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Gender Equity and State-Mosque Relations in Middle East North Africa: A Case Study of Tunisia

Joy Amarachi Agbugba
Portland State University

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Gender Equity and State-Mosque Relations in Middle East North Africa:

A Case Study of Tunisia

by

Joy Amarachi Agbugba

A thesis submitted in partial fulfillment of the
requirements for the degree of

Master of Arts
in
Political Science

Thesis Committee:
Lindsey Benstead, Chair
Robert Asaadi
David Kinsella

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ABSTRACT

Why is the Middle East North Africa region consistently ranked the lowest on the gender equity scale? This question is quite perplexing and that has driven several scholarly researchers to investigate the situation of gender and women's rights within the states in the region. In this research, I explore the various theories explaining the cause of gender inequity in this region including the Islam thesis/social modernization theory, political-economic theory, and psychological/social structural theories, with an emphasis on the Islamic thesis theory. I argue that the state's support and prioritization of Muslim/sharia law over federal law is a major contributor to gender inequity within the Middle East North African states. Tunisia presents a very interesting case where the state government continuously holds the reins of power with little to no autonomy granted to the mosques and their leaders despite the proclamation of Islam as the official religion of the state in the constitution. This thesis research provides a detailed analysis of the form of state-mosque interrelationships that existed within the different government regimes in Tunisia. I find that under a structured supervision/control of religious activities by the state government in Tunisia, gender-equitable policies continue to flourish amid opposition from religious fundamentalists.

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LIST OF ABBREVIATIONS

MENA - Middle East North Africa

ILOSTAT - International Labor Organization Statistics

USDOS – United States Department of State

CPS – Code of Personal Status

MTI - Le Mouvement De La Tendence Islamique

ISP – The Islamic Shura Party

IV – The Islamic Vanguard

IPV – The Islamic Progressive Tendency

ILP – The Islamic Liberation Party

LFPR – Labor Force Participation Rate

CHAPTER ONE - INTRODUCTION

1.1 Problem Statement

Gender equity is gradually becoming a topic of discussion in the political, academic, and social spheres of society. Are we there yet? This is the question on the lips of many contemporary feminists and gender advocates. According to the World Economic Forum Global Gap Report 2021, the average distance achieved toward gender parity globally is 68% (-0.6% lower than 2020) which leads to an estimated 135.6 years to the attainment of gender equity (World Economic Forum, 2021). It is quite puzzling that after several centuries of modernization and industrialization, gender equity is still up for debate and an issue of contention, even in the most developed nations. This thesis research will take an in-depth look at the gender inequity situation in the Middle East North Africa (MENA) region by analyzing the Tunisian state-mosque relationship in different periods and how the relationship impacted women's status.

In picturing the status of women in MENA, Halim Barakat lists five characteristics that describe the state of most Arab women by the 20th century. Foremost, Arab women were segregated and isolated from participating in roles outside of the domestic sphere and their veiling represented separation. Next, there were not enough positions available to women to participate in the professional and public spaces apart from the traditional roles. Also, the personal status codes employed in several MENA states misappropriately affected women in the areas of marriage, divorce, and ownership of property. Furthermore, religious beliefs perpetuate women to be evil and deceitful and the

standard for morality creates traditional norms for women. Lastly, women are forced to marry and face several cases of abuse (Barakat, 1993). In the current 21st century, there are still women living under these conditions in MENA which begs for more attention on this subject matter.

1.2 Thesis statement

This thesis research argues that states' support and prioritization of Muslim/sharia law over federal law is a major contributor to gender inequity within the Middle East North African states. The objective of my research is twofold. Firstly, my goal is to emphasize the case of the Tunisian state by examining the degree of power relations between the state government and Islamic organizations during different strategic periods in Tunisia's history. These periods are before Tunisia's independence, after her independence (under Habib Bourguiba and Ben Ali's regime), and the aftermath of the 2011 revolution. Each period presents a unique character of state relationship to Islam with some leaders reflecting an authoritarian approach to religion and others taking on a more democratic interface.

The second objective of my thesis is to evaluate the implications of Tunisia's state-mosque relationship on gender equity within each period. This objective will help in providing evidence for my argument by exhibiting when and how women's rights were improved or deteriorated around each regime's strong/weak relationship with the religious bodies. Although Tunisia is among the most developing states on matters relating to gender equity in MENA, there is still room for improvement and by observing

the progress of gender equity in the state under the preceding premise, we can be better equipped for strategizing for the future.

1.3 Research Approach/Methods

There are several theories and debates by scholars trying to articulate the cause of gender inequity. One opinion is that the structure of the government consists of an intentional design to prohibit women from attaining positions of influential power, which most states seem to possess with a few exceptions. Another debate centers their argument on the dominance of religious bodies in most states who not only help in supporting a patriarchal government but also work to persuade their congregation into a state of gender mediocrity. Some argue that it is just the way things are and that since the dawn of time, men and women have been unequally “gifted” with different measures of strengths and intellectual capabilities.

These and several theories surround the debate for gender equity, but the purpose of this research is the focus is on the theory of Islam thesis/social modernization (Benstead, 2019). In this thesis research, the region of concentration in the Middle East North Africa (MENA) region is the region with the largest gap towards gender equity at 60.9% with approximately 142.4 years to close this gap (World Economic Forum, 2021). Islam also constitutes 93.1% of the religious affiliation of the people of the Middle East North Africa (Pew Research Center, 2021).

To better explain the role of religiosity in the Middle East North Africa region, this research will explore a case study of Tunisia, a state that has experienced turbulent

regime changes and a revolution against authoritarianism since its independence. The instrument of measurement for gender equality in these states will be the influence of Muslim family/sharia laws. The reason for choosing Muslim family law is due to its continued prioritization over federal law in several states where it concerns the private and public rights of women.

The research method to be employed in this thesis will be qualitative where non-numerical data will be collected, analyzed, and interpreted to find the correlation between religion and gender equity in Middle East North Africa. These sources of data will include secondary documents, first-hand/participant observations, questionnaires, interviews, videos, audio recordings, etc. The goal of using the qualitative research method for this study is to get an in-depth understanding and a historical background of each period in Tunisia by employing a story-like perspective or narration that takes the reader through a journey of the times and changes in the state.

1.4 Research Structure and Work Plan

The first chapter of this research will serve as a preliminary outline of the thesis research which will include the introduction, problem statement, thesis statement, research design, and the structure of the thesis work. The second chapter is the literature review which will involve engagement with literary sources regarding the thesis topic. The theories surrounding gender equity in the Middle East North Africa will be explored with emphasis on the religious argument, as well as an analysis of the historical context of gender equality within the region.

Chapter three houses the research methodology where I will describe the structure of the qualitative data collection which consists of sources of data such as speeches, book publications, journals, articles, interviews, blogs, government statistics, encyclopedias, etc. The fourth chapter includes the presentation of the Tunisian case study where I describe the state-mosque relations through the different periods and regimes and the outlook of gender equity and women's rights within each of these periods. The last chapter is the conclusion of the research, findings/discussion, and pathway for future research.

This thesis topic is very compelling and important because I believe that to proffer a solution, you must first identify where the problem areas are. The questions this thesis seeks to answer will shine a light on the status of women in the middle east by highlighting where women have been, where they are now, and possibly the future status they may hold given the right circumstances. By observing the Tunisian case study, this thesis paper will help to provide a baseline for future analysis of other MENA states. This research will also provide a better understanding of state-mosque relations and how it affects the gender status of women in MENA. Like most research works, this thesis paper will be an important contribution to the field of gender studies and serve as a reference for social science students in their prospective research works.

CHAPTER TWO - LITERATURE REVIEW

Religion and gender are both strongly debated fields and while there is robust scholarly research on these topics, the connection between them is frequently overlooked. I attribute this major ignorance to the spirited nature of the debates and their supporters who oftentimes are very rigid in their opinions and neglect to consider the opposing debate. In contrast to this narrative, this research will observe the crucial significance of religion as it relates to gender in MENA from an open and accommodative perspective. To begin this literature review, I will present a background on the history of patriarchy with emphasis on the role of religion in creating and maintaining the patriarchal order. Next, I will highlight the progression of gender equity and contemporary feminism by explaining the instruments of advancement. Furthermore, there will be a concentration on the status of women in MENA and the contributing factors that shape gender in these states. Lastly, this research will take a deep dive into the theories surrounding the causes of gender inequity in MENA.

There is an ongoing debate between gender equality and gender equity and while they are related terms, they constitute different meanings. Gender equality simply put is the equal outcome for all including women, men, and people of diverse gender backgrounds while gender equity can be seen as the process of attaining gender equality. Hence, we can say that gender equality is the end goal and gender equity, is the process/instrument. For this research, I have chosen to adopt the term “gender equity” rather than “gender equality” due to the purpose and scope of the thesis centered on the

determination of the problem and solution-finding. I believe this thesis approach is most appropriate to the definition of gender equity largely appropriated.

2.1 The Patriarchal History

One factor that often comes up with gender equity studies is “Patriarchy”, as it is often seen as the perpetrator of gender inequity in many societies. Patriarchy, directly translated, means “the rule of the father” and its origins stem from the Greek word “*patriarkhēs*” (Ferguson Kathy, 1999). Since the dawn of time women have been considered the lesser gender and, in most cultures, patriarchy exists where men are more likely than women to hold positions of power in the political, economic, and social spheres.

One argument for the prevalence of male-dominated societies is called “Patrilocal residence” which proposes that men tend to live most of their lives in the communities they were born into while women are likely to move away due to marriage and the responsibility of taking care of in-laws (Ananthaswamy & Douglas, 2019). This narrative on patrilocal residence was further supported by the arrival of agriculture and homesteading which required territories to be protected by physically stronger males and the property was passed down the male lineage (Bob Holmes, 2015).

Friedrich Engels in “The Origin of the Family, Private Property and the State”, further supports this school of thought as he credits the origin of patriarchy to the emergence of private property, which is most often managed by men (Engels, 2000). The women, in Engels’s perspective, were restricted to the domestic sphere where their duties

were childbirth, child nurturing, and household chores. This patriarchal structure was constructed and perpetuated by the men to maintain control of property and ensure that the family property was passed down to their male offspring (Engels, 2000).

Matriarchy on the other hand is a social system or structure where women oversee the major power positions in politics, societal privileges, moral authority, and land/property rights (Wikipedia, 2022). In most matriarchal societies, the oldest female or the mother is the head of the family, and the generational lineage and property are passed down through the female line. According to Banerjee Rooplina's "Matriarchy and Contemporary Khasi Society", the concept of matriarchy materialized from European thinkers in the 19th century (2015). Banerjee cites Swiss anthropologist, Johann Jakob Bachofen (1861), who claims that matriarchy emerged from the social order of hetaerism (unregulated sexuality and female powerlessness) and that women rebelled against this and took control of political power. Bachofen and other thinkers maintain that men took over the power of women and instituted patriarchy (Gershon, 2020).

As reported by Sheena Joseph (2019) for Beyond Pink World, there are 8 matriarchal societies with predominantly matrilineal lineages around the world. Based on the report, these matriarchal societies include Minangkabau In Indonesia, Bribri In Costa Rica, Khasi In India, Mosuo In China, Nagovisi In New Guinea, Akan In Ghana, Umoja In Kenya, and Garo In India (Joseph, 2019). Of these matrilineal societies, none are found in the Middle East North Africa region, as several states in the region practice and abide by a patriarchal system of rulership and control of the property.

Patriarchy in the Middle East has been deemed to be a result of an elite or family phenomenon. By observing and measuring various factors such as celibacy, exogamy, endogamy, and a diverse number of marriages across isolated lineages, Linda Schatkowski Schilcher (1988) asserts that patriarchy in the Middle East is a family pattern connected to each family's developmental cycle over the years. She proposes that Middle Eastern patriarchy was prominent in the early modern period and began with a patriarchal outlook which then transformed into a more egalitarian society and reversed the rights of men by introducing the roles women performed in their communities (Schilcher, 1988).

2.2 Measures of gender equity

While discussing gender regimes and the influence of the European Union on gender inequity, Sylvia Walby (2004) analyses various models of theorizing gender equity as constructed by scholars over the years. She faults the models for considering a single-dimensional approach to understanding gender equity where one important element is considered as the cause for gender inequity. For example, Wobbe (2003) emphasizes the value of norms/codes in explaining the transitioning of legal procedures in courts as it relates to the employment rights of women.

Another example of the single-dimensional model cited by Walby is the male breadwinner/dual-earner system by Lewis Jane (1992) and in her analysis, the essential feature she employs is the degree that which family forms appeal to women as housewives, homemakers, or domestic workers (Walby, 2004). There are several other

essential elements used in conducting a single-dimensional model of gender equity such as the sexual violence model (Brownmiller, 1976), female disposition to the domestic sphere (Rosaldo, 1974), heterosexuality model (MacKinnon 1989), domestic method of production (Delphy, 1984) and others.

The countermodel that Walby proposes is the creation of a theoretical model for exploring gender relations as a regime or system involving a certain number of essential elements (Walby, 2004). In her model of gender regime, she employs four critical levels of abstraction namely, regime, two-dimensional forms of gender regime, domains of gender regime (economic, polity, and civil society), and social practices levels. Her argument for this approach is that it is more efficient to determine the varying number of inequities when gender relations are viewed as a part of a gender regime/system rather than an order of individual occurrences (Walby, 2004).

While Walby's approach has its benefits, I disagree that the single-dimensional approach to observing gender equity is essentially reductionist in that it fails to capture other key elements. I believe that gender equity is very fluid and takes a different shape based on the conditions and characteristics of the environment. It is the task of political philosophers to determine the factors surrounding gender equity by determining the conditions unique to each geographical location and utilizing them in understanding the how, why, and when of the phenomena.

2.3 Reasons for the advancement of gender equity

Over the years, we have experienced the advancement of industrialization, technology, and internationalism across the globe which has transformed gender roles in most societies both positively and negatively. Industrialization and technological advancements have evolved careers in the way work is done, location of work, and sectors where work is done (Rima, 2020). It has created a larger workforce that cannot be maintained by a single-gendered working-class society. Hence, there has been an increase in the female workforce that keeps growing every year, and a larger number of women in higher institutions of education. The influence of colonial powers in developing countries and the ever-present neo-colonialist pursuits also has a significant role in shaping gender norms.

According to the 2021 Global Gap Gender Report, there has been an increase in the gender parity gap which is currently at 68.6%. In the United States (US), the number of women in the workforce has doubled from 34% in 1950 to nearly 57% in 2016 (Weinstein, 2018). In MENA, we have also witnessed a few states that have exhibited a significant increase in women's labor participation over the years. In Saudi Arabia, the Labor Force Participation Rate (LFPR) has risen from 17.7% in 2016 to 33.2% in 2020 (Alkhowaiter, 2021) and the female unemployment rate has reduced from 32 to 24 percent (Tamayo et. al, 2021) after decades of belonging to one of the countries with the lowest female participation rate. Many attributes this surge to the private sector employment growth and reform programs such as; permitting women to drive vehicles and changes to guardianship, labor, and family laws (Tamayo et. al, 2021).

Several MENA countries such as the United Arab Emirates (UAE) and Kuwait also have women participating in the workforce at rates that are on par with other countries in the world. The UAE LFPR experienced an increase from 51.04% in 2015 to 53.41% in 2018, and Kuwait increased from 25.49% in 2015 to 26.29% in 2017 with a slight 0.02 decline in 2018 (Macro Trends, 2021). Despite these promising LFPR rates among these states, MENA is still particularly flagged as one of the most female underrepresented regions in the world. While the LFPR in MENA is comparable to other regions, the female rate is significantly lower at 24.6% compared to the average of 47.8% globally (Assi & Marcati, 2020).

Figure 1 - Labor Force, Female (% of Total Labor Force) – the Middle East & North Africa

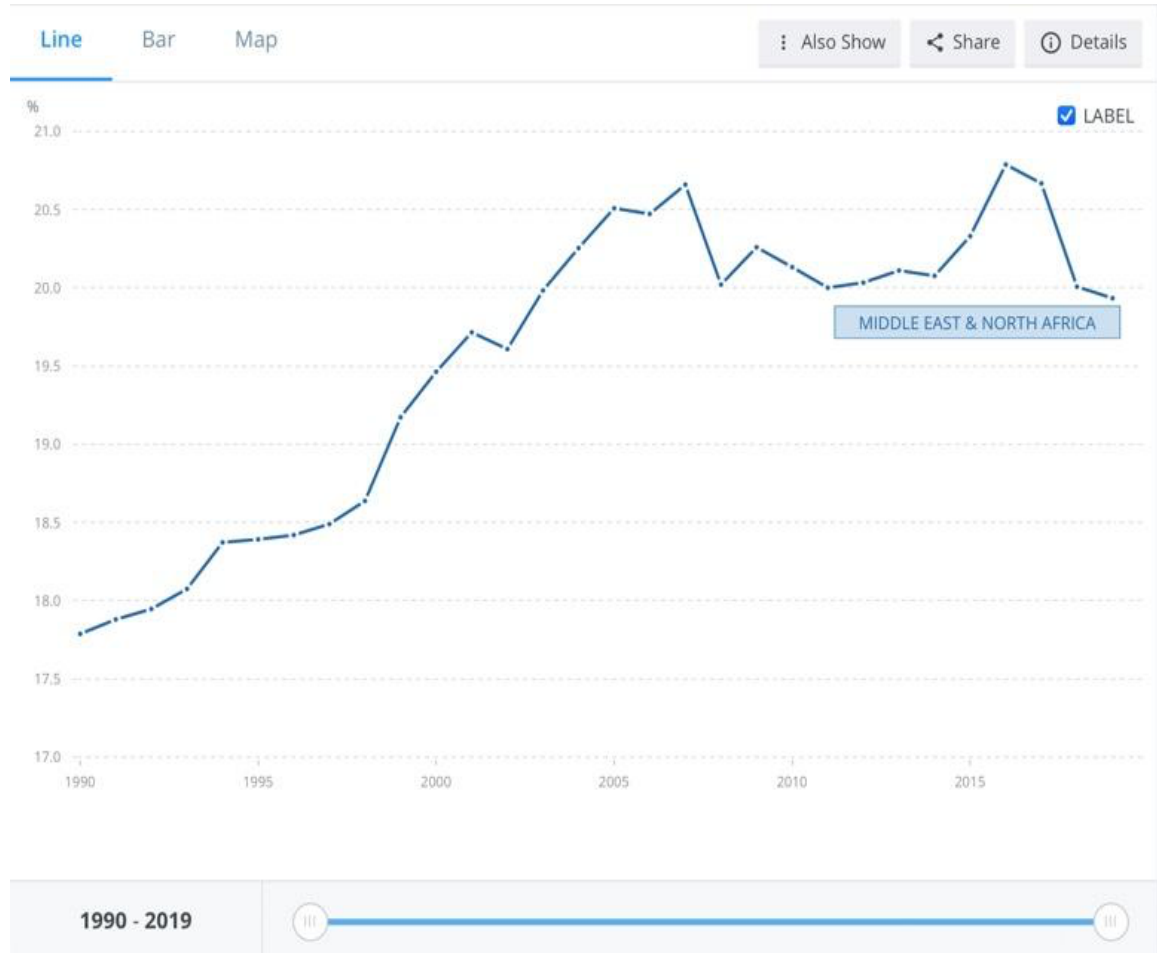


Table 1 - Labor Force, Female (% of Total Labor Force) – the Middle East & North Africa

Country	Most Recent Year	Most Recent Value
Algeria	2019	19.9
Bahrain	2019	20.1
Djibouti	2019	39.9

Egypt, Arab Rep.	2019	20.6
Iran, Islamic Rep.	2019	19.4
Iraq	2019	13.4
Israel	2019	47.6
Jordan	2019	18.3
Kuwait	2019	25.1
Lebanon	2019	24.5
Libya	2019	34.1
Malta	2019	41.9
Morocco	2019	24.3
Oman	2019	15.4
Qatar	2019	13.6
Saudi Arabia	2019	15.8
Syrian Arab Republic	2019	16.7
Tunisia	2019	27.4
United Arab Emirates	2019	17.5
West Bank and Gaza	2019	20.3
Yemen, Rep.	2019	7.9

*Source: The World Bank Group (2022) - Derived using data from International Labor Organization, ILOSTAT database.

Another sector that reflects the status of gender equity in MENA is Education levels among females. An increase in the attainment of education in any region has a

ripple effect that leads to a higher age for getting married, reduced fertility rates, change in the family structure, and a shift in goals, perceptions, and attitudes towards life. Over the last six decades, educational levels have significantly risen but there is still a wide trail of female literacy levels compared to the males in MENA (Moghadam, 2019).

Moghadam (2019) also highlights the structural inequalities perpetuated by educational institutions in MENA. For one, there are socio-economic class distinctions present in educational institutions where only the wealthy few have access to quality education which further supports the social structure. Moghadam cites Bradley Cook's argument that the Egyptian educational institutions are comprised of an elite minority that supports secular education meanwhile most of the Egyptian population leans towards the appeal for larger participation of Islam in public education (Moghadam, 2019). Another form of social inequality supported by educational institutions is the distinction of education based on gender where males are given preference over females. For example, in Saudi Arabia, sex segregation in education is very common and before 2002, the education of females was controlled by the Islamic institutions instead of the ministries of education (Moghadam, 2019).

Table 2 - Selected Socioeconomic Indicators in the Middle East and North Africa

	PERCENT OF POPULATION OVER AGE 15 WHO ARE ILLITERATE, 2000		NUMBER OF PEOPLE OVER AGE 15 WHO ARE ILLITERATE (THOUSANDS), 2000		PERCENT OF POPULATION AGES 15 TO 24 WHO ARE ILLITERATE, 2000		NUMBER OF PEOPLE AGES 15 TO 24 WHO ARE ILLITERATE (THOUSANDS), 2000	
	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE
Middle East and North Africa	42	22	50,057	26,671	23	11	8,585	4,573
Algeria	43	24	4,211	2,360	16	7	530	227
Bahrain	17	9	32	25	1	2	1	1
Egypt	56	33	12,253	7,374	37	24	2,500	1,678
Iran	31	17	6,696	3,819	9	4	655	296
Iraq	77	45	5,070	3,057	71	41	1,593	962
Jordan	16	5	220	78	1	1	3	5
Kuwait	20	16	103	130	7	8	15	19
Lebanon	20	8	246	91	7	3	23	9

Libya	32	9	533	168	7	0.5	43	1
Morocco	64	38	6,286	3,702	42	24	1,265	750
Oman	38	20	246	155	4	0.5	9	1
Palestine*	16	6	136	48	—	—	—	—
Qatar	17	20	21	57	3	7	1	3
Saudi Arabia	33	17	1,723	1,092	10	5	187	101
Syria	40	12	1,879	566	21	5	376	85
Tunisia	39	19	1,307	621	11	3	106	27
Turkey	24	7	5,453	1,539	6	1	392	81
United Arab Emirates	21	25	117	345	6	13	10	29
Yemen	75	33	3,525	1,444	54	17	874	292

*Sources: UNESCO Institute for Statistics, “Literacy Statistics” (www.uis.unesco.org, accessed March 11, 2003); United Nations Development Programme, *Human Development Report 2002*; UN Statistics Division, *The World’s Women 2000: Trends and Statistics* (<http://unstats.un.org/unsd/demographic/ww2000/table5d.htm>, accessed Aug. 23, 2003); F. Roudi-Fahimi, “Women’s Reproductive Health in the Middle East and North Africa” (2003); and C. Haub, *2003 World Population Data Sheet*.

The influence of Family Law and Sharia Law is one major factor that cannot be overlooked when it comes to examining gender equity, particularly in MENA. There are several areas in the region, particularly in the poorer countries (i.e. Yemen), where conservative family laws are supreme and classic/private patriarchy is still strongly in practice. According to Moghadam;

“Classic patriarchy” or “private patriarchy” has been dissolving under the weight of modernization and development, but we continue to see the patriarchal legacy in both the private sphere of the family and the public sphere of states, markets, and organizations. The patriarchal legacy is seen in practices such as the adolescent marriage of girls, son preference, compulsory veiling, cousin marriage, sexual control of females, and “honor killings. It is also inscribed in family laws that increasingly are regarded as anachronistic by much of the female population and activist generation” (Moghadam, 2019).

In states such as Iran and Jordan, there is the authority given to the male guardian to prevent or discontinue the female, within his control, from gaining employment or keeping a job (Moghadam, 2019). From major life decisions such as marriage, education, and employment down to comportment in public, dressing, travel, and choice of association; the male guardian has the final say. Patriarchal honor is also dependent on the sexual conduct of the female family members, and this has resulted in a great number of honor killings i.e. the murder of a family member who has disgraced the family; in the region.

From a legal standpoint, the Muslim family laws also take precedence in most MENA regions. A female's testimony in court is not sufficient, notwithstanding her literacy, except if it is supported by another man or woman. Meanwhile when a man testifies in court, clarification or support is not needed (Moghadam, 2019). The courts are also more favorable to the male than the female gender regarding property and divorce rights. When a man dies, his male kin inherits most of his wealth and property, not his wife or daughters.

According to the account of two Saudi Arabian teens, Nourah and Shahad, Nourah stated that *"ale from my family can control my life in any way. He can make the big decisions in my life including my partner, the future of my education, even if I went to the hospital, he had to sign for me"*. Echoing after her are the words of Shahad; *"My life in Saudi Arabia was like a slave since I was a little girl. I couldn't do anything without the permission from my male guardian. My father was an abusive man"* (McNeill et. al 2019). This is the agony of two teens out of the thousands of others in Saudi Arabia and the MENA region. Several of them have tried to escape from this oppression by seeking asylum in non-Arab states but in most cases, their passports get seized, they are detained and placed in rehabilitation centers (which in reality is a sort of prison) until their male guardians deem it fit for them to be released; ironically the same male guardians they are seeking to escape from.

Despite these criticisms of Islamic family Laws, Lisa Blaydes argues that while most scholars blame Islamic groups for propagating patriarchal systems which support the men to the detriment of women, Islamist rule provides social services for women;

particularly in the area of reproductive health (Blaydes 2014, 489). She comes to this conclusion by analyzing two areas in Greater Cairo where one was controlled by militant Islamist groups while the other was ruled by strong men. She found that Islamic activists in Islamic governed areas were very committed to providing reproductive and other health services to women, especially those who were poor (Blaydes 2014, 504).

Another counterargument supporting this is that most of the oppressive practices and customs are a result of local cultural traditions, not Islam (PBS, 2020). For example, they argue that the veiling of Arab women goes back to the 17th century, before Islam arrived, where veils were worn by Byzantine and Persian women as a symbol of high societal status (PBS, 2020). The Quran also advocates for gender equality because it states that women and men are equal in God's eyes, and it stipulates several provisions for women's rights. Some of these provisions include the abolishment of female infanticide, equal education for both genders, female right to her choice of husband, divorce and property rights, and advocacy for monogamy; although polygamy is permitted (PBS, 2020).

Several prominent Muslim female political actors and personalities are also cited in the counterargument that patriarchal Muslim family laws do not cause female underrepresentation- particularly citing female relatives to the Prophet Muhammed who were quite notable in their time. One of them is Aisha, Muhammed's favorite wife who had significant political influence and fought at the battle of Camel (PBS, 2020). Another notable female cited is Khadija, the first wife of the prophet, who was a powerful woman and the first to convert to Islam. She also hired the prophet and proposed marriage to him

despite being way older (PBS, 2020). Others cited include Queen Amina of Zaria, Nigeria; Shajarat al-Durr, Sultan of Mamluk Egypt; Razia, ruler of 13th century India, and several others.

2.4 Theories Examining the Causes of Gender Inequity in the Middle East

These staggering statistics beg the question of why MENA is significantly behind other regions of the world when it comes to gender equity. Several scholars and theorists have attempted to provide answers to explain and understand the gender equity situation in MENA. Prominent schools of thought on this issue include but are not limited to; religious theory, economic theory, and social/cultural theory.

2.4.1 Islam Thesis/Social Modernization Theories

Islamic Fundamentalism is one of the most symbolic/compelling movements that erupted in the late twentieth and early twenty-first centuries. Its influence is largely in the Middle East region, African and Asian continents, where women's rights are abused, and their freedoms restricted on the grounds of anti-western culture/practices (Meade & Wiesner, 2006). Other forms of religious fundamentalism where male and female roles are strictly laid down appear in Christian, Hindu, and Jewish religions.

In the Middle East North Africa, we find that a good majority of the population is religious and of this majority, Islam is the most dominant faith (Pew Research Center, 2021). According to the analysis of the Pew-Templeton Project on "Global Religious Futures", nine out of ten (93%) Middle East North Africans belong to the Muslim religious sect in 2010, and a predicted 0.2 increase over the coming decades. Staggering

behind the next most populous religion is Christianity at 4%, followed by the Jewish population at 1.6%, and other religions (including but not limited to Hindus, Buddhists, traditional worship, papers, and non-religious identifying people) constitute less than 1% of the population (Pew Research Center, 2021).

As a result of religious fundamentalism and persisting gender norms in the Middle East North Africa region, there are several social that women face that go unchecked due to the symbolism placed on women. According to Blaydes and Linzer (2008), fundamentalism is the “*sociopolitical movement that requires from its members a strict adherence to specified fundamentals or doctrines; and that claims for its motivation in doing so a divine, or otherwise transcendently grounded, mandate*”. This religious fundamentalism has led some families to place women as ‘symbols of virtue’, which means that women have a certain code of conduct/behavior to uphold and failure to do so brings shame and scorn to the society on the family.

The effect of this is that we see several cases of honor killings in the MENA region. This means that the disobedient or nonconforming female is killed as a way of cleansing the family and restoring dignity to the family name. Religious fundamentalism in the region has led several people to see modern culture (dressing, music, education, etc.) as a deviation from the pioneer Muslim practices, and women are forced into compulsory veiling, prevented from attending social gatherings or associations and even gaining an education.

With this analysis and theories in mind, it is perspicuous that religion plays a vital role in the day-to-day lives of people in MENA. From the lens of a social scientist, it is prudent to make a correlation between the prevalence of religion and the gender inequity situation in the region. In the subsequent chapters, I will be conducting some tests using qualitative data from Tunisia's institutional periods as case studies to determine the connection between the strict family/sharia laws and how it factors to either support or diminish the attainment of gender equity within the MENA region.

2.4.2 Political Economic Theories

Another theory that evaluates the issue of gender inequity in MENA is the political-economic/sociological theory. The political-economic theory is concerned with analyzing the connection that exists between the patriarchal institutions in MENA and how they influence inequities in female labor force participation (Benstead, 2019). One resource that stands out and cannot be overlooked when analyzing the economy of the MENA is Oil. One-third of the World's oil production is created in MENA and countries including Saudi Arabia, Qatar, Kuwait, Iraq, Iran, and the United Arab Emirates are amongst the World's largest contributors of fossil fuels (Puri-Mirza, 2021). Most of these oil-producing states in MENA also belong to the Organization of the Petroleum Exporting Countries (OPEC), which helps with establishing quotas and oil prices among its member states.

While the discovery of oil in MENA has unequivocally made these Arab nations wealthy, it has also contributed to corruption among MENA leaders, reduction in

economic diversity, and perpetuation of gender bias/patriarchal structures. According to Ross Michael (2008), the immense influence of oil dependency in the economy of MENA states creates inequalities towards female participation in the labor force. This is a result of an occupational shift from a tradeable to a non-tradable sector that favors jobs such as construction which is less encouraging to female employees causing higher rates of unemployment among females and an under-representation in parliament and governing positions (Ross, 2008).

Benstead also outlines another political-economic/sociological theory as proposed by Mounira M. Charred, which proposes that patriarchal family laws can be understood through the presence of tribes that are strongly supported by the ruling party or incumbent's desire to garner political support (Benstead, 2019). According to Charrad, a tribe is, "*a political entity, bound by shared conceptions of patrilineal kinship serving as a basis for solidarity, and oriented toward the collective defenses of itself as a group*" (Charrad, 2001). Hence, patriarchal laws are predominantly found where there are strong tribal ties and the predominance of these patrilineal tribes in MENA is responsible for the structuring and maintenance of family laws which influences gender equity in the region (Benstead, 2019).

2.4.3 Psychological/Social Structural Theories

The argument for the psychological/social structural theory is that to explain/understand gender equity it is critical to study the social bias and networks that exist in the world, irrespective of cultural/structural background (Benstead, 2019). As

described by Benstead there are two theories supporting the psychological/social structure theory, namely; the gender role congruity theory proposed by Eagly et.al and the theories of homosociality by Bjarnegård Elin (2013).

The gender role congruity theory examines the stereotypical gender norms around women and how it is connected to the requirements for leadership (Benstead, 2019). In many early societies and several contemporary communities, women are often relegated to the responsibility of being the perfect homemaker due to physical and emotional traits which make women more adroit at handling domestic affairs. Men on the other hand are stereotyped as possessing physical and mental strength which gives them the upper hand on matters about governance and politics. The gender role congruity theory highlights that these stereotypes are major contributors to women being excluded from political positions and facing opposition during elections (Benstead, 2019).

The theory of homosociality explains gender inequity from the perspective of the numerical supremacy of men in politics and how male dominance is maintained in this sphere through the expanding networks of their gender (Benstead, 2019). There is a paucity of “homosocial capital” where women do not have an interconnected network or a sizable number of connections, they can tap into to win elections. This absence in turn leads to poor funding, campaign support, media coverage, and other electoral necessities which a network provides making it difficult for women to occupy political offices and gain admission to use government services for policy formulation/implementation (Benstead, 2019). Hence, just like the rich getting richer and the poor getting poorer, men keep ruling and women keep being marginalized.

CHAPTER THREE - RESEARCH METHODOLOGY

For this study, I will be analyzing the impact of religiosity on gender equity in the MENA, particularly how state-mosque relations work to impede or expedite the progress of women in the region. With this aim in mind, my dependent variable is gender equity in MENA and my independent variable is the state-mosque relations within the region. My argument/thesis statement for this study is that states' support and prioritization of Muslim/sharia law over federal law is a major contributor to gender inequity within the Middle East North African states.

The method of analysis for this thesis research is principally a qualitative analysis approach using a comparative case study method of testing and the descriptive examination of the status of gender equity within each time frame. In the next chapter, I will conduct a comparative study of different eras in Tunisia, employing each period as my unit of analysis. By structuring my data in this format, I will be able to provide a rich narrative of state-mosque relations in Tunisia by taking my readers on a journey through the history of instrumental political leaders in Tunisia and observing how females fared under each fundamentalist and/or modernist structured regime.

This method of research/analysis is not unfamiliar in this field of study. Mounira Charrad applies a similar approach to explaining how Tunisia, Algeria, and Morocco made different choices regarding the rights of women and family law after each gained independence (Charrad, 2001). In Charrad's "*States and Women's rights; The making of Postcolonial Tunisia, Algeria, and Morocco*", she utilizes a comparative-historical

approach gleaned from John Stuart Mill's "Method of Difference" by choosing case studies (Tunisia, Algeria, and Morocco) that have a similar background but with differing outcomes concerning family law (Charrad, 2001). In other words, Tunisia, Algeria, and Morocco have several similarities such as the religion of Islam, French colonial occupation, Kinship/tribal structures, and Arabian cultures, but they all took different approaches to their family law policies.

In my research, rather than use states as my case study like Charrad does, I instead make use of periods as my unit of comparison. My case studies include; post-independence Tunisia, pre-independence Tunisia, and Tunisia after the 2011 revolution. The post-independence case study refers to the period when Tunisia was still under French colonial rule and had not achieved self-sustenance as a state. The pre-independence phase in Tunisia was after it achieved independence in 1956 and under the authoritarian style government of Habib Bourguiba and Ben Ali. The final case study surrounds the state of Tunisia after the 2011 revolution including the struggle for power between the Islamic fundamentalists and modernists, and the rise of women's activism/movements. The intention behind the analysis of these case studies is the highlight of my hypothesis earlier stated.

Hence, this research takes on a deductive reasoning methodology as the hypothesis of my thesis is inspired by the thoughts and theories of various scholars who share similar ideas on the topic of religion and gender equity, particularly in MENA. Some of these include Charrad, Moghadam, Benstead, and others. Hence, my deductive reasoning approach stands on the grounds, theories, and assumptions of previous scholars

to discover supporting or contradicting evidence on how the changing state-mosque relationship could evolve the status of gender equity in MENA. To further clarify, this research hypothesis is not aimed at developing a theory but rather at testing the existing theory surrounding this topic area.

The major point of data in my thesis study is the literary works of authors in the field of gender equity in the Middle East. Due to the qualitative rather than quantitative approach to my research, the focus is to create a rich narrative that captures the important details relevant to my subject matter, and to achieve this, providing a historical context is very imperative. This historical data and comprehensive narrative include primarily secondary sources of data such as speeches, book publications, journals, articles, interviews, blogs, government statistics, encyclopedias, etc.

The works of Donker and Netterstrom (1988), Mounira Charrad (2001, 2011), and Marion Boulby (2017) were very instrumental in establishing my historical narrative of the different periods in Tunisia. Boulby in “The Islamic challenge; Tunisia after independence” included excerpts of speeches and interviews of the former President Bourguiba which is a big support to the narrative as it brings us closer to understanding the personality of Bourguiba and it influenced his policy mandates during his rule.

Donker and Netterstrom take a very detailed approach when examining state-mosque relationships and the struggle for balance between reformative and Islamic revivalist parties. One feature that stands out in their writing is their analysis of the Tunisian constitution and contention for more and less Islamic autonomy in the

constitutional text. It is very interesting to note that one clause which has withstood the test of time, despite regime changes, is the Article 1 proclamation that Islam is the religion of Tunisia.

There are several journals, articles, reports, and blogs that contributed strategic data to my research. The Chr. Michelsen Institute (CMI) report on “*The Women's Rights Champion. Tunisia's potential for furthering women's rights*” by Norbakk provided data on women’s agitation for gender equity and the rise of women's rights organizations in Tunisia. The US Department of State (2021) 2020 Report on “International Religious Freedom: Tunisia” provides a welcome background into the character of the state and mosque relations in modern-day Tunisia. The value of these sources of data (i.e. journals, articles, and blogs) lies in their specification and attention to detail. Usually, there is one or a few issues in contention and it is analyzed with relevant statistics to approve/disapprove of the reigning opinion on the subject matter.

One of the major benefits of applying qualitative data sources to my research is that it provides the descriptive and detailed information that is essential to my research. I believe that narration and analysis of past events provide more detail and while writing about the periods in Tunisia, I found that books, journals, articles, etc. provided me with a story-like description that quantitative sources could not. It is also important to note that quantitative data (i.e surveys, questionnaires, opinion polls, etc.) does not always have historical information as most organizations collecting and conducting had not been established. For instance, the Arab Barometer was established in 2005 and might not provide data on relevant events that occurred in 20th century Tunisia.

A concern I encountered with a qualitative source of data is that it can sometimes be opinionated or subjective to reflect and support the ideology of the writer which unintentionally takes away the neutrality of the information. For example, a writer that believes in Islamic fundamentalism (strict and literal interpretation of the Quran) is more likely to analyze data, concerning a leader who de-autonomic the mosques, from a critical standpoint. The benefit to this is that critical review still contains important information no less and it helps readers to study text from a perspective, not often considered.

Fact-finding might also prove difficult when conducting a comparative historical analysis. Although included in my research is a rich narrative on the individual periods in Tunisia, there are not enough numerical/statistical indicators to be able to provide a mathematical conclusion that provides certainty on my findings. Most of my findings and conclusions are based on deductive/derivable perspectives gleaned from the narrative provided by this research and field of study in general.

To measure gender equity in Tunisia within each period, I analyzed the strengths/weaknesses of each regime's state-mosque relations. In other words, I observed the degree to which the state delegated power to religious institutions and the amount of autonomy the mosque had to perform its activities and practice Sharia/family law in those times. An instance of this form of measurement can be found in Donker and Netterstrom's (1988) analysis of the struggle between the mosque and the state from Habib Bourguiba's regime till the aftermath of Tunisia's 2011 revolution.

Apart from the approach applied in this research, there are various ways of measuring gender equity. According to Catherine Caruso (2020) of the Global Citizen, there were four major approaches used to measure gender equity by the Global Gender Gap report. They include political empowerment, economic participation and opportunity, educational attainment, and health and survival. Other approaches proposed include the use of public opinion surveys with the help of research networks like the Arab Barometer and World Value Survey which provides insight into the political, social, and economic perception of the people based on certain indicators. According to Benstead (2019), there are several popular indicators for gender equity that are distinguished based on private and public rights. The private rights include the family code and several gender rights available in a country. Public rights include women's labor force participation, the percentage of people holding egalitarian views, the percentage of women in the House of Representatives including the date of the most recent election, and the national parliamentary gender quota.

During this research, I have employed a number of these indicators in analyzing gender status in Tunisia within the different periods. Family code, women's rights policies/reforms, educational attainment for females, and women's labor force participation are some of the many indicators to show the growth or decline of gender status in my research. I also analyzed constitutional provisions for women over the years as reflected in each amendment and the rise of women's mass movement and organizations in Tunisia.

CHAPTER FOUR - CASE STUDY ANALYSIS

4.1 Introduction

Before expanding my argument that states' support and prioritization of Muslim/sharia law over federal law is a major contributor to gender inequity within the Middle East North African states, using a comparative period analysis, I wish to begin by providing an overview of each of my period case studies. The purpose of this overview is to shed light on what structure of state-mosque interrelationship existed within the different government regimes in Tunisia. This will ensure that the study is wholesome and that there is a background that accommodates readers with little or no experience with the subject matter.

The Middle East North African states have particularly struggled to maintain a balance between the control and power of the government and that of the Islamic institutions. This struggle is further exacerbated by the intertwining of Islamic laws with political propaganda and vice versa. For instance, several "Islamists" such as Al-Qaeda and the Muslim Brotherhood have pursued several political agendas/ideologies in their approach to influencing the government (Donker & Netterstrøm, 2017). Also, several political aspirants and incumbents have supported Islamic institutions and laws to attain certain privileges such as higher votes, support from the Islamic communities, funding, etc. This has often made the state-mosque relations in MENA states fluctuate based on the regime in power and the influence of Islamists in these regions (Donker & Netterstrom, 2017).

To effectively examine state-mosque relations in Tunisia and further my previously stated argument, this case study analysis will look at the qualitative data available within these different periods that analyses the status of gender equity such as level of education, women's participation in the labor force, child marriage rates, etc. The results of the data will explain if gender equity was highest or lowest when state-mosque relations in Tunisia were strong or weakened within these periods.

4.2 Civic and Sharia Laws in Tunisia

The constitution of Tunisia clearly states that Islam is the country's official religion, and it also specifies that the president must be a Muslim. Despite its declaration as an Islamic nation, the constitution of Tunisia maintains that it is a civil state and the government should serve as guardians of religion to prevent the propagation of political intentions or aspirations within the mosques and other religious centers (U.S Department of State, 2021). The constitution also prescribes that mosques and other places of worship should not be partisan in nature. The fundamental rights of the people are also protected within the constitution including the freedom of conscience, belief, and the right to individual choice of religious worship (U.S Department of State, 2021). For the most part, the government has command over the mosques, and they subsidize them and have the responsibility of paying wages to the Muslim leaders. Tunisia also observes four religious holidays in its calendar, namely; Eid al-Adha, Eid al-Fitr, Muharram, and Mawlid.

While the laws of the government and Islamic laws often overlap in Tunisia, it is important to note that the rulings of the government override the Islamic laws in most cases. In Tunisia, the building of mosques is required to conform to the state's urban planning guidelines, and once completed, the mosque is considered the property of the government and is tasked with ensuring its maintenance. Religion also has a fundamental influence on the education sector of Tunisia. For instance, private education institutions can be managed by religious bodies and in public schools, students are mandated to attend principles of Islam courses while non-Muslim students may seek an exemption but still participate in other religious courses works that include Christianity and Judaism (U.S Department of State, 2021).

In Tunisia, when it comes to issues regarding marriage, dissolution of marriage, separation, and other personal status issues, the civic laws are integrated with the fundamentals of the sharia laws, such as the law of property ownership and inheritance. Before a marriage union, intended couples must first decide how their assets are going to be managed and if they will be deemed as shared or joint assets. In several cases, Sharia law affords males a considerable portion of properties, and children of marriages between non-Muslim men and women are still considered Muslim by the government, and the children are prohibited by the government to acquire inheritance passed down from their mothers (U.S Department of State, 2021).

As identified by Donker and Netterstrom (2017), many scholars in the social science field have not paid close attention to understanding how Islam and religion, essentially how political struggles structure the state-mosque relations and power

dynamics in Muslim predominant states. To avoid this oversight in my thesis research, I will identify a couple of stages that have been influential in shaping Tunisia's history and analyze how the state-mosque relations have been and have evolved to their current state. The three stages that I will consider in this section are the pre-independence stage, post-independence stage, and the Tunisian revolution.

4.3 Pre-Independence State-mosque Relations in Tunisia

Tunisia's origin/history dates to the Stone Age/Neolithic times and the nomadic populations that were the settlers in the area were known as "Berbers". As a result of the occupation of the Berber lands by the Romans in AD 24, Christianity and Judaism was the dominant religion in the area. Islam eventually gained influence in Tunisia after the invasion of Arab Muslims, which was the most significant invasion in Tunisia's history, between AD 642 and AD 669 (Leaman, 2001). Many of the Christian population converted to Islam and it became the principal religion of the region.

From the mid-sixteenth till the late nineteenth century, Tunisia was under the charge of the Ottomans and the state-mosque relationship was predominantly structured according to the religious sharia laws (Donker & Netterstrom, 2017). The Ulema, who were scholars of Islamic laws and theology, also occupied official positions and it gave them the power to influence political directives (Green, 1976). In 1874, minister Khayr al-Din Pasha established the Habous council which was a public organization charged with overseeing properties owned by religious institutions, and the following year, he created the Sadiki College where other languages like French and Italian were taught.

Modern sciences and subjects such as astronomy, literature, and logic were also taught to students (with diplomas awarded after course completion) and professors had to be supervised which gave the state some power in the management of educational institutions (Donker & Netterstrom, 2017).

According to Mounira Charrad (2001), there are three principal features of the Tunisian society towards the end of French colonial rule. First, was the centralization and development of state institutions through military reforms that strengthened the Tunisian Army, the establishment of small-scale industries, tax reforms, the telegraph system, and several others. Second, there were educational reforms that enabled the sustenance of colleges where students were prepared in the skills of leadership and administration for service to the government. The third feature was an administrative structure that could connect and deliver information to farther regions/remote locations of the state, although not every region accepted the mandates from the center and some openly opposed them (Charrad, 2001).

Before Tunisia's independence, the country was under the control of the colonial power of France from 1881 till 1956. After World War I, several nationalist movements represented by the Neo-Detour party emerged, and to maintain their control and curb nationalist agitation, the French garnered the support of the Ulemas and religious institutions by strengthening the power of Sharia law. This led to intense friction between the nationalist Neo-Destour party headed by Habib Bourguiba and the Ulemas, and one of the most notable disagreements that emerged as a result of this friction was the naturalization crisis of 1932-1934 (Donker & Netterstrom, 2017).

4.3.1 Gender Equity Status in Pre-Independence Tunisia

The period before Tunisia's independence also saw the rise of several modernists who contributed to the narrative on state-mosque relations in Tunisia. In 1930, Tahar Haddad published his then-controversial text titled "Our Women in the Islamic Law and Society" where he recommended a modernized understanding of the Quran and sharia law that would forbid having more than one wife/husband and support protection of female rights (Donker & Netterstrom, 2017). His proposition was highly criticized by the Ulema, and they sought to strip him of his degrees. Today, he is widely considered to be the first Tunisian feminist and a national icon.

There is not a robust body of literature detailing the gender status of women in Tunisia before independence and while the state was under French colonial rule, several indications point that females were considered as belonging to the domestic sphere. Most of the women were veiled, and illiterate due to a lack of access to education and under the rulership of a male family member (i.e. brother, father, husband, etc.). It is doubtful that this era in Tunisia experienced a feminist awakening or mass movements toward gender equity which could be a result of the fundamentalist Islamic approach in practice.

4.4 Post-Independence State-Mosque Relations in Tunisia

4.4.1 Bourguiba's Modernist Reform

The ten years after the attainment of independence from French colonialism in 1956 was characterized by the Bourguiba revolution which played a vital role in shaping the structure between the state and Islam. The strategic aim of the then Prime Minister

Habib Bourguiba (1957 - 1987) and The Neo-Destour party was to control, cripple and undermine the power of religious institutions in Tunisia which had expanded due to French colonial ambitions (Donker & Netterstrom, 2017). The Sharia courts were banned and, in its place, Bourguiba established a central civil law that was in line with the “code civile” of France. There were a series of land, education, and legal reforms which left the Ulema with little to no power, and Bourguiba was known for his radical denunciation of the Ramadan fast faulting it as a cause for a decline in the productivity of the economy (Boulby, 1988).

4.4.2 Gender Equity Status in Post-Independence Tunisia (Bourguiba)

This period after Tunisia’s independence marked a phenomenal turning point in the quest for gender equity and women’s rights in Tunisia’s history. One of the most important policies that were created after the Tunisian independence is the code of personal status (CPS), also known as the Majalla. The code of personal status was established on 13th August 1956, five months after securing its sovereignty from French colonial rule, under the administration of the then prime minister Bourguiba by his political agenda for modernization and secularization (Leaman, 2001).

The CPS bill served as an influential hallmark for women and gender equality in Tunisia as women were now legally deemed equal to men on matters related to ownership of property/assets, divorce, inheritance, and custodianship of children. Although the CPS was a pioneer for gender equity among the Islamic states, it was not engineered as a result of a mass feminine movement but rather as “an instrument of

change, a way of bringing about a transformation in kinship patterns and family life, which they saw as a necessary condition for broader social, political, and economic changes.” (Encyclopedia, 2022).

Additionally, the 1959 Tunisian constitution gave women the right to vote and contest elections along with instrumental rights regarding education and participation in the labor force. Bourguiba’s government allocated substantial resources to the educational sector to ensure that females had as much access to educational opportunities as men. The average number of years spent by girls in school increased from 4.9 to 9.3 and 15.1 in 1971, 1990, and 2010, respectively (Mail, 2019). A 1983 Labor Code was also created to provide women working in the public sector paid maternity leave and the Convention on the Elimination of All Forms of Discrimination Against Women was ratified in 1985. These reforms and policies were established to ensure equal rights and opportunities for all male and female citizens of Tunisia.

Tunisia’s code of personal status was criticized by some members of the Ulema because it meant a loss of religious independence and decimation of the sharia law/court. Fourteen of the Ulema issued a “fatwa” against the legislation but several of them were in support and took up positions as guardians of the legislation. The CPS was also followed by the anti-hijab crusade as hijabs were banned from being worn in the classroom by the government. Bourguiba went as far as referring to hijabs as ‘rags’ and in his December 1957 speech in Sfax, he was quoted as saying;

“If we understand that the middle-aged women are reticent about abandoning an old habit, we can only deplore the stubbornness of parents who continue to oblige their children to wear a veil in school. We even see civil servants going to work in that odious rag. It has nothing to do with religion” (Boulby, 1988).

Despite these revolutionary religious reforms and strengthening of state power in Tunisia, Bourguiba did not consider his actions as anti-Islamic but rather saw his actions to be a modernist reformation of Islam (Boulby, 1988). According to Bourguiba in 1959, “our concern is to return to the religion its dynamic quality” (Tessler, 1980). During the movements and agitation for independence, Bourguiba made use of the Islamic institutions and community to garner public support and towards the end of his rule, he made attempts to tap into the religious community again, but he was unsuccessful due to the intensity of his previous religious reforms (Tessler, 1980). Towards the late 1960s, the Bourguiba modernist approach began losing its appeal and many questioned the concreteness of its principles, and a revival of Islam was on the horizon (Boulby, 1988).

4.4.3 Ben Ali’s Islamic Reform

Preceding the illness of President Bourguiba and the eventual *coup d’etat* orchestrated by Ben Ali, Tunisia experienced turbulent years of Islamic opposition and movements against Bourguiba’s modernist reforms. Chief among the Islamic opposition was “*Le Mouvement De La Tendence Islamique*” (MTI) which consisted of a group of Sheiks led by Rached Ghannouchi, with a political objective to end the secular regime of Bourguiba. Other Islamic revivalist organizations that contributed to the opposition

included the Islamic Shura Party (ISP), the Islamic Vanguard (IV), the Islamic Progressive Tendency (IPV), and the Islamic Liberation Party (ILP) (Boulby, 1988).

The Islamic revival called for the propagation of Islamic-centered books, articles, and media that would advocate for the return of Islam as the solution to the problems facing the state. There were several violent protests against Bourguiba's government, particularly in 1978 and 1984 which stirred up discussions of a possible military intervention and overthrow of the government. The climax of the Islamic Revolution was the arrest of ninety Islamic activists including Rached Ghannouchi under charges of conspiracy with Iran and attempted bomb attacks on Tunisia. Although Ghannouchi was sentenced to mandatory labor for life, seven of the ninety accused were sentenced to die. This led to an upheaval among the Tunisian Islamic revolutionists and threats from the Islamic international community, the aftermath of which saw Bourguiba's deposition by Prime Minister Zinedine Ben Ali (Boulby, 1988).

Unlike Bourguiba's strict reformist strategies, Ben Ali made use of Islam as a means of gaining legitimacy among the people (Donker & Netterstrom, 2017). The modernist form of Islam Bourguiba practiced did not reflect significant growth in Tunisia's economy and many hoped that Ben Ali's government would usher in a new dawn for Tunisia's economic and political development. The MTI while in Paris was quoted to have described Ben Ali's coup as a *'positive and historic act'* (Boulby, 1988).

As a way of establishing his regime, Ben Ali made certain efforts to amass support from the Islamic community and the population at large. He supported the

broadcast of the five daily calls on radio and television, created a college for religious study in 1989 (named it after the Zaytuna mosque), expanded the High Islamic Council and the office of the Mufti, consulted with Islamic scholars on laws concerning Islam and made the directorate of religious affairs an independent body separate from the office of Prime Minister (Donker & Netterstrom, 2017).

Despite these efforts, the hope for an Islamic revival by the MTI under Ben Ali's rule was somewhat underachieved during his regime because although Ben Ali adopted religion as a stance for his takeover and support of his regime, Islam and its institutions were still under the control of the state government (Donker & Netterstrom, 2017). The university, Mufti, and members of the Higher Islamic council were all under the supervision of the government. Ben Ali also oppressed Islamic movements and did not permit absolute independence from the Islamic institutions.

This goes to show the importance of religion in most states and the difficulty encountered when governments try to separate themselves from religious institutions. Bourguiba fervently downplayed Islam and lost his office, while Ben Ali used religion as a cover to gain legitimacy from the public. In the long run, they were both unable to relinquish some independence to religious institutions as that would signify a loss of power. Hence, both Habib Bourguiba and Ben Ali's regimes had weak state-mosque relationships, and power was centralized to the state and not the Islamic bodies.

4.4.4 Gender Equity Status in Post-Independence Tunisia (Ben Ali)

Tunisia's position as a pacesetter on gender equity in MENA continued to progress under Ben Ali's leadership. The structures, policies, and institutions that were constructed by former President Habib Bourguiba were not dismantled but rather reinforced and maintained by Ben Ali's administration. This political strategy to empower women and create equal opportunities meant that the state had control over what the Islam fundamentalists considered as 'personal affairs' that should remain in the realm of Family/Sharia law and courts.

Ben Ali reflected his political stance on women's rights by making several reforms that promoted gender equity starting in 1988 when he established an electoral law that prohibited discrimination by political parties. In 1992, Ben Ali created the Secretariat of State for Women and Family, which popularly became known as the Ministry of Women's Affairs, the Family and Children, and the Elderly (MAFFEPA) with the charge of organizing and supporting the government on matters related to women's equal opportunity. (Norbakk, 2016). The goal of MAFFEPA was also to ensure that women were included in the political and public spaces or positions to make sure that women are represented, and their voices are heard.

By 1993, Ben Ali reformed his predecessor (Habib Bourguiba) Code of Personal Status to include greater protection of women's rights. One of these rights enabled women the ability to pass on their citizenship which meant that children born to Tunisian women and fathers from a different country could become citizens of Tunisia. Another

reform includes the right for women to maintain custody of children in the case of a divorce. In 1997, the constitution was amended to mandate that political parties do not show prejudice due to gender and there were also procedures set by Ben Ali's government to make provisions for larger participation of women in the political arena as of 1999 (Mail, 2019).

Tunisia experienced a good deal of support from the international community (particularly western powers like the United Kingdom, United States, and France) during the course of Ben Ali's leadership. This was largely a result of Ben Ali's progressive policies and structures that supported women's rights and the increased women's participation in the workforce. It can be argued that just as Ben Ali used religion to gain legitimacy from the Tunisian populace, he also used noticeable gender reforms to attain clout, support, or resources from western powers and the international community at large.

Under Ben Ali's regime, there was a rise in women's rights advocacy and feminist organizations that placed pressure on the regime to make instrumental policies in favor of women (Charrad, 2001). The table below consists of a list of women-centered organizations that were very instrumental to the drive for gender equity in Tunisia.

Table 3: Women's Rights Organizations Post-independence

Time	Organization	Function
1956	National Union for Tunisian Women (UNFT)	This group is the oldest and largest organization founded for women in Tunisia. In the immediate post-independence

		era, UNFT was the most outstanding voice for women and had representation in most regions including the remotest parts of the country. * It has formed alliances with professional/special-interest women's groups and operates in a framework of partnerships with governmental structures or national organizations (i.e. in tackling illiteracy).
1978/1979	Club Tahar El Haddad**d'études de la condition de la femme (CECF)	This organization was founded by elite educated women such as executives, teachers, journalists, lawyers, students, etc. The group addressed women's complaints concerning their limited advances in political participation and made demands for further rights.
1983	Union of Tunisian Workers 'women's commission' (UGTT)	The organization was birthed at a round table organized by CECF.
1985	The Nissa Group	They established a bi-monthly journal to tackle issues related to women in Tunisia. Its objectives included the protection of the CPS, advocating for women's political participation, and shining a light on the role of women's hidden work. Eight issues were published between 1985 and 1987.
1985	Tunisian League for Human rights (LTDH)	LTDH was a Tunisian women's commission founded

		in 1985.
1989	Tunisian Women’s Association for Research and Development (AFTURD)	Built after the political liberalization in 1987, AFTURD served as a response to requests from multiple women’s organizations and was composed of female academics. Its major role was to perform research on the means to integrate women in economic and social development. The organization also has a broader societal agenda with a focus on women’s conditions.
1989	Tunisian Association of Women Democrats (ATFD)	The ATFP was formed after the Copenhagen convention by Arab-Muslim women. The ATFD takes political, social and cultural measures to defend, consolidate and develop women’s rights at times where attempts are made to curtail them.

Source: (Chambers and Cummings 2014, 25) Chambers, V., & Cummings, C. (2016).

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4.5 State-Mosque Relations after the 2011 Tunisian Revolution

The 2011 Tunisian revolution saw an overwhelming breakdown of the Tunisian authoritarian state government which had existed for several decades under the leadership

of Habib Bourguiba and Ben Ali. This collapse of Tunisia's government meant that there was a vacuum of power that needed to be filled to run the administration of the country. This led to different phases of leadership that experienced tussles between the state and the mosque.

The first government that arose out of the upheaval caused by the Tunisian revolution was the Caid Essebsi government which instituted Laroussi Missouri as the religious affairs minister. In the era of this government, there was little to no supervision of the religious institutions and the state lost its control over the activities of the mosques. Several political meetings were being held at mosques and most of the state's mosque Imams were replaced with Islamic fundamentalist activists (Donker & Netterstrom, 2017).

The next government that took over from Essebsi was the Troika government consisting of members of the Islamist Ennahda Movement. A major challenge experienced by this government was in the drafting of a new constitution. While the modernist parties did not want Sharia included in the new constitution, Islamic fundamentalists wanted the constitution to mention Islam as the fundamental form of decision/policy making (Donker & Netterstrom, 2017). The Troika government was quite hesitant to pick a side due to concerns about the reactions of the Tunisian populace and the international community. The solution to this dilemma was decided by the MTI leader, Ghannouchi, who supported the previous structure of the constitution, where Islam is stated as the religion of Tunisia and remains the same.

The interim government of Mehdi Jomaa tried to have a clearer stance on the distinction between the state and the mosque. Joma named Mounir Tlili as the religious affairs minister and from the onset, Tlili announced that the religious institutions would have their independence and their activities would not be under the scrutiny of the state government. This proclamation was however short-lived as Tlili changed his position and he made several attempts to retain state control over the mosques by closely observing the mosque, supervising its charitable activities, interfering with the appointment of Imams, and monitoring sermons in mosques (Donker & Netterstrom, 2017). The subsequent National Unity government in Tunisia did not fall far from its predecessor as the then-new minister of religious affairs, Othman Battikh, maintained that the state should control the activities of the mosque. The difference between Tlili and Battikh was that while Tlili bowed to pressures for state control, Battikh saw the state as the legitimate overseer of the mosque due to its neutrality (Donker & Netterstrom, 2017).

4.5.1 Gender Equity Status after the Tunisian Revolution

The 2011 revolution in Tunisia ushered in a new change to the perspective of gender equity and support for women's rights. While the Bourguiba and Ben Ali regimes were characterized by authoritarian rule, there was now support for the rule of the majority and other voices previously quietened by the previous regimes now had the opportunity to express their views on policies made in the past and to put them to the test.

The result of this was that the people in Tunisia had more freedom of expression to react and reveal their personal feelings/ideologies in the face of unwelcome social or

political change (Mail, 2019). For instance, under the Bourguiba regime, women were not permitted to don a hijab in government or any educational institutions, but after the 2011 revolution, several women wore the hijab as a method of stating their religious stance and ownership of their voice. This also points to the authoritarian rule in Tunisia that existed before the 2011 revolution and it is interesting to note that despite Bourguiba's milestone towards gender equity with the Code of Personal Status, he still made rules that were detrimental to the rights women possess over their bodies and choice of outfit. It can be argued that Bourguiba's somewhat obsession with maintaining state control over the mosque, outweighed his commitment to women's rights and equity.

Bourguiba and Ben Ali's sustenance of the CPS was a welcome development that remained after the 2011 revolution. The credit for this lies largely with the women-centered organizations, activists, and female members of the National Assembly, who ensured that the CPS was not discarded or under-enforced due to the state-mosque tussle for power in the aftermath of the revolution. It was very likely that Tunisia could have retracted to its pre-independence era where Family Law was the supreme deciding power in matters relating to women's rights. The ruling party of the time, Ennahda, were also standing in support of the CPS and stated their commitment to ensuring that the policies of the CPS were maintained (Mail, 2019).

Tunisia's 2014 constitution also honored the CPS policy by ensuring that there were provisions available to ensure that the policies are effective and reach the target areas. Women were also included in the constitutional drafting process but found it difficult to arrive at a consensus on the best approach to expanding women's rights in

Tunisia. Despite the friction, members of the NCA worked together to ensure that the 2014 ratified constitution mandated the state to provide protection to women against violence and guarantee harassment-free working conditions for women (Mail, 2019).

Article 1 of the constitution still maintained that Islam was the religion of Tunisia, but it did not mention sharia in its context which prevents differing translations of Sharia law that could possess prohibitive rules defining the responsibility of females in the family (Mail, 2019). There was also a debate around the use of ‘complementarity’ rather than ‘equality’ in the proposed draft of Article 28 which read as follows; “The State assures the protection of women’s rights and gains, following the principle of complementarity with the man within the family and as partners with him in the development of the homeland”. This debate led to mass protest of the proposed draft championed by influential women's rights associations like the Tunisian League of Human rights, the Tunisian Association of Women Democrats (ATFD), and the Tunisian Women’s Association for Research and Development (AFTURD). The protests and efforts of these organizations led to the terminology of equality among males and females to be included in Article 22 (Mail, 2019).

In this chapter, I have analyzed the different regimes, methods of rulership, and the gender outlook for Tunisian women within the four-time periods of pre-independence, and post-independence (Habib Bourguiba and Ben Ali regime), and the aftermath of the 2011 revolution. This chapter also reflects the transition from colonial to authoritarian and democratic control of Tunisia including the scuffle for power between the state and the mosque (Islamic modernists and Islamic fundamentalists). Tunisia has

certainly been on a rollercoaster when balancing power between the state and the mosque but despite this, Tunisia remains a pioneer and hallmark of gender equity in the Middle East North Africa due to its commitment to inclusivity and continued activism for women's rights.

CHAPTER FIVE - CONCLUSION

This research has investigated the connection between state-mosque relations and gender equity through the lens of a historical case study analysis of Tunisia's trajectory towards gender equity. Tunisia has been through different regime changes since independence and each regime denied the Islamic institutions full autonomy despite declaring Islam as the state's religion in the constitution. In support of my hypothesis, states' support and prioritization of Muslim/sharia law over federal law is a major contributor to gender inequity within the Middle East North African states. I found that the weaker the state-mosque relationship was in Tunisia, the stronger gender equity improved. A major instance where this was reflected is seen in the state government's refusal to address fundamentalist opposition to the creation of Tunisia's code of personal status.

One of the major hallmarks of my discovery while conducting this research is that ever since Tunisia attained independence, most of its leaders have fought to keep state control over the Islamic institutions. Presently, the constitution of Tunisia still outlines Islam as the religion of the state, but it seems like, the leaders that have governed Tunisia since its independence preferred to use religion as a cover to gain legitimacy from the fundamentalist populace than to grant Islamic institutions their autonomy. This began with the fervent Bourguiba revolution that was aimed to debilitate the powers religious institutions had gained under the French occupation and this separation of state from mosque has continued ever since.

A possible explanation for this would be that the French colonialists made use of the authority of the Islamic leaders to maintain the power structure they created by establishing an indirect rule system. In this system, the Islamic institutions held administrative and legal responsibilities under the supervision and directive of the colonialists. France also administered this system in Algeria, as well as other colonial rulers like Britain in Nigeria, Portuguese in Angola and Mozambique, the Dutch in the East Indies, etc. In this case, the end of French colonial rule could have been interpreted as the end of Islamic control by the people who may have grown to consider the French and Muslim leaders synonymous.

The case study analysis conducted in chapter four describes the continued opposition against most ruling regimes by the Islamic fundamentalists. Most advancements toward gender equity were followed by a backlash from the Islamic community. The most remarkable policy that launched Tunisia's trajectory towards gender equity, the Code of Personal Status, was widely criticized by some Islamic scholars (or Ulemas) for going outside the doctrines of the sharia law. It can be argued that their resistance stemmed from a dread that the CPS provision for women's rights meant a further loss of control of the personal/domestic lives of the people which had formerly been governed by Sharia law.

Another discovery of importance I observed is that the stronger gender reform policies were strengthened and promoted, the more Tunisia experienced growth in women's organizations and mass movements. As reflected in Table 3 (Women's Rights Organizations Post-independence), there was a noticeable increase in the number of

women-centered organizations in Ben Ali's administration than there was under Habib Bourguiba. An important point of connection to also note is that the growth of these organizations placed pressure on each regime to sponsor gender-equitable policies.

After the 2011 Tunisian revolution and the amendment of the constitution began, women's rights associations were instrumental in lobbying for changes to the language of the constitution which would work to progress gender equity in the state. Notable of these organizations are the Tunisian League of Human rights, the Tunisian Association of Women Democrats (ATFD), and the Tunisian Women's Association for Research and Development (AFTURD). This would imply that state governments need to focus on supporting and funding the growth of women's rights organizations to achieve gender equity. It is also not enough to support and fund them, there needs to be adequate space at the policy-making table for these organizations to air their opinions and contribute to decision-making in every state.

In my analysis, I also find that less authoritarian regimes breed stronger growth in women's rights in Tunisia. Despite Bourguiba's revolutionary Code of Personal Status, I argue that under his authoritarian rule there were still actions taken by his administration that could be considered detrimental to women's rights. One shining example of this was his anti-hijab crusade which advocated for the wearing of hijabs by females to be banned in public spaces, such as the classrooms and government workspaces (Boulby, 1988). His crusade negates the essential human rights to freedom, expression, and choice, without which gender equity cannot be accomplished. It seems Bourguiba's resolve against religious institutions was stronger than his goal for gender equity which he reflected in

the CPS. Perhaps Tunisia could have made greater accomplishments in gender equity in that era if Bourguiba had taken a more democratic than authoritarian stance when addressing religious issues.

Acceptance from the international community and support from other countries was also a motivator that fueled the advancement of gender equity in Tunisia. As Tunisia made instrumental improvements to gender equity policies, it received more recognition and support from countries that were also policy-driven toward gender equity. Countries like the United States, United Kingdom, and France, their former colonial power, were very vocal in their support and admiration for Tunisia. Currently, United Nations Women are working closely with the Tunisian government and citizens to continue prioritizing social justice and inclusivity in the state (UN Women, 2022).

One of the hopes of the 2011 Tunisian revolution was to bring in a revival of Islamic fundamentalism but the reverse was the case as Tunisia grew to be more secular than it was in previous regimes. At present, Tunisia is considered to be the most secular state in Middle East North Africa. Habib Bourguiba and Ben Ali had an authoritarian system of government that strongly resisted Islamic autonomy and with the 2011 revolution, Islamic fundamentalist parties perceived an avenue to fill the power vacuum but despite their efforts, they never fully had a representative that strengthened the state-mosque relationship or delegated authority to the Sharia law/courts.

As Raymond Carver rightly quoted, *“I’m always learning something. Learning never ends”*, I too believe that learning, unlearning, and relearning should be a principle

of life for all seeking knowledge and wisdom. With this principle in mind, I believe that further research and testing on the relationship between states and their religious institutions and how it affects gender equity in other states within MENA will be very beneficial. By testing this theory in other states, we will be able to reflect patterns in gender equity by observing when state-mosque relations are at the strongest and weakest times. Until we get to the goal of gender equity, it is important to keep digging beneath the surface of this subject matter and continually seek knowledge that will help create solutions and advance policy strategies to meet this objective.

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