BUILDING MOMENTUM
Women’s empowerment in Tunisia

Victoria Chambers and Clare Cummings

• Since independence, Tunisia has made significant progress towards gender equality, extensively reforming family law, and gradually eliminating gender-based discrimination in relation to health, education and employment.

• Between 1990 and 2011, Tunisia sustained this progress, almost halving fertility rates and achieving 94% enrolment of girls in secondary school.

• A range of women’s movements emerged in the 1980s. These played a key role in making women’s equality central to public debate, and helped to draft legislation leading to a gender-parity quota on party electoral lists.

• These advances have survived the Arab Spring. In February 2014, a new constitution that advances social and political gains for women was ratified, and in the October 2014 elections women’s representation rose from 4% in 1990 to 31% of the current parliament.

Photo: © COSPE Tunisia

This and other Development Progress materials are available at developmentprogress.org

Development Progress is an ODI project that aims to measure, understand and communicate where and how progress has been made in development.

ODI is the UK’s leading independent think tank on international development and humanitarian issues. Further ODI materials are available at odi.org.uk
Why explore women’s empowerment in Tunisia?

For decades Tunisia has been considered one of the best performing countries in the Arab and Muslim world in terms of women’s rights. Since independence, the country’s constitutional, legislative and policy framework has been developed in ways which promote the principles of gender equality and eliminate gender-based discrimination in law in relation to health, education, labour conditions and political representation. These reforms were consolidated and enhanced between 1990 and 2010 and it is their sustained nature that underpins the progress in women’s empowerment in Tunisia.

This case study of women’s empowerment in Tunisia is timely. Since the events of the 2010 Arab Spring there have been significant changes in the country’s political system. The introduction of political liberalism has improved political freedoms but has also been accompanied by the emergence of more conservative views regarding women.

Three years after the ‘Jasmine Revolution’, a new Tunisian constitution has enshrined the principle of gender equality, both preserving and advancing women’s key social and political gains (Amera, 2014; Charrad and Zarrugh, 2013). Elections in October 2014 returned 68 women to parliament representing 31% of MPs – a higher percentage than in Britain, France or the United States Congress. The lead-up to these gains points to the resilient nature of advances in gender equality in the face of political challenges, making Tunisia an important case study with implications for broader debates about the process and consequences of achieving progress in women’s empowerment.

The case study is part of ODI’s Development Progress project. Women’s empowerment is defined as a process of personal and social change through which women gain power, meaningful choices and control over their own lives (O’Neil et al., 2014, drawing on Kabeer, 1999). The study addresses two questions: what does progress in women’s empowerment look like in Tunisia and what factors explain this progress?

What progress has been achieved?

We first explore legal reforms and economic development prior to 1990, which laid important foundations for gains in women’s empowerment, and then examine the concrete gains in women’s social, economic and political empowerment and the institutional and legal progress made between 1990 and 2010.

1. Reforms and economic development before 1990

The immediate post-independence era saw significant reforms in Tunisia’s legal framework that were unprecedented in the Middle East. The key elements of these reforms include:

- The promulgation of the Tunisian Code of Personal Status (CPS) in 1956, which abolished polygamy and guaranteed women greater rights in marriage, divorce and with respect to the custody of children.
- The creation of a national secular justice system (1957), which eliminated formal religious jurisdiction over women’s private life.
- Territorial administrative reforms (1957) and the dismantling of collective tribal lands, which weakened kinship structures.
- The 1959 Tunisian Constitution recognised women as equals before the law, with the right to vote and stand for election.
- Social reforms such as the introduction of free education (1958) and the legalisation of abortion (1973) supported advances in education and health that gave women greater opportunities to participate in decision-making processes.
- The Labour Law of 1966 guaranteed women and men equal rights to employment.
- Tunisia ratified several key international conventions supporting greater gender equality, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1985.

At independence, Tunisia was already a highly urbanised country with a relatively large business class, a centralised state and a strong economy. Since then the country has recorded consistent annual growth of around 5% and despite a difficult period of structural adjustment in the 1980s has demonstrated good economic performance, diversifying the economy and expanding the manufacturing sector (Baliamoune-Lutz, 2009).

Although Tunisia’s economic policy has undergone a number of important policy shifts since independence – motivated primarily by the need to reduce or eliminate conflict between different interest groups at various moments – support for the creation of a skilled labour force to support the country’s growing manufacturing industry has been an interest around which elite interests have consistently converged. This provided the rationale for a sustained political commitment to social and economic policies that supported the development of skilled labour. A by-product of this has been the enhancement of women’s access to education and paid employment, which has helped to promote gender equality and women’s empowerment (Baliamoune-Lutz, 2009b).

2. Concrete gains in women’s empowerment

Women’s access to health, education and paid employment in Tunisia has shown sustained improvements between 1990 and 2010 and beyond. These improvements illustrate and are the result of women’s empowerment.

Between 1990 and 2010 there were significant improvements in women’s health and girls’ access to education. Tunisia’s Total Fertility Rate (TFR) halved in the immediate post-independence period from 7 in 1960 to 3.5 in 1990 and 2.3 in 2011 (see figure 1 overleaf) (Cochrane, 1996; Eltigani, 2009). Similarly, girls’ access to education increased steadily in the first few decades after independence and recorded significant progress between 1990 and 2010, with gross enrolment of girls in
secondary school rising from 38% to 94%. While there remains inequality in educational levels between rural and urban areas and across different regions, there have been improvements across the board (see figure 2) (Boughzala and Hamdi, 2014).

There have also been advances in women’s economic participation. Between 1990 and 2010, women’s representation in the total formal labour force increased from 20.8% to 25.3% despite an overall rise in unemployment during this period.

Moreover, notwithstanding the limited political representation overall, the number of women in public office has increased significantly. Women parliamentarians increased from 4.3% to 23% between 1989 and 2004 (Gribaa et al., 2009). The election of 27% of women to the transitional assembly in 2011 strongly influenced the drafting of the new constitution, promulgated in February 2014, which has preserved and advanced women’s key social and political gains (Charrad and Zarrugh, 2013). Women’s position in Tunisian public life was confirmed in the 2014 elections, in which women won 31% of parliamentary seats.

Critically, the 1980s also saw the emergence of a number of women’s organisations that advocated for gender equality and women’s rights. Women’s collective agency was reflected in their direct participation in policy- and decision-making processes such as commissions, councils, public office, oversight committees and structures.

‘Look at us. We’re doctors, teachers, wives, mothers – sometimes our husbands agree with our politics, sometimes they don’t. But we’re here and we’re active’ – Mounia Brahim, Ennahda Executive Council Member

*Maternal mortality rates are for 2010

** Although the MMR for the MENA region reflects a higher percentage change from 1990 to 2010, Tunisia’s MMR is lower than the regional average, reducing from 130 per 100,000 live births to 56 during this period. This compares to a reduction from 220 to 81 in the MENA region as a whole.

Source: WDI (2014)

Source: UNESCO (2009)
intended to inform state policy and implementation. It was also reflected in lobbying and advocacy by women’s organisations to encourage power holders to introduce new reforms (Charrad, 2007). This coincided with the establishment of institutions and associated structures and programmes set up to monitor the implementation of gender policy and holding government to account on gender equality.

3. Institutional and legal progress

Between 1990 and 2010 continuity in Tunisia’s legislative and policy direction was assured by new institutional reforms, which further advanced gender equality. The key elements of these reforms include:

- Compulsory education up to the age of 16 years, introduced in 1991.
- Amendment of the Labour code in 1992 to eliminate sex discrimination in all aspects of employment.
- Nationality reform in 1993 to give children born to a Tunisian mother and a foreign father the automatic right to Tunisian nationality.
- The 1993 Code of Personal Status accorded women greater rights in marriage and divorce: a wife was no longer required to obey her husband, and a divorced woman had expanded rights to child custody and the right to child support.
- In 1998, women obtained the right to joint ownership of marital property and entitlement to it in the event of divorce or widowhood.
- The introduction of voluntary quotas, introduced in 1999, confirmed gender equality in political life.

What are the factors driving change?

In order to understand what drove the progress described above we examine the conditions that shaped the social and political environment in which it took place and the relationship between more historical trends of social inclusion, greater gender equality and improved women’s agency.

1. Post-independence political dynamics and elite arrangements

In Tunisia, progress in gender equality has been embedded in the dynamics of regime development and change. Thus, the initial steps towards gender equality were the by-product of a commitment to build a modern secular state, rather than an explicit objective.

A number of features of the post-independence political process favoured improved gender relations and underpinned the development of women’s agency.

- The nature of the independence struggle, in which a modernist nationalist agenda overcame conservative forces, resulted in progressive social policy changes that benefited women.
- The post-independence elite bargain enabled Tunisia’s state-building process to evolve in relative autonomy from local kinship networks.
Redefining the relationship between the state and the religious establishment radically altered patriarchal social relations and reduced religious control over women’s lives.

The breaking down of kin-based structures reduced the power of the extended family and resulted in a significant increase in women’s individual agency.

At key moments in Tunisia’s state-building process, elite interests coalesced around policy choices that resulted in advancing gender equality:

- Social and economic reforms in the 1950s helped to limit resistance to Tunisia’s modern state-building agenda and helped to promote policies aimed at producing a more skilled labour force.
- Political Islam began to threaten established power structures in Tunisia in the late 1980s and 1990s. To counter this and maintain middle class and elite support, the political class formed an alliance with feminist groups, to which the religious establishment also posed a threat.

2. Top-down political support for pro-women policies
Tunisia’s leadership has consistently supported policies and reforms which have created a socio-economic environment that has favoured women’s empowerment. A number of other factors have been important.

First, despite the deliberate separation between the state and religion, reforms favouring women’s rights have been firmly rooted in Islamic intellectual traditions and presented as desirable expressions of state modernity. This has ensured the support of the religious elite and so limited opposition to reforms.

Second, there has been sustained political will to accompany legal reforms with the development of a mutually reinforcing institutional system. The introduction of a wide range of complementary reforms that integrated issues of gender equality into planning processes has meant that equality has been translated into clear objectives, such as through Ministry of Women’s Affairs, the Family and Children, and the Elderly (MAFFEPA). The judiciary has also played a critical role in consistently applying the law and ensuring that state agencies comply with it.

Third, the commitment of Tunisia’s ruling party to increase women’s political representation by adopting voluntary gender quotas has been a key driver of progress, particularly given the party’s political dominance.

These reforms contributed to enabling women’s agency, as is evident from their increased representation in decision-making roles and more vibrant women’s organisations, which proved critical after the Arab Spring to protect gains in gender equality.

3. Socio-economic policy
The socio-economic reforms of the 1950s and 1960s had far-reaching implications for gender equality and women’s empowerment. Although the reforms gave way to more conservative policies in the 1960s and 1970s, the gains made in the early independence era were not reversed. A major factor in women’s empowerment between 1990 and 2010 was the presence of an enabling legal and constitutional framework, which built upon the progressive socio-economic policies adopted before the 1980s. These earlier policies provided a foundation for women’s improved formal rights and enabled women’s greater individual agency in both the private and the public sphere. It is this which planted the seeds for the women’s movement which flowered in the 1980s.

In the 1990s and 2000s further reforms to expand access to education and reproductive rights reinforced these earlier reforms. These reforms propelled women’s greater access to paid employment and the sustained political commitment to progressive economic and social policies. In turn, these socio-economic advances contributed to increasing Tunisian women’s collective agency – a key driver of women’s more active political representation in the 1990s and 2000s.

4. Women’s political and social mobilisation
The presence of a critical mass of educated women has been central to the development of women’s organisations and agency. While women’s movements and associations had begun to develop from the late 1970s onwards, it was only in the mid-1980s that they gained a collective voice in defence of women’s rights and interests. After the Arab Spring, women’s agency became especially visible as women participated in the protests and ensured that gender equality was central to subsequent political debates.

Below are some of the ways in which women’s participation in policy- and decision-making during the 1980s and 1990s influenced policy in favour of women’s rights and gender equality:

- Participating in various commissions and councils which were critical to informing state policy.
- Using gender machinery as a means to consolidate reforms through follow-up and oversight.
- Demanding new reforms – for example, playing a key role in the second wave of amendments to the CPS.
- Increasing the presence and visibility of women in the formal sphere, including in public office, and in society more broadly.
- Expanding women’s political representation (most women who reached political decision-making positions were members of the National Union of Tunisian Women – a major women’s organisation) (Gribaa et al., 2009) – reflecting the importance of women’s organisations to women’s political voice.
- Bringing politics into previously non-political structures, such as cultural or study groups (e.g. the Club Tahar al Haddad), sub-sections of national organisations (such as trade unions and human rights organisations), women’s magazines (e.g. Nissa), women’s commissions in national political parties, academic research groups (e.g. AFTURD), political organisations (e.g. AFTD) and a variety of women’s cultural, social and economic organisations (Charrad, 2007).

Building momentum - women’s empowerment in Tunisia 5
These different expressions of women’s voice contributed to reinforcing gender equality in the policy space and to enhancing changes in social norms regarding women’s role in the public sphere, which has been critical to consolidating gains in gender equality.

What are the challenges?

Despite progress, women’s voice and gender equality in Tunisia are impeded by a range of factors. This section looks at the challenges of implementing the policy reforms to advance women’s voice and empowerment and gender equality in Tunisia. It also considers the implications of developments since the Arab Spring on women’s empowerment.

1. Social and cultural conservatism

Despite its impressive advances in favour of gender equality and women’s empowerment, Tunisia remains a patriarchal society and gender-based discrimination persists in public and private life.

Conservative social norms in Tunisia support beliefs regarding the status of women that deviate from the rights enshrined in the formal legal framework. Men and women are seen as having distinct roles and responsibilities rather than as equals who should have the freedom to make their own decisions on how they should live. Although women have active roles in politics and civil society, traditional gender relations persist.

Patriarchal norms and practices are also still reflected in many of the CPS articles. For instance, if a divorced woman remarries, she is not allowed to retain custody of her children, and men are still assumed to be the head of the family.

Cultural and religious norms also continue to influence policy reforms. For example, although Tunisia formally withdrew its major reservations to CEDAW in 2014, it maintained a reservation for the implementation of reforms that conflict with Islam. Inheritance law is one such issue, in which progress towards women’s equality has been limited. Discriminatory provisions such as these restrict women’s empowerment in the private sphere and support conservative social norms regarding the status and role of women in Tunisian society.

Furthermore, while women’s employment position has improved in Tunisia, labour equality is not guaranteed in practice, particularly in the private sector. Women’s wages are lower than men’s and men are typically given priority in employment opportunities. Rising unemployment in the context of the global crisis has meant that women’s work is more precarious and high male unemployment can feed negative attitudes to women’s paid work.

With regard to political representation, affirmative action in the form of party list quotas and gender parity has been significant for women’s empowerment, although it has not necessarily enabled women to gain greater political power.
2. Domestic perceptions of the women’s movement
Prior to the 2011 revolution, Tunisian women’s movements were politically constrained and while they were seen as guardians of the CPS they were also criticised for being complicit with the status quo. Although there was a rapid increase in the number of women’s organisations and their activities in the post-revolution period – which may signal that the women’s movement is gaining influence and power – the movement remains diverse and fragmented and does not present a coherent vision of women’s position in Tunisian society and politics. Despite women’s participation in the ‘Jasmine revolution’, wider public opinion and opposition voices do not necessarily see the women’s movement in a favourable light. In the post-revolution era, ordinary Tunisian women’s knowledge of women’s organisations remains very limited and they do not regard them as having had a significant influence on their status.

3. Constraints to broader political participation
Tunisia has made progress in women’s social and economic dimensions of empowerment against an extremely repressive and constrained political context that restricted political rights overall.

The post-revolution environment opened up space to new forms of associational life but this also gave new opportunities to the religious establishment, which had been previously excluded from the political landscape. The victory of the moderate Islamic political party ‘Ennahda’ in the 2011 elections raised concerns that there would be a move away from the secular state, which would create tensions with women’s political voice. For example, the declaration by the Ennahda Executive Council member, Farida Labidi, that ‘One cannot speak of equality between man and woman in the absolute’ (Charrad and Zarrugh 2013), highlighted the danger to women’s status posed by the new, more conservatively religious, political leadership. So although the Arab Spring opened up an opportunity for progressive constitutional change, it also reinforced forces of social conservatism in Tunisia which may act as a constraint to advances to gender equality.

Lessons learned
The progress in gender equality that both underpins and reflects advances in women’s empowerment in Tunisia is above all rooted in the post-independence political settlement and associated public policies in education, health and labour as well as a progressive family code. It also highlights the cumulative and iterative interaction between legal and policy changes, resulting in improved outcomes for women and women’s capacity to mobilise.

Tunisia’s progress in women’s empowerment between 1990 and 2010 provides useful lessons on the means by which women can obtain access to new resources and the way in which politics and power, as well as the struggles, dynamics and contestation that these generate, can be used to challenge gender and social power relations.

- The way in which elites negotiate the distribution of power conditions the possible gains in women’s empowerment. In Tunisia women’s empowerment has been conditioned by the country’s unique state-building process and the way in which elites negotiated power regarding modernist and secular conceptions of the state.
- Progress towards women’s empowerment can occur even under an authoritarian political regime. The particular way in which elite interests aligned with gender equality in Tunisia over a period of 50 years contributed to creating the conditions that have enabled women’s empowerment. Progressive change has been possible despite the fact that Tunisia’s political leadership initially restricted political freedoms.
- Women’s empowerment is closely connected to a sustained commitment to public investment in health and education. To the extent that social policies are gender-blind (and most seem to be) the gains in social capabilities also benefit women and girls, and contribute to advances in gender equality and the development of women’s agency.
- Advances in gender equality and women’s empowerment can take place even when not driven initially, or mainly, by women’s mobilisation. Initial advances in gender equality and women’s rights in Tunisia were not the result of women’s agency, although top-down women-friendly reforms created an environment in which women’s movements have been able and continue to advance women’s empowerment.
This summary is an abridged version of a research report and one of a series of Development Progress case studies being released at developmentprogress.org

Development Progress is a four-year research project which aims to better understand, measure and communicate progress in development. Building on an initial phase of research across 24 case studies, this second phase continues to examine progress across countries and within sectors, to provide evidence for what’s worked and why over the past two decades.

This publication is based on research funded by the Bill & Melinda Gates Foundation. The findings and conclusions contained within are those of the authors and do not necessarily reflect positions or policies of the Bill & Melinda Gates Foundation.

References


