taken in this regard. In the Meanwhile, many cafés and literary salons were opened and several female works were published in different magazines.

Only in Alexandria and in Cairo between 1892 and 1915, twenty-four journals were published, as it was “*al-Fata*” (the girl), founded in 1892 by *Hind Nawfal* in Alexandria (*Pepicelli, R., 2017, p. 38*). Although Egypt was the country in which the feminist movement developed the most, also the rest of the MENA region saw a widespread creation of women’s organizations. Palestine with its two organizations *Jam’iyyat al-Nahdaj al-Nisa’iyya* (Association of the Renaissance of women) and the *Jam’iyyat al-Sayyidat al-'Arabiyyat*, (Arab ladies), founded respectively in 1924 and in 1927. Morocco, with the association *Akhawat al Safa'* (sisters of purity), founded in 1946 by middle-class bourgeois women, that combined female claims, such as the abolition of polygamy, with the fight against colonization (*Pepicelli, R, 2017, p.38*). And Tunisia with the different women-oriented organizations, such as the Society of Muslim Women in 1932, the Muslim Union of Tunisia Women in 1936, the Union of Tunisia Women in 1938, that advocated for literacy projects, raised funds for underserved population and supported the national call for independence. (*Tchaicha, J. and Arfaoui, K., 2017, p.2*).

Most of these organizations, managed to combine both the women’s emancipation and the nationalist commitment. At the time, in fact, the reasons that pushed many women to be actively involved in the independence movements were driven by the belief that only with the affirmation of independent states, the emancipation of the woman could be truly achieved. For those reasons, feminist speeches often emphasized separatist and anti-colonialist sentiments.

Within these Arab women mobilizations, we find the Tunisian women who, starting from the first decades of the twentieth century, began to take the first steps towards the creation of organizations that, driven by the desire to improve their social and political status, moved in favour of the country’s liberation from the colonial rule, at that time, considered the first obstacle to overcome in order to obtain improvements in all fields.



## 2.2 The First Steps of Tunisia Feminism

### 2.2.1 An Overview of Tunisia women emancipation stages

Being influenced by dissimilar cultures, Tunisia has acquired a strong and important heritage composed by cultural vivacity and religious coexistence. This mix of cultures and traditions have revealed a process in which the feminist movements have been in continuous transformation. Their evolution was linked especially with their interaction with colonial powers, nationalist movements, authoritarian regimes, and with Marxist and Islamist political organizations.

As *Leila El Houssi* has highlighted several times, what makes Tunisia a peculiar case-study within the Muslim countries is its women participation in the political and social struggles of the country. This involvement is, in fact, rooted even before the independence, when the female political militancy had strongly influenced the history of Tunisia.<sup>38</sup>

The feminist movement in Tunisia started to make its first steps in 1920s. At that time, while the European women in Tunisia were not only engaged in household jobs and they were not obliged to use the veil, Tunisian women were still living a secluded life, where the use of the veil, for them, was compulsory. Being aware of the privileges of their European counterparts especially on education, the Tunisian women's engagement was mainly focused on social and charity work aimed at supporting initiatives such as cultural events, projects for rural women, and education activities.

However, as the national disputes started to arise, the struggle for independence became a good chance for Tunisia women to enter in the public sphere and to move the first steps in the political field.

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38 El Houssi, L. (2014). *Tunisia, Egitto e Marocco tra femminismi e movimenti femminili* – Officina Della Storia, p.2

Under the encouragement and the approval of their male relatives, female branches were formed in the socialists, nationalist and religious movements throughout the country.<sup>39</sup>

As already mentioned above, the women involvement for independence in the Arab world was not a new practice, another movement known as the *Egyptian Women's Movement*, funded by *Huda Sh'arawi*, played an active role in the struggle against Great Britain in Egypt, and, certainly, it has had a strong positive influence on the early Tunisian Feminist Movement.<sup>40</sup>

At this stage, despite sporadic women disagreement on their status and isolated actions, the Tunisia feminist movements were principally focused on the independence struggle, reason why their involvement was overall accepted and appreciated. Only after having obtained the independence, Tunisia women began to engage themselves against the conservative condition in which they were forced to live and started to call for changes of their social and legal status. In 1924, *Monoubia Wertani* appeared unveiled during the event organized by the Tunisia socialists: "For or Against Feminism in the West, in the East". In her speech, she denounced the condition of Tunisia women and questioned the use of the veil. She made a comparison between the upgrading condition of women in Turkey and the opposition groups that, instead, paralyzed the progress in Tunisia. *Monoubia Wertani's* statements were aimed at emphasizing how the Turkey's policies of that period have had a substantial influence on the women activism, that started to experience a relevant growth and pushed the Tunisia's ruling class to do the same. Just few years later, in 1929 another woman, *Habiba Menchari*, member of the Socialist female branch, appeared unveiled at the event "Muslim Women of the Future-For or Against the Veil". She, closed to *Wertani's* ideas, was stressing the same argument, considering the emancipation of women necessary to develop and modernize the nation (*Tchaicha, J. and Arfaoui, K.*, 2017, pp. 23-24). The assertions of those women did not receive the support of *Habib Bourguiba* and were strongly criticized by the conservatives.

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39 Arfaoui, K. (2007) *The Development of the Feminist Movement in Tunisia 1920s-2000s*. The International Journal of the Humanities: Annual Review, 4(8), 53-60, p- 53.

40 Tchaicha, J. and Arfaoui, K. (2017). *The Tunisian women's rights movement: From Nascent Activism to Influential Power-broking*. Routledge. p. 20

At that time, *Bourguiba*, in order to achieve the independence was strongly committed in preserving the national identity of Tunisians, thus, he was not in favour of the banning of the veil. In that moment, women claims could have been a threat that diverted the attention from the struggle to free the nation and in that moment, nothing was more imperative that consolidate cultural solidarity against the colonial occupier.<sup>41</sup>

In the light of this conservative approach, *Tahar Haddad*, the scholar of *Zitouna* Great Mosque, who called for freeing women from traditional constraints, was isolated and shunned by society. Despite his fundamental contribution on the women's emancipation issue, he ended up forgotten and died in poverty in 1935. Nevertheless, his ideas have had a double positive result. On the one hand, they were essential for the further modern development of Tunisia, and on the other hand, they paved the way for the creation in 1936 of the first and largest women organization, *The Muslim Union of Tunisian Women* (UMFT) whose leader and founder was *B'chira Ben M'rad* (1936 - 1956).

Coming from a family of religious scholars, *B'chira Ben M'rad* was, firstly, encouraged to receive a solid education and later to take part in the struggle for independence. Although till 1935 the political scenario was exclusively covered by men, she had already felt the importance of the women participation in the independence's struggle, believing that without an active female contribution Tunisia could not be able to move forward against French. The UMFT organization, composed by upper - middle classes members, was focused on building a common awareness among women in order to driven them in defence of their freedoms and to promote education and culture among women.<sup>42</sup>

Unfortunately, the UMFT and its leader found opposition from the occupiers and from the religious leaders of *Al-Zaytuna*, in fact, in 1948 its leader *B'chira Ben M'rad*, was threatened and then arrested by the France armed group *La Main Rouge* and only in 1951 the UMFT, finally, obtained the French authorization to operate in the territory.

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41 Zlitni. S and Zeineb. T, *Social Networks and Women's Mobilization in Tunisia*, Journal of International Women's Studies 13, no. 5 (2012), p. 47

42 Bakalti S., (1996) *La femme tunisienne au temps de la colonisation*, l'Harmattan, Paris, pp. 76-78.

The women enrolled in the Independence campaign were not only those belonging to the UMFT organizations, but, instead, that period saw the emergence of other women association such as in 1944, the *Association of Young Muslim Women*. It was a female branch of the *Young Muslim Men Association* and had the objectives to consolidate the Islamic culture, instructing young girls and organizing literacy training. This organization, opened a primary school called the *School for Muslim*. (Tchaicha, J. and Arfaoui, K., 2017, pp. 25-26). Other women, instead, where more inclined to took an active part in the demonstrations, as it happened in 1938 where they joined the strike organized by the leaders of the *neo-Destour* party. That was not only a singular episode of women commitment in the independence struggles, in fact, there were many other further demonstrations that saw the female participation. This considerable participation brought in the following years the *Destour* party to create its first women's section, the *National Union of Tunisian Women* (Amel Grami, 2008, p.350).

The commitment of Tunisia women during the independence struggle was rewarded through the announcement, of the then Prime Minister *Habib Bourguiba*, of the replacement of the religious family law system, also known as *Shari'a law*, by a system of secular laws. This occurred in 1956, with the proclamation of a new civil legislation the "*majallat al-ahwal alshakhsiya*", universally known as the Code of Personal Status (CPS) (Tchaicha, J. and Arfaoui, K., 2017, p. 42).

If in the next paragraph the *Code of Personal Status* will be deeply analysed, here it is important to mention the Article 6 of the 1959 Constitution. It marked a turning point with the past, in fact, this Article, in contrast with the *Sharia's* dictates, states the principle of equality, which will be crucial for the further national feminist's claims and for the improvement of their status. It provides that: "All the citizens have equal rights and duties and are equal before the law", thereby paving the way for the recognition of fundamental women rights in all fields: right to vote, the right to work, the right to social protection, to receive a free and compulsory education, the right to make their own choice in life (Khedija A., 2007, p. 56).

Based on the principle of equality, the *National Union of Tunisian Women* was created, which merged the previous three main movements. At that time, the existence of feminist movements that belonged to other parties, differently from the *Neo-Destour*, was not tolerable (Khedija. A., 2007, p. 56). In fact, throughout the *Bourguiba* presidency, the only feminist movement recognized and legitimized to participate in political and social life was the *National Union of Tunisian Women*. This decision, made the UNTF strongly linked to the President and to the government's wiliness and paved the way for the beginning of the *State feminism*, situation that lasts for all his mandates.

Despite the common belief that women were not totally free, but that their actions were related to the will of the President and of his government, Tunisians witnessed a period that extraordinary improved the condition of women, guaranteeing to them the most basic and fundamental rights. In fact, if we compare Tunisia women's life especially with others in the rest of the Arab world, we can realize that, through the years, the CPS had brought important changes in the Tunisia society.

The promulgation of the CPS, has created a new generation of women that, even with different social background, could receive education and attend educational classes all over the country. This meant that women might actively participate in the political and social life of the country, could question the policies pursued by the government and could organize the creation of new associations (Khedija A., 2007, p. 57).

From the end of the 1970s, Tunisian women started to deeply question the unfair discriminations that they still face and pushed by a new wave of renewal, other feminist movements began to emerge slowly. In 1989, new autonomous feminist organizations rose mostly pushed by the desire to protect their freedoms against the threats of the increasing Islamic fundamentalism of that period. *The Association of Tunisian Democratic Women* (ATFD) and *the Association of Tunisian Women for Research and Development* (AFTURD) were autonomous women's movement founded respectively in 1989 and 1990.

While the former, campaigning to mitigate domestic violence and all forms of gender discrimination and violence, the latter, composed by researchers, was aimed to encourage dialogue on women's condition, through a network within Maghreb and other countries in the world, in order to find strategies to eradicate gender-based discrimination (*Khedija A.*, 2007).

This new trend of autonomous feminism, that will be deeply described in the next chapter, is crucial because reflect a clear detachment from those movements linked to national institutions and political parties, aspect that had characterized the Tunisia feminist movement until that moment. Furthermore, they will represent a turning point for the further feminist mobilizations, which will have a pivotal role during and in the aftermath of the Revolution.

### **2.2.2 The CPS: Women's claims or a political decision aimed to implement modern reforms?**

Unlike common perception, the CPS was not a political reform in response to the women's pressures and claims but instead it was aimed at leading the country along the path of modernization. In fact, President *Bourguiba* believed that there could be no improvement for a nation that relegated its women to a secondary position. Using the *Andrea Khalil* words, the swiftness with which the CPS was promulgated suggests the interconnection of the nation's construction processes in Tunisia and the definition of the legal status of women.<sup>43</sup>

Differently from the adoption of the 1926 Turkish Civil code of *Kemal Atatürk*, to which the CPS is often compared, and in which we assist to a deep separation from the religion, the CPS, instead, was inspired by the shariatic legislation and introduced as an outcome of *ijtihad*. An explanation of that, is the fact that the new modern code derived its origins from the Islamic jurisprudence: "*fiqh*" (*El Houssi*, L. 2014, p. 4).

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43 *Andrea Khalil* (2014) *Tunisia's women: partners in revolution*, The Journal of North African Studies, Routledge, p. 191

Built on the revolutionary jurisprudence of *Tahar Haddad's* philosophical thinking on gender equality, the CPS legally recognize women as full citizens in Tunisian society and encourage their participation in the further development projects of the country. The code, came into force in January 1, 1957, and was immediately recognize as one of the most notable achievements of *Bourguiba's* presidency (Tchaicha, J. and Arfaoui, K., 2017, p. 42). The reformist inclinations of *Bourguiba* was in line with the cultural tendency of Islamic reformism that has been developed since the XX century in Egypt and in other countries of that area. In fact, also *Ahmed Mestiri*, minister of justice and editor of the code, claimed that it was a modern code that met the consensus of *ulema*.<sup>44</sup>

Nevertheless, the new code attracted the reaction of the more intransigent part of the *ulema*, which was not in favour of reforms that questioned part of their power. But cleverly, *Bourguiba*, avoided any tear with the Islamic tradition, legitimizing the reform with an interpretative effort aimed at finding legal solutions in line with the dictates of religion.<sup>45</sup>

As a matter of facts, to create jurisprudential texts based on equality value, *Bourguiba*, encouraged scholars to open to *ijtihad* for a further understanding of the spirit of the *Qur'anic* text. The Tunisian *Qur'an* interpretation shows that Islamic sources are interpreted through two cultural patterns: the patriarchal Arab cultural model and a western model that supports gender equality (*Amel Grami*, 2008, p.352).

The new code, introduced at a time when women were still considered subordinate to men, was aimed at the whole reconstruction of the Tunisia society, transforming the gender attitude within the society and family. The introduction of new radical measures was the strength of this code, as was the case of the prohibition of traditional marriage, and in 1959 the women acquisition of the right to vote (*Bochra Bel Haj Hmida* in *Corrao, F. and Violante, L.*, 2018, p. 95). In this regard, a reform incorporated in 1956 in the CPS, abolished the right for a father to force his daughter to marry against her will, subjecting the matrimonial relationship to the consensus of both parties (prov. 22).

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44 The name by which the religious scientists are designated in the Muslim world, above all the theologians and juris-consults.

45 El Houssi, L. (2013). *Genesis: Rivista della Società italiana delle Storie XII/1. Femminismi nel Mediterraneo*. Roma: Viella, p.164.

While the majority age was set at 20 for both women and men, the CPS established the legal age of marriage at 15 for women and 18 for males. This prerequisite was revised in 1964, bringing it respectively to 18 and 20. Furthermore, the code required the presence of both husband and wife during their marriage, which had to be chaired by two notaries or a representative of the civil registry and immediately recorded (*Tchaicha, J. and Arfaoui, K., 2017, p. 45*). These legal reforms were important because they put an end to compulsory marriage arranged by the father or by the *wali*. The provision that found the strongest opposition of the *Ulema* and of those who were deeply religious was the banned of Polygamy. In fact, as stated in the provision n.18 of the CPS, the Polygamy was forbidden, becoming a crime now punishable by fine or imprisonment. In addition to the abolition of Polygamy, the CPS expressed also specific legal conditions for marriage, divorce, adoption, alimony, spouse responsibilities and even women educational and workplace access. In terms of education, young girls did not have even the time to complete their secondary education, because they should be already prepared for marriage. Those few women who wanted to attend university had to go abroad, generally to France. This was the case of the pioneer women of Tunisian education *Tawhida Ben Cheikh* (1909–2010). She was the first Tunisian female to obtain in 1928, her baccalaureate in Tunisia and then she moved to Paris to complete her studies. Tunisia, at that time, had not medical schools and only after the independence, the University of Medical School in Tunis was opened, followed by the School of Humanities in 1960. Differently from the past, the new code, under provision 30, abolished the old practice of *talaq* (repudiation), namely the right for a husband to declare that he no longer wants to remain married to his wife. In this matter, the provision established that the divorce proceedings should be initiated and concluded through a judicial system and that either spouse could jointly or separately forward the instance of divorce. Therefore, women were now liable to pay the alimony to their husband, if the judge declare so. Thus, the judge had the duty to determine the sum of the *nifka* (monetary compensation) and whether it should be given by one partner to another. However, the divorce can be granted, only after that all efforts to reconcile the parties have been exhausted by the judge (*Tchaicha, J. and Arfaoui, K., 2017, pp. 43-45*).



The code shown its openness introducing two other innovative measures, such as the adoption and the abortion. In fact, in 1956 Tunisia became the first Muslim nation to liberalize the abortion policies, and from 1973 women obtained the right to abort within the first three months of pregnancy.

Notwithstanding the Islamic law prohibit the adoption, in 1958 its statute was promulgated, thus, men or women, married or not, could have the opportunity to adopt a child. The child adopted would effectively become a member of the family, benefitting from all the rights, such as, for instance, the right to take the name of the adoptive relative (*Amel Grami*, 2008, pp.352-353). Finally, the CPS put also an end to the notorious *Dar Joued*. Institutions that were situated in all the main cities of the country that had the aim of reforming “disobedient and rebels” women until they learned how to behave themselves.

Despite the innovative reforms, introduced with the CPS, were mainly driven by the desire to modernize the country, promoting gender equality; its implementation was much more complicated. In fact, Tunisian women who could now start a professional career and could enjoy equal rights, might not enjoy a real social and cultural freedom, because it was still strongly linked to the family. Without questions, the family in Tunisia remained the first place where strong pressures were addressed on gender issues and where patriarchal relationships were established among relatives. This, shows that a legislation aimed at empowering women is not sufficient, even if necessary, to guarantee a valid upgrade of the women condition. According to some feminists and activists, the gap between the law, the reality, and the mentality within the Tunisia society, has remained too large. Furthermore, even if the CPS has inspired militants and legislators in many other MENA countries, such Morocco or Egypt, to call for similar empowerment of women, the question is: Does Tunisia family law reflect true gender equality? (*Amel Grami*, 2008, p. 356).

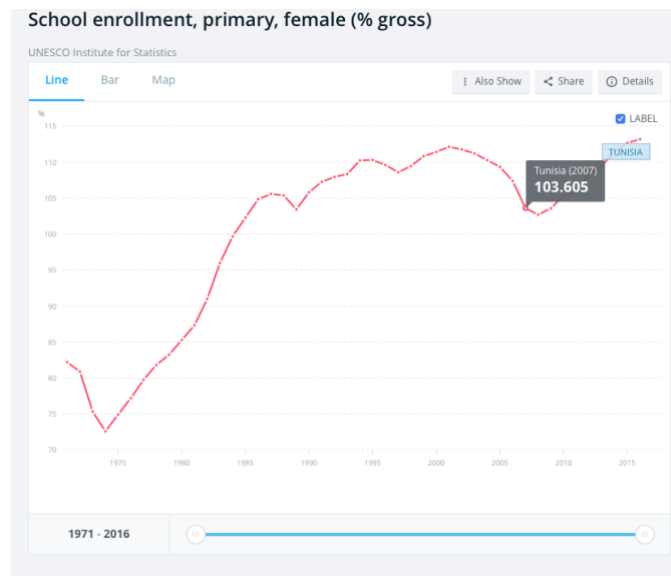
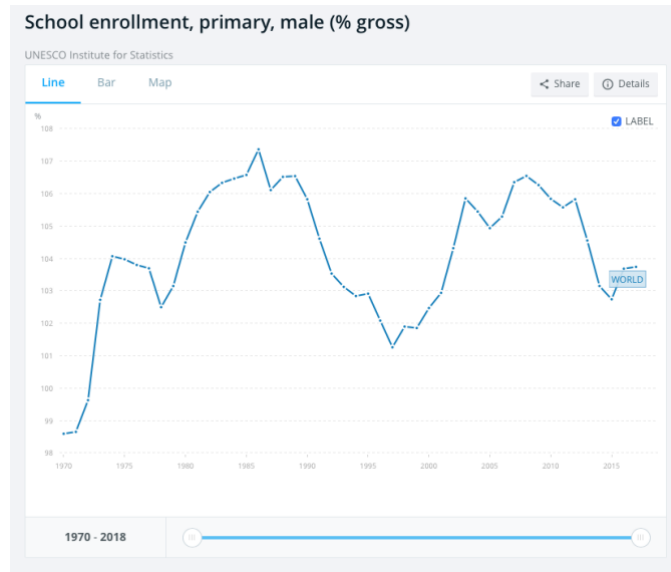
For the above- mentions reasons, it is not surprising that Tunisia women were among the most principal actors in the 2011 Revolution and in the Democratization process. They, pushed by a desired to see the full implementation of the rights stated in the CPS, placed the code under a strong attack.

Despite this attack and even though many historians classify the Turkish Civil Code of 1926 as the earliest case of legislation that promoted the civil rights of Muslim women, the Tunisian Code of Personal Status was the first of its kind adopted by an Arab-Muslim state that led to a clear separation with the previous traditions, symbol of backwardness. President *Bourguiba*, strongly believed that the creation of a strong nation-state was crucial to the success of his country and thus, Nationalism, was at the heart of his politics.<sup>46</sup> If with no doubts, the CPS, on the one hand, transformed the family law, on the other, it had also a central role in making the national plan of *Bourguiba* work. Giving identical access to education and to the workplace for both females and males, the president recognized the centrality position of women for the development of his country.

In 1958, the government introduced the Educational Reform Law and a plan to nationalize the public education system. The law unified the French schools, French-Arabic schools, and Koranic schools under the jurisdiction of the Ministry of National Education. Those long-term reforms did not immediately experience their positive impact on the society, rather ten years were needed before young Tunisians took advantage from it. If in 1955, only 26 percent of all primary-school between 6 and 12 years' children joined in school; by 1972, the percentage of children enrolled in primary schools rose to 70 %. And the same goes for children of secondary school. As shown below by the World Bank's data, if at the beginning the enrolments of male were almost three times greater than the female with almost 123,00 males in contrast to 49,700 females. 26, Soon we will see a reversal of this situation in which the index of educated women will rise in a faster path of male (*Tchaicha, J. and Arfaoui, K.*, 2017, pp. 46-47).

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46 Habib Bourguiba, (1966): "*The Tunisian Way*," Foreign Affairs, 44 (3) p. 482.



Source: UNESCO

In the meanwhile, many feminist scholars started to doubt about the real implication of the CPS and some of them concluded that rather than an act for the Tunisia female emancipation, women were instrumentally used to sustain the development project of the country.

Moreover, the CPS was intentionally created to granted legally freedoms for women, but in a National-State framework and within a society still characterize by a patriarchal structure. This project, in which the state attributed to the emancipation of women a double end, has been labelled by many as *State Feminism*.

### 2.2.3 The National Union of Tunisian Women (UNFT) and the “*State Feminism*”

In the early 1980s the term “*State Feminism*” appeared for the first time in the feminist literature and, from that moment on, was often used by many scholars, in particular, from those of western countries, such as the United Kingdom, Australia, and the United States. *State Feminism* refers to the idea that the government, creates laws and institutions aimed at addressing all the society aspects of women such as the political, economic and the social one. Since independence, Tunisia has used legislative and administrative tools to legitimately protect and promote gender equality and the CPS was one of those instruments. Only recently, the historian *Augustin Jomier* argues that *Bourguiba’s* national development plan was not a natural consequence of the CSP. In other words, the CSP led women toward full and active citizenship and not vice versa (*Tchaicha, J. and Arfaoui, K.*, 2017, p. 49).

Using the words of *Amira Mhadhbi*, a famous Tunisia activist: “*State feminism* is the systematic and explicit governmental manipulation of the feminist cause for political reasons narrowly linked to enhancing the image, prestige and ideological sustainability of the autocratic regime”<sup>47</sup> The first move on that direction, was made in 1956, just a few months after the independence, when *Bourguiba*, with the aim of creating a non-governmental organization that, however, was totally dependent on the government, replaced the two previous organizations namely the *Tunisian Union of Muslim Women* (UMFT) and the *Union of Tunisian Women* (UFT) with the *National Union of Tunisian Women* (UNFT). *B’chira Ben M’rad*, who was the head of UMFT until then, was quickly replaced without no recognition of her activism during the years of national struggle for independence (*Tchaicha, J. and Arfaoui, K.*, 2017).

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47 Mhadhbi, A. (2012), *State Feminism in Tunisia: Reading between the Lines*. Open Democracy. Available: <https://www.opendemocracy.net/5050/amira-mhadhbi/state-feminism-in-tunisia-reading-between-lines>

The aftermath of independence, saw not only the women's groups becoming subject to the nationalization process, but, unfortunately, many other pre-independence associations were obliged to face the same destiny.

President *Bourguiba*, which place Nationalism at the heart of his politics, strongly believed that the creation of a strong nation-state was fundamental to lead his country to success. (Habib Bourguiba, 1966, p.482) Those centralization actions were motivated by a strong belief that a multiplicity of political parties could, on the one hand, create divisions in the country and, on the other, could also harm the unity of the state, thus, for *Bourguiba*, the creation of a system where a single political party, the *Neo Dustur*, has the main decision-making power was compulsory.

As, also the famous Tunisian and feminist sociologist *Ilhem Marzouki* has pointed out: "the purpose of *Bourguiba's* actions in nationalizing many organizations were addressed at unifying the human potential of citizens, but at the same time at creating conformity in directives and actions ... contributing to success of his National plan". She continued that, this phenomenon of monopolization of power, therefore presupposed two different phases: "in the first phase, the repression of all the centres that distributed opposing opinions in order to control the whole population as widely as possible, and in the second phase, making the plebiscite in power the undeniable master of the system."<sup>48</sup> The UNFT, which was the single female Union in charged to represent Tunisian women at national and international level, was not able to promote and apply new activities or policies, indeed, the implementation of new programs always required the presidential approval. Under *Bourguiba* presidency, the *National Union of Tunisian Women* (UNFT), dedicated its actions to campaigns that helped women to understand their new rights and in defining their economic and social roles for the development of the country. Tunisia political institutions of that time, recognized, supported and promoted the UNFT as the only legitimate body charged in balancing the role and participation of women in the social and family life. Both, the Union and the government were closely inter-linked also from an administrative point of view, in fact, financial support of the Union was subordinated to the government's choice of its president, as it happened in 1958 with the appointment of *Radhia Haddad*.

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48 Ilhem Marzouki, (1993), *Mouvement des femmes tunisiennes au XXème siècle*, Paris: Maisonneuve et Larose, p. 156.

In other words, if the organization supported the *Neo-Destour* Party and if it continues to be devoted to the nation-state plan, in return, the Union would have received the unconditional support of the government. In this logic, the UNFT was not an autonomous female organization, but, instead, an institution of the State where any actions on gender matters had to obtain the consent of the President or had to go through the support of the *Neo Destur* party, hence the coined term “*State Feminism*” (Tchaicha, J. and Arfaoui, K., 2017, pp. 50-51).

As already mentioned, the financial support of the Union was closely linked to the election of its President. And this is what happened in 1958, during the first UNFT Congress, where *Radhia Haddad* was “formally” elected as the first President of the *National Union of Tunisia Women*. *Radhia Haddad* who has devoted her past to a solid activism, was already active in the 1930s in the *Union of Muslim Women* (UFM) and, then, spent 20 years of her life within the *Neo-Destur* party. *Radhia Haddad*, as other Tunisia activists who worked with her, was strongly loyal to the party and she never took any personal initiative unless it was dictated or authorized by the President and his party. In fact, according to her: “the UNFT far from being an apolitical association, was an organization born from *Neo-Destour*”. Throughout the years, *Bourguiba* had created a system, where he was the patriarchal paternal figure and those who worked under him, blood-related or not, were his family. Within the UNFT, many of the women who continued to serve in this organization did so within the boundaries of this paternalistic model (Tchaicha, J. and Arfaoui, K., 2017).

Unfortunately, soon thereafter, the loyalty relations between Haddad and *Bourguiba* reached a breaking point. Almost after 25 years of legal reforms, *Radhia Haddad* realized that only little improvements have been made and that the mentality of Tunisians was still strongly center on a patriarchal vision. Thus, from her point of view, further reforms had to be applied, but, the negative President’s response was immediate and when *Bourguiba*, refused to do so, she began to question the UNFT. She decided to break with the UNFT and to join the socialist wing of the *Neo-Destour* Party, known as the *Socialist Desturian Party*.

This move, that brought *Radhia Haddad* closer to the strongest rival of *Bourguiba*, *Ahmed Mestiri*, was dearly paid by her. Immediately after her statements, she was prosecuted, her passport confiscated and her parliamentary immunity revoked.<sup>49</sup>

A growing socio-economic crisis and an incessant centralization of power led many men and women of the younger generations to increase similar feelings of discontent with the *Bourguiba's* government. From the 70s onwards, precisely when *Bourguiba* began a period of strong repression against all the opposition forces, a new form of Tunisia female activism was shaped. A new phase of activism was emerging among those women who, finally, began to reject the *State Feminist* model. These women started to use their own voice to develop an agenda that would lead to a structural change in the movement.

This breaking point with the previous model of *Bourguiba*, paved the way for a new phase of autonomous women mobilization which will be crucial during the final phase of the Ben Ali regime and throughout the constitutional transition period.

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<sup>49</sup> Laurie Brand, (1998), *Women, the State, and Political Liberalization*, New York: Columbia University Press, p. 206

## Chapter 3

### Tunisia Feminism between The Revolution and the Constitutional Transition

#### **3.1 The Tunisian Feminism Towards a Common Aim: The Revolution**

- 3.1.1 The Tunisian Women activism at the end of *Ben Ali* era
- 3.1.2 Women Partners in Revolution: activists, bloggers, Islamists and secularists
- 3.1.3 Secular and Islamist Female Movements: between antagonism and dialogue

#### **3.2 The Challenging Period of Constitutional Transition**

- 3.2.1 Heterogeneity and Activism of Tunisian civil society
- 3.2.2 The parable of *Ennahda* within the unsettled process of Democratization
- 3.2.3 Equal or Complementary? Tunisian Women in the new Constitution

#### **3.3 Two Generations of Tunisia Women in Comparison**

- 3.3.1 The words to the Interviewees: *Bochra Bel Haj Hmida* and *Amina Sboui*



### 3.1 The Tunisian Feminism Towards a Common Aim: The Revolution

#### 3.1.1 The Tunisia Women activism at the end of *Ben Ali* era

From the 1970s onwards, Tunisian society has experienced number of social and political protests. From the 1978 with the Black Thursday, in which the government faced down trades union protests led by the Union Generale des Travailleurs Tunisiens (UGTT); in 1984 with the bread riots; in 2008 with the Gafsa mining basin or “Hunger Intifada” and in 2010 in the border regions of *Ben Guerdane* and *Sidi Bouzid*, revolts that led to overthrow the most violent and repressive regimes in the Arab world.<sup>50</sup>

Except for these isolated and distant events, Tunisia, under Ben Ali, experienced relative calm at political and social level. As, just few weeks before the uprising, the World Bank stated: “Tunisia has made remarkable progress on equitable growth, fighting poverty and achieving good social indicators”.<sup>51</sup> Statement that was immediately removed from the World Bank website when Ben Ali fled to Saudi Arabia. Politically speaking, this calm meant that the opposition forces were either coerced into silence or fragmented, and socially that the country, through negotiations with the UGTT, the only labour organization recognised by the regime, was experiencing a social peace (*Mehdi Mabrouk* 2011).

As widely explained in the first chapter, from 1987 Ben Ali, with the famous “*Medical Coup*”, had taken the power in Tunisia. He, which initially appeared open toward the several political and social forces, in reality, was only buying time to strengthen the power and preserve the same presidential powers of *Bourguiba*. During his first years of mandate, to expand his popularity, Ben Ali promised the legalization of the Islamists party before launching a massive crack down on the entire group.

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<sup>50</sup> Mehdi Mabrouk (2011) *A revolution for dignity and freedom: preliminary observations on the social and cultural background to the Tunisian revolution*, The Journal of North African Studies, p.626

<sup>51</sup> World Bank (2010). “*Country Brief: Tunisia*.” Washington, DC: The World Bank.

National Associations, such as the General Union of Tunisia Workers (UGTT), the National Union of Tunisia Women (UNFT), and the General Union of Tunisia Students (UGET), were obliged to support the government's policies which, progressively, started to lose their power, becoming closely link to the government's will (*Mehdi Mabrouk* 2011).

Regarding the female issue, the two Tunisians Presidents *Bourguiba* firstly and *Ben Ali* later to appear, to their western partners, modernist and respectful of human rights, used the UNFT to publicize policies in favour of women.

*Ben Ali* throughout his presidency, followed the feminist policy of his predecessor offering to some women leadership positions that used to be the exclusivity of men. But, using the *Ben Achour* words, "when the State undertakes reforms in favour of women, it is always in the interest of the stability of the social order whose main springs are the family and Islam". In fact, even though in 1989, new autonomous feminist organizations and NGOs were founded: such as the AFTURD and the ATFD, unfortunately, women continued to live that sort of State Feminism that they had previously experimented under Bourguiba (*Khedija Arfaoui*, 2007).

Since the 1970, Tunisia women became more aware of their subordination position in a male-dominated society and through some feminist organizations they started to denounce inequalities in the enjoyment of certain rights.

With the formation of the *Ben Ali* regime (1987-2011), a repressive climate was established that spread throughout the country. Constantly violation of individual rights, no political pluralism, violence and police abuses were the key elements of his regime. Ben Ali, frightened by the spread of Islamic fundamentalism, persecuted anyone suspected of terrorism, including women whose "guilt" could only consist in wearing the veil.<sup>52</sup> Considered a direct threat to social stability, the veil became a symbol of obscurantism, in a country at the forefront of the liberation of women in the Arab world.

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52 El Houssi, L. (2013). *Genesis: Rivista della Società italiana delle Storiche XII/1. Femminismi nel Mediterraneo*. Roma: Viella, pp.163-165.

According to some reports of Amnesty International, victims of repression were also many women, guilty of carrying out subversive activities or just because wives or relatives of members of the Islamist movement “*Ennahda*” or sympathizers of the Tunisian workers’ Communist Party (PCOT) (Amnesty International 2013). Since the revolutionary period, the image of the modern Tunisian woman, who during the dictatorship was incarnated in *Ben Ali’s* wife, *Leila Trabelsi*, was widespread rejected. The efforts of Ben Ali to manipulate feminist movements in order to maintain his political power focused mainly on the fight against Islamic fundamentalism.

In fact, in 1990, with the pretext of possible CPS’s changes, result of the increasing political power of *Al-Nahdha*, he used both the autonomous and the state-affiliated feminist organizations against Islamist. In this way, *Ben Ali* used the legal status of Tunisian women to obtain national and international support and to demonize the Islamist social forces of Tunisia.<sup>53</sup>

Despite in 1980, Tunisia has signed the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), which incredibly helped and supported the emancipation of women, only since the Jasmine Revolution onwards, all the social actors, including women began to actively participate in the political and social life of the nation, as it happened during the drafting of the new constitution, approved in 2014, watershed of the previous authoritarian politics and the new form of politics from below.

Differently from *Bourguiba* which relied on the post-independence educated elites, Ben Ali, carefully selected technocrats who implemented his directives. After having neutralized all his political opponents, from 1992 the *Trabelsi- Ben Ali* clans started to build their own economic empire. Overtime, the Ben Ali entourage began to dominate, the former elites became more isolated and, in a very short period of time, the *Trabelsi- Ben Ali* clan started to acquire an enormous economic power in many different sectors as banking, insurance, telecommunications, transportation, construction and tourism.

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53 Andrea Khalil (2014), *Tunisia's women: partners in revolution*, The Journal of North African Studies, p.192

All those, as the traditional business owners, who have refused to enter in the network created by the regime suffered tremendous losses. In a short time, the division within the Tunisian capitalist class widened and the concentration of power in the hands of the president entourage tremendously increased.<sup>54</sup>

At the dawn of the 21th century, the country was facing a remarkable economic crisis, in fact, those policies mostly focused on FDI and on the development of the private sector, had dramatically increased the differences between the north and south. While the coastal cities became wealthier, the internal areas were facing poverty, un-urbanization, and underdevelopment. The unemployment, was another important issue of the Ben Ali era, reaching its historical levels, especially within the young graduated (*Fadhel Kaboub*, 2013). Thanks to the contribution of two Tunisians women, who both have been interviewed by me, we can better understand which was the situation under Ben Ali and which were the feelings that led Tunisian people to embrace the Revolution.

One of my interviewees is an author, feminist and LGBTQ activist, *Amina Sboui*, better known as *Amina Tayler* and the other one is *Bochra Bel Haj Hmida*, a professional lawyer, feminist and human rights activist. Since the revolution, she is a political activist and today she holds the office of parliamentary deputy. From 2017 she, also, presided over the “Commission of Individual Freedoms and Equality”, created by the President of the Republic, *Beji Caid Essebsi*, with the aim to deliver reports on the reform proposals on these two issues. When I asked them how was living under regime and which were the reasons that pushed Tunisians to overthrow Ben Ali, they both said that living under the Ben Ali was very tough, the people could not express themselves, there was very low political freedom and the meaning of democracy was unknown for them. Amina continued saying that, the reasons that led Tunisians to rebel were millions, such as the use and abuse of power, the dictatorship, the violence perpetrated by the police, the social injustice and the complete absence of human rights’ protection.

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54 Fadhel Kaboub (2013) *The Making of the Tunisian Revolution*, Middle East Development Journal, p.9

Furthermore, repression and the internalization of fear that lasted for almost two decades, the high level of corruption and the entire absence of solutions to the problem of unemployment, were other further important factors, *Bochra Bel Haj Hmida* adds (Interview with *Amina Tayler* and *Bochra Bel Haj Hmida*, 27 January 2019).

Just one month before the incident at *Sidi Bouzid*, the regime held the quadrennial “Youth Parliament”. It was a meeting designed more to strengthen the regime’s power than to seriously or scientifically reflect the opinion among young people themselves. This consultation certainly did not reflect what was happening in Tunisia, indeed, it, along with the national television provided a completely misleading image of what a true dialogue between Tunisian society and its rulers would have revealed. In addition, even the statements made by the Organization of Arab women, led by the wife of the former president, completely ignored the social situation and instead, increasingly fuelled the revolutionary atmosphere (*Mehdi Mabrouk*, 2011, p.630).

### 3.1.2 Women Partners in Revolution: activists, bloggers, Islamists and secularists

The women's presence in group struggles, in the anticolonial wars and in the Revolution, has long shaped the historical development of Tunisia. A careful analysis of the events, reveals that the initial revolutionary activities were mainly carried by three separate social entities, young, women and labour union, each of them using its own way, reflection of how the human resources were mobilized.

As *Amina Tayler* and *Bochra Bel Haj Hmida* have stressed, the peculiarity of these social entities was mainly their spontaneity, their unplanned actions and theirs leaderless. This means that at that precise moment, regardless of the social class, religion, gender and political affiliation, the only goal was to openly express the dissent of Tunisians and to externalize the condition of discontent that all the population was experiencing. Thus, the desire to subvert the power of Ben Ali was stronger than any other Islamic or secular feminist claim (Interview with *Amina Tayler* and *Bochra Bel Haj Hmida*, 27 January 2019).

In the protests, there were no claims of religious inspiration or anti-American and anti-Israeli slogans, what emerged was an overwhelming demand for freedom and above all for social justice. *Huriya e Karama* (freedom and dignity), were the key words of the Tunisia revolts (*Leila el Houssi* 2013, p. 56).

Furthermore, *Bochra Bel Haj Hmida*, highlighted how all Tunisians, women, men and young people have contributed to the Revolution, by protesting, with hunger strikes or spreading information with the social networks or through the National or International media. During the Revolution, *Bochra Bel Haj Hmida*, not only protested several times in the streets, both before and on 14 January 2011, but she also appeared in some foreign media to defend the claims of Tunisians and to support their right of expression (Interview with *Bochra Bel Haj Hmida*, 27 January 2019).

As *Andrea Khalil* has explained, women of different revolutions, such as Tunisian and Libyan, specified how their activism was dictated by a concern of freedom for all citizens and for the protection of human, Muslim, political and economic rights, not just for women's rights. In Tunisia, in fact, despite the heated debate that will oppose, especially during the post-revolution period, Tunisian women between secularist and religious/Islamist positions, at the time of uprising, the struggles for gender equality were subordinate to a larger, collective goals of human dignity and freedom. In the case of Tunisia many testimonies, video and photos illustrate how working, professional and rural women stood side by side of male in the demonstration of 2010-2011. Women of all regions shared the suffering caused by the government's repression and in this regard, the Arab Institute for Human Rights, in 2011 organized a forum in *Thela* that allowed women to describe and compare their stories. In this forum, women testified their negatives experiences under the regime, talking about the brutal repression perpetrated by the security forces or about their losses of sons and husbands (*Andrea Khalil*, 2014, p.188).

According to many, the success of Tunisia Revolution lies also in the system through which the information was transmitted. The social media were a new key element to inform, to co-opt the public opinion and to defend the legitimacy of the protests vis a vis to the official narrative. Thanks to the new social media like Twitter and Facebook, Tunisians could, in real time, witness the events and denounce the repression that the regime was perpetrating during the uprising. In this regard, one of the most heated voices among the bloggers was that of *Lina Ben Mhenni*. Proud contesteer of *Ben Ali's* attitude, *Lina Mhenni*, with her famous blog "a Tunisian girl", denounced the regime's abuses and supported the uprising by providing important information, becoming, de facto, one of the most important witnesses on the field throughout the Tunisian uprising. Always at the forefront for the defence of human rights, she revealed to us how, especially women, played a leading role during all the phases of the uprising by participating in strikes, demonstrations, and taking cares of the injured people (*Leila el Houssi* 2013, pp. 50-55).

Other female bloggers formed an active part of the cyber activism as *Emna Ben Jemaa*'s, who after having criticized the regime in her blog, was immediately arrested and *Neila Kilani*, who continuously posted images of the state violence all around the world. The strong female involvement in the revolution was not surprising giving the fact that, despite the oppression, Tunisia women, have had always a major role in shaping the Tunisia social life. Even the participation of Islamic women, did not arouse surprise, not just because from the 80s onwards they were the first to suffer a strong state repression, but also because the many political prisoners incited the Islamist women to take part in the revolt and encouraged their children to topple the regime that unjustly imprisoned their fathers and brothers (*Andrea Khalil*, 2014, p.190).

### **3.1.3 Secular and Islamic Female Movements: between antagonism and dialogue**

If throughout the process of Nation-building, the image of a modern woman in Tunisia was part of the agenda, on the same path was the post Ben Ali period. Immediately after the revolution, the debate was focused on the role that women should play in the society and on the image of women as a symbol of national consolidation.

After long years of state-sponsored "*feminism*", Tunisia women's organizations were no longer facing organization and activities' restrictions. Consequently, while previously women's activism was restricted to a small number of secular associations and unions, often backed by the state, after the 2011 revolution the renewed freedom of association generated an increase of new women's organizations. The Islamist movements were no longer bound as "movements of resistance" but they became dominant political parties and the politics of secular reformism, which was behind the crafting of the CPS, was replaced by a political hegemony dominated by Islamist-leaning political actors (*Andrea Khalil*, 2014, p.191).

Longstanding secular feminist associations, such as the Tunisia Association of Democratic Women (ATFD) and the Tunisian Women's Association for Research and Development (AFTURD), both active since the late 1980s, faced a hard time accepting these new Islamist actors.



The conflict between the female movements in Tunisia, respectively the secular and the Islamist, is not just ideological but also social. If the secular movements, who often adopted a France-oriented culture and lifestyle, is composed by members of Tunisia upper-middle or upper classes, the Islamist movement generally is made by lower middle or poorer classes. Moreover, this class conflict corresponds in part with a geographical division, characteristic of Tunisian context. Islamist activists have created a network not only for the working class of neighbouring areas, but also for women of rural areas.

Among their priorities, in fact, there is the well-being of women who often live in the interior and southern regions. On the other hand, secular activists prioritized more women of the large coastal cities of Sahel and give less attention to those in rural areas of Tunisia.<sup>55</sup> Despite those divisions, Tunisia has achieved important gains for women in the years after the revolution, for instance, the promulgation of the constitution in 2014. The new Constitutional charter, which was a result of challenging and pragmatic compromises among Islamist and secular parties in the Constituency Assembly, is considered the most progressive legislation on women's rights in the Arab region. And the redaction of Art. 46 is the proof of that because it states for gender parity in all the Tunisia elected assemblies (*Loes Debuysere*, 2016, pp. 228-232).

Although the successful co-operation among dissimilar political actors in the Tunisia's Constituent Assembly, the struggle between different ideological women's movements persists till today. When in 2011 *Ben Ali* fled the country, in addition to the role of women in the society, the debate was focused also in how the country should deal with its past. While the struggle of Islamist women's rights is not new in the MENA region, especially in Egypt and Iran, during the pre-uprising period, the strict state control and the violent repression of Islamist ideologies have avoided the emergence of religious discourse in Tunisia.

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<sup>55</sup> Loes Debuysere (2016) *Tunisian Women at the Crossroads: Antagonism and Agonism between Secular and Islamist Women's Rights Movements in Tunisia*, Mediterranean Politics, p. 227

The Islamist and secular women's movements hostility has older roots and it is related mainly with past mentalities and feelings of distrust generated by the previous state feminism policies and by the strong state oppression against Islamist women. In fact, while the Islamist movement is a contemporary phenomenon in Tunisia, the largest Tunisian women's union, the National Union of Tunisian Women (UNFT) and the two independent secular women's organizations, the ATFD and the AFTURD, have been accused for having links with the old regime.

The Islamist women, who differs from secular movements on some ideological points of view, are focused in reviewing the source of Islam to challenge the androcentric and patriarchal interpretation of these sources. Regarding the concept of equality, they believe that, instead of absolute equality, women and men have complementary roles within the family. Thus, although equal in value, husbands and wives have different responsibilities within the family, due to biological differences. Another point of divergence between them is the unequal Islamic inheritance law. For them, women, having different role within the family, should not receive the same share of inheritance of men, who, instead, provide to maintain the family financially (*Loes Debuysere*, 2016, p. 230).

These different interpretations of central themes such as inheritance and the role of women inside and outside the family have created a clear separation between the two movements. This division has brought to light problems that were visibly addressed during the constitutional transition period when the *Ennadha* party added the term complementarity of women in relation to men in the Article 28 of the new Constitution. This passage, which will be explained in the following paragraph, has highlighted how Islamist and secular women's movements have a completely different vision of the centrality and parity of women in modern society.

Despite the absence of cooperation between them, several European governments and international actors do encourage dialogue between the Tunisia female activists. The International support for this cause is due to the belief that inter-ideological dialogue can foster wider support for women's rights.

As the Tunisian parliamentary election of October 2014 has demonstrated, where women have obtained only 31 percentage of the seats, art 46 of 2014 Constitution is not enough to realize equal women and men representation in parliament (*Loes Debuysere*, 2016, p. 231).

Thus, to make sure that legal codes are implemented, women's movement could, instead of being divided, established a solid coalition to push for effective changes. An inter-ideological dialogue is an imperative step to achieve gender changes and to overcome prejudices and divisions among Tunisian women.

## **3.2 The Challenging period of Constitutional Transition**

### **3.2.1 Heterogeneity and Activism of Tunisian civil society**

One aspect that characterizes the Tunisian society compared to others in the Arab world is the presence of a developed middle class which has contributed to the creation of associations and organizations very active at the public level. If during the Ben Ali regime, the society was forced to act secretly, immediately after its fall, thanks to an innovative decree law n. 88 of September 2011, new non-state actors, movements and non-governmental organizations were created.

What is interesting to analysed in the case of Tunisia is the relationship between the active and well-structured civil society and the process of political transition. In this country, the function of the society has had a double ending, not only it became a fundamental element of the revolt, but it also played a pivotal role in determining the outcome of the Constitutional transitions.

In this regard, the comparison with the case of Libya is emblematic. After the 2011 revolts, while Tunisia began a transition period that brought to the drafting of a new constitution, Libya has sunk into an internal civil conflict, to which there still has no solution. Thus, Tunisia has demonstrated that the civil society is a cause of the transition process rather than its effect, in fact, when the society was not particularly developed, such as in Libya, the process of political transition has stalled inside the internal divergences (*Torelli, S.*, 2015, pp.111-112).

If throughout the political transition phase, the creation of new organizations has certainly contributed to the democratization process of the country, it has also been an element of social conflict, precisely because of its heterogeneity. It occurred especially, when labour unions, women's organizations and religious-Islamic associations, began to make claims for the consolidation and maintenance of their rights.

The attention of preserving strict relations between politics and society, that has brought representatives of civil society to take part in the commissions responsible for the formulation the new Tunisian Constitution, was another element of success in Tunisia. In fact, the transition phase has seen the efforts and the interactions of all the actors of the civil society in the drafting of the Constitutional text that will represented the whole Tunisian society (Torelli, S., 2015).

According to those who believe that a strong and well-structured society is a necessary precondition for any political transition that goes towards democratization, we can certainly say that without it, in Tunisia would have been difficult to undertake a linear process of democratization. Moreover, the direct participation of civil society in the political transition process was an additional important element that underlined the success of the Tunisian case compared to the Libyan and Egyptian ones.

### **3.2.2 The Parable of *Ennahda* within the Unsettled Democratization Process**

After the fall of Ben Ali in 2011, Tunisia witnessed a long and difficult period of political transition that lasts until the late 2014 when the new Constitutional text was approved. The long path of democratization began on March 3, 2011 when President *Fouad Mahbuz* officially announced the suspension of the old constitution, started the procedure for the elections of a constituent assembly and delegated the National Commission for Political Reform to draft the new electoral law.

The first government of the post *Ben Ali* era was entrusted in the hands of *Mohamed Ghannouchi*, who resigned after the first weeks of transition and *Beji Caid Essebsi* was nominated as his temporary successor. *Essebsi* was a politician well known by Tunisians, as he had already covered several roles of minister under the *Bourguiba* and *Ben Ali* governments (Torelli, S. 2015, p. 179). Between January and October 2011, the Tunisian political situation was very complicated and confused. There was no guarantee of the positive outcome of the transition and above all, it was not clear whether it had taken place peacefully.

Despite the free elections of October 2011, Tunisia was living in a situation of uncertainty to which was added the emergence of Islamic terrorism.

In fact, the future Tunisian government would have face a high unemployment rate, a declining economy and a country socially divided. In addition to that, there was a strong and widespread mistrust for all the political actors who have had relation with the past authoritarian entourage. In this contest, *Ennahda*, thanks to its “immaculateness” with the previous regime appeared the only truly and credible political force. Moreover, *Ghannushi*’s party had been able to arouse confidence in the population thanks to its more liberal and moderate ideology that made it a sui generis Islamic party compared to other more radical movements as Hamas in Palestine and Hezbollah in Lebanon (*Torelli, S.* 2015, pp.134-135).

The first of October 2011 the electoral campaign was officially opened and at the end of the same month, with a turnout of 70%, Tunisians elected the members of the Constituent Assembly. As shown in the figure 1, the winning party was the Islamic movement, *Ennahda*, founded in 1981 by *Rashid Ghannushi*, which, with a relative majority of 41.7% votes, gained 89 seats. On the other hand, the *Congres pour la Republique* (CPR) founded by *Mocef Marzouki* obtained 20 seats, and the *Democratique Forum pour le travail et les libertes* (*Ettakatol*) founded by the Tunisian doctor *Mustapha Ben Jafaar* won 29 seats (*El Houssi, L.* 2013, pp.62-64).

### Figure 1

Distribution of seats after the electoral consultation of the members of the Constituent Assembly of October 23, 2011

Partiti	Percentuale di voto	Seggi
<b>Ennahda</b>	41,70	90
<b>Congresso per la Repubblica</b>	13,82	30
<b>Forum democratico per il lavoro e la libertà</b>	9,68	21
<b>Petizione popolare</b>	8,19	19
<b>Partito democratico progressista</b>	7,86	17

Source: parlamento.it

After the elections to the secretary of *Ennahda*, *Hamadi Jebali*, was given the task to form a government. *Jebali* presented a coalition government, also known as “Troika government”, composed by three parties: *Ennahda*, *Ettakatol* and CPR which gained the confidence with 154 votes in favour and 38 against and 11 abstentions (*Torelli, S. 2015*).

Although *Ennahda* represents a new model of political Islam absent in other contexts, during its exile, the movement had maintained a typical profile of anti-systemic parties. In that period, *Al-Nahda* was driven by a desire to establish an Islamic State in Tunisia and by a strong anti-capitalist political and economic vision. As *Ghannushi* himself has stressed during an interview: “in an open country as Tunisia, a multi-party system, human freedoms and democratic elections would be recognized but within an Arab-Muslim system”.<sup>56</sup> Thus, the same *Ghannushi* left no chance for different interpretations about the will to change the Tunisian institutional system, criticizing, at the same time, the international system dominated by the West (*Torelli, S. 2015*, pp.139-140).

The reigniting of the ideological clash between the so-called Islamists and the proponents of the secularization of the state has certainly played a role in defining the new balances of Tunisian society and politics. The close confrontation between *al-Nahda* and the opposition parties has increased fear about the possibility of an eventually confrontation, as it happened in the neighbouring countries, in the nineties in Algeria and in Egypt in the post-Mubarak period. These openly pro-Islamic and anti-systemic tones, had created not little anxieties among the civil society, the women activists and the secular left parties. On the contrary, Tunisia had, already before the fall of Ben Ali, demonstrated to possess different characteristics compared to the manifestations of Islamism existing in other Middle Eastern contexts. The behaviour of the Islamic party itself during the first four years of transition has contributed to the relative success of Tunisian democratization. Its long process of transformation had led it to become a real party, to participate in the first elections for the constituent assembly and to govern the country during the delicate phase of Constitutional transition.<sup>57</sup>

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<sup>56</sup> Interview with Rashid Ghannushi by G. Fiaschi, Tunis face to face with Rashid Ghannushi, in “panorama.it, 30 June 2011.

<sup>57</sup> Massimo Campanini in Religions and Constitutional transitions in the Muslim Mediterranean. The Pluralistic Moment. Routledge editor, (2017), p. 47.

Further concerns arose in Tunisia with the emergence of Salafist extremism, inspired by the *wahabi* Islam supported by the Gulf countries as Qatar and Saudi Arabia. According to the Arabian historian Bernard Lewis, the *wahabita* doctrine is characterized by a rejection of modernity and by an aspiration of return to the original Islam with the application of the *Shari'a*. They preach an “authentic” Islam that is opposed to the institutional Islam developed in the Maghreb area (*El Houssi*, L. 2013, p.66).

The first tension between the Salafist and secular poles occurred in Tunisia during the discussion held at the Constituent Assembly on Article 1 of the new Constitution. The Salafi movement exerted strong pressure to obtain the reference of the *Shari'a* as the foundation of state legislation. But the entire secular front was immediately engaged against it and at the end, the Islamic party *Ennahda* took a clear stance versus the proposal advanced by the Salafists. On March 26, 2012, the Constituent Assembly decided with 51 votes in favour and 13 against, to reintroduce the art.1 of the previous constitutional text of 1959 which reads: “Tunisia is an independent and sovereign State, its religion is Islam, its language is Arabic and its form of government is the Republic” (*El Houssi*, L. 2013, p.69).

The above-mention episode was the earliest of a series of intense confrontation among the two factions. A further ground for discussion emerged in August 2012 when the Commission of Rights and Freedoms of the Constituent Assembly presented the draft of Article 28 of the new Constitution. This article concerned the relationship between man and woman and affirmed the complementarity of the woman with respect to the man within the family. Once again, the feminine issue became a matter of political debate, assuming centrality in an institutional phase. With no doubts, the emergence of a new and more radical form of Islam in Tunisia has placed *Al-Nadha* at the centre of the two different poles. Throughout the path of democracy, *Al-Nadha* was the only political actor able to mediate and negotiate with secularists and Salafists. Turning away from strictly pro-Islamic ideologies and assuming a more institutional position the Islamic party of *Ghannushi* has shown its political maturity that led Tunisia to the approval of the new Constitution in 2014. His contribution as a moderator in the transition process was fundamental to prevent Tunisia from ending in internal divisions, struggles, and terroristic attacks as other Arab countries have experienced.



### 3.2.3 Equal or Complementary? Tunisian Women in the new Constitution

Since 2011 Tunisia has undertaken significant changes in leadership, has experienced animated debates within the civil society and has started the revision of the state constitution. To each of these changes, essential have been women who participated in mass protests, ran and won the elections, founded new organisations and participated in the writing of the Constitution. According to *Khosrokhavar* (2012), Tunisia shows a particularly strong civil society with over 1000 of associations and 110 political parties registered in less than a year after the regime's collapse. In this contest, Women's organizations, which historically did not exert important influence on the state, have been extremely important in the debate concerning the new constitution text, placing themselves in the front line for the defence of their rights.<sup>58</sup>

As earlier mentioned, between February and March 2012, a manifestation of the Salafist movements called for the introduction of the *Shari'a* as the legal source of Constitution. This demand placed *al-Nahda* in a very uncomfortable position, squeezed between the most radical Islamic fringes and the civil society and secular parties (*Torelli, S.* 2015, pp.183-184).

The symbolic moment of Tunisia responsibility can certainly be identified in the ratification of the new Constitution, unanimously approved on January 26, 2014. The path towards its final adoption in 2014 has experienced a long and confusing process. In fact, two more drafts were presented precisely on 22 April 2013 and the other in June same year, both widely discussed and modified. Among the most debated subjects there were the institutional and government model that Tunisia should have had in the post Ben Ali period and the role that women had to cover within the society and the family. Following the release of the draft of the constitution on 13, August of 2012, several articles came under public scrutiny, and many female and male activists paid special attention to Article 28, which in some regards compromised gender equality (*Mounira M. Charrad & Amina Zarrugh, 2014, p. 235*).

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<sup>58</sup> Mounira M. Charrad & Amina Zarrugh (2014) *Equal or complementary? Women in the new Tunisian Constitution after the Arab Spring*, The Journal of North African Studies, 19:2, pp. 230-232

The presentation of Article 28 by the Commission of Rights and Freedoms of the Constituent Assembly, that introduced the principle of *complementarity*, has placed women to renegotiate their acquired status as women, daughters and mothers. Immediately, several women's organizations and political parties have assumed various positions in this regard, many of which saw this article as a contradiction with other components of the draft constitution that clearly emphasized gender equality. "Equality" was used in multiple contexts as in the preamble, in Article 1.6 addressing equal rights among citizens, in Article 2.21 addressing the equality between spouses, in Article 2.30 guaranteeing "equality between persons with special needs" (Draft Constitution of the Republic of Tunisia 2012).

The lack of the term "equality" in Art.28 was alarming different groups of women which issued statements and proposed revisions to the draft. Opposition to this article emerges mainly among women's organizations that pursue an expansive and inclusive democracy. On 13 August 2012, date on which women's day is celebrated in Tunisia, a large-scale demonstration was quickly organised in Tunis, which saw men and women in the front row to defend gender equality and the Code of Personal Status (CPS) (*El Houssi*, L. 2013, pp.71-72).

As also mentioned by *Bochra Bel Haj Hmida*: "More than 6000 women of all ages and from all the Tunisian regions have mobilized themselves by demonstrating on the road for the preservation of the already acquired rights and for the consolidation of gender equality. They were either unaffiliated with any organization or identified with association such as Democratic Women's Association, La Ligue Tunisienne des Droits de l'Homme (LTDH) and Association des Femmes Tunisiennes pour la Recherche sur le Developpement (AFTURD) (Interview with *Bochra Bel Haj Hmida*, 27 January 2019). The article in question recited exactly:

"The State ensures the protection of women's rights and their acquired rights, under the principle of complementarity with man in the family and associated with man in the development of the country".<sup>59</sup>

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<sup>59</sup> RFI, Les Tunisiennes refusent d'être "complémentaires" des hommes <http://www.rfi.fr/afrique/20120813-tunisiennes-refusent-etre-complementaires-hommes>

On the other side of the debate on Article 28, some women affiliated with *Ennahdha* emphasised and defended some aspects of the article. Two of the most popular figures, were *Farida Labidi* and *Mehrezia Labidi-Maiza*, both coming from the *Ennahdha* lines. *Labidi* was an Executive Council member and leader of the Constitutional Committee in charge of Article 28, and *Labidi-Maiza* was the *Ennahdha* vice president of the NCA and a parliament member. They both have fiercely defended the article, accusing also the opponents for engaging in a deceptive public campaign on its contents. For them, the term “complementary” was not a sign of inequality, but instead it refers to an exchange, a collaboration between the partners (*Mounira M. Charrad & Amina Zarrugh*, 2014, p. 239). This article, that not even a month after his approval has been withdrawn, has opened debates centred on the appropriateness of using the term “equal” or “complementary” in the Constitution. Moreover, the discussion about women complementarity has provoked a hostile internal and international debate, which reflects the different beliefs about the role of women in contemporary Tunisian society (*Mounira M. Charrad & Amina Zarrugh*, 2014). Furthermore, according to *Leila El Houssi* the debate around art.28 refers in the Muslim world to a wide-open question of the full recognition of equal opportunities between men and women in the exercise of fundamental rights (*El Houssi*, L. 2013).

The widespread women criticism and the strong opposition against that article illustrates a fundamental shift from politics from above, prior to the Arab springs, to a new politics from below. With politics from below we refer to a structural change in the Tunisia society and politics, where public discussion and confrontation are held also with the involvement of the civil society. In 2012, debates about the redrafting of the new constitution was an example in contrast with the prior official texts such as the Code of Personal Status (CPS) which embodied the so called “politics from above” cornerstone of the previous eras (*Mounira M. Charrad & Amina Zarrugh*, 2014, p. 232).

To really understand the female debate around article 28, it is useful to place the discourse about gender issues in the Tunisia historical context. Firstly, Tunisia, thanks to the Code of Personal Status and its following amendments, has long been at the forefront of women’s rights in the whole Arab world.

Secondly, the CPS was part of an overall strategy of Nation building of *Bourguiba* in the '50, which perfectly represented a reform from above.

Only from 1980, the Tunisia women's movements became vocal in the national politics, but being under the Ben Ali authoritarian regime till 2011, women organizations were under strict state control and did not have the real chance to freely demand changes or raise concerns. A significant shift in politics was launched after the overthrow of Ben Ali and precisely when the National Constituent Assembly's elections (NCA) were arranged. In that occasion, to promote gender parity in political representation was drafted a new electoral law that obliged the inclusion of women on the electoral lists. This law, strongly claimed by women's collective actions, was written by a committee of experts from the Tunisia Association of Democratic Women (ATFD) and the Association of Tunisian Women for Research and Development (AFTURD). This electoral law gave to women the possibility to take part in different groups of the NCA, for a total of 31% of the seats and with 49 women coming only from the files of the *Ennahdha* party (*Mounira M. Charrad & Amina Zarrugh, 2014*).

Throughout the intense period of political and constitutional transition, the fear that the modernist reformism could have been replaced by an alternative "emancipation" of Islamic matrix has caused many social unrests. Not only criticisms but also a widespread mobilizations and protests occurred in Tunisia, as in the case of my interviewee *Amina Tyler*, who in March 2013, at only eighteen years old, has published a photo of her body with an inscription: "my body belongs to me, it does not represent the honour of nobody". In 2013 Amina belonged to the feminist group "FEMEN", group born in Ukraine in 2008 but developed on international scale which expresses its dissent showing women in topless with written on their body against sex tourism, sexism and other social discrimination. *Amina Tyler* was the first activist in the Arab world to approach to this movement and in May 19 of the same year she was imprisoned for smearing the wall of the cemetery in *Kairouan*, city where on the same day an unauthorized Congress of the *Ansar al Charia*<sup>60</sup> group should have held.

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<sup>60</sup> Homonyms of the Libyan group, they are a Jihadist terrorist group active in Tunisia since 2011. Recognized as a "terrorist organization" by the Tunisian government, the United Nations, the United Arab Emirates, the United Kingdom and the US

As *Amina*, said: “I was in jail for protesting in front of a cemetery. At that time, what really mattered to me was that the woman’s condition in Tunisia was protected. The proposals that Tunisian Islamist women wanted to carry, such as the introduction of article 28 in the new Constitution, would have not helped our country to further develop itself in a democratic way, on the contrary, it would have brought Tunisia back to stages of backwardness” (Interview with *Amina Tayler*, 27 January 2019).

In the final drafts of the Constitution that was approved in January 26, 2014, with 200 votes in favour, 12 against and 4 abstentions, the clause of article 28 that include the term *complementary* was omitted. To that, other concessions made by *Ennahdha* were added, including avoiding the specific reference to *Shari’a* law in the article 1 of the constitution. The long and heated debate on article 28 and its subsequent omission from the final draft of the constitution highlight the ways by which a new form of Tunisian public sphere and politics from below has emerged. The specific mention of women in the 2014 Constitution is another significant transformation from the 1959 Constitution, in which women were not identified as a group to whom granted specific and protected rights.

Since the collapse of the *Ben Ali* regime, women organizations were directly involved in the acquisition of elected positions as in the Tunisian National Constituent Assembly or in the political life, as the case of *Bochra Bel Haj Hmida* which after the Revolution and during the draft of the Constitution, has been active at the political level as well as in the protection of women rights. As a Member of Parliament but also as President of the Commission on individual Freedoms and Equality, she contributed, as many other Tunisia women, to the development and protection of women’s rights (Interview with *Bochra Bel Haj Hmida*, 27 January 2019).

The new position held by women within this last Tunisian political spectrum illustrates the success of the transition from a “top-down policy”, in which the decisions concerning gender politics were determined by the political elites, to a “politics from below”, in which groups of associated people make requests directly to the state.

### 3.3 Two Generations of Tunisia Women in Comparison

#### 3.3.1 The words to the Interviewees: *Bochra Bel Haj Hmida and Amina Sboui*

##### *Bochra Bel Haj Hmida*

1. Can you introduce yourself please?

I am a professional lawyer and a feminist and human rights activist. Since the revolution, I am a political activist and today I hold the office of parliamentary deputy. I presided over the “Commission of Individual Freedoms and Equality” that was created in August 2017 by the President of the Republic, *Beji Caid Essebsi*, and I delivered a report with some reform proposals on these two issues.

2. What are the reasons that led the Tunisian people to rebel?

The reasons that led Tunisians to take the street on protest were many. I personally think that it was at the same time the harsh repression and the internalization of fear that lasted for almost two decades, which sooner or later would have led to an open manifestation of social dissatisfaction. Furthermore, the deep corruption, the social condition and the absence of solutions to the problem of unemployment.

3. What contribution did you give during and after the Revolution?

During the Revolution, I took the streets several times, both before and in the 14th January 2011, I also appeared in different foreign media to openly defend the claims of Tunisians and to support our right of expression. After the Revolution, in my capacity as a parliamentary deputy but also as president of the Commission for Independence and Equality, I was activated also at political level for the defence of women’s rights during the drafting of the new Constitution approved in 2014.

4. How was living under the Ben Ali? And what was the role of women in society at that time?

During the Ben Ali regime, I was very active in the Tunisian Association of Democratic Women (ATFD) which I presided over. I supported political prisoners, especially those for opinion crimes. I have been close to activists who have made hunger strikes, even within the Tunisian human rights defence, of which I am a member. I have also been activated on the electoral framework of lawyers, for both the Lawyers' Association and the Association for the elections of the independent progressive lawyers. Living under the regime was tough for all Tunisian citizens but particularly for those men and women who militated for the protection of human rights. They were constantly intercepted and under surveillance and even the people close to them were bored by the presence of the police. Personally, on the professional level I was able to normally exercise my profession, even if sometimes those customers who realized my political positions preferred to withdraw their files.

5. Have women contributed to the uprising? If yes, how?

The successful ending of the 2011 Tunisia Revolution was the result of the contributions of all Tunisians. That revolts, which nowadays is, by the media, labelled as the "Jasmine Revolution", was instead a "Revolution of Dignity", where women, men and young people, all together contributed to its outcome. Clearly, the massive participation of women in the streets, alongside their counterparts was something of fundamental importance for its success. Women have given their help in many ways by protesting, preparing foods for their husbands or sons, medically healing the wounded or simply posting in a real time on internet the street events and the heavy police repression.

6. Since the fall of Ben Ali do you think that the situation has really changed? If so, how?

Of course, after Ben Ali the situation has completely changed particularly in terms of freedom and democracy.

But Unfortunately, today, on the socio-economic level, the situation has degraded for several reasons, such as the pre-revolutionary choice to not make real reforms and to delay the great works in order to avoid a revolt that has, in any case, taken place. After the revolution, many were the reasons that have contributed not only to not improve the socio and economic situation but to make matters even worse: the sudden change, the weakening of the state, terrorism but also the political instability and the incompetence of the people chosen by political parties based on criteria that were different from their decision-making capacity.

7. How did women oppose themselves to the *Al-Nahda* will before the Constitution was approved?

As occurred on 13 August 2012, date on which women's day is celebrated in Tunisia, a large-scale demonstration was quickly organized in Tunis, where more than 6000 women of all ages and from all the regions have mobilized themselves by demonstrating on the road for the preservation of their already acquired rights and for the consolidation of gender equality. They were either unaffiliated with any organization or identified with association such as Democratic Women's Association, La Ligue Tunisienne des Droits de l'Homme (LTDH) and Association des Femmes Tunisiennes pour la Recherche sur le Developpement (AFTURD)

8. Do you think that nowadays Tunisia is a democratic country or do you think that some more improvements can be still make?

Despite the improvements made until now, we still live in a fragile democracy. Thus, in order to strengthen it, first of all we need that the application of law must be guaranteed to everyone and at every social level.

9. Are women participating in Tunisian political life today? If yes, with which percentage?

It is not possible to talk about numbers, instead we can talk about percentages.



Nowadays we count, at the institutions levels, 35% of women in the Parliament and 47% at the municipal level. The great lack of women participation is in the government. It happens mainly because, despite the electoral law calls for gender equality in representation, political parties do not respect parity neither a level of their demands nor a level of their government candidates.

10. Tunisia is considered an extraordinary case of democracy and vanguard in the field of women's rights in the Arab world, what do you think about it?

Saying that it is extraordinary is affirming that the Arab world is both retrograde and underdeveloped. Thus, Tunisia is not an extraordinary case but a multicultural identity with an elite that together with a strong autonomous civil society, even under the totalitarian regime, has been directly engaged in the political and social arena and has also influenced the political world.

11. As a political and feminist activist, what are the current limits of your country and what are the future prerogatives for an even more concrete democratic evolution?

Even though Tunisia society has had a great evolution in regard of many aspects of crucial importance for an Arab and Muslim country, obviously, there are many areas in which my country should work on both politically and socially. For instance, the full participation and representation of women within the political and governmental structure. But, despite this, I firmly believe that for a further democratic evolution of a modern country like Tunisia, it should achieve the application of Law for all citizens and without distinction.

*Amina Sboui*

1. Can you briefly introduce yourself?

I'm *Amina Sboui*, also known as *Amina Tyler*, I am a twenty-four years old Tunisia author, feminist and LGBTQ activist.

2. During the revolution you were a teenager, how was living under Ben Ali for your generation?

During the Revolution, I was only sixteen and despite my young age it was very hard to live in Tunisia. Under Ben Ali we could not freely express ourselves we did not receive any political education and freedom of expression was almost totally absent. Furthermore, the use of hijab was prohibited and all women who used it were intimidated or arrested. The whole Tunisian population unknown what the word democracy meant.

3. Which were the reasons that pushed Tunisians to overthrow Ben Ali? Can you describe which were the sentiments that Tunisians felt under his regime?

The reasons that led Tunisians to rebel were millions, such as the use and abuse of power, the dictatorship, the violence perpetrated by the police, the social injustice and the complete absence of human rights' protection. Tunisia was composed by a huge youth unemployment rate that terrified my whole generation. The future was completely uncertain for people of my age and even more for those who did not want to escape from the country but, instead, wanted to remain and figure out how to change the situation.

4. Did you actively participate in the 2011 Revolution? If yes, what motivated you to participate?

Yes, I did. I contributed to the revolts by protesting on the streets, participating to the different hunger strikes, defending the activists. I used the new social media to communicate to the entire world what was really happening in my country and how Ben Ali was authorizing the police to use force against the demonstrators.

5. How did women contribute to the Revolution and how did the role of them change in the Tunisian society, throughout the years?

Immediately after the fall of Ben Ali, the entire Tunisian civil society participated in the political life of the country and in particular in the drafting of the new Constitution.

During the Constitutional transition, Tunisian women fought for the elimination of article 28 presented by *Ennahdha* in which the term complementarity was introduced in relation to the new role of women in society and in the family. Thus, in addition to the rights obtained such as freedom of speech, political diversity, social justice and so on, what has profoundly changed is the structure of society, which from politics from above, shift to a politics from below, where the needs of the society were directly demand upon the state, as in the above-mentioned case of art. 28.

6. What are the main achievements of the revolution?

As I said before in terms of freedom and equality we have obtained a truly freedom of expression, freedom of political diversity, the introduction of the integral law of violence against women, the right for a woman to marry a no Muslim, more social justice and the equality of heritage for married people.

7. Why did you get arrested? While you were in jail, how were you treated?

I was in jail for protesting in front of a cemetery in *Kairouan*. At that time, what really mattered to me was that the woman's condition in Tunisia was protected. The proposals that Tunisian Islamist women wanted to carry, such us the introduction of article 28 in the new Constitution, would have not helped our country to further develop itself in a democratic way, on the contrary, it would have brought Tunisia back to stages of backwardness. Fortunately, when I was in jail I was treated well because a lot of journalists were following my case.

8. Why did you leave Tunisia and where do you live now?

I left Tunisia because it was not possible for me to finish my studies there, thus I went to Paris for almost two years.

9. Have you ever gone back to Tunisia? If yes, which were your impressions? Something have changed or there is anything you would change?

Since 2015, the year of my return to Tunis, everything is changed to the best luckily. Clearly, with the approval of the new Constitution in 2014, many inalienable rights have been protected. As a result, in terms of freedom and rights, Tunisia has made a lot of progress, what probably should be improved are the economic conditions of my country, because although they have improved too, our economic potential is not used at the maximum.

10. Do you think there is a possibility to make more changes for Tunisian women in Tunisia?

Yes, I do. Obviously, Tunisia has experienced many changes, but something more could always have been made for further improvements of the women conditions.

11. Tunisia is an extraordinary case of Democracy in the Arab world, for your experience, do you think this affirmation is true? Motivate your answer.

Tunisia is absolutely an extraordinary case of Democracy in the Arab world. Since 2011 we have been the only case within the Arab Revolutions that had experienced a true political transformation and Democratization process, and the adoption of the new Constitution is the proof. Moreover, since then we have witnessed only a few cases of violence and our country, thanks to an incredible contribution of all the political parties, has not ended up in a civil war as it happened to other Arab countries.

## Conclusion

Since the ancient time, the geographic position of Tunisia, which overlooks in the Southern part of the Mediterranean Sea, was fundamental for commercial and strategical matters. These reasons had placed Tunisians under the crosshairs of many conquerors such as Phoenicians, Berbers, Arabs, Italians, Maltese and French which have left an important legacy made of cultural vivacity and religious compatibility. Thus, looking at the Tunisia social and political background, it is possible to understand how it has strongly contributed to its modern and liberal structure. As a matter of fact, Modern Tunisia was not only influenced by western traditions, thoughts and ways of living, but it also reflects a mix of several civilizations, cultures and religions.

The different dominations such the Arab and the French ones, have left in Tunisia a multicultural heritage that helped to develop the country in a modern and progressive way. In this regard, it is not surprising that Tunisia was the first Arab country in which, in 1846 the slavery was abolished, in 1861 the first Constitution was adopted and in 1956 the *Code of Personal Status* was introduced eliminating several gender inequalities and placing Tunisia women in a condition of formal equality. Innovative and modern reforms for a country suspended between a millenary African and Arab tradition, on the one hand, and the tradition of the French Revolution and of Western secular values, on the other.

It is precisely between these two poles that the firstly Tunisian women's movements moved. Strongly inspired by a Western culture which allowed women to participate in the public life, but forced to live in a socio-cultural context that was struggling to detach itself from religious dictates. Tunisian women, persuaded by the idea that in order to achieve equal rights, a free and modern state had to be created, they joined the independence cause to claim their rights.

The first steps of feminist movement in Tunisia were made at the beginning of the twentieth century, precisely in 1936 with the creation of the earliest and largest women organization, *The Muslim Union of Tunisian Women* (UMFT).

In that period, the will to be enrolled in the Independence campaign led to the emergence of other women association such as in 1944, the *Association of Young Muslim Women* and the first political women's section, the *National Union of Tunisian Women*, belonging to the *Destur party*.

Soon after the independence, *Bourguiba*, influenced by the modernist ideas of the Tunisian scholar *Tahar Haddad*, believed that in a *nation-building* process, women had to grant equal rights. The promulgation of the *Code of Personal Status*, was the first extraordinary step for the recognition of women's rights in Tunisia. The *Code* was an element of innovation that brought Tunisia closer to Western values, in fact, it abolished some of the cornerstones of Islam, such as polygamy, inequality in inheritance, the figure of the *wali* and the colleges called *Dar Jouned*, introduced the divorce, increased the minimum age to marry and the consensus of both spouses. Obviously, this choice aroused not few controversies within the Tunisian society especially among the scholars of the *Zaytuna College* and the more conservative Islamic wings.

Despite having improved their social status, the women's organizations remained strongly bound to the will of the Presidents. The both leading presidents, *Bourguiba* firstly and *Ben Ali* later, manipulate the "*women question*" for decades and controlled all the activity within the women's movement. For women's organizations, there was no possibility of making claims or implementing projects without the consent of the government. This created the so-called *State Feminism*, basis of the entire *Bourguiba* and *Ben Ali* period. The difference among them was that, while *Bourguiba* made women a driving force of his modernist and quasi-secular state project shortly after Tunisia's independence in 1956, *Ben Ali* continued this policy of *state feminism*, but mainly to distract western attention from numerous violations of human rights.

Only from the end of the 1970s, Tunisian women started to deeply question the unfair discriminations that they still faced and pushed by a new wave of renewal began to emerge other independent feminist movements.

From the end of the 90s, new autonomous feminist organizations rose mostly pushed by the desire to protect their freedoms against the threats of the increasing Islamic fundamentalism of that period such as *The Association of Tunisian Democratic Women* (ATFD), in 1989, and *the Association of Tunisian Women for Research and Development* (AFTURD) in 1990.

The women's presence in group struggles, in the anticolonial wars and in the Revolution, has long shaped the historical development of Tunisia. In fact, as the Italian-Tunisian scholar, *Leila El Houssi* has highlighted several times, what makes Tunisia a peculiar case-study within the Muslim countries is its women participation in the political and social struggles of the country. The Tunisian women activism, which rooted back before the independence, will continue over the years up to 2011 with their massive participated in the Revolution.

After long years of state-sponsored "*feminism*", Tunisia women's movements, were no longer facing organization and activities' restrictions, and in particular, the Islamist movements were no longer bound as "movements of resistance" but became the dominant political parties. Accordingly, the politics of secular reformism, which was behind the crafting of the CPS, was replaced by a political hegemony dominated by Islamist-leaning political actors. Entrusting, in October 2011, the leadership of the country in a coalition government, called "*Troika government*", composed for the majority by *Ennahdha*, the Islamic party close to the Muslim Brotherhood, increased the fear that all the steps forward could have vanished. As it happened with the presentation of Article 28 by the Commission of Rights and Freedoms of the Constituent Assembly, that introduced the principle of *complementarity* in the relationship between men and women. The lack of the term "equality" in Art.28 alarmed different groups of women which issued statements and proposed revisions to the draft. After heated debates, protests and street mobilisations, they obtained the complete abolition of the article from the final text of the 2014 Constitution.

The contribution of women was essential not only for the positive outcome of the revolt, but also for the successful political transition process.

Although it is not to underestimate the maturity shown by the Islamic party *al-Nahda*, which has been able to adapt itself to the new institutional context and to act as a mediator between the most extreme Islamic and the secular wing. Characteristic that, in addition of making *al-Nahdha* a unique party among all the Islamic inspired parties, has largely favored the success of the Constitutional process in Tunisia.

The long and heated debate on Article 28 and its subsequent omission from the final Constitution highlight the ways by which a new form of Tunisian public sphere and politics from below has emerged. The substantial difference between the pre-and post-revolution female activism lies precisely in the shift from a “politics from above” to a “politics from below”. Differently, from the pre-revolution period in which the Tunisia women’s rights have historically been expanded as a top down policy, as in the case of the CPS, the post Revolution era and the discussion around the implementation of Art.28 as demonstrated the shift from a “top-down politics” to a “bottom-up politics”. In the latter, female groups make demands upon the state and express their concerns in ways that have profoundly influenced the tenor of debates around gender politics in the country. Moreover, the specific mention of women in the 2014 Constitution is another significant transformation from the previous 1959 Constitution, in which women were not identified as a group to whom granted specific and protected rights.

The reasons that made the Tunisia female movements a peculiar case-study within the Arab countries are several: surely his multi-ethnic culture, enclosed between an African and Arab tradition and a tradition of secular western values, the modern and avant-garde thinkers such as the famous scholar *Tahar Haddad* who was the promoted of the Tunisian women emancipation and inspirer of the several modernist reforms, which gave to them the opportunity to participate in the social and political life of the country, as well as to receive an education, forbidden to them until then; and finally, the strong and immeasurable desire to improve their own condition that, thanks to decades of struggle and activism, has been made possible. All these motivations together have led Tunisia and in particular Tunisian women to have no equals in terms of recognition of rights within the Muslim world.



While Tunisia remains the only country in the MENA region to have undertaken and completed a process of political and Constitutional transition, it still needs imperative improvements both at economic and social levels, as well as in terms of more women participation in the government.

As also *Bochra Bel Haj Hmida* has highlighted in the last part of her interview: “even if Tunisia society has had a great social and political evolution, there are areas in which it still necessary to work on. For instance, the full participation and representation of women within the political and governmental structure. In fact, even though Tunisia count 35% of women representation at institutional level and 47% at municipal one, the great lack of women participation is in the government. It happens, she continued, mainly because political parties do not respect parity neither a level of their demands nor a level of their government candidates”.

Despite the various improvement that should be made in the future, Tunisia remains the only country in which the Arab Spring had a positive outcome. From its successful result has benefited not only the entire nation but also Tunisian women, that have achieved greater importance in the political life of the country.

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*The Peculiarity of Tunisian Women Activism: Their main achievements in the last century.*

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## Abstract

Tunisia, differently from its neighbouring country, has always been a peculiar case-study for its women's activism. Through the years, the high level of education, the awareness of their skills and the activism have played an important role for the gradual recognition of women rights. The recent and dramatic changes in Tunisia since the Jasmine Revolution have brought new challenges for its citizens and in particular for its women. In fact, "*Les femmes tunisiennes*", long considered the most liberal in the Arab-Muslim world, in the post-revolution period have faced difficulties due to the consolidation of power of Islamic and conservative political party: "*Ennahdha*". In order to give a more general and comprehensive vision of the above-mentioned topic, the initial part of this thesis will describe the historical and political background of the country, highlighting its liberal and modern approaches since its independence. Then, the focus will turn on the origins and evolution of these feminist movements, focusing on the main past and present achievements. The last part of this work will address the concrete involvement of women's groups in the revolution and in the redaction of the new Constitutional text of January 2014. As a matter of fact, the Tunisian Revolution, within the Arab springs, has been a singular and unique case, where women have had the courage to make demands upon the state and voicing their concerns. This activism has transformed the so called "politics from above" to a "politics from below".



**Keywords:** Tunisia, pre-post Revolution period, women movements, activism, achievements.

## Summary

### Introduction

Tunisia, differently from its neighbouring countries, has always been a peculiar case-study for its women's activism. Throughout the years, the contribution of different scholars such as the Tunisian *Tahar Haddad*, promoter of gender equality and inspirer of subsequent modernist. Avant-guard reforms on the one hand, and the intense and constant involvement of women in the political and social field on the other hand, have led Tunisia, among the Arab countries, becoming an unique case in terms of recognition of rights, especially with regards to women rights.

The purpose of this thesis is to discover the causes that have made the Tunisian female activism a peculiar case in comparison to other Arab countries and to understand the exogenous influences and endogenous changes of Tunisia society that led the female movements to obtain equal rights. Throughout the analysis, the attention will be focused not only to the evolution and transformation of the Tunisian female movements but also to the recent and dramatic changes in Tunisia since the 2011 Jasmine Revolution that have brought "*Les femmes tunisiennes*" to face new challenges after the consolidation of power of the Islamic and conservative political party: "*Ennahdha*".

The long period of political and constitutional transition has seen Tunisian women actively engaged in contrasting the wind of Islamic reformism that *Ennahdha* and the Salafist wing wanted to bring with the introduction of Art. 28 in the new Constitution. The Article 28 was aimed at introducing the word "*complementarity*" in the relationship between men and women and that will lead to a great national and international debate about its appropriate use in a Constitutional text. Also in this case, Tunisian women were found ready and after heated debates, protests and street mobilisations, they obtained the complete abolition of the article from the final text of the 2014 Constitution. As a matter of fact, the Tunisian Revolution, within the Arab springs, has been a singular and unique

case, where women have had the courage to make demands upon the state and voicing their concerns.

This activism has transformed the so-called “politics from above” to a “politics from below”.

The thesis will be divided in three different parts. In order to give a more general and comprehensive vision of the above-mentioned topic, the first part analyses the historical stages of Tunisia, from the Arab and the French domination to the birth of the new and independent state in 1956 and the 2011 Revolution. It is not possible to understand the peculiarity of contemporary Tunisian women without understanding the steps that have characterized the modernity of a country in which they developed.

In the second part, the focus will turn on the origins and evolution of Tunisian feminist movements, describing their main past and present achievements. Relevant importance will be given to the introduction in 1956 of the *Code of Personal Status* (CPS), strongly wanted by President *Bourguiba*, which will open the doors to young Tunisian girls and women to the participation of public life, as students and workers. Despite the strong criticism against the CPS, considered more as a part of a wider *national building* project, it aimed at favouring women's conditions instead. It, in fact, represented the initial step towards the consolidation of a long social process that will lead to the recognition of gender equality in Tunisia.

The last part of this work will address the concrete involvement of women's groups in the Revolution and even more in the drafting of the new Constitutional text, approved with unanimity in January 2014. Despite the challenges that Tunisian women have faced especially during the last phase of the *Ben Ali* era, they have always been active in claiming their rights both as women and citizens. This has been demonstrated by their massive participation during the uprisings that preceded the fall of *Ben Ali* and especially during the difficult political and constitutional transition process.

In this last phase, thanks to the contribution of two interviews, it was possible to have a direct contact with those Tunisian women who not only actively participated in the Revolution, but who were also engaged in the institutional transitional process.

Being women of different generations, my interviewees, pointed out the different approaches in participating and taking charge of the Transition process, reflection of that current Tunisia society divided between them who openly expressed his dissent with striking acts as the case of *Amina Sboui* and others who worked within the Tunisian political entourage as *Bochra Bel Haj Hmida*.

Despite the different types of activism, Tunisian women have shown, throughout the years, great social participation and a strong desire of equality that have identified them as the most liberal women in the entire Arab-Muslim world.

### **The Tunisia Multicultural Roots**

Since the ancient time, the geographic position of Tunisia, which overlooks in the Southern part of the Mediterranean Sea, was fundamental for commercial and strategical matters.

These reasons had placed Tunisians under the crosshairs of many conquerors such as Phoenicians, Berbers, Arabs, Italians, Maltese and French which have left an important legacy made of cultural vivacity and religious compatibility. Thus, looking at the Tunisia social and political background, it is possible to understand how it has strongly contributed to its modern and liberal structure. As a matter of fact, Modern Tunisia was not only influenced by western traditions, thoughts and ways of living, but it also reflects a mix of several civilizations, cultures and religions.

The different dominations such the Arab and the French ones, have left in Tunisia a multicultural heritage that helped to develop the country in a modern and progressive way. In this regard, it is not surprising that Tunisia was the first Arab country in which, in 1846 the slavery was abolished, in 1861 the first Constitution was adopted and in 1956 the *Code of Personal Status* was introduced eliminating several gender inequalities and placing Tunisia women in a condition of formal equality. Innovative and modern reforms for a country suspended between a millenary African and Arab tradition, on the one hand, and the tradition of the French Revolution and of Western secular values, on the other.

## **The Independence Struggles and the First Tunisian Feminist Movements**

It is precisely between these two poles that the firstly Tunisian women's movements moved. Strongly inspired by a Western culture which allowed women to participate in the public life, but forced to live in a socio-cultural context that was struggling to detach itself from religious dictates. Tunisian women, persuaded by the idea that in order to achieve equal rights, a free and modern state had to be created, they joined the independence cause to claim their rights. The first steps of feminist movement in Tunisia were made at the beginning of the twentieth century, precisely in 1936 with the creation of the earliest and largest women organization, *The Muslim Union of Tunisian Women* (UMFT). In that period, the will to be enrolled in the Independence campaign led to the emergence of other women association such as in 1944, the *Association of Young Muslim Women* and the first political women's section, the *National Union of Tunisian Women*, belonging to the *Destur* party.

### ***State Feminism between the Bourguiba and Ben Ali era***

Soon after the independence, *Bourguiba*, influenced by the modernist ideas of the Tunisian scholar *Tahar Haddad*, believed that in a *nation-building* process, women had to grant equal rights. The promulgation of the *Code of Personal Status*, was the first extraordinary step for the recognition of women's rights in Tunisia.

The *Code* was an element of innovation that brought Tunisia closer to Western values, in fact, it abolished some of the cornerstones of Islam, such as polygamy, inequality in inheritance, the figure of the *wali* and the colleges called *Dar Jouned*, introduced the divorce, increased the minimum age to marry and the consensus of both spouses. Obviously, this choice aroused not few controversies within the Tunisian society especially among the scholars of the *Zaytuna College* and the more conservative Islamic wings.

Despite having improved their social status, the women's organizations remained strongly bound to the will of the Presidents. The both leading presidents, *Bourguiba*

firstly and *Ben Ali* later, manipulate the “*women question*” for decades and controlled all the activity within the women’s movement.

For women’s organizations, there was no possibility of making claims or implementing projects without the consent of the government. This created the so-called *State Feminism*, basis of the entire *Bourguiba* and *Ben Ali* period. The difference among them was that, while *Bourguiba* made women a driving force of his modernist and quasi-secular state project shortly after Tunisia’s independence in 1956, *Ben Ali* continued this policy of *state feminism*, but mainly to distract western attention from numerous violations of human rights.

### **The Female Involvement in the Revolution and in the Constitutional Transition**

Only from the end of the 1970s, Tunisian women started to deeply question the unfair discriminations that they still faced and pushed by a new wave of renewal began to emerge other independent feminist movements. From the end of the 90s, new autonomous feminist organizations rose mostly pushed by the desire to protect their freedoms against the threats of the increasing Islamic fundamentalism of that period such as *The Association of Tunisian Democratic Women* (ATFD), in 1989, and *the Association of Tunisian Women for Research and Development* (AFTURD) in 1990.

The women’s presence in group struggles, in the anticolonial wars and in the Revolution, has long shaped the historical development of Tunisia. In fact, as the Italian-Tunisian scholar, *Leila El Houssi* has highlighted several times, what makes Tunisia a peculiar case-study within the Muslim countries is its women participation in the political and social struggles of the country. The Tunisian women activism, which rooted back before the independence, will continue over the years up to 2011 with their massive participated in the Revolution.

After long years of state-sponsored “*feminism*”, Tunisia women’s movements, were no longer facing organization and activities’ restrictions, and in particular, the Islamist movements were no longer bound as “movements of resistance” but became the dominant political parties. Accordingly, the politics of secular reformism, which was behind the crafting of the CPS, was replaced by a political hegemony dominated by Islamist-leaning political actors.

Entrusting, in October 2011, the leadership of the country in a coalition government, called “*Troika government*”, composed for the majority by *Ennahdha*, the Islamic party close to the Muslim Brotherhood, increased the fear that all the steps forward could have vanished.

As it happened with the presentation of Article 28 by the Commission of Rights and Freedoms of the Constituent Assembly, that introduced the principle of *complementarity* in the relationship between men and women. The lack of the term “equality” in Art.28 alarmed different groups of women which issued statements and proposed revisions to the draft. After heated debates, protests and street mobilisations, they obtained the complete abolition of the article from the final text of the 2014 Constitution.

The contribution of women was essential not only for the positive outcome of the revolt, but also for the successful political transition process. Although it is not to underestimate the maturity shown by the Islamic party *al-Nahda*, which has been able to adapt itself to the new institutional context and to act as a mediator between the most extreme Islamic and the secular wing. Characteristic that, in addition of making *al-Nahda* a unique party among all the Islamic inspired parties, has largely favoured the success of the Constitutional process in Tunisia.

The long and heated debate on Article 28 and its subsequent omission from the final Constitution highlight the ways by which a new form of Tunisian public sphere and politics from below has emerged. The substantial difference between the pre-and post-revolution female activism lies precisely in the shift from a “politics from above” to a “politics from below”. Differently, from the pre-revolution period in which the Tunisia women’s rights have historically been expanded as a top down policy, as in the case of the CPS, the post Revolution era and the discussion around the implementation of Art.28 as demonstrated the shift from a “top-down politics” to a “bottom-up politics”. In the latter, female groups make demands upon the state and express their concerns in ways that have profoundly influenced the tenor of debates around gender politics in the country. Moreover, the specific mention of women in the 2014 Constitution is another significant

transformation from the previous 1959 Constitution, in which women were not identified as a group to whom granted specific and protected rights.

## **Conclusion**

The reasons that made the Tunisia female movements a peculiar case-study within the Arab countries are several: surely his multi-ethnic culture, enclosed between an African and Arab tradition and a tradition of secular western values, the modern and avant-garde thinkers such as the famous scholar *Tahar Haddad* who was the promoted of the Tunisian women emancipation and inspirer of the several modernist reforms, which gave to them the opportunity to participate in the social and political life of the country, as well as to receive an education, forbidden to them until then; and finally, the strong and immeasurable desire to improve their own condition that, thanks to decades of struggle and activism, has been made possible. All these motivations together have led Tunisia and in particular Tunisian women to have no equals in terms of recognition of rights within the Muslim world.

While Tunisia remains the only country in the MENA region to have undertaken and completed a process of political and Constitutional transition, it still needs imperative improvements both at economic and social levels, as well as in terms of more women participation in the government. As also *Bochra Bel Haj Hmida* has highlighted in the last part of her interview: “even if Tunisia society has had a great social and political evolution, there are areas in which it still necessary to work on. For instance, the full participation and representation of women within the political and governmental structure. In fact, even though Tunisia count 35% of women representation at institutional level and 47% at municipal one, the great lack of women participation is in the government. It happens, she continued, mainly because political parties do not respect parity neither a level of their demands nor a level of their government candidates”.

Despite the various improvement that should be made in the future, Tunisia remains the only country in which the Arab Spring had a positive outcome. From its successful result has benefited not only the entire nation but also Tunisian women, that have achieved greater importance in the political life of the country.

**The words to the Interviewees: *Bochra Bel Haj Hmida and Amina Sboui***

*Bochra Bel Haj Hmida*

7. Can you introduce yourself please?

I am a professional lawyer and a feminist and human rights activist. Since the revolution, I am a political activist and today I hold the office of parliamentary deputy. I presided over the “Commission of Individual Freedoms and Equality” that was created in August 2017 by the President of the Republic, *Beji Caid Essebsi*, and I delivered a report with some reform proposals on these two issues.

8. What are the reasons that led the Tunisian people to rebel?

The reasons that led Tunisians to take the street on protest were many. I personally think that it was at the same time the harsh repression and the internalization of fear that lasted for almost two decades, which sooner or later would have led to an open manifestation of social dissatisfaction. Furthermore, the deep corruption, the social condition and the absence of solutions to the problem of unemployment.

9. What contribution did you give during and after the Revolution?

During the Revolution, I took the streets several times, both before and in the 14th January 2011, I also appeared in different foreign media to openly defend the claims of Tunisians and to support our right of expression. After the Revolution, in my capacity as a parliamentary deputy but also as president of the Commission for Independence and Equality, I was activated also at political level for the defence of women’s rights during the drafting of the new Constitution approved in 2014.



10. How was living under the *Ben Ali*? And what was the role of women in society at that time?

During the Ben Ali regime, I was very active in the Tunisian Association of Democratic Women (ATFD) which I presided over. I supported political prisoners, especially those for opinion crimes. I have been close to activists who have made hunger strikes, even within the Tunisian human rights defense, of which I am a member. I have also been activated on the electoral framework of lawyers, for both the Lawyers' Association and the Association for the elections of the independent progressive lawyers. Living under the regime was tough for all Tunisian citizens but particularly for those men and women who militated for the protection of human rights. They were constantly intercepted and under surveillance and even the people close to them were bored by the presence of the police. Personally, on the professional level I was able to normally exercise my profession, even if sometimes those customers who realized my political positions preferred to withdraw their files.

11. Have women contributed to the uprising? If yes, how?

The successful ending of the 2011 Tunisia Revolution was the result of the contributions of all Tunisians. That revolts, which nowadays is, by the media, labelled as the "Jasmine Revolution", was instead a "Revolution of Dignity", where women, men and young people, all together contributed to its outcome. Clearly, the massive participation of women in the streets, alongside their counterparts was something of fundamental importance for its success. Women have given their help in many ways by protesting, preparing foods for their husbands or sons, medically healing the wounded or simply posting in a real time on internet the street events and the heavy police repression.

12. Since the fall of Ben Ali do you think that the situation has really changed? If so, how?

Of course, after Ben Ali the situation has completely changed particularly in terms of freedom and democracy.

But Unfortunately, today, on the socio-economic level, the situation has degraded for several reasons, such as the pre-revolutionary choice to not make real reforms and to

delay the great works in order to avoid a revolt that has, in any case, taken place. After the revolution, many were the reasons that have contributed not only to not improve the socio and economic situation but to make matters even worse: the sudden change, the weakening of the state, terrorism but also the political instability and the incompetence of the people chosen by political parties based on criteria that were different from their decision-making capacity.

12. How did women oppose themselves to the *Al-Nahda* will before the Constitution was approved?

As occurred on 13 August 2012, date on which women's day is celebrated in Tunisia, a large-scale demonstration was quickly organized in Tunis, where more than 6000 women of all ages and from all the regions have mobilized themselves by demonstrating on the road for the preservation of their already acquired rights and for the consolidation of gender equality. They were either unaffiliated with any organization or identified with association such as Democratic Women's Association, La Ligue Tunisienne des Droits de l'Homme (LTDH) and Association des Femmes Tunisiennes pour la Recherche sur le Developpement (AFTURD)

13. Do you think that nowadays Tunisia is a democratic country or do you think that some more improvements can be still make?

14.

Despite the improvements made until now, we still live in a fragile democracy. Thus, in order to strengthen it, first of all we need that the application of law must be guaranteed to everyone and at every social level.

15. Are women participating in Tunisian political life today? If yes, with which percentage?

It is not possible to talk about numbers, instead we can talk about percentages: Nowadays we count, at the institutions levels, 35% of women in the Parliament and 47% at the municipal level.

The great lack of women participation is in the government. It happens mainly because, despite the electoral law calls for gender equality in representation, political parties do not respect parity neither a level of their demands nor a level of their government candidates.

16. Tunisia is considered an extraordinary case of democracy and vanguard in the field of women's rights in the Arab world, what do you think about it?

Saying that it is extraordinary is affirming that the Arab world is both retrograde and underdeveloped. Thus, Tunisia is not an extraordinary case but a multicultural identity with an elite that together with a strong autonomous civil society, even under the totalitarian regime, has been directly engaged in the political and social arena and has also influenced the political world.

17. As a political and feminist activist, what are the current limits of your country and what are the future prerogatives for an even more concrete democratic evolution?

Even though Tunisia society has had a great evolution in regard of many aspects of crucial importance for an Arab and Muslim country, obviously, there are many areas in which my country should work on both politically and socially.

For instance, the full participation and representation of women within the political and governmental structure. But, despite this, I firmly believe that for a further democratic evolution of a modern country like Tunisia, it should achieve the application of Law for all citizens and without distinction.

*Amina Sboui*

12. Can you briefly introduce yourself?

I'm *Amina Sboui*, also known as *Amina Tyler*, I am a twenty-four years old Tunisia author, feminist and LGBTQ activist.

13. During the revolution you were a teenager, how was living under Ben Ali for your generation?

During the Revolution, I was only sixteen and despite my young age it was very hard to live in Tunisia. Under Ben Ali we could not freely express ourselves we did not receive any political education and freedom of expression was almost totally absent. Furthermore, the use of hijab was prohibited and all women who used it were intimidated or arrested. The whole Tunisian population unknown what the word democracy meant.

14. Which were the reasons that pushed Tunisians to overthrow Ben Ali? Can you describe which were the sentiments that Tunisians felt under his regime?

The reasons that led Tunisians to rebel were millions, such as the use and abuse of power, the dictatorship, the violence perpetrated by the police, the social injustice and the complete absence of human rights' protection. Tunisia was composed by a huge youth unemployment rate that terrified my whole generation. The future was completely uncertain for people of my age and even more for those who did not want to escape from the country but, instead, wanted to remain and figure out how to change the situation.

15. Did you actively participate in the 2011 Revolution? If yes, what motivated you to participate?

Yes, I did. I contributed to the revolts by protesting on the streets, participating to the different hunger strikes, defending the activists. I used the new social media to communicate to the entire world what was really happening in my country and how Ben Ali was authorizing the police to use force against the demonstrators.

16. How did women contribute to the Revolution and how did the role of them change in the Tunisian society, throughout the years?

Immediately after the fall of Ben Ali, the entire Tunisian civil society participated in the political life of the country and in particular in the drafting of the new Constitution.

During the Constitutional transition, Tunisian women fought for the elimination of article 28 presented by *Ennahdha* in which the term complementarity was introduced in relation to the new role of women in society and in the family. Thus, in addition to the rights obtained such as freedom of speech, political diversity, social justice and so on, what has profoundly changed is the structure of society, which from politics from above, shift to a politics from below, where the needs of the society were directly demand upon the state, as in the above-mentioned case of art. 28.

17. What are the main achievements of the revolution?

As I said before in terms of freedom and equality we have obtained a truly freedom of expression, freedom of political diversity, the introduction of the integral law of violence against women, the right for a woman to marry a no Muslim, more social justice and the equality of heritage for married people.

18. Why did you get arrested? While you were in jail, how were you treated?

I was in jail for protesting in front of a cemetery in *Kairouan*. At that time, what really mattered to me was that the woman's condition in Tunisia was protected. The proposals that Tunisian Islamist women wanted to carry, such us the introduction of article 28 in the new Constitution, would have not helped our country to further develop itself in a democratic way, on the contrary, it would have brought Tunisia back to stages of backwardness. Fortunately, when I was in jail I was treated well because a lot of journalists were following my case.

19. Why did you leave Tunisia and where do you live now?

I left Tunisia because it was not possible for me to finish my studies there, thus I went to Paris for almost two years.

20. Have you ever gone back to Tunisia? If yes, which were your impressions? Something have changed or there is anything you would change?

Since 2015, the year of my return to Tunis, everything is changed to the best luckily. Clearly, with the approval of the new Constitution in 2014, many inalienable rights have been protected. As a result, in terms of freedom and rights, Tunisia has made a lot of progress, what probably should be improved are the economic conditions of my country, because although they have improved too, our economic potential is not used at the maximum.

21. Do you think there is a possibility to make more changes for Tunisian women in Tunisia?

Yes, I do. Obviously, Tunisia has experienced many changes, but something more could always have been made for further improvements of the women conditions.

22. Tunisia is an extraordinary case of Democracy in the Arab world, for your experience, do you think this affirmation is true? Motivate your answer.

Tunisia is absolutely an extraordinary case of Democracy in the Arab world. Since 2011 we have been the only case within the Arab Revolutions that had experienced a true political transformation and Democratization process, and the adoption of the new Constitution is the proof. Moreover, since then we have witnessed only a few cases of violence and our country, thanks to an incredible contribution of all the political parties, has not ended up in a civil war as it happened to other Arab countries.

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