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**Enlightened Despotism in Muslim Countries
Examined**

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Section 9.1 Legal reforms in the lands of Islam

In the latter part of the nineteenth century, a group of Muslim countries embarked upon the path to modern development pointed by advanced Western countries. In Turkey, the modernist point of view was first espoused by the Young Ottomans in the 1860s and 1870s, soon to be succeeded by the Young Turks who turned from an Islamic modernist to a secular constitutionalist position (Lapidus, 1988, p. 561). In the early phases of national movements, and despite the resistance of ulama (or some of them), Western-educated elites in countries like Egypt, Syria and Tunisia were able to provide an impetus to a number of important reforms in the fields of education, law and political institutions.

The Ottoman empire was the first region of the Islamic world to adopt Western laws: the Commercial Code (1850), which was in part a translation of the French Commercial Code (and included provisions for the payment of interests), the Penal Code (1858), a translation of the French Penal Code (which abolished all the punishments defined by the sharia law, except that of the death penalty for the crime of apostasy), the Code for Commercial Procedure (1861) and a Code of Maritime Commerce (1863), both of which were again essentially French laws. From 1875 onwards, Egypt went even further than the Ottoman authorities in the adoption of French law: in addition to the above Codes, she also enacted Civil Codes which were basically modelled on French law. The last Civil Code (1949), however, “represents a definite departure from the previous practice of indiscriminate adoption of European law”, and may be regarded as a compromise struck between the traditional Islamic and modern Western systems even though little was borrowed from the traditional sharia law in the actual terms of the Code itself (p. 153). In most Middle Eastern countries and in India, criminal law and procedure are almost completely westernised while the law of civil transactions and obligations has become increasingly westernised during the 20th century.

It is only in Saudi Arabia, the Yemen, Aden, and the Emirates of the Persian Gulf that traditional Islamic law has remained the fundamental law up to the present day (Colson, 1964, pp. 151-55). And if Morocco, Tunisia and Northern Nigeria preserved their traditional systems of Islamic law virtually intact till recent times, this is mainly because they were ruled under the form of a Protectorate (established by France for Tunisia in 1881 and for Morocco in 1912, and by Great Britain for Northern Nigeria in 1912) which tended to perpetuate the status quo (p. 156). In Central Asia, Islamic modernists known as the Jadids destabilised the traditional order

of conservative ulama and the social groups which supported them, yet had to wait till the Bolshevik revolution to rise into prominence before being betrayed by their Bolshevik allies (Khalid, 2007, pp. 44-77).

According to N.J. Coulson (1964), Western laws have been to a large extent successfully assimilated in the various regions of Islam, and the opposition to the introduction of secular laws voiced by the scholars of the religious law “was never strong enough to constitute a formidable obstacle” (pp. 160-61). This evolution was facilitated by the fact that Islamic legal tradition had always recognised the right of the ruler to supplement strict sharia doctrine in the fields of public law and general civil law. The situation was different for the family law which has always been the preserve of the sharia. Here, in particular, Western secular laws triggered a growing emphasis upon the religious and Islamic significance of the sharia whose influence was strengthened as a result. Coulson nevertheless thinks that, even in such a sensitive area, Western standards and institutions created an impetus for reform (p. 161). Others believe that in countries where the importation of civil codes implied the reduction in authority of the sharia courts and their ultimate abolition, it was perceived by the masses as “a whole assault on a political culture in which justice had been seen as a function of religion more than politics”. Testifying to this conflict between law and morality were “the many tales of villagers ensnared by a law they did not comprehend” (Lee, 2014, pp. 73-74).

Reforms dealing with private matters, such as marriage, divorce, and inheritance, are thus especially sensitive because they have been traditionally settled by religious authorities on the basis of the Islamic law and the custom. Consequently, these reforms are prone to spark protests among religious circles, and the question as to how political rulers should position themselves with respect to such matters is a knotty one. Our analysis in Chapter 6 shows what is to be avoided at all cost. When autocratic states manipulate religion for the sake of maintaining and consolidating their power, a dangerous process is set in motion which dramatically increases the risk of social disintegration, civil war, and the eventual demise of the rulers who have initiated it. This is particularly true if instrumentalisation of Islam involves nurturing and promoting extremist groupings in order to undermine left-oriented organisations, be they trade unions, student movements, professional associations, or political parties. The assassination of Sadat in Egypt, the dissolution of the state in Pakistan, the eruption of civil wars in Sudan, and the outbursts of violence in Algeria epitomise the most ominous consequences that a war of religious outbidding can produce.

In a few Muslim countries, however, an opposite route has been trodden by enlightened rulers who also followed an authoritarian approach yet were not ready to compromise with religious radicals regarding the nature and the pace of reforms. Atatürk in modern Turkey and Bourguiba in modern Tunisia stand out as two seemingly benevolent despots who consistently refused to let Muslim conservatives block what they perceive as progress of their nation toward modernisation. Their determination to place their societies on the path of secular modernity led them to silence and repress opponents inspired by the doctrines of political Islam. In the following, we examine these two experiences with a view to assessing the sustainability of the underlying approach. But before we embark upon this task, we look at insightful episodes of modern Afghan history during which enlightened despots attempted to reform their country deeply and fastly.

Section 9.2: Enlightened despots in modern Afghanistan

The bold reformism of king Amanullah

During his short-lived ascendancy to political power, king Amanullah (1919-1929) embarked upon an ambitious programme of modernising Afghan society. Although he had gained the sympathy of a wide array of social classes, including the clergy, after opposing the British under the banner of pan-Islamism and anti-imperialism (see supra), his modernising policies met with a strong opposition. Indeed, as soon as Amanullah tried to reform his country's institutions to transform an anachronistic society into a secular state, he lost the support of the conservative ulama. For the latter, the defence of Islam was to be achieved by the return of society to the true faith of Islam while for Amanullah the defence of Islam was "one strand in a policy of resistance to imperialism and was to be achieved by westernisation": in fact, the term of Islam meant two different things for each of the two parties (Roy, 1990, pp. 17, 64; Rasanayagam, 2005, pp. 1-10, 17-22).

Amanullah's reforms were all-encompassing: they aimed at asserting the role of the central state, instituting new taxes directly run by civil servants, making conscription compulsory and universal, and at interfering in family matters. In particular, the reforms sought to emancipate women (which included the ending of women's seclusion and abolition of the veil), prohibit polygamy among government officials, curtail child marriage, create a court system run by secular government-trained judges (who would replace the existing qadis), make

education compulsory for all, reform mosque schools, and establish a Western-style constitutional monarchy (with an elected lower house and a nominated upper house). It is striking that, as long as Amanullah's reforms were perceived to be mainly concerned with taxation and conscription, urban ulama gave their blessing to them. They thus declared that the amir was within his rights to raise taxes and change the mode of conscription as he pleased. They even issued a fatwa labeling the rebel (mainly rural) clergy and their tribal supporters traitors, liable to the most severe punishment (Barfield, 2010, p. 186). On the contrary, when the reforms touched on family and personal matters, they antagonised not only religious authorities but also traditional political leaders. The former did not like that the reformist programme encroached upon the domain where the ulama traditionally exercised their influence and derived their prestige, while the latter perceived the programme as a frontal attack against the very roots of the Afghan (rural) society and its erstwhile customs.

It is therefore not surprising that the loya jirga, composed of the country's leading tribal and religious leaders, rejected most of the reforms when Amanullah convened it for the purpose of approving his programme. When he tried to push them through nevertheless, ready to confront what he saw as an ignorant and self-interested clerical establishment, and determined to break their power and influence –he went so far as cutting his ties with them, refusing to meet with even his most dignified representatives, ending their stipends, and forbidding membership in Sufi orders by government officials–, the opposition to him turned outright violent. Discontented clerics declared the amir an infidel and gave a religious turn to a tribal rebellion whose leaders resented a blatant encroachment upon their erstwhile prerogatives (Barfield, 2010, pp. 181-91).

In November 1928, Shinwari Pashtun tribesmen burned down the king's winter palace in Jalalabad and marched on Kabul, while a disparate force was assembled in the defence of Islam by a Tajik bandit from the north, Bacha Saqqao. Amanullah fled to Italy and Saqqao seized power to establish a nine-month reign of terror that subjected Kabul's inhabitants to continuous looting, pillaging, arson and rapes. The religious and traditional leaders who opposed Amanullah and initially supported Saqqao, acclaiming him as the 'Holy Warrior, Habibullah, Servant of the Faith', turned against him and eventually succeeded in chasing him from power. Nadir Shah (1929-1933) was then proclaimed king by his tribal army, and he promulgated a new but reactionary constitution that perpetuated an autocratic monarchy allied to religious conservatism. Moreover, he assembled a loya jirga (September 1931) which formally abrogated the rights of Amanullah on the grounds that he had violated sharia law Very

little eventually remained of Amanullah's efforts to modernise his country: the fact of the matter is that the pace of reform was too fast and the method too brutal for the country to absorb (Rasanayagam, 2005, pp. 20-23; Barfield, 2010, pp. 190, 197).

It is revealing in this regard that when the Musahibans later re-introduced some of Amanullah's reforms, they were far more successful because they drew the right lessons from Amanullah's failure. They correctly perceived that, in accordance with the analysis proposed in Chapter 4, conservative clerics are more concerned with blocking social changes than restricting government power. When they thus reinstated Amanullah's state-centralizing bureaucratic reforms, these clerics made no objection. As for social reforms, they could be passed without stirring widespread opposition because the Musahibans cleverly choose to avoid making big public announcements, and to focus their enforcement efforts in urban areas where the need for social change was well accepted (Barfield, 2010, pp. 200-202). The contrast between the approaches followed by Amanullah and the Musahibans has been well captured by Thomas Barfield (2010):

“...when Amanullah proposed abolishing the veil, he had made it part of a larger project designed to transform Afghan life through the emancipation of women more broadly... By contrast, the list of social changes introduced under the Musahiban monarchy was small and mostly visible in Kabul. They feared making broad-based reforms lest it put their regime at risk. By making it clear that they were restricting such reforms to an urban elite that already wanted them, they reduced the veil issue to the status of a fashion statement divorced from the larger and more contentious question of women's rights in general” (Barfield, 2010, p. 202).

A renewed attempt by the Left

The lesson from the failure of Amanullah's bold reform programme was obviously not learned by the People's Democratic Party of Afghanistan (PDPA), a Marxist-oriented party which took control of the government in April 1978. Essentially led by eastern, mostly Ghilzai, Pashtuns (who displaced their old Durrani rivals from power after 230 years), the PDPA aimed at employing state power to transform Afghan society without the cooperation of its people. This proved to be a fatal mistake. As a matter of fact, rural folk, the majority of the population, are used to accept the rule of Kabul only as long as the policies of the country's rulers do not affect them in any significant manner, and their life continue to be dominated by local patrons, landowners and merchants, who protect them against the government and other communities

or ethnic groups (Barfield, 2010, pp. 173, 214-23). Ignoring this reality, the PDPA moved to transform the country through revolutionary policies of land reform, education, and changes in family law. Its purpose was to break down “the political structure by which rural communities had insulated themselves from the central government and its officials for generations” (p. 231).

Toward this purpose, PDPA leaders were willing to destroy all opposition, including traditional rural landowners, the old military establishment, and Islamic clergy. Moreover, they rejected the country’s traditional Islamic symbols by removing religious salutations from their speeches and decrees, and by changing the colour of the flag to red in accordance with their exclusive relationship of external alliance with the Soviet Union (p. 225). Their confrontational policy used coercion to a large extent, such as when they launched a compulsory literacy campaign requiring the attendance of young unmarried women and men in mixed classes, thus pitting “rural notions of propriety and social honor against the goals of the revolutionary vanguard” (p. 231). Moreover, they did not refrain from harshly putting down any dissent, and from insulting and even killing clerics.

As could have been expected in these conditions, villagers soon rose up against the new regime and the ulama called a jihad against it. If the causes of the peasant upheavals were not directly linked with religion, Islam provided the ideological framework that allowed the rural masses to articulate and legitimise their grievances. The ulama, who were essentially concerned about the openly secular, if not atheistic, propaganda of the regime, began preaching against it. By doing so, they found a receptive audience among these masses, because they spoke the familiar language of religion based on the distinction between good and evil: they condemned the agrarian reform as ‘non-Islamic’ and the literacy campaign as atheistic propaganda. In the words of Olivier Roy (1993): “In this insurrection, the defense of a traditional society was expressed in the garb of a defense of Islam, because Islam was inextricably bound to tradition in the world view of the Afghan peasantry” (p. 496). In the minds of rural people, indeed, the defense of land property, the Islamic faith and the honour of their families against outsiders boils down to the same thing (Barfield, 2010, p. 232).

A key point is, therefore, that reference to Islam was mainly symbolic in Afghan rural society. Yet, “it was precisely this symbolism which helped to resist the onward march of state institutions by the creation of a space within which real autonomy was possible” (Roy, 1990, pp. 26-7). In Afghanistan, it is in times of crisis that Islam always reasserts itself, and its role as a countervailing power to the despotism of the state increased when the latter embarked upon a process of forced secularisation, accompanied by the growth of an intruding state bureaucracy. In the eyes of the peasantry, the prestige of the ulama, who as a matter of principle do not wield

much influence in the Afghan countryside, was all the greater as they had been removed to the fringes of social and political life, which isolated them from corruption and gave them an aura of integrity. Their influence and power tended to grow when the tribal society underwent upheaval and the universalist ideology of the jihad allowed contenders to transcend tribal divisions (Roy, 1990, pp. 29, 36-8).

What needs to be emphasised is that, alone, religious opposition to a reformist or modernising ruler cannot cause his overthrowing. This outcome can only be observed when the discourse of the religious opponents finds a strong resonance among important layers of the society. It is revealing that, in accordance with what has been said earlier regarding the predominance of politics over religion, the temporary violation of a sacred religious principle can be tolerated by religious authorities if they consider the faulty ruler as a least evil. Thus, when Bacha Saqqao surrendered to General Nadir Khan, he obtained a pledge, signed on the copy of the Koran, that his life would be spared. This pledge did not prevent the victorious general from publicly hanging Saqqao and his main followers a month after making his sacred promise. At no points did this action spark an outraged reaction from the religious authorities (Rasanayagam, 2005, p. 22).

The Taliban regime

The Taliban regime is a rather unique case in the modern Muslim world where a fundamentalist movement succeeded, before the Arab Spring, in seizing and holding political power for a while (1998-2001). This seems at odds with what has just been said above, and with the fact that, before 1980, the Islamist parties did not play any significant role inside Afghanistan. Their leaders never succeeded in establishing a base of national support in the country. It is only after Pakistan made them the monopoly suppliers of arms and other aid following the Soviet invasion that these leaders rose into prominence. As a matter of fact, resistance groups based in Afghanistan were required to affiliate with one of these Islamist parties in order to get weapons and money. Since groups fighting in Afghanistan had actually little interest in the political ideologies of Islamist parties, affiliation was generally based on personal relationships, regional and ethnic ties, or simple opportunism (Barfield, 2010, p. 236). Regional and ethnic ties involved a clear differentiation between the non-Pashtun groups (Hazaras, Tajiks, Uzbeks, etc.) in the north and the west, on the one hand, and the Pashtuns in the south and the east, on the other hand. As for the role of personal relationships, it means that private interests and past disputes rather than adherence to political or religious principles

influenced the formation of factions as well as the frequently occurring defections. These features, which do not provide a basis for compromise, were to endure under and after Soviet occupation (1979-89). In the words of Thomas Barfield (2010):

“The international funders justified their support of the Afghan conflict in ways that had little relevance within Afghanistan. They portrayed the struggle in Afghanistan as a Manichaeian conflict of competing ideologies (e.g., Islam versus atheism, socialism versus capitalism, freedom versus oppression, feudal reactionaries versus progressive patriots, modernists versus traditionalists). Afghans never saw the war they were fighting in such black-and-white terms because politics in Afghanistan was less ideological and more personal. It was a world where yesterday’s enemy might become today’s ally, meaning you should take no one for granted” (pp. 243-44).

It is therefore international geopolitics that drove the Taliban to power in Afghanistan. With the support of Pakistan (and its Inter-Service Intelligence, ISI), and thanks to their great ability both to exploit internal rivalries among their enemies (especially the long-running conflict between the Tajiks of General Masud and the Hazaras of Mazari) and to bribe militia commanders with suitcases full of dollar notes, they established an Islamic amirate led by Mullah Omar. In spite of a rudimentary religious training, Omar took the title of Amir-ul Monineen (“Commander of the Faithful”), implying that he wielded absolute authority over his subjects.

What matters for us in this chapter is that the Taliban repeated the mistakes of king Amanullah and the PDPA: Barfield even says that they were “a mirror image of the PDPA” (p. 262), and Mullah Omar, their leader, “a Stalinist who believed in Islamic revolution in one country” (p. 267). By imposing radical (religious) doctrines of foreign origin on reluctant Afghan people, the Taliban, inspired by Deobandism, became quickly unpopular although they were initially lauded for establishing law and order in the conquered territories. The regime collapsed after a few years even if its rapid demise was partly caused by an external intervention.¹ This time, it is people living in the more sophisticated cities, Kabul and Mazar-i-Sharif, which were most angered by Taliban social and religious policies. In actual fact, Taliban religious ideology was a crude mixture of Salafi Islam and Pashtunwali, the cultural code of the Pashtuns. On the one hand, urban residents did not want to abide by Pashtun rural customs

¹ The refusal to hand Osama bin Laden over to the US authorities after the destruction of the twin towers in New York on September 11, 2001, led to immediate strikes by US jets against Taliban positions. The Northern Alliance allies moved against these positions on the ground, and many commanders defected after having received dollar notes by the trunkload. The Taliban regime quickly unravelled, and even their retreat into the Pashtun heartland did not rescue it as “the traditional Pashtun tribal leaders used the opportunity to regain power and expel the Taliban from Qandahar” (Banfield, 2010, p. 269).

which were often concealed behind the veil of Islamic principles. They considered the Taliban as poorly educated rural bumpkins. On the other hand, rural dwellers could not accept the virulent Taliban attacks against Sufism and the veneration of the saints and shrines (pp. 261-62).

Section 9.3: Kemalist reforms in modern Turkey

Modern Turkey is especially interesting because it has long been considered as a rather unique case of successful modernisation through secularisation. Under the leadership of Atatürk, religious forces have been brought under control and allegedly prevented from constituting an obstacle to development and progress. However, the party representing the Kemalist forces never won the majority in parliament through a democratic election and, when the military did not dare any more to interfere with the political process, the Kemalist forces were voted out of office, a pro-Islamic conservative party was able to assume power, and Islam could enter into Turkish public life. To this date, the same party has been maintained in power, having been comfortably re-elected in the course of several successive elections. Moreover, the presidency has accrued to a leader from the same party (Abdullah Gül and, later, Recep Tayyip Erdogan). Such a shift of the Turkish political regime has come as a rather stunning surprise and it raises serious questions about the validity of the Turkish path to modernisation. In the following, we try to understand what appears as an abrupt discontinuation of the Kemalist experience, and we argue that the underlying approach toward Islam has suffered from the same flaws as the above-discussed authoritarian attempts in Afghanistan.

Kemalism as a revolutionary and nationalist project

Between the demise of the Ottoman empire in October 1918 (when it was forced to conclude an armistice with the victorious British) and the proclamation of Turkish independence five years later, in October 1923, a strong resistance movement took roots in Anatolia. Religion played an important role in the mobilisation of the Anatolian peasantry for the emancipation of Turkey from European rule, and this feature no doubt contributed to give an Islamic flavour to the national independence struggle (Zürcher, 2010, p. 222). Yet, it can be contended that ‘Islamic’ was equivalent to ‘Muslim’, understood as a homogeneous race to be held together in the face of other peoples, Greeks and Armenians in particular. Mustafa Kemal Pasha, later named Atatürk (“Father of the Turks”), thus considered that the new state should

belong to the Muslims who are ‘brothers’, and he did not hesitate to use an Islamic rhetoric to strengthen his point. This is clearly the case when he declared, in March 1921, that the Greek oppressors have entered “the innermost shrine of Islam in the Western Anatolia” (p. 226). The formative phase in the development of modern Turkey was actually pervaded by an anti-Christian posture which was mainly directed against the Greeks and the Armenians. Things changed dramatically after independence was won: Kemalist leaders of the new Republic then broke the bonds of solidarity forged during the preceding decade and instead opted for far-reaching secularisation. In the words of Erik Zürcher (2010):

“... the decision was deliberate to seek a new Turkish national and secular corporate political identity in order to replace the Ottoman-Muslim one... In the debate about Westernization, Kemal and his circle belonged to the radical wing of the Young Turks who believed implicitly in a popularized version of nineteenth-century European positivism. In their eyes only scientific rationalism could form the basis for the modernization leap Turkey would have to make, and only a nation state could give Turkey the coherence needed to compete with the national states of Europe... they did not find a nationality in which religion was the dominant factor a suitable basis for a nation state” (p. 232).

What Mustafa Kemal wanted to achieve was a genuine social and cultural revolution founded on principles entirely different from those espoused by the Ottomans who could not prevent defeat at the hands of the advanced West. Having succeeded in transforming a crumbling empire into a compact state recognised by potential friends, his next ambition was nothing else than “to sweep away a medieval social system, based for centuries on Islam, and replace it by a new one based on modern, Western civilization” (Kinross, 2001, p. 377). The revolution was one in which not only the ‘high’ Islamic civilisation would be exchanged for that of Europe, but also the ‘low’ or popular culture would be transformed. European civilisation was seen as indivisible and therefore impossible to adopt in any piecemeal manner. Hence, there was no need to attempt any harmonisation of European with Turkish culture (Kandiyoti, 1991, p. 40; Zürcher, 2010, p. 149; Kaya, 2013, pp. 12-13). In the words of Abdullah Cevdet, “civilization means European civilization, and it must be imported with both its roses and its horns” (cited from Lewis, 1968, p. 236).

It is in the 1930s that the Young Turk ideology of nationalism and secularism, borrowed from France and transmitted to the Kemalist activists (Hanioglu, 2000), was carried to extremes. On the one hand, secularism became interpreted not only as a separation of state and religion but as the removal of religion from public life and the establishment of complete state control over religious institutions. This approach was considered as the only way to prevent religious

forces from dividing the Turkish society (White, 2013, p. 28). On the other hand, an extreme, even racist, form of nationalism was adopted in order to build up a new national identity and replace religion by historical myths extolling the grandeur of a pristine Turkish nation originated from Anatolia. The central myth was that the Turks were an ancient people descended from white (Aryan) inhabitants of Central Asia who migrated to China, Europe and the Near East. They created the world's great civilisations and, in the Near East, they gave rise to the Sumerian (2900 BC) and the Hittite (1600 BC) empires. Moreover, proto-Turks contributed significantly to the development of the Greek civilisation. If Attila and Gengis Khan were seen as executing civilising missions, the Arab conquest and influence appeared as having caused a serious regression on the path of Turkish evolution toward modernity. According to Ziya Gökalp, the leading thinker of the Turkish Historical Society (founded in 1930 by Mustapha Kemal), the national essence of the Turkish nation consisted of an ethical and egalitarian (Sunni) Muslim culture cleansed of Arab and Byzantine elements. It could therefore coexist with modern Western civilisation and technology (Zürcher, 2004, p. 191; White, 2013, pp. 26-27).²

As for Mustafa Kemal, he considered the earth of Anatolia as sacred not only because any national territory has a supreme value for a nationalist militant, but also because Anatolia is “the heartland of Islam” and embodies the holy traditions of Turkey. Greeks were oppressors of the Turks because they had entered “the innermost shrine of Islam in the Western Anatolia”, thereby attacking a state “which belongs to the Muslims”. The religious flavour present in this sort of statements was meant to persuade the rural masses of Anatolia to adhere to a project that was deeply secular in its nature: Muslims were “true brothers” destined to form the core of the new emerging nation (Zürcher, 2004, pp. 181-82; 2010, pp. 222-26, 278).

The fact of the matter is that, since the 1930s, the nation was defined primarily through ‘ethnicity’, that is, in terms of race and language, and only secondarily as nationality through religion (White, 2013, p. 31). Based on a tactical and mystifying use of Islam and Muslim identity, the above representation served to justify the forced assimilation of the 30 percent of the population which did not have Turkish as its mother tongue (Zürcher, 2010, p. 149). Non-Muslims were still regarded as outsiders while non-Turkish Muslims, such as the Kurds and

² Gökalp's vision of the future of Turkey was grounded in a negative assessment of the effects of diversity in Turkish society. In his words: “In this country there are three layers of people... The first still are not freed from the effects of Far Eastern civilization; the second are still living in Eastern civilization; it is only the third group which has had some benefits from Western civilization. That means that one portion of our nation is living in an ancient, another in a medieval, and a third in a modern age. How can the life of a nation be normal with such a threefold life?” (cited from Frey, 1964, p. 209).

Balkan Muslims, could theoretically assimilate by learning the Turkish language and culture. In actual fact, however, although Muslims, the Kurds were considered as poor candidates for assimilation because of their strong tribal loyalties (White, 2013, p. 30).³ Moreover, not being Sunni Muslims, the Alevis and Bektashis were also dismissed as true Turks.⁴ The same held true of Christians (Armenians, Greeks, Circassians, Georgians, etc.) and Jews who, by converting to Islam, would not become Turkish, thus attesting the primacy of race in the definition of Turkishness. In this regard, Kemalist policies were at complete variance with the Ottoman policies which encouraged conversion as a means of social integration and advancement. Under Kemalism, however, Islam remained a significant marker of national identity to the extent that Turks converting to Christianity would automatically lose their Turkish identity (White, 2013, p. 107). Modern Turkish identity was thus defined on the basis of a 'Holy Trinity' consisting of being simultaneously 'Sunni-Muslim-Turk' (Kaya, 2013, p. 13). In the name of this 'holy trinity', racial purges were allowed to take place.⁵

Kemalism as an authoritarian and elitist project

Two additional features of the Kemalist regime bear special emphasis. First, it rapidly became authoritarian and even totalitarian. Second, it not only decided to make the state the engine of change but also, in the name of the new civilisational order, to meddle in the most trivial or mundane aspects of the everyday life of Turkish citizens.

Regarding the first characteristic, what bears emphasis is that when the Kemalist leaders, and the Young Turks before them, faced a choice between modernisation and democracy, they always opted for the former. It is thus revealing that, soon after the proclamation of the Republic

³ Using artillery, air bombardment, and poison gas, the Kemalist forces killed tens of thousands of Alevi Kurds, including women and children, in the Dersim massacre of 1937-38. Many others were internally displaced. In the words of Jenny White (2013): "The massacres were sparked by resistance to the government's policy of mass resettlement and dispersal of the local population with the intention of assimilating them into Turkish culture" (p. 108).

⁴ This did not prevent the Alevi-Bektashi communities from embracing the Turkish republic and from perceiving Atatürk as the last saint who had come to save them from their centuries-long suffering. Unfortunately, they remained the victims of discriminating and racist discourses and practices on the part of the dominant classes in urban life (Kaya, 2013, pp. 139-42).

⁵ The most horrifying act conducted by the new Turkey was certainly the deportation and 'resettlement' of Armenian Christians ordered by the Young Turks during the first world war. Aimed at creating a purely Turkic state, the operation led to the first genocide of the twentieth century. The 'Executioner Governor' in charge of its implementation, the physician Mehmet Resid, declared: "I came into this world a Turk. Armenian traitors had found a niche for themselves in the bosom of the fatherland; they were dangerous microbes. Isn't it a duty of a doctor to destroy these microbes?" (Armstrong, 2014, p. 289).

of Turkey and the abolition of the caliphate, the liberal and socialist opposition was suppressed. There was to be a single party, the People's Party (PP), inside which Mustafa Kemal had almost unlimited power. In March 1925, under the Law on the Maintenance of Order, the government was given dictatorial powers by the National Assembly in which any voice of dissent would be subject to severe disciplinary measures. All forms of (independent) civil society organisations, such as the Turkish Women's Union, the Freemasons lodges, professional associations, cultural and educational clubs, were gradually eliminated and replaced with new organisations under party control (Zürcher, 2010, pp. 214, 252-53). The government, the bureaucracy and the army were forming a single body with Mustafa Kemal as the indisputable head. Interestingly, the only experiment which legitimised political opposition, and occurred in 1930, was short-lived. The reason why it was abruptly terminated is that it had revealed the widespread discontent in the country and the unpopularity of the PP. Enormous support for the rival Free Republican Party showed that the PP's project of social and cultural modernisation had not been accepted by the mass of the population (pp. 255-56).

The authoritarian tendencies of the Kemalists, and of the Young Turks before them, were moored in the pre-eminent role given to the army in the revolutionary process. The Prussian-trained military officers were imbued with a spirit of authoritarian centralism justified in the name of a radical and secular reform programme destined to create a modern Turkey modelled after Western Europe (Lewis, 1968, pp. 204-5; Gellner, 1997). This modernisation was perceived by the new regime as implying a total eradication of the country's Ottoman and Arab legacy. Following Erik Zürcher's approach in his *Turkey: A Modern History* (2004, Chap. 11), we may distinguish between three types of reforms, depending upon whether they were concerned with the secularisation of state, education and law, the symbols defining Turkish identity, or social life.

The first type of reforms were guided by the idea that, unlike the Tanzimat reforms of the late Ottoman empire which resulted in the coexistence of secular and Islamic schools, courts, and laws, institutional change under Kemalism was about suppressing autonomous Islamic institutions. The reform movement was started in the years 1820s and 1830s under sultan Mahmut II, continued during the succeeding decades (the French commercial code was adopted in 1850, and a new civil code based mainly on the Hanafi Law in 1867), and almost completed between 1913 and 1918 under the rule of the Young Turks and their Committee of Union and Progress (CUP). Thus, even before the proclamation of the Republic of Turkey in October 1923, major reforms had been undertaken on the level of key institutions. Most noticeably, in spite of the strong resistance of the ulama, the role of Islam had been limited

almost exclusively to the realm of family law. When the Swiss civil code and the Italian penal code were eventually adopted in 1926, this restricted domain of the law was taken away from the jurisdiction of the ulama, and religious associations were banned.

The educational system became completely secularised in 1924 when the state decided to unify education all throughout the country, which implied the abolition of the madrasas, or religious colleges. Also abolished was the Ministry of Religious Affairs and Pious Foundations which was replaced by two directorates, one for religious affairs (the *Diyanet*) and the other for pious foundations (the *Evkaf*), both attached directly to the prime minister's office. All imams and muftis became civil servants while the *Diyanet* was given sole responsibility for religious guidance. This implied that the contents of Friday sermons (preaches before Friday prayer and sermons during the prayer) became centrally determined and that muftis received precise instructions about how to advise believers. Moreover, the state would define the contents of mandatory religious instruction in public schools and of the Imam-Hatip schools created for the purpose of training imams. Also, organised prayer was forbidden in public or private schools. These changes amounted to the greatest transformation of the state bureaucracy brought under the Kemalist republic. They resulted not in a separation of state and religion but in a total control of religion by the state (Zürcher, 2004, p. 187; 2010, p. 145, 279-80; Kuru, 2009, pp. 165-67, 205-211, 220; Inalcik, 1964).

The second area of secular reforms was a direct attack on religious symbols and their replacement by the symbols of European civilisation. Among the measures taken were the prohibition of traditional headgear (such as the fez and the turban) for men, and that of religious attire except for prayer services in the mosques. For women, strong pressures were exerted to make them abandon the veil. The importance of outward appearance was tremendously important for Atatürk, so much so that civilisation was equated to costume in his eyes (Kinross, 2001, p. 414; Morris, 2005, pp. 36-37). Thus, in one of his speeches, he addressed the issue in the following terms: “the people of the Turkish republic, who claim to be civilized, must prove that they are civilized, by their ideas and their mentality, by their family life and their way of living... They must prove in fact that they are civilized and advanced persons in their outward aspect also...”. He then described the dresses of the Turks as a “grotesque mixture of styles” that is “neither national nor international”. Hence the absolute need to shed them overnight and replace them with a unique, precisely defined costume borrowed from the West: “A civilized, international dress is worthy and appropriate for our nation, and we will wear it. Boots or shoes on our feet, trousers on our legs, shirt and tie, jacket and waistcoat –and of course, to complete

these, a cover with a brim on our heads. I want to make this clear. This head-covering is called ‘hat’” (cited from Kinross, 2001, p. 415).

That the traditional attire was not prescribed by religion does not really matter: for Atatürk and the Kemalists, religion and tradition confounded were seen as an obstacle to progress. Islam as a total culture was seen by Atatürk as a “putrefied corpse” (Sayyid, 1997, p. 57). Until the accession of an Islamic party to power in 2007, the Constitutional Court whose links with the Kemalists have always been strong (Belge, 2006), was able to uphold the strict position that “regardless of whether it [the dress code] is religious or not, anti-modern dresses that contradict the Laws of Revolution cannot be seen as appropriate”. But “religious dresses, in particular, constitute a deeper incongruity since they contradict the principle of secularism”. The reason why the dress code is so important is that it reflects the person’s mentality and character, “sentiments and thoughts”, while secularism precisely consists of “a transformation of mentality” (Order N° 1989/12 of The Turkish Constitutional Court, March 7, 1989 –cited from Kuru, 1989, p. 189).⁶

Other Westernisation measures included: the replacement of the Muslim Friday as a day of rest by the Christian Sunday, the adoption of the Western clock and the Gregorian calendar, of Western numerals and of Western weight and measures (1926-1931), the replacement by the Latin alphabet of the Arabic/Persian alphabet used to write Ottoman Turkish (1928), the removal of all Arabic and Persian words to create a pure Turkish language (1932), and the introduction of family names to replace the habit of using the birth name and, possibly, the name of the father (1934).

Finally, the third area was the secularisation of social life and the attack on popular Islam, to be distinguished from the ‘high Islam’ of the ulama dealt with above (first type of reforms). Here, the most dramatic step taken by the regime was the outright suppression in 1925 of the dervish (Sufi) orders, or mystical fraternities (the *tarikats*), and the widespread network of convents and shrines associated with them. It constituted a far-reaching form of interference in the daily and personal lives of the people since these orders played a significant role in articulating the ordinary life of the popular masses, providing an emotional comfort that lacked in the ‘high’ religion, offering social protection and cohesion, and supplying an authority structure around the sheikhs (Zürcher, 2004, pp. 191-92; 2010, p. 136; Göle, 2004). Two

⁶ Note that these measures and the posture supporting them are very similar to those adopted by Peter the Great in Russia: his policy of coercive Europeanisation included compulsory cutting off of beards and the imposition of ‘Germanic’ clothes. When an open rebellion erupted in Astrakhan (1705), it was harshly put down by Sheremetev whose police force committed many atrocities against the people (Obolonsky, 2003, p. 51).

characteristics of the Sufi orders made them unacceptable to the regime. First, as religious brotherhoods based on closed and secretive networks, they were perceived as the hallmark of a traditional and obscurantist culture. Second, they appeared as loci of local power lying beyond the reach of a centralised government. The latter held especially true for the Nakshibendi order which played a major role in the anti-constitutionalist uprising in 1909 and the Kurdish rebellion of 1925 (Kinross, 2001, pp. 397-404).

The drastic long-term consequences of the government's decision have been well captured by Zürcher (2004):

“By extending their secularization drive beyond the formal, institutionalized Islam, the Kemalists now touched such vital elements of popular religion as dress, amulets, soothsayers, holy sheikhs, saints' shrines, pilgrimages and festivals. The resentment these measures caused and the resistance put up against them was far greater than, for instance, in the case of the abolition of the caliphate, the position of *seyhülislam*, or the madrasas, which was only important to official 'high' religion. While the government succeeded in suppressing most expressions of popular religion, at least in the towns, these did not, of course, disappear. To a large extent, the *tarikats* simply went underground. But through the simultaneous imposition of an authoritarian and – especially during the 1940s– increasingly unpopular regime and suppression of popular Islam, the Kemalists politicized Islam and turned it into a vehicle for opposition. One could say that, in turning against popular religion, they cut the ties that bound them to the mass of the population” (p. 192).

It is a particularly sobering fact that, even when Islamic leaders displayed a good deal of wisdom and opening toward modernity, they could be persecuted by the regime. A striking example is the case of Sait Nursi. He enjoined Muslims to take God's unity as the basis of their lives, but also to study modern science and technology which he saw as necessary to preserve Islam, the only true basis of social cohesion. He was nevertheless arrested and tried several times for alleged political use of religion, although he did not indulge in direct political activity until the late 1950s. His writings were banned because he preached against secularism and nationalism (Zürcher, 2004, p. 193).

As is evident from the above account, the movement of the Young Turks and the Kemalist Republic that embodied their ideals, displayed a fundamentally authoritarian attitude and deep-rooted mistrust of the masses. Recruited from the higher ranks of the administration, their leaders saw themselves as an enlightened and self-confident elite charged with the mission of educating their people, removing the hold of religion on their minds, and totally transforming the Turkish legal system, even though a large part of the population was still immersed in a traditional Muslim culture (Kuru, 2009, pp. 214-15; Zürcher, 2010, pp. 136, 214). This authoritarian elitist approach to modernisation has produced a deep-rooted fault-line inside the

Turkish society, a division that runs through the economic, social and political spheres (Kaya, 2013, p. 15; Gellner, 1994).

Ahmet Kuru (2009) characterised the approach of the Kemalists to religion as one of ‘assertive secularism’ inspired by the French Jacobite model. Unlike the ‘passive secularism’ of the United States, which allows the public visibility of religious symbols, assertive secularism is a social engineering project aimed at excluding religion from the public sphere based on the idea that religious beliefs belong to, and should therefore be confined to, the private sphere. There is nonetheless one central difference between the Turkish and the French approaches: whereas in Turkey assertive secularism was largely imposed as a top-down elite project, in France it had been established through a more bottom-up process. Such a difference has historical roots: in France, the Catholic Church was closely connected to the *ancient regime* and tried to re-establish the monarchy after the French Revolution, thereby losing a lot of its prestige among the popular masses. It was therefore as a political institution rather than as faith per se that Christianity was hated, tracked down and imprisoned in those turbulent times. It is revealing that in 1790 priests were forced to choose to be loyal to either the state or the pope. In Turkey, by contrast, secularism was born of a modernisation project that was essentially inspired by Western values and, therefore, not sprung from an endogenous evolution of the host society. In the latter country, moreover, Islamic circles and movements did not struggle for, or support, the restoration of the Ottoman caliphate that the Kemalists equated to the *ancient regime* (Kuru, 2009, pp. 32-34; 139-40; 246).

Kemalist writers have put forward another argument to justify assertive secularism in Turkey, even in the absence of historical supportive links between Islam and the old regime (citations from Kuru, 2009, pp. 174-75). The idea is similar to Bernard Lewis’ thesis that, unlike Christianity which confines religion to individual spirituality, Islam encompasses all areas of life and therefore offers a blueprint for a whole social and political order (see Chap. 3, and Lewis’ book especially devoted to Turkey, 1968). According to the Constitutional Court of Turkey, there thus exists solid ground to apply a stricter secularism in Turkey than in Western Europe. Niyazi Berkes (1964) has espoused Lewis’ view completely: for him, indeed, the bases of the Islamic and Western legal systems were irreconcilable, being the legal foundations of two different civilizations –medieval and modern. The political essence of Islam means that a real separation of state and religion is not possible in a Muslim society (pp. 480-81). Çetin Özek (1962), likewise, has emphasised that, because Islam is not only a religion but also political ideology, Muslims will always resist secularism. Being based on a “centuries-old desert law”, the sharia is an impediment to progress, and only strict, interventionist state policies will be

able to rid Turkey of Islam and “become part of the universal civilization –the modern West” (p. 520).

The outcome was the creation of a deep rift between the political elite and their allied supporters in towns and cities, dominated by bureaucrats, military officers, teachers, doctors, lawyers and entrepreneurs of large commercial enterprises, on the one hand, and large parts of the population and even parts of the national movement itself, on the other hand. In urban locations, the craftsmen and small traders formed the backbone of the suppressed traditional culture (Zürcher, 2004, pp. 193-94). As pointed out earlier, the tension between the Westernised elite and the popular classes was seriously aggravated by the outright elimination of the mystical orders and fraternities which formed a shared value of the latter’s society.

The aftermath of the Kemalist Republic

Dictatorship in Turkey ended in 1945 under the pressure of internal democratising forces and external influences exerted after the military defeat of the Axis powers in the second world war. After a short period of transition, multi-party democracy was established, or re-established if one considers that short experiments with this form of democracy had been made earlier (between 1908-1913, between 1923-1925, and in 1930). Assertive secularism, however, continued to be the hallmark of modern Turkey, and it was most strenuously upheld by the Turkish army which did not hesitate to make a state coup if secular values were deemed to be under threat.

The landslide victory of the Democratic Party (DP) in the 1950 elections, confirmed four years later, constituted a watershed in the political history of modern Turkey. Born of a split within the Young Turk coalition, the DP was “the first political organisation in the country’s modern history with a genuine mass following that had been able to express its support in a free election” (Zürcher, 2004, p. 218). The assembly suddenly became dominated by representatives with no background in the bureaucracy and the army: a different section of Turkey’s elite, less educated and younger, had come to power. It bears noticing that, in the years before 1950, the DP’s leaders took great care to emphasise that they would not bring any fundamental change in the secular basis of the state. In actual fact, their programme closely resembled that of the RPP. When the increasing authoritarianism of prime minister Adnan Menderes came under the growing criticism of hostile intellectuals, members of the bureaucracy and the armed forces, and even of members of his own party, he used appeals to Islamic sentiments, yet in an ambivalent manner since he did not give Islam a greater role in

the administration and legislation of the country (Zürcher, 2004, p. 232-33). In particular, the integration of the religious establishment into the bureaucracy was not ended, and every preacher remained a civil servant.

Two changes nevertheless occurred. The first one, the relaxation of restrictions on expressions of religious feelings, was a continuation of the policy adopted by the RPP itself in the 1940s. Its main effect was to make Islam increasingly visible in everyday life in the cities. The second, more significant change consisted of accepting the existence of autonomous religious organisations, such as the Sufi brotherhoods. This was considered as tacitly admitting that religion was not incompatible with development, tantamount to a betrayal of the Kemalist legacy. In the words of Zürcher again:

“For the majority of the educated elite (including civil servants, teachers and academics and officers) who had internalised the Kemalist dogmas and who themselves owed their position in the ruling elite to the fact that they represented the positivist, Western-orientated outlook, this admission threatened their cultural hegemony and their monopoly of the political scene and the state machinery. This explains why their reaction to expressions of even non-political Islamic feeling was little less than hysterical. Within the army, which regarded itself as the keeper of Atatürk’s heritage, the feeling that the DP was betraying the Kemalist traditions was especially strong.” (Zürcher, 2004, p. 234).

As hinted at earlier, religious symbols were actually confounded with the culture of the countryside which gradually entered into the cities through steady rural-urban migration flows. Rural migrants were typically considered with contempt because they not only caused a resurgence of Islam in modern urban environments, but also because they imported backward behaviours seen as “an affront to civility and an offensive intrusion into urban life” (White, 2013, p. 115).⁷ The pejorative label ‘Black Turks’, with its implied connotation of uncivilised, traditional and non-educated people, was used to designate all those who displayed piety and certain bodily habits. These characteristics were associated with lower-class status regardless of the actual wealth and degree of economic success of the individual (Yumul, 2010).

Those changes were enough to alarm the armed forces which carefully prepared a coup to dislodge the DP from power. It occurred in May 1960 and led to the hanging of three top figures of the DP, including Menderes. The coup was greeted with explosions of public joy in Ankara and Istanbul, with students and intellectuals among the most enthusiastic supporters (Zürcher, 2004, p. 241). Yet, democratic forces re-asserted themselves and the National Unity

⁷ Offenses ranged from women’s wearing headscarves and men’s wearing pajamas in the streets, to large families’ picnicking in public parks, sparking the complaint that urbanites were now unable to use the park themselves (White, 2013, p. 115).

Committee (NUC) created by the conspirators was purged as early as in October 1960. New parliamentary elections were held one year later (October 1961), which were won by parties considered to be heirs to the DP. Starting the second Turkish Republic (1961-1980), a new constitution was voted which was more liberal than the previous one in the sense that it tolerated a greater measure of political activity than before. Strikingly, there was no return to the strict, secularist policies of the years before 1945. Efforts were actually made to undermine the rise of Islamist movements by building new mosques, restoring shrines, enhancing religious education in schools, modernising the curriculum of the preachers' colleges (Imam-Hatip schools), and publishing 'enlightened' sermons from the *Diyanet* (p. 247).

The party which emerged a clear victor from the October 1965 election was a party born a few years earlier and named the Justice Party (JP). It was essentially a continuation of the DP, and was first headed by an army officer, General Gümüşpala. The JP neatly defeated the Kemalist RPP with which it failed to govern under a coalition government during the preceding years. In the meantime, Suleyman Demirel became the new head of the JP, a choice very much influenced by the Chief of General Staff, and the President, Sunay. The political rise of Demirel was "the symbol of the emergence of an entirely new elite", formed by self-made men from the countryside and from the smaller but fast-growing provincial towns (Zürcher, 2004, p. 250). The JP was nevertheless a rather heterogeneous body with little ideological coherence, based as it was on a coalition of industrialists, small traders and artisans, peasants and big landowners, religious conservatives and Western-oriented liberals. To keep this coalition of forces together, Demirel resorted to a double-edged tactic which consisted of stressing the Islamic character of the JP and its defence of traditional values, on the one hand, and of struggling against communism and harassing leftist movements, on the other hand. The latter objective brought the JP into an ugly collaboration with the infamous National Intelligence Organisation (MIT). Thanks to continuing support in the countryside, Demirel was not sanctioned in the 1969 elections even though he was seriously contested inside his own party (pp. 251-52).

At the same time as the JP was thus considerably weakened, the RPP was rejuvenated by moving to the centre left under the leadership of a staunch secularist, Bülent Ecevit. After a period of political turmoil punctuated by the military ultimatum of March 1971 and its immediate consequences, this rejuvenation enabled the RPP to become the biggest party during the October 1973 elections, and to run a coalition government not with the JP but with the National Salvation Party (NSP) of Necmettin Erbakan. Previously called National Order Party (NOP), the party formed by Erbakan positioned itself as the champion of the interests of the small businessmen, and did not hesitate to make references to the Islamic heritage of the Turkish

nation. It was based on a so-called National Vision (*Milli Görüş*) which proposed a Just Economic Order to eliminate socio-economic inequalities and corruption. The National Vision, which aimed at constructing a modern religio-ethnic Turkish national identity, had a strong chauvinist and even racist component because of its stress on Turkish blood and history (White, 2013, p. 39).

The “marriage of convenience” between the RPP and the NSP could not resist the rising ambitions of Ecevit, and it was succeeded by a series of coalitions and counter-coalitions which were all weak (pp. 256-63). Precipitating the breakdown of the political system of the second republic and the third military intervention in Turkish politics in 20 years were several factors of which the government’s weakness in front of rising political violence was only one.⁸ Other critical factors were Kurdish separatism, a severe economic crisis caused by misguided economic policies, and a threat of Islamic fundamentalism exacerbated by the Islamic revolution in Iran (January 1979). A demonstration organised in Konya by the NSP and Islamist groups following the Iranian revolution called for a return to the sharia and a refusal to sing the Turkish national anthem which, oddly enough, had been written by a pan-Islamist poet (pp. 268-69).

The gradual re-entry of Islam into Turkish politics

The coup, which took place in September 1980, inaugurated the Third Republic in a brutal but effective manner. General Kenan Evran was appointed the new president of Turkey. People suspected of leftism or Islamism were arrested or fired from their jobs, and many were executed, tortured or died in custody. A special organisation (the YÖK) was created to control universities, which decided to expel students with headscarves based on the order of the military government (in 1982). Justification provided was that an absolute freedom of dress is against Atatürk’s principles and reforms (Kuru, 2009, pp. 188-89).⁹ Old parties were also

⁸ During the late 1970s, political violence became a major problem with extremist youth groups on both the left and the right (the fascist ‘Grey Wolves’ and religious fundamentalists) fighting to control the streets and the campuses. The struggle was unequal because the police and security forces clearly backed the ultra-nationalist party (Nationalist Action Party, or NAP) linked to the Grey Wolves. At the same time, as aptly observed by Zürcher (2004), political extremism and violence in Turkey cannot be understood outside the context of a traditional culture in which honour and shame, strong identification with one’s family and clan, and vendetta played a dominant role. As a result, traditional conflicts were given political connotations as when the Grey Wolves organised a series of murderous pogroms against the Alevis (Turkish Shias) who were generally voting for the political left (p. 263).

⁹ In response, the parliament passed another law that made ‘modern dress and appearance’ compulsory, but allowed covering the neck and hair with a headscarf for religious reasons. Evren immediately applied

forbidden and old politicians banned from political activities. These activities were now closely watched by the army and, in a first phase, only three new parties were allowed to compete in elections. Among them was the Motherland Party (MP) which made great strides under the strong leadership of Turgut Özal. He was a man well connected with big business circles but also with the Naksibendi Sufi order.

Many in the MP, Özal among them, were influenced by the “Hearths of the Enlightened”, an organisation founded in 1970 by influential people from the business, academic, and political worlds. Its ideology, known as the Turkish-Islamic Synthesis, also appealed to prominent military leaders, including Evren, in spite of the secularist traditions of the Turkish officer corps. The fact of the matter is that, although the military suppressed the leftist and Islamist movements mercilessly, they also realised that an ideological alternative was needed and that traditional secularist Kemalism had too limited an appeal to be able to do the job” (Zürchner, 2010, pp. 280-81; White, 2013, p. 35). The military also wanted to use Islam as a bulwark against communism, and to improve the relations between Turkey and Muslim countries, such as Pakistan. Hence their apparently inconsistent policies toward religion (Yavuz, 2003, pp. 69-74).

The central message of the new ideology, which was not without links with the aforementioned National Vision, was that patriotism and love for parents, the state and the army is a religious duty. Religious education was thus enshrined in the constitution the military adopted in 1982. A Board of Higher Education was set up to strengthen the role of the state in the public realm, including the way of dressing in public places and the definition of the content of teaching. Wearing a headscarf for women and having a beard for men were banned in higher-education institutes, and the regulations regarding the dress code were soon extended to the personnel employed by public institutions (Kaya, 2013, p. 162). In school textbooks, Islam was articulated to values such as nationalism, the unity and indivisibility of the nation, respect for authority and militarism. The *Diyanet* was given a constitutional role, and its functions were more than ever completely subservient to the interests of the state. Regimented teaching and learning were reinforced, and military-like drills, chanting and parades began in the earliest grades to produce adults physically embodying the nation’s militarist ideals (White, 2013, p. 75). Students in all primary schools are required to recite every morning a strongly nationalist pledge containing the words: “My foremost principle is to defend my minors and to respect my

to the Constitutional Court which dutifully obliged by declaring the law unconstitutional. The judges considered that religious belief could not be considered a reason for legal exemption, hence the law threatened the unity of the nation and destroyed the public order (Kuru, 2009, p. 189).

elders, and to love my fatherland and my nation more than my self...O Atatürk the great! I swear that I will enduringly walk through the path you opened and to the target you showed. May my personal being be sacrificed to the being of the Turkish nation. How happy is the one who says; ‘I am a Turk’” (cited from Kuru, 2009, p. 166).

In sum, the military regime followed a double-edged policy consisting of emphasising the laicist discourse, on the one hand, and adopting a kind of state-run political Islam, on the other hand. The latter arm of the strategy aimed at indoctrinating the younger generations through compulsory courses on religious culture, civic values, and morality. Non-Muslim minorities were exempted from these courses, yet not the Muslim non-Sunni minorities such as the Alevis who have always been regarded as practising a deviant faith and whose communion houses (the *cemevis*) were not recognised as places of worship equal to mosques. The next government of the MP, under the leadership of Turgut Özal in the mid-1980s, actually embraced a similar approach prioritising the teaching of a homogeneous way of life based on Sunni Islam (Kaya, 2013, pp. 142-45).¹⁰

Concomitantly, the influence of Islam was spreading: new mosques were built, preacher schools, whose graduates were now allowed to enter university, were spawning, the religious content of schoolbooks and state-controlled radio and television programmes, as well as religious publications, grew rapidly, and members of the cabinet took part increasingly in religious ceremonies. These religious manifestations aroused the fear of religious intolerance among the old elite, but with hindsight, they can be regarded as proof of the success of modernisation in ending the monopoly of the intellectual debate by this elite. In point of fact, many members of the old subject class have now been educated enough to construct social and cultural projects of their own, and to use modern communication technologies to publicise them (Göle, 1997). In the words of Zürcher (2004) again:

“What could make Islamic currents dangerous to the existing state and society was, and is, discontent among the have-nots, created by policies that have vastly increased the differences between the rich and poor. Just as in so many other countries in Asia and Africa, so too in Turkey *politicised Islam has taken over the role of the left as the voice of the have-nots*. That Islamic movements have been able to play this role with success is partially due to the extent to which the governments of Evren and Özal have embraced and thus legitimized them, but if the discontent among the mass of the city populations

¹⁰ The Alevis had to wait for the rise of Erdogan’s AKP to power to see a change in this situation that they perceived as one of indoctrination by the state through Sunni Islam. The change consisted in a revision of the curricula to include Alevi beliefs and practices, a step toward tolerating the religious differences of the Alevi (and Bektashi) communities. Not all Alevis would celebrate, however. Secular Alevis indeed asked for more drastic measures, more precisely the teaching of a course based on the history and sociology of religions from an academic and comparative perspective, and the restriction to the private sphere of the teaching of Alevi belief (and any religion) (Kaya, 2013, pp. 142-56).

had not grown so much in the 1980s the movements would have remained fuses without any powder keg attached to them” (p. 289 –my translation).

The next significant event, beyond the local vagaries of short-term politics (marked by the temporary return of Demirel at the head of a newly branded party and as president), was undoubtedly the sudden success, in the elections of March 1994, of the Islamic Welfare Party (WP) of Erbakan, the leader of the previously named NSP. This success was due both to the strong grassroots organisation of the party and to its having found a powerful echo in large cities such as Istanbul and Ankara. The WP could not be viewed any more as representing the interests of small businessmen but had also become the voice of the poorest sections of the population in the metropolitan areas. As pointed out by White (2013): “Islamists took over the role of champions of economic justice from the left that had been decimated in the 1980 coup, although the Islamist conception differed quite substantially from the class-based ideas of the left” (p. 42). The electoral success of the WP followed both from its emphasis on issues like social justice, unemployment, poverty, social security, and corruption in high circles, and from its respect for the more conservative lifestyle of the masses. Regarding the latter aspect, its main role was to have opened the way for a ‘Muslim cultural renaissance’ that dares express itself publicly, and for a restored dignity of the Black Turks in the face of senior military officers and traditional Republican elites entrenched in state institutions and monopolies (White, 2013, p. 47).

From then on, things moved quickly with the army again re-asserting its power. It presented the government of Erbakan with a long list of demands aimed at curbing the influence of the Islamists in the economy, in education, and inside the state apparatus. An important fear arose from the increasing numbers of graduates from the preacher schools who could not be employed in religious establishments and were therefore seeking jobs in other branches of the ‘secular’ state administration. In the eyes of the military and many secular Turks, this implied a high risk that people with an Islamist agenda will infiltrate and gradually take over the state. The unsatisfactory response of the government to the army’s demands led to the ouster of Erbakan as prime minister. Moreover, in January 1998, the WP was closed down by the Constitutional Court on the grounds that it violated the secular nature of the state (Zürcher, 2004, p. 300; White, 2013, pp. 40, 43). In the same process, the army was purged of about nine hundred military officers because of their alleged Islamic ways of life; corporations run by conservative Muslims were discriminated against in government contracts and bids; wearing

headscarves was prohibited in all education institutions; and many Quran courses and all secondary sections of the preacher schools were closed down (Kuru, 2009, p. 162).

The second revolution in modern Turkey: an Islamic Party in power

The Welfare Party was succeeded by the Virtue Party (VP), which was again banned in June 2001. Parting ways with the conservative faction of VP led by Erbakan, the leader of the reformist faction, Recep Tayyip Erdogan, then founded the Justice and Development Party (AKP). In a short time span, the AKP shed its Islamic identity and styled itself as a conservative democratic party. Moreover, it defined secularism as a principle requiring the government to keep an equal distance from all beliefs. Its success was immediate: in the 2007 elections, AKP did well in every region of the country, and it won 47 percent of the votes overall. It thus received a stunning mandate to run Turkey along entirely new lines. A democratic revolution had occurred, and a regime had been set up that proved to be remarkably enduring. It succeeded in reducing the role of the army, preventing it from meddling in politics, and in de-laicising state institutions. A symbolic step in the latter direction consisted of the lift of the ban on veil-wearing in universities and public buildings, a measure that concerned about 63 percent of Turkish women (Kuru, 2009, p. 187).

It was a genuine revolution because till then in the Turkish republic, regardless of the party coalitions in charge of the government, state policies toward religion were predominantly decided by the presidency, and the presidency saw to it that strict secularism continued to pervade state institutions. The president's decisive influence stemmed from key prerogatives, such as the approval of the appointment of high-ranking generals and top civil bureaucrats, and the direct appointment of high court judges (the judges of the Constitutional Court, in particular) and presidents of universities. Going one step further, the question arises as to why the parliament repeatedly elected staunch secularists as presidents (the two only exceptions were Celal Bayar from 1950 to 1960, and Turgut Özal from 1989 to 1993). The answer is that military pressures and interventions forced deputies not to vote for conservative or liberal candidates. This was no more possible and, in April 2007, an estimated one million protesters brought together in several important cities of the country failed to prevent the AKP from electing one of its own men, Abdullah Gül, as the new president. This was in spite of not only the pressures from the street but also the opposition of the Constitutional Court and the threat of a direct intervention by the military (Kuru, 2009, pp. 183-84).

What Erdogan failed to establish, however, is a political system rid of authoritarianism and obsession with power consolidation. His repeated electoral victories have increased his confidence in his right to repress critics, ignore the voices of the opposition, and stifle any form of dissent, even when arising from Islamic circles. A striking example is the war waged in 2013-14 against Fethullah Gülen, the leader of a modernist Islamic current created in the early 1990s. This was not a political movement, but one that chose to promote its ideas primarily through education. To that effect, it built a wide network (spreading to Central Asia and the Balkans) of schools, high schools and universities with the explicit objective of furthering the adoption of Western technology coupled with Islamic morals (Zürcher, 2004, p. 291). Grounded in Islamic community networks and open to modern science and knowledge, the Gülenist movement thus appears as a valid approach to modernisation because it strives toward a modernity that is not cut off from the historical past. More specifically, it considers that “the Muslim national tradition is based on a cultural Muslimhood, infused with a politico-historical Turkish/Ottoman identity, rather than a racialized or language-based Turkishness” (White, 2013, p. 97; see also Yavuz, 2013). In this sense, it resembles the Meiji movement in Japan and the populist movement in Russia on the eve of their modernisation drive. The attack on the Gülenists by Erdogan and his inner circle is obviously against the interests of the country, and only obscure motives and machinations can explain such a counter-productive move.

To help him in the task of repressing dissenters, Erdogan enhanced the size and prerogatives of the police to the point of replacing the military with a ‘civilian army’. Worse still, he has actively encouraged Turkish citizens themselves to report to the police any manifestation of hostility against the government. In this way, he has contributed to create a climate of mutual defamation and suspicion amongst people, instilling fear and mistrust at the heart of the societal fabric. Unashamed display of wealth is another way in which the new AKP elite, including Erdogan and his close associates, have departed from AKP’s professed ideals. Running counter to the view of a pious, modest and ascetic class of professionals and business people, they have increasingly behaved as an assertive new bourgeoisie eager to demonstrate their economic success. The luxury palace that Erdogan decided to build for himself after having been elected president is a blatant testimony of such a reversal of attitudes. In other words, the religiosity of the rising class of Anatolian businessmen in Turkey seems to become more and more deprived of some of its key underlying values as its members reach the highest layers of political and economic power. It remains to be seen whether its essential function, which is to differentiate the ‘Islamic way of life’ from the Westernised lifestyle of the Kemalist elite, will credibly persist in the new circumstances.

Concluding remarks

Looking at the history of modern, post-Ottoman Turkey, Hakan Yavuz (2000) offers the view that the Kemalist revolution has been “superficially Western in form while remaining rigidly authoritarian and dogmatic in substance”. Its attempt “to radically recast Turkish culture, history, and identity has ensured a permanent *kulturkampf* against society”, an approach that undermined the transition of Turkey to a Western-style liberal democracy (p. 34; see also Yavuz, 2003, 2006, 2009). Contending that Kemalism has been ‘superficially Western’ is both a correct and a misleading statement. It is correct in two senses. First, it is mainly the ways of the Kemalist elite that underwent a radical change. By contrast, the mass of Turkish population, including the new rising elite of Anatolian entrepreneurs and middle class professionals who support the AKP, remained deeply religious. Second, the authoritarian methods of Kemalism, its obsession with unity or homogeneity over diversity, and its predilection for a strong state produced a politically illiberal regime. This regime, which was dominated by a ‘deep state’ based on a tacit collusion between the presidency, the military, the national security services, and the high judiciary, did not secure a proper place to the civil society and it destroyed the tradition of relative pluralism developed in the Ottoman society. Yavuz’s statement is misleading, however, insofar as it conceals the important fact that new technologies and forms of economic organisation have been adopted, more competitive forces have been unleashed, and exposition to the outside world has been increased with the effect of sparking economic growth and modernisation.

If the AKP has succeeded in causing the demise of the ‘assertive secularist’ system and the associated forces of the deep state put into place by the Kemalists, it has not ended the domination of the state over religion nor has it demonstrated a great ability to terminate the Kemalists’ authoritarian tendencies (see, e.g., Morris, 2005). In that sense, a line of continuity exists between the two regimes in spite of a change in the characteristics of the ruling elite and the promoted values and attitudinal patterns. Kemalism itself was not the sort of radical rupture with the Ottoman society that it pretended to be. Not only the Ottoman empire was far from being the religion-dominated system represented in Kemalist ideology –the ulama were civil servants paid by the Ottoman state and under direct control of the sultan–, but also the Turkish Republic of the Kemalists inherited the secular institutions of the Ottoman empire, such as the schools, courts, and laws, and it followed the political tradition of central statism that prevailed during the late Ottoman era (Kuru, 2009, pp. 202-3, 214). Under both systems, temporal

authority clearly superseded the religious authority (Inalcik, 1964, pp. 53-63; Frey, 1964, pp. 211-17; Chambers, 1964, pp. 312-22; Bayar, 2009; Gürbey, 2009; Türkmen, 2009).¹¹ Erik Zürchner (2010) thus makes a valid point when he writes that sultan “Abdülhamit’s policies of establishing far-reaching state control over the contents of religious education and instruction, his standardization of the sharia and his attempt to use the religious message to increase loyalty to the throne in a sense presage the Young Turk measures aimed at a further subjugation of Islam to the state” (p. 282).

In praising Turkey’s Ottoman roots, the AKP regime fills in the breach with the Ottoman past that Kemalists have artificially created. Also, there is a similarity between the AKP’s approach to modernity and that of the Young Ottomans who, unlike the Young Turks (who embraced the Western civilisation *in toto*) and the Tanzimat bureaucrats (who wanted to pragmatically imitate European institutions and schooling system), thought that modernising Turkey could be done while preserving the Islamic identity. Seen in this light, the reappearance of alleged religious symbols, such as the women’s headscarf, on the forefront of Turkey’s public life should be seen as “reflecting a process of acculturation and entry into the experience of global modernity by participating in the elaboration of an Islamic social image repertory”, rather than as manifesting a deep attachment to tradition and religious orthodoxy (Göle, 2011, p. 49).

In this connection, it is interesting to note that, especially in the aftermath of the AKP rule, secularist/Kemalist rituals became very common in everyday life, including regular visits to Atatürk’s mausoleum, excessive use of the Turkish flag and images of Atatürk, and the use of the slogan “Turkey is secular and will remain secular” (Kaya, 2013, p. 161). All these acts and slogans, images and symbols reflected a cult of the hero conceived as the warrior, statesman, and educator whose role was to mould the course of modern Turkish history (Ward and Rustow, 1964, p. 450). As pointed out by Meyda Yeğenoğlu (2012), the repeated recourse to them has a religious connotation in so far as they produce a sacralisation of the principles of laicism and secularism (p. 296). In the same manner as the strict secularism of the Kemalist state and the barriers to freedom of religion that it erected had led to the emergence of Islamist symbols and identity signs, such as the headscarf, the rise of an Islamist party, however moderate, caused the laicists to reinforce their display of Kemalist fervour. Because the symbols used thus serve the function of manifesting political identities in the public sphere, they carry a political and not only a religious or quasi-religious meaning (Kaya, 2013, pp. 162, 166-69).

¹¹ It is therefore difficult to agree with the statement of Robert Ward and Dankwart Rustow (1964) that “once the traditional Ottoman concept of Faith and Dynasty proved inadequate for survival, religion became a powerful obstacle to modernizing change” in Turkey (p. 443).

The growing and assertive presence of Islamist symbols has the effect of maintaining the deep polarisation of the Turkish society that the Kemalists had brought into being, and of pursuing rather than ending the culture of intolerance initiated by them. This is in spite of notable efforts, in the beginning of the AKP government, to reach out to the Kurdish and Alevi communities (Kaya, 2013, Chaps. 3-4). Eventually, things turned out as though Erdogan and the AKP just overturned the social, cultural, and political system by putting the repressed values and attitudes in the dominating position while trying to relegate the previously established ones into the background. The charging of heavy taxes on alcoholic drinks, the building of numerous new mosques and *imam hatip* schools (which have nearly quadrupled between 2002 and 2014), the imposition of the old Ottoman language and script in these schools, the construction of a madrasa in the courtyard of the Hagia Sophia museum (breeding rumours of a project aimed at converting the old church into a mosque), the introduction of loudspeakers diffusing the Muslim prayer in the midst of large cities, the emphasis on gender differentiation and the praises of women's domestic responsibilities, the extolling of the Ottoman attributes of the Turkish nation at the expense of other aspects of its legacy, all these manifestations tend to widen rather than reduce the gap between two parts of the Turkish society, the one which adheres to the secular values of the Kemalist vision and the other that is attracted to the values of Islam and religious piety. In other words, there are worrying signs that reconciliation between the two strands becomes ever more distant under Erdogan's increasingly authoritarian rule. In other words, the AKP has failed to end the logic of intolerance that has characterised Turkey since the demise of the Ottoman empire (see Kaya, 2013, for a detailed analysis of this point).

Besides the polarisation of Turkish society, there are other lines of continuity between the Kemalist and the AKP regimes. We have already mentioned the continuation of authoritarian tendencies, although under the AKP the meddling of the army in Turkish politics has been brought to an end. Two other important similarities are the continuation of liberal economic policies and the persistence of a strongly nationalistic ideology based on the Sunni-Muslim-Turk 'Holy Trinity'. Combined with the stress on Islamic values and behaviour patterns, nationalist fervour allows Erdogan to project an image of Turkey as a rising power with a specific identity that makes it different from, and better than, most other countries.¹²

Section 9.4: Radical reforms in modern Tunisia

¹² The building of a garish new presidential complex with 1,150 rooms at a cost of \$615m attests to the grandiose ambitions of Erdogan (Economist, January 3-9 2015, p. 22).

There are obvious similarities between the approach to modernisation followed by president Bourguiba in Tunisia and Atatürk in Turkey. In particular, both leaders wanted (1°) to get rid of traditional institutions, customs and symbols, (2°) to place religious organisations under state control, and (3°) to use largely authoritarian methods to achieve their Westernisation objectives. There are some important differences too. In particular, unlike Atatürk, Bourguiba was keen to justify the reforms on the basis of Islam instead of relying entirely on rationalist considerations. Having discussed in detail the Turkish experience, we now turn to the Tunisian one.

Bourguiba's one-man rule

In order to accede to supreme political power immediately after Tunisia gained her independence from France, Habib Bourguiba did not hesitate to resort to political manoeuvring and undemocratic methods. He thus coerced Amin Bey, the monarch at the head of the state during the late protectorate period (1943-1957), to enact an electoral law guaranteeing that candidates chosen by the political bureau of Bourguiba's party, Neo-Dustur, would control the constituent assembly (Mohsen-Finan, 2002, pp. 113-15).¹³ This worked according to plans since the Neo-Dustur list won all the seats in the assembly following the 1957 elections, despite low participation rates in some parts of the country. The partisans of Salah Ben Yusuf, the arch-rival of Bourguiba and the scion of a prosperous merchant family with close ties to Tunisia's traditional commercial and religious elite, were thus deprived of the possibility to express their preference. Interestingly, both men had been close associates in the Neo-Dustur party before independence (both had assumed in turn the direction of the party), but their relations gradually deteriorated, largely because of tensions on the personal level and different views regarding tactics and global orientations. While Ben Yusuf thought Tunisia should strengthen her links to the Arab world and anchor in Islam her newly emerging national identity, Bourguiba wanted his country to turn unambiguously to the West. The tension between the two leaders led to a confrontation that brought the country on the verge of civil war just before independence.

¹³ Bourguiba did not hesitate to accuse Amin Bey of treason, in particular because he gave his (reluctant) consent, in the early 1950s, to the French-instructed reforms establishing equal rights and prerogatives between French and Tunisian residents. This accusation was quite opportunistic since Bourguiba himself had been accommodating to French interests on more than one occasion (certainly to a larger extent than his political rival, Ben Yusuf), generally on pragmatic grounds. The fact of the matter is that he wanted to get rid of the Husainid monarchy and establish a republic of which he was to be the sole leader.

Following the defeat of Ben Yusuf after a campaign carefully orchestrated by Bourguiba at a party congress in November 1955, some of his followers turned to violence against the mainstream Neo-Dustur. While Ben Yusuf fled to Cairo, *fellagha* bands took arms in the south and the west of the country which were the most economically depressed parts of the country. On the order of Bourguiba, Ben Yusuf was assassinated during a trip to Frankfurt in 1961 (Toumi, 1989, pp. 18-26; Perkins, 2004, pp. 115-31; Mahjoubi, 1982; Alexander, 2010, pp. 31-34).

In order to tame the pro-Yusufist *fellagha* rebellion, Bourguiba had to require the cooperation of French army and police, since the Tunisian armed forces (which consisted of only a few thousand men) were evidently inadequate to the task. The High Court of Justice tried 128 rebels, among whom 123 were partisans of Ben Yusuf, on the grounds that they plotted Bourguiba's murder. In October 1959, the death penalty was pronounced against 15 of them and immediately executed (Toumi, 1989, p. 25).¹⁴ Until that time, it also sued political opponents on the grounds that they either collaborated with the French (their incomes being therefore 'ill-gotten'), or displayed attitudes of 'national indignity'. Another, softer tactic consisted for Bourguiba of creating rival organisations when the leader of an existing one entered into conflict with him, and coercing this leader to resign (such as happened when the leader of the trade union organisation associated with the Neo-Dustur party, Ben Salah, expressed disagreement with him).

In a few years, Bourguiba succeeded in creating a political system which, in spite of being officially a republic, was actually a 'presidential monarchy'. The assembly was rendered toothless by being relegated to a largely consultative role, legislative and executive powers were bestowed on the president who thus became the head of the state and the head of the government, and the judiciary was also under his control. Since Bourguiba simultaneously retained his position as the secretary general of the Neo-Dustur party, "he stood at the apex of a system weaving together the institutions of the party, the state, and the national organizations" (Perkins, 2004, p. 133). Moreover, to achieve maximum control over Tunisian citizens, a huge patronage network was operated by Neo-Dustur, showering favours on loyal followers. Access

¹⁴ The so-called Yusufist plot followed the disaster of Bizerte, when president Bourguiba decided to launch the Tunisian army, although it was totally unprepared, against the French troops in July 1961. To motivate his action, Bourguiba then argued that the decision of the French government to enlarge its military base at Bizerte was incompatible with Tunisian sovereignty. In December 1962, a group of Tunisian army officers, shocked and humiliated by the Bizerte affair, plotted a coup against Bourguiba (Toumi, 1989, pp. 48-51). Some argue that Bourguiba's decision in Bizerte was a calculated move to get rid of much of the officer corps, dominated by Yusufists.

to government jobs was conditioned on party membership, and the key qualification for the more important posts was typically the militant record rather than skills or competence-based merit.

Bourguiba was a self-confident and even arrogant person who did not tolerate opposition and was convinced that “his ideas, judgments, and interpretations of events had inherently greater worth than those of others” (Perkins, 2004, p. 206). He was able “to act cynically in the name of his ambitious plans, and never allowed doubts to arise, especially when his destiny was concerned” (Toumi, 1989, p. 20 –my translation; see also Alexander, 2010, p. 28). He wanted to be surrounded by a loyal coterie of sycophant followers, and it is therefore not surprising that none of the first-generation leaders of Neo-Dustur found their way into the state bodies. At some point and on some issue, all of them had actually fallen out with him and been considered as guilty of betrayal or abandonment in moments of crisis (Cohen, 1986; Toumi, 1989, p. 21; Perkins, 2004, p. 133).

When in 1964 the Neo-Dustur party was renamed as the Parti Socialiste Dusturien (Dustur Socialist Party, or PSD) after its shift to economic planning and state socialism, it was the only officially recognised political party in the country (the Communist Party of Tunisia had been banned in 1963). It then held a tighter grip on the state and the society than ever before and, after the regional governors simultaneously represented the state and the PSD, the subservience of the state to the PSD became complete (Perkins, 2004, p. 147). Since, moreover, Bourguiba tended “to formulate policy unilaterally or in consultation only with a coterie of cronies, giving short shrift to government ministers and party officials”, the party-state system of Tunisia genuinely was tantamount to a one-man rule (p. 207). Autocracy was especially strong because the ruler’s erratic and vindictive behaviour prevented him from placing enduring trust in his closest associates. He thus frequently rotated them, removing them from top positions and calling them back as circumstances justified.¹⁵ Because he denied the results of elections inside his own party and chose to place obedient stooges rather than competent militants in the central committee, the PSD became a self-devouring machine that gradually

¹⁵ In such circumstances, Bourguiba could actually display an unbelievable measure of cynicism. Thus, for example, when he demoted Prime minister Ahmed Ben Salah after a disastrous attempt to bring socialism to the country, “almost overnight, Ben Salah went from being the country’s economic czar to a jailed criminal accused of mismanaging the country’s economy. Bourguiba expelled him and his supporters from the government and the party... Through it all, Bourguiba claimed that he had been duped. The economic mess was all Ben Salah’s doing. Bourguiba claimed no responsibility beyond having allowed Ben Salah to amass too much power” (Alexander, 2010, p. 43). These statements of denial of responsibility were just incredible, coming from a man “who had carefully planned and directed every aspect of Tunisia’s political life for more than two decades, the man who evaluated every decision in terms of its impact on his power” (p. 43).

lost its sense of purpose: “from a party-state, the PSD was transformed into a party of the state”, quickly deserted or opposed by the younger generations (Toumi, 1989, p. 88 –my translation). The indisputability of Bourguiba’s power became most manifest when in 1974 he was ‘offered’ a lifetime appointment to the position of party president by the PSD’s political bureau after the designation of the latter’s members by himself had been ‘quasi-institutionalised’ (pp. 88-89; see also Alexander, 2010, p. 45). In the words of Kenneth Perkins (2004):

“Although the monarchy had been abolished soon after independence, in all but title Bourguiba became the bey, exercising his authority, working and residing in his palaces, and reveling in the pageantry and rituals once reserved for the Husainid rulers. The elections that confirmed him in office resembled nothing so much as the *bai’a*, the oath of fealty sworn to the bey by his retainers” (p. 208).

A similar, even starker judgment has been issued by Yadh Ben Achour (1987) for whom Bourguiba had always had a particular view of the rule of the law since it essentially rested on a legitimacy of which he was the unique source. Citing Ben Achour: “His decisions are above the law. The rule of law exists only below the stage where he himself is standing ... He is an order, above all orders. Even the state cannot claim the legitimacy that he has. On the contrary, state legitimacy is derived from his own person. His leadership transcends the state” (p. 157 – my translation). His numerous public declarations to the effect that he was acting ‘for and through the people’ were mystifying insofar as he never took any step toward establishing popular participation in political decision-making.¹⁶ The truth is that he had a quite paternalistic approach to the people’s role and a *dirigiste* sense of the management of the state (Cohen, 1986). He was actually a distant leader ensconced in the idea that the people of his country owed him a great debt of gratitude. All his references to ‘popular legitimacy’ were therefore fictional and destined to conceal an adept instrumentalisation of people’s will (Camau, 1987, p. 30).

Bourguiba’s radical social reforms

Bourguiba has always been convinced that he had a mission to fulfil for his country, and that he knew better than anyone else what had to be done to promote social and economic

¹⁶ Thus, when confronted with opposition against his agrarian reform, Bourguiba declared that: “When rebellious elements refuse to be persuaded and prove immune to the appeal to reason, punishment must be meted out on them so as to prevent evil and discourage those who, following their example, might be tempted to threaten *the achievements of the people*” (cited from Toumi, 1989, p. 59 –my translation and my emphasis).

development. As the founding father of the modern Tunisian nation, he saw himself as a patriarch entitled to lead and to teach his people, and the considerable power that he quickly accumulated was therefore fully justified. In the general euphoria following Tunisia's accession to independence, he also felt that he could ride on a wave of popular support to embark upon drastic social reforms. He chose to direct his first efforts to establish state control over religion and, in this matter, he took steps that Ben Yusuf would have certainly disapproved. More precisely, he decided to confiscate the land property of the Habus Council, a waqf in charge of administering land earmarked for mosques, Quranic schools, and charitable Islamic institutions.

A second, double-edged measure adopted by Bourguiba in 1956 was even more drastic: the absorption of the two sharia courts (for adherents of the Maliki and the Hanafi schools, respectively) into the state judicial system, and that of the Zatuna mosque-university into the state education system (in 1961, this prestigious institution became the faculty of theology at the university of Tunis). State control over the Islamic courts facilitated the next step, the promulgation of a Personal Status Code considered as the most progressive family code adopted in an Arab country in the twentieth century. Designed to strengthen the nuclear family and reduce existing inequalities between men and women, it forbade polygamy, granted the women the right of divorce and to approve arranged marriages, expanded women's existing rights in matters of inheritance and child custody, set minimum ages for marriage, and ended the male right of repudiation. On the other hand, it did not go as far as establishing strict equality in inheritance rights between the two genders, and the husband continued to be considered as the household head implying that only his place of residence could serve as conjugal residence.

Two important remarks deserve to be made here. First, in line with what has been said in the previous subsection, the Personal Status Code has been enacted outside any pressure from women's organisations, and in the absence of any consultation with the population. In particular, the Union Nationale des Femmes Tunisiennes (National Union of Tunisian Women, or UNFT), born within the ambit of the Neo-Dustur party, was more concerned with obtaining civil and political equality with men, meaning enfranchisement, the right to stand for elected office, and greater attention to female education. Regarding the rural masses, priority was put on literacy, health and family planning even though, after the promulgation of the Code, the UNFT did agree to make special efforts to promote it in areas where women and men alike had reservations about the reforms (Perkins, 2004, p. 138).

Second, it is noteworthy that, unlike Atatürk and the Kemalists in Turkey, president Bourguiba did not justify the new code on rationalist grounds but in the name of a rejuvenated Islamic law. More precisely, he talked about a new *ijtihad*, that is, about a renewed effort of

legitimate free reasoning aimed at elaborating legal solutions to present-day problems in the light of the general principles of Islam. Without the great measure of self-confidence that characterised him, Bourguiba would never have dared break with the centuries-old tradition of 'classical Islam' that got established after the 'closure of the ijtiḥād' in the eleventh century. By 're-opening the ijtiḥād', he wanted to bring Tunisia into the modern world without having recourse to an opposition between Western-inspired legislation and religion, or between modernity and tradition. Three essential ideas guided Bourguiba in his reform efforts. First, stress is placed on the value of concrete action for the resolution of actual problems of the living. Second, the sacred place of Reason in Islam is asserted, and the backwardness and decadence of Muslim societies is explained by their refusal to grant Reason its due place and their consequent entrapping in tradition and imitation. Finally, the importance of study and new interpretations of sacred texts is extolled in order to allow the renaissance of the Muslim community (Camau and Geisser, 2004). The claim that Bourguiba's reforms were secular is therefore a somewhat exaggerated claim since, instead of a separation between state and religion, what Bourguiba initiated was a system in which "the state head becomes a sort of pre-eminent imam vested with the role of a spiritual guide of the country while the official ulama and imams are transformed into cadres and agents of the public administration" (Toumi, 1989, p. 116 –my translation). In this sense, Bouguiba followed a well-established tradition observed in earlier Muslim empires and kingdoms (see Chapter 4).

Perhaps surprisingly, and although Bourguiba failed to obtain a fatwa approving his new policies, there was little opposition to the Code and even to the drastic institutional reforms outlined above from the religious establishment. On the one hand, Bourguiba had appointed a moderately progressive person as rector of the Zaituna mosque-university and, on the other hand, in reorganising the sharia courts he was clever enough to reassign and retire some judges whom he did not trust. To other prominent members of the religious establishment, he offered various perks and material advantages. Such skilful tactic, directly inspired from standard political-religious relations of Muslim empires and kingdoms (see Chap. 4), seemed to have worked reasonably well in the case of Tunisia. This is especially so because ulama who did not occupy enviable positions, as well as students from the Zaituna mosque and university (usually recruited from the interior provinces or from the provincial petite bourgeoisie in contrast to their teachers who typically belonged to the grande bourgeoisie of Tunis) were rather powerless to stop reforms which they disliked (Salem, 1984, p. 176; Perkins, 2004, p. 137). It bears emphasis that the official ulama themselves were not in a strong position to oppose Bourguiba's reforms. Indeed, they had been largely discredited by their collaboration with the colonial

regime (they did not actually play a significant role in the struggle for independence) and by their privileged economic and social status inherited from the past (Zeghal, 2002). On this important point, we cannot resist the temptation to cite Mohsen Toumi (1989) in detail:

“The ulama, in fact, constituted an oligarchy regrouping a small number of family dynasties at the heart of the Tunisian bourgeoisie. Through hereditary links and through co-optation, this oligarchic group had monopolised the best positions in the sectors of education, justice, jurisprudence, and mosque management. During a long period of time, too, it expressed support for the colonial order... On the one hand, thanks to family relationships, its members were allied to the feudal class of big landowners in the interior of the country and, on the other hand, they hunted down and eliminated all upholders of modernity, especially if they did not belong to their social group or threatened their cultural existence... The targets of the Zaituna people were not so much selected on the grounds that they did not serve Islam well, or violated its law, but rather because they were guilty of denouncing the decadence caused by those who had arrogated to themselves the monopoly of Islam... The ulama were thus projecting a negative image of their religion, and they continuously re-invented justifications for the continuation of the colonial order, which was precisely the political service that the colonial authorities required from them.... The stake behind such a compromising support was nothing else than the rewards received by the ulama in terms of social power, immovable assets, and substantial incomes since the Zaituna possessed considerable *Habus* (indivisible) assets the usufruct of which accrued, since centuries, to the same families of qadis (judges) and mourids (teachers)” (pp. 114-15 –my translation).¹⁷

Regarding clothing, Bourguiba held views rather similar to those of Atatürk, yet he did not put them into practice with the heavy-handed determination of his Turkish predecessor. He launched a campaign intended to disparage all forms of traditional attire, veiling in particular. He indeed believed, and expressed the belief, that wearing traditional dress was an old-fashioned habit encouraging retrograde modes of thinking and behaviours, and, consciously or not, expressing blank rejection of modernity. In repeated speeches, he went as far as condemning the veil as an ‘odious rag’ that “demeaned women, had no practical value, and was not obligatory in order to conform to Islamic standards of modesty” (p. 137). He made equally contemptuous remarks about male traditional garments and always appeared himself in public in a coat and tie. Understanding how deep-rooted these clothing habits were in Tunisian culture,

¹⁷ Collaboration with the French colonial power also implied the supply of land for colonisation during the protectorate, a fact that comforted Bourguiba in his right to seize its land and redistribute it as private property among the heirs of the founder of the Habus Council. A violent opposition between the ulama and the Neo-Destourians had already occurred before independence when the latter used an argument of religious authority in order to prevent the possibility for Tunisians to adopt the French nationality. They indeed pronounced that abandoning the Tunisian nationality in favour of the French one was an act of apostasy. The ulama of Tunis retaliated by issuing a fatwa allowing adoption of the colonial power’s nationality (Toumi, 1989, p. 115).

he nevertheless did not enforce any ban except the one prohibiting veiling in classrooms (p. 138). He preferred to invest heavily in education, hoping that these habits would gradually vanish in a spontaneous manner. And, here too, he opted for persuasion rather than the use of force. (It is only in 1991, under the next president, that a law will be passed making school attendance mandatory for all children between 6 and 16).

Bourguiba's most serious mistake in matters of social reforms turned out to have been his disparaging remarks about the fasting ritual of ramadan. He even went so far as appearing on television eating a full plate at mid-day during the ramadan period, which caused outrage among believers. In a 1960 speech, he announced the beginning of a jihad against underdevelopment, and he judged that involvement in this jihad absolved Tunisians from the religious obligation of fasting. To sanction this personal interpretation as a product of *ijtihad*, he demanded a fatwa of endorsement from the mufti of Tunis. Since the latter did not oblige in a manner deemed fully satisfactory by Bourguiba, he was fired. Tensions did not abate and, during the next year, when Bourguiba prepared to renew his campaign, riots occurred in Kairouan, a venerable religious centre and a Yusufist stronghold since well before independence. Its influential ulama openly denigrated the president's views of Islam, and they contested his claim to act as a religious authority entitled to engage in *ijtihad*. Repression ensued, and Bourguiba alleged that the dissenting religious leaders were actually motivated by their resentment caused by the loss of their economic power through the confiscation of *habus* lands. This was eventually a lost battle for the president who had to put up with the reality that "the vast majority of Tunisians had no intention of breaking with the fundamental religious practices that defined them as Muslims" (Perkins, 2004, p. 141).

The contemptuous attitude of president Bourguiba vis-a-vis erstwhile customs and religious habits, and the antagonisms that it aroused, appear to be in striking contrast to the more flexible and tolerant attitude that he displayed during the pre-independence period. Then, indeed, he professed an understanding that the popular masses in Tunisia would only move when issues are presented in terms of Islam, since Islam is the source of cultural images and modes of behaviour required to achieve a mass recognition of the injustices inherent in the colonial situation (Salem, 1984, p. 100). For example, in the pursuit of the objective of independence, the idea was projected that no sacrifice should be spared and the psychosis of martyrdom was developed by reading aloud, in public meetings, Quranic verses that eulogise those who perish for their faith (p. 110). Also, in those times, Neo-Dustur leaders did not hesitate, "to use the mosques as their means for spreading their ideas under the guise of lessons in Islamic history" (p. 101). In a sense, these facts are consistent with Bourguiba's later

proclivity to use *ijtihad* to justify modernising steps, since reference is made to Islam to vindicate particular actions. Thus, the concept of *jihad* has been invoked both to justify the struggle for independence and the struggle against underdevelopment in the name of which the obligation of fasting could be dispensed with. The only difference between the two uses of the concept is that only in the latter instance did it entail the violation of a well-established religious ritual.

The contrast between pre- and post-independence becomes more stark, however, when one considers what Bourguiba wrote about the women's veil in 1929. In an article entitled "The Veil" (*Le voile*), he saw it as part of the distinctive social customs formed by Islam and as a component of the Tunisian personality. In Bourguiba's words:

"... I have raised in neat and precise terms the great social problem that has always pervaded our discussions: do we want to hasten, without any transition, the disappearance of our habits and mores, whether good or bad, and of all those small things that together form our personality? My answer, given the special circumstances in which we live, has always been categorically no!" (cited from Salem, 1984, p. 133 – my translation).

Elsewhere, Bourguiba re-asserted the same position by proclaiming: "Evolution must take place, lest we should die. It will happen, but without break, without rupture, so that we can maintain a unity of our personality that can be perceived as such by our consciences at any point of time in the continuous changes that we are experimenting" (cited from Salem, 1984, p. 135, or Toumi, 1989, p. 113 –my translation). In other words, the issue of women, like other questions arising from tradition, must be linked to the national question. When the central problem was to create unity and social cohesion in order to attain political independence, respect for traditional habits and customs had to prevail since they provided a system of collective representations keeping the mass of people together in harsh circumstances demanding a lot of sacrifices. In other words, in a context of war against external enemies, religion was an invaluable asset supplying the justification and social cohesion necessary for momentous change. After independence, however, the situation was no more the same. In Bourguiba's vision, Tunisia had to be modernised and Westernised, which justified a change in the attitude toward tradition and religion.

Things are, it seems, a bit more complicated than suggested by the above interpretation. As a matter of fact, during the pre-independence era itself, Bourguiba increasingly toned down his appeals to Islam, avoiding Islamic themes in his speeches to instead stress the values of 'national unity'. The decisive factor behind that gradual change in Bourguiba's tactic seems to have been his growing conflict with Ben Yusuf from whom he

wanted to demarcate himself. Since Ben Yusuf tended to accentuate his references to Islam, Bourguiba chose to reduce them (Salem, 1984, p. 155). In that regard, Ben Yusuf seems to have been more consistent and less opportunistic than Bourguiba who was always determined in Westernising his country and allying himself with Western powers rather than with other Arab countries.

The entry of Islamic opposition forces into the stage

The experiment with planning and socialism that the regime initiated in 1962 proved to be a dismal failure (Toumi, 1989, pp. 57-70). It also aroused bitter and even furious reactions on the part of traditional stalwarts of the PSD, the big landowners who felt threatened by the prime minister's declared intention, at the start of 1969, to bring all farmland into the cooperative system. Under the pressure of highly vocal opposition, Bourguiba had to dismiss his prime minister and change tactic by shifting to the opposite option of liberalising the economy. That option worked much better in the sense that significant economic growth was resumed, but the problem of wealth inequalities, and inter-regional disparities especially, was not resolved. Thus, economic prosperity was concentrated along the coast and in Tunis area in particular, while the south, center and west, the regions in which the most severe levels of unemployment were traditionally observed, remained seriously underdeveloped. Moreover, urban unemployment of young people reached intolerably high levels, almost 50 percent for young men aged between 15 and 25 in the mid-1970s (Radwan et al., 1990, pp. 25-26). Social tensions grew up, and anger against the regime was increased by the lack of any political liberalisation to accompany economic liberalisation. The highly centralised, authoritarian power structure of the PSD stifled any internal criticism and the freedom of expressing opposing political viewpoints remained severely curbed at all levels. As a matter of fact, Bourguiba crushed any nascent tendency toward the democratisation of the inner workings of both the PSD and the state apparatus. And when he would return from lengthy health treatment abroad, he would immediately reassert his unquestionable authority and silence his critics.

But the economic difficulties, which created a gulf between the state and society, led to two traumatic events.¹⁸ The first occurred in January 1978 when a general strike launched by the trade union organisation associated with the PSD, the General Union of Tunisian Workers (UGTT, or Union Générale des Travailleurs Tunisiens), was ruthlessly quashed by the regime's

¹⁸ For more details, see Toumi, 1989, Chap. 4; Perkins, 2004, Chap. 6.

police under the orders of General Zine al-Abidine Ben Ali. The second set of disturbances occurred exactly six years later, in January 1984, when public outrage was set off as a result of the suppression of subsidies on main staples (Alexander, 2010, pp. 49-52). This safety valve introduced by the government to mitigate poverty had been discontinued under the pressure of the IMF and the World Bank which were preoccupied by the macroeconomic situation in the country (deepening budget deficit and increasing external debt burden). Disorders were again brutally quelled by the police and the army. Bourguiba, who had been personally criticised for his role in the crisis, immediately ordered the restoration of the subsidies, but at the same time he asked Ben Ali to resume his position as Director General of National Security (which he left for an ambassadorial appointment in Europe).

In the meantime, Bourguiba was forced to make an apparent concession to the opposition voices demanding political pluralism. He thus invited political organisations to present lists of candidates for the 1981 national elections, yet only on the condition that “they did not draw support from outside the country, did not advocate class struggle or sectarianism, and agreed to avoid criticisms of the ‘president for life’” (Perkins, 2004, p. 167). That this measure was a farcical play at managing opposition became clear after the results of the election were made public. As a matter of fact, all the accepted organisations fell short of the 5 percent threshold required to enter the parliament. Among the organisations whose accreditation had been refused, and would be consistently refused later, is the Islamic Tendency Movement (Mouvement de la Tendance Islamique, or MTI), a radical Islamic movement founded in 1981 and led by Rachid al-Ghannouchi and Abd al-Fattah Mourou. MTI’s calls concerned not only moral and ethical aspects of people’s lives but also the need of a more representative political system and of a reversal of ruinous economic policies. Followers were primarily recruited among the disadvantaged sections of the population but also among many middle-class men and women “who turned to their Islamic heritage when both socialism and capitalism failed to fulfil the expectations of prosperity and security they had raised” (p. 166).

It is worth noticing that, following a scenario discussed in detail in Chapter 6, before turning against the Islamists, Bourguiba and the government had earlier nurtured them as a way to counter leftist forces in the country. Islamists were thus released from jail and their publications allowed to appear again when political calculations pointed to the need to deliver “a stick to the left and a carrot to the right” (Burgat and Dowell, 1993, p. 198). Islamist demonstrations were thus encouraged with a priority target in mind: the university of Tunis where left student organisations were particularly active (left destourians, communists, and extreme leftists). As a result, violent encounters on university campuses were typically sparked

by well-organised and determined Islamist movements. At the same time, in the early 1970s, appeared the first associations for the defence of the Quran, and, inside the mosques of Tunis, the first Islamic circles. Revealingly, the former organisations were granted free use of meeting facilities located in the offices of the PSD federations themselves, not only in Tunis but also in the interior of the country. As is generally observed in this type of situations, the Islamist movement soon extended its activities beyond university campuses to reach practically all sectors of the Tunisian society. It is Islamists who thus forced the closure, and caused the destruction, of cafés and restaurants in Sfax in September 1977, in order to ensure proper respect of the Ramadan (Toumi, 1989, pp. 116-17).

Popular enthusiasm for the MTI caused serious worries at the head of the state apparatus, and both al-Ghannouchi and al-Fattah Mourou as well as many of the adherents, were arrested on charges of defaming the 'president for life'. It is nonetheless revealing that, in the 1981 elections, candidates linked to the MTI fared as well as, and often better than, their secular counterparts. A few years later, the movement called for a national referendum on the Personal Status Code, contending that its promulgation had led to a massive entry of women into the labour force causing a significant rise in male unemployment. In this way, the code allegedly undermined orderly social and family life based on the principle of neat differentiation between gender roles, and it eroded the traditional role and status of men as breadwinners. In addition to these typically patriarchal concerns, the MTI promoted the limitation of contacts between the sexes and the revival of traditional attire as a symbol of rejection of foreign influence (Perkins, 2004, pp. 168-72).

Clearly, the struggle was increasingly focused on the conflict between the regime and the MTI, and this conflict was quickly escalating. It reflected two diametrically opposed views of Tunisia's future, one Western-oriented and secular, and the other inspired by Islamic values as opposed to imported ideologies. Bourguiba and his closest associates were convinced, and this was probably a correct perception, that the MTI intended to seize power and establish an Islamic state. Ben Ali, acting under presidential orders, deployed the vast resources of the interior ministry, of which he had become the head, to crush the Islamic movement. When, in August 1987, bombs exploded at tourist hotels in Sousse and Monastir (the native city of Bourguiba), leaders of the MTI were immediately blamed for the blasts. A death penalty was pronounced against several key leaders, including Ghannushi, while lengthy prison terms were imposed on scores of lower-level militants.

The other major feature of the end of Bourguiba's rule was the collapse of the multiparty experiment. The failure became manifest when all the legitimised parties, except the PSD,

decided to boycott the municipal elections in 1985 and, later, the national elections in 1986. Mutual mistrust was so complete and disarray so visible inside the PSD that “relations among the stars often resembled a wholesale slaughter in which everybody was in turn bowl and skittle” (Toumi, 1989, p. 130 –my translation). Bourguiba moved against the liberal opposition, not hesitating to order the arrest of Ahmad Mestiri (a previous minister of national defence whom he had earlier expelled from the party), while at the same time appointing hardnosed party conservatives to important ministerial positions. Deep cuts in food subsidies were again required by international financial situations, and the gulf between state and society continued to widen (Alexander, 2010, pp. 49-50). Popular anger was repressed under the instructions of an old and sick man who adamantly refused to relinquish the power which he had wielded for half a century, and this in spite of the more and more evident signs of disintegration of the state. In November 1987, after being recognised as incapable of assuming his leadership functions due to poor physical and mental health, he was eventually succeeded by Ben Ali who had supported all the repressive measures under his reign and whom he had promoted to the office of prime minister one month earlier.

Crushing of the Islamists under enduring autocracy: the Ben Ali era (1)

Upon accession to power, to convey a message of change, Ben Ali changed the name of PSD into Democratic Constitutional Rally (RCD, or Rassemblement Constitutionnel Démocratique) (Toumi, 1989, pp. 237-39). Yet, the fusion between the party and the state was left intact, and, like his predecessor, he was simultaneously head of state, head of government, and head of the sole effective political party. More substantial measures taken at the start of the new presidency consisted of the freeing of political prisoners, including Ghannushi and other MTI detainees, and inviting Tunisian exiles to return to their country. Although Ben Ali had no sympathy for the MTI, he opted for another tactic than the one chosen by Bourguiba. Believing that the Islamists represented a greater potential threat “outside the political tent than within it”, he accommodated some of its more symbolic demands (Perkins, 2004, p. 187). He publicly affirmed Islam as the state religion, authorised radio and television stations to broadcast the call for prayer, made a highly publicised pilgrimage to Mecca, and legalised an MTI student organisation. In the ‘National Pact’ (1988), however, proclamation of the centrality of the Arab and Islamic heritages of Tunisia and calls for closer ties between Tunisia and other Arab countries coexisted with an open appreciation of the Personal Status Code deemed to be an unassailable achievement of modern Tunisia. In agreeing to sign the pact, which also contained

statements promoting pluralism, basic freedoms and human rights, the MTI therefore made a major concession.

The tactic of the National Pact thus followed a well-established tradition of autocrat rulers of past Muslim empires: while making symbolic concessions, the state ensured its control over religion in the more substantial matters. In the present instance, such matters included the fate of modernising secular reforms that implied a considerable erosion of the power and prestige of religious authorities. The tactical aspect of the Pact became manifest when the MTI failed to obtain an eligibility status for the 1989 elections despite the transformation of its name (from MTI to Hizb al-Nahda, or Renaissance Party) to conform to the electoral law prohibiting religious terminology. Islamist leaders were thus compelled to seek votes by figuring out on an independent list. They were therefore on solid ground when they accused the government of impeding the emergence of a genuinely pluralistic democracy by excluding Islamic organisations. In point of fact, the regime continued to fear that once in power al-Nahda would dismantle the secular state established by Bourguiba.

In the 1989 elections, in which a token opposition was provided by six other party lists, the RCD won a landslide victory, obtaining almost 80 percent of the votes and all the available parliamentary seats, thereby displaying a marked continuity with the Bourguiba era (Perkins, 2004, p. 189; Owen, 2012, p. 76). If secular opposition parties were clearly no match for the dominant party backed by the state apparatus, al-Nahda 'independents' did better by garnering more than 15 percent of the popular vote (and more than 30 percent in Tunis suburbs). Renewed demand by al-Nahda for official recognition after the elections again led nowhere, and Ghannouchi became more confrontational as a result. A vicious circle was thus set up since Ben Ali would respond to the inflammatory rhetoric of al-Nahda's leader by casting himself in the position of the defender of the secular republic which most Tunisians adhered to. This enabled him to crack down harshly on the Islamists, especially after sympathisers of al-Nahda began to indulge in acts of indiscriminate violence (in 1990-91), and events in neighbouring Algeria had redoubled the fear of an Islamist takeover. The most prominent figures of the movement, including Ghannouchi who was tried *in absentia* (he had fled to Algeria), received sentences of life imprisonment.

In the parliamentary elections of 1994, in keeping with the pattern of all previous elections, the RCD captured more than 90 percent of the total vote in every district in the country. It is also revealing that the majority of secular Tunisians turned a blind eye to the excesses committed by the authorities, excesses which were documented by the Tunisian League of Human Rights and included numerous cases of torture by security services and legal

irregularities in the course of trials. The leader of the League, Moncef Marzouki, had his candidacy for the elections rejected by the government, which constituted another blow to democracy insofar as he was the only person seriously challenging the incumbent. Worse, he was arrested shortly afterwards “on charges that his calls for greater political freedom and the legalisation of al-Nahda defamed the state”. This set a new course in which the government directed its wrath against “outspoken secular political opponents and human rights advocates who now joined al-Nahda militants as political prisoners” (Perkins, 2004, p. 197).

In the 1999 presidential elections, against two token opponents, Ben Ali received 98 percent of the votes cast while legislative elections again confirmed the results of the previous elections. Prior to the latter event, two new political movements –the Democratic Forum for Work and Freedoms (FDTL, or Forum Démocratique pour le Travail et les Libertés) and the National Council for Liberties in Tunisia (CNLT, or Conseil National des Libertés en Tunisie)– were denied the party legal status, attesting one more time that the regime was not serious when it talked about political pluralism. A few years later, 99.5 percent of voting Tunisians supported a constitutional amendment enabling Ben Ali to extend his presidency beyond his third mandate. This was a sobering fact in a country which directly experienced, under Bourguiba, the folly of granting life tenure to their president (Perkins, 2004, p. 202; Owen, 2012, p. 77).

The same theatrical play in which elections were carefully managed by the ministry of interior and a false appearance of competition was created to project a satisfactory image to foreign donor countries (European partners, in particular) was later repeated. Opponents wishing to play by the regime’s rule were guaranteed an increasing number of seats in the parliament, reaching a maximum of 53 in a chamber counting 212 members (20 percent) in the 2009 elections. Domination of Ben Ali remained complete as opposition was malleable and actually co-opted, and as the voice of critics was quickly silenced on trumped-up charges if need be (Owen, 2012, pp. 77, 79).

It is not only the elections that were secretly engineered by the ministry of interior, but all the sectors of the administration and the president’s party. In particular, since the early 1990s onwards, the ministry of interior makes all the hiring and firing decisions in the public sector. This means that it first verifies whether the applicant is affiliated with the RCD. The National Security services then check whether he or she is personally an Islamists’ sympathiser, or if one of his close relatives is. From the late 1990s, what is checked is not only whether the applicant, or any close relative, can be suspected of Islamism, but also whether there is any suspicion that the applicant belongs to any form of opposition to the regime. Likewise, any permanently employed public servant can be fired on a simple instruction, even non-written, emanating from

the same ministry. And if it ever turns out that an administrative court judged that the public servant has been unfairly dismissed, the reversal decision will never be enforced. The omnipresence of the ministry of interior is most strikingly reflected in the wide range of political security services: state security, special services, general information services, orientation services, municipal police, presidential security and the services of the national guard. One must also include customs services, fiscal authorities, external trade and hygiene departments, etc, which can all be mobilised to fulfil police missions or to follow politically motivated instructions. The tools used are surveillance, control, intimidation, dissuasion, and even punishment. As a consequence of this all-pervasive network of surveillance (which even uses taxi drivers as police informants), the information file of an applicant may either open the door, or block access, to an employment, to administrative services, to registration with a university, to the permission to start an independent activity, and so forth (Hibou, 2006a, pp. 96-97).

Béatrice Hibou, who has meticulously studied the repressive apparatus of Tunisia, speaks about the ‘trivialisation of the police system’ to characterise the evolution of the political system that gradually evolved from the late 1980s:

“The pervasive presence of the de facto unique party, the doubling of the state administration by a party bureaucratic apparatus, the criss-crossing of the whole country by networks of tight surveillance, or the personality cult around the president’s figure have been the hallmarks of Tunisia’s political system since independence. Beginning with the late 1980s, what has been added is a growing intrusion by the police into the private life of the people... the rising influence of the ministry of interior and the multiplication of police interventions have epitomised this shift from a system of control over society to a system of control over the individuals...The police has this special characteristic that it can merge into the whole social body and pay considerable attention to the most minute details of people’s lives” (Hibou, 2006a, p. 98 –my translation).

Crony capitalism under enduring autocracy: the Ben Ali era (2)

If, on the political front, liberalisation remained despairingly blocked, the situation was different on the economic front. From the mid-1990s onwards, rapid economic growth was resumed, while foreign investment increased dramatically. Thanks to an important privatisation program prescribed by the IMF and the World Bank, a weak private sector started to expand, and prosperity accrued to many middle-class Tunisians (pp. 202-3). The latter tacitly provided a measure of legitimacy to the coercive state of Ben Ali as they were protected from the threat posed by Islamists and enjoyed the benefits of the new economic opportunities made available to the secular and educated urban dwellers.

The fact remains that most of the benefits were actually appropriated by the regime's clique which acted increasingly as a band of cronies making a good living out of a genuine system of 'protection racket politics' (Brumberg, 2014). This system was associated with the regime of 'total autocracy' or 'bully praetorian state' (Springborg, 2014, p. 151) described above, in which the state and the dominant party were deeply interconnected.¹⁹ The tightly managed police state set up by Bourguiba and reinforced by ben-Ali ran for the benefit of the president, his close relatives, and a small circle of friends and advisers. Beatrice Hibou's estimates indicate that the ratio of police to citizens in Tunisia was about one percent in the first decade of the twentieth century, and this estimate does not include the army of informants working for the security services. Counting the latter, direct and indirect employment in these services sustained about one-tenth of the population (Hibou, 2006b). To these staggering figures, one must add that the RCD itself, with its thousands local branches covering the whole country, acted more like a security apparatus than a political party (Beau and Tuqoi, 1999; Hibou, 2006a).

This huge repressive apparatus allowed the presidential clique, and the president's wife in particular, to amass considerable wealth for themselves. Especially attractive opportunities arose on the occasion of economic liberalisation reforms, above all the measures to privatise state companies. The crony capitalism that then developed was in marked contrast to the Bourguiba era when the president's family was only peripherally involved in economic activities. As explained by Roger Owen (2012), methods of illicit enrichment typically included: "the privatisation of state assets such as hotels and manufacturing; the transfer of public land to private ownership; the granting of licenses to operate major public services, such as cell phones, airlines, international sea transport, Tunisian cruise ships, and TV and radio stations; and, on some occasions, the forced sale of private assets such as banks and newspapers" (p. 78).

¹⁹ Daniel Brumberg (2014) contrasts 'total or full autocracies' with 'liberalised autocracies' defined as "political systems in which the ruling elite uses a mix of overlapping formal and informal institutions to structure a political game in which contending groups are allowed to express themselves" (p. 47). More pointedly, the leaders of a liberalised autocracy "have sustained their power not by relying on a single-party political machine but, rather, by manipulating a dense network of formal and informal bodies that funnel various benefits to myriad constituencies organized in diverse array of institutions, including parliaments, parties, professional associations, charitable organizations, and non governmental organizations or civil society groups" (p. 47). Here is thus a system of 'state-managed quasi pluralism' that "produces a level of conflict and fragmentation in society that abets autocratic rule" (p. 48). Examples of such liberalised autocracies are Morocco, Egypt, Jordan, and Kuwait. Examples of full or total autocracies are Syria, Tunisia, Saddam Husain's Iraq and Muhammad Kadafi's Lybia (p. 49).

Like in Syria and in post-Soviet Russia and the Ukraine, the economy of Tunisia functioned as a rent economy which was run at the top by a genuine mafia of crony businessman and ‘buccaneering oligarchs’ narrowly interconnected with the totalitarian state and party system.²⁰ These oligarchs did not only prosper by building businesses behind protective walls set up by security services, but also by preying upon successful existing undertakings and firms either through the imposition of substantial and illicit commissions or through brutal takeovers backed up by criminal acts and threats. Not surprisingly, these manoeuvres and extortions were shrouded in the greatest secrecy, and any public mention of them could result in imprisonment or exile (Owen, 2012, pp. 78-79). Hibou (2006a) has described in detail some of the most frequently used malpractices which, it must be noted, all avoid blatant forms of embezzlement:

“Rigged attributions of public bids, privatisations conceded to figureheads in obscure conditions that frequently involve pressures from ruling ‘clans’ aimed at orienting the decision, or at compelling the new owner to associate himself with a particular entrepreneur or importing agent, or to accept a particular intermediary or business partner... such practices are considered as a normal part of the everyday life of Tunisians. The business person who is coerced into an association with a member of a ‘clan’ to import the product that he has traditionally commercialised, is in the worst case just annoyed by this situation. He can accept it under duress for fear of fiscal reprisals or expropriation of assets but, most often, he will accept it readily, knowing quite well that the commodities will then move quickly and easily through the customs and other administrative controls... As for the administration, it will comply with the request to deal promptly with the matter insofar as the members of the ‘clans’ are personal representatives of the president. If the importer were irresponsible enough to refuse the ‘offer’ made to him by people from up there, his working conditions could rapidly deteriorate, his stocks could rot in the customs facilities, the fiscal authorities could start an investigation into his books, the national social security fund could require the immediate payment of his arrears, and the bank could deny him a last credit. Likewise, the research and development group which does not give in to a request from a clan member must expect a lot of administrative troubles that will eventually prevent it from submitting a bid within the prescribed time; and an entrepreneur who refuses to sell a portion of his shares to connections of the president incurs the risk that his business environment becomes abruptly hostile, say because the police exerts strong pressures on his suppliers or service providers to the effect that they stop working with him (p. 337 –my translation).

Finally, state resources were used by the president as a source of selective patronage both for members of the crony business community and individual members of the security services. A particularly useful instrument consisted of credit which was “freely provided for many privileged members of the new middle class, allowing them to buy houses and cars but leaving them deeply in debt and so enmeshed in a system of relations that it prevented them

²⁰ The expression ‘buccaneering oligarchs’ is borrowed from Karen Dawisha (2014).

from criticizing or opposing the regime” (Owen, 2012, pp. 78-79). The continuous threat posed by the vindictive punishment strategy pursued by Ben Ali had the effect of keeping oligarchs quiet and submissive.

To sum up, Ben Ali has strengthened the authoritarian character of the Tunisian state to the point of establishing a genuine police system with the ministry of the interior, itself directly answering to the president, at its core. He also transformed the state and bureaucracy into an extortionate machine, thereby creating a clique of voracious plutocrats whose wealth has been obtained as a result of their close links to the president and his wife. At lower levels, he created an army of lesser people tied together and to the regime through their participation in numerous acts of boycott, extortion, reprisals, racketeering, and police operations. Because economic growth accompanied political repression, the kleptocratic system in place seemed to constitute a stable equilibrium that could persist over a rather long period of time. In fact, it formed a highly combustible material that was going to blow up in a completely unpredictable manner in the Jasmine Revolution of 2011.

The Arab Spring and the Islamists' access to power

The fact of the matter is that important elements of the professional urban secular elite had been increasingly alienated from the regime. And when a young man set himself on fire in a provincial town remote from the capital city, a spark was set off which immediately propagated throughout the whole country. The authorities not only faced a mass revolt that linked almost everyone in opposition to their rule, but the army also sided with the demonstrators against the security services loyal to the president and ultimately moved against him (Springborg, 2014, p. 145). The regime and all its protection racket then collapsed without offering any resistance (Brumberg, 2014, p. 50). Ghannouchi returned from exile and, although it did not play any visible leadership role in a revolution that was largely led by labour and youth groups (less likely to support political Islam), the Islamic movement of al-Nahda soon came back to the political stage as the only force presenting a solid internal organisation and a clear vision. This vision combined a sense of religious identity and revival with a platform of social justice, respect for pluralism, and clean government (Mecham, 2014, p. 211).

Besides a long history of communal involvement and political activism, al-Nahda enjoyed two other advantages over its political competitors. First, Tunisian citizens were reassured by the numerous statements made by al-Nahda leaders during their campaign that (1°) they will not seek to impose Islamic prescriptions on the country in sensitive areas such as

the status of women, and (2°) they were ready to share power with non-Islamist parties. Second, ideological or policy preferences may have been less important to voters than al-Nahda's long-standing opposition to Ben Ali. This is especially so because opposition to his regime exacted a heavy price from many Islamist activists. Together with a perception that Islamist parties are less corrupt and more sincerely committed to the welfare of ordinary citizens, the past militantism of al-Nahda has probably influenced the voting behaviour of a significant number of Tunisians (Tessler and Robbins, 2014, pp. 260-61).

After winning the first post-revolutionary election in October 2011, gathering 37 percent of the vote, al-Nahda found itself in the difficult position of being simultaneously confronted with the harsh realities of governing a country and with the need to meet the expectations of its traditional supporters (Mecham, 2014, pp. 210-11). The difficulty was compounded by two factors. The first factor was the severe lack of governing skills of most Islamist ministers, suddenly elevated to positions of authority for which their previous professional and political experiences left them unprepared (pp. 214-15). The second factor was the sudden emergence of the Salafists which forced al-Nahda's leaders to demonstrate their Islamic credentials lest they should lose ground to more pure defenders of Islamic values. While the challenge born of the first factor was left unmet, the second challenge led al-Nahda to opt for a selective integration of the Salafists into the political process. The formula did not work, however. On the one hand, under circumstances that required quick and wise decisions, the incompetence of the Nahda government proved disastrous. On the other hand, the difficult act of balancing not only the secular and the Islamic interests, but also the moderate and the radical Islamic tendencies, failed to prevent the alienation of secular groups which had played a major role in overthrowing Ben Ali.

All parties were then compelled to return to the negotiating table. A compromise was reached in March 2013, leading to a new constitution that, "while far from perfect, provides real democratic guarantees and rights" (Brumberg, 2014, p. 51). A new government was formed in which al-Nahda accepted the presence of a large number of technicians without any clear party affiliation. On the occasion of the parliamentary elections of October 2014, the Tunisian citizens manifested their disappointment about the Nahda's governing experience as Nidaa Tounes ("Tunisian Call"), a melting pot of former members of Ben Ali's old ruling party with non-aligned figures, obtained the best score yet without an absolute majority (Economist, January 3-9 2015, p. 32). As for al-Nahda (or Ennahdha), it came second with a much lower score than in 2011. The result reflected the Arab Barometer's opinion surveys that showed much greater support for secular democracy than for democracy with Islam (Tessler and

Robbins, 2014, p. 260).²¹ Since Nidaa Tounes did not recognise the president, who has to approve the prime minister according to the constitution, a presidential election quickly followed the parliamentary elections. In December 2014, the changeover was confirmed: the incumbent president, Moncef Marzouki, chief of the Congress for the Republic (Congrès pour la République), but known to be close to al-Nahda, was defeated in the second round by Beji Caïd Sebsi, the leader of Nidaa Tounes. Sebsi, aged 94, was minister under Bourguiba and president of the parliament under Ben Ali.

Note that the contradiction between the preference for secular democracy expressed by the Tunisian citizens, on the one hand, and the significant share of the vote garnered by al-Nahda in the 2011 elections, on the other hand, is only apparent. As a matter of fact, the turnout rate at these elections was around 50 percent, which implies that barely 20 percent of Tunisians actually voted for al-Nahda, which is not very different from the proportion of Tunisians who expressed a preference for political Islam in the Arab Barometer survey (p. 262). It must also be stressed that the two leading party coalitions are very heterogeneous. While Nidaa Tounes assembles communists, liberals, and other secular forces, the Congress for the Republic represents various shades of Islam, including the Yusufists. The latter are moderate Islamists who stand for the rights of the southern part of the country which has been allegedly discriminated against by the ruling north since the times of Bourguiba. The result of the presidential election actually exposed the gulf between the poor south and the richer north: in the five southernmost regions, 80 percent of voters plumped for Mr Marzouki (Economist, 3-9 January 2015, p. 32).

Section 9.5: Lessons from modern experiences of top-down Westernisation

The deep flaws in the reform programmes

The central question raised at the beginning of this chapter is whether in Muslim-dominated countries institutions (including laws) can be modernised through some form of enlightened despotism. From the examined experiences of modern Afghanistan, Turkey and Tunisia, it is possible to draw rich lessons that contribute a great deal toward answering this question. A first lesson is that all three experiences have created important problems that eventually led to major upheavals: the overthrow of king Amanullah by an alliance of religious

²¹ A clear preference for a secular political system has also been observed in Egypt.

and traditional forces, later followed by the Islam-based popular rebellion against the PDPA government in Afghanistan; the repeated electoral victories of an Islamist party as soon as fair elections were allowed in Turkey; and the demise of Ben Ali's regime in the course of the Arab Spring in Tunisia, soon succeeded by the rise of an Islamist party to power. At first sight, these failures suggest that top-down approaches to Western-oriented reforms in the sensitive area of private matters do not work or, at least, are not sustainable in the long term. Coulson's optimism regarding the possibility to bring secular reforms to Muslim countries would thus appear ill-founded. Upon closer inspection, however, our detailed examination of the three country experiences does not warrant such a negative conclusion. It is indeed difficult to deny that in the two countries where the reforms have been imposed during a rather long period of time, Turkey and Tunisia, the society has gone through a rather deep transformation, and that key legal reforms introduced by Atatürk and Bourguiba, respectively, will not be easily overturned. In these two countries, the status of women has been considerably improved and the public role of religion significantly reduced. If temporary relapses cannot be excluded, the requirements of a dynamic economy in Turkey and the perceived necessity to accelerate growth in Tunisia will take precedence over religious concerns so that the latter will not be allowed to stand in the way of the former.

This being said, it is evident that in none of the above three countries have modernising reforms been wisely conducted and that dangerous backlash effects could have been avoided if serious mistakes had not been committed by their rulers. Two flaws deserve special attention. First, at least at some point of the reform process, the modernising rulers opted for an approach that directly confronted the traditional culture in a uselessly brutal and condescending manner. This most obviously applies to the reforms of Amanullah and the PDPA in Afghanistan, as well as to Kemalist reforms in Turkey. All these reforms, indeed, proclaimed an assertive and intolerant secularism. The case of Tunisia is somewhat different since in a first stage Bourguiba followed a non-antagonistic approach that presented the legal reforms as compatible with the Muslim faith. Rather than purporting to rid Tunisia of the influence of religion in the name of Western modernity, Bourguiba chose to cast the reforms in the garb of Islamic principles re-interpreted with the authority of a new *ijtihad*. He thus acted as the guardian of the faith, a strong claim deemed extravagant by many *ulama*, yet not by most common believers who respected the president's authority. Later on, however, he made a strange U-turn when he expressed contempt for some customary religious rituals, such as fasting, and thereby aroused angry reactions among wide Islamic circles and the pious masses. Even before those ominous events, Bourguiba had made strongly worded derogatory remarks about traditional clothing,

both female and male. Like in the cases of Afghanistan and Turkey, Westernisation thus appeared as a movement involving the denial and the destruction of traditional culture.

The second flaw is related to the first in the sense that abrupt imposition of Western institutions and habits went hand in hand with an authoritarian political regime. In the case of Turkey, the army played a major role in supporting Kemalist reforms and it continuously meddled in political affairs with a view to preventing any encroachment upon them. In Tunisia, the secret services and the police were present at every level of the society, justifying the characterisation of the regime as a police state. Even though its foundations were laid under Bourguiba, this regime was consolidated and considerably extended under Ben Ali's rule. Unlike in Turkey, repression in Tunisia ended up being used for the purpose of protecting the racketeering practices of a cynical ruling clique rather than for the purpose of enforcing secular laws.

In Turkey, the popular masses were colonised by a Westernised economic and social elite which uniformly imposed their values and patterns of behaviour thanks to a tight control over the political system. The single-party system established by Atatürk was succeeded by a system in which registration of political movements as parties was decided by the military acting in cahoots with the Kemalist bureaucracy, and state coups occurred whenever the army considered that Kemalist values were under threat. In Tunisia, a de facto single-party system prevailed all throughout the reigns of Bourguiba and Ben Ali, but here the despotic state was mainly instrumental in creating blatant inequalities through unfair access to the sources of wealth and the use of all forms of extortion. In Turkey and Tunisia, Islamist movements were especially targeted by the state and its repressive forces, which contributed a great deal to enhance their prestige and resistance capacity. When the gradual democratisation of the Turkish regime eventually led to genuinely open elections, a (moderate) Islamic party won the contest by a wide margin and has remained in power since then. In Tunisia, where such a democratisation process did not take place, a popular revolution which was not sparked by the persecuted Islamists brought Ben Ali's rule to an abrupt end. Again, a moderate Islamic coalition rose to power on the occasion of the first post-revolutionary election. It not only reflected a resurgence of Islamic values to oppose to the corruption and cronyism of the defeated regime, but also corresponded to the re-assertion of the Yusufist south which had always felt hurt and aggrieved by the economic policies of the dominating north.

The way forward

The most important message emerging from the above analysis seems to be that reforming Islam is not only possible but also feasible at much smaller costs. Three main points deserve attention here. To begin with, it must be emphasised that modernising the state apparatus and democratising the constitution and the political system do not generally cause significant or systematic resistance from religious circles: on the one hand, the official ulama of 'high Islam' tend to accept the pre-eminence of political rulers in such matters and, on the other hand, the mullahs, sheikhs and other representatives of 'low Islam' are too distant from changes occurring in the higher spheres of the society and the polity to feel very much concerned. It is therefore in more mundane affairs, and in personal matters in particular (marriage, divorce, inheritance and land-related rules, clothing, etc.) that resistance against authoritarian reformism arises.

Second, the absorption of the ulama into a modern state administration does not give rise to momentous difficulties or insuperable obstacles. The reason is that official ulama tend to belong to a privileged social class composed of family dynasties enjoying a monopoly over lucrative religious functions. As such, they are estranged from the common people who, therefore, are unlikely to enter into open conflict with the rulers and the state to protest against the encroachment upon their privileges. The situation is obviously different for the representatives of the 'low Islam' who live close to these people, understand their day-to-day problems, and share their local culture mixing religious beliefs and rituals with erstwhile indigenous customs. Their mutual interests tend to be equally close and their communality of feelings rather strong.

Our third point is directly related to the last observation. To directly confront popular habits and beliefs and impose Western values and mores on people unaccustomed to them is an unwise and counter-productive strategy: it is certain to cause distress and arouse the ire of these people and the representatives of 'low Islam' who may act as the organisers of (violent) protests. To put it differently, crystallisation on cultural symbols must be avoided. It aggravates tensions unnecessarily and complicates a problem that could have been solved gradually in a smoother manner. In Turkey, because traditional attire has been disparaged and prohibited, it has become a political symbol used by members of traditional groups to assert their rise and cultural identity, instead of being slowly abandoned. Wearing them means a refusal to be colonised by the Westernised elite.

As we have learned from the Musahibans in Afghanistan, the correct approach consists in avoiding big public announcements of drastic reforms uniformly applied to the entire population. Drastic westernising reforms, when they concern personal matters and are enacted

in a top-down manner, are perceived as a frontal assault on the lives and culture of the common people by the urban elite and the ruling circles. These reforms are better targeted on the educated and relatively sophisticated members of these elites since they have already been exposed to Western standards, values and manner of living, and are engaged in activities that require social and institutional change. Being more able to understand the need for such changes, they may have actually called for them and, if not, they are unlikely to offer resistance against them.

With respect to the remaining sections of the population, an optional approach is advisable, implying that people should remain free to choose among different systems, including the traditional set of beliefs, social norms, and habits. Inspiration should therefore be sought in the culture of tolerance instituted by the Ottomans, yet ignored by the Kemalists. Under Ottoman institutions, indeed, not only did the millet system respect the boundaries between religious communities, but also people could choose among different systems of law and associated courts to run their life and business and to settle their conflicts. The only serious limitation arose from the fact that, in an odd twist of fate, Muslims could not opt for a non-Muslim system but only among the different schools prevailing in Islam, whereas Jews as well as Catholic Greeks and Armenians could opt for a Muslim system (of whichever school) if they so wished (Kuran, 2011, Chap. 11).

It could nevertheless be objected that some social groups, women in particular, suffer from existing arrangements and would be left unattended if reforms can eschew them. An argument can however be made that in a context of legal pluralism, the situation of the victims of traditional social systems may improve even if the modern statutory law is not invoked. It is to this argument that we now turn.

Theoretical insights: the ‘magnet effect’

With colleagues, I have developed a theory of so-called ‘magnet effect’ that explicitly models strategic interactions between the modern, statutory law and the custom (Platteau and Wahhaj, 2013; Aldashev, Chaara, Platteau, and Wahhaj, 2012a and 2012b; Aldashev, Platteau and Wahhaj, 2011). I shortly describe the setup below and then present the central results and its relevance to the present discussion.

Consider a society in which the state enacts a statutory law that aims at enhancing the interests of a population group that is disadvantaged by the prevailing custom (say, women). The custom itself is set by a customary authority which has an intrinsic preference for the interests of the privileged group (say, men). At the same time, this authority is sensitive to the

size of its jurisdiction domain because its social prestige is a direct function of the number of cases brought to its attention. Community residents (men and women), when faced with a conflict, choose between going to the formal judge who enforces the statutory law and going to the informal judge (i.e., the customary authority) who enforces the custom. While men always have an interest in referring to the custom, this is not necessarily the case for women, because men and women have antagonistic preferences. When contemplating the option of accepting a customary judgement, women balance the cost of a relatively unfavourable verdict against the benefit of remaining on good terms with their community. Or, put conversely, when considering the possibility of appealing to the formal judge, they balance the benefit of a relatively favourable verdict against the cost of severing the ties with their community or, at least, receiving some punishment imposed by this community. Punishment is meted out on the grounds that by appealing to an external agency, a woman ‘betrays’ her own community since “dirty linen are better washed inside the family”. Note that women may choose to migrate out of their native village in anticipation of future conflicts that would be settled in too unfavourable manner from their point of view.

Like women, the customary authority is also confronted with a trade-off. Indeed, if it chooses a customary judgement too unfavourable to women, the gain derived from a strong consistency with its intrinsic preference for traditional values will be outweighed by the social cost of a considerable restriction of its jurisdictional domain. And vice-versa if it chooses a judgement too favourable to women, that is, a judgement that departs too much from the erstwhile custom.

In such a setup, it is possible to show that, when the state enacts a new law that intends to better defend women’s rights (for example, in matters of inheritance), the customary authority may react by moving the custom in the direction of the statutory law. In other words, it will choose a judgement that is less unfavourable to women than before, yet not as favourable to women as the law. The underlying reason is that, by opening an exit option that did not exist before, the law has conferred an increased bargaining strength upon women: indeed, they can now threaten to go an alternative court to have their case judged or, more precisely, they can appeal to the modern court system if they are dissatisfied with the informal judgement pronounced by the customary authority.

What is remarkable about the mechanism of the ‘magnet effect’, is the following: even if no woman actually appeals to the formal court, thereby giving the impression that the law is toothless, the women’s lot has de facto improved since they receive a more favourable judgement when accepting that their case is solely judged by the customary authority. In the

event that some of them, may be only a few in the beginning, do refer to the formal court, a situation of legal pluralism is created: being judged by the formal court, a fraction of the women receive the best possible treatment while the other women are meted out a judgement that is better than what they would have received in the absence of the law. Why would there be such a differentiation between two types of women? Two explanations arise. First, the severity of the conflict may vary and, since the stakes are higher in more serious conflicts, women faced with more serious conflicts will opt for the formal court and accept the social cost of antagonising their community. Women engaged in more benign conflicts will make the opposite choice. Second, women may be heterogeneous in terms of access to outside employment opportunities. Those with the best prospects will then choose to migrate to a city where they will be judged in case a conflict arises while those with less attractive prospects will remain in their community and continue to accept the verdict of the customary authority.²² An interesting feature of the theory is that the magnet effect caused by the introduction of a more progressive law is exactly analogous to the magnet effect caused by the emergence of new outside economic opportunities. The latter circumstance also induces women to migrate and enter into the formal jurisdictional domain while the custom evolves in a pro-women direction.

The role of outside economic opportunities is especially important when not only men but also women support the custom (their preferences are homogeneous), say because women have internalised the values of the patriarchal society and/or consider the traditional judge as the only legitimate authority. In this instance, no magnet effect can result from pro-women laws. Yet, the multiplication of economic opportunities will encourage migrations and thereby increase intercourse with the urban world, opening the door to urban views suggested by life experience. As a result, traditional community ties will be gradually eroded and old social norms and customs will gradually recede. This is precisely the way Eugen Weber (1976) has described the historical process of integration of the French peasantry into the emerging French nation in the course of the nineteenth century (not before!). In his words, before that century,

²² The above-described situation corresponds to a *de jure* legal pluralism. By contrast, if the custom is suppressed by the state but if some formal judges deviate from their duty to enforce the statutory law, a situation of *de facto* legal pluralism is created. My observations of judges' behaviour in countries of SubSaharan Africa (Senegal and Mali, in particular) have shown that provincial judges are often aware of the considerable distance that often exists between the formal law and the custom, and may consequently choose verdicts that stand in-between the two laws. There then arises *de facto* legal pluralism in the sense that the formal law is not enforced in the same manner in urban and rural locations, or in cities and provincial towns. This difference may also be attributable to the own preferences of provincial judges who may originate from the region and experience sympathy with the erstwhile mores of local people.

“The people of whole regions felt little identity with the state or with people of other regions. Before this changed, ... they [the French citizens] had to share significant experiences with each other. Roads, railways, schools, markets, military service, and the circulation of money, goods, and printed matter provided those experiences, swept away old commitments, instilled a national view of things in regional minds, and confirmed the power of that view by offering advancement to those who adopted it.... French culture became truly national only in the last years of the [nineteenth] century. We are talking about the process of acculturation: the civilization of the French by urban France, the disintegration of local cultures by modernity and their absorption into the dominant civilization of Paris and the schools... the unassimilated rural masses had to be integrated into the dominant culture as they had been integrated into an administrative entity. What happened was akin to colonization.” (Weber, 1976, p. 486).

The process had undeniably been one of assimilation of rural masses into the dominant culture. What deserves to be emphasised, however, is that the internal colonisation of the masses took place in a largely spontaneous, gradual and imperceptible manner. Not in a complete manner, however, since a uniform school system had been established under the aegis of the state.