

## **Institutional Changes in the Maghreb: Toward a Modern Gender Regime?**

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### **Abstract**

The countries of the Maghreb – Algeria, Morocco, and Tunisia – are part of the Middle East and North Africa region, which is widely assumed to be resistant to women’s equality and empowerment. And yet, the region has experienced significant changes in women’s legal status, political participation, and social positions, along with continued contention over Muslim family law and women’s equal citizenship. Do the institutional and normative changes signal a shift in the “gender regime” from patriarchal to modern? To what extent have women’s rights organizations contributed to such changes? While mapping the changes that have occurred, and offering some comparisons to Egypt, another North African country that has seen fewer legal and normative changes in the direction of women’s equality, the paper identifies the persistent constraints that prevent both the empowerment of all women and broader socio-political transformation. The paper draws on the author’s research in and on the region since the early 1990s, analysis of patterns and trends since the Arab Spring of 2011, and the relevant secondary sources.

### **Introduction**

The Middle East and North Africa region (MENA) is widely assumed to be resistant to women’s equality and empowerment. Many scholars have identified conservative social norms, patriarchal cultural practices, and the dominance of Islam as barriers to women’s empowerment and gender equality (Alexander and Welzel 2011; Ciftci 2010; Donno and Russett 2004; Fish 2002; Inglehart and Norris 2003; Rizzo et al 2007). Other scholars have put the spotlight on the oil economy and rentier states as the key obstacles to both women’s rights and to democracy (Moghadam 1993; Stepan and Robertson 2003; Ross 2008; Tétreault et al 2011). Yet others have cited kinship patterns as key to women’s legal status and social positions (Abdulkadir and Buttorff 2017; Charrad 2001; Joseph 1996). The rich literature on women’s participation and rights in MENA has contributed much to our understanding of variations, prospects, and changes, although studies continue to emphasize the stability of authoritarianism in the region (Blaydes 2011; Brownlee 2007; Lust 2017; Stacher 2012) and the barriers to gender equality.

And yet, the region has experienced significant changes in women’s legal status, political participation, and social positions, along with continued contention over Muslim family law and women’s equal citizenship. Fertility rates have declined, women’s educational attainment has risen, and many professional fields have become dominated by women. Such changes are especially evident in the Maghreb, notably in Algeria, Morocco, and Tunisia, where women’s parliamentary representation has

become the highest in the region (and in Algeria and Tunisia, among the highest in the world). Recent studies also show considerable changes in attitudes and values toward women's equality, especially in Morocco (Benstead 2017). Do the institutional and normative changes signal a shift in the "gender regime" from patriarchal to modern? To what extent have women's rights organizations contributed to such changes? While mapping the changes that have occurred – and offering some comparisons to Egypt, another North African country that has seen fewer legal and normative changes in the direction of women's equality – the paper identifies the challenges and constraints that prevent both the empowerment of all women and broader socio-political transformation.

The paper is organized as follows. I begin with some orienting theory, drawing on conceptual work on gender regimes and gender orders, along with past research on neopatriarchal states and gender relations. In that section I also try to model the interaction of gender regime with institutional changes, along with the influence of the global economy and the world polity. The next section is more empirical, as it maps out the actual changes that have occurred in the three Maghreb countries, comparing them to the more limited changes that have occurred in Egypt. The section includes documentation of the kinds of legal reforms and policy changes that have occurred, and the principal drivers and agents of those changes. There I also point to the structural barriers to women's economic empowerment: the continued neoliberal economic policy regime and – in Algeria – the continued reliance on a hydrocarbon-based economic growth strategy. I conclude with reflections on the emerging gender regimes in the Maghreb, and the implications for both theory-building and for the evolution of the region's politics and gender relations.

### **Orienting Theory**

In past studies, the MENA region, both Arab and non-Arab, has been identified as part of the "patriarchal belt" (Caldwell 1982) and the world of "classic patriarchy" (Kandiyoti 1988), largely on the basis of the persistence of strong kinship structures in which men dominate and women are subordinate (Charrad 2001; Joseph 1996). The concept of "neopatriarchy" in Arab society (Sharabi 1988) referred to the persistence of traditional hierarchical relations in a modernizing context, encompassing households as well as political leadership. That concept was then used as an overarching, umbrella term for the different types of states – whether monarchical or republican, oil or non-oil – in the MENA region, as well as for the sex/gender system (Moghadam 1993). Earlier, Walby (1989) had theorized patriarchy as consisting in structural and cultural arrangements and practices, and noted historic shifts from patriarchy in the family to public forms of patriarchy reflecting continued gender inequality. In more recent work, Walby moves away from the concept of patriarchy to an examination of structures and institutions that reflect gender relations in an era of globalization. In her new theoretical construct (Walby 2004; 2009, esp. 301-309), gender relations are found across four domains – economy, polity, civil society, and the social organization of violence. She introduces the concept of a *gender regime* as a macro-level concept (similar to a class regime) linked at the meso-level to a series of institutions and relations. Although somewhat similar to Connell's (1987) conceptualization of gender as a large-scale social structure that cannot be reduced to identity or other micro-level constructs, Walby's theory

presents the gender regime as part of a broad set of “complex inequalities” that includes class and ethnicity but has its own logic and ontological depth.<sup>1</sup>

To summarize, Walby’s gender regime is a set of interrelated gendered social relations and institutions that constitute a system. She identifies different forms of gender regimes. Whereas earlier she had theorized private and public patriarchy, she now refers to the transition from domestic to public gender regime. With a focus on the industrialized societies of the West, Walby identifies three routes to a public gender regime: market-led, polity provisioning-led, polity regulatory-led. Existing public gender regimes vary, and in the contemporary Western world, there are two types: neoliberal (exemplified by the United States with its weak welfare provisioning) and social democratic (exemplified by many states in the European Union). There may be hybrid gender regimes as well, resulting from incomplete transition to modern gender relations or a legacy of a previous, changing gender regime.

Much of the research on gender regimes has pertained to the democratic welfare states of Europe, with a focus on trends in female labor market participation, educational attainment and outcomes, parliamentary representation, incomes, social security and pensions, reproductive rights, equality legislation, and public provisioning for work-family balance. Pascall and Lewis (2004: 377), for example, note that gender regimes at the national level are increasingly influenced by EU-level legislation, where “the politics of reconciling work and family have gained increasing purchase”. Thus, in addition to path dependency, international factors and forces, including supranational institutions, have a role to play in the construction of gender regimes. Walby, too, focuses on Western democracies and welfare states. There has been some discussion of which indicators and indices are most appropriate for the operationalization of the gender regime or the measurement of gender inequalities more broadly. In a very interesting paper, Bose (2015) has both addressed the question of measurement (she chooses to use the OECD’s SIGI index) and shown that gender regimes seem to cluster by world region, and are quite varied in the Global South. An interesting finding is that the MENA region falls between the lowest and highest regions. This is because women’s educational attainment and their tertiary enrollment rates in particular are high, although on other measures, such as labor force participation and political representation, the region declines in the ranking.

In fact, the MENA region itself is quite varied, and attention to the diverse patterns and trends in MENA can contribute to theory-building. As noted in the paper’s introduction, the concept of patriarchy has been extensively deployed in connection with MENA, and in my own research I used the term “neopatriarchal” as an umbrella for the different types of states in the region, given the extent of gender inequality in place. However, research on patterns of women’s participation and rights in the MENA region has identified diversity across the region (Brand 1998; Moghadam 1993, 2013; Moghadam 2007; Moghadam and Decker 2017; Shalaby and Moghadam 2017). At the same time, although the authoritarian nature of all states in the region is confirmed in even the most recent studies (e.g., Kelly and Breslin 2010; Lust 2017), classifications of state regime types also show variations as well as changes over time (see Lust 2017, Table 4.2, pp. 171-172). Is there a correspondence between changes in state regime types and changes in the gender regime? If so, what are the indicators?

Prior research, including my own, has shown the following:

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<sup>1</sup> In both cases, the gender regime/gender order is the configuration of varying institutional regimes into a nationally or regionally-specific approach to managing gender. Pascall and Lewis (2004) refer to both a gender regime and a gender order. They define gender regimes as “the key policy logics of welfare states in relation to gender” (p. 373) and note the changing nature of the male breadwinner/female carer model.

- Variations in female labor force participation (FLFP) as a result of differences in resource endowments, political economy, and development strategy; Morocco and Tunisia have had the highest levels of female employment across public and private sectors, including manufacturing;
- Declines in fertility rates and increases in the age at first marriage (see, e.g., Karshenas, Moghadam and Chamlou 2016);
- The importance of educational attainment and professional employment in women’s movement-building and advocacy; educated and employed women (“modernizing women”) are founders, members, and activists of women’s rights organizations;
- The women’s movement priorities that I first identified in the mid-1990s remain in place: family law reform; criminalization of violence against women (VAW); equal nationality rights; enhanced political and economic participation;
- Variations in women’s rights advocacy and accomplishments, with the Maghreb doing best in terms of legal reforms and policy changes toward women’s equality;
- High female parliamentary representation in Algeria and Tunisia, followed by Morocco, especially since 2011, brought about by quotas and a proportional representation electoral political regime.<sup>2</sup>

How have these changes come about? Research tends to emphasize structural and institutional drivers of change (Moghadam and Decker 2017; Paxton and Hughes 2014). Structural sources include resource endowments (the economic base or system of production) and the nature of the social structure (social classes and the system of distribution). Institutional sources of change include state policies and legal frameworks, the development strategy pursued, and the global normative environment (e.g., international standards and norms to which a country is signatory). The agents of change have been differentially identified across the literature: state managers; modernizing bourgeoisie/elites; the working class and trade unions; modernizing women and feminist organizations.<sup>3</sup> Table 1 identifies the drivers and agents of change across the three domains of the economy, polity, and civil society, with examples of gendered outcomes for each.

Table 1. Drivers and Agents of Change and Gendered Outcomes

|                      | Drivers of change  | Agents of change  | Outcomes   |
|----------------------|--|---|--|
| <b>Economy</b>       | Global capitalism<br>Economic development strategy           | State managers;<br>modernizing elites; trade unions; FDI  | FLFP expanded or restricted                              |
| <b>Polity</b>        | World polity<br>Political system/power relations             | Modernizing elites;<br>International organizations  | Electoral reforms;<br>quotas                             |
| <b>Civil society</b> | Global capitalism<br>World polity<br>State-society relations | Modernizing women /<br>feminist organizations,<br>NGOs, CSOs, social movements, IOs, TANs, TFNs | Expanded rights for women; legal reforms; policy changes |

<sup>2</sup> Tunisia’s high proportion of women in parliament, however, predates the Arab Spring and is a legacy of its “state feminist” approach.

<sup>3</sup> The literature to which I refer here is vast, encompassing works on welfare states and citizenship regimes (T.H. Marshall; Walter Korpi; Gosta Esping-Andersen; Stephens and Huber); revolutions (Marx and Engels; Barrington Moore; Theda Skocpol), and democratic transitions (Samuel Huntington; Larry Diamond; John Markoff).

A question that may be posed is: Do the institutional changes amount to a change in the gender regime? Before examining in more detail the institutional changes for women’s rights that have occurred in Algeria, Morocco, and Tunisia, it may be helpful first to offer a three-fold classification of gender regimes in the contemporary MENA region. Applying a variant of Walby’s framework, Table 2 presents three types of gender regimes and their characteristics in the economy, the polity, and civil society. Also included are some examples of MENA countries that fit each regime type.

Table 2. Varieties and Features of Gender Regimes in the Middle East and North Africa

|                         | <b>Neopatriarchal</b>                                       | <b>Modern</b>  | <b>Hybrid</b>   |
|-------------------------|---|--|---|
| <b>Economy</b>          | Rentier; resource-based                                     | Diversified or diversifying  | Rentier or diversifying   |
| <b>Polity</b>           | Authoritarian (republic or monarchy)                        | Multi-party  | Multi-party but with dominant party and authoritarian features                            |
| <b>Civil society</b>    | Restricted and repressed                                    | Open; presence of social movement organizations (trade unions, feminist, human rights) | Restricted but room for maneuver for NGOs and CSOs (feminist, trade unions, human rights) |
| <b>Country examples</b> | Jordan; Gulf monarchies; (Egypt?), Iran; Iraq; Syria; Yemen | Morocco, Tunisia   | Algeria (Egypt?)  |

In the section that follows, I seek to show that the gender order in the Maghreb in particular is in a process of transformation, albeit with an open end. The change is the result of internal structural and institutional changes, feminist movements and advocacy, and global influences. The main drivers and actors of this transformation are global capitalism, the world polity, domestic feminist movements, and modernizing elites. In what follows, I will focus on the activities and accomplishments of feminist movements in the three Maghreb countries of Algeria, Morocco, and Tunisia, starting with why I place them in a category of their own, and how they differ from Egypt.

### **The Maghreb**

Algeria, Morocco, and Tunisia share some common features as well as some differences. **Similarities:**

- All three were once part of the French colonial enterprise
  - Its institutional legacy includes educational and judicial systems, trade unions, and intellectual connections;
- Special trade relations with EU countries;
- Civil society connections
  - In late 1980s/early 1990s Moroccan feminist sociologist Fatima Mernissi formed a Maghrebian anti-fundamentalist network of academics, artists, activists, lawyers, publishers, students;
  - The Moroccan woman-owned publishing house Edition Le Fennec produced a series of books on women and the law;

- Feminists from the three countries formed the regional networks *Collective 95 Maghreb-Egalité*
- All three countries were affected by the Arab Spring
- All three are characterized by modern parliamentary systems, fairly high female political representation (27% on average, compared with 10% in the rest of MENA), women judges, and no compulsory veiling.<sup>4</sup>

#### Differences:

- Different state formations – conservative monarchy (Morocco); liberal constitutional republic (Tunisia); Arab socialism (Algeria)
- Development strategies
  - Algeria’s emphasis oil and gas production and exports
  - Tunisia and Morocco as non-oil economies emphasized growth of manufacturing and tourism
- Tunisia uniquely benefited from “state feminism” since independence and the family law of 1956 (“Bourguiba’s gift to women)
- Socio-demographic differences in FLFP, poverty, literacy and education (poverty most pronounced in Morocco)
- Different experiences with the Arab Spring:
  - Tunisia’s regime change Jan. 2011
  - Morocco’s constitutional amendments July 2011
  - Algeria’s move toward greater democratization, new elections, and fast-track parliamentary quota for women
  - Political liberalization / democratization resulted in electoral victories for Islamist parties in Morocco and Tunisia but not in Algeria

#### ***A Brief History of Women’s Organizing***

Maghreb women have a long history of mobilizations, and in Algeria and Morocco they played an important role in the independence movements, although they were not rewarded for those roles. In Algeria women were encouraged to return to the family unit, and in Morocco a very patriarchal family law was introduced. In contrast, the French-educated and West-leaning lawyer Habib Bourguiba, who became Tunisia’s first president, introduced a liberal family law with sweeping rights for women in the family three years before the country’s constitution was adopted. Charrad (2001) explains these diverse outcomes to relations between the new ruling elites and the traditional tribal or kin-based elites, and the extent to which the new ruling elites accommodated or challenged traditional kin solidarities and hierarchies. With modernization over time, the power of tribes and kinship networks dissipated simultaneous to the rise in women’s advancement through education and entry into the labor force.

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<sup>4</sup> The Women in Parliaments Global Forum recently recognized the work Algeria has done to improve women’s political participation. <https://www.wilsoncenter.org/publication/mena-women-quarterly-report-april-june-2016#sthash.KXYOzvte.dpuf>

In the 1960s and 1970s, women's study groups formed, most of them on the part of women from left-wing organizations and in pro-Palestine solidarity groups. Women's rights organizations were then formed, first in Algeria in the early 1980s (in opposition to a new and very conservative family law) and then in Tunisia and Morocco in the late 1980s, as well as in Algeria, in reaction to the rise of fundamentalist movements and the implementation of structural adjustment policies in their countries. Political liberalization across the region enabled civil society, including feminist groups, to emerge and grow, but it also led to the growing power of Islamist movements and parties. In the 1990s, Algeria in particular saw the expansion of the feminist movement and many new feminist groups, opposed to both the conservative family law and the growing Islamist movement, now engaged in a civil conflict with the state. At the same time, preparations for the Beijing conference in 1995 spurred the formation of the *Collectif 95 Maghreb-Egalité*, which advocated for family law reform and the replacement of gender-discriminatory laws with egalitarian ones. The emergence of feminism in Algeria, Morocco and Tunisia, therefore, occurred in a regional and global context of political liberalization, Islamist expansion, economic globalization, and the UN's global women's rights agenda. Feminist groups in the Maghreb responded to the opportunities while also critiquing *les menaces*, as well as patriarchal laws and norms.

In **Algeria**, feminist groups included the Independent Association for the Triumph of Women's Rights (l'Association Indépendante pour le Triomphe des Droits de la Femme, also known as Triomphe); the Association for Women's Emancipation (l'Association pour l'Emancipation des Femmes, or Emancipation); the Association for the Defense and Promotion of Women (l'Association pour le Défense et Promotion des Femmes, known as Défense et Promotion); the Algerian Gathering of Democratic Women (Rassemblement Algérien des Femmes Démocrates, RAFD); Women's Cry (Cri de Femmes); Women's Voice (Voix des Femmes); El Aurassia; and SOS Femmes en Détresse. Professionally, too, Algerian women were making gains, with large proportions of women as teachers, university professors, medical doctors, and magistrates, or prosecutors and judges. At the turn of the new century, Algeria had the highest proportion of women judges not only in the Maghreb but in all of MENA. In addition, the government rewarded feminist groups for their support during the civil conflict with five cabinet seats in 2002.

In **Morocco**, the main women's rights groups were l'Union de l'Action Féminine (UAF), Association Démocratique des Femmes du Maroc (ADFM), Réseau Anaruz, and Springtime of Dignity coalition.

Casablanca was home to the woman-owned publishing house Editions Le Fennec, which produced a series of books in the 1990s on women and the law in the three Maghreb countries, and also published works by women novelists. Morocco's UAF launched the One Million Signatures drive in 1992 for family law reform, and in alliance with a new progressive government in 1998, promoted the National Plan of Action for the Integration of Women in Development. Progress came quickly: in 2002 the Electoral Code introduced a "national list" with 30 reserved seats, or a 10% parliamentary quota, for women (subsequently raised); the family law was replaced in 2004 with a more egalitarian set of laws and norms for marital life and family affairs; the 2004 Labor Code established the equality and rights of working women; feminists began agitating government agencies for the criminalization of domestic violence; and in 2007 the Nationality Code gave women and men equal rights to transmit nationality to their children.

In **Tunisia**, the feminist groups Association des Femmes Tunisiennes pour la Recherche sur le Développement (AFTURD) and Association Tunisienne des Femmes Démocrates (ATFD), both formed in 1989. In 1993 they were the first in the region to establish a *centre d'écoute*, or hotline and counseling center for women victims of domestic violence and sexual harassment. This was followed by a physical center established by the official women's organization (UNFT) in 2004. Tunis also was home to a women's policy agency, the Centre de Recherche, d'Etudes, de Documentation et d'Information sur la Femme (CREDIF), formed by the government to obtain studies on women in development for its own development planning – something that no other Arab country had. CREDIF's early leadership was the subject of harassment and its feisty director forced to resign, but its work continued, and feminist researchers were commissioned to help undertake studies on the status of rural women, women in the informal sector, factory women, and the like. Tunis similarly was the headquarters of Center of Arab Woman for Training and Research (CAWTAR), the region-wide women's research and policy agency. A statement issued by AFTURD in 2008 asserted: "Our work on behalf of women's empowerment is also aimed at political change and is part of the movement for democratization."<sup>5</sup> In their extensive survey of women's rights in the Arab World, Freedom House compared countries on several dimensions related to gender equity, ranking Tunisia number one regarding women's legal rights (Nazir and Tomppert 2005: 25).

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<sup>5</sup> "AFTURD's Declaration: Fighting Against Attempts of Regression." Press release issued 26 September 2008, made available to the author by AFTURD founding member Dr. Khédija Arfaoui.

In MENA countries, the presence of women in traditional male domains and male-dominated agencies such as Ministries of Interior and Justice has increased over the past decade; women's participation as 25% of all jurists nears the global average. Nonetheless, there are significant variations across the region. In the Gulf countries, Iran, Jordan, and Egypt, women judges are rare if not non-existent. (Women lawyers, however, are numerous in Iran, Egypt, Jordan, and Lebanon.) By contrast, the Maghreb countries have been making notable progress in closing the gender gap in the judiciary. In 2012 a woman served as president of an Administrative Court in Tunisia. The female representation of women in Tunisia's Supreme Court was 31% in 2004 and 43% in 2010. In Morocco, the figures were 23% and 26% (OECD and CAWTAR 2012, Fig. 14, p. 16).<sup>6</sup> Women's inclusion in the judiciary, and especially as judges, is a key indicator of changes in gender relations, given that in orthodox interpretations of Sharia law women are not to serve as judges, and the testimony of two women is equal to that of one man. Thus women's inclusion in the judiciary in the Maghreb signals (a) recognition by ruling elites of qualified women's competence their contributions to justice; (b) a more liberal interpretation of Sharia law in the context of legal pluralism; (c) acceptance by society of changing values, norms, and practices; and (d) the achievements of the women's movement, which has pushed for more female representation in decision-making across domains.

At the dawn of the Arab Spring protests, women in Algeria, Morocco, and Tunisia had made considerable progress, especially when compared with female citizens of other MENA countries, including Egypt. Table 3 shows differences between the Maghreb countries and Egypt at the start of the Arab Spring. As can be seen, Tunisia does best on a range of indicators. Morocco falls short on education but does best on proportion women in senior positions. The category of women in university teaching is very important – these women are most likely to be in favor of cultural and political modernization, and to form or join women's rights organizations. They are also role models to their students. Social and gender indicators in the three Maghreb countries showed that women fared better in those countries than in Egypt.

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<sup>6</sup> For details on women in the judiciary see papers commissioned by UNESCO from Boutheina Cheriet (Algeria), Fouzia Rhissassi and Khalid Berjaoui (Morocco), and Monia Ammar (Tunisia), in *Femmes, Droit de la Famille et Système Judiciaire en Algérie, au Maroc et en Tunisie*, publié sous la direction de Souria Saad-Zoy, UNESCO-Rabat, 2010. See also Marzouki 2010 : 16.

Table 3. Gender indicators at the start of Arab Spring (2010-11), Maghreb countries

|  | Algeria           | Morocco                | Tunisia                             | Egypt                                      |
|--|-------------------|------------------------|-------------------------------------|--|
| Paid labor force, F %                          | 17%               | 28%                    | 25%                                 | 19%  |
| Tertiary enrolment, F % age group              | 34%               | 12%                    | 40%                                 | 14%  |
| Mean age at first marriage, F                  | 29                | 26                     | 27                                  | 23   |
| Total fertility rate                           | 2.4               | 2.4                    | 1.9                                 | 2.9  |
| Female share, seats in parliament (1995-2010)  | 8%                | 11% (after 2002 quota) | 23-28%                              | 2-3%                                       |
| Female share of university teaching staff      | 38%               | 17%                    | 42%                                 | n.a.                                       |
| Women in judiciary (date of first appointment) | 37% of total      | 24% (1961)             | 28% share of total (1967)           | 0.46% (2003)                               |
| Family law                                     | Minor reform 2005 | Major reform 2004      | Liberal since 1956; 1998 amendments | Patriarchal; <i>khul'a</i> adopted in 2000 |

Sources: WEF, *Global Gender Gap Report 2011*, country profiles; UNESCO project on women in the Judiciary.

Between 2003 and 2010, feminist organizations in the Maghreb had managed to secure a number of key legal and policy reforms. This was a result primarily of their own advocacy and strategic coalition-building but also of governments' participation in the world polity, which made them accept, albeit reluctantly, aspects of the UN's global women's rights agenda. Thus, in Algeria:

- 2004: Amendment to Article 341 of penal code, making sexual harassment an offense.
- 2005: Amendment to nationality code, to permit an Algerian woman married to a non-Algerian to confer citizenship on her children.

In Morocco in 2007, the Claiming Equal Citizenship campaign achieved a success when Morocco changes its nationality code, allowing women who are married to foreign Muslim men to pass their nationality on their children. In 2009: A three-year campaign, with ADFM taking a lead, overturns century-old laws denying equal land rights to Soualilyates women (in rural, tribal areas) to share, transfer, and benefit from 30 million acres of communally-owned land; the women themselves continue to press for land rights.

In Tunisia, much of the advances had already been secured in the 1990s: feminists had formed the first hotline / centre *découté* in 1993 (and the government/UNFT in 2004); a law criminalizing crimes of honor was adopted; the punishment for domestic violence was made double that of an ordinary offense. In addition, when the child is born out of wedlock and the father is known, the child carries the father's name, has the right to the father's support until reaching adulthood, and inherits the same portion as a daughter (Labidi 2007: 25-26).

**Table 4. Family Law Reforms and Provisions**

|                         | <b>Algeria (2005)</b>                                       | <b>Morocco (2004)</b>  | <b>Tunisia (1956)</b>        |
|-------------------------|---|--|------------------------------|
| Guardianship of female  | Maintained  | Removed once she reaches maturity  | Removed                      |
| Marriage age            | 18  | 18   | 17 (woman)                   |
| Polygamy                | Maintained with legal recognition + agreement of first wife | Maintained with legal recognition + agreement of first wife; marriage contract may prohibit it | Banned                       |
| Repudiation             | Maintained  | Limited  | Banned                       |
| Property                | Separate  | Separate   | Separate                     |
| Divorce                 | Couple  | Couple   | Couple                       |
| Parental responsibility | Couple  | Couple   | Couple                       |
| Child Custody           | Mother with home and pension                                | Mother with home and pension   | Mother with home and pension |

Feminist activism in Egypt is, by several accounts, the oldest in the Arab world, dating to the early years of the 20<sup>th</sup> century. The personal status laws of Egypt, however, lag behind those of other countries, and especially those of Morocco and Tunisia and Morocco. Egyptian women won the right to an Islamic *khula'* divorce only in 2000, and this was accompanied by the formulation of a new standard marriage contract that gave the bride the right to stipulate conditions, such as the right to divorce if her husband took a second wife. Further reforms in 2005 established family courts, a Family Fund for court-ordered alimony and maintenance for female disputants, and new child custody laws. The reforms were

proposed and drafted by individuals from various segments of Egyptian society, including the feminist lawyer Mona Zulfikar. A backlash ensued after the 2011 revolution, however, on the grounds that the legislation was adopted by the deposed regime and violated Sharia law. It also should be noted that an anti-FGM law was adopted in Egypt in 2008, although the practice continued. In 2010, government adopted a parliamentary quota law, which resulted in a jump in women's parliamentary representation from 2% to 10%. Both these laws were overturned after Egypt's 2011 Tahrir Square revolution, but were reinstated after the new government and constitution of 2013. Mozn Hassan formed *Nazra for Feminist Studies* in 2008. Uniquely among feminist activists in the four North African countries, Mozn Hassan was banned in 2016 from traveling by the Egyptian authorities. She and activists from a number of Egyptian NGOs have been prosecuted under what is known as "the foreign funding case".<sup>7</sup> While Tunisia's new constitution makes no mention of Sharia as the basis of law, Egypt's does; and while Morocco has been harmonizing its national laws with international standards and norms, Egyptian law continues to prioritize conservative interpretations of Sharia law and thus lags behind in gender equality legislation.

Table 5 (attached) provides documentation on the main issues and priority areas of the women's rights groups in Algeria, Morocco, and Tunisia, along with the legal reforms and policy changes that have occurred between 2003 and 2016. These achievements result from the longstanding advocacy efforts of the women's rights organizations, as well as the support they have received from elite allies in government and the political parties, who in turn have been receptive to the global women's rights agenda through their involvement in multilateral and international organizations and their ratification of key conventions, such as CEDAW.

### ***Constitutional Rights, Parliamentary Representation, and Democratization***

At the start of the Arab Spring, thousands of Tunisian women quickly mobilized to warn the newly-empowered Ennahda party of their determination not to allow any backsliding on women's rights. "*Ne touche pas à mes aquis*" was a common slogan and banner. Their efforts paid off. The Tunisian constitution enshrines women's equality and stipulates that the state is responsible to end violence against women. Tunisia's parliament, which in 2016 is ranked second in the region and 40th globally for

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<sup>7</sup> MESA's Committee on Academic Freedom (CAF) sent a protest letter to the authorities in July 2016. See *Issues in Middle East Studies* (October 2016), p. 19.

**Table 5. Women’s rights organizations in the Maghreb: Issues and results, 2003–2016**

| Organizations  | Issues, priorities, campaigns   | Results  |
|--|---|--|
| <i>Regional:</i>   |   |  |
| <ul style="list-style-type: none"> <li>Collectif 95 Maghreb-Egalité</li> </ul>   | <ul style="list-style-type: none"> <li>Awareness-raising on women’s rights issues</li> <li>Adherence to UN’s global women’s rights agenda</li> <li>Full and equal citizenship for women</li> </ul>  | <ul style="list-style-type: none"> <li>2003: Advocacy book, <i>Dalil pour l’égalité dans la famille au Maghreb</i></li> <li>At national level: see below</li> </ul>  |
| <i>Algeria:</i>  |   |  |
| <ul style="list-style-type: none"> <li>SOS Femmes en Détresse</li> <li>Centre d’Information et Documentation sur les Droits de l’Enfant et de la Femme (CIDDEF)</li> </ul> | <ul style="list-style-type: none"> <li>Repeal of the Family Law and its replacement by an egalitarian law; abolition of polygamy and unilateral male divorce; and equality in division of marital property;</li> <li>Criminalization of all forms of violence against women;</li> <li>Social and psychological support for victims of the 1990s violence; Coalition <i>20 ans Barakat</i>.</li> </ul> | <ul style="list-style-type: none"> <li>2004: Amendment to penal code, making sexual harassment an offense (Article 341bis).</li> <li>2005: Amendment to nationality code, to permit an Algerian woman married to a non-Algerian to confer citizenship on her children.<sup>1</sup></li> <li>2008: Amended constitution recognizes women’s political role (Article 31bis)</li> <li>2012 (Jan.): Parliamentary/political party quota adopted (Law No. 12); women win 31% seats in National Assembly</li> <li>2014: Seven women appointed to Cabinet, constituting 20%</li> <li>2014-15: stronger legislation adopted on domestic violence and sexual harassment<sup>2</sup></li> </ul> |
| <i>Morocco:</i>  |   |  |
| <ul style="list-style-type: none"> <li>L’Union d’Action Féminine (UAF)</li> <li>Association Démocratique des Femmes du Maroc (ADFM);</li> </ul>                            | <ul style="list-style-type: none"> <li>Reform of Moudawana and replacement with more egalitarian family law</li> <li>Lifting of reservations to CEDAW</li> <li>“Spring of Dignity” coalition of 30 associations for penal code reform (e.g., address marital rape; decriminalize abortion); consolidating</li> </ul>  | <ul style="list-style-type: none"> <li>2004: Sweeping reform of Mudawana<sup>3</sup></li> <li>2007: The Claiming Equal Citizenship campaign achieves a success when Morocco changes its nationality code, allowing women who are married to foreign Muslim men to pass their nationality on their children.</li> <li>2008: King Mohammed VI pledges to bring the country’s</li> </ul>  |

- democracy; empowering rural women
- Combating violence against women

- domestic laws into compliance with CEDAW.
- 2009: A three-year campaign overturns century-old laws denying equal land rights to Soualalyates (rural, tribal) women to share, transfer, and benefit from 30 million acres of communally-owned land.<sup>4</sup>
- 2011-2013: The amended constitution stipulates that the state will work toward gender parity; Morocco lifts all reservations to CEDAW;
- 2013: New law on gender parity: political parties should achieve at least 30% female representation
- 2014: Parliament adopts the draft law to amend article 475 of the Criminal /penal Code, which allowed rapists to escape prosecution if they married their victim.<sup>5</sup>
- 2016 (July): Parliament adopts draft bill on eliminating VAW<sup>6</sup>

*Tunisia:*

- Association Tunisienne des Femmes Démocrates (ATFD)
  - Association des Femmes Tunisiennes pour la Recherche sur le Développement (AFTURD)
  - For women’s equality in all areas, including inheritance, democracy and rights;
  - Full implementation of CEDAW, including equal inheritance rights; support for working women<sup>7</sup>
  - 2003: UNFT creates sexual harassment and domestic violence hotline
  - 2011: Transitional government declares gender parity in elections and lifts remaining reservations on CEDAW.
  - 2012: Protests by feminist groups and supporters defeat attempt by Ennahda-dominated Constituent Assembly to replace “equality” between women and men with “complementarity”
  - 2012: Government-sponsored women’s shelter established
  - 2014: The new constitution codifies gender parity and bans violence against women
  - 2012–2014: ATFD and AFTURD extend networks to Sfax, Sousse, Bizerte, Kairouan; members join coalitions and political parties to prevent Ennahda victory in November 2014 parliamentary elections; women candidates win 31 percent of seats
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## Notes

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<sup>1</sup> 2005 family law reform in Algeria changed the legal age for marriage to 19 for both sexes, and prohibited proxy marriage. Polygamy remains legal.

<sup>2</sup> On Feb. 1, 2014, PM Abdelmalek Sellal signed Decree 14-26, which established that women who were raped by members of armed groups during the internal conflict in the 1990s would be entitled to financial compensation. In June 2014, a draft law was introduced to ban both physical and psychological violence by a spouse as well as sexual harassment in public spaces. The law was controversial with Islamists (in the Senate, which had blocked the bill for 8 months because of “interference in family affairs”), but the National Council unanimously adopted the text on Dec. 10, 2015. This law supplanted the Criminal code with new procedures aimed at protecting women against all forms of violence, and came as a victory for feminist groups that had fought for years for its implementation. A shortcoming of the law is that it allows a victim/survivor to pardon the perpetrator.

<sup>3</sup> Tunisia (1956) and Morocco (2004) prohibit repudiation. Morocco and Tunisia now have optional joint marital assets ownership / community property regime.

<sup>4</sup> Zakia Salime, “Women and the Right to Land in Morocco: The Sulaliyyates Movement”, April 15, 2016, prepared for the Women and gender in Middle East politics workshop, March 11, 2016. Under *urf*/customary law, women can only benefit through male relatives, even though their LFP is critical. “Faced with women’s persistent and growing mobilization [helped by ADFM], the 2010 Ministerial Circular encouraged all governors across Morocco to consider only lists of land rights beneficiaries if women were also listed.

<sup>5</sup> (Morocco’s version of Brazil’s Maria de Pena Law.) This article was mainly used to justify the traditional practice of pressuring the victim to marry her rapist in the name of “preserving the honor of the girl’s family.” The amendment removes the second paragraph of the article, lifting the immunity of the rapist and preventing him from marrying his victim. Momentum for the reform increased exponentially following then 2012 tragic death of 16-year-old Amina Filali – authorities believe she was either murdered by her rapists’ family or committed suicide—after being forced to marry her rapist. The bill to amend Article 475 was proposed by the Socialist Group in the parliament.

<sup>6</sup> The vote on the ending VAW law was 83 for, 22 against.

<sup>7</sup> In Tunisia, with the 1956 CSP, a wife’s duty of obedience to her husband was replaced by her right to be treated with care and concern. The woman gained the right to participate in the management of the family’s affairs (such as children’s education, travel, and financial matters). The couple could choose joint or separate financial holdings, to be stipulated in the marriage contract. A 1998 law criminalizing crimes of honor was adopted; what is more, the punishment for domestic violence was made double that of an ordinary offense. In addition, when the child is born out of wedlock and the father is known, the child carries the father’s name, has the right to the father’s support until reaching adulthood, and inherits the same portion as a daughter (Labidi 2007: 25-26).

highest percentage of women MPs, passed a bill that moves the country closer to gender parity in politics. An amendment to Article 49, approved by 127 of 134 of Tunisia's representatives, requires both horizontal and vertical parity to electoral lists. The changes, resulting from a lobby bloc of 73 women MPs, are to be applied to Tunisia's March 2017 parliamentary elections. Amel Azzouz, a former secretary of state in charge of international cooperation in Tunisia's foreign ministry, spoke out about the importance of quotas in ensuring gender equality in politics, saying "Being a feminist, initially I used to believe in women's competence to prove that we are fit for this. But with time and practice, I discovered that unless women are given a chance, they would never come to the surface because of the socio-cultural and historical accumulations, which can be remedied only through quotas."<sup>8</sup>

In Morocco, following the *Mouvement 20 février* (M20F), the main protest and advocacy group of Morocco's Arab Spring, the ADFM took the initiative to present, on April 11, 2011: "Memorandum Presented to the Advisory Committee for the Revision of the Constitution: For a Constitution that Guarantees Effective Equality of Women and Men as an Indicator of Democracy."<sup>9</sup> As in Tunisia, Morocco has opened up the political space to multiple parties, including a socialist party whose secretary-general, Nabila Mounib, is also a feminist and former activist in the M20F. The political transformation of Morocco since the late 1990s has been dramatic. Among other developments, including steady increases in female political representation, the left-wing political parties have formed a Socialist Group in the parliament. In today's environment, the feminist head of the Unified Socialist Party can declare that prime minister Abdelilah Benkirane's rise to the top of Moroccan government (he is also head of the Islamist party, the PJD) "reflects the supra-military force's dominance over the country's sovereign system." Consistently critical of the conservative stances of the PFD, she has said that her own party respects Moroccan women and places women's rights at the center of the democratic struggle: "My election is a victory for all women struggling for equality and dignity."

According to Mounib, the Moroccan people demand "a constitutional democracy and a parliamentary monarchical rule based on international standards, the elimination of corruption, and establishment of a just state based on the rule of law." She also has stressed the inevitability of the transition from an

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<sup>8</sup> For details see <https://www.wilsoncenter.org/publication/mena-women-quarterly-report-april-june-2016#sthash.KXYOzvte.tKux1rY4.dpuf>

<sup>9</sup> See [http://www.adfm.ma/IMG/pdf\\_Memorandum\\_ADFM\\_Ang.pdf](http://www.adfm.ma/IMG/pdf_Memorandum_ADFM_Ang.pdf).

absolute monarchy to a parliamentary monarchy.<sup>10</sup> Meanwhile, student activists, many of them with the Socialist Union or the party's National Committee for Women, organize protests against youth unemployment, the presence of security forces at universities, and poor facilities and resources.<sup>11</sup>

In April 2016, the Economic, Social, and Environmental Council of Morocco discussed a new report about the conditions facing women; the former minister of the economy, Nizar Baraka, called for decriminalization of sex outside marriage and for equality of inheritance. Under Article 490 of the penal code, couples can be imprisoned for having sexual relations outside marriage.<sup>12</sup> Morocco's feminist groups have formed a coalition with physicians and human rights groups to call for an end to the criminalization of abortion, which they note adversely and unfairly affects vulnerable young women and low-income and poor women.<sup>13</sup>

Such moves are possible in part because of allies within parliament, the political parties, and the professions. In 2016, the female share of parliamentary seats was 32% in Algeria, 31% in Tunisia, and 17% in Morocco. The figures for Morocco and Tunisia exceed the world average, placing the two countries in the elite category of countries with 30% or more female representation. As noted earlier in this paper, many studies have emphasized the strong patriarchal values that persist in the region. And yet, we see a sustained level of women's political participation in the Maghreb – in political society as well as in civil society.

Algeria today is a multi-party republic, though one in which the two main parties predominate. Nonetheless, in 2015 it established the *Haut Commission pour la Transition Démocratique*.<sup>14</sup> It is also

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<sup>10</sup> See <http://www.al-monitor.com/pulse/tr/politics/2012/05/secretary-general-of-the-morocca.html#ixzz4S1JgULIT>; <http://www.al-monitor.com/pulse/tr/contents/articles/politics/2012/05/secretary-general-of-the-morocca.html>;

<sup>11</sup> See <http://www.al-monitor.com/pulse/security/2014/05/morocco-violence-universities-factions-political-integration.html>

<sup>12</sup> See Morocco world news, May 2016.

<sup>13</sup> Morocco's penal code on abortion is very restrictive, and especially hard on poor women, who often are abandoned after *urfi* or customary marriages. (See "Morocco confronts abortion taboo with proposed reform", *Daily Star* [Beirut], 31 March 2015.) Calls for reform were sparked in Dec. 2014 when Dr. Chafik Chraïbi, head of obstetrics at Rabat's maternity hospital and part of an organization fighting against illegal abortions, was fired after he gave an interview to a French TV program. Following a public debate, he was reinstated and in March 2015 the king asked religious scholars and justice officials to revise the law to reduce the number of illegal abortions. The idea is to broaden the definition of "women's health" to include psychological, physical, and social aspects, such as rape, incest, poverty, and age.

<sup>14</sup> Personal communication from Ahmed Samoui, Tunis, March 2015.

today ranked first in the region in terms of women's political participation (nearly 32%), and the Women in Parliaments Global Forum recently recognized the work that Algeria has done to improve women's political participation. However, although Algeria can boast a large proportion of women in parliament, the judiciary, and the university teaching staff, and although its military now has four female generals, anomalies remain. Polygamy and male repudiation remain legal; women cannot marry without a *tutelle*, and the identity card is given automatically to the male household head while a woman needs to apply separately for one. This is a gender regime that has not made the transition from patriarchal to modern.

The same may be said of Egypt. Egyptian women were present and visible in the Tahrir Square encampment, and their equal participation in January 2011 was a source of pride as well as an unprecedented form of ownership of public space. This was short-lived, however, as activist women came to be seriously sexually harassed after their first demonstration for women's rights in March; they experienced sexual abuse from marauding gangs of men, the military, the police, and prison officials who subjected them to humiliating and invasive virginity tests. These outrages galvanized women to form new groups and to deploy social media to monitor and report sexual harassment of women. But some of the activist women have themselves been harassed and prosecuted by the authorities.

### ***Attitudinal Changes***

Analysis of recent surveys from the World Values Survey (fourth and fifth waves) and the Arab Barometer show that attitudes and values have changed most profoundly in Morocco. In their comparative study of Egypt and Morocco, Abdulkadir and Buttorf (2017) report that on questions such as "On the whole, men make better political leaders than women do", "When jobs are scarce, men should have more right to a job than women", and "A university education is more important for a boy than a girl", attitudes are much more conservative in Egypt than in Morocco (see, e.g., Table 5.3, p. 101). Welborne (2017) notes that in the most recent, sixth wave of the WVS, 2010-14, some 46.4% of Moroccans agreed that "Women should have the same rights as men" as a central tenet of democracy, compared to the mean for the other countries at 29.3 percent. A 2013 survey led by sociologist Mansour Moaddel found that Tunisians had much more enlightened attitudes than did Egyptians.<sup>15</sup> In another cross-national study, Benstead (2017) finds that on average, Moroccans are more supportive of the right

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<sup>15</sup> Conservative attitudes might help explain an unsettling pattern in Egypt: men from the rich Gulf countries are able to have *urfi* or "temporary marriages" with young women, largely from low-income families. In order to "protect" the young women, the Egyptian state recently stipulated that money from the men be paid up front, before the "marriage" was consummated.

of women to travel abroad without permission, although most males across the sample countries disagree. Males without education and modernization have particularly strong patriarchal views. In contrast, “Women hold more egalitarian interpretations of Islam and higher levels of egalitarianism than men, even at similar, low levels of income and education” (Benstead 2017: 137). Women in traditional roles – and their husbands – are less likely to support gender egalitarian values. Which men are the most supportive of gender-egalitarian values? The primary driver of egalitarian attitudes for males, she reports, is having a wife who works (p. 138). Her finding supports previous research on the personal, familial, and social benefits of female employment (Moghadam 1998) and could provide regional support for Walby’s (2009) notion that women in the work force are more likely to support social democratic values.

Societal support for women extends to civil society groups such as trade unions. Morocco has five active trade unions. On 1 May, 2016, Noubir Amaoui, the secretary-general of the CDT, criticized the government for its “reactionary position toward women” and “discrimination against Moroccan women at all levels”, and said that “women do not occupy the natural position that will help them contribute to the country’s progress and development.” He added that “women suffer from all forms of social, political, wage discrimination and inequality”, and low representation in decision-making. He also condemned the government for refusing to enter into a social dialogue with the union.<sup>16</sup> The legal and policy changes for women in Morocco align with changing attitudes and values among Moroccan men as well as women.

Of course not all citizens support gender equality. There remains societal opposition to equal inheritance and sexual rights (even in Tunisia); and to abortion in Algeria.<sup>17</sup> There is organized opposition to women’s equality in the form of Islamist groups in civil society and political society; they oppose changes in laws and norms concerning single mothers, equal inheritance, sexuality rights, and the marriage of a Muslim woman to a non-Muslim man. Nonetheless, attitudes in the Maghreb, and especially in Morocco and Tunisia, appear to be moving in an egalitarian direction.

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<sup>16</sup> See Larbi Arbaoui, <http://www.moroccoworldnews.com/2016/05/185496/>

<sup>17</sup> Medical abortion has been legal in Tunisia since 1973, although Islamists have openly sought to criminalize it since the political opening of 2011. As noted, a campaign is underway in Morocco to decriminalize abortion. In Algeria, feminist lawyer Nadia Ait Zai has said that “for last four years we have been working on getting it decriminalized but it hasn’t moved forward much, it’s a very sensitive question in a country like Algeria. We are certainly not indifferent to what is happening in Morocco, we will follow it closely.” (Cited in “Morocco confronts abortion taboo with proposed reform”, *Daily Star* [Beirut], 31 March 2015.)

## **The Global Economy and Barriers to Women's Empowerment**

The institutional changes in the Maghreb – women's professional advances, family law reforms, laws on violence against women, the presence of multi-party politics that include left-wing parties sympathetic to women's rights, increases in women's political participation, active civil societies, attitudinal and normative changes – are considerable and suggest a shift in the gender regime. In Morocco and Tunisia, in particular, the shift to a modern gender regime is also propelled by the ongoing democratic transitions. Such advances are significant, but they face risks and challenges from economic difficulties. Neoliberal capitalism – adopted by the Maghreb countries since the early 1980s – has hardly proved to be the great equalizer. High unemployment rates of young people, and especially educated young women, are very high in all three countries. Working class women have been losing jobs over the past 20 years, especially in Morocco and Tunisia, where they had been forming a noticeable part of the manufacturing labor force. Poverty and illiteracy remain problems in Morocco, and in Tunisia there is a disconnect between the coastal cities and the interior regions, in terms of infrastructural development, income security, and values. In Algeria, the ruling elites may have won the battle against Islamists and continue to thwart their assumption of political power, but the elites are also widely seen as cynical and corrupt. The construction of what is meant to be the largest mosque in the world is likely intended to placate the Islamist opposition, but the decision was made in the context of widespread joblessness among educated young people. Across the Maghreb region, high unemployment, especially among young people and educated young women, can delegitimize the democratic transition and rights-based legislation.

What needs to change:

- Low FLEP and high female unemployment (educated women have good positions in the professions, but young college graduates have been finding it hard to secure good positions); women avoid the private sector; there are demand-side barriers;
- Support structures for working mothers (e.g., length of paid maternity leave, number of quality of nurseries and kindergartens) are limited and weak; in particular this keeps women from low-income and working class households out of the labour force
- There are problems with the quality of schooling and with high costs of healthcare or low quality in public hospitals. In sum, social provisioning needs improvement, with construction of women-friendly social policy regimes.
- More women need to be part of the trade unions.

In March 2015, a group of Tunisian women from five regions attended the World Social Forum (held that year in Tunis, as in 2013) and also met with officials, to raise women’s socio-economic development priorities, such as more transparent access to social services, better roads between villages and urban centers, monitoring committees of local men and women. They were supported by Oxfam/Tunis, the League of Tunisian Women Voters, ATFD, and AFTURD. A new group, Amal, was working to empower rural and marginalized women in Kef, Kasserine, Sousse, Ben Arous, and Kelibia (Elrahi 2015). Emna Aoudi—feminist, syndicalist, and longtime activist of the left—insisted that constitutional guarantees needed to be elaborated in the form of new laws and policies to protect women’s participation, rights, and working conditions, especially in the private sector. As she said:

We need work on the national budget and a development plan that includes measures for a more equitable distribution of national wealth so that we do not find ourselves in the future in a position whereby only rich people access political power and other decision-making positions. We have to combat women’s poverty, marginalization, exclusion, and exploitation with a gender budget, which will make it more possible for more women to access jobs.<sup>18</sup>

The needs are stark. Despite decades of modernization and development, a recent ATFD study found that 40 percent of women in rural areas are illiterate; 60 percent suffer from health problems, mostly work-related; and just 10 percent have access to healthcare. Among the needs, especially for rural women, are infrastructural projects such as roads, more healthcare facilities, and better quality schools.

Increasing female employment should be an urgent priority in all three Maghreb countries. In the past, the regional oil economy (as well as conservative social norms) limited female labor supply and demand. Dependence on oil more or less coincided with state-building and modernization in many MENA countries; other “strategic” and even non-strategic rents that accrued to the state attenuated the need for female employment, mainly by providing male workers with relatively high wages (Karshenas 2001) and through the generous social policies afforded to public sector workers and their families (Karshenas and Moghadam 2006). With the shift to the neoliberal economic order, however, privatization ended the state capture of many rents (although in most cases, “strategic” rents remained state-controlled) and governments began reducing the public sector wage bill and promoting the private sector and

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<sup>18</sup> Personal interview with Emna Aoudi, Hotel Majestic, Tunis, 12 March 2015.

entrepreneurship as the engine of growth. These developments should have increased households' economic need and led to more women seeking employment, but the working conditions in the private sector were not amenable to many women, who expected paid maternity leaves, paid holidays, pensions, and the like. At the same time, employers seemed not to be able to absorb the large population – male and female alike, but especially youth and women – and this has contributed to the stagnation of female employment and the persistence of high unemployment.

Although an older generation of educated women has good careers in the professions, recent cohorts of university graduates have been unable to secure good jobs, whether in the public or private sectors. Personal, societal, and economic advantages of female employment are manifold, and include contributions to economic growth (see World Bank 2012) as well as the adoption of new values and aspirations in an egalitarian direction. Research has shown that women who stay at home have an incentive to maintain traditionalism as they receive benefits from other women's exclusion from the paid workforce through their husband's improved employment opportunities and higher wages. This is consistent with Blaydes and Linzer (2008) who found evidence for an economic basis of support for fundamentalist views. As already noted in this paper, employed women tend to hold more egalitarian attitudes, influence their husbands in support for women's rights, and form or join an array of associations and organizations, including feminist groups and political parties.

The institutional and normative changes that have occurred in the Maghreb do signal a shift in the gender regime from (neo)patriarchal to modern, and the evidence shows that women's rights organizations have contributed enormously to such changes. Using Walby's terminology, these changes have not been market-led but rather polity-led. Indeed, markets have not necessarily been advantageous to Maghreb women; economic liberalization has not created more jobs for women and certainly not good jobs. Moreover, to the extent that the economic challenges – income inequality, poverty, unemployment, poor social and physical infrastructure – prevent the empowerment of all women in the region, women's full citizenship cannot be attained. But a modern gender regime in a capitalist world-system does not presuppose full equality.

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