CONTINUUM OF SECULAR STATE POLICIES:
SENEGAL, TUNISIA, AND ALGERIA

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Malori A. Musselman
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The Undersigned Faculty Committee Approves the

Thesis of Malori A. Musselman:

Continuum of Secular State Policies: Senegal, Tunisia, and Algeria

Ahmet T. Kuru, Chair
Department of Political Science

Brian Adams
Department of Political Science

Ghada Osman
Department of Linguistics & Asian/Middle Eastern Languages

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Approval Date
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by

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DEDICATION

I would like to thank my parents for managing to get me this far in life, my sister for showing me that people can change, and my niece for giving me great excitement for the next generation. I would also like to thank all the educators in my life for showing me that I can overcome just about anything that life throws at me and still manage to come out on top.
Those who say that religion has nothing to do with politics do not know what religion is.

--Mahatma Gandhi
ABSTRACT OF THE THESIS

Continuum of Secular State Policies: Senegal, Tunisia, and Algeria
by
Malori A. Musselman
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The intent of this thesis is to use primarily qualitative research methods to determine the relationship between the independent historical variables of ancien régime and French colonization and the dependent variable of degree of secular state policies. This thesis asserts that there is a path dependent relationship between ancien régime in conjunction with French colonization on the development of ideological dominance of assertively secular ideology, passively secular ideology, or conflicted ideology. The focus of this thesis will be on the case studies of Senegal, Tunisia, and Algeria and how no ancien régime, accommodating colonization, and peaceful decolonization led to passive secular ideology and tolerant policies toward religion in Senegal, how partial ancien régime, oppressive colonization, and peaceful decolonization led to assertive secular ideology and restrictive policies toward religion in Tunisia, and how no ancien régime, oppressive colonization, and extremely violent decolonization led to inconsistent ideology and policies toward religion in Algeria. Each state’s policies toward education and headscarves will be examined in order to best illustrate the outcomes of each of these paths.
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CHAPTER 1

INTRODUCTION: HISTORY, IDEOLOGIES, AND SECULARISMS

The study of the relationship between religion and politics is a vast area of inquiry that spans several academic disciplines including anthropology, philosophy, and even economics. In political science, the most notable studies have revolved around the relationship between religion and state policies, such as the degrees of religious freedoms dictated by states, the religiosities of states and the relationship to policy and voting, and also the comparisons of religious and secular state policies within states. Perhaps one of the most interesting questions has been what leads some states to have more secular state policies than other similar states.

Scholars have disagreed for decades about the theory that most accurately explains the relationship between religion and state policy. For years, political scientists relied on secularization theory as a means of overlooking the significance of religion’s relationship to politics by discounting religion’s eventual influence. Modernization, especially socioeconomic development, was linked to the eventual disappearance or “withering away” of religion in society (Inglehart and Norris 2004; Kuru 2009). Not all scholars adhered to this perspective, however; for example Samuel P. Huntington relied on a more civilizational explanation of the relationship between religion and the state, which focused on several individual “civilizations” as unique characteristics that impacted each state’s relationship between religion and the state (Huntington 1993; Kuru 2009). Another significant challenge to secularization theory has come from religious market and rational choice theorists such as Anthony Gill and Lawrence Young who argued that competitive religious markets lead to an increase in religious participation (Gill 1998; Kuru 2009; Young 1997). Each of these theories has a significant downfall however; as religion has not withered away in many developed societies, states within delineated civilizations differ in religiosity and secularization, and also because religiosity in many states, such as many Islamic dominated
states which have state regulated religion, still maintain high religious participation levels regardless of the lack of religious diversity (Casanova 1994; Kuru 2009).

Perhaps one of the most interesting theories I have come across regards the significance of ideological struggle and state policies toward religion (see Figure 1). Ahmet T. Kuru asserts that the presence or absence of ancien régime, 1 that is the marriage between state leadership (more specifically monarchies) and hegemonic religion, influences ideological dominance, which in turn determines state policy trends (Kuru 2009, 5). More simply, Kuru argues that history and ideology are the main determinants of state policy toward religion, not modernization. He focuses on the case studies of the United States, France, and Turkey in determining the path dependent relationship of history, ideology, and state policies. In my thesis, I intend to test whether or not this theory is applicable in former French colonial states such as Senegal, Tunisia, and Algeria.

| I | The presence or absence of an ancien regime (monarchy + hegemonic religion) |
| II | Dominance of assertive or passive secularism (despite ongoing ideological struggles) |
| III | Exclusionary or inclusionary policy tendencies toward religion |


Much of northern Africa formerly existed under Islamic, primarily Ottoman in Algeria and Tunisia, and eventually French colonial influences. Following decolonization, many of the formerly French dominated territories developed with varying state policies, some more religious and others more secular states, frequently attempting or being forced to imitate the French constitutional model. Although Algeria, Senegal, and Tunisia came from relatively similar historical backgrounds and major religious influences, they have developed varying degrees of secular state policies: continuously conflicted state policies toward religion in Algeria, predominantly passively secular policies in Senegal, and predominantly

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1 Ancien régime will be defined throughout the thesis the same way it is defined by this author and discussed later in this thesis.
assertively secular state policies in Tunisia following the critical juncture of state independence.

This divergence, I will argue, is attributable to the ideological dominance of passively secular or assertively secular ideologies in Senegal and Tunisia respectively, or the lack of any ideological dominance and continuing confliction and struggle in the case of Algeria (Kuru 2009, 31). This ideological dominance may be ascribed to the historical variable of ancien régime and to each state’s colonial relationship with France. This study intends to compare the development of these ideologies within the state constitutions, laws, supreme federal court rulings, and dominant political party platforms that exemplify the dominant political ideologies of each state and the impact of French colonization on the state building process following independence. The critical juncture of independence was chosen as national sovereignty represents a key moment in history and politics in which postcolonial states potentially make decisions based on mostly internal rather than external interests (Charrad 2001). The strategies of each state varied depending on the extent to which each state related to ancien régime and French colonization.

In order to best understand this relationship, I will be examining two types of state policies: policy toward religious education, more specifically towards Qur’anic education and instruction in these three cases, and also policy toward the wearing of headscarves in each state. These specific policies were chosen because each policy was also the main focus of other major works regarding secular and religious state policy outcomes, and also because they maintain relevance to the current events regarding religion and state policy in each of my three cases (Kuru 2009).

Education in particular is the area in which states “capture the minds and allegiance of the next generation” and where battles over policy are often most intensely fought (Levey and Modood 2009, 61). Education is where these states most obviously move from religious instruction, to the battle between “the secularists’ historical cause of social transformation

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2 It is important to note that the state policies are not monolithically adhering to either passive or assertive ideologies.

3 Most notably the book that contains the theory I am testing.
and Republican integration” and Islamic religious instruction (see Table 1). The dependent variable of education will focus on whether states ban the funding of religious education, whether or not states fund religious private schools, and whether or not states allow religious education in public schools (Kuru 2009).

Table 1. State Policies toward Religion in Schools

<table>
<thead>
<tr>
<th></th>
<th>Ban on funding private religious education</th>
<th>Religious instruction in public schools</th>
<th>State funding of religious private schools</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senegal</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>Tunisia</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Algeria</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

Headscarves, discussed in more depth in the next chapter, were chosen because of their continuing controversy throughout predominantly Muslim states and in the West, especially following France’s headscarf ban in 2004. Both the policies toward education and the wearing of headscarves differ drastically between each of these three states, thus fitting my intent to use the method of most difference (see Table 2). It is most important to this work to understand the histories and ideologies that have led each state to its current position on religion and politics.

Table 2. State Policies toward Wearing Headscarves

<table>
<thead>
<tr>
<th></th>
<th>Forced wearing of headscarves in public</th>
<th>Limitations on headscarves in public</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senegal</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Tunisia</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>Algeria</td>
<td>Sometimes</td>
<td>No</td>
</tr>
</tbody>
</table>

The dependent variables in this thesis have a “conjunction” cause, which means that “variable A causes Y only in conjunction with B” (George and Bennett 2005, 26). The theory in this thesis identifies three paths toward state policy formation regarding religion. In the first path Tunisia’s partial ancien régime, oppressive colonization, and peaceful

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4 Based on the description of France applied to these cases in Kuru 2009.
decolonization process led to assertive secular ideology and restrictive policies toward religion. In the second path, Senegal’s lack of *ancien régime*, accommodating colonization, and peaceful decolonization process led to passive secular ideology and tolerant policies toward religion. In the third path, Algeria’s lack of *ancien régime*, oppressive colonization, and extremely violent decolonization led to inconsistent ideology and policies toward religion. Each state’s policies toward education and headscarves will be examined in order to best illustrate the outcomes of each of these paths (see Figure 2).

Figure 2. Map of north western Africa.
CHAPTER 2

METHODOLOGY: COMPARATIVE CASE STUDY

The central question is why the state policies in Senegal are more inclusionary toward religion while policies in Tunisia are more exclusionary toward religion and state policies in Algeria are consistently conflicted toward religion? I chose these three cases in order to test the applicability of this fairly recent theoretical development on a specific postcolonial area of the world. These states have the same dominant major religion, 5 former colonizer, and general period of independence allowing for a better understanding of the disparities directly following decolonization. The cases of Senegal, Tunisia, and Algeria are matched based on general qualities of Islamic religion, French colonization, and independence period in order to best exhibit their significant differences, which in this case is their respective state policies toward religion (see Table 3) (Charrad 2001).

Table 3. State Religion Information and Human Development

<table>
<thead>
<tr>
<th>State</th>
<th>Religion</th>
<th>Regimes</th>
<th>Official Religion</th>
<th>Population Percentages by Religion</th>
<th>Human Development Index</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senegal</td>
<td>Secular</td>
<td>No Official Religion</td>
<td>94% Muslim, 4% Catholic, 2% Other</td>
<td>0.411</td>
<td></td>
</tr>
<tr>
<td>Tunisia</td>
<td>Established</td>
<td>Islam</td>
<td>99% Muslim, 1% Other</td>
<td>0.683</td>
<td></td>
</tr>
<tr>
<td>Algeria</td>
<td>Established</td>
<td>Islam</td>
<td>99% Muslim, 1% Other</td>
<td>0.677</td>
<td></td>
</tr>
</tbody>
</table>


5 The dominant religion is Islam, though it is understood that even within Islam there is variation as all religions are “multivocal” as explained in Stepan 2000, 38.
In order to answer this central question, I will utilize qualitative methods, specifically a comparative case study method. This study will use mostly collections of secondary sources in combination with the work of area specialists in order to provide the most accurate comparative historical analysis and details about the relationship between the independent and dependent variables. I chose the comparative case study method based on the strengths discussed by George and Bennett which include: “their potential for achieving high conceptual validity; their strong procedures for fostering new hypotheses; their value as a useful means to closely examine the hypothesized role of causal mechanisms in the context of individual cases; and their capacity for addressing causal complexity” (2005, 19). This method allows for the understanding of the intricacies of the constitutions, laws, supreme federal court rulings, and political party platforms that may exemplify the political ideologies of interest that have led to the development of predominantly conflicted, inclusionary, or exclusionary policies toward religion. This is not to assume that all aspects of these states throughout the entirety of their histories have been the same or even all that similar, but that there is a critical juncture in which all three states move from a relatively similar beginning point to varying contemporary situations.

In other words I will use Mill’s method of difference by taking the states that I assume to have the most similar qualities for the independent variables in order to see the most different outcomes within the dependent variables, thus comparing what has led each state to that particular, varying outcome (George and Bennett 2005; Mill [1843] 2002). As previously mentioned, the critical juncture of independence was chosen as national sovereignty represents an integral time in a state’s development in which states potentially make policy decisions through leadership and legislative bodies, as was done in Senegal and Tunisia, or in which states virtually paralyzed from making decisions or develop inconsistent and severely conflicted state policies as in Algeria (Charrad 2001).

As Mill and several authors since have pointed out, this process involves human selection of both cases and independent variables, which may lead to either selection bias of cases, or even toward false positive results in favor of the selected independent variables (George and Bennett 2005; Mill [1843] 2002). Also, the method of difference mostly emphasizes correlations between variables and fails to scientifically test the causal relationship between the independent and dependent variables of this theory (George and
Bennett 2005), especially if the author has not accurately accounted for the necessary and sufficient conditions to the variable relationship.

The method of process tracing will be used because it attempts to define the necessary and sufficient conditions and because it most closely allows for the assessment of the “microdynamics of change” in which “historical conditions and relations lead to ideological dominance” and how “contemporary ideological struggles shape state policies” (George and Bennett 2005; Kuru 2009, 35). It is understood that this method, however, unlike other methods may only show “whether and how a variable mattered to the outcome” and not necessarily “how much” the variable mattered to the outcome (see Figure 3) (George and Bennett 2005, 25).

<table>
<thead>
<tr>
<th>Absence of ancien régime + Positive relationship with France</th>
<th>Dominance of passive secular ideologies</th>
<th>Dominance of inclusionary policy toward religion (Senegal)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Partial ancien régime + Positive relationship with France</td>
<td>Dominance of assertive secular ideologies</td>
<td>Dominance of exclusionary policy toward religion (Tunisia)</td>
</tr>
<tr>
<td>Absence of ancien régime + Negative relationship with France</td>
<td>Dominance of conflicted ideologies</td>
<td>Dominance of conflicted policy toward religion (Algeria)</td>
</tr>
</tbody>
</table>

Figure 3. Thesis path dependency map.
CHAPTER 3

LITERATURE REVIEW AND TERMINOLOGY

In order to understand the significance of this study, it is important to discuss the literature that makes this study relevant, the works that help to define the important aspects of this study, to cover the main work to which this study will be based, and to discuss the literature of area specialists who cover each of the three cases involved in this thesis. By doing so, I hope that my topic and the significance of this study are best illuminated. Though this theory is thoroughly covered in other works, it is the application to this area of the world and to this topic in particular that is significant.

RELIGION AND POLITICS

The literature regarding the topic of religion and politics is vast, though not as immense as many other areas of political science. In recent years, especially since the acknowledgement of Islamist groups, both national and transnational, there has been increased attention to the topic of religion and politics. Since France’s 2004 ban on headscarves and the recent revolutionary events in the geographic area, there has been and will likely continue to be a rise in academic study regarding secular state policies and this area of the world in particular. A significant portion of the literature on religion and secularism is written from anthropological or sociological perspectives that discuss the impact on human beings at a more individual level or on specific societies without necessarily covering the significant roles that political systems play in these societies (Asad 2003; Inglehart and Norris 2004). The literature I will focus on revolves around the continuing importance of religion, the importance of defining the concepts pertaining to the “growth” of secularism, and the political systems that impact and are impacted by the interaction between religion, secularism, and politics (Asad 2003; Inglehart and Norris 2004; Kuru 2009; Levey and Modood 2009).

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7 Most notably Kuru 2009 and Stepan 2007 in regards to secular state policies.
As many researchers in this field have discussed, there is one major theory that has been particularly influential in this field, and that has been secularization theory. Throughout the Enlightenment, then through the works of Max Weber, and later through many other significant authors of the social sciences in the 1950s and 1960s, the idea was postulated that there would be an eventual decline in the religiosity of societies and among individuals as they embraced modernization (Berger 2000; Kuru 2009; Swatos and Christiano 1999; Weber 1930). However, as with the particular states I will discuss in this thesis, secularization theory, based on this idea that as states modernized and progressed they would become more secular, fails to account for the variation between states at similar modernization and economic levels of development (Inglehart and Norris 2004). As Leonardo A. Villalón has also pointed out, “the modernization theorists’ assumptions that democracy would grow out of a process of “development” that would include secularization of social life has clearly been proven false by the facts of the contemporary world,” such as the fact that democracy by “nature” brings religion into the public sphere through inclusion and discussion (Villalón 2009, 49).

Even Peter L. Berger, once on the side of secularization theorists, has proved the failure of this particular theory by pointing out that modernization has also spawned counter-secularization movements, that many individuals are still religious and fervently so, and that religious institutions are still powerful in areas where individuals lack this religious fervor (2000). More importantly, Berger notes that the relationship between religion and modernity is much more “complicated” than it is often depicted (2000, 3). In the face of rising counter-secularization movements, occurring right alongside secular progressive movements in many cases, this particular topic is of great importance.

Rational choice theory has also been applied to religion, arguing that states have become less religious because there is lower demand for religion than there is for secularism or other as competing commodities (Young 1997). Religious market theory, however intriguing, does not really examine why states would become more secular than others and why religious participation is still high in states with virtual religious monopoly, as in Algeria and Tunisia (Young 1997). State religion is also a difficult topic to discuss through the lens of rational choice theory, as this theory often relies on nations and collectives as actors, not individuals and individual benefits. Rational choice ignores attachments to
“religious, cultural, or group identity” in order to focus on individual concerns over “personal wealth, power, [or] defensive concerns” (Kaufmann 2005, 181). There may not be immediate material gain for states that become secular versus states that become or maintain religious policies, or more importantly any material gain for states at different levels of secularism in particular.

Another approach, which has been heavily debated, is the civilizational approach, most notably perpetuated by Samuel P. Huntington (1993). Huntington argued that there are different civilizations, such as Islamic and Western civilizations, that will ultimately conflict resulting in this “clash of civilizations” (1993, 22). Huntington did note that religion and culture are increasingly important forms of identity in this civilization argument, but also maintains that nation-states are becoming less significant and that these civilizations will be more important as actors than nation-states (1993). Inherent in this idea is that there are different civilizational actors that will modernize, or more important to this study is that they then might secularize, at different rates based on these civilization borders and not based on the boundaries of nation-states. However this theory does not account for why nation-states from completely different “civilizations” are at very similar secularization levels (among other similarities) and why states within the same civilizations could treat secularization so differently, as in the three cases I will discuss (Huntington 1993; Inglehart and Norris 2004).

For this reason, I will maintain the borders of nation-states as my primary unit of study. I thoroughly acknowledge there is a high level of internal variation within the nation-states themselves, as religions are indeed “multivocal,” but I maintain that I am most interested in official nation-state treatment of policies toward religion.8

**Ancien Régime and Secularisms**

Since I intend to use the theory developed by Kuru on *ancien régime* and political ideologies, I will also use the definitions developed by this author.9 An *ancien régime* will be considered the “marriage between the old monarchy and the religious hegemony, which is perceived by the progressive elite as a barrier against a new republican regime” which

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8 “Multivocal” is a term coined by Stepan 2000, 38.

9 Though the term *ancien régime* was coined elsewhere and discussed at length in other works, the definition by Ahmet T. Kuru is most applicable to this thesis.
generally leads to anticlericalism during the state building period (Kuru 2009, 5, 23). More specifically I will likely focus on the presence or absence of *ancien régime* in each state, which must technically meet all criteria, and how that may have influenced the outcomes in my three areas of study (Kuru 2009, 25). However, an important variable intervenes in the progression of possible republican and anticlerical movements in each of these three cases and that is French colonization. French colonization causes immediate separation between an old regime and the development of a new regime following independence. Keeping this in mind, I will look for a path dependent relationship, much like that of Mounira M. Charrad, that can be traced from each state’s *ancien régime* or lack thereof in these cases, through France’s colonial relationship with each particular state and subsequent independence there from, and finally through to the ideological outcome in each state (Charrad 2001).

In order for there to be secular state policy, it is a necessary, but not a sufficient condition that the state be dominated by secular ideologies as the state officials make the decisions that lead to the secular state policies, however by acknowledging that the state is dominated by secular state policies it is not sufficient to know that the state is dominated by secular state ideologies. According to the theory as it was developed, it is important to note that in order for a state to be dominated by assertively secular state policies it is a necessary condition to have had an *ancien régime*, but not a sufficient condition. “In countries where there is no *ancien régime*, the anticlerical movement does not exist or is marginal” and therefore it is unlikely that a state would develop a movement distinctly opposing the leadership and religion of the previous regime without the presence of *ancien régime* (Kuru 2009, 25).

The distinction between political ideologies will also be defined as they are by Kuru, since he is the principal scholar in defining this particular difference between secularisms, though it should be noted that many other authors such as Tariq Modood and Alfred Stepan have addressed a difference in secularisms such as those titled by these authors as “moderate” and “radical” and “separationist” and “respect all, support all” secularisms respectively (Kuru and Stepan 2009, 2; Levey and Modood 2009, 164). Passive secularism is exemplified by a state that allows “the public visibility of religion” and assertive secularism is exemplified by a state that excludes “religion in the public sphere and confine[s] it to the private domain” (Kuru 2009, 11).
Islamism, a term that is also important in this thesis will be defined as it has been defined by Mohammed Ayoob. Ayoob defines Islamism as a “political ideology” that attempts to form a “state or transnational group” based exclusively in “reinvented concepts borrowed from the Islamic tradition” that particularly wish to return to a mythical or “golden” era of Islam (2008, 2). This author especially recognizes that Islamism, like secularism, has many “faces” and therefore occurs in many forms (Ayoob 2008). Though this thesis will not cover the differences in the manifestation of Islamisms, it is important to note that Islamism is not “monolithic” or “inherently violent” and may appear differently between each state just as religions themselves and secularisms do (Ayoob 2008, 1).

Perhaps yet another important concept to define is the meaning of headscarf in this thesis. The *hijab*, referred to mostly as headscarf for the remainder of this thesis, is a historically Arab-influenced, modest form of dress worn only by women which often covers the entire hair line and neck, leaving an opening for the face and hands which is often accompanied by loose clothing (Al-Saji 2010; Charrad 2001; Slyomovics 2005). Though the headscarf can take on many other forms including the *niqab*, which covers the face except for the eyes, and also the *burqa*, which envelopes most of the body and face except for the eyes, this thesis will specifically focus on variations of the *hijab* (Osman 2011). The term “veil” will not be used except where quoted in other works, since this term implies a piece of clothing that likely covers much more of the face, such as the *niqab*, which is not prevalent in these three cases (Osman 2011). The definition and significance of the headscarf has been of much controversy for Western academics who are consistently intrigued by the headscarf and those who either choose to wear or who are forced to wear or not wear it. However, the significance of this piece of clothing to legislation in Algeria, Senegal, and Tunisia is the major policy focus for this thesis, not necessarily the meaning of the headscarf itself to any number of Muslim or Western societies.
CHAPTER 4

SENEGAL

FRENCH COLONIZATION AND IDEOLOGICAL STRUGGLE

The states located in the “savannah zone,” such as Senegal, also have a very long history of Islam, “dating to the eighth century CE in some places and variously linked to the Maghrebian states to the north” (Villalón 2009, 43). Though France and Senegal had a relatively peaceful relationship in comparison to the colonial relationships with some other French colonies, it was not always one of tranquility. Since France practically decimated the Senegalese territory upon colonization beginning in the 1630s and officially colonizing in 1840, Sufi military personnel took on leadership positions in the territory that would later become Senegal, some even declaring jihad on the French state (Stepan 2007). As the French built their colonial state institutions across their “savannah zone” empire, however, the Muslim societies were forced to “[abandon] relatively futile efforts at resistance to find what the historian David Robinson has called “paths of accommodation” with the colonial power” (Robinson 2004; Villalón 2009, 44).

Following World War II the French fell into several colonial wars and eventually Senegal gained independence from the French. Senegal formed a short lived confederation known as the Mali Confederation in 1960, which was quickly followed by complete independence as the state of Senegal. The main ideological battle took place between French colonizers and initial state builders made up of Sufi leaders. More clearly the struggle took place between the assertive French and the more passive Sufis. In what was considered to be a mutually accommodating relationship with France, Sufis were permitted to allow their religious influences and orders to grow and in return the Sufi orders would agree to cease major military conflict with the French (Stepan 2007).

Again, ancien régime exists only in cases where there is:

1. Monarchy
2. Hegemonic religion
3. Alliance between monarchy and religion, and
4. Successful republican movements against this combination (Kuru 2009, 25). Senegal does not fit this model. The area that would later be known as Senegal did not have a local monarchy and therefore the monarchy was never married to the dominant religion of Islam. Senegal has had one of the largest religious minorities as more than five percent of the population is Catholic, a religious minority that has maintained a lot of government influence in Senegal. As in the following case of Algeria, republican movements arose in Senegal mostly to expel the French colonizer.

The first president of Senegal during the state building period, Léopold Sédar Senghor was a member of the state’s minority religion, Catholicism. Prior to decolonization, Senghor sat as a representative or Deputy on the French National Assembly, one of the only members from the colonies to ever sit in the Assembly. Though Senghor may not have been from the dominant religion, he worked very closely, and relatively peacefully, with Muslims throughout the state building process to adopt state policies that benefited both his own religious group and the majority religious group in Senegal (Diagne 2009). The ideological struggle in Senegal revolved around the differences between the assertive French influence and the passive and often very inclusive ideology of the Senegalese government and Sufi orders (Diagne 2009). The strong leadership of Senghor aided Senegal in maintaining close ties with its colonizer without minimizing the significance of Senegalese pluralism and Muslim majority.

In Senegal, Sufi Islam has served as the dominant religious ideology that has been an influence on political ideology and “the basis for social organization and a vehicle for mediation and negotiation between a weak state and a predominantly Muslim society” (Clark 1999, 152). Sufi brotherhoods, specifically the Tijaniyya and Muridiyya, have been considered to be religious groups that more openly embrace pluralism than other denominations, this in turn making Senegal more open to a secular government since secular government can better attend to the religious minority without harming the religious majority. Senegal has had a notable minority of Catholics since colonization, and a secular state has therefore been beneficial to Senegal in order to keep peace between the religious majority and the religious minority during state formation.

The Senegalese state does not completely separate church and state relations. Instead, Senegal has been attributed with adhering to a policy of “mutual respect” between the state
and religion following independence (Stepan 2007, 2). “Twin tolerations” between state and religion in Senegal is allegedly possible because of the dominant Sufi traditions of equality (Stepan 2000). This created an environment of peaceful religious pluralism rather than anticlericalism. As in the Southeast Asian nations and in neighboring Mali which contain prevalent Sufi populations, religion has also been able to carve out this special autonomy from the state allowing for the existence of secular state policies (Ayoob 2008).

Senegal lacked *ancien régime* and therefore had no anticlerical response to Islam and therefore no particular exclusion of any religion such as the minority Catholic religion. Senegal did not have the same assertively secular response that France had toward religion, particularly to the minority religions within France (Islam in particular). The question is whether this model fits the Senegalese case, in which the lack of this marriage led to its passive secularism (Kuru 2009). Some of Senegal’s legal codes on secularism, including an article of the Senegalese Constitution, are virtual mirror images of the French. However, because Senegal had probably the most accepting relationship with its colonizer in comparison to other French colonies, including the acceptance of a Catholic president, there was never a relationship between the dominant religion and rule to create an anticlerical reaction prior to or following independence (Kuru 2009).

Senegal has significantly imitated the French state following decolonization, with constitutional phrases that almost carbon copy those of France and policies mostly implemented by France itself, such as that Senegal is “laïque,”¹⁰ yet has managed to develop a completely different reaction toward religion and state policy toward religion. Senegal maintained much closer elite ties with their former colonizer, and the “ideological underpinnings of the state [remained] firmly in the French mold” (Villalón 2009, 43). Senegal kept many of the same legal structures and government institutions put in place by the French. However, Senegal has taken a much more passively secular approach to the implementation of these same educational and legal policies once put in place by the French colonizers. While Senegal was willing to accept these important institutions and frameworks, it was clear to the leadership that these policies would not work if implemented in the same French style. This was likely because the leadership was a member of the minority religious

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¹⁰ This term will be defined simply as secular for the sake of this thesis.
population rather than the majority, unlike in France. Islam is by far the dominant religion in Senegal. Approximately 94 percent of the population is Muslim, four percent Christian (mostly Catholic), and two percent of indigenous belief systems (United States Department of State 2010). Though Senegal’s Constitution mimics the French Constitution stating that Senegal is legally “secular”, this does not mean that the population itself is predominantly “secular” or remotely similar to the population in France or even that the secularism is the same as that of assertively secular France (Stepan 2007).

Islamism has existed as a political force in Senegal, but not nearly as much as in Algeria or Tunisia. Islamism, especially as it was led by Cheikh Touré, was an important part of the push for independence, advocating for better education for Muslims, more specifically Qur’anic education for the Muslim populations (Loimeier 2002, 184). Following independence, however, Islamism failed to take root in the same ways it did elsewhere. While Islam remained an important part of society, the issues with education revolved more around getting students in school rather than what type of education the students would receive. As will be discussed, the issue of religious symbols has yet to materialize in Senegal.

**Religious Education and Instruction**

The state provides public school for most of the primary aged school children in Senegal (Stepan 2007). Since 2003, many of these state schools even provide some form of religious education, from both secular and religious teachers (Stepan 2007), legally allowing four hours of religious education per week in all state run elementary schools (United States Department of State 2010). The religion taught is even based on the parents’ preference, between Christianity (primarily Catholicism) or Islam (United States Department of State 2010). Religious schools, particularly Islamic schools, are abundant throughout Senegal, especially surrounding the capital of Dakar. “This religious educational system, deeply rooted in Senegalese history, has long been revered in much of Senegal” (Thiam 2008, 7).

Though these Islamic schools are permitted to exist under the Senegalese state, however, “they are not currently receiving public funding as are secular French-language schools, due to their private religious status,” a policy that more imitates the system established in France prior to decolonization (Thiam 2008, 8). This policy almost appears to give Senegal an assertively secular characteristic. However, the major break from France is that Senegal also
funds religious instruction in secular schools (Stepan 2007). While these Qur’anic schools rely heavily on private funding, aid from non-governmental organizations, and aid from grassroots movements (Thiam 2008, 9), religious instruction in secular schools relies on the “passiveness” of the state to maintain continuation of this instruction.

While the French colonizers demanded that all Senegalese children attend secular francophone schools, many parents have chosen to, and still to the present choose to send their children to many of the underfunded Islamic or Qur’anic schools (Thiam 2008, 12). Though it would make sense that the Senegalese state would fund Catholic schools if it were also funding Islamic schools, Catholic schools have also been and continue to be eligible for public funds because of their use of the French language during instruction. This occurs even though similar Islamic schools may not be eligible for the same public funds as they are considered private entities, allegedly because of their use of indigenous languages or Arabic (Thiam 2008, 75; Ware 2004). Though the Ministry of Education provides some funds to schools operated by all religious institutions that meet the state education standards, Christian schools receive the largest share of this government funding (United States Department of State 2010). The Christian schools may receive these funds because many of the students in these Christian schools are Muslim and are attending the school for vicinity reasons (United States Department of State 2010). As of 2010, most recent schools have been teaching in both French and Arabic, a “program has removed thousands of children from street begging and exploitation. In 2008 citizens requested 600 new Islamic schools; however, the government lacked the funding and capacity to fulfill the high demand” (United States Department of State 2010).

**The Non-Issue of Headscarves**

So far, headscarves in Senegal have yet to be an important issue for the state. Unlike many other Muslim dominated states, headscarves are not worn by many women in this predominantly Islamic society, as it is often considered by the citizens to be a part of Arabic rather than Islamic culture. “Women are not generally veiled,” “sometimes wear Western clothes,” and are often seen wearing very “colorful and complicated” designs and prints (Creevey 1991, 348; Suad and Najmabadi 2005, 594). The attitude toward the Islamic headscarf appears to vary widely between geographic areas and across individuals in Senegal.
as many women appear to focus more on economic equality concerns over religious concerns (Suad and Najmabadi 2005, 594). This particular policy outcome further accentuates the fact that Senegal has been one of the most passively secular states, especially toward religion and policies that have been considered controversial in assertively secular states with sizable Muslim populations, such as France and Turkey.

Since movements toward a more “Islamic” Senegal in the 1980s and 1990s, however, headscarves have started to become much more common, especially among female university students around the capital of Dakar (Suad and Najmabadi 2005, 596; Thurston 2009, 10). Perhaps as a part of the overall growth in university diversity, or as part of the influence of transnational Islamist movements, or due to Arabic immigration into Senegal, the number of women choosing to wear headscarves in Senegal has been increasing since the 1990s.

In conclusion, Senegal’s lack of *ancien régime* in combination with the relatively peaceful decolonization process with France has led Senegal down the path of accommodation, passively secular ideology, and tolerant policy toward religion. Senegal’s passively secular state ideology is clearly visible in the state’s treatment of religious education and the wearing of religious symbols. Unlike states dominated by assertive secular ideologies, Senegal allows for the funding of religious education, routinely funds private religious schools who meet state criteria, and has developed little policy in the area of headscarves and other religious symbols. This particular ideological battle against headscarves has yet to come to fruition in Senegal. As it stands, the state maintains a dominance of passively secular policies. With Senegal’s historical relationships to pluralism and accommodation, it seems unlikely that the Senegalese state would choose to undo its passively secular policies in the near future by alienating any part of the religious population, especially by doing so to the dominant Islamic population.
CHAPTER 5

TUNISIA

FRENCH COLONIZATION AND IDEOLOGICAL STRUGGLE

Tunisia had a very different relationship with France than Algeria or Senegal. Tunisia became a French protectorate in 1881, but the French maintained some of Tunisia’s own administrative structures in a form of cosovereignty (Charrad 2001, 117). Keeping in mind the mishaps of colonization in Algeria, the French government treated Tunisia in a much more positive way. The French co-opted very little of the land for French and Italian settlers, leaving many Tunisian officials, such as the bey (king) in ceremonial power (Charrad 2001). The French managed to create a much more centralized authority with combined French and Arabic cultural concepts and languages (Charrad 2001, 118-119; Long and Reich 2002, 463). This more well-developed colonial government would be able to transfer more easily into a well-developed independent Tunisian government. Following the uprisings in Algeria in the 1950s, the Neo-Destourian Party of Tunisia, a more elite secular nationalist party than anything that developed in Algeria, was able to vie for Tunisian independence within a structure that led to less violence (Long and Reich 2002, 463). By 1956, only two years after the first major push for freedom, Tunisia was granted independence from France.

As with the other two cases in this study it is necessary to understand why Tunisia is different than the other cases as to the variable of ancien régime. Ancien régime exists only in cases where there is:

1. Monarchy
2. Hegemonic religion
3. Alliance between monarchy and religion, and
4. Successful republican movements against this combination (Kuru 2009, 25).

Tunisia potentially fits this model of ancien régime in that it greatly resembled Turkey, ruled by the Ottoman Empire in a more cohesive manner. This monarchial rule was combined with the hegemonic religion of Islam. Tunisia, however, never had a successful republican movement against the combination of monarchy and religion before or during French
colonization. There is obviously one significant variable in these cases, intervention of France and colonialism, which was quickly followed by successful republican movements against both the former Ottoman Empirical rule and then against French colonizers and any alliance between religion and leadership.

Eventually nationalist movements combined with a significant labor movement and began the push for an independent Tunisia in the 1940s, pushing the hardest in 1954. Tunisia gained independence from France just two years later, following a much less bloody battle than what took place in Algeria. The ideological struggles of independence and the leadership of these movements were key in Tunisia’s development of assertive secular state policies. Once independence was gained from France, Tunisian leadership under Habib Bourguiba strongly emphasized swift progression into the modern world, in a similar fashion to the ideological push in Turkey toward a modernized and secular state (Kuru 2009).

While in Turkey, Islam may have been viewed as a connection to the failed Ottoman Empire (Kuru 2009), religion in Tunisia seemed to be simply placed on the backburner to an independent, self-sufficient, and modernized state. Islam was viewed as only one part of what made Tunisia a nation. Habib Bourguiba and others in leadership and in ideological agreement tied assertive secular policies specifically to the language of modernization. After independence, Tunisia was declared an Islamic republic and was dominated by a single mass political party that encompassed a wide range of ideological thought, most dominant containing this push for social and economic modernization and secularization (Moore 1965).

In Tunisia, the ideological struggle has been between a very small minority of Islamist groups, such as the Movement of the Islamic Way (MTI) in the 1970s that view Tunisia as an established religious state, and the secular authoritarian state and state-recognized parties such as the Destourian Socialist Party (PSD), later referred to as the Democratic Constitutional Rally (RCD) (Long and Reich 2002, 468). The purpose of the Islamist groups varied over time, from expecting Tunisia to abide by either certain religious laws or practices versus certain religious freedoms for Muslims, depending on the Islamist group, to simply being able to participate at all in Tunisian politics (Arfaoui 2009). The largest problem for Islamist groups in Tunisia has been the election process, which has greatly favored the RCD and likely fallen victim to tampering by the authoritarian government (Long and Reich 2002, 473). In light of the violence in Algeria regarding
Islamist groups, the government attempted to silence Islamist groups throughout the 1990s. The other side of the struggle includes the, until more recently, more dominant RCD ideology revolving around the idea that Tunisia is a state in need of more assertively secular policies in order to fully modernize, modeling more after Turkey than Senegal.

Though so far countries that are considered assertively secular, such as France and Turkey, have had a marriage between a monarchy and the dominant religion leading to anticlericalism, Tunisia’s link to ancien régime is a complicated one. Tunisia was previously a part of the Ottoman Empire, and a much more important part of the Empire than Algeria had been. In Tunisia, the ancien régime of the Ottoman Empire was replaced with a country with its own complicated ancien régime relationship, France.

**Religious Education and Instruction**

Soon after independence, President Habib Bourgiba emphasized the importance of education in Tunisia by making education free and available to every child, and eventually even demanded mandatory education for Tunisian citizens up until the age of 16 (DeGorge 2002). Soon after independence, Tunisia rose to one of the most “educated” of the Arab states (Long and Reich 2002, 477). It was hoped that this modernization and nationalization of the educational system would aid the greater push for secularization in Tunisia and in turn lead to a more “Western” modeled state in Tunisia (DeGorge 2002). Defining the nation in general, especially as a modern nation, was key to Habib Bourgiba and the post-independence government. While Arabic is the official language of Tunisia and is now a part of most education programs, much of the higher education and instruction has been taught in French in order to allegedly speed up this modernization process (DeGorge 2002). This process is much like the secular education system in Senegal. Religion has also not been completely eradicated in these secular schools, as it has also been viewed as a part of the nation defining process for Tunisia. Most secular schools contain some instruction on Islamic studies, a policy that clearly delineates Tunisia from the policies implemented in France. In M. Feki and N. Maruani’s look at Tunisian high school text books in 2007, religion appears to be a very important part of the curriculum, but even within the context of Islamic education is the ideal of the secular state, as the texts include the thoughts of ‘Islamic reformers who promoted secular concepts of government,” “proponents of Islamic
secularism,” and authors’ discussions on the tension between secularism and traditional Islamic thought (Feki and Maruani 2007).

Approximately 99 percent of the population in Tunisia is Muslim (United States Department of State 2010), and recently Islamic schools are becoming much more popular throughout the state (Arfaoui 2009). Islamic religious education is mandatory in Tunisian public schools, and the Zeitouna Qur'anic School is part of the government's university system, which is otherwise considered secular (United States Department of State 2010). While secular schools continue to be dominant in Tunisia and are often rated more highly, Islamic schools have been springing up all over the country. The state has also become much more involved in the education taking place within these Islamic schools (Arfaoui 2009). Though the state is not shutting them down, the state does closely monitor and often dictates the education that happens within the schools, much like the Turkish state. This particular policy accentuates the delicate balance sought by Tunisia between secularism and its status as an established religious state that upholds the teachings of Islam and the definition of the nation that attempts to place Islam as a key component without opening the door to any number of forms of Islamism.

HEADSCARVES AND THE STATE

The Tunisian Constitution states that it is “to remain faithful to the teachings of Islam, to the unity of the Greater Maghreb, to its membership of the Arab community, and to cooperation with the peoples who struggle to achieve justice and liberty.” However, “as a part of a secular modernization movement following independence in the 1950’s, the government’s negative attitude toward the hijab attempted to show the West that Tunisia was committed to secularism and democracy” (Cotton 2006, 3). Tunisia attempted to do this using the top-down approach similar to the process used in Turkey. Following decolonization, Tunisian laws attempting to benefit women were considered much more progressive and beneficial than those of their fellow former colonies (Sadiqi 2008), and ultimately these laws worked toward the modernization goal. For Tunisia’s leadership, it was

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11 Contained in Preamble to Tunisian Constitution.
much more important to uphold this modern image than to maintain the integrity of Islamic law per se, defining the hijab as foreign and unnecessary to “modesty” (Sadiqi 2008).

Not long after independence and as a part of this modernization movement, Tunisia, especially the leadership of Habib Bourguiba, made bold efforts to give women equal rights in society via the Code of Personal Status, first enacted in 1957. The Code of Personal Status banned polygamy and allowed for women to divorce, and included several other codes intended to create a progressive gender balance in Tunisian society. Headscarves were included in this Code as Bourguiba viewed them as a “disrag” and viewed many other female Muslim customs as “servility, decadence, and bondage” of women (Charrad 2001; Long and Reich 2002, 476). Headscarves were legally banned in schools and later in most public places by this Code of Personal Status in 1981, which was particularly upheld throughout the 1980s, 1990s, and sporadically ever since (Abdelhadi 2006). Throughout the implementation of these codes and even a campaign against the observance of Ramadan, Bourguiba pushed that Tunisia was in “a war against underdevelopment” (Long and Reich 2002, 477).

Tunisian government decrees in 1981 and 1986 restricted the wearing of sectarian dress, specifically the headscarf, in government offices and discouraged women from wearing it on public streets and at certain public gatherings (United States Department of State 2010). In the 1990s, government “security services” greatly “harassed” women who chose to wear headscarves in public (Long and Reich 2002, 474). Following France’s headscarf ban in 2004, the upholding of Tunisia’s ban greatly increased in strength (Abdelhadi 2006). In 2006, the Tunisian state’s law enforcement began stopping women with headscarves on the streets, forcing women to remove their headscarves and sign pledges stating that they would not wear them again in public (Saleh 2006). Enforcement of the ban waivers in the face of Islamist women’s groups who have protested outside of the university by wearing headscarves, and women pushing for a more secularized or “Westernized” view of women (Narli 2009; Saleh 2006). According to the state, headscarves are a sign of “sectarianism” and to the government a sign of extreme Islamism, and while the 1986 decree and headscarf ban were found unconstitutional by Tunisian courts in 2006, the ruling has not been binding and enforcement of the ban remains strong in many areas of Tunisia (Saleh 2006, United States Department of State 2010).
As of 2010, the Tunisian government continues to restrict the wearing of any "sectarian dress," specifically the headscarf, and has continued to have instances of police harassment of women wearing headscarves and men with traditional Islamic beards. School officials took disciplinary action on several occasions to punish and deter women wearing the hijab. On May 20, 2010, a local NGO reported that the administration of a high school in the northwestern governorate of Manouba refused to notify 70 female students of their college entry exam results because the students continuously wore hijabs during the school year. Similarly, on January 6, 2010, according to the same local NGO, the principal of a high school in the northern governorate of Nabeul forced a female student to remove her hijab and sign a statement that she would desist from wearing the hijab. The student was subsequently arrested, interrogated at a police station about her religious beliefs, and later released (United States Department of State 2010).

As of 2010, the Tunisian government has continued the headscarf ban on the vague basis that it is “necessary to preserve the impartiality of officials,” but women continue to be seen wearing the headscarf in many public areas and universities regardless of police actions or signed proclamations (United States Department of State 2010).

For the Tunisian state, the fear of extreme Islamism, specifically as it appeared in nearby Algeria, is employed by the authoritarian government as the main concern for banning the wearing of headscarves. For opponents it is the states encroachment on personal freedoms like those previously outlined in the Code of Personal Status that may eventually lead to a strong backlash movement. It appears that “the challenge facing the Tunisian authorities, like in other Arab countries facing resurgent Islamist movements, is how to crack down on one of the most potent symbols of Islamism - the female head-cover - without being liable to charges of being un-Islamic” (Abdelhadi 2006). This particular policy and the zeal of the new leadership under President Zine al-Abidine Ben Ali toward assertive secularism is what makes Tunisia similar to other assertively secular states such as France and Turkey.

Unlike the other two cases in this study, Tunisia had more potential for the development of ancien régime. The state’s past alignment between religion and the state combined with oppressive colonization, and yet a relatively peaceful decolonization process led to the development of assertive secular ideology and therefore more restrictive policies toward religion. The dominant state ideology, as developed under the strong central leaderships of the post-colonial regimes, clearly designed Tunisian policy to favor secularization. Though this ideological dominance is evident in Tunisia’s policy toward the funding of religious education, as it closely monitors religious education allowed in public
schools, it is most evident in the state’s treatment of headscarves and other religious symbols. While the Tunisian courts have technically repealed any ban on headscarves, the government and state police do not appear to acknowledge the decision. As will be mentioned in the concluding chapter, this concern and many other issues may be shifting for Tunisia in the near future.
CHAPTER 6

ALGERIA

FRENCH COLONIZATION AND IDEOLOGICAL STRUGGLE

Algeria had a very long and conflicted colonial experience with France, more so than most other French colonial states and territories, and therefore began its decolonization process on a much more difficult and even violent note than either Senegal or Tunisia. Algeria was an official French colony from 1830 to 1962 and throughout that time Algeria remained a very weak and politically fragmented state. Unlike other French territories, Algeria was officially recognized as part of France in the 1850s, though Algerian citizens were never considered French citizens (Long and Reich 2002, 424). France ruled Algeria from a very strict, sometimes even anti-Muslim position, utilizing secularization as a way to “divide and conquer” (Long and Reich 2002, 441). For over a century, France controlled everything “from the appointments of imams and muftis, to the organization of the pilgrimage to Mecca,” and remained very involved in religion in Algeria throughout colonization (Kuru 2009, 120). Several Muslim political parties and tribal groups eventually developed, first to expel the colonizer, then to gain Algerian independence, and eventually to develop the Algerian state and its own policies (Charrad 2001).

In order to understand the outcome in Algeria, it is important to first understand whether or not Algeria has the presence or absence of ancien régime. Ancien régime exists only in cases with the presence of:

1. Monarchy
2. Hegemonic religion
3. Alliance between monarchy and religion, and
4. Successful republican movements against this combination (Kuru 2009, 25).

In Algeria, this was not the case. There was no solidified monarchial power in Algeria, and therefore there was no monarchy combined with hegemonic religion at the critical juncture. In Algeria there existed more of a confederacy of tribes that held significant powers within their designated areas rather than solidified powers (Charrad 2001). Algeria
did have one hegemonic religion, Islam, but it was very fragmented and “multivocal” based on the distribution of many tribes (Charrad 2001; Stepan 2000). Republican movements arose in Algeria, but not to combat a combination of monarchy and religion, but as a response strictly to French colonial tactics and to strict French control of Islam and the people of Algeria. Without ancien régime Algeria did not develop the assertive secular ideological dominance found elsewhere, but rather developed severely conflicted ideological stances that mirror the government’s overall difficulties following decolonization.

In order to understand the development of the policies that exemplify the confliction, it is important to understand the development of postcolonial Algeria. Algeria, as with the other colonized Muslim states, eventually questioned the authority of the supposed “infidel” leaders and examined what role France really held in Muslim divine and tribal laws (Ayoob 2008; Charrad 2001). The French were often viewed by political groups as dismantlers of the entire Islamic political, social, and judicial systems and viewed as imposers on Algerian traditions and values (Charrad 2001). Powerful anti-colonial leadership such as the group led by Islamist Amir al-Qadir, a leader who battled against the French from 1832 to 1847, helped to amplify the use of Islam as significant political resistance in Algeria (Heristichi 2004, 113). During the battle for independence, the fighters “assumed the names of mudjahidin, ‘the fighters of the faith’; [framed] the obligation to rebel in terms of jihad, and [adopted] a rhetoric inspired from al-Qadir, adapted to a modern context” (Heristichi 2004, 114).

Decolonization in Algeria is considered an exceptional case of brutality and devastation that clearly created an overall distrust of the French colonizer and of foreign and especially “secular” or “Western” cultures by significant Algerian political groups (Berman 2003; Entelis 1997). Following the long, fierce fight and guerilla war for independence, years of authoritarian rule, disastrous single-party dominance of the Front de Libération National, and extreme in-fighting, political groups and parties developed to counter the current government, most notably the Front Islamique du Salut. This Islamist group was composed of both non-violent and violent Islamists pushing for a more religious state ruled

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12 In English referred to as the National Liberation Front and henceforth referred to as FLN.
13 In English referred to as the Islamic Salvation Front and henceforth referred to as FIS.
by Islamic ethics and jurisprudence rather than by the assertively “secular” and strongly “Western” French colonial systems that dominated the early postcolonial state.

While authors disagree as to the main reason that Islamism has maintained itself as a strong political movement in Algeria, it is clear that following decolonization, civil war, severe economic decline, and even a major earthquake, the fledgling state was failing and the FIS dominated over other groups and the state’s predominantly French influenced policies and ideals (Ayoob 2008; Berman 2003). These issues may have made the Algerian case particularly challenging as the new independent state attempted the state formation process while simultaneously attempting to deny French cultural and political influence, ultimately leading to the domination of Islamist groups on the political ideological scene throughout the 1980s and 1990s (Berman 2003; Charrad 2001; Entelis 1997; Slyomovics 2005; Willis 2006).

Islamism has often been a significant piece of Algerian politics, and has been the “result of a complex interplay and competition for political power among secular and religious ideologies” (Heristichi 2004, 113). Algeria consistently moved between powerful single-party leadership focused on economic development, leadership that accepted Islamist growth and expansion, and government repression of Islamist groups. This constant change in turn led to popularity of Islamist groups in the 1980s and concessions made to these groups such as the Algerian Family Code in 1984 that severely curtailed women’s rights during that period. By 1989 the Algerian government had attempted to become a multi-party system, and from 1989-1992 the FIS held significant power over the FLN and Algerian politics as a whole. The military disapproved of the power of the FIS and in 1992 disregarded the ballots of the Algerian people and forced the leadership and party out of power and into the military controlled government of the Haut Comite´ d’Etat (HCE) (Heristichi 2004, 117). Islamists supporters were deemed “militant” and sent to prison, work camps, or simply killed (Long and Reich 2002, 435). Islamist groups such as the Armed Islamic Group, the Armed Islamic Movement, and the Islamic Salvation Army retaliated with terror campaigns that had both military and civilian casualties (Long and Reich 2002, 435). Increased violence between the military and Islamist groups eventually escalated to civil war.

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14 English translation to “High Committee of the State.”
The state building process in Algeria has been and continues to be a tumultuous process, a consistent battle between Islamist political groups and the increasingly secular state. Algerian state policies toward religion following decolonization have been anything but crisp and clear. The Algerian Constitution recognizes the roots of these conflicts and contradictions throughout history noting in an English translation that “[Algeria’s] current struggles are well rooted in the glorious past of the nation” (Algerian Constitution 1996). Algeria’s current Constitution still maintains that Islam is the religion of the state, that Islamic ethics must be maintained, that a High Islamic Council must exist as a part of the state, and that the president must be Muslim (Algerian Constitution 1996). Though Islam was the established religion of the state even in the original 1963 Constitution, many groups were unhappy with the growing “secularism” in the government, which has continued into the present. Though the Islamist political parties, such as the FIS, were banned from participation in politics in the mid 1990s, similar groups and offshoots continue to flourish throughout Algeria despite the government’s many attempts at silencing the more extreme political groups and movements.

Ideological struggle in Algeria is still virile and continues in the hands of many powerful groups throughout Algeria (Ayoob 2008). Several Islamist parties have maintained influential positions throughout the state, even though many groups and members of former groups are banned from participating politically by the Constitution (Ayoob 2008; Berman 2003). It is also important to note that Islamism in Algeria (and throughout all areas in which it exists) comes in many forms, some formal parties, others radical groups without party formalization, others violent militias, and some simply peaceful protesters, all of which, however, are battling for ideological dominance in a state with an established religion, but a self-proclaimed “secular” authoritarian government (Ayoob 2008; Berman 2003; Takeyh 2003).

The current English translation of the Algerian Constitution in Article 42 Section 3 still bans Islamist parties, “In respect to the provisions of the present Constitution, the political parties cannot be founded on religious, linguistic, racial, sex, corporatist or regional basis. The political parties cannot resort to partisan propaganda on the elements mentioned in the previous paragraph” (Algerian Constitution 1996). Though these groups can exist as associations, they cannot take elective office as explicit members of these more extreme
groups and “parties” which have made it very difficult for these particular ideologies to influence the state as much as they potentially could if these parties were legalized. Political parties are now divided between those that “oppose the government” and “those that support it,” and between those that want to include Islamists in the process and those that “want to keep the Islamists at bay” (Long and Reich 2002, 439).

In the 1990s Algeria was “a society divided against itself” in the midst of a clash between the “nationalist language of the establishment” and “the religious language of the FIS” (Maghraoui 1995, 24). Though the FIS have been dismantled, the society has continued to be divided over how to define the nation of Algeria. Disagreements over the formation of future generations is best exemplified in the school systems of states and on the monitoring of personal freedoms, in this thesis on the freedom of expression exemplified through religious symbols and dress.

**Religious Education and Instruction**

Upon independence, the French had left the Algerian education system in complete shambles, making it difficult for the Algerian state to build a completely new educational system. The growth of Islamist groups in the 1970s is related to the development of Algeria’s educational system. Algeria had a significant program of Arabization of the educational system which was still dominated by the French language in the 1970s and therefore hired foreign teachers, many of whom were Egyptian Muslim Brothers who brought the ideals of Islamist thinkers into Algerian schools (Hierstisch 2004, 114). One of the most important ways these ideologies come to fruition is through the educational systems that develop the ideals of future generations. Article 53 of Algeria’s Constitution discusses many aspects of the educational system including that “the right for education is guaranteed,” that “fundamental education is compulsory,” and that “the State ensures the equal access to education and professional training” (Algerian Constitution 1996). Qur’anic education was even banned during colonization by the French, and all education was not allowed in the Arabic language until the 1960s (Abu-Haidar 2000; Merrouche 2006). In the last few years, the Ministries of Education and Religious Affairs have “strictly required, regulated, and funded the study of Islam in public schools” in Algeria (United States Department of State 2010).
Algeria appears to have passively secular tendencies as the state banned private schools, but has maintained mandatory Islamic education as a part of public curriculum. The educational system also seems to be closely monitored both by the Ministry of Education and the Ministry of Religious Affairs, making it clear that religion is not completely excluded from Algerian education (National Encyclopedia 2010).

HEADSCARVES AND THE STATE

In Algeria both the *haiek mrama*, which are traditionally Algerian headscarves, and the Islamic *hijab* are worn by a majority of the female population, but different political groups have used these headscarves as symbols of the separation between religious and secular political groups (Marshall and Stokes 1981; Slyomovics 2005). During the fight for independence and in the 1960s, women were considered “fairly empowered” in Algeria and were not necessarily forced to wear headscarves in public, though many women chose to do so (Marshall and Stokes 1981; Slyomovics 2005). The state was even considered a leader of women’s rights in the Arab world for a couple decades (Skilbeck 1995; Slyomovics 2005). “Veiled” and “unveiled” women took part in the fight for independence in the 1950s and 1960s and were even educated in higher institutions, but these freedoms had basically disappeared by the 1980s and 1990s during the rise of the FIS and battle over power in Algeria (Charrad 2001).

The Algerian state and political parties were particularly conflicted and brutal toward women in the 1980s and 1990s, revoking or changing many rights previously allowed under the French government, secular groups, and independence leaders, including the choice of whether or not to wear headscarves in public (Marshall and Stokes 1981; Skilbeck 1995; Slyomovics 2005). The state was able to do this with a sweeping law known as the Family Code, which led to a backlash against women without headscarves by several powerful Islamist groups and to a continuing crackdown on the appearance of women in public, with or without headscarves (Marshall and Stokes 1981; Skilbeck 1995; Slyomovics 2005). Though the state currently maintains an outwardly secular stance, in action it has not prevented Islamists from posting threats against women without headscarves or prevented the murder and disfigurement of many women, nor has it provided much legislation contrary to these measures (United States Department of State 2010).
In the last five years, however, the state has not made an effort in the area of headscarves, and “according to the Ministry of Religious Affairs, female employees of the government are allowed to wear the [headscarf],” but women are still forbidden from wearing the niqab (United States Department of State 2010). Headscarves may also have become more of a fashion statement for Algerian women rather than a religious or political statement. Many recent photographs of Algerian women show several women with tight pants and shirts and beautifully decorated designer headscarves, a continuing testament to the conflicts in Algeria and other states between an Islamic cultural identity and a more secular cultural identity.\(^\text{15}\) It is not my argument that religious symbolism and feminine symbolism are necessarily mutually exclusive for women in states such as Algeria, but that it appears that there is some disconnect perhaps between cultural identities or between priorities.

Algeria’s lack of ancien régime combined with very oppressive French colonization and an extremely violent decolonization process has led Algeria toward more inconsistent ideology and policies toward religion than either Senegal or Tunisia. While the state did not develop an ancien régime and was therefore open to the possibility of accommodation, French colonization and the decolonization process were devastating to the Algerian state. Overall fears of former French policy agendas and constant power shifts in Algeria have led to consistent confliction in overall ideology and in state policies toward religion. The public and government officials are divided between several types of secular ideologies and competing and also varying Islamist ideologies. While Algeria is similar to Tunisia in the area of religious education, it is most conflicted in its treatment of headscarves. Women are not currently banned from wearing or forced to wear headscarves by the state, but treatment of women who choose not to wear headscarves in many areas has not been positive or really addressed by the state. As with Tunisia, this issue may become more interesting in the coming years as this state and others have yet another shift in government power.

\(^{15}\) These observations are made based on articles and pictures viewed on Magharebia.com and Al-Jazeera.
CHAPTER 7

RESULTS AND CONCLUSION: STATE POLICY OUTCOMES

CONCLUSION

I have argued that the divergence between state policies toward religion in the former French colonies and protectorates of Senegal, Tunisia, and Algeria is attributable to the ideological dominance of passively secular or assertively secular ideologies in Senegal and Tunisia respectively, and due to the lack of any ideological dominance and continuing confliction and struggle in the case of Algeria. This ideological dominance or lack thereof has been attributed to each state’s relationship with France during the colonial and independence periods, more so than to the historical variable of ancien régime. This study compared the development of these ideologies within the state constitutions, laws, supreme federal court rulings, and dominant political party platforms that demonstrated the dominant political ideologies of each state and found a greater impact from French colonization on the state building process following independence in Senegal, Tunisia, and Algeria than of ancien régime. This thesis focused on the ideologies within these state institutions as the important factors impacting state policy. I examined two types of state policies: policy toward religious, specifically Qur’anic education and instruction, and also policy toward the wearing of headscarves in each state. Based on this thesis it is clear that policies toward religious education and instruction as well as toward headscarves vary greatly in each state.

Algeria could be considered a state dominated by passive secularism. However, the wide variety of legislation and consistent movement between policies makes Algeria more conflicted than anything else. In Algeria, state policies have been the most inconsistent, often changing between religious, passive, and assertively secular policies. Algeria’s lack of ancien régime means that it failed to develop the anticlerical reaction necessary to developing predominantly assertively secular state policies overall, but to what extent this lack of ancien régime mattered to overall policy is still unclear. Algerian state policies toward education have been passively secular as the state has banned private religion education, but the state
maintains religious education as an important part of public education. State policies toward the headscarf have been the most volatile. This confliction in state policies is sure to continue in the face of recent protests against the Algerian government.

Senegal’s lack of *ancien régime* also means that Senegal lacked an anticlerical response necessary to creating assertively secular ideologies and policies, but again to what extent *ancien régime* really impacted Senegal is still unclear. In Senegal, state policies have been passively secular overall. The state has had no legislation banning private religious education, though for Senegal getting children educated regardless of the type of education is of much more concern. As for headscarves, the Senegalese state has little issue with headscarf policy as most women choose not to wear them, a product of their passive state policies during decolonization.

Tunisia’s potential for *ancien régime* led to a much different response following decolonization. The Tunisian state has had predominantly passively secular state policy following independence, much like Algeria. However, strong secular leadership developed as a response to the possibility of a strong relationship between religion and the state, a response to the state of Tunisia prior to French colonization in combination with French ideals collected during colonization.

Based on this thesis, it is clear that the relationship with France had an important impact on each of the cases, but perhaps not as strongly connected to *ancien régime* as predicted. Though it was necessary for each state to have the combination of events that took place, it is unclear how much *ancien régime* plays a part in the development of assertive secularism if Tunisia never completed the movement to have an actualized *ancien régime*.

**THEY SAY THEY WANT A REVOLUTION**

This year (2011) will be an interesting year for Tunisia and Algeria as many of the citizens have rallied together to attempt to change politics in each state, but it is much too early to say whether or not true change will occur in either of these states. In December 2010, a self immolation in Tunisia by a man named Mohamed Bouazizi, who had his only source of income confiscated by a Tunisian policewoman, sparked massive protest against rising unemployment, inflation, and stifled political freedoms in the Tunisian authoritarian state. By lighting himself on fire in protest, Bouazizi and followers have led to an ousting of
authoritarian leadership and worldwide recognition of the issues that face states like Tunisia and Algeria. Just a few weeks into the protests, President Zine al-Abidine Ben Ali fled to Saudi Arabia and similar protests spread throughout the Arab world, and most importantly for the sake of this thesis, they spread more intensely in Algeria where self immolations had already begun. Similar conditions throughout Algeria led to a series of self immolations in front of several government buildings. It is important to note that social media websites such as Facebook, Twitter, and YouTube played a huge part in the protests in both states as citizens attempted to use these internet programs to broadcast the events within their states to the rest of the world. Though the revolts in Tunisia and Algeria lost the limelight to the protests in Egypt and the ousting of Hosni Mubarak, what happens in Tunisia and Algeria will help set the tone for widespread protest against poverty and authoritarian regimes.

It is unclear at this time what the protests in Tunisia and Algeria will mean for secular state policy in each state, but it is important to note that these protests have been about political and economic woes with much more secular connotations than religious ones, and that religion has not been brought to the forefront of most of these protests. While power continues to shuffle in Tunisia and other states, many groups will have their input: from secular youth groups to varying Islamist groups. This does not mean that the people of Tunisia and Algeria are any less religious, but that these protests are specifically aimed at ending poverty and unemployment and not necessarily changing state policies toward religion.  

Perhaps the most significant impact these events have had on this thesis, however, is the knowledge that academic information released from and by Tunisians and Algerians may have previously been censored or incorrectly in favor of each government’s activities. It is important to note that as much recent information on state policy has been included, but that it would be impossible to account for everything that may occur in each state after the publication of this thesis. Also, events in Algeria and Tunisia, but not in my third case of Senegal may magnify the fact that Senegal is the only case that is not Arab, especially as these revolutions have been characterized in the media as an “Arab” problem and therefore

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16 This information is available through most news sources, though the basic information came from Magharebia.com and Al-Jazeera English from December 2010 through March 2011.
make it seem too different to have included in this study. It is more essential that these states had authoritarian governments, were located in the same regions, and had similar economic issues, more of a zeitgeist effect than a uniquely Arab characteristic, but that is beyond the scope of this thesis. What exactly will occur within each of these states will not be predicted in the scope of this thesis, but it is important to note that the information I have provided about each of these states may or may not be on the verge of dramatic change.
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