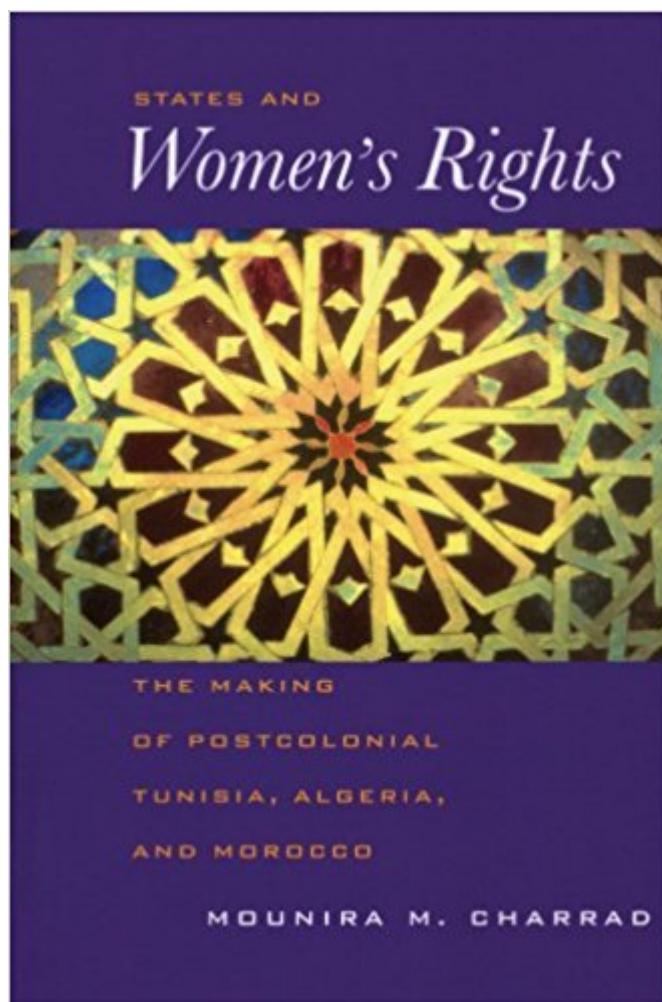


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# States And Women's Rights: The Making Of Postcolonial Tunisia, Algeria, And Morocco



## Synopsis

At a time when the situation of women in the Islamic world is of global interest, here is a study that unlocks the mystery of why women's fates vary so greatly from one country to another. Mounira M. Charrad analyzes the distinctive nature of Islamic legal codes by placing them in the larger context of state power in various societies. Charrad argues that many analysts miss what is going on in Islamic societies because they fail to recognize the logic of the kin-based model of social and political life, which she contrasts with the Western class-centered model. In a skillful synthesis, she shows how the logic of Islamic legal codes and kin-based political power affect the position of women. These provide the key to Charrad's empirical puzzle: why, after colonial rule, women in Tunisia gained broad legal rights (even in the absence of a feminist protest movement) while, despite similarities in culture and religion, women remained subordinated in post-independence Morocco and Algeria. Charrad's elegant theory, crisp writing, and solid scholarship make a unique contribution in developing a state-building paradigm to discuss women's rights. This book will interest readers in the fields of sociology, politics, law, women's studies, postcolonial studies, Middle Eastern studies, Middle Eastern history, French history, and Maghrib studies.

## Book Information

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"This book is a 'must read' not only for students of North Africa, but for everyone interested in the impact of nation-building and state policies on gender relations." - Theda Skocpol, author of *States and Social Revolutions* "Necessary reading for those who wish to understand the role of state

formation and cultural identity in diverse patterns of Muslim family law reform in North Africa, a legacy which continues to impact contemporary Muslim politics." - John L. Esposito, author of Islam and Politics"

"Brilliantly conceptualized and thoroughly researched, Mounira Charrad's book breaks important new ground in the explanation of legal changes affecting women's rights. We learn why apparently similar countries have taken very different paths. This book is a 'must read' not only for students of North Africa, but for everyone interested in the impact of nation-building and state policies on gender relations."&#151;Theda Skocpol, author of States and Social Revolutions" Theoretically powerful and historically rich, this is an important study in comparative political sociology. Using the comparative method at its best to make a provocative argument about kin-based politics, Charrad gives us a new way of looking at state-building strategies."&#151;Seymour M. Lipset, author of Political Man" In a stunning scholarly achievement, Charrad identifies the links between Islamic legal codes, kin-based political power and the subordination of women. She traces the inner logic of political systems, showing how the different bases on which nations are built have very different implications for the rights of women."&#151;Ann Swidler, author of Talk of Love: How Culture Matters" Charrad adds a new dimension to the consideration of women's rights and state formation not only in the Middle East, but throughout the world. In a rigorous comparative analysis of the origins and development of women's rights in Tunisia, Algeria and Morocco, she demonstrates how history and politics shape family law."&#151;Elizabeth W. Fernea, author of In Search of Islamic Feminism "Necessary reading for those who wish to understand the role of state formation and cultural identity in diverse patterns of Muslim family law reform, a legacy which continues to impact contemporary Muslim politics."&#151;John Esposito, author of Islam and Politics "Charrad has offered one of the most systematic and insightful comparative analyses of the relationships between family systems, family law, and state. That the 'personal is political' becomes very concrete as she persuasively demonstrates that family relations are inseparable from state politics."&#151;Suad Joseph, editor of Citizenship and Gender in the Middle East" Dr. Charrad's convincingly argued and meticulously researched book raises the bar of comparative studies of gender and the State, while making a unique contribution to knowledge about the rights and status of Muslim women in general and of the women of the Maghrib in particular."&#151;Rae Blumberg, author of Engendering Wealth and Well-being "A new interpretation that will change the way we think about women's status and family law in North Africa."&#151;Nancy Gallagher, author of Approaches to the History of the Middle East" Charrad's book is a wonderful example of the strength of the comparative method . . .

Her study is a major contribution to the literature on women's rights and to the tradition of historical sociology."&#151;Randall Collins, author of *Macrohistory: Essays in Sociology of the Long Run*

Advancing a political perspective of issues of law and gender, States and Women's Rights is not only a survey into gender history and feminine rights in Maghreb areas, but also a brilliant account of the historical paths of state formation processes. Treating issue of family law and women's rights as "an inherent part of the larger struggle to build a modern state in the Maghreb" (p.239), Charrad argues that and that Islamic family law as a political instrument plays a critical role in maintaining tribal integrity and power (pp.80-83). They did so by regulating internal power relations inside the tribe via emphasizing masculine ties and inheritance, emphasizing inter-familial rather than conjugal relations in marriage (Ch.2) and subordinating female rights and privileges to male domination (Ch.3). Charrad then summarizes the problem of state-formation in kin-based areas as state's relation with kinship and state's penetration into social realm (pp.4-7). From a structuralist perspective, Charrad lays down the historical and colonial factors that laid the foundation of state-society relations. A tradition of hierarchical, centralized state during Turkish rule (pp.89-98) coupled by French efforts to reinforce the colonial rule meant that Tunisian tribes were much less influential in mobilization for national independence and contest of state power (pp.116-125). In Morocco, with a long history of central-local conflict (pp.103-109) and a prolonged process of gradual French domination, kin-based tribes retained much of its power (pp.139-144). In Algeria the situation was more complicated; with some tribal unions successfully undermined by the central authority while others attempting to encroach upon the "republic of cousins" (pp.98-103), French colonizers had to adopt the divide-and-rule strategy (pp.132-138). The result of such political structure and political history was different status of family law in each state. In Tunisia, traditional family law, once upheld as distinctive traditions of national identity (pp. 216-218), was swiftly changed without massive bottom-up women's rights movements (pp.218-219). In Morocco, amid tense relationships between the Palace and the Tribes, the central government eventually had to succumb to tribal pressure and preserved traditional family law (Ch.7). In Algeria, family law eventually became hostage of political alliance, with major tribes broken down but smaller tribes continue to resist top-down legislative measures (Ch.8). The book's study of empirical materials and political development is well laid out, and Charrad has devoted much efforts to making her empirical studies understandable to not only regional experts but also general social

science audience. Eventually, however, Charrad seems to have a somewhat ambivalent attitude toward the theoretical contribution of this work. She argues that the historical and political structures of Maghreb states cannot be "mechanically extended to other societies", and that her structural approach suggests we should pay attention to historical and political particulars of different regions (p.240). One page later she suggests that her work "has the potential to open the door to a deeper understanding of the forces behind state politics and policies", without telling us how exactly it could be done with studies of specific cases whose characteristics that could not be "mechanically extended". The tension between generality of "historical patterns" and particularity of regions, it seems, will continue to plague comparative-historical sociologists.

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