Beyond Tunisia’s Niqab Ban

By Haim Malka

On July 5, Tunisia’s government issued a ban that will prevent women wearing a full-face veil—or niqab—from entering government buildings. The decision comes after twin suicide bombings struck Tunis the week before. While some organizations in Tunisia have decried the move, the country’s largest religious political party, Ennahda, has largely remained silent.

Much like an earlier controversy this year over reforming religiously-mandated inheritance laws, partisan forces are seeking to manipulate the niqab debate for political purposes. Political reactions to the ban illustrate how the intersection of politics and religion is changing in post-revolutionary Tunisia in surprising ways.

For most of Tunisia’s modern history, the state imposed a rigid secularism aimed at marginalizing religious education, undermining Islamic institutions and leaders, and ensuring that state authorities could tightly regulate religion. During that time, the government banned the niqab in Tunisia. After Tunisia’s 2011 revolution, many restrictions on religious activity, preaching, and organizing were loosened. However, the late Beji Caid Essebsi, who served as Tunisia’s president from 2014 until his death on July 25, was a leading proponent of imposing legislation to control religious affairs.

The government justifies the recent ban not in terms of reimposing state-mandated secularism, but instead as a necessary security measure that helps prevent terrorists from hiding their identity and carrying out attacks. Now, the parliament is set to debate a widespread ban on citizens covering their faces in all public areas.

What is noteworthy about the debate over banning the niqab is that it doesn’t necessarily follow predictable binary divisions of secular and Islamist. Salafists, conservative Islamists, and some left-leaning human rights activists complain that the ban limits freedom of expression. Opponents of the ban have threatened to bring the case to court, claiming that it violates Tunisia’s constitution.

Ennahda’s response has been less predictable to outsiders. Ennahda is an Islamist party that was banned for decades in Tunisia before emerging as the most organized political party following the fall of Zine al-Abidine Ben Ali. Since 2011, Ennahda has been at the forefront of promoting legislation that sought to reinforce Tunisia’s religious identity. Not only

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In an interview with ABC News, Jon Alterman explained that “there is a growing proliferation threat over the next several years, but to say that we’re at the risk of nuclear war is to ignore all the times we were actually at risk of nuclear war.” 6/27/19

Speaking to NPR about the push for cous cous to be recognized by UNESCO as intangible cultural heritage, Haim Malka explained that the bid “is not about to solve longstanding regional disputes. What it signals is a growing willingness of leaders to recognize the Maghreb’s shared culture, despite political boundaries and conflict.” 6/27/19

Alterman told Reuters that he expects the Iranians “to continue to seek opportunities to harass and obstruct without sliding into war.” 7/11/19

“The Iranians still don’t seem to know how to get out of the corner they’ve backed themselves into,” Alterman told the Financial Times, “It seems to me that there aren’t any good options for the Iranians other than talking.” 7/19/19

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do its followers favor a more traditional and conservative social landscape, but Ennahda’s leaders have long proclaimed that protecting individual rights is the most effective way of preventing a return to authoritarianism. On the face of it, the government’s effort to ban the niqab contravenes Ennahda’s efforts to protect religious and personal freedoms.

But for several years Ennahda has demonstrated that it is, foremost, a pragmatic political organization. Its winning candidate for mayor of Tunis, Souad Abderrahim, for example, is an unveiled woman. The party has sought to place other unveiled women higher on its electoral lists in an effort to both attract centrist voters and dispel charges that it secretly seeks to impose a rigid Islamist agenda. With presidential and parliamentary elections set for September and October, Ennahda politicians don’t want to be accused of being soft on security, and defending the niqab could lessen the appeal of the party’s candidates among centrist voters.

Given that there is no explicit Islamic legal requirement to wear the niqab, Ennahda’s muted support for the ban doesn’t contradict any religious principles. Whenever possible, Ennahda politicians avoid legislative battles on religious matters. They consistently seek accommodation with secular actors in order to avoid provoking a political crisis. A notable exception to this is Ennahda’s staunch opposition to efforts to grant women and men equal inheritance under Tunisian law. Unlike the niqab, rules for inheritance are clearly outlined in the Qur’an, leaving Islamist Ennahda with little choice but to speak out against moves to amend them.

This is not to say that Ennahda has given up on promoting religious values. Instead, since May 2016, it has moved to separate the group’s religious and political activity, creating a distinction between the party itself and a network of NGOs that are loosely affiliated with the Ennahda movement. As Ennahda evolved, it pushed many of the more conservative and salafi parliamentarians who stirred public controversy out of the political party and into prominent positions within the social movement.

Remade in this way, the political party can focus on tacking to the center on elections, legislation, and policy. It can compromise with and accommodate other powerful parties and interests while at the same time protecting its broader social and religious efforts. While Ennahda’s politicians attempt to stay close to Tunisia’s political middle, Ennahda’s social movement simultaneously works to advocate for many of the party’s revolutionary and religious principles at the grassroots level, quietly shifting Tunisian society in a more religious direction.

Overall, the party and movement have shown remarkable focus and unity. One member of Ennahda’s consultative council, Abdelkarim Harouni, has decried the government ban as infringing on individual freedoms, but a few Ennahda parliamentarians have voiced their support for the ban. The challenge for the party moving forward will be to maintain that unity in a changing political and social landscape.

In discussing Ennahda’s move to split its political and activist wings, Ennahda leader Rachid Ghannouchi claimed that “we must keep religion far from political struggles.” That is a lofty goal in a country that is renegotiating its religious identity while transitioning to a more democratic government. Regardless of whether the full niqab ban passes parliament, politicians will continue to manipulate religious issues for political gain and use religious differences to divide Tunisians for the foreseeable future. What is important is that Tunisians continue debating political and religious issues in a transparent and constructive manner. That spirit of debate and freedom of expression is the revolution’s legacy. Keeping that legacy alive is critical to Tunisia’s future. 07/30/19

This commentary is part of a year-long study examining how states in Africa seek to manage religious affairs. The project is made possible with the generous support of the Henry Luce Foundation.