

“Go back to your kitchens, you whores”: Women, Women’s Rights, and the Tunisian Revolution

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ABSTRACT

Women in Tunisia share a unique history in terms of rights due to their interconnected, but nuanced experiences under French colonialism, dictatorial regimes, and the Jasmine Revolution. Before the Arab Spring, Tunisian women had already experienced waves of comparatively progressive policies in relation to areas such as abortion and divorce. However, these policies were a product of actions from above, rather than of grassroots efforts from below. Furthermore, women’s rights policies came to fruition under the regimes of Habib Bourguiba and Zine Al-Abidine Bin Ali, which both employed a paternalistic state feminism that coopted already existing female organizations. This distinctive history and its implications are essential to examining the role that women played in the Jasmine Revolution. Women who fought in the movement that ousted Bin Ali were indispensable to the many spectrums of activism, while also facing forms of violence from both the regime and fellow male protestors. After the revolution ceased and a new constitution was written, more promises were made. But, unfortunately, the legal, written strides do not equate with appropriate implementation.

Keywords: Tunisia, women, protest, Jasmine Revolution, Arab Spring

Introduction

Women are continuously on the frontlines of history, fighting for issues greater than themselves. This truth extends to the political and social uprisings that unfolded across the Middle East North Africa region commencing in 2011; these political movements are now known as the Arab Spring. Tunisia was the country that ignited the Arab Spring. In the Tunisian Revolution, women played an instrumental role, not only in protesting alongside men in the streets and in utilizing social media, but also in influencing the new Tunisian constitution. In relation to the advancement of women’s rights, both in post-colonial countries and across the world, Tunisia can be considered an outlier because Tunisian women had already obtained key rights from the government prior to the 2011 revolution. Although it is important to note that these legal rights were obtained through pressures from “above” rather than “below,” this distinction is crucial in understanding the revolution and its implications for women. While the focus of the revolution was not on women’s rights as it was a mass movement to oppose the current political regime, the constitution ushered in a new set of legal rights specifically for women; although, the extent to which the revolution has impacted Tunisian women’s rights in society is debatable due to legal shortcomings. In this article, I will explore how conditions under French colonialism, the regimes of Habib Bourguiba and Zine Al-Abidine Bin Ali, and the pre-revolution period influenced the roles and lives of women, a lens necessary for understanding this population in the context of the Jasmine Revolution and its aftermath.

The Faux Crusade

Tunisia—like every other territory in Africa with the exclusion of Ethiopia and Liberia—was colonized by a European power. After gaining independence from French rule, Habib Bourguiba became the first elected president of Tunisia in 1956 (El-Masri 2015, 126). Under the Neo-Destour Party, which later became the Destourian Socialist Party, Bourguiba became a trailblazer for implementing women's rights in state policy (El-Masri 2015, 126). The intentions behind his actions did not stem from moral reasons based upon gender equality; rather, he wanted to ensure “a nationalist, secularist and modernist society” could “materialize,” as this was not achievable, according to Bourguiba, “without the active participation of half of the population: women” (El-Masri 2015, 126). In essence, the push for gender equity was not for moral reasons, but because of the political realization that support from this section of the population was necessary to sustain the regime. Furthermore, policy surrounding women's rights at this time in Tunisia was not pushed for “from below,” but was instigated by a privileged class who used these rights to create the fabric of the country as it is today (Gondorová 2014, 31). This promotion of women's rights by the president was a shift from the colonial and colonial revolution era because during the fight for decolonization, all spectrums of society, including “liberals,” subscribed to the belief that “women's emancipation had to be postponed” (El-Masri 2015, 126). This is key, as it demonstrates that there wasn't a strong precedent for women's political mobilization before decolonization.

The highlight of Bourguiba's faux crusade for women's rights was the Code of Personal Status, or CPS, which is composed of various rights for women. According to a 1957 Bourguiba speech, its purpose was to “remove all injustice” and insert “laws rehabilitating women and conferring upon them their rights” into the state (Curtiss 1993). Hallmarks of the CPS included Articles 18, 5, 57, and 6. Article 18 proclaimed the banishment of polygamy, which, if practiced, could result in a fine and jail time (Tobich 2008). Article 5 gave women more freedom in marriage decisions, as it “increased a woman's minimum legal age of marriage to 15” and “granted women the right to choose a marriage partner...free from coercion—especially from her father or legal guardian” (El-Masri 2015, 126). Article 57 granted women rights in the realm of divorce, with “equal rights...to dissolve the marriage” and to “become the principal guardian of their children” (El-Masri 2015, 126). One of the most crucial components of the CPS was Article 6, which deemed that “all citizens have the same rights and obligations” and that “all are equal before the law,” including having the right to vote (El-Masri 2015, 126).

Bourguiba also focused on family planning while in power. His regime started with subsidizing contraceptives and counseling services, and eventually legalized abortion in 1965 for women, if certain conditions were met including “the abortion...[being] performed before the end of the first trimester, the woman [having] at least five living children and the written agreement of both husband and wife” (Hessini 2007, 79). These Tunisian abortion policies were liberalized in 1973, permitting the medical operation for women regardless of marital status, number of children, or the husband's approval (Maffi 2018). These rights were advanced, even compared to Western standards; in comparison, abortion was not decriminalized in the United States until *Roe v. Wade* in 1973. Although it is important to note that these legal rights did not translate to just treatment for the women who chose to exercise them. Patients reportedly faced “social pressure, blackmail, and stigmatization” and, after the procedure, some were “forced to accept contraception and even sterilisation in return” (Maffi 2018).

One of Bourguiba's most crucial, symbolic policy actions in relation to women was Decree 108, circa 1981, which banned “the veil” in key spaces including “public buildings, offices,

schools, universities and hospitals” (El-Masri 2015, 126). The ban of the veil, which Bourguiba labeled as “an odious rag” with “no moral significance” (El-Masri 2015, 126), was used as a political tool to push back the regime’s “rising enemy...the Islamic movement,” associated with the Iran-inspired “insistence that its women wear long black veils and its men beards” (El-Masri 2015, 133). To clarify, there was a “rising influence of Iran, as its mullahs tried to export their Islamic model abroad, including to Tunisia,” which influenced the Tunisian regime to institute a ban (El-Masri 2015, 133). The banning of the veil, which Bourguiba considered as “alien to Tunisian society” (El-Masri 2015, 133), was also emblematic because it represented the regime’s desire to cater to the West, as in the viewpoint of Western powers; the religious veil having minimal prominence signaled the “modernity” and “secularization” of a country (Jomier 2011, 11).

Another advancement for Tunisian women before the revolution was the prioritization of education by the state. Not only was education made free for both sexes, but it was also co-ed in some cases. Most importantly, “families were encouraged to enroll their daughters for advanced degrees that would lead to good jobs” (El-Masri 2015, 126–27). These changes to education, although crucial in the trajectory for education equality, are yet another example of a positive sphere—advancement—that was not granted through pushes from those organizing for equal rights.

Bourguiba’s strategy of implementing women’s rights in policy for personal gain was continued by the next president, Zine Al-Abidine Bin Ali, after a “bloodless coup” in 1987 (El-Masri 2015, 127). Under Bin Ali’s regime in the 1990s and early 2000s, “a second wave of women’s rights” was ushered in (El-Masri 2015, 127). Policies enacted during this “second wave” included the establishment of the Ministry for Women and Family Affairs and the renewal of the veil ban, and a “law requiring a husband’s consent for his wife to sign a labor contract was abrogated” (El-Masri 2015, 128). Furthermore, under Bin Ali, women gained improved custody privileges as well as a right to alimony and child support after divorce (Keddie 2012, 141–42). In extension, protection from domestic violence was granted, as these cases were criminalized (Keddie 2012, 142).

Paternalism and State Feminism

Understanding that the legal rights granted to women before the revolution were a product of paternalism and “state feminism” is important, because it contextualizes the implications that the revolution has brought for women’s rights, discussed below. First, it is crucial to understand that, “since the 1950s, it has been the Tunisian state that carried the beacon of women’s rights and not any feminist movement” (El-Masri 2015, 129). Next, one must recognize that both Bourguiba and Bin Ali treated their female citizens as “political pawns” to not only please the West, but also to simultaneously garner the backing of women (El-Masri 2015, 128). This double-edged “woman card” served a paternalistic purpose. It “consolidate[d] [each leader’s] position” not only as the ruler of Tunisia, but, more importantly, positioned him “as the supreme liberator of Tunisian women, [who] spar[ed] them the agony of fighting these battles themselves” (El-Masri 2015, 129). This leadership aspect of the two regimes is paternalistic in the sense that the leaders assumed that by appealing to female rights they could appease women. In fact, Bourguiba and Bin Ali “expected full gratitude and loyalty from women, who were supposed to concentrate on playing their part in modernizing Tunisia, now that their rights were granted” (El-Masri 2015, 129).

In addition to state leaders' paternalism in terms of implementing women's rights policy, "state feminism" was also adopted through a system of cooptation. Within this system, the goal was "to reinforce [state] power and immobilize dissent" (El-Masri 2015, 128) through the cooptation of women-focused organizations. A key example of this was when "Bourguiba merged the UMFT [Union Musulmane des Femmes de Tunisie] with the women's section of his Neo-Destour party to make the Union Nationale des Femmes de Tunisie (UNFT)" (El-Masri 2015, 129). With this merger, the Tunisian state essentially dismantled the essence of the earliest female organization in Tunisia, which was established in 1936 (El-Masri 2015, 125). The unfortunate consequence of this state feminism was that "women's expression of their interests [was] bound to this organization; [and] the continuity of their status depended on the regime's support and its willingness to enforce any further improvement in their economic and political rights" (El-Masri 2015, 129).

Another dimension of state feminism was the use of the first lady as "the representative of Tunisian women and the person in charge of their cause" (El-Masri 2015, 130). Women's rights organizations that were able to operate despite censorship and intimidation were constrained by the first lady's manipulative role, as these "associations were unable to perform their activities without the interference of the first lady Leila Ben Ali" (Gondorová 2014, 33). According to author and educator Louisa Dris-Ait-Hamadouche, this "state feminism was a hollow political language that used first ladies as models of women's liberation to maintain power and was devoid of policies to help rural women" (as quoted in El-Masri 2015, 130). Thus, the true agency and power of women in Tunisia was diminished in this cooptation.

The state's cooptation of feminism influenced the implication of the revolution in 2011, because "state policies under Ben Ali, despite the advancement of women rights through a top-down approach, perpetuated the fragmentation of women's interests and their lack of independence, threatening their ability to negotiate with the state" (El-Masri 2015, 130). Equally as important, the procurement of legal rights "without much feminist struggle made many women take these rights for granted" (El-Masri 2015, 129). Therefore, because of the historical precedent of women's rights being given by the state rather than coming from below, there is a lack of precedent of women themselves lobbying the government for their equity. This is concerning due to continuous shortcomings in gender equity by way of society and the government.

The Jasmine Revolution

With a deep understanding of women's rights and activism prior to the revolution, one can better understand women's active role in the Arab Spring in Tunisia. The Tunisian Revolution, commonly referred to as the Jasmine Revolution, named "after Tunisia's national flower, led to Ben Ali's overthrow on 14 January 2011" after a dictatorship of twenty-three years (Gondorová 2014, 29). The Jasmine Revolution is considered to be the first occurrence of the "revolutionary process" in the Arab Spring (Gondorová 2014, 29), and is regarded by some as "non-political, non-ideological, and non-religious" (El-Khawas 2012, 22). The Jasmine Revolution was particularly triggered by financial complications in 2008, when there was "a sudden drop in the European market demand for Tunisian products [that] resulted in a decrease in exports, a contraction in the industrial sector, and a slower expansion in services" (El-Khawas 2012, 7). This resulted in an economic boost deal propagated by the International Monetary Fund and the World Bank (El-Khawas 2012, 7). Despite this deal resulting in "recovery," there remained issues of "untouched substantial regional disparities and economic inequality between Tunis and

the highly developed coastal areas in the east and the impoverished interior” (El-Khawas 2012, 7). This, predictably, led to the unrest of the poor people in regions such as Kasserine and Gafsa, where “unemployment was more than 22 percent” (El-Khawas 2012, 7). Like the rest of Tunisian society, women mobilized against the Bin Ali regime with this economic catastrophe in mind. The economy incited action especially for rural women, who “felt it [economic hardship] particularly” because “they had suffered from poverty and a lack of infrastructure” due to their geographic orientation (El-Masri 2015, 134). These rural women were active in the revolution due to the social stimulus of being “alienated from the state” (El-Masri 2015, 134). Moreover, these economic and social conditions had built up over time, having lasted “for decades” (El-Masri 2015, 134).

In addition to the economic beginnings of the Jasmine Revolution, there are other motivations to take into account that prompted women’s involvement. First, some were already engaged in activist work through “trade unions, women’s organisations, political opposition parties and informal organisations” (Gondorová 2014, 33). It is important to note that these particular women’s groups were intentionally operating “against state feminism” (Gondorová 2014, 33). Also, partially due to the women’s rights policies implemented under the regimes of Bourguiba and Bin Ali, at the time of the revolution, there was a heightened level of “awareness [that] increased the proportion of politically active women” (Gondorová 2014, 33). This engagement was a result of “changes in literacy” and “the education of women and [their] labour force participation.” For perspective on this educational attainment, in 2008, “the number of female students [exceeded] that of male students in higher education, representing 59% of total tertiary education enrolment” (Tchaïcha and Arfaoui 2012, 218). This increased representation in organized learning resulted in heightened social awareness, fostering more political engagement.

Additional social factors that were a cause of protest included the desire for self-advocacy on a level embodying the touchstones of a just society: “accountability, freedom of expression and political participation” (El-Masri 2015, 134). In addition, these revolutionaries strived to draw attention to other “women-specific issues” that expanded beyond the mainstream revolution goals (El-Masri 2015, 135). These specific issues included “gender inequality with respect to inheritance, and the weakness of legislation against domestic abuse” (El-Masri 2015, 135). In some women’s point of view, “regime change was considered a ticket to a better life,” a chance to alleviate not only mainstream political issues, but also issues related to gender-based rights (El-Masri 2015, 135).

During the Jasmine Revolution, there were also women who were against ousting the Bin Ali regime. Generally, women who did not act in support of the Tunisian Revolution were active in women’s groups like the Tunisian Mothers’ Organization (OTM) and the National Union of Tunisian Women (UNFT), which were parallel to the state (Gondorová 2014, 28). The UNFT was a product of the state’s cooptation, and as a result “its action plans were actually derived from Bourguiba’s directives” (El-Masri 2015, 129). Similarly, although the OTM was technically a separate feminist organization, it was still bound by the desires of the state because in order to exist legally, it was required to have a “formal” approval from the Ministry of Culture (El-Masri 2015, 131). Thus, the UNFT, the OTM, and other such groups could not be “critical of the regime” if they wanted to maintain their legal status (El-Masri 2015, 131). If they were not a member of one of these associations, the women against the revolution were “associated with Bin Ali’s regime” in some other manner (Gondorová 2014, 28). This situation is important to note in that reflects the deep reach of “state feminism,” as there is a correlation between support of the regime and involvement in coopted groups.

Women who participated in the revolution made “an active contribution” to the movement in various ways (Gondorová 2014, 28). They protested alongside men in the streets, with some “[playing] active and visible roles as both organisers and demonstrators” (Gondorová 2014, 28). The crowds at protests were representative of the nation, a mosaic of “veiled women mixed with unveiled, old with young, educated with illiterate and peasants with intellectuals” (Gondorová 2014, 28). The women on the frontlines, like men, were “attacked by the police...[and] arrested” (Gondorová 2014, 28). However, unlike men for the most part, women who protested against the Bin Ali regime “were victims of sexual assault and harassment” because the regime’s secret police used these crimes “as a tool of repression against female protestors” (Gondorová 2014, 28).

In addition to visibly participating in the Arab Spring, Tunisian women also worked “behind the scenes” by “blogging, posting videos, sharing information and organising themselves within civil rights movements and women’s organisations” (Gondorová 2014, 28). These actors behind the scenes played a crucial role in “mobilizing and maintaining the momentum of the revolution” (El-Masri 2015, 134). One of the many female bloggers in the revolution was Lina Ben Mhenni, who “was instrumental in informing people about repression under the Bin Ali regime” as she did not “want women’s role in the revolution overlooked” (Mhenni 2011). In addition, Mhenni’s blog, titled “A Tunisian Girl,” captured some of the push back faced by women protestors. For example, Mhenni shared with fellow Tunisians and the rest of the world that during peaceful protests, men shouted phrases such as “Go back to your kitchens, you whores” and “What more do you want, you bitches? Do you want to become men?” at women protestors (Mhenni 2011). Thus, women from diverse groups on both sides of the activist method spectrum played a role in the Jasmine Revolution, while facing verbal and physical push back for their actions.

After the Revolution

Women also worked hard to ensure that the new regime after the revolution would be inclusive and support more legal rights for women. The new constitution, approved in January 2014, is purported to be “one of the most advanced of all South and East Mediterranean countries in political transition, especially in terms of civil liberties” (El-Masri 2015, 138). One of the key components of this new constitution is Article 46, which “guarantees parity between men and women in all elected assemblies” (UN Women 2014) and ensures the right for women to be elected as president (El-Masri 2015, 138). This article also “safeguards the rights won by Tunisian women by referring to the Code du Statut Personnel (Personal Status Code) of 1959” (UN Women 2014). The constitution further protects the rights of women because “the state is obliged to act through public authorities by taking measures to eliminate all forms of violence against women” (El-Masri 2015, 138). Moreover, the language in the constitution is intentional in terms of being “gender sensitive” through its articulation that the legal measures are “a right for every citizen, male and female” (El-Masri 2015, 138). This new Tunisian constitution is cognizant of female rights due to the “many months of hard work and sustained advocacy” of NGOs in Tunisia, such as the Tunisian Association of Democratic Women (ATFD) and the Centre for Research, Studies, Documentation and Information on Women (CREDIF), which worked in conjunction with the UN Women agency (UN Women 2014).

Although there are liberal and deep-rooted legal rights for Tunisian women, the extent to which they are enforced is questionable. For example, while the constitution promises “gender equality” in accordance to Article 21, this is not fulfilled at all levels of society, as “discriminatory laws continue to exist at lower levels of government” (Norbakk 2016).

Furthermore, there are shortcomings in terms of key rights not included in the 2014 constitution, such as equal inheritance, a fair system in terms of “custody of children in the case of divorce,” and the “right to pass citizenship to a non-Tunisian spouse” (Norbakk 2016). These non-existent rights juxtapose the promises of gender equality in the constitution.

Conclusion

In conclusion, the conditions of women in Tunisia are historically unique, due to the many legal advancements under the two dictatorial regimes of Habib Bourguiba and Zine Al-Abidine Bin Ali. However, these achievements were orchestrated for political reasons from “above,” rather than coming from “below” due to the work of grassroots women’s movements. While state paternalism and feminism ushered in important legal rights, they still worked to suppress women and their diverse, authentic voices and maintained their marginalization in society. This is a crucial lens required to understand that Tunisian women, despite playing an instrumental role in the Jasmine Revolution and the country having a background deeply rooted with women’s rights policies, face a reality where the extent to which these and future progressive policies will be implemented is questionable. In addition, the case of Tunisia and women’s rights as a whole in the country is important to consider because it contradicts Western assumptions around the state of gender equity on the continent of Africa. Studying gender rights on the continent, whether in Tunisia, Namibia, or Rwanda, is crucial in telling a more truthful story of Africa that diverts from Western understandings.

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