Tunisia has long been recognized for its progressive attitude toward women, with feminist organizations emerging as early as 1936. Moroccan author Tahar Ben Jelloun suggests that, “[Tunisia] is the most progressive country in the Arab world.” Caroline Perrot asserts that “Tunisia is seen as a forerunner for women’s rights in the Arab world.” Valentine Moghadam shares the same view, stating, “Legal reforms made Tunisia the most liberal country in the Arab world.” Women have been able to successfully lobby the government to ratify the Commission on the Elimination of Discrimination Against Women (CEDAW) and have demanded action against all forms of discrimination and violence.

Women continued to elevate their status after the 2011 uprising using grassroots mobilization efforts, leading to support from politicians. Previously, decisions about women’s status were made at the government level and women were not consulted. This was the case with the Code of Personal Status (CSP)—a series of progressive laws that aimed to promote gender equality—adopted in 1957. The CPS was said to be “a gift on a silver tray” to women because, as President Habib Bourguiba argued, it was created without any demands from women.

The shift toward women’s autonomy and the power to enact change was quite an achievement, as the Tunisian Association of Democratic Women (ATFD) experienced difficulties denouncing matrimonial violence and marital rape under the repressive regime of President Zine el-Abidine Ben Ali (1987–2011). Now, a growing area of concern is the status of women in state institutions, including courts, police stations, and gendarmeries. Nine years after the 2011 uprisings, Tunisian women have not lost any of their rights, but the move for equality is far from over and the need to change societal norms remains a core issue. Discrimination has persisted in Tunisia and it seems the freedoms granted to women were mostly implemented in order to improve the country’s reputation in the West. This brief aims to further an understanding of the substantive changes, if any, that women in Tunisia have experienced.

RECENT ACHIEVEMENTS AND SETBACKS IN WOMEN’S EQUALITY

Education

The government’s will to decrease gender inequality has allowed women’s access to education in Tunisia to continue to expand. Tunisia’s prioritization of female education is admirable and bound for success. Tunisia’s future looks much more liberal and altruistic than many of its regional counterparts, though only time will tell if this leads to genuine change for the country.

Nearly 100% of the country’s girls are educated — a higher percentage than boys. According to UNESCO figures, the education rate between young men and women in Tunisia is almost equal; in 2007, 96.7% of girls and 95.5% of boys were enrolled in primary education. Sexual health education has also increased after a backlash regarding a teacher who raped over 20 children in a small city in southern Tunisia.

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Tunisia. In 2018, Yamina Zoghlami, a conservative member of parliament and of the Islamic Ennahdha party, unexpectedly supported this move, saying, “There are young Tunisians who consider the body to be haram [forbidden in Islam]. The ministry of education is very outdated on this subject; young people must be taught scientific sex education so that they can protect themselves and others.”

Women would not have been able to move forward in their struggle for equality without an education, though many in poor and rural areas still face major barriers, such as a lack of public transport or a shortage of water. In these rural regions, primary and secondary school children may still have to walk kilometers to school, facing many risks. In 2019, a young girl named Maya had to walk through a flooded river to get home from school. She died, resulting in substantial media attention. Maya was the daughter of a poor couple who lived in utter poverty. They viewed her education as a path to stable employment and to helping her parents lead more comfortable lives.

While this incident led to demands that the government spend more on educational institutions and hospitals, rather than mosques, such requests inevitably provoke the ire of Islamists who consider them to be blasphemy.

Following Essebsi’s death in July 2019, conservative politicians were elected to the position of president (Kais Said) and head of parliament (Rached Ghannouchi, the head of Ennahdha). President Said was elected with 72.8% of the vote, despite his lack of political experience. He promised to “make the most of his popularity to bring about substantial changes.” After several months of debate, a new cabinet was finally proposed in February 2020, which—unfortunately—contains too few women.

Despite its modern approach to many issues, Tunisia has not been able to bring about needed changes, partly as a result of the number of extreme Islamists and Shari’a proponents who are increasingly found in parliament. There are a total of 74 Islamists in Tunisia’s parliament out of 217 members, one third of whom are women. In March 2020, Mohamed Affes, the deputy from the Al-Karama coalition, proudly and vociferously defended takfir-ism—or accusing non-believers of being infidels—when he proposed that security agents should cut off the hands of thieves, as is done in more religiously conservative states such as Saudi Arabia. Such pronouncements indicate that extreme Islamist government officials would like to see a move away from a secular state and a return to Shari’a law.

Additionally, there are several restrictive laws impeding progress on women’s rights. Bochra BelHmida, a lawyer, former president of ATFD, a former member of parliament, and chair of the special commission created by former President Essebsi for the defense of individual rights (COLIBE), has noted several violations of human rights in existing laws. For example, a couple caught kissing in a car in the northern suburb of Tunis resulted in the man—who was a foreigner—being jailed for days. There was also the case of a woman who was refused service at a courthouse because a female public servant said she was dressed indecently. These are just some of the tactics currently used by Islamists to change the fabric of life in Tunisia.
Activism Against Sexual Harassment

Tunisian feminists have followed the global “#MeToo” movement. Headed by Aswat Nissa (Women’s Voices) and other feminist NGOs, “Me Too” became “EnaZeda” in Tunisia. The aim was to encourage female and male victims of sexual violence to break their silence. Aswat Nissa now comprises 32,648 members who share their stories and experiences on a daily basis via organized meetings, seminars, press conferences, and radio interviews.

In 2019, a Tunisian schoolgirl accused one of her teachers of sexual harassment, which he denied. The parents removed their daughter from that school, but when no action was taken against the teacher, the father sued and the teacher was jailed. In mid-January 2020, the teacher’s colleagues went on strike on his behalf with the support of the Tunisian Workers’ Union (UGTT). However, there has also been solid support of the school girl. On January 29, 2020, Aswat Nissa organized a press conference on her behalf, with witnesses who are currently receiving death threats for speaking up. At present, the plaintiff has not been able to prove the sexual harassment and the investigation conducted by the school administration was not able to find any evidence in support of the accusation.

In October 2019, a young student reported a parliamentary candidate for allegedly masturbating in front of her school. A video of the shameful event was published on Facebook and widely shared. He attempted to hide behind his parliamentary status, which granted him immunity, but on December 14, 2019, a mass demonstration was organized against this exhibitionist in front of the government headquarters. He was subsequently jailed but after a trial failed to find him guilty he was released on February 13, 2020. The demonstration against him was organized by a new feminist group, “Falgatna” (“We’re Fed Up”), which prides itself on being “an independent, feminist, citizenry movement that aims to resist patriarchy, discrimination, and violence against women assigned at birth or those identifying as women.”

Aswat Nissa took part in this defensive feminist wave against sexual harassment. They organized an event and created a corresponding app called the 2019 Electric Dunes, which they used to denounce sexual harassment through various slogans and methods of storytelling. Slogans they used included: “Don’t tell me how to dress, tell them not to rape,” and “Have your whistle on you in order to denounce.” A former Ennahdha minister and member of parliament also spoke out as part of this movement by reporting her own sexual harassment at age 12.

Other recent mobilizations include a sit-in organized by the Tunisian Association of Democratic Women (ATFD) on January 23, 2020, at the Tunis Tribunal. It was organized in support of Rachida Kouki, who experienced workplace violence. On January 28, 2020, human rights activist Lina Ben Mhenni was carried to the El Jellaz cemetery and buried by women instead of men, even though this is against a strict tradition in Muslim communities.

**IMAGE 1 — LINA BEN MHENNI’S FUNERAL**

SOURCE Karim Benabdallah, via the International Observatory of Human Rights
CONCLUSION: A LONG ROAD AHEAD

Although women have made numerous gains in Tunisia, they have yet to attain full, equal rights. Former President Ben Ali’s repressive laws were much feared and they still remain an obstacle for anyone who dares to express criticism. Labor laws and the Penal Code need to be homologated in line with the 2014 Constitution. Tunisian women have not lost any of their rights, but unfortunately, the move toward equality was somewhat halted after the death of former President Beji Caid Essebsi. He was a strong supporter of women’s rights, encouraging the creation of the COLIBE committee to report on legislative reforms concerning individual freedoms and equality. In order to truly gain parity in the political sphere and promote female leadership, the glass ceiling must be broken. Indeed, although both horizontal and vertical parity have been integrated into electoral legislation on municipalities, gender equality has not yet been reached.

While the Parity Law adopted in 2011 mandated that candidate lists must include alternating male and female candidates in any election, women remained under-represented. Hela Gharbi, president of the National Union of Public Works Councillors, declared that men cannot understand women’s intrinsic problems; they believe that women’s political activism can only be of secondary significance. She added that men alone speak in public, “as if one was conveying the message that women cannot be leaders.” More broadly, Tunisia ranks toward the bottom of the Global Gender Gap Report, 124th out of 153 countries. As Amna Guellali, director of Human Rights Watch in Tunisia, has argued, women’s rights will remain threatened as long as repressive laws do not allow for “key safeguards against abuse.”

NOTE Khedija Arfaoui (left) and daughter Mouna Azzabi at the funeral of Mohamed Ali (Arfaoui’s son) and Senda Azzabi (his wife) in Tunis. Ali and Azzabi were killed during a terrorist attack in Istanbul in January 2017. Traditionally coffins in Tunisia are carried solely by men, but Arfaoui and a large group of women joined the procession.

SOURCE Sofienne Hamdaoui, Agence France-Presse
ENDNOTES


5. Valentine M. Moghadam, Modernizing Women: Gender and Social Change in the Middle East (Lynne Reiner Publishers: 2013), 44.

6. Both Tunisia and Egypt ratified the CEDAW in 1985, with some reservations.

7. Mervat F. Hatem, “In the Shadow of the State: Changing Definitions of Arab Women’s Developmental Citizenship Rights,” Journal of Middle East Women’s Studies 1, no.3 (Fall 2005): 42.


9. ATFD, or the Tunisian Association of Democratic Women, was accepted as an autonomous women’s organization in 1989, two years after Ben Ali came to power, and at the same time as AFTURD (Association of Tunisian Women for Research on Development). They were to be the only autonomous women’s rights organizations until 2011. They worked despite close scrutiny from Ben Ali’s police, without any help from the media. They formed working groups and alliances with women activists elsewhere in the world, in particular in Morocco, Algeria, Mauritania, and more recently Libya. They sought to “to reinterpret the Islamic texts from a gender sensitive perspective” (Hatem, 47). Their objective since the beginning has been to eliminate all forms of discrimination against women (CEDAW). They have not reached this goal, as the battle for equal inheritance continues.


21. A Tunisian newspaper reported that the girl had been upset at her teacher who had refused her proposals, and that she had likely invented the story. See Le Temps, January 19, 2020, Société plus. Du côté du prétoire, page 5.

22. Unfortunately, nothing came out of this, and he remained in parliament. An explanation provided in activist circles on Facebook was that being diabetic, he had “disturbances” while he was in his car, with a violent need to urinate. So he used a bottle to urinate and the girl took a photo while he was urinating into the bottle.


REFERENCES


ABOUT THE SERIES
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AUTHOR
Khedija Arfaoui, Ph.D., is an independent human rights and feminist researcher, and a Tunisian activist based in La Marsa, Tunisia. She is the author of two books, The Tunisian Women’s Rights Movement: From Nascent Activism to Influential Power–broking (Taylor & Francis, 2017), co-authored with Jane D. Tchaicha; and Views of American Female Identity in the Sixties and Seventies (Presses Académiques Francophones, 2018).

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DEDICATION
This brief is dedicated to Lina Ben Mhenni, a Tunisian blogger, author, and human rights activist who denounced violence and abuse under former President Zine el-Abidine Ben Ali and beyond. She was known best for her book, A Tunisian Girl (2011). She died at age 36 on January 27, 2020, after a chronic illness.