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FORCED FEMINISM:
WOMEN, *HIJAB*, AND THE ONE-PARTY STATE IN POST-COLONIAL TUNISIA

by

JENNIFER COTTON

Under the Direction of Kathryn McClymond

ABSTRACT

By looking at the *hijab* in context in the political, social, and domestic spheres of Tunisia, one gains a clearer understanding of the *hijab*'s complexity and a clearer understanding of each of those spheres. Politically, the condemnation of the *hijab* reveals the tension between the dominant, secular party and the Islamist movement, and the political oppression still prevalent in Tunisia. Socially, the wearing of the *hijab* reveals the tension between Orientalist perceptions of the *hijab* and the desire of Muslim feminists to create an authentically Islamic meaning of the *hijab* compatible with feminist ideas. Domestically, the hijab reveals the tension that remains between localized structures of patriarchy and individual women's pursuit of liberation beyond emancipation and secularization. Despite the reforms established in the Personal Status Code and the secularization campaign by the government, they are not enough to completely alter negative domestic perceptions of women.

INDEX WORDS: Tunisia, Maghrib, Islam, Hijab, Feminism, Islamist, al-Nahdha

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Introduction

> At Constantinople, at Smyrna, through a veil of white or black gauze, it is occasionally possible to catch a glimpse of the face of some Muslim beauty. No matter how severe the laws may be, they seldom succeed in rendering that delicate tissue any more opaque. The veiled beauties are like graceful and coquettish nuns who, though they have consecrated themselves to the service of a single spouse, yet do not think it amiss to spare an occasional thought for the world.
>
> Sometimes the folds of the veil, with its white and blue check, which covers the head and shoulders, get slightly out of position, and the light, passing between it and the long mask which they call *borghbot*, gives us a glimpse of a charming brow over which the brown hair falls in closely bound ringlets, life those we have seen in busts of Cleopatra; or a tiny, well-shaped ear, from which clusters of golden sequins, or a jewel of turquoise and silver filigree dangle over cheeks and neck. It is then we feel impelled to as a question of the veiled Egyptian's eyes, and that is the moment of greatest danger.
>
> Gerard De Nerval
> *The Women of Cairo*[1]

The increased media attention devoted to countries like Afghanistan and Iran in the past several years has resulted in a renewed fascination in the West with the *hijab* and the status of Muslim women. Although *hijab* is more appropriately interpreted as "modest dress," it is typically used to refer to the headscarf some Muslim women wear, covering their hair and neck, but not their face. As recently as December 2001, *Time* magazine published a feature entitled

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[1] Gerard de Nerval, *The Women of Cairo: Scenes of Life in the Orient.* (New York: Harcourt, 1930), 1-3.

"Lifting the Veil" proclaiming, "Nowhere in the Muslim world are women treated as equals." [2] The article makes a feeble attempt to comment on modest dress, reporting, "coverings are technically optional" but adds, "Some women, including some feminists, wear them because they like them. They find that the veil liberates them from unwanted gazes and hassles from men."[3] Although some women do choose to wear the *hijab* to avoid negative attention from men, this single justification implies the only reason to choose this mode of dress is to escape from surrounding misogynistic attitudes. Unfortunately, this limited understanding of the *hijab* is prevalent in western media, reducing a varied and complex practice to a few authoritative sentences. Western feminists are often equally guilty. Kate Millet, a prominent American feminist and the author of *Sexual Politics*, has been criticized heavily for her book *Going to Iran*, where she documents her experience in Iran after the Iranian Revolution. Homa Hoodfar, a Canadian Muslim feminist points out that Millets' own account seems to suggest she went in order "to lecture her Iranian sisters on feminism and women's rights, as though her political ideas, life expectations, and experiences were universally applicable."[4] From a Western perspective, it is easy to view oneself as the liberator of "oppressed" Muslim women everywhere and encourage them to cast aside the veils that purportedly enslaved them. However, this attitude fully ignores the complexity of scholarship and experience within the religion, ignorantly turning a heterogeneous culture into a homogenous monolith.

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[2] Lisa Beyer, "The Women of Islam," *Time*, 3 December 2001, 50.

[3] Ibid, 50.

[4] Homa Hoodfar, "The Veil in Their Minds and on Our Heads: Veiling Practices and Muslim Women," in *Women, Gender, Religion: A Reader*, ed. Elizabeth A. Castelli (New York: Palgrave, 2001), 436.

The Muslim community is not homogenous, and attitudes toward modesty vary not only from country to country, but also from community to community. Conflicting opinions on modesty standards within a single country is especially apparent in Tunisia. Tunisia is a small country nestled between Algeria and Libya on the Mediterranean Sea. Together with Algeria and Morocco, the three countries comprise the region known as the Maghrib. Although Tunisia is located on the African continent, culturally it shares more in common with the Middle East than sub-Saharan Africa. The country's religious affiliation is 98% Muslim but Tunisian attitudes toward the *hijab* differ from other Arab countries.

Tunisian law prohibits the wearing of the *hijab* in public offices, public schools, and universities. Former president Habib Bourguiba passed this ban in 1981 and it has been upheld by his successor, President Ben 'Ali. As a part of a secular modernization movement following independence in the 1950's, the government's negative attitude toward the *hijab* attempted to show the West that Tunisia was committed to secularism and democracy. At the same time, attacking the *hijab* undermined tribal power structures supported by traditional practices. As the Islamist movement gained momentum during the 1980's, the government only hardened their stance on the *hijab*, considering it a physical manifestation of Islamist support. Although only an estimated ten to twenty percent of Tunisian women wear the *hijab*, the number is rising.[5] Yet it is dangerous to assume that intention of those donning the *hijab* has a universally Islamist meaning. To the Tunisian government, the *hijab* is an outward symbol of anti-secular and therefore anti-democratic sentiment. Similarly, to many Westerners, the *hijab* is an outward symbol of the oppressive and misogynistic nature of Islam. By looking at the *hijab* within the context of the

[5] "Out of the Shadows, Into the World- Arab Women," *The Economist*, 19 June 2004.

political, social, and domestic spheres in Tunisia however, a much more intricate picture of religious symbolism comes to light.

Although the *hijab* is traditionally seen in the West as a symbol for patriarchy, male oppression, and restriction, Mounira Charrad points out that at other times the *hijab* has been a symbol of "resistance, protests, empowerment, and entry into male space."[6] The ideological struggle over the meaning of the veil, especially in social and political struggles against Western influence, has invested the hijab with increased symbolic power. In Tunisia there are two types of veil, the *safsari,* a traditional white cloth that wraps around the body fully, and the *hijab.* Unlike the traditional *safsari,* the *hijab* was first worn in Tunis in the 1970s as the *hijab* emerged as an overtly political symbol in the Islamic world. Not coincidentally, this new form of veiling coincided with new trends in Islamic activism in Egypt and inspired by the Islamic Revolution in Iran. It covers the head and shoulders and is usually worn over a long robe. Women of varying socio-economic backgrounds who are seen working professionally, driving cars, or even jogging on the street wear the hijab. By contrast, women who wear the *safsari* are not seen doing these things, primarily due to the restrictive nature of the traditional body covering.

Despite the *hijab*'s liberative quality in contrast to the more restrictive traditional *safsari*, the Tunisian government sees the *hijab* strictly as a marker of Islamist identity. However, for individual Tunisian women, the *hijab* represents many different things. Some women do indeed wear the *hijab* as a mark of their Islamist identity. For others, it is a symbol of solidarity for the Muslim community and a rejection of Western culture. A Tunisian college student describes her

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[6] M. M. Charrad, "Cultural Diversity Within Islam: Veils and Laws in Tunisia." *Women in Muslim Societies: Diversity Within Unity*. Eds. Herbert L. Bodman, Nayereh Tohidi. (Boulder: Rienner, 1998), 67. Mounira Charrad is a professor of Anthropology at the University of Texas, Austin. She is currently one of the primary scholars of women in the Maghrib.

choice to wear the *hijab* as "dictated by my conviction that I belong to a great and beautiful civilization with deep roots and a set of norms. It is this set of norms I have adopted."[7] Some women use the *hijab* as protection in traditionally male space and use it as a sexual barrier than men are not allowed to cross. There are others who wear the *hijab* because of familial and societal restrictions. Still, there are others like Wassila Belaid Ben Hemda, Tunisia's only female Islamic Law professor, who choose not to wear the *hijab* at all.[8] Tunisian lawyer Saida al-Akrami defends the right of women to wear the *hijab*, saying, "As a human rights lawyer I believe this touches on women's freedom. I'm against forcing women to take off the *hijab* just as I would be against forcing women to wear it."[9]

Despite the many reasons Tunisian women wear the *hijab* aside from an Islamist identity, the government considers it inextricably linked to Islamism. As Al-Akrami notes the government's response has led to confusion over the legality of the *hijab* and erratic police enforcement. She says, "It's not clear that the ban is only in schools and public places and that's what's dangerous. It prevents people from dressing the way they want."[10] There is no real substitute to the *hijab* as a culturally conscious mode of dress. Although some women have begun to wear the *safsari* as an alternative to the hijab, for many women the *safsari's* physical limitations make it impossible to wear in a modern context.

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[7] Ibid., 67.
[8] Martin Gohn, "Struggling to Hold the Middle Ground Tunisian Professor Resists Pressures From Both Feminists and Fundamentalists," *Toronto Star*, 13 August 1995, in *LexisNexis* [database on-line], accessed April 4, 2006.
[9] Roula Khalaf, "Resentful of Repression, Tunisians Turn to Islam," *The Financial Times: London*, April 2004, in *LexisNexis* [database on-line], accessed April 4, 2006.
[10] Ibid.

Tunisia's current attitudes toward women have been heavily influenced by its history. Although the countries of the Maghrib shared a similar cultural and religious background, Tunisia's pre-colonial and colonial situation shaped its future in a very different way than Algeria or Morocco. Those in the independence movement attempted to undermine the power of the tribes and religious institutions that dominated the socio-political sphere in the pre-colonial period with a move toward secularism. The power struggle resulted in a dramatic movement by the state to liberate women, even in the absence of a strong national feminist movement.

Women, Family, and the *Hijab* Prior to Independence

Tunisia shared socio-political structures with its Maghribi neighbors, Morocco and Algeria in the pre-colonial period. The "kin grouping" of the tribe was the primary form of socio-political hierarchy during this time, and attitudes toward women were shaped by Islamic family law. The law was derived from four sources, the Qur'an, the *Sunna* of the prophet as described in the *hadith*, the *qiyas* (analogy), and *ijima* (consensus of the *umma*, or Islamic community), each decreasing in authority. Family law generally was derived from the first two sources, but ambiguity in the sources themselves and an absence of a Sunni clergy allowed different interpretations of the law to develop in different areas. This was manifested in the different law schools of Islam, with the *Maliki* school predominating in the Maghrib.

The family law in the Maghrib during the pre-colonial period embodied certain precepts shared among the countries, all supporting the basic kin grouping in Maghribi society. For example, there was no minimum age for marriage, although the consummation could not take place before the onset of puberty. According to the Maliki school, the bride did not need consent to the marriage or be present for the marriage contract. Her father or other male guardian could

do this on her behalf (*jabr)*. The husband was required to care for his wife and children and in return served as the head of the household and obtained the transfer of legal control of his wife from his father-in-law. A husband could divorce his wife by saying "I repudiate thee" three times, a couple could negotiate divorce, or a religious judge (*qadi*) could dissolve the marriage contract. However, unlike other schools, the *Maliki* school offered more leeway in granting a woman a divorce. Under *Maliki* law and Maghribi custom, the man must give a "bride price" to the bride, who retained financial control of it giving her some financial security and sometimes served as a deterrent for divorce. Sons became custody of the father at puberty, but daughters could remain with their mothers in the event of divorce. Husband and wife maintained separate control of their own property and financial assets. In the *Maliki* system, the husband could only intervene in his wife's management of her wealth if she tried to give more than one-third of it to someone other than a family member. Each of these tenets upheld the traditional kin grouping. Men were the sole units of the kin-group and upheld the kin group through the patrilineal descent of their offspring. Women and their relatives were treated as guests of the kin group, but not as family.[11]

According to Mounira Charrad, Maghribi attitudes toward the covering of women were also shaped heavily by the kin-group. In order to maintain the kin-group, families controlled marriages by separating women from society through walls and veils. Women wore a traditional white cloth called the *safsari*, which covered the hair and body, and was held together with the woman's hands or teeth. In addition, "family reputation depends on the virginity of daughters and sisters, the fidelity of wives, and the continence of widowed and divorced daughters or

[11] M. M. Charrad, *States and Women's Rights: the Making of Postcolonial Tunisia, Algeria, and Morocco*, (Berkley: University of California, 2001), 54.

sisters. Accordingly, norms of chastity and modesty apply to women's behavior in public."[12] The veil was used as a public way of separating women to keep them within the family and to maintain the family's reputation. In tribal areas there was little danger of a woman encountering a non-kinsman, but in villages, towns, and cities, there was an increased need for a covering to insure that women remained within the realm of modesty. However, unlike Morocco and Algeria, these attitudes did not maintain their hold in Tunisia as it moved toward independence.

Differences between Tunisia and Other Maghribi Countries:

Centralized State Control

There were two key differences between Tunisia and the rest of the Maghrib that shaped Tunisian attitudes toward women beginning in the colonial period. One primary difference was the existence of centralized state structures and control that formed under the Ottoman Bey (governor) and grew during French colonial rule. Unlike in Algeria and Morocco, the French were faced with weaker tribal organizations and a centralized administration already in place.

The Bardo Treaty was signed on May 12, 1881, reducing the Bey to a figurehead and investing the French with control of the army and external relations. Tunisia became an official French protectorate on June 8, 1883, with the signing of the La Marsa convention.[13] In return, the Bey relinquished all sovereignty and the Resident General executed all reforms. The French restructured the *quiyada* (administrative units) based on geography rather than kinship and set up a bifurcated court system, divided between the *shari'a* court and the *wizara* court. The *shari'a* court continued to rule on matters of personal status and property involving Tunisians and the

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[12] Ibid., 62.

[13] The French guaranteed Tunisia's repayment of debt with the La Marsa convention and rendered the International Finance Commission, a commission assuring Britain and Italy that Tunisia would pay off its massive foreign debt, irrelevant.

wizara court ruled on criminal and civil cases. From 1906-1916, Tunisian and French officials created a French code of contracts, a penal code, and a code of civil procedures.

One result of French presence in Tunisia was the development of the Tunisian bourgeoisie, which began undermine tribal significance. “Franco-Arab” schools were created, and in 1900 the first elementary school with a modified curriculum for Muslim girls was instituted. Although these schools were not widely attended, the exposure of wealthier Tunisian youth to Western ideas and higher education lead to increased exposure to modern Islamic thought. Mohammed ‘Abduh, a famous Islamic reformer of the time visited Tunisia in 1885 and 1903 and a Salafi paper called *al-Hadira* was created, calling for social reform. Although individuals continued to identify with the family group as a source of support and strength, they also began to increasingly identify with class or occupation as social battles arose against the French. The emerging middle class, not the tribes, created a world that gave birth to the nationalist movement. The development of a Tunisian bourgeoisie that operated outside of the traditional kin-based structures helped to create a future support base for the second difference between Tunisia and the rest of the Maghrib: a nationalist struggle without tribal support.

Nationalist Struggle Without Tribal Support

French action during the inter-war period was the final catalyst for widespread dissent against French control. World War I was a time of relative prosperity for Tunisians. The economy flourished as the French left for military service, boosting Tunisian employment rates and opening land previously occupied by French settlers for sale. However, when the war ended and the French returned for their land jobs, the economy began to deteriorate. To compensate for France’s losses in the war, there was an increase in taxes for Tunisians, a bonus for French

officials taking Tunisian jobs, and an increased demand for agricultural exports to France in order to replace the French agricultural sources destroyed in the war. The combination of the economic downturn and the burden the French began to place on Tunisia encouraged a rebirth of pre-war activism.

The Dustur (or constitution) party was created in response to the French oppression. The party was primarily composed of well-respected professionals who were affected by the new policies of the French protectorate. However, the Dustur party did not remain unified. Frustrated by what he perceived to be too much social conciliation by the Dustur party, Tahar Haddad's *Our Women in Islamic Law and Society* (1930) advocated greater rights for women and criticized the Dustur party. The book condemned the disenfranchisement of women, their limited educational opportunities, their seclusion (including veiling), the practice of repudiation, and inheritance laws. However, there was tremendous backlash against Haddad. Mohamed Salah Ben Mrad claimed that Haddad's work was merely "a mirror of the West."[14] Undaunted by these criticisms, however, young Tunisians began to follow Haddad's lead and eventually formed their own Neo-Dustur party. The Neo-Dusturists included a young Habib Bourguiba who would eventually become Tunisia's first president years later, Despite their personal distaste for the *hijab*, these new dissidents maintained their support for it as a response to French encouragement to dress in a European manner.

By May 1950, an increasingly volatile political atmosphere seized Tunisia and the Neo-Dustur party demanded all governmental power be given to Tunisians, but France insisted

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[14] Arfaoui, Khedija. "The Development of the Feminist Movement in Tunisia: 1920s-2000s." Sixth Mediterranean Social and Political Research Meeting. Robert Schumann Center for Advanced Studies, Montecatini Terme, (16-20 March 2005), 14.

settlers have a key role in political processes. This decision caused rioting, and gangs of disgruntled, unemployed men (called *fellagha*) began to prowl the South and West portions of the country. By 1954, the *fellagha* militiamen numbered several thousand, engaging the French military forces all over the country, and forcing France to finally grant Tunisia internal autonomy. When France terminated the protectorate in Morocco in March of 1956 in order to focus on the uprising in Algeria, Bourguiba demanded the same, and France relented. As Bourguiba's connections to the urban bourgeois elites of the Neo-Dusturist Party indicates, support for the nationalist movement was centered in the cities rather than in the tribal areas. Thus, after Tunisian independence, "the balance of forces was favorable to those elements of the national leadership that were most interested in reducing the political weight of social groups attached to kin-based solidarities."[15]

Changing Attitudes Toward Women in the Post-Colonial Period

According to Charrad, "the nationalist struggle in Tunisia culminated in the formation of a national state that was largely autonomous from the support of tribal areas."[16] This autonomy "permitted major reforms of family law with the resulting expansion in women's rights in the aftermath of independence."[17] The beginnings of the independent Tunisian state placed all legislative and executive powers in the hands of the elected president, Habib Bourguiba. Bourguiba used this power to generate important social reforms. First, the government confiscated the power of the Habus Council, which controlled land set aside for mosques and Qu'ranic schools, essentially bringing religious education and charitable institutions under state

[15] Charrad, *States and Women's Rights*, 22.
[16] Ibid., 201.
[17] Ibid.

control. As the state legislature absorbed the *shari'a* courts, which had been previously separated from the civil courts during the colonial period, the way was paved for the introduction of the Personal Status Code.

The Personal Status Code granted women rights regarding divorce proceedings, approval of arranged marriages, child custody, and inheritance, while outlawing polygyny and instituting a minimum age for marriage. Bourguiba portrayed these changes as a modernizing reinterpretation of the Qu'ran through *ijtihad* (interpretation), rather than an abandonment of religion. As Bourguiba stated, he wanted freedom for women but, "without breaking anything, without renouncing to our traditions." He goes on to note, "I gave women the means to change, but I didn't force them."[18] Thus as Arfaoui is quick to point out, the Code of Personal Status did not come about through a grassroots feminist movement but "on a tray."[19] Instead of a national struggle for women's rights, President Bourguiba granted these rights as a part of a modernization package, but a package that came with a political price.

In 1956, Bourguiba merged the three main feminist movements into a single one called *the National Union of Tunisian Women (UNFT)*, born from Bourguiba's Neo-Dustur party. The UNFT, as Arfaoui describes, was and still is a mirror of the governmental regime and its feminist policy. The UNFT and other Maghribi women's organizations were used to show the Western world that Tunisia was a progressive state, despite Tunisian Feminist Ilhem Marzouki's argument that the women "[were] just being used for aims that are in contradiction with their own interests and those of their female citizens."[20] Arfaoui notes the UNFT's inseparability from

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[18] Arfaoui, "The Development of the Feminist Movement in Tunisia," 15.
[19] Ibid, 16.
[20] Ibid, 18.

the Neo-Dustur party was a reflection of its true objective, "not to help them become autonomous but, on the contrary, to make them remain assisted." As Radhia Haddad, the first president of the UNFT, tellingly stated in 1971, "Our strength is first in the President's support…the Party and men's support as a whole. We would have been powerless without their understanding."[21]

According to Charrad, the push for women's rights during the independence period in the absence of a grassroots feminist movement was a result of the Neo-Dustur Party's desire to strike a pro-Western stance and undermine the tribes as a source of political power. The new family law was only possible because the tribal political power was so weak. In addition, by pushing modernizing reforms, the Neo-Dustur Party challenged the source of their rival, conservative party's backing, the religious institutions and the tribal leaders.

The New Feminist Movement: 1970-2000

In the late 1970's some women began to move away from the party-controlled UNFT, taking the first tentative steps towards a grassroots feminist movement. Women had begun to meet outside of the UNFT at the Tahar Haddad Club. This group was not composed of the typically middle class women of the UNFT, but young female scholars who were looking for a place to discuss the discrimination they still felt. Khedija Arfaoui argues May 7, 1977, the day autonomous organization Tunisian League for the Defense of Human Rights obtained its legal status was the turning point for the feminist movement. This group paved the way for the foundation of two autonomous feminist organizations in 1989, Association of Tunisian Women for Research and Development (AFTURD) and the Tunisian Association of Democratic Women

[21] Ibid.

(ATFD). These two groups focus on issues such as gender-discrimination and domestic violence. AFTURD projects include publication of books, booklets, and guides to inform women of their rights in marriage, divorce, and even single parenthood.

Soukeina Bouraoui, director of The Center of Arab Women for Training and Research (CAWTAR), warns, "Women's gains will remain if they are defended not only by the State but by a strong and autonomous grass-roots movement."[22] Bouraoui emphasizes that a strong state needs a strong civil society, despite the current view that "grass-roots organizations are either ignored or held in suspicion, and, every now and then prevented from working."[23] Arfaoui points to the ideas of Sana Ben Achour, a legal expert and member of AFTURD and ATFD, who notes that despite the gains from Bourguiba's implementation of the Code of Personal Status, the "women's question became a hostage to the political."[24] Therefore, to Arfaoui and other Tunisian feminists, the maintenance of autonomous women's organizations separate from the political arena is an issue of paramount importance.

The absence of a strong feminist movement in Tunisia's secular, post-colonial state allowed the goals of UNFT to be co-opted and undermined by state. As the nation was forming, there was not a strong organization to represent women's rights for the sake of women's rights, only a state controlled organization whose agenda was primarily to undermine tribal power and rapidly westernize. As a result, nuanced women's issues were oversimplified and subordinated to the demands of the state agenda. The issue of the *hijab* in Tunisia is a telling example of the oversimplification of women's issues. President Bourguiba dismissed the *hijab* as a mere

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[22] Ibid., 34.
[23] Ibid.
[24] Ibid., 35.

"dishrag," a symbol of backward thinking and tribal power. When the rise of Islamism began in the 1980's, the *hijab* once more became an element of the state agenda. The wearing of the *hijab* was declared a symbol of Islamist identity and was prohibited in government offices and universities.

The *hijab* possesses meaning beyond simply identification with Islamism. By looking at the *hijab*, three separate spheres come to view in Tunisia: the political, the social, and the domestic. In each of these spheres, the wearer of the *hijab* makes a different political or social statement by donning the *hijab*. Looking at the role the *hijab* plays in each of these spheres gives greater insight into the complexity of the *hijab* itself and the complexity of modern attitudes toward women in Tunisia.

Three Separate Spheres in Tunisia

The Political Sphere: Secularists vs. Islamists[25]

In Tunisia's modern political discourse, the wearing of the *hijab* separates those who support an Islamist government from those who support a secular democracy. Yet in actuality, the line between the two factions is not so clear, and choosing to wear the *hijab* as a political statement doesn't necessarily contradict one's support for democracy. In order to understand the *hijab's* role in Tunisia's political sphere, one must first understand the political and ideological battle between the secularists and the Islamists. Unfortunately the scholarship on the Islamist movement in Tunisia is inconsistent, and the version typically presented by the government often contradicts both factual data and information gathered from Rashid Ghannouchi (the primary

[25] Islamism is a distinctly political formation of Islam often rooted in Salafi doctrine as an oppositional discourse to Western colonialism.

leader of the Tunisian Islamist movement).[26] The following introduction to the Islamist movement attempts to reconcile conflicting information and elucidate the role of the *hijab* within the political sphere.

In 1964, the Neo-Dustur party changed its name to the Dustur Socialist Party, reflecting Tunisia's change in economic policy to socialism, embodied in Bourguiba's Ten Year Plan. However, the Plan essentially failed and the economy faltered. Even a jumpstart of foreign investment and aid in the more liberal Five Year Plan did little good due to a continuing population shift from countryside to cities, a still uncontrolled population increase, and an increased number of women in the workforce. Tunisia's unemployment rate by the mid-1970s was almost 50 percent for young men between 15 and 25. Wealthy capitalists who had considerable influence in the PSD benefited most from the limited prosperity under the Five Year Plan.

As a result, discontent grew and the secular labor party UGTT gained popularity, making it the only party strong enough to confront the PSD. However, the UGTT's popularity worried Islamic groups who did not want to abandon the political arena to strictly secular organizations. The Mouvement de la Tendance Islamique (MTI) party was formed in the late 1970's as a response to the rise in power of the secular labor movement. Led by Rashid Ghannoushi and 'Adb al-Fattah Mourou, the MTI "reiterated the earlier Islamic organizations' calls for individuals to embrace the moral and ethical values of the religion in the their personal lives" and demanded "that the government reverse its ruinous economic policies and craft a more

[26]Azzam Tamimi, *Rachid Ghannouchi: A Democrat Within Islamism* (New York: Oxford, 2001). Information in this biography of Ghannouchi by Tamimi has been gathered primarily through Ghannouchi's published works and interviews between Tamimi and Ghannouchi in the 1990's, nearly 10 years after the height of the Islamist movement.

representational political structure."[27] In 1981, the leaders of the party were arrested "on charges of defaming the 'president for life,'" weakening the movement prior to the 1981 elections.[28] The movement had gained so much popularity, however, that many parliamentary candidates linked to the MTI were chosen as representatives, and yet the Tunisian government still refused to grant the MTI status as a political party.

Tensions escalated in January of 1984 when IMF and World Bank regulations required a removal of grain subsidies, doubling the price of bread and semolina, and caused large-scale demonstrations. After a two-year period of continuing economic hardship, the MTI sought a national referendum on the Personal Status Code in 1985, arguing that allowing women to take jobs that should be reserved for men was hurting the economy. In addition, they promoted "limitations of contacts between the sexes and revival of traditional forms of dress as a manifestation of the rejection of foreign influence."[29] Ghannoushi claims in his interview with Azzam S. Tamimi, this attitude was rejected by the movement in 1989, and replaced by an acknowledgement of the Personal Status Code as "a sound framework for organizing the affairs of the family."[30] This seemingly innocuous statement contradicts the typical portrayal of the MTI as anti-feminist, rigidly opposing the Personal Status Code and rights for women.

In attempts to appease the growing Islamist party in 1989, President Ben 'Ali (who had replaced Bourguiba in 1988) instituted the National Pact, affirming Tunisia's Arab and Muslim history, but with it linked a continuing support of the Personal Status Code. In response, the MTI renamed itself Hizb al-Nahdha (The Renaissance Party) and applied for official political party

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[27] Kenneth Perkins, *A History of Modern Tunisia.* (Cambridge: Cambridge, 2004), 166.
[28] Ibid., 168.
[29] Ibid., 172.
[30] Ibid.

status. However, Ben 'Ali refused to legalize al-Nahdha, though the party pledged to accept the rules of competitive democracy. Despite demands from the opposition for proportional legislative elections, the 1989 electoral code maintained the old majority list system, which had prevented smaller parties from participating in the 1981 elections. Those rules, combined with restrictions on media access, allowed Ben 'Ali's RCD party to win every seat in the April 1989 elections.

By 1991, radical elements of the Islamist party were arrested on charges of planning terrorist attacks and threatening to assassinate Ben ‘Ali. In 1992, 279 members of al-Nahdha stood trial and reports of gross human rights violations, including torture were reported. To counterbalance those oppressive actions, Ben ‘Ali introduced a new electoral law before the 1994 elections adding nineteen seats to the assembly and reserving them for candidates of opposition parties. Yet Ben Ali was the only presidential candidate in 1994 (winning 99.9% of the votes cast) and the RCD won all 144 non-reserved seats.

In light of the events surrounding the rise of al-Nahdha, the state position of the *hijab* as a symbol of anti-democratic and anti-feminist sentiment is unclear. On the one hand, there was a clear political battle between the parties of President Bourguiba and President Ben ‘Ali and al-Nahdha, yet the actions of the NSD and the RCD are questionably undemocratic. Upon looking more closely at the al-Nahdha’s political motivations, it appears that the state’s condemnation of the *hijab* is a reflection of the state’s larger condemnation of non-party criticism and opposition. Ghannouchi asserts,

> The conflict is not a religious one. Nor is it even a conflict between religion and the Western concept of secularism. It is a political conflict between the oppressor and the oppressed, between a people that has been struggling for its freedom and

> dignity, for power sharing as well as resource-sharing, and an absolute corrupt ruler who has turned the state into a tool of oppression.[31]

Ghannouchi claims that Islamism is not only compatible with democracy, but also a more democratic system than the secularism proposed by Bourguiba. Under Bourguiba and Ben 'Ali, Ghannouchi argues that the secularist state operates as a theocracy where "mosques are considered to be the property of the state and their *imams* fully accountable to its authority."[32] He contrasts this with the democratic system of interpretation of Islamic law within the *ulama* (Islamic scholars). According to Ghannouchi, the *ulama* should make decisions on legal or theological issues based on four sources: the Qur'an, the *Sunna* of the prophet as described in the *hadith*, the *qiyas* (analogy), and *ijima* (consensus of the *umma),* each decreasing in legal authority. Unlike the Christian clergy, the *ulama*'s decisions are ultimately up to the people to accept or reject, potentially through the parliamentary legislative process, although in Islamic history there have been differing legal codes that have been adopted by different people. [33] In addition, if a Muslim community is in the minority of a country, the community should work towards a "secular democratic government that will respect human rights, ensuring security and freedom of expression and belief" rather than push to create an Islamic state.[34]

Although there are questionable aspects of Ghannouchi's philosophy, such as the role of the *dhimmi* (non-Muslims) in a Muslim state, he is not the only critic of Tunisian "democracy." Many NGOs, such as Amnesty International, regularly criticize Tunisia's human rights abuses, especially against members of the Islamist movement, and many others criticize the

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[31] Ibid., 119.
[32] Ibid., 122, 123.
[33] Ibid., 138.
[34] Ibid.

manipulation of elections and lack of a free press. As scholar Jillian Schwedler points out, "The real question is not whether Islamists pose a threat, but what political agendas are served by continuing to paint Islamists as a monolithic, antidemocratic mob." [35] Ghannouchi's particular style of Islamism is a style that even some modern Muslim feminists support. Anouar Majid, a Muslim feminist argues herself that a religiously sterilized democracy is not the best path for Islamic developing states to take. Majid does not deny that a primary goal should still be to broaden political freedom but warns against regarding enfranchisement as the answer to the political and social problems facing developing countries in the Middle East. She argues that making enfranchisement and human rights legitimate in the state using a strictly secular system will mean that Arab states will continue to find complications with adhering to the 1948 Universal Declaration of Human Rights (UDHR) unless it is placed in the context of Islam and the *Shari'a.*

Instead, Majid supports an "Islamically progressive agenda- democratic, anti-patriarchal, and anti-imperialist" allowing Islam to be redefined without abandoning the basic tenets it was founded on, while at the same time rejecting what she considers to be the socially destructive capitalistic structures that piggyback on Western "secular democracy." Majid admonishes Western "promotion" of human rights in the Third World, calling it simply "a strategy whose final aim is to stabilize political entities to facilitate the free circulation of goods and services."[36]

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[35]Jillian Schwedler, "A Paradox of Democracy? Islamist Participation in Elections", *Middle East Report.* (Winter, 1998), in *JStor* [database on-line], GALILEO; accessed April 4, 2006.

[36] Anouar Majid, "The Politics of Feminism in Islam," *Signs* 23, no. 2 (Winter, 1998), in *JStor* [database on-line], GALILEO; accessed October 5, 2005. 325.

The Tunisian government made the *hijab* a symbol of the religious oppression and social backwardness in the Islamist movement and condemns al-Nahdha as a religious movement of fanatics rather than a socio-political movement. As a socio-political movement for greater democratic representation, the MTI would have arguably benefited from the existence of an independent Tunisian Muslim feminist movement. If Ghannouchi's attitudes toward women were truly realized in the political and social spheres, a Muslim feminist movement would have probably supported al-Nahdha's political goals. As the following section on the social sphere in Tunisia discusses, there are Muslim feminists who argue that Islam is not only compatible with democracy, but feminism as well, even in such practices as wearing the *hijab*.

(2) The Social Sphere: Muslim Culture vs. Orientalism

In addition to the *hijab*'s significant role in the political sphere, the *hijab* is also visual symbol of cultural commentary in the social sphere. Unlike the political sphere where the *hijab* is a politically charged symbol, within the social sphere of ordinary women and academics, a separate conversation is taking place. These women are struggling to liberate the *hijab* from the political binary between the Islamists and the secular government. Within this sphere there is an authentic, truly Islamic (not Islamist) meaning of the *hijab* unencumbered by Orientalist perceptions of the *hijab* and the present dynamics in Tunisian and global politics. Looking at this second layer of discussion about the *hijab* is arguably more complicated than the political sphere because of the differences within feminisms in the Middle East and the preconceptions regarding women in Islam often held by the West.

One of the complicating factors in the social sphere is the difference between Islamist feminists and Muslim feminists, especially regarding the *hijab*. Azza M. Karam points out an

important distinction between Islamist and Muslim feminism. Although both argue for the use of *ijtihad* (interpretation), the method of interpretation and how the interpretation is applied differs. According to Karam, "Both these sets of feminists are arguing against existing patriarchal religious formations/hierarchies, and the implications of their interpretations on gender, and both use very similar 'tools' of analysis and argumentation."[37] However, Muslim feminists like Leila Ahmed and Amina Wadud interpret Qur'anic mandates in their socio-historical context, challenging traditionally male religious power. By looking at what the Qur'an and *Hadith* say as well as why historically it might have be said. For example, Wadud, a prominent Muslim feminist known for her extensive analysis of the Qur'an, mentions in the introduction to her book *Qur'an and Women: Reading the Sacred Text from a Woman's Perspective* that her hermeneutical model specifically takes into account context, grammatical composition, and the whole text itself.[38]

The *hijab* is one manifestation of the differences between Islamist feminist and Muslim feminists. Muslim feminists often argue that wearing the *hijab* or other outward manifestations of modest dress should be a matter of choice, whereas Islamist feminists typically assert the *hijab* is a religious obligation. Karam argues that for an Islamist feminist, the veil is "not only a symbol of national identity, but a holy sanctioned and acceptable means by which to broaden and further their political, social and cultural space."[39] Therefore, unlike Muslim feminists, the wearing of the veil for Islamist feminists is not optional, but obligatory.

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[37] Azza M. Karam, *Women, Islamisms, and the State: Contemporary Feminisms in Egypt* (New York: St. Martin's, 1998), 12.
[38] Amina Wadud, *Qur'an And Woman: Rereading the Sacred Text From A Woman's Perspective* (New York: Oxford, 1999) 3.
[39] Azza M. Karam, *Women, Islamisms, and the State*, 12.

Muslim feminists' focus on rereading through contextualization creates an interesting picture of Islam contrary to the picture often portrayed in Western society. In order to understand how the *hijab*, often perceived to be inherently anti-feminist can often be seen as not only anti-feminist but pro-feminist, it is important to understand the rereading many Muslim feminists make. Leila Ahmed's *Women and Gender in Islam* is one such look at the development of Islam itself and the development of Western perspectives of Islam through history.

Ahmed agrees that when one looks at the attitudes and actions toward women during the middle period of Islam, it is hard to argue that it did anything but "combine the worst features of a Mediterranean and Middle Eastern misogyny with an Islam interpreted in the most negative way possible for women."[40] However, to Ahmed, it is important to separate the ideal established by the religion itself and the practice that develops out of the social context in which that religion is practiced. Ahmed argues that Islam's early ideals and essential religious tenets can be distinguished by looking at the religious text itself, the Qu'ran, and at the actions of Muhammad and the early Muslim community.

The Qu'ran, as Ahmed argues, promotes equality for women in a way that was very unusual in the 6th century. Verses in the Qu'ran such as 35:35, "For all men and women who are devoted to God…" emphasize that in the eyes of God, men and women are equal. The same Sura gives other instructions to believers that imply a respect for women that would be uncommon in the time period, such as making provisions for divorced wives and requiring them to be released in an honorable way. Other portions of the Qu'ran, which are used by some to point out the oppression of women in Islam, can also be interpreted to be supportive of women when read in

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[40] Leila Ahmed, *Women and Gender in Islam* (New Haven: Yale, 1992), 128.

context. For example, the Qu'ran instructs that a man may only take another wife if he can be equally just with all of his wives. However, this can be interpreted as going against the pre-Islamic custom of polygamy because it would be nearly impossible to treat all wives equally.

Fadwa El Guindi, another Muslim feminist, also mentions the verses in the Qur'an that directly refer to the covering of women in the following *Sura*s in the *Qur'an – al-Nur*:

> The believing men are enjoined to lower their gaze and conceal their genitals [30] and the believing women are enjoined to lower their gaze and conceal their genitals, draw their *khimar* to cover their cleavage [breasts], and not display their beauty, except that which has to be revealed, except to their husbands, their fathers, their husband's fathers, their sons, their husband's sons, their brothers or their brother's sons, or their sister's sons, or their women, or the slaves, or eunuchs or children under age; and they should not strike their feet to draw attention to their hidden beauty. O believers turn to God, that you may attain bliss. (*Qur'an* 24: 30, 31)[41]
>
> O Prophet tell your wives, daughters and believing women to put on their *jilbabs* [long loose shirtdress] so they are recognized and thus not harmed. (33:59)

El Guindi points out that neither these *Sura*s nor others refer to face veiling, and she proposes that the intent of the *Sura*s are to "mark group identity (the community of believers), to achieve social distance for the Prophet's Wives, and to project an image of respect to avert harassment" (139). She points out four themes in the *Hadith* regarding the issue of bodily dress: (1) bodily modesty which pertains mostly to men in worship, (2) averting distraction in worship, (3) moderation in daily life, (4) distinguishing the identity of the Muslim through aversion to certain forms of dress (hair, color, etc.). In El Guindi's themes the *hijab* as a suppressor of women is conspicuously absent.

Muslim feminist writers, such as Leila Ahmed, also assert the treatment of women in the early Muslim community was very different from the social customs that developed in the later

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[41] Fadwa El Guindi, *Veil: Modesty, Privacy and Resistance* (New York: Berg, 1999), 135.

period. She argues that in the time of the Prophet, women attended Mosque, participated in religious services on feast days, and listened to Muhammad's religions discussions. When the women complained that the men were becoming more advanced in Muhammad's teachings (presumably because the women spent more time managing the home), Muhammad set aside time especially to teach the women. Muhammad also defied Arabian social norms by marrying almost all non-virgins (widows or divorced women). In addition, Muhammad's wives were portrayed as strong characters in the early community. 'Aisha in particular had 2, 210 *hadith* attributed to her, and even in the most stringent collections regarding authenticity, she still has approximately 300 attributed *hadith*. She even led men into battle against 'Ali in the Battle of the Camel.[42] After Muhammad's death, she was also consulted by the Muslim community on the practices of Muhammad, and according to Ahmed, settled points of conduct and even of law. The *hadith* themselves show a strong female representation, especially considering the lack of female representation in most of the modern dominant religions.[43]

The Qu'ran and the Muslim community at the time of the Prophet were not only tolerant toward women in Ahmed's view, but were far more liberal in their attitude toward women than other cultures and religions at the same time. However, it is important to note that this attitude toward women did not remain. The patriarchal society that dominated in nearly all cultures after the 6th Century, including Arabia, moved further and further away from the teachings of the Qu'ran and Muhammad as it became more beneficial for the men in power to interpret Islam in a way that would support their power. According to Fatima Mernissi, "Since all power, from the seventh century on, was only legitimized by religion, political forces and economic interests

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[43] Ahmed, *Women and Gender in Islam*, 73.

pushed for the fabrication of false traditions."[44] By the early 19th Century, urban women in places like Cairo encountered by men such as Gerard de Nerval, were covered completely in a *burqa* that left no more than a very small portion of their eyes exposed as they walked through the streets. Yet, modernization in Arab countries like Egypt had begun by the middle of the 19th Century and very radical social changes began to take place, changing the social sphere of women in a way that was comparable to the West. For example, in the 1870's a textbook was published entitled "A Guide for Girls and Boys" which emphasized in its section on female education that it would "allow women to take up occupations that men take up, to the limit of their strength and ability," and goes on to state that in matters of intellect, that women are no less than men.[45] Muslim feminists often argue that through *ijtihad*, Islam is not only compatible with feminism, but also the actions of Muhammad in the early Muslim community support the equality of women in a way unlike other cultures at the time.

The understanding of the social sphere in Tunisia is also complicated by preconceptions of Islam and the *hijab* by many in the West. The modern Western perception of Islam often contradicts the image of Islam as compatible with feminism and democracy. The wearing of the *hijab* by women in an Arab country often signifies in Western discourse that the country itself is undemocratic and inherently oppressive. The "veil" has become a nearly universal image of subjugation, particularly in the Western media. Ahmed contends that it was the 19th Century colonial interpretation of Islam rather than the actual religion itself that influences the modern Westerner's idea of Islam and women. The colonialists embraced an Orientalist approach, an

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[44] Fatima Mernissi, *The Veil and the Male Elite: A Feminist Interpretation of Women's Rights in Islam*, trans. Mary Jo Lakeland (Reading: Addison-Wesley, 1991), 9.
[45] Ahmed, *Women and Gender in Islam*, 136.

idea championed by Edward Said in the 1970's based on the idea of Muslim culture as being "the other." Whatever is "good and right" is Western culture in opposition to everything in Muslim culture being "wrong." Therefore, it is not the reality of Islamic culture that creates the idea of an inherently oppressive Islamic culture, but rather that Islamic culture is simply not Western culture. It is for this reason that "feminist" discourse critiquing Islam during the 19th century is not actually feminist discourse at all, but rather a colonialist tool for the propagation of Western culture. This is evident when one compares the Orientalist critique of Muslim society at this time to Western feminism, as Leila Ahmed does. She points out that Western feminism "engages critically and constructively within [it's own] heritage in it's own terms."[46] However, the Orientalist engages as an outsider and inherently links the improvement of the status of women with the abandonment of non-Western customs. Feminism is used to legitimize the attack on Islamic culture as a means of control, rather than a means of liberation. This is especially true in light of Lord Cromer's support of "feminism" in Egypt, while maintaining active membership in the "Men's League for Opposing Women's Suffrage" in England.[47] According to Ahmed, veiling was used primarily as a symbol of how Islam "oppresses" women, and yet it was seen as such because it does not fit the ideal of the Victorian woman, whose constricted mode of dress is seen by modern women as being equally oppressive.

Although the issue of women in the social sphere is complicated by differences within feminisms in the Middle East and the preconceptions regarding women in Islam often held by the West, it is still a legitimate way of interpreting the *hijab* that cannot be ignored in favor of more simple political discussion. It is important to understand those complications in order to

[46] Ibid., 128.
[47] Ibid., 153.

understand why women chose to wear the *hijab* as a method of cultural commentary. Although their justifications for wearing the *hijab* may differ, both Islamist and Muslim feminists have chosen a powerful symbol to use as a weapon against perceived Western cultural imperialism. Colonialists used the *hijab* to justify the promotion of cultural assimilation; therefore it is only fitting that women rejecting colonial social norms would reclaim the *hijab* as a symbol of Muslim cultural solidarity.

Fadwa El Guindi offers insight into the wearing of *hijab* as a unique element to Muslim culture through the idea of sacred space. For Muslims, public space can be converted into sacred space simply by marking the area (usually with a mat or carpet), being ritually pure while in the space, and facing Mecca to pray. This ritual repeated five times each day creates a distinctively Islamic idea of fluid sacred space. El Guindi, along with others, questions the typical polarization of rigid public/private separations that the debates on Muslim women's status usually assume. She argues that the rigid public/private spheres are more characteristic of Northern European societies than Muslim society. El Guindi asserts, "This polarity is too rigid and static to apply particularly to Arab and Islamic space, which is characterized by the spatial and temporal interweaving pattern- the moving between sacred space and time and ordinary worldly space and time throughout the day, every day."[48] El Guindi offers the word privacy instead, defining it as "the need for individuals, families or other social groups, to separate themselves from others at various times, for certain well-defined activities."[49]

According to El Guindi, Islam, unlike other religions, sees sexuality as an integral part of human life and creates space for sexuality. However, sexuality is only appropriate within

[48] El Guindi, *Veil*, 81.
[49] Ibid.

matrimony, and public space and interaction between men and women is to be desexualized. This desexualization of space exists in the consciousness of Tunisian women. For example, a female lawyer in Tunisia states, "When I wear a *hijab*, men in the street leave me alone. The hijab gives a message to men. It tells them that a woman is not sexually available."[50]

Both early Islamic and modern instances of veiling are important in El Guindi's concept of privacy. She argues that the public and private/sacred spheres of Islam are in constant flux rather than being two perpetually separate realms (like in the West), therefore the idea of creating a sacred space around oneself as one interacts with a public sphere is very compatible. The process of wearing the veil marks a woman's bodily space as sacred and specifically Muslim, even while the woman is on the street. By separating out the public and private realms and implying that Muslim women only interact in the private realm one ignores the traditionally Muslim notion of a fluid public/private realm that El Guindi suggests. After a woman performs the *hajj*, she has reached a new status in her community, and the distinction between the public and the sacred disappears altogether. "Women dress differently – austerely and modestly – in daily life after performing the *hajj*" and "having become the *hajja*, which in the past used to be in old age, a Muslim woman, while engaged in worldly affairs, is permanently in sacred space on earth."[51] However, in modern Egypt and other Muslim countries, the Islamic activists, both men and women, made a statement about what they feel their cultural norms should be by maintaining this level of seriousness and austerity at all times.

According to El Guindi, a key element of the Islamic Movement that began in the 1970's was

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[50] Charrad, *States and Women's Rights*, 67.
[51] El Guindi, *Veil*, 114.

> a new form of voluntary but standardized dress for men and women that was not prescribed by religious authorities, but was described by observers as conservative. Among the *Islamiyyin* (Arabic for men and women participants in the movement) the dress was known as *al-ziyy al Islami* (Arabic) or 'the Islamic dress'. For women's dress the word *hijab* was used.[52]

Contrary to popular notions of the demure, silent woman behind the veil, in the beginning of the Egyptian Islamic activism in the 1970's, the most and active female members were usually the most heavily veiled. This was not imposed upon these college women by state or religious authorities, but was a decision by these students to reaffirm the Islamic identity exemplified in early Islam.[53]

El Guindi's distinction between Northern European ideas of sacred space and Muslim ideas of sacred space supports the notion that a veiled woman can interact in a public sphere while still maintaining a desired sacred state, an argument common among modern Muslim feminists. In addition, El Guindi shows that wearing the *hijab* can be an appropriate act of resistance to a real or perceived battle with Western norms, especially when both men and women take on the hyper-sacred demeanor and dress of a *hajj/hajja*.

By understanding how the Qur'an and Islam can be interpreted as compatible with feminism, one can also understand how some Muslim feminists propose to implement reinterpretation and contextualization of the Qur'an into an Islam that truly liberates women in the political and ultimately the social spheres. Anouar Majid, as mentioned before, is an example of a Muslim feminist, who like Ahmed and Wadud, calls for a rereading of the Qur'an. It is through this rereading, and only through this rereading that she feels many Muslim countries will

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[52] Ibid., 69.
[53] Ibid., 145.

be able to promote human rights, especially equality for women. Majid's proposed Islam is not like the reactionary Islam of countries like Algeria, which does not fight to revitalize Islam as a viable modern religion, but instead is used only as a tool when necessary but then reverts back to its stagnant state after nationalist movements. In Algeria women embraced the nationalist movement and played very key roles, but when the movement was over, Islam returned to its original state.

Instead, Majid proposes an alternative to clerical Islam and modern secular ideologies that is compatible with the Muslim feminist notion of Islam as inherently democratic for all. Her proposed alternative is outlined in Mahmoud Mohamed Taha's book, *The Second Message of Islam*. This calls for an elimination of the *Shari'a* and a return to the pre-*hijra* Meccan Revelation as described by Leila Ahmed as being very revolutionary and open in its ideas about women. The Revelation was adapted for the institutional needs of Islam, creating the *Shari'a*, so therefore Majid argues it should not be considered immutable. Instead, *naskh* (abrogation) should be used in order to return to the abrogated, but more egalitarian and universal verses of the Meccan Revelation. Majid claims "from the birth of Islam in Arabic to the rise of the Abbasids, the position of women seemed negotiable; however, as Islam expanded, non-Arab prejudices against women were written into Islamic law."[54] Taha and Majid are critical of the West giving "lofty principles" to adhere to, while not establishing the means of reaching those principles in a culturally viable way. By creating a dynamic, progressive Islam, Majid argues that Muslim countries will be able to apply the tenets of Islam to the promotion of human rights without having to subscribe to Western ideals of culture, society, and politics.

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[54] Majid, *Politics of Feminism in Islam*, 335.

Leila Ahmed, Anouar Majid, and Fadwa El Guindi show that it is important to find in the Qur'an and the early Muslim community a space for contemporary feminism. The past may have been patriarchical, but El Guindi and others establish that patriarchy is not essential to the religion itself. Instead, one can read into the early sources to find liberating passages that can then be used to establish a more egalitarian society today. The *hijab* is not simply an inextricable link to Islam's patriarchical past, but a dynamic symbol that can be used for political and social commentary in the modern world compatible with contemporary feminism.

The Domestic Sphere: Localized Patriarchical Structures vs. Feminism

The *hijab* is not only significant in the political and social spheres, but also in the domestic sphere. The Tunisian government's modernization campaign packaged emancipation for women with a distancing from the *hijab* and an embrace of Western cultural norms. According to this idea, if women dressed like Westerners and had the right to participate politically, then localized patriarchical structures within the home and the community would fall away. Therefore, the fewer women that are veiled, the closer Tunisian society has come to truly fighting patriarchy and tribal social structures. The modernization program took its inspiration from the secularizing reforms in the Ottoman state proposed by Musyafa Kemal Ataturk. This program of reforms was admired and imitated by Habib Bourguiba, Tunisia's first president. A secular Turkish Civil Code, based on the Swiss civil code, replaced shari'a in 1926. The emancipation of Turkish women followed at a local level in 1930 and nationally in 1934. Like Tunisia and unlike Western movements for women's suffrage, the enfranchisement of Turkish

women came from the "an enlightened governing elite committed to the goals of modernization and 'Westernization.'"[55]

In Turkey, modernization reforms have seemingly made an impressive impact on the lives of women in the urban bourgeoisie. For example, the percentage of women in law and medicine is comparable to those in France or the US. However, it is clear that the socio-economic status of these women is on average, higher than males in the same universities. This leads Kandiyoti to point out that education reforms for bourgeoisie women is probably more classist than feminist, restricting jobs that might have been taken by upwardly mobile lower class men to wealthier, elite women. The fact that modernization reforms have impacted rural women much less than wealthier urban women questions the claim that by culturally modernizing superficially by removing the *hijab* and giving women the right to vote will result in changed perceptions of women at the domestic level.

The control of female sexuality, according to Kandiyoti, is one factor that contributes to the internal image of gender (as opposed to the outward image of the modernized, and therefore liberated woman). For most women in Turkey, it is the society around a woman that controls her sexuality. As recent as 1968, up to 67% of marriages were arranged with the consent of both parties and 11% took place without the woman's consent. As Mounira Charrad's research in Tunisia also shows, this relates to the close link between female purity and family honor. This lack of personal control over a woman's sexuality leads to a lack of control over the status of one's femininity, a control that the Muslim feminist El Guindi claims women can posses by

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[55] Deniz A. Kandiyoti, "Emancipated but Unliberated? Reflections on the Turkish Case," in *Signs* 13, no. 2 (Summer, 1987). *JStor* [database on-line]. GALILEO; accessed October 5, 2005, 320.

donning the *hijab.* In addition the "domestic arrangement, involving early marriage of women into male-headed households, clear son preference and devaluation of the female child, and sharp age hierarchy" also has an effect on a woman's psychological development.[56]

The effect of domestic structures on women's perceptions of themselves is mirrored in some ways in Tunisia. As late as 1975, nearly 20 years after independence was granted in Tunisia and Bourguiba's modernization campaign had begun, there were still some surprising lingering social reservations about women's full participation in society, especially from men. A study was made by the UNFT in 1975 (the only feminist organization in Tunisia at the time) questioning women and men on their perceptions of women in Tunisia. Nearly all the female responders who lived in towns and had at least secondary education, and some of the older women who were illiterate felt women "should be freed from control, represented at all levels of responsibility, and free to dispose of themselves and their income as they saw fit."[57] In contrast, a majority of men over forty with some education, nearly all men over forty with no education, and some of the rural women with no education responded with a traditional idea of women who should be "devoted to home and children, incapable of taking on high level economic and political responsibilities."[58] The intermediate response came from most of the educated, city dwelling male subjects between 30 and 40, and some of the male and female population over

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[56] Ibid., 331.
[57] Malika Zamiti-Horchani, "Tunisian Women, Their Rights and Their Ideas About These Rights" in *Women of the Mediterranean,* ed. Monique Gadant. (London: Zed,1986), 112.

[58] Ibid., 114.

forty of the same status. These responders felt women had the "same abilities as men, but denied an equivalent economic and political status."[59]

In addition, the study points out that boys are favored within the family according in 45% of the responders. Nearly all men responded that from adolescence they were allowed to go out day or night without permission, whereas women responded that until marriage, they had to request their parent's permission for even a short trip. In addition, a majority of the men were allowed to control their own spending from a job taken while still living with their parents, while half of the women in the same situation were only allowed control of 50% of their income and were required to give their fathers the other 50%.

Although 81% of men responded that women should be allowed to study through university, their reasons cited usually involved preparing women for motherhood or helping them to be better wives. Women, on the other hand, cited reasons referring to their social role outside the family. A majority of men also claim that a woman's primary responsibility is to the domestic and family role, not her professional responsibilities. In addition, on 19% of men and 33% of women believe that men should help with domestic duties. However, when it comes to supporting the household, 58% of male and female Tunisians feel that the main responsibility for should not fall on the man and 59% feel that decisions should be made jointly between a couple.

AFTURD is currently updating research on the attitudes of Tunisians toward women's issues, specifically inheritance laws. Surprisingly, the results show that women over forty are more supportive of equality between men and women under inheritance laws, while younger women are less likely to support the altering of inheritance laws. Arfaoui suggests that the

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[59] Ibid.

younger women, who came of age during the rise of the Tunisian Islamist movement in the 1980's, were affected greatly by Islamist ideas. [60]

These findings are important because they show that in some ways, emancipation and physical modernization is not enough to change domestic perceptions of gender roles. Simply calling for the abandonment of the *hijab* does not mean that household attitudes toward women will change. In light of this, the support of autonomous feminist organizations and the work that they do is arguably more important and more influential than physical modernization.

Conclusion

The nationalist movement in Tunisia that developed outside of the tribal kin grouping allowed radical secularizing reforms to be made in the early days following Tunisia's independence. These reforms were made in part to undermine tribal power, but also to show the Western world that Tunisia had entered the modern era. Unfortunately the negative Western attitudes toward the *hijab* influenced the Tunisian government's perception of it, resulting in a ban on wearing the *hijab*. However, the superficial view of the *hijab* as oppressive, patriarchical, and anti-democratic ignores the complexity of the *hijab* as a religious practice.

By looking at the *hijab* in context in the political, social, and domestic spheres of Tunisia, one gains a clearer understanding of the *hijab*'s complexity and a clearer understanding of each of those spheres. Politically, the condemnation of the *hijab* reveals the tension between the dominant, secular party and the Islamist movement, and the political oppression still prevalent in Tunisia. The Tunisian government has politicized the *hijab* into not only an inherently Islamist symbol, but an inherently anti-democratic symbol as well. Socially, the wearing of the *hijab*

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[60] Arfaoui, *History of Tunisian Feminism*, 33.

reveals the tension between Orientalist perceptions of the *hijab* and the desire of Muslim feminists to create an authentically Islamic meaning of the *hijab* compatible with feminist ideas. Domestically, the hijab reveals the tension that remains between localized structures of patriarchy and individual women's pursuit of liberation beyond emancipation and secularization. Despite the reforms established in the Personal Status Code and the secularization campaign by the government, they are not enough to completely alter negative domestic perceptions of women.

By looking at one religious practice, like the wearing of the *hijab*, one gains a better understanding of the intricacy of religious tradition. Research on the *hijab* shows how religious practice is not monolithic, even within a single country. The *hijab* cannot easily be broken down into a difference between male and female, traditional and modern, or western and non-western. Attitudes toward the *hijab* vary based on history, gender identity, and the dynamics between a country and colonialism. However, by looking at religious practice, political history, and social demographics together, one can gain a better understanding of the role and experience of religion within a culture.

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