



**DEFYING THE ODDS:**

**The Role of Female Policymakers in Advancing Greater Women's Rights  
in Post-Revolutionary Tunisia (2011-19) and Ukraine (2014-19)**

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## **ABSTRACT**

This thesis seeks to investigate the role of female parliamentarians in advancing gender policy reforms in post-revolutionary Tunisia (2011-19) and Ukraine (2014-19). It is the first cross-regional comparison of Tunisia and Ukraine within the fields of area studies and political science to date, revealing insightful similarities of female activism in male-dominated political settings. Drawing on these comparisons and using an actor-centric approach, this thesis adds a new angle to the study of women in politics by focusing specifically on the activity of female MPs to show the impact women can have on democratic development in politically volatile environments. It triangulates Pierre Bourdieu's theory of political fields, John Kingdon's Multiple Streams Approach, and Patricia Hill Collins' intersectionality framework while drawing on official government documents and personal interviews with politicians, activists, and academics to analyse female MPs' active involvement in the following policy changes: electoral law reforms; 2017 laws banning violence against women; 2018 gender equality reforms in the Ukrainian military; and the 2018 inheritance law reforms in Tunisia. The thesis argues that stronger gender-centric policies in Tunisia and Ukraine were successfully achieved because female politicians who belonged to different and, at times, rival political parties inside parliament were able to put aside their differences during moments of cooperation and thus seize important windows of opportunity to enact change. Their ability to use to their advantage the political volatility caused by post-revolutionary democratic shifts and act as agents of change inside the political establishment – through introducing draft bills and amendments, negotiating with their counterparts, raising awareness through advocacy campaigns – resulted in a series of successful legislative campaigns for women's rights. Where there was no visible cooperation, however, there was a lack of successful legislative change.

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When I received my DPhil offer in early 2020, the world was a very different place. Now, almost five years, one pandemic, an authoritarian shift in Tunisia, a full-scale war in my native Ukraine, and a war in the Middle East later, this thesis has been the one constant guiding me through all the uncertainty. I am thankful to all my respondents who, despite the war and changing political climate, warmly accepted my request for a conversation and showed a genuine interest in the topic. I am deeply grateful to my supervisors Professor Michael Willis and Professor Paul Chaisty for championing my project from the start. Their mentorship, intellectual rigour, and words of encouragement gave me the assurance and strength to persevere with this unorthodox comparative study. It was a privilege to be guided in my research by these foremost experts on the respective regions.

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## LIST OF ABBREVIATIONS

AFTURD	Association of Tunisian Women for Research and Development
ATFD	Tunisian Association for Democratic Women
ARP	Assembly of the People's Representatives
ATO	Anti-Terrorist Operation
BPP	Petro Poroshenko Bloc
CAS	Comparative Area Studies
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
COLIBE	Commission on Individual Liberties and Equality
CSO	Civil society organisation
CSP	Code of Personal Status
EU	European Union
GBV	Gender-based violence
HIROR	Higher Authority for Realisation of the Objectives of the Revolution, Political Reform and Democratic Transition
LTDH	Tunisian Human Rights League
MENA	Middle East and North Africa
MoD	Ministry of Defence
MP	Member of Parliament
MSA	Multiple Streams Approach
NATO	North Atlantic Treaty Organisation
NCA	National Constituent Assembly
OUN	Organisation of Ukrainian Nationalists

OUN-UPA	Ukrainian Insurgent Army
RCD	Constitutional Democratic Rally Party
UN	United Nations
UAF	Ukrainian Armed Forces
UGTT	Tunisian General Labour Union
VAW	Violence against women

## **A NOTE ON TRANSLITERATION**

All Arabic primary and secondary sources were transliterated with the help of the widely accepted IJMES guidelines. Ukrainian primary and secondary sources were transliterated using the Ukrainian national transliteration system. Russian language secondary sources were transliterated using the American Library Association and Library of Congress (ALA-LC). Names of organisations written out in French or Ukrainian in the text are italicised; the names of political parties, regardless of the language, are not italicised.

## CHAPTER 1. INTRODUCTION

### 1.1 Why Study Women's Rights in Tunisia and Ukraine? Context, Case for Comparison, and Research Puzzle

In the twenty-first century, women's rights continue to be a hard-earned commodity. From equal pay to participation in politics to sexual and reproductive rights, parity between men and women has yet to become the norm and instead remains an exception. At the same time, the United Nations has labelled gender equality a fundamental human right that is an essential element for building peaceful societies (United Nations, n.d.). As democratic governance is seen to provide an “environment that respects human rights and fundamental freedoms”, democracy and gender equality have been inextricably linked (United Nations Human Rights Committee, n.d.; Papada and Lindberg 2022). In contrast, scholars consider that authoritarian support for gender equality mostly exists *de jure*, with autocracies implementing it to “boost regime legitimacy or advance other agendas” (Papada and Lindberg 2022; Donno and Kreft 2019). The relationship between democratising states and gender equality promotion is often omitted in these conversations.

Moreover, women's representation at high levels in local, regional, and national politics, their membership in political parties, and their ability to influence policymaking from within the political institutions is considered to be significant and advantageous for state development, from stronger female empowerment in all sectors of society – private, public, and nonprofit – to enhanced economic growth (Koch-Mehrin and Weh 2023; Mirziyoyeva and Salahodjaev 2023; Dahlum, Knutsen, and Mechkova 2022). This thesis challenges the notion that the number of women in politics is the main indicator of women's rights advancement. Instead, it demonstrates how the actions and cooperation among women in the legislative branch of government define the policymaking process. Tracing their direct involvement in the

reform process – from the introduction of specific bills that aim to strengthen women’s rights, to their adoption or rejection – this thesis illustrates critical contributions of female MPs to policymaking, the barriers they continually face, and the methods they use to overcome numerous hurdles to bring desired change to their countries. This actor-centric approach to the study of politics and policymaking expands the scope of extant frameworks and brings much-needed depth to the existing scholarship by considering women as central agents of change.

It is noteworthy that despite the obvious differences between the two countries, there have been two previous studies that used Tunisia and Ukraine as their two central case studies.<sup>1</sup> This project, however, is the first cross-regional comparative study within area studies and political science that focuses directly on women inside the political establishment in post-revolutionary Ukraine and Tunisia, contributing a new angle of inquiry to the broader disciplinary debates. I offer a perspective on politically active women fighting for and achieving change within a democratising environment in a relatively short period of time: in Tunisia after the 2011 Jasmine Revolution and until 2019, and in Ukraine after the 2014 Revolution of Dignity (also known as the Euromaidan) until 2019. Both states share a history of state-sanctioned feminism and recent popular revolutions, a desire to become progressive democratic states, and deeply rooted conservative attitudes towards the role of women in public and private life – a mix that has created a complex and nuanced environment for female MPs to navigate.

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<sup>1</sup>A study by Margaryta Gorlo (2014) focused on the IR concept of governmentality and discussed European human rights promotion in Tunisia and Ukraine; Elise Ketelaars (2019) wrote a PhD thesis on feminist transitional justice, and the EU’s engagement with gender justice in Tunisia and Ukraine.

### *Case for Comparison*

The choice of Tunisia and Ukraine for a comparative study of post-revolutionary legislative change may at first glance seem arbitrary, as these two countries appear socially, culturally, and politically very different. Ukraine became an independent state in 1991 after the Soviet Union collapsed, and the country embarked on a long – and difficult – path that aimed to democratise and revolutionise its institutions. By the time the 2014 Euromaidan revolution occurred – Ukraine’s second pro-democracy popular uprising – the country had been struggling for almost 23 years with bouts of authoritarian behaviour, an imperialist neighbour in the east, and a foreign policy that fluctuated between the West and Russia. Tensions between the executive and legislative branches – namely the extent of the president’s de jure and de facto power, and the implications this had on creating a strong (or weak) parliament – the role of interest groups, oligarchic and otherwise, and a political culture shaped both by the old system and elites as well as the desire to modernise dictated Ukraine’s political trajectory after independence.

Tunisia, on the other hand, had not experienced this flux in democratisation and institutional change by 2011. On the contrary, protesters during the 2011 revolution were demanding change after six decades of authoritarianism, oppression, corruption, and significant economic decline in the 2000s. The revolution resulted in a peaceful and constitutional regime change, and was not tainted by war or tense relations with the country’s neighbours, unlike in Ukraine. After the fall of the Ben Ali regime, Tunisia’s political change was shaped by the National Constituent Assembly (2011-14), members of which were democratically elected in October 2011 primarily to draft a new Constitution, and which held the power to elect a new interim President of the Republic. While the system later shifted to a semi-presidential model in 2014, resembling the one in Ukraine, the democratic transition was primarily shaped by interactions within the legislative system, not inter-branch tensions

between the executive and the legislative. At the same time, as the empirical chapters will show, Tunisia had a much stronger and more established culture of civil society organisations who were played a crucial role in the process, and fought for democratic change and gender equality provision before, during, and after the revolution. Although in Ukraine civil society played a defining role in some cases – in particular Chapter 6 – overall it seemed more nascent and fragmented than in Tunisia. The presence of Tunisian groups, new and well-known, on the streets, in the media, or in parliamentary discussions is unmatched.

Thus, if we consider the above, Tunisia and Ukraine seldom appear in edited volumes on political change or gender politics development, let alone as the only case studies in any major scholarly work. And yet, the dearth of cross-regional comparison on women's political activism in democratising states, particularly in Tunisia and Ukraine, has missed parallels and similarities that allow us to draw insightful conclusions on how female MPs shape their narratives and collaborate with other MPs to push forward their agenda and compete for a place within the political establishment. This thesis aims to highlight the value of a cross-regional comparison by debunking the myth that Tunisia and Ukraine are too different to be compared simply because no such comparison had previously been attempted within political science.

Despite the differences outlined above, there are striking similarities between Tunisia and Ukraine, most of which will be elaborated on in Chapter 3, and others will be illustrated throughout Chapters 4-7. In short, both states perfectly epitomise the struggles of post-revolutionary democratic transformation, and the vacuum that was created by regime change in politics and the wider society. During this turbulent period, we also begin to notice decisive roles that women played in navigating this situation in order to seize the opportunity to increase their rights and status.

It is easy to dismiss a cross-regional study of Ukraine and Tunisia based on the categorisation of the latter as a Muslim nation, where religion is bound to play an important

role. Yet, in the established comparisons of Ukraine between East and West, it is also easy to lose sight of the things that remain prevalent in Ukrainian society, such as the direct and indirect influence of the Orthodox church and religion. Traditional values, promoted by the Church as well as other conservative factions, have defined certain perceptions of gender equality in Ukraine, creating barriers for women's rights advocacy. In terms of women's rights and the promotion of equal opportunities, however, Eastern European and North African regional comparisons have exhausted themselves; they bring neither conceptual nuance nor new empirical data, as they frequently reiterate previous conclusions and confine our understandings of country development to regional trends (Riabchuk 2007).

As a North African state and majority Muslim nation, it is easy to misread Tunisia's social and political dynamics as influenced exclusively by religious considerations, especially since the Jasmine Revolution of 2011, when religion gained considerable political significance (Yildirim 2018, 1). Chapter 3 elaborates further on the Islamist/secularist binary that has been sown into the fabric of the Tunisian state by the authoritarian leadership of Habib Bourguiba (1956-1987) and Zine El Abidine Ben Ali (1987-2011). To this day, discussions in politics and society are centred on the 'regressive Islamists', diverting attention from the results achieved by women's rights advocates on both side (Marks 2012, 120). It quickly became apparent that secularism did not produce "democracy or intersectional and fully emancipatory gender politics" (Petkanas 2018, 15). Instead, feminist advocates, operating in state-sanctioned women's rights organisations, classed themselves as modern and therefore secular, and were continuously "pitted against Islamists by the regime as a means of consolidating power" (Petkanas 2018, 18). The present analysis of the work conducted by female MPs in the post-2011 Tunisian parliament seeks to give attention to all women fighting for gender equality, regardless of their ideological or religious convictions.

Ukraine's external balancing between its Western allies and Russia overshadows diverging interpretations of domestic political processes (e.g. Kulyk 2016; Kates 2014; Riabchuk 2002; Karacsonyi et al. 2014). In the context of Ukraine's history – with the long path to sovereignty and independence from the Russian Empire and the Soviet Union, and the country's desire to distance itself from its former imperial occupier and instead turn towards Western ideals – the focus on Ukraine's position between East and West is understandable. Since Russia's illegal annexation of the Crimea and the beginning of war in eastern Ukraine led by Russian-backed separatists in spring 2014, and especially after the beginning of full-scale war in February 2022, the focus on Ukraine's European future in scholarship and journalism has been crucial and welcome.

With this in mind, Tunisia and Ukraine share striking similarities in their development and promotion of women's rights in all sectors of society. Whether in striving to better abide by regional and international conventions (in the case of laws banning violence against women), following the expectations of being a democratic state (as seen through the implementation of electoral quotas to increase female representation in politics), or tackling specific domestic issues (such as gender equality provision in the Ukrainian Armed Forces or aiming to make inheritance rules equal in Tunisia), female politicians in both states have fought hard to ensure women's equality is enshrined in the law. Even if legislative change does not automatically ensure equality, it creates a “vantage point of alternatives which allows a more transformatory consciousness to come into play” (Kabeer 1999, 462). These reforms form the basis of the analysis of female MPs' involvement in the policymaking process.

Moreover, as Tunisia and Ukraine remain on the European periphery, both geographically and strategically, the two countries are equally affected by relations with their European neighbours. As a result, the regimes in power always aim to strike a balance between good relations and an actual dependency on their European partners, whether through the EU

Neighbourhood Policies or other models of bilateral relations. This creates a power imbalance, ultimately influencing domestic policies of Ukraine and Tunisia (e.g. Chaban and Chaban 2018; Wolff 2022). For women's rights organisations, the dependence is similarly present, particularly due to the financial support that these groups receive. Ukrainian and Tunisian NGOs have both shown strong links to the EU and Western donors in the fight for women's rights (e.g. Smagliy 2017; Weilandt 2022). While this can be seen as an empowering relationship, it also means that European values, which come part and parcel with receiving financial support, shape the activities of Tunisian and Ukrainian NGOs. Often, this can have an adverse effect in both states, since the Western notion of democracy has at times been seen as a foreign concept forcibly imposed on Tunisian or Ukrainian culture.

Despite the nuanced relations with European partners – and at times because of them – both states enacted significant positive changes to the composition of parliaments with the active involvement of female MPs: electoral quotas were passed in Tunisia under the 2011 and 2014 electoral laws (later enhanced further with the 2017 amendments to the electoral law), and in Ukraine the 2015 Law on Local Elections set a precedent for electoral quotas to be subsequently written in to the 2019 Electoral Code. In Tunisia, a semi-presidential system, members of parliament are elected through a closed-list proportional representation method. Until the drastic reversal of several crucial laws by Kais Saied, the current president of Tunisia, the 2014 and 2017 Electoral Laws were seen as groundbreaking, establishing both vertical and horizontal parity<sup>2</sup> in electoral lists (Assembly of the Representatives of the People 2017). In Ukraine, also a semi-presidential system, a parallel voting system<sup>3</sup> was used until the 2019 Electoral Code changed it to an open list proportional representation system. The Code called for an electoral list quota of 40 per cent in each group of five candidates (candidates 1 to 5, 6

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<sup>2</sup> Vertical parity – or the zipper system – is an electoral mechanism that requires political parties to alternate candidates based on their gender in electoral party lists. Horizontal parity, then, requires every party to put forward an equal number of lists with female and male candidates as the number one on the list.

<sup>3</sup> A combination of first past-the-post and close-list proportional representation voting systems.

to 10, etc.), which is the highest quota that has existed in Ukrainian legislation (Verkhovna Rada of Ukraine 2020).

On the question of violence against women, both Tunisia and Ukraine have shown steadfast improvement of their legal support for women against physical and psychological aggression. In 2017, after years of drafting, negotiating, and lobbying for change, Ukraine's parliament, the Verkhovna Rada, and Tunisia's Assembly of the People's Representatives (APR) passed similar laws: on the Counteraction and Prevention of Domestic Violence (Ukraine) and on Elimination of Violence Against Women (Tunisia). In Ukraine, those fighting in favour of this law faced challenges from the Orthodox Church as well as numerous male politicians who wanted to maintain the established conservative status quo under the pretence of safeguarding Ukrainian values. In Tunisia, despite efforts by secularist women's rights organisations and a number of politicians, including President Beji Caid Essebsi to breathe life into the belief that Ennahda – a moderate Islamist party – was dangerous for the country's democratic path and women's rights, the party included some of the most fervent supporters of the law banning violence against women. Ennahda's female MPs worked tirelessly alongside other female counterparts to reshape the parliament's view of this crucial issue, resulting in the draft bill being made into law.

In country-specific laws that aimed to promote greater gender equality, female MPs showed the same strength and perseverance. In Ukraine, the Law on Amendments to Certain Laws of Ukraine to Ensure Equal Rights and Opportunities of Women and Men during Military Service in the Armed Forces of Ukraine and Other Military Formations was passed in September 2018. It was triggered by a 2016 sociological study *Invisible Battalion*, which revealed that the army placed severe limitations on women serving in combat roles, resulting in most female soldiers registering as auxiliary forces (cooks, accountants, etc.), while de facto fighting alongside the men on the frontlines. Female MPs were quick to react to the released

study, initiating a collaborative process between parliamentarians and civil society groups to lift these restrictions.

In Tunisia, the question of inheritance evoked a long-lasting battle between religion and the state. The revolutionary 1956 Code of Personal Status (*Code du statut personnel* – CSP) that banned polygamy and called for equality between men and women did not tackle the problem of inheritance, as Bourguiba feared backlash from religious leaders whose support he still required to consolidate his power. Therefore, when Tunisian president Beji Caid Essebsi announced in 2017 that a reform of the inheritance law would be initiated, religious factions saw this as a direct attack on Islam while secular factions applauded the decision. A move that has largely been considered as a strategy for the upcoming presidential and parliamentary elections to further limit Ennahda's presence and power in politics, Essebsi's efforts caused significant rifts among women's rights activists in parliament and beyond, reversing all the work that was done to overcome the secular/Islamist binary among women's rights advocates. The failure of this reform process is used in this thesis to show that while the work of female MPs in the policymaking process is affected by numerous factors, the lack of cooperation among women themselves was a crucial reason for the reform's overall failure.

As all these policy processes show, Tunisia and Ukraine's democratic aspirations and progressive attitudes towards gender equality clashed with strong socially conservative attitudes that exist in both states despite previous state-sanctioned feminism and a willingness to democratise. Published literature on gender politics in Tunisia and Ukraine, most recently the works by Anna Antonakis (2019), Eva Schmidt (2020), and Oleksandra Tarkhanova (2021), concluded that there has been a visible shift towards conservative and neo-liberal views in Tunisia and Ukraine, which led to a re-establishment of the divides between progressive movements and the more conservative lobbies since the revolutions of the 2010s. Yet, despite this, where the goals of female MPs aligned, they united and persevered with negotiations in

plenary and committee sessions to submit draft bills and amendments, and voiced their concerns for gender inequality, all to accomplish significant legislative change for women's rights in relatively short periods of time (2011-19 and 2014-19), and in largely hostile environments.

### ***Research Puzzle***

With these trends in mind, this thesis aims to explain the following puzzle: why are different gender equality reforms so rapidly adopted by parliaments of Tunisia and Ukraine that do not have significantly high numbers of female politicians, exhibit certain traditional attitudes towards women in society, and are faced with much greater reform requirements (economic and political) in line with the democratisation process?

At the heart of this thesis lies the divide between established patriarchal structures that perpetuated inequalities between men and women within the public sphere (e.g. political institutions or the labour market) and the private sphere (the home), and reformist attitudes of certain groups of female MPs, irrespective of their background, who fought to change these stereotypical stances towards women at a time of post-revolutionary hope in democratisation in Tunisia and Ukraine.

Using inductive reasoning<sup>4</sup> throughout the research stages of this project, I concluded that the successful achievement of stronger women-friendly policies in Tunisia and Ukraine was a product of active cooperation between reform oriented female politicians inside parliament. The deliberate actions of female MPs as agents of change in the legislature – introducing draft bills and amendments, negotiating with their male counterparts, raising

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<sup>4</sup> David Blagden (2016) defined induction as a “bottom-up” reasoning approach, namely when a conclusion is reached “via generalization or extrapolation from initial information” (Blagden 2016, 196).

awareness through advocacy campaigns – were crucial to the process. Where there was no cooperation among these women from the beginning, namely in situations where their individual goals did not align or fundamental values were targeted (as will be seen in Chapter 7), the reform process stalled and was altogether unsuccessful. In all cases, however, women were able to use moments of political volatility caused by post-revolutionary democratic shifts to their advantage. Riding the wave of modernisation in Ukraine and Tunisia allowed these female MPs to amass support for gender-centric reforms by showing the critical link between democracy and women’s rights, the strengthening of which would benefit the achievement of political, economic, and social progress domestically, as well as a better democratic image abroad.

## **1.2 Literature Review and Contribution**

This thesis seeks to contribute to the growing literature on the role of women in politics in fledgling democracies, particularly from a policymaking perspective. The topic of women’s rights in academic scholarship usually finds itself split between quantitative studies of the causal links between increased female political participation and empowerment, and the more qualitative, area-specific or historical narratives on women’s rights advancement. The latter usually focuses on movements and civil society organisations (CSOs), although scholars on Tunisia have made efforts to give attention to female politicians since the 2011 revolution. The literature review will therefore be divided into four sections: since this thesis zooms in on the legislative branch of government, section one – institutional design – will introduce the broader scholarship pertaining to the institutional models that democratising states adopt, and look more closely at the institutional design in Ukraine and Tunisia to contextualise the subsequent

reform processes in Chapters 4-7; section two – women in democratisation literature, will briefly summarise the arguments made by a burgeoning literature highlighting the lack of female presence in this category; sections three and four – women in policymaking, and their political activity outside formal institutions – will summarise the literature that exists on women’s role in politics and civil society, as well as addressing country-specific scholarly contributions. Alongside this discussion, I will illustrate how this thesis seeks to contribute to the growing literature on women’s role in policymaking in democratising states.

### ***1.2.1. Institutional Design***

Before we explore the literature on women’s access to the legislative branch of government, let us first focus on how institutional design may affect the democratisation journey and the general functioning of political systems. Within the context of this specific literature, this thesis contributes analysis on how, despite the tumultuous political setting, polarisation, internal conflicts, and exogenous challenges, specific actors – female MPs – were still able to introduce and promote progressive policies in these two semi-presidential systems.

Numerous debates exist around what model best suits a country transitioning out of an authoritarian regime – parliamentary, presidential, or semi-presidential. Linz (1990) and Fish (2006) famously argue in favour of a parliamentary system; for Fish, a powerful legislature is “an unmixed blessing for democratization”, whereas for Linz parliamentarism “imparts flexibility to the political process”, while presidentialism “makes it rather rigid” (Fish 2006, 5; Linz 1990, 7). For Linz, the main precarity of presidentialism for young democracies is the zero-sum ‘winner-takes-all’ attitude during election seasons and the limited terms assigned to the winning candidate, which could ultimately lead to conflict and polarisation (Linz 1990, 8). He goes on to defend the parliamentary system by contrasting an “Olympian president” with a prime minister who “remains part of the larger body” despite sitting on the government bench,

which means that he or she “can afford precious little in the way of detachment from parliamentary opinion”, unlike a president who belongs to an independent branch of government (Linz 1990, 14).

Mainwaring and Shugart (1997, 451) express some disagreement with this stark contrast between presidentialism and parliamentarism by highlighting that “conflicting claims to legitimacy also exist in parliamentary systems” particularly in bicameral legislatures, albeit to a lesser extent than in presidential systems. When it comes to the ‘winner-take-all’ aspect of Linz’s argument, they maintain that parliamentary systems with a majority party and discipline parties “offer the fewest checks on executive power, and hence promote a winner-takes-all approach more than presidential systems”, something that the Tunisian opposition was worried would occur when the moderate Islamist party Ennahda won the majority of seats in the National Constituent Assembly in 2011 and was proposing Tunisia adopt a parliamentary system in the new Constitution (Mainwaring and Shugart 1997, 453; Fitouri 2012). As Fish posits, presidentialism’s defenders speak of the advantages of “a separation of power, holding that the presence of two entities (the presidency and the legislature), each with its own source of electoral legitimacy, reduces the danger of radical missteps” (Fish 2006, 6). In turn, Chaisty, Cheeseman, and Power (2014, 84) show, based on regional examples from Latin America, Africa, and the Former Soviet Union, that Linz underestimated the “capacity and flexibility of the presidential toolbox to build and maintain coalitions”, and thus assumed that “the separation of powers inherent to presidential systems would lead to deadlock and ultimately the breakdown of new democracies”.

Semi-presidentialism – the design chosen by both Tunisia and Ukraine – has been often proposed for transition democracies because it “offers a structural separation of powers between the president, the government and the legislature”, and because it aims to increase power sharing and provide effective “checks and restraints on the excessive exercise of power”

within government institutions (Choudhry and Stacey 2013, 47). For Tunisia, after decades of repression under Habib Bourguiba and Zine El Abidine Ben Ali, and with the aim to build a consensus and overcome any polarisation between the Islamist and secularist camps, Beji Caid Essebsi and Rached Ghannouchi – leaders of Nidaa Tounes and Ennahda respectively – agreed to a semi-presidential model in the 2014 Constitution to eventually limit their powers “in the case of an electoral victory in the legislative elections but not in the presidential elections” (Rivera-Escartin 2022, 422).

In Ukraine, where consensus politics and trust were much less present than in Tunisia, several definitions of institutional design have been offered. As semi-presidentialism was inscribed into the Ukrainian Constitution in 1996, Protsyk (2003) and Whitmore (2004) define the period of President Kuchma’s rule between 1996 and 2004 as president-parliamentary, as per the variant of semi-presidentialism proposed by Shugart and Carey (1992, 24). D’Anieri (2006, 145), however, defines it as simply presidential, considering that under the constitutional provision the parliament’s powers “over the cabinet were very weak, such that the president effectively controlled the cabinet”. Since then, Ukraine has undergone several changes to the semi-presidential design: in 2004 the Constitution was amended to a premier-presidential system to weaken presidential powers over the executive (2005-2010); in October 2010, then newly elected President Yanukovich restored the president-parliamentary system to his advantage (2010-14); following the 2014 revolution, this was reversed back to a parliamentary-presidential system, in which cabinet ministers can only be removed by parliament, not the executive (Kudelia 2018, 250; Szostek and Toremark 2023).

Semi-presidentialism, while potentially a safer choice for former authoritarian regimes, is defined by who holds more power – the legislative or the executive. The volatility of Ukraine’s institutional design in the first eighteen years of existence reveals how institutional design can impede democratic consolidation. In fact, Whitmore (2004, 187), based on the

analysis of Ukrainian political scene between 1991 and 2002, was supportive of Linz's caution of presidential domination, showing that the 'winner takes all' approach drove Ukrainian politics, "while 'dual-democratic legitimacy' has engendered extended interbranch conflict". This was also the case under Yanukovich's presidency, showing how quickly executive power even in a democratic system can become abused by an individual.

One reason for the fluctuation in Ukraine's institutional design – and its inability to consolidate democratic institutions – was the lack of definitive reform in the post-1991 period. As Whitmore (2005, 3) explained, Ukraine inherited a "weak state" and was thus required to urgently "(re)create, institutionalize, and maintain institutions". However, by the time the first parliamentary elections happened in 1994, the Verkhovna Rada "was an institution in flux, lacking a clearly defined role in the state and institutionally weak" (Whitmore 2005, 7). And while the Verkhovna Rada grew and became more institutionalised in the following years, building a foundation for a democratic government, structural factors (such as an unreformed and unstable party system) and rise of patronal politics (Hale 2014) provided an opportunity for an increase in presidential powers and prevented parliament from becoming a counterbalance to the executive branch. Parliament was increasingly seen as "the best way to lobby business or sectoral interests", and this continued throughout the 2000s and the 2010s (Whitmore 2005, 9).

As a result, female MPs of the 8<sup>th</sup> parliament were operating within a largely unreformed political system that had undergone periods of severe flux and was driven by power politics more than institutional provisions. As well as the president's disinterest in building up a strong political party system, Fedorenko, Rybiy, and Umland (2016, 610) also spoke of the important role oligarchs played in shaping the environment, especially in sabotaging the process through frequently buying and selling parties and contributing to "machine politics". They argue that even after two major post-Soviet upheavals – 2004 Orange and 2014

Euromaidan Revolutions – and the pro-European goals of Ukraine post-revolutionary government, “Ukraine’s mode of party government continues, in many ways, a line of succession reaching back to patterns of political behaviour during the late Soviet and early post-Soviet periods” (Fedorenko, Rybiy, and Umland 2016, 626). Thus, as Movchan (2019) wrote, even after the 2014 revolution and reversal to premier-presidential model, the fragmented state of parliament – and the personalised nature of political parties that rely on their leaders (Fedorenko, Rybiy, and Umland 2016, 612) – meant that the formation of a parliamentary majority “lies solely within the president’s powers”. For proponents of gender equality, the lack of party support or a strong political party culture with a clearly outlined programmes based on an ideological framework, and the fluctuating nature of parliamentary factions meant that they were unable to rely on consolidated institutions when lobbying for the reforms.

However, as Chaisty and Chernykh (2015, 177-78) posit, even in times when the president prevailed over parliament, legislative support and control did matter in Ukraine; for presidents, the legislative branch provided “an important institutional base for the coalitions of interests – party political or any other – that they needed to maintain their grip on power”. Thus, they argue that coalitional rule is a prominent feature of Ukrainian politics, and presidents have understood and used this both to “cajole and at times intimidate parties and individual MPs” but also to raise political stability and legislative productivity (Chaisty and Chernykh 2015, 195). Thus, while this and the president’s desire to install a loyal prime minister may threaten democratic institutions, in our case coalitional and power politics help explain some of the ways in which female MPs, despite their low numbers in parliament, were able to lobby for specific gender-centric reforms. As the empirical chapters will show, the fluidity of the system and the president’s involvement in pro-democratic reforms to uphold the promises made to the population and Western allies allowed female parliamentarians to construct narratives that

convinced important actors – the president, male MPs, speaker of parliament – to support a certain bill, which in turn meant that their interests were being lobbied through influential channels. This worked to the benefit of female MPs, even if at times the process included violations of the parliamentary standing orders – *Reglement* – or circumventing various rules of the Rada “in the pursuit of self-interest”, much like Whitmore’s assessment of the 1990s (Whitmore 2004, 179).

Although Tunisia, unlike Ukraine, had much less time to develop its institutions, the country still exhibited a much more rational and fast approach to the recreation of its institutions since the fall of authoritarianism. This, to a large extent, helped female politicians achieve their goals in the National Constituent Assembly (NCA), and played a role during the 2014-19 parliament. Ben Ali’s Tunisia was one of the most heavily policed states, where the main political party – the *Rassemblement Constitutionnel Démocratique* (RCD) – was also one of the main sources of informants, particularly on political dissent, to the police and the regime (Lutterbeck 2015, 818). Despite the decades of repression, however, constitutionalism remained fundamental to Tunisia’s institutions. Ben Ali’s 1987 medical coup d’état against Habib Bourguiba – citing the latter’s declining health due to old age – followed Article 57 of the Constitution. The 2011 transition following Ben Ali’s departure from Tunisia also followed the same Constitution: when then-Prime Minister Mohamed Ghannouchi tried to recreate Ben Ali’s coup and appoint himself President, the Constitutional Council found this unlawful, nominating the President of Parliament, Fouad Mebazaa, instead (Cino 2019, 39). This shows that while scholars like Fish (2006, 9) point to the great temptation of concentrating power in the hands of the executive after the breakdown of authoritarian regimes, the Tunisian example counterbalances these generalisable assumptions.

Unlike Ukraine, which was characterised by mistrust from the very early days of its democratic transition until the present day, Tunisia showed more signs of inter-elite trust. This

has been seen by researchers not only as a strengthening factor of democracy but also as a “precursor” or consensus building (Leach and Sabatier, 2005 in Hassan, Lorch, and Ranko 2020, 555). Thus, while some scholars believe that the Tunisian opposition under Ben Ali was unable to stand up to the regime due to repression, lack of coordination, and their ideological differences (Cino 2019, 40), others emphasise the trust that was built among the opposition in exile, which ultimately helped make the post-revolutionary transition easier. Lorch, and Ranko (2020, 564) spoke of a joint platform that was negotiated by Ennahda in 2005 with the main secularist opposition parties (the CPR, Ettakatol, the PDP, and the Workers’ Party) called The 18 October Coalition for Rights and Freedoms in Tunisia, which ultimately helped to form the Troika government during the NCA. This inter-elite trust, particularly between Islamists and secularists, is thought to have played a crucial role in the early democratisation period.

What followed in the transition period after the revolution was “exceptional politics in exceptional times”, as McCarthy (2019) summarised it. Politics was built on the premise of consensus, which has been considered as “the touchstone of the democratisation process” (Rivera-Escartin 2022, 414). The NCA and the constitution drafting process became an arena where Islamist and secularist parties had to reach consensus on controversial issues; as a result, a ‘consensus committee’ was established (Hassan, Lorch, and Ranko 2020, 566). As Hassan, Lorch, and Ranko maintain, both sides wanted to avoid disruption and civil war, and Rivera-Escartin (2022, 422) highlighted that during the NCA period “politics of consensus stabilised the democratic transition” by avoiding the ‘winner-takes-all’ majoritarian politics. In October 2011, having won the majority of seats, Ennahda did not put forward a presidential candidate (nominated and voted on by the Assembly); it limited its power to preserve the Troika government and create a positive image as a moderate political force (Rivera-Escartin, 2022, 420). This also attracted the support of international organisations such as the EU, which established good working relations with Ennahda and supported the country’s democratisation

process (Colombo and Voltolini 2017). International actors were also important in pressuring conflicting parties to reach a compromise during the 2013 NCA crisis (Hassan, Lorch, and Ranko 2020, 568).

And yet, as McCarthy (2019) also wrote, consensus has been perceived more “as a symptom of a corrupted elite that is only able to agree on the distribution of state prerogatives”. The period following the 2014 revolution was therefore characterised more by this scepticism. Despite the seemingly positive outcomes in the early democratisation period, scholars point to the danger that consensus may lead to when it comes to democratic consolidation, due to the fact that “power-sharing institutions [...] create deadlock and too many veto players” (e.g. Horowitz 2014; McEvoy 2014; McCulloch 2018; in Rivera-Escartin 2022, 417).

Jouini and Ben Akal (2022, 853) spoke of high levels of polarisation and subsequent deadlock that was evident in mid-2013 during the constitution drafting process – which led to the resignation of Ennahda and the Troika government in favour of a technocratic government led by Mehdi Jomaa – and during the 2014-19 period, when the government was largely divided between the Ennahda camp and secular parties “including political figures from the old regime, the business elite, human rights groups, social activists, and labor unions”. The latter resulted in a failure to establish a stable majority between 2016 and 2019, or to advance reform, according to them (Jouini and Ben Akal 2022, 869). In fact, a number of my respondents did characterise the 2017 law banning violence against women (Chapter 5) as the only moment during that period when consensus between Ennahda and secularist parties was reached. And yet, while this thesis does highlight successful instances of reform, such as the achievement of horizontal parity in the electoral law in 2016 (Chapter 4), or the aforementioned reform to protect women and children against gender-based violence, these examples feed into the widely accepted conclusion that political rather than economic reforms were much more likely to unite parliament during this period. Yet, what this also reveals is that the power of consensus politics

in Tunisia was a tool that female MPs used in their own advocacy for women's rights advancement.

The semi-presidential model has also shown negative consequences in Tunisia. Chapter 7 in particular talks about President Beji Caid Essebsi's intervening role in the inheritance law reforms, much to the ambivalence of the legislative branch. Yet scholars maintain that the issue in Tunisia lay more with consensus politics, which, although effective during the period of post-revolutionary parliamentarianism, proved to be stifling after the presidential and parliamentary elections of 2014. In fact, scholars like Rivera-Escartin (2022, 423) blame the rise and actions of Kais Saied on the failure of consensus politics, specifically on the deadlock in the 2014-19 government that impeded the selection of judges for the new Constitutional Court. This, they maintain, meant that the Court did not function as a democratic safeguarding mechanism at a time when it was most needed.

Thus, in case of Ukraine and Tunisia, the nuances of institutional design illuminate some of the hurdles reform-oriented female MPs had to overcome as they attempted to pass gender-sensitive policies. Coalition and consensus building was marred by lack of institutionalised rules and provisions, and the level of power politics – shaped either by the semi-presidential design or the role of interest groups (oligarchs, businesses, politicians from former authoritarian periods) – allowed for some manoeuvring in the policymaking process and at the same time dictated which reforms would become a priority or, at times, made it difficult to enact rapid, vital change. Chapters 5 and 7 specifically show the limitations of presidential power over parliament, even within the system of semi-presidentialism and loyal prime ministers, while Chapter 6 reveals the opposite. Overall, understanding the background in which female MPs operated allows us to better analyse the role of reform-oriented legislative actors, dynamics of committee negotiations, the importance of formal and informal institutions, and the outcomes that Chapters 4-7 discuss.

### ***1.2.2 Women in Democratisation Literature***

As we look at Tunisia and Ukraine striding towards democratic order, it is important to now consider the role of women in this process. This thesis does not focus specifically on the transition path Tunisia or Ukraine took after their respective revolutions, nor does it evaluate the overall quality of democracy. However, in the context of women's rights and the more profound involvement of women in politics, democratisation processes cannot be overlooked.

Gender scholars have pointed out that literature on both democracy and democratisation has largely omitted women from its discussions. Tremblay (2007) wrote that while the numbers of women in parliaments have been cultivated as an indicator of the quality of democracy in any given state, the “very design of democracy and representation” historically excluded women, from ancient Greece to influential works of Hobbes, Locke, and Rousseau (Tremblay 2007, 532). Others, like Paxton (2008), argue that democracy concepts are in fact gendered, but in practice women remain excluded. This, in turn, affects our understanding of when democracies emerged in any given region, and what the causes of democratisation are.

One of the key dimensions of democracy that Dahl (1971) spoke of – participation – makes the democratic regime “completely or almost completely responsive to all its citizens”, deeming the citizens as “political equals” who must have “unimpaired opportunities” to “have their preferences weighed equally in the conduct of the government” (Dahl 1971, 2). Diamond, Linz, and Lipset, in turn, spoke of “a highly inclusive level of political participation” in which “no major (adult) social group is prevented from exercising the rights of citizenship” (Diamond, Linz, and Lipset 1995, 6). Thus, as Paxton rightly pointed out, there is no direct discrimination of women in the process, implicitly acknowledging the role of participation and universal suffrage. Yet, when it comes to the operationalisation and measuring of democracy,

women mostly disappear; if women do disappear from the data, particularly where a state is classified as a democracy in counterbalance to a non-democracy, once we look at frameworks for democratisation the measurements of what is required may be skewed. By introducing women's suffrage as a measure of democracy, Paxton was able to show how this small addition affected the shape and timing of historical waves of democracy that scholars like Huntington have focused on over the last few decades (Paxton 2008, 62; Huntington 1993). Significantly, Paxton's work weakened our perception that the West is a dominant place for democratisation, offering to reevaluate whether democratisation theories that prevail in mainstream scholarship are universal.

Waylen (2007) made an essential point on how themes from democratisation literature may help examine the role of women in the process. Looking at the systems imposed by non-democratic regimes provides an understanding of how legacies may or may not shape the transition period, from ideology to the level of previously accepted political pluralism. In Tunisia, for instance, the full ban on Islamist political parties in order to suppress any opposition built a supplementary narrative of the backwardness and conservatism of these groups in their approach to women's rights, a narrative that is still present in Tunisia today. In Ukraine, the breakdown of the imposed one-party socialist system made room for the rise of previously repressed right-wing ideologies, a large number of which aimed to re-establish the country's national identity through the use of conservative and traditional approaches, thereby affecting attitudes towards a woman's role in society. Moreover, the role of actors, institutions, and external influences on democratisations can show how women are affected in the process: the stability of political parties and the choices they make may directly influence the representation of women, or lack thereof, both in politics and as citizens more broadly; the reliance on the international context, from allies and funding to upholding globally instituted

norms, makes it more difficult to separate norm diffusion from domestic policies on gender (Waylen 2007, 34).

Thus, taking into consideration Bunce's (2000) argument that regional differences of democratisation are likely to arise, and are useful in answering some more nuanced questions (Bunce 2000), this thesis presents the background to women's interaction with the Ukrainian and Tunisian state respectively over the last one hundred years (Chapter 3), to better understand the narratives and legacies that influenced the changing character of Tunisia's and Ukraine's political systems and its approach to women's rights advancement in the 2010s.

### ***1.2.3. Policymaking: Women's Access to Formal Institutions***

The primary focus of this thesis is the role and actions of female MPs as agents of change in specific policy processes. Similarly to the field of democratisation, policy studies still largely eschew a gender focus within its frameworks. Lombardo et al. (2013) summarised scholarship that, since the 1970s, has been showing the stereotyping and neglect of women in development policies, as political institutions, namely parliaments, promote a culture of masculinity (Lombardo, Meier, and Verloo 2013, 684). Accordingly, even if a policy is considered to be gender-neutral, it is most likely masquerading a male norm and disadvantaging women. By focusing on a certain need to see what has been left 'unproblematized', in part to reveal the existing embedded norms and to change them, female policymakers can take the same non-neutral approach to policy proposals to promote their interests and rights.

Georgina Waylen's *Engendering Transitions* sought to expand the scope of scholarship that seldom accounts for the role women play in the process. She sought to challenge the notion of homogeneity of women as a group by bringing in an intersectional approach – differentiating crucial factors such as religion, class, and sexuality – as well as understanding how political

institutions are gendered. Waylen's approach to answering the key question, namely which circumstances allow for the democratic transition to lead to positive gender outcomes, looks at key actors inside and outside formal institutions, as well as the institutions themselves. This acts as a helpful background to this thesis that takes a similar, albeit micro, approach by focusing on the actions of key actors inside the political establishment. Yet, Waylen herself admitted that her study of the legislative system is defined by descriptive and substantive representation, a framework that this thesis finds limiting and moves beyond.

### *Understanding Representation in Politics: Do Numbers Matter?*

The topic of representation appears in almost all conversations on the role of women in politics. Questions such as 'do numbers matter?' have been at the centre of much political science scholarship in the last several decades. It is believed that in order for women to be able to problematise their needs in a policy format, there must be enough women in politics who are willing to take on this responsibility. Before examining literature on women in transition periods and country-specific examples of women in formal and informal institutions, we must understand the concepts of descriptive and substantive representation.

As one of the three core branches of government, the legislature's role is to make laws that extend to the whole population and hence set standards for societal order. Thus, if the legislature serves the whole population, and half of that population is female, one may expect that the institution itself would comprise of an equal number of male and female representatives. In the past several decades, various debates have permeated political science scholarship regarding the best way to increase women's presence in politics, with the 'descriptive versus substantive representation' debate being the most salient.

The delineation between descriptive and substantive representation is most prominently discussed in Hanna Pitkin's work, *The Concept of Representation*, which aimed to address the

disagreements and controversies on representation in a relatively scarce literature segment. To mitigate these gaps, she provided a differentiation between legislators who share characteristics with constituents (descriptive) versus legislators who fight for their constituents' interests (substantive), seemingly favouring the latter. Yet, because representation is "a continuing tension between ideal and achievement", she did emphasise that while descriptive representation, similarly to substantive, is relevant to political life, it is deceptive if studied alone (Pitkin 1972, 240).

Pitkin's contribution, however all-encompassing, focused on the subject in broad terms and did not directly consider women's representation in politics. Subsequent work by scholars such as Drude Dahlerup, Georgina Waylen, Sarah Childs, and Mona Lena Krook have focused their attention on female representation specifically. And yet, in doing so, have contributed to the disagreements between the types of representation that most effectively improves gender equality in the legislature.

Within the three seminal texts on critical mass theory – two by Rosabeth Moss Kanter on inequality in corporate settings and one by Drude Dahlerup on the political establishment – the concepts of descriptive and substantive representation are key. Kanter, in short, presented three possible outcomes for the increase in the number of women in the corporate setting: 1) if numbers are increased, members of minority groups can become allies and form coalitions, thus slowly changing the culture surrounding them; 2) if and when numbers increase, members of the minority groups can start becoming individuals in that environment; and 3) numbers may not be large enough to be influential, but if strong individuals are present – for instance, vocal feminists – this may still help alleviate the situation (Kanter 1977b; 1977a).

Consequently, Dahlerup's 1988 seminal work in the field of political science is based on the first principle explored by Kanter. Dahlerup's critical mass theory referred to the necessity of having a minimum of 30 per cent of women in parliament to begin levelling the

playing field. Based on the examples of female political representation in five Nordic countries – Denmark, Finland, Iceland, Norway, and Sweden – she argued instead for the need of critical *acts* rather than a critical *mass*, shifting the focus from a *group* of women to an *individual* policymaker. She voiced her support for the gender quotas system because it is seen as a critical act in changing the position of a minority that leads to subsequent change, a form of “institutional resource for the future mobilisation of women” (Dahlerup 1988, 296). She also emphasised that with this growing empowerment, women are likelier to recruit other women as candidates and colleagues, and new institutions concerning equality are also likely to be established in governments. However, she also made note of the fact that it is unclear whether an increased number of women removes the overall resistance against female politicians.

Dahlerup’s focus on critical acts has sometimes been mistakenly conflated with the notion of critical mass, a theory that has spearheaded scholarship on women in politics as well as the activity of women’s rights advocates around the world. Some scholars have since supported the need for numbers; for instance, O’Brien and Piscopo (2019) asserted that numbers do matter, and that a high number of women as lawmakers does indeed have bearing (O’Brien and Piscopo 2019). Others have gone further to argue that crossing the 30 or more per cent threshold would naturally destabilise the system and cause “the incorporation of women’s needs in the political agenda” (Walby 2009). Some scholars have opposed this in favour of substantive representation, hence Kanter’s second and third point. In our case, the emphasis on gender quotas and the concept of women recruiting other women omits the intersectionality angle, and fails to consider the competition that exists between female MPs themselves. In the example of Ukraine and Tunisia, for instance, we notice the different attitudes female politicians have towards women in other parties, depending on their background, political experience, and so on.

Importantly, then, scholars like Krook and Childs who support Kanter's and Dahlerup's initial arguments have called for a different approach to the study of representation, in part to avoid the confusion and develop beyond the critical mass theory argument. Krook and Childs offer a change in narratives: from the question of "when" women enact change to "how" this change occurs, and from what "women" do to what "specific actors" do (Childs and Krook 2008, 734). This in turn allows for a broader and more in-depth exploration of legislative behaviour, involving a variety of actors and other factors that may be highly supportive of women's rights. In the case of Ukraine specifically, we sometimes notice that female MPs use their networks inside parliament to influence male policymakers, who subsequently help the women's lobby by using their position or credence to introduce and pass certain motions and amendments.

Another nuance comes to light in Dahlerup's study. Her case selection rested on consolidated democracies; moreover, she looked at the 'Scandinavian model', a welfare state system that differs from the liberal or conservative regimes and seeks to provide full equality in the social and labour sectors (Esping-Andersen 2013; Sainsbury 1999, 76). Even if scholars have argued for the need to address gender more specifically and bring nuance to the 'Scandinavian model' itself, these countries continue to produce results that reveal a strong effort to close the gender gaps in the public and private sectors, as well as at home. Therefore, even if all countries agreed to raise the number of women in politics to achieve better legislative change in the field of women's rights, the inherent support of the Nordic social democratic systems since the 1970s and 80s makes the argument in favour of women's direct involvement in the process less clear. In the case of Tunisia and Ukraine, two countries where the socialist project led to state-sanctioned emancipation, their versions of state feminism left a warped impression within the population of the role women play in politics, the labour market, and at home, thus bringing nuance to the role or influence of socialism in this process.

Dahlerup's later clarification of her initial thesis, namely that "numbers and percentages are of only minor importance for the policy outcome" made her position much more explicit (Dahlerup 2006, 520). As will become clear in Chapter 4, in order to bring change to women's rights provisions in Tunisia and Ukraine, women had to compete with the dominant ideas proposed by their male counterparts, and overcome hostilities that existed between women themselves, building support networks on a rather shaky foundation. Thus, Dahlerup's conviction that often, under the right circumstances, even a handful of women can make a difference, supports the findings of this thesis, to which I refer as "moments of cooperation", something that several female MPs I interviewed referred to explicitly or implicitly regarding policy change in the question of women's rights.

The convoluted nature of the literature on descriptive versus substantive representation arises from the complexity of every legislative system. While women may indeed be the best at representing the interests of other women (substantive representation), therefore leading to the assumptions that the implementation of gender quotas (strengthening descriptive representation) is the most efficient way of achieving this, we do not control for the ideologies and interests of the women themselves. Not all women want to represent other women, and not all women who do have the opportunity to do so. Thus, while scholarship on descriptive versus substantive representation provides a foundation for the study of women in politics, it limits our understanding of women's legislative behaviour. Going beyond this debate allows this study to differentiate between the concept of "presence without empowerment" and female MPs who actively fight for the advancement of gender equality (Celis et al. 2013, 11).

Fewer studies focus on the specific actions of female policymakers inside the political systems. Almost all scholarship that does draw attention to this explores behavioural trends, rather than focus on specific policy processes. Michelle Swers' work on US congresswomen's impact on policymaking offers curious observations in the behind-the-scenes operations. In particular, she shows that divides in behaviour during the amendment processes on specific women's issues, especially if separated into 'feminist' and 'social welfare' questions, lay between male and female attitudes, not between Democrat and Republican party affiliation. Additionally, congresswomen, despite their party affiliation, on average showed a similar level of commitment to feminist issues, thus illustrating how the committee markup process allowed women as a minority group to "express their opposition to the majority party agenda" (Swers 2002, 83). Swers gives empirical proof that the work conducted by congresswomen in committees is crucial, even if it is not often visible immediately to the electorate. Within this thesis, therefore, a similar approach is often taken to highlight the work done by female MPs in committees, albeit on a more micro level.

A focus on specific reforms helps trace women's direct involvement in political decisions as well as break stereotypes on women's approaches to policy and decision-making. Zoe Petkanas's groundbreaking study, *Politics of Parity*, explored the ways in which the post-revolutionary transition period in Tunisia (2011-14) was gendered, and the experiences of female candidates in the 2011 and 2014 elections (Petkanas 2018). Petkanas's work was one of the first studies to focus on the intra-parliamentary dynamics between men and women that go beyond the Islamist/secularist binary, while telling the story of Tunisia's key policy processes that enshrined gender equality: the 2014 Constitution and the 2014 Electoral Law.

Importantly, Petkanas's microscopic focus on committee debates regarding specific articles and amendments, as well as an agent-centric approach that put women at the forefront of the conversation, showed the power that women inside parliament had when laying the

groundwork for future advancement of greater gender parity. Even if she highlighted the successes and failures of certain policies, such as the initial failure to institutionalise horizontal parity in gender quotas, Petkanas was also able to show the susceptibility of political convictions to change, and the legacy of these four years of political activity. This thesis builds on aspects of this legacy, showing that while the opposition to horizontal parity had consolidated in 2014, it was overcome in the 2016-17 amendments of the electoral law, when horizontal parity was passed without much resistance.

Other studies that have focused on women in Tunisia's political establishment have largely taken a mainstream approach that gives more credence to the 'secularist' groups of female MPs, either stereotyping or omitting the 'Islamist' women further. For instance, Valentine Moghadam's work on women in Tunisia has consistently fed into the Islamist/secularist binary, delineating feminist women's rights activists inside and outside the political establishment as progressive, and Islamist women as backward and a threat to gender equality. From statements that the mushrooming of political parties in the 2011 elections fragmented the progressivist bloc and allowed for "Islamist electoral victory", to downplaying the role of the forty female deputies from Ennahda that were elected in 2011, to grouping all Ennahda women under the banner of staunch opposition to the 2018 inheritance law reform (which Chapter 7 shows is not strictly true) and quoting conservative male figures to show general opposition to this particular reform, Moghadam removed nuance from her analysis of the situation, stripped most of the female MPs from their agency, and thus opted for the road most travelled (Moghadam 2022; 2018).

Mounira Charrad and Amina Zarrugh have agreed that the post-revolutionary Tunisian political landscape allowed women from different backgrounds to enter politics, and that the election of such a high number of Ennahda members into parliament, along with the active women's leadership that Ennahda MPs display, should lead scholars to reconsider the use of

the religion/secular binary lens that has featured so prominently in Tunisian scholarship for so long (Charrad and Zarrugh 2013). Yet, despite this recognition, they have been unable to fully step away from this pervasive framework, implicitly reverting to it in their examination of the 2012 controversy surrounding the term ‘complementarity’ that was used to describe women’s role vis-à-vis their male counterparts in Article 28 of the initial Constitution draft (Charrad and Zarrugh 2014). They demarcated the ‘supporters’ and ‘opposition’ of this wording strictly along the Islamist/secularist binary, a common narrative that was employed by the majority of secularist CSOs at the time. Without adding nuance to the conversation, Charrad and Zarrugh further added fuel to the fire by ‘othering’ female Ennahda politicians.

Much like Petkanas, Monica Marks has tried to break these Islamist/secularist stereotypes by giving voice to women from the Ennahda party. Marks has tried to distinguish female Ennahda MPs as well educated members of parliament, whose “brand of Islamism, like Tunisian society as a whole, is relaxed and comparatively progressive” (Marks 2011). Moreover, having herself conducted a large volume of interviews with Ennahda women, Marks has sought to shift attention towards them as agents of change by telling their stories, to illustrate their role in the decision-making process and the women’s rights agenda (Marks 2012). Not only has this helped to raise the profile of these women in the English-language literature, but it has also simply given them a voice to express and share their opinions with a wider audience. As Marks predicted in 2012, Ennahda women had indeed proved to be influential in helping to expand the women’s rights provisions in Tunisia, allowing their own perception of feminism, and their personal experiences with discrimination, to guide their firm support for many women’s rights reforms.

Building on the foundation by Petkanas and Marks, this thesis aims to take the conversation further by looking at the role of women in Tunisian politics over a longer period of time – 2011 to 2019 – as well as their behaviour in different significant policymaking

processes concerning women's rights. By tracing their work on specific reforms, the thesis seeks to establish and observe patterns of political behaviour, exploring the diversity of actions and convictions of each female politician not based on their party affiliation but rather on their individual background and experience, while at the same time highlighting the boundaries that certain MPs have concerning specific reforms.

In the case of Ukraine, the challenges women face differ slightly from those we have witnessed in Tunisia. Since its independence, Ukraine has struggled with female political representation, its numbers having been deemed small even by Eastern European standards (Birch 2003). Based on data gathered in the 1990s, Birch believed that female participation was on the rise, particularly as a result of the gradual institutionalisation of political parties, a change in Ukraine's electoral system, and the growing stance of left-wing parties (Birch 2003). Yet, Birch's expectations were not met in the decade that followed. Nonetheless, her observation that women were "becoming more prominent across the political spectrum" in the 1990s, predicted the tone of Ukrainian politics of the next twenty years, where despite the low numbers of participation a handful of women have been able to make a name for themselves and act as the faces of the female contingent of politicians (Birch 2003, 149).

However, it must be noted that not all women who have risen to prominence have been associated with women's rights and gender equality in Ukraine. Gender scholar Tamara Martsenyuk (2015) offered nuance to the idea that all women are supportive of the advancement of gender equality. The most prominent example of this is Yulia Tymoshenko, Ukraine's first female prime minister and a controversial figure in Ukrainian politics. Tymoshenko's own party, Fatherland, has in the past been found to be gender insensitive, and she herself has been categorised as a politician who supports patriarchal stereotypes (Martsenyuk 2015b).

While there was no divide on an ideological or religious level, unlike in Tunisia, there is a strong reliance on the Europeanisation narrative within literature on gender in Ukrainian politics. Tamara Martsenyuk's work on gender equality in Ukraine has assessed the situation in parliament over the years. Her 2015 report on *Women in Ukrainian Politics* distinguished between the initial state policy towards women's rights being solely based on the private sphere, to a shift towards a broader scope of gender policies in line with Ukraine's aspirations for European integration (Martsenyuk 2015a). Her recommendations, although addressing different sectors such as the media, civil society, and Ministry of Education, centred on the institutionalisation of gender quotas as a way of increasing women's equal standing in political parties and subsequently parliament. Martsenyuk's later articles paint a bleak picture of the advancement of gender equality in Ukraine in the 2010s, despite the legislative frameworks introduced and adopted by parliament in line with European requirements. She illustrated this by showing the discrepancies within political party structures, and the involvement of women in permanent delegations and other sectors in the institutions.

Tarkhanova (2021) wrote that after the 2014 revolution, gender became "a code word for a plethora of political issues", including Ukraine's European orientation, which in turn caused a number of right-wing politicians to fight for the eradication of these terms in order to show Ukraine's independence and autonomy (Tarkhanova 2021, 3). Tarkhanova's examination of certain gender policies in Ukraine from 1991 to 2017 showed how, in the context of social policy and welfare provision, gendered effects were produced after moments of crisis and rupture – such as the 2004 and 2014 revolutions – and were layered on top of existing gender norms. Her findings, particularly the contradictory messages regarding gender politics in Ukraine and the image cultivated in social policy discourses that women are vulnerable, informed the analysis in this thesis. Going beyond welfare provision, the focus on a wide range of reforms in Ukraine over the post-2014 period within this thesis aims to further highlight the

discrepancies in the state's behaviour towards women, give voice to female parliamentarians, and debunk the constructed narratives that all women are vulnerable.

Finally, scholars have also documented the inherent sexism inside and outside parliament that Ukrainian politicians experience. Several studies have been conducted to highlight this problem. Chirillo et al.'s report highlighted women's experiences in parliament: from the immense pressure put on them as policymakers, to the focus on their looks and private lives, to harassment both on and offline (Chirillo 2019, 21).

While this scholarship is crucial in presenting the sobering realities of Ukraine's gender equality progress, particularly as it aims to consolidate its democratic efforts and pivot towards European standards, it seldom focuses on the female MPs themselves and the results they have been able to achieve in a relatively short period. Although Martsenyuk emphasised in her work the creation and lobbying of the Equal Opportunities caucus, a key intra-parliamentary women's group founded in 2011, she neither provided concrete examples of their work in committee and plenary sessions, nor did she offer individual praise to the efforts of particular members of the caucus. Moreover, unlike in Tunisia, there are few mentions of the attitudes that women in politics displayed towards their female counterparts. Although in Tunisia this is usually a product of 'othering' of Ennahda women, or alternatively Ennahda women's efforts to make their voices heard, in Ukraine this has not been addressed by existing scholarship. Thus, by addressing the work of female MPs on specific policy reforms, I aim to highlight the importance in diverging opinions between politically active women in Ukraine's political landscape, and highlight rifts that existed between opposing parties, which became clear to me in personal interviews.

### ***1.2.3. Politically Active Women: Beyond the Legislative Centre***

Although this thesis focuses predominantly on female politicians inside parliaments, the scope of political activity must be defined more broadly to incorporate all efforts conducted by women outside of the formal institutions. A consideration of area and country-specific literature provides a better understanding of how women's rights movements influenced the policymaking process in Tunisia and Ukraine at certain critical moments.

Much like the political scene, women's movements are diverse and comprise of various intersections of religion, class, race, and gender. There is no *one* women's movement, and therefore there is no agreement on one explicit definition of the term (Paxton 2008, 219). Moreover, feminist groups form only a part of wider mobilised entities (Waylen 2007, 7). In fact, McBride and Mazur make a valid point regarding the use of the term 'feminist' to describe a movement or a policy: with the term becoming much more contested among actors, and resented by many activists and female politicians of the Global South due to its links to a western hegemonic approach to women's rights, it is being used less in emerging literature (Paxton 2008, 235). Specifically, we notice the uneasy attitude and resentment to the term 'feminism' in Tunisia, while in Ukraine it still plays a certain role in motivating female politicians and activists who are eager to adopt the western ways of equality. Yet, with the sometimes interchangeable use of the term 'feminist' and 'women's' organisations, the limitations placed by scholars on the field and the disregard for the intersectional approach becomes clear, something that we see happen often in the case studies discussed in this thesis.

Each movement, therefore, has its own aim, and even if this does not directly include equality or women's rights, the platform itself provides a voice to these actors. For instance, in Latin America, several women's movements have been strikingly successful in mobilising resistance to authoritarian regimes. Fernando J. Bosco (2006) wrote in detail about Argentina's Madres of the Plaza de Mayo, a longstanding group created by mothers who demanded the

return of their “disappeared sons” – tortured, kidnapped, or killed – during a time of repressive state-sponsored terrorism in the 1970s and 80s (Bosco 2006). While Bosco’s focus remained on the forces outside the formal institutions of power, and did not offer information on whether the Madres established links with politicians to achieve desired change, or the gains they made in the thirty years of their existence, his aim was to show how networks were made and sustained, and how the persistent work of the women themselves as agents of change allowed the movement to survive for this long.

Maxine Molyneux elaborated on how women’s participation in revolutions may sideline their interests as women for the greater good of the main goals. Looking at the participation of women in the Nicaraguan revolution, in which they were known to be highly influential in the fight against Anastasio Somoza’s dictatorship, Molyneux extrapolated on the complexity between socialist struggles and women’s emancipation (Molyneux 1985). While this thesis looks beyond socialism, and instead illustrates the negative effects of emancipation under socialism on the attitudes towards gender equality, Molyneux’s analysis can be applied more broadly. First, there is the issue of women’s participation in revolutions themselves. In Nicaragua, women who became involved in the struggle were immediately cast into the category of auxiliary support, or “combative motherhood” (Molyneux 1985, 228). They were therefore forced to put on hold their own interests in support of the overall struggle. Consequently, the following question arose: when should women begin to put their interests first, and how can the post-revolutionary government win support of its female population?

Second, Molyneux raised an important point that improving women’s position in the initial period of social and economic reforms is necessary for post-revolutionary governments, as it extends their political support base, improves the country’s labour force, and helps secure the family as a tool of social reproduction. While this is key to understand the government’s reasoning for placing these types of changes on top of its agenda, Molyneux approached the

issue from the state's perspective and did not offer agency to women in this particular process. A close examination of the post-revolutionary reform processes in Tunisia and Ukraine instead offers a more gendered overview of how the state's decision to focus on women's interests is shaped by the voices of politically active women, despite the fact that women are usually sidelined in transition periods.

Similar discussions are noticeable in the cases of women's movements in Tunisia and Ukraine. Importantly, both cases show the need for an understanding and respect for the historical, political, and cultural contexts in order to grasp the full complexity of the conducted work. Saba Mahmood's influential work, *Politics of Piety*, has sought to fundamentally question the feminist approach in the study of Muslim women. Mahmood questioned the universally accepted model of feminism that has been constructed and viewed through a liberal lens, and has aimed to provide a "prescription for change" to women who are deemed as oppressed or subordinated (Mahmood 2012, 10). By challenging the conventional liberal assumptions of freedom and emancipation, in which all forms of repression must be rejected, she instead detached the notion of agency from "goals of progressive politics" to redefine it in terms of the "analysis of the particular concepts that enable specific modes of being, responsibility, and effectivity" (Mahmood 2012, 14–15). In this way, Mahmood added nuance to the way Muslim women approach their rights and their piety; in the case of Tunisia, by looking at the women themselves and trying to understand their backgrounds and values, this illustrates why certain reforms were accepted by Ennahda women and others were not.

This inadvertently calls for what Molyneux (1998) and Abu-Lughod (2002), one of the leading scholars on gender in the Middle East, have called for: a respect for differences and a sensitivity to the historical, cultural, and political context of women's objectives (Abu-Lughod 2002; Molyneux 1998). Such an approach is also helpful in the study of Ukraine, where women have for the longest time been placed in the wider context of post-communist development.

Understanding why these women are keen to employ the conventional liberal assumptions and how their culture and history affects these choices will help trace and understand the attitudes towards legislative change.

Comparing the narratives of pre- and post-revolutionary Tunisia on the role of women's groups in gaining more equal rights is also insightful, as it paints a bigger picture of the fragmentation among women in Tunisia that has influenced, and sometimes hindered, policymaking. On the one hand, mainstream literature has not ceased to praise Tunisia's exceptionalism, which has mostly been demonstrated through its adoption of the 1956 CSP. On the other hand, the post-revolutionary liberalisation of speech has given scholars the space to critique the 1956 CSP, the attitudes of the state towards the work of women's rights organisations such as *L'Association tunisienne des femmes démocrates* (ATFD), and even critique their support for the regime. Charrad's 2007 article on the two waves of gender legislation in Tunisia, one under Bourguiba and another under Ben Ali in the 1990s, painted an overall positive picture of the state's susceptibility to constructive change (Charrad 2007). By contrast, Grami (2008) pointed to the "cosmetic role" of women in Tunisia, predominantly in parliament, yet also highlighted moments of activism from state-sanctioned organisations in matters such as the inheritance law debate (Grami 2008, 359). Yacoubi (2016) presented a significantly sceptical account of equality in Tunisia, referring to the CSP as Tunisia's "business card" that maintains patriarchal structures in the country, as well as undermining differences based on religious, ethnic, or racial lines (Yacoubi 2016, 261).

Muhanna's (2015) chapter on the discourses of secular and Islamist women in Tunisia sought to debunk the Islamic-secular feminist binary from the position of women's activists to show how women's ideas have been converging in the post-revolutionary setting (Muhanna 2015). This was in large part driven by their common goals of improving the situation for women in the country while being sensitive to Tunisia's cultural background. Debuysere (2016)

pointed to the crisis amid established women's organisations in the aftermath of the 2011 revolution, considering they were closely linked to Ben Ali's authoritarian regime, willingly or unwillingly. Thus, grassroots initiatives underwent their own tumultuous period: rebranding their activity, entering the social movement scene for the first time (in the case of previously suppressed groups), and attempting to overcome their inherently fragmented nature based on class divisions (with secular organisations being more likely to represent the urban middle-class and Islamist organisations representing lower and lower-middle class) (Debuysere 2016). Overall, these divisions – and moments of convergence – have played a significant role in influencing female MPs and gender-centric policymaking. Both sides have used each other as a tool for influence: female MPs have mobilised civil society groups, who in turn mobilise large parts of society, as a pressure point in a specific reform process (Chapters 4 and 6) and vice versa.

In Ukraine, while religion played an important role in the policy negotiations process itself, the situation was inherently influenced by external factors. It must be noted that scholarship on Ukrainian civil society is scarce, particularly after the 2014 revolution as the focus has generally been on foreign relations or activism in times of war. Shapovalova et al. (2018) aimed to shift the conversation towards the work conducted by grassroots organisations in a study of Ukrainian civil society since the Euromaidan (Shapovalova and Burlyuk 2018). Their work, however, did not explicitly mention or focus on women's rights organisations. Nonetheless, understanding the NGO environment in Ukraine helps see its direct involvement, or lack thereof, in certain reform processes discussed in the following chapters.

Extant literature on Ukrainian grassroots organisations tends to focus on their development since the 2004 Orange revolution, as well as their dependence on foreign support in state-building and advancement of gender equality in Ukraine. NGOs have shown strong dependence on EU and Western donors in the fight for women's rights, both in the research

stages and during the advocacy itself (Smagliy 2017). Ukrainian women's rights organisations have also remained largely fragmented, focusing on a variety of specific issues. Within the post-Soviet space, Ukraine's grassroots initiatives fighting against domestic violence have been particularly vocal on the deep-rooted discrimination women are subjected to. However, the majority of these organisations have been reliant on Western support, which, as Hrycak noted, both promotes their important cause and also makes them endorse Western government interests (Hrycak 2012, 102). Yet, contrary to Hrycak's argument, Solonenko (2015) argued that since the 2004 Orange revolution, despite the reliance on Western funding, Ukrainian NGOs have been able to make organisational changes and an "important qualitative leap" (Solonenko 2015, 220). In fact, Hrycak herself underscored the moments of cooperation between organisations and state officials which have allowed for the creation of women-centric legislation over the years of Ukraine's independence, yet the emphasis on Western financial support remained a prominent topic.

In summarising the burgeoning literature on women in democratisation processes, political institutions, and grassroots initiatives, the contributions of this research project become apparent. Political, journalistic, and oftentimes academic discourse is rife with generalisations about the way female legislators would act in a given situation. This thesis aims to dispel that notion.

First, the examples of Tunisia and Ukraine seek to add to the discussions on the complexity of actions taken by women within the political establishment, which are formed by historical, cultural, and political considerations. In Tunisia, one cannot assume that female members of Islamist parties would espouse conservative views that are deemed 'anti-equality' (as Chapters 4 and 5 in particular will show). In Ukraine, one cannot assume that women's political experience – whether they are new to politics or have built up their portfolio – will

determine whether or not they fight for women's rights. Thus, women as politicians or activists should not be treated as a homogenous entity; each individual ideology is formed through an intersection of class, background, ethnicity, religion, and so on. Yet, this does not detract from individuals coming together in cooperation on specific matters. In the case of Tunisia, it challenges the pre-established culture of 'othering' religious female MPs; in the case of Ukraine, it challenges the idea that all female politicians, due to their obvious minority in parliament, will fight to increase female representation and strengthen equality provisions.

Second, as well as highlighting these nuances, this thesis makes an important contribution to an even more nascent scholarship on women in policymaking, introducing country and policy examples that rarely feature in this format. As this section has shown, established theories of substantive versus descriptive representation are not helpful in zooming in on specific policy procedures or assessing the direct role of female MPs in these processes, while literature on women's rights movements rarely considers the advocacy of women from within the political establishments. Instead, this thesis shows that by employing a qualitative, agent-centric approach and drawing on theories that place agency at the centre – such as Bourdieu's political field theory, Kingdon's theory of Multiple Streams Approach (MSA) within policy studies, and Collins and Crenshaw's intersectionality theory (all discussed in Chapter 2) – provides the necessary theoretical and analytical tools to tackle the research puzzle at hand. At the same time, choosing a cross-regional comparative angle highlights similarities and differences in the policy process and MPs actions, which step away from rigid generalisations of theoretical frameworks (as per Molyneux's and Abu-Lughod's argument), and do not shy away from drawing comparisons between the cases to overcome the categorisation of women's groups based on their class or background.

Finally, in the case of both Ukraine and Tunisia, this thesis provides an analysis of certain reforms that have either rarely or not at all been addressed in a comprehensive manner:

in Tunisia the 2011, 2014, and 2017 Electoral Laws, 2017 Law on the Elimination of Violence Against Women, and 2018 Inheritance Law reform; in Ukraine the 2013 and 2015 Electoral Laws and 2019 Electoral Code, 2017 Law on Preventing and Counteracting Domestic Violence, and the 2018 Law on Equal Rights and Opportunities of Women and Men during Military Service in the Armed Forces of Ukraine. It is important to note that it is not the aim of this thesis to address the successes or limitations in the implementation of these laws. Rather, they serve to show women's agency in a male-dominated political environment, the barriers female MPs faced, how they overcame them, and how their actions shaped the opinions of those around them (Hessami and Da Fonseca 2020, 5; Hessami and Baskaran 2019; Lippmann 2022). As democracy is challenged or becomes increasingly restricted, in Tunisia through the authoritarian actions of Kais Saied, and in Ukraine due to martial law and full-scale war, it is ever more important to consider the overall contributions of female MPs to politics, and especially their achievements in helping to enact these legislative changes and empower women's rights advocates on all levels.

### **1.3 Methods and Sources**

#### ***1.3.1 Methods***

This study is based on an inductive method and a Comparative Area Studies (CAS) approach. CAS has been increasingly used in scholarship, as it combines “context sensitivity and knowledge of area studies with the explicit use of comparative method”, ultimately enabling both broader understanding of established theory and deeper insights into the study of specific cases (Bank 2018, 121). Drawing on theoretical frameworks from policy studies, political science, and intersectionality (discussed in Chapter 2), while giving significant attention to

historical and regional specificities of Ukraine and Tunisia allows for a more robust examination of women's rights advancement and the role of female MPs in these two states. Even though scholars have noted the "difficulty of identifying cases that are truly comparable", I believe that the study of gender reforms in Tunisia and Ukraine can still generate significant contributions to broader debates (Levy 2008). An advantage of a multiple case study approach is that it allows for an argument to be "intensely grounded in several empirical evidence", which provides wider opportunities for theoretical evolution (Eisenhardt and Graebner 2007). Thus, I derive my argument from gathered qualitative empirical evidence, and use a comparative approach to further substantiate my findings.

This project consists of two interconnected parts. The first is a detailed examination of the historical trajectories of women's rights developments in Tunisia since 1956 and Ukraine since 1991 (with a substantial consideration of the impact USSR had on attitudes towards women both on a state and societal levels). This assesses the evolution of women's political and social activism historically and in the lead up to both the 2011 and 2014 revolutions. It also considers any visible or subtle changes in women's participation during the revolutions themselves, as well as in the immediate aftermath of the popular uprisings.

The reasons for outlining these historical trajectories are threefold. First, it will allow us to observe the similarities and differences in Tunisia's and Ukraine's development as non-Western countries under authoritarian regimes (and in Ukraine's case in volatile post-independence political arena). Second, it provides the necessary contextual knowledge with which to back our study of the chosen gender-centric reforms to avoid generalisations, incorrect assumptions, and the stereotyping of women in both Tunisia and Ukraine. Third, it highlights the necessity of an actor-centric approach. As North (1990) maintains, the study of any institutions or institutional changes begins with the study of the individuals who are responsible for altering these institutions (North 1991, 97).

### *Thematic Analysis*

The second part of this study is a close analysis of the chosen policy reforms – covering political, social, and economic gender equality development – with an acquired understanding of the historical trajectories. In this section of my research, I use reflexive thematic analysis (TA) and process tracing methods. Thematic analysis is useful for “developing, analysing and interpreting patterns” in qualitative datasets through coding (Braun and Clarke 2022, 4), which allows us to highlight the most prominent topics and concerns that arose throughout the debating stages of each reform process. Coding refers to the practice of noticing “the diversity and patterning of meaning from the dataset”, during which codes are generated if “analytically interesting data” is found (Braun and Clarke 2022, 53). Consequently, reflexive TA ensures that this process is organic; through labelling relevant information with codes in datasets, a robust set of codes leads the researcher to actively develop themes. Identifying these themes paints a fuller picture of the specific things female MPs focused on in the wider fight for women’s rights, the obstacles they faced, and the level of compromise each side was willing to reach.

Thematic analysis compliments the process-tracing method well in this study, as it helps zoom in on the advocacy of female MPs during particular points in the policymaking procedure. Reflexive TA grants added flexibility, particularly when it comes to the selection of theoretical frameworks and data orientation (in this case inductive). It also treats researcher subjectivity as a “primary tool”; it considers our knowledge as “inescapably shaped by the processes and practices”, thus rewarding our perspectives and opinions as a key aspect of qualitative work (Braun and Clarke 2022, 8–12). Interrogating this knowledge during data collection, as well as the researcher’s positionality and values, allows for a better understanding of the conclusions reached in data analysis.

Once I familiarised myself with the secondary sources, I amassed a foundation of broad themes that emerged from the literature, such as, for instance, secularism versus Islamism in

Tunisia or the limited impact of civil society in Ukraine pre-Euromaidan. I then gathered primary material from sources outlined in the next section, and used reflexive TA to see whether I could induct more themes from the information provided, and deduct additional material in support of the themes generated from extant scholarship. The reason for doing this was to explore the policy processes in more depth and ascertain the level of biased reporting that may or may not exist when dealing with women's rights reforms. While this type of bias is not central to this thesis – as I do not focus on portrayals in the media, for instance – it nonetheless adds nuance to discussions on the role of Islamist women in Tunisia or the influence of established and well-known female MPs in Ukraine (both topics being key in much of the literature on the subject).

Using the NVivo software, which helps streamline and visualise sources, I read through fifty-seven Tunisian and fifty-six Ukrainian documents; as the 'Sources' section below will explain in more detail, these were official government transcripts – plenary session meetings, committee meeting minutes, draft bills, supplementary notes, amendment tables, and so on – as well as Facebook posts (a frequently used platform in both Tunisia and Ukraine). Alongside these documents, I also uploaded transcripts of thirty-eight semi-structured interviews I conducted in 2019 and between 2022 and 2023.

I began labelling – 'coding' – words and sentences I inducted were important for each reform. Once all the documents were annotated, I began identifying common themes, which Braun and Clarke refer to as “a pattern of shared meaning organised around a central concept”, as well as subthemes (Braun and Clarke 2022). So as to avoid having too many themes, which makes them “thin and scrappy” and detracts from in-depth analysis, the following ones informed my understanding of what the female MPs dealt with during the policy processes (in no particular order):

1. 'religion' = subthemes '*religion causes reversal of rights*', '*religion is sacred*', '*Islamism versus secularism*', '*religion and geopolitics*'.
2. 'gender' = subthemes '*gender destroys families*', '*gender is a pro-European concept*', '*gender is a progressive concept*', '*gendered outlook on politics*', '*hierarchies among women*'.
3. 'culture' = subthemes '*conservative cultures*', '*persisting patriarchy*', '*family life is private*', '*safeguarding Ukrainian/Tunisian culture*'.
4. 'political participation' = subthemes '*driven by competence*', '*constitutional right*', '*female empowerment*', '*heterogeneity of views among women*'.
5. 'legacies' = subthemes '*legacy of mistrust*', '*between Russia and Europe*', '*Tunisian exceptionalism*', '*Bourguiba and the Code of Personal Status*', '*systematic oppression of women*'.

While some subthemes did overlap, grouping them under broader themes allowed me to do two things: one, it made me very familiar with the primary source material, and two, it allowed me to see what arguments were driving the policy cycles in post-revolutionary Tunisia and Ukraine. Overall, it also helped identify the broader camps 'for' and 'against' any women's rights policy mentioned in Chapters 4-7. The same names of individuals tend to appear throughout all chapters, and their opinions rarely change. And if they do, this approach helped delve deeper into "complex social phenomena" (Delve, Ho, and Limpaecher 2024).

### *Process Tracing*

Process tracing assists with causal process observations and helps explore the "chain of events or the decision-making process", ultimately providing a sufficient explanation for the events that led to a specific outcome (Collier 2011, 823–24). As we use an inductive method within

this thesis, process tracing starts “with observations and the historical record, and then explores whether the evidence allows for the identification of intervening variables, causal mechanisms or causal chains at work” (Trampusch and Palier 2016: 444). Little (2015), who himself is a proponent of a realistic approach to research that is guided by the understanding and assumptions of how the world works, explains that mechanisms are “concretely instantiated [...] through the actions of individuals situated within institutions and norms” (Little 2015, 468). Process tracing, therefore, allows us to analyse and probe the established causal mechanisms, whether in theory or prior empirical work, in this case through a close examination of the actions of the individuals, namely female MPs. Using process tracing to analyse the empirical findings within Kingdon’s policy theory framework, explored in Chapter 2, will not only help understand how certain reforms originated, but also the extent to which policy theory is able to fully grasp the actions of these actors in the cases of democratising Ukraine and Tunisia.

Process tracing helped achieve several things within the empirical chapters. First, as mentioned in the previous section, process tracing focuses on the “unfolding of events or situations over time” (Collier 2011, 824). Thus, within the empirical chapters it allowed me to first utilise the descriptive inference to “adequately describe an event or situation at one point in time”, which then permits sound analysis of change and the factors responsible for this (ibid.). Second, following George and Bennet (2005) and Mahoney (2004), the empirical chapters follow the process analysis type of process tracing, namely the mechanism through which “independent variable exerts an effect on the dependent variable” (George and Bennet 2005). Mahoney describes it as the following: “the analyst starts with an observed association and then explores whether the association reflects causation by looking for mechanisms that link cause and effect in particular cases” (Mahoney 2004, 88).

In our case, as per the inductive method, process analysis allows us to conceptualise whether there is a causal chain (or how strong this chain is) between the independent variable (IV) – reform-oriented female MPs and their activity in parliament – and the dependent variable (DV) – the bill that was introduced, debated, and adopted or rejected by the legislative. It also allows us to view the role that certain intervening variables – such as the strong presence of civil society and the presence or pressure from international actors – played in these causal chains.

### **1.3.2 Sources**

My empirical dataset was based on a large number of secondary and primary sources, and developed in several stages. Alongside extant academic literature, secondary sources included newspaper articles and op-eds, reports from civil society and international organisations, and interviews conducted with politicians that I found in newspapers, on the radio, or on Facebook video/YouTube. Primary sources – discussed in more detail in the next subsections – largely comprised of official government documents, parliamentary statements, semi-structured interviews, and social media posts made by politicians and women’s rights advocates in Tunisia and Ukraine.

I began by reviewing secondary literature accessed at the Bodleian Libraries in Oxford and online. This literature helped me establish the historical context of both states, post-revolutionary developments on the role of women in Ukrainian and Tunisian societies and politics, the evolution of the role of civil society, and the states’ relations with their foreign partners. Newspapers and periodicals such as *Ukrayinska Pravda*, *Radio Svoboda*, *Hromadske*, *LB.ua*, *Korrespondent.net*, and *New Voice* in Ukraine, and *Jeune Afrique*, *Le Temps*, *La Presse*, *La Depeche*, *Mosaïque FM*, *Kapitalis*, *Nawaat*, and *Business News* in France and Tunisia were

most frequently consulted. They provided information on specific events, such as protests, political meetings, and social crises pertaining to gender inequality in both countries.

The timeframe for the initial search was set between 2011 and 2021 for two reasons. First, it gave me an opportunity to observe the political situation in both Ukraine and Tunisia over a ten year period, even if this thesis ends its empirical journey in 2019 (with the passing of the Electoral Code in Ukraine and the indefinite tabling of any discussions on the inheritance law reform in Tunisia). For Tunisia, this period seems intuitive: the 2011 revolution resulted in regime change that promised a bright democratic future for the country, and the 2021 self-coup orchestrated by President Kais Saied, followed by the rewriting of the Constitution and the persecution of his opponents, inevitably ended (or temporarily suspended) that chapter in Tunisia's history. For Ukraine, while the 2014 revolution marked the beginning of Ukraine's firm pro-European choice, important legislative developments took place in the period leading up to the Euromaidan and the implosion of Yanukovich's authoritarian regime. Second, being up to date on how the media portrayed the reforms I focus on even if they were adopted long before 2021 prepared me for my fieldwork and conversations with politicians, academics, and civil society activists in both countries.

I also consulted reports from the Council of Europe, OSCE, and UN Women, and international organisations such as the Heinrich Boll Foundation, the National Democratic Institute, International IDEA, and International Foundation for Electoral Systems (IFES), as well as from domestic civil society organisations: Association of Tunisian Women for Research and Development (AFTURD), Tunisian Association for Democratic Women (ATFD), *Collectif 95 Maghreb-Egalité*, and the Arab Barometer research network, and in Ukraine The Ilko Kucheriv Democratic Initiatives Foundation, NGO *Chesno, Povaha*, Gender in Detail, and "Women are 50% of Ukraine's success" platform. These offered specific and in-depth

information – data, interviews, and insights – on certain topics such as violence against women, female political participation, and overall inequalities endured by women in both states.

While initially I envisaged that interview responses would form the majority of my data sample, three major factors hampered my data collection process: the COVID-19 pandemic, war in Ukraine, and reversal to authoritarian tendencies in Tunisia. This meant that I was not able to conduct as many interviews, either in person or online, as I originally intended. For this reason, I decided to focus more closely on document analysis, making the most of the available open-source material online. I supplemented my document analysis with data from thirty-eight interviews, conducted both in person and online.

#### *Official Government Documents and Records*

For the purpose of establishing causal chains and effectively tracing and analysing the process of introducing, debating, and passing draft bills that focus on advancing women's rights, I gathered, read, and evaluated open-source primary information found in the Tunisian and Ukrainian parliamentary databases; among these were minutes from plenary and committee hearings, voting information, legislative timelines, and official reports by parliamentary groups and CSOs. This information allowed me to further explore the themes that were initially developed during the analysis of secondary literature, and at the same time actively generate new themes that may have been absent from extant scholarship. For example, the role of religion in Ukraine is not often addressed in literature on women's rights, yet in parliamentary records of plenary hearings this became a recurring theme in the fight for the legislation banning domestic violence. I was also able to establish a sequence of events, understand who the vocal contributors to the reform process were, and gather the main ideas and themes that generated most of the backlash to the proposed draft bills.

In Tunisia, most records were easily available through the online portals set up by Al Bawsala, an independent Tunisian NGO. One of their projects, Marsad Majles, is an online platform that provides free access to all data on political activities of the National Constituent Assembly (NCA) and the Assembly of the People's Representatives (ARP), from politicians' profiles, draft bills, and committee meeting minutes, to voting data. Having this information readily available has proved invaluable for the research conducted in this thesis. In rare cases where the data was incomplete or not available, I sought to find other free online databases. All documents and committee minutes used in this thesis were either in Arabic or French. If a source was in Arabic, I used my working knowledge of the language to identify the necessary passages, which I then translated with the help of online translation software and dictionaries. If the documents were in French, I was able to translate them myself.

In the case of Ukraine, all necessary data is stored on the official web portal of the Ukrainian parliament, the Verkhovna Rada. Similarly to Al Bawsala's database for Tunisia, the web portal contains lists of politicians elected to every assembly since 1991, their biographies and committee affiliations, as well as all draft bills and supplementary material (introductory notes, amendments tables, introduction and debating timeline, and voting data). All of the information is provided in Ukrainian, which I was able to translate myself. As in the case of Tunisia, this information was crucial to understanding the explanations behind each proposed reform, who the signatories of the initial draft bills were, and what amendments were introduced in the process.

The main difference between data accessed for Ukraine, in comparison to Tunisia, was that all the data from plenary sessions appeared in the form of transcripts. In Tunisia, this was typically presented as a summary, although each politician was attributed their thoughts, and access to committee video recordings on YouTube provided additional detail. In the case of Ukraine, there is limited data on the conversations held in specialised committees, unlike in

Tunisia. However, the data that I was able to access was still plentiful for the purposes of this thesis. Where gaps were obvious, or more information was needed, I sought to conduct interviews with actors who were directly or indirectly involved in all the policies discussed in this thesis.

### *Elite Interviewing*

To supplement the knowledge gained through analysing official government records, I conducted elite interviews with subjects that were directly, or at times indirectly, involved in the political and policy processes in Ukraine and Tunisia: politicians, activists, and academics. This project draws on thirty-eight semi-structured interviews; twenty-four were conducted as part of my DPhil data collection period between 2022 and 2023, eleven with Tunisian and thirteen with Ukrainian respondents. Respondents ranged from high-profile female politicians, both active and retired, as well as prominent academics and women's rights advocates. A further fourteen interviews that inform Chapter 6 of this thesis were conducted as part of my MPhil project in 2019 in Kyiv, Ukraine. My DPhil fieldwork was approved by the Social Sciences and Humanities Interdivisional Research Ethics Committee (research ethics reference: R76261/RE001), and my MPhil fieldwork was approved by the Oxford School of Global and Area Studies Departmental Research Ethics Committee (OSGA\_REES\_C1\_19\_073).

Interviews included influential female politicians, academics, women's rights advocates, lawyers, and servicewomen and men. As I study the role of female politicians in the process of enacting gender-centric legislative change, my selection criteria were guided by the interviewee's relevance to a particular draft bill, namely whether they were directly or indirectly involved in the drafting, negotiating, advocacy, or final decision-making stages.

Thus, more than half of my interviewees, particularly female politicians in both countries, were directly involved with one or more legislative reforms discussed in this thesis, which provided valuable insights into the timeline and negotiations that occurred behind closed doors, and filled in many gaps found in official documents. Moreover, during my DPhil fieldwork, I interviewed twenty-three women and one man. While I understand the potential biases of this sample, it was a conscious choice as I wanted to hear the opinions and experiences of politically active women to better understand the dynamics between them, and their views on what led to the largely successful outcomes of the policy processes discussed in this thesis.

The majority of my contacts were acquired through snowball sampling, whereby my initial contacts introduced me to other activists and politicians who played a role in the process. This method was useful in helping me establish the chains of events through the respondents' interactions with one another at critical points within the decision-making process. At the same time, understanding the potential limitations of this method, namely the biased nature of the referral system that could make a singular view the dominant one, influenced my consequent analysis of the conversations that I had with my respondents. It is worth to note that a number of my potential subjects failed to respond to my request for an interview or, in some cases, commit to an appointment. In my experience of in-person interactions in Tunisia, this may be indicative of the need to be present on the ground in order to establish relationships and gain trust, as well as to show flexibility and adaptability in scheduling. In cases where I relied on a particular interviewee to provide a different perspective, namely the narrative of the opposition in Ukraine or of a long-standing member of Tunisia's Ennahda, I sought to supplement my knowledge by accessing past interviews with these subjects from secondary literature to better understand their positions on particular pieces of legislation.

Upon introducing myself to my respondents, I briefly reminded them of the scope of my project. I then asked for their oral permission to participate in the interview, for our

conversation to be recorded, and for this material to be used as part of my thesis; I reminded them that they have the option to remain anonymous, however none of my respondents used this provision and formally introduced themselves on record. Nonetheless, with the challenging political climate in both countries, particularly the growing repression of activists and politicians in Tunisia, I made the decision to anonymise my sources to ensure their safety in the present and the future.

Although I used a pre-prepared question template, all interviews were conducted in a semi-structured manner. This way, I was able to have a more natural conversation with the interviewees and find out detailed information about a specific question or topic. The question structure was most useful when the interviewees lost focus, or the conversation diverted from the topic. On average, most respondents ended up commenting or sharing their own personal political views. In the context of discussing legislative and political developments this, to an extent, is unavoidable. If I felt a shift towards this rhetoric, I politely brought the conversation back to women's rights and legislative policies discussed in this thesis, even though it contextualised their responses and informed my subsequent analysis of our conversations. I myself did not engage with these comments or disclose my own political opinions at any point.

*On language and positionality.* Most interviews were conducted in Ukrainian and French, with several conducted in Russian and English. During my fieldwork in Kyiv in 2019, I conversed in either Ukrainian or Russian, depending on the respondent's preference. In the 2022-23 data collection cycle, however, I spoke exclusively in Ukrainian. Language has been a complex and sometimes controversial topic in the country. Although Ukrainian was declared the official language of the state at independence in 1991, a combination of inconsistency in domestic language policy and Russia's weaponisation of its language in former Soviet states as a means of political influence has rendered Ukraine a de facto bilingual state. A firmer stance

on language policies since 2014 – and particularly in the wake of the full-scale invasion of Ukraine in 2022 – has meant that the majority of the population is willing to use Ukrainian as its main language, and speaking Russian in public is increasingly frowned upon. As a native speaker of both Ukrainian and Russian, I was able to navigate the linguistic landscape without causing tension with any of my interviewees. Moreover, as a fellow Ukrainian devoted to the study of my native country I was able to gain my respondents' trust and capture the attention of the more sceptical and busy high-profile politicians, who saw our interview as a means of documenting their legacy and a form of networking.

Despite temporal and financial constraints, I conducted fieldwork in Tunis and the Greater Tunis area; through conversations with locals, I was able to gain a better grasp of the local culture and political situation. My respondents were fairly candid with me, and while I admitted to them that my previous research background focused on Eastern Europe, I did not feel any significant barriers in our conversations or their perception of me. On the contrary, all my interviewees were happy to talk about the politics of women's rights in Tunisia, and were pleased that the topic remains on the research agenda. In my interviews I relied heavily on French and sometimes English. Although I began learning Arabic intensively in 2020, my nascent speaking skills meant that I had to use my knowledge of French in conversations. While French is a common language, scholars have noted the correlation between the knowledge of French and greater social mobility and higher education (Sayahi 2021, 111). Thus, using only French is not representative of the whole Tunisian population, and may even play into the divides of the secular/Islamist polemic. Nevertheless, I focused specifically on developments in the political establishment, and all my interviewees, regardless of their political affiliation or social background, spoke the language. Using interviews to fill in the gaps in information provided by official documents, and critically noting the background of each interviewee helped me overcome some of these limitations. Reading interview-based literature conducted

by scholars in the region, where the material had been translated from Arabic to French or English, was also useful in the overall process.

### ***1.3.3 Access and Disruptions***

The majority of the work for this project was conducted between autumn 2020 and summer 2023. During this time, I faced multiple disruptions to data collection. My initial fieldwork was delayed due to the COVID-19 pandemic and travel restrictions, meaning that I could neither spend prolonged periods of time in either country, nor amass a large network of respondents. In 2022, when travel was finally made easier and I began planning fieldwork, Russia invaded Ukraine, and any fieldwork in Kyiv looked highly unlikely. I was, however, able to travel to Tunis in early 2023 and later interview people remotely, although interviewees were much less responsive to online interviews than in Ukraine. Additionally, political crackdown on the ‘opposition’, a broadly applied term by the regime, has meant that many of those whom I still wanted to interview no longer responded to my emails, messages, and requests. At the same time, I decided not to travel back to Tunis to conduct additional interviews, as any in-person interactions may put those who are deemed as unfriendly to the regime in more danger.

In the case of Ukraine, the war radically changed the way in which I could conduct fieldwork. Unable to be physically present in Kyiv, much like in Tunis, complicated the way in which I reached respondents. Deciding to delay data collection until the end of 2022, when the political situation was clearer and people were beginning to build their daily routines in the ‘new normal’, I was able to talk to all my respondents via Zoom. I remained sensitive to the conditions, and reiterated that my respondents should interrupt the interview at any point in case of an air raid and if they needed to take shelter. The process was relatively easy with activists and academics, despite power outages and air-raid sirens. Scheduling and using online

platforms became a hurdle in conversations with parliamentarians, primarily due to their busy schedules. Yet, I was still able to access important opinions that informed Chapters 4-7.

## **1.4 Thesis Structure**

### **Chapter 2. Theoretical Framework**

Chapter 2 introduces the theoretical frameworks that will be applied to Chapters 4-7. The exploration of policy theory, namely Kingdon's Multiple Streams Approach (MSA) framework among others, helps break down the policymaking process into segments, from identifying the problems and solutions proposed, to exploring the role of the actors in mobilising these elements at an opportune time, referred to as the window of opportunity. As well as helping trace the process of reforms in Tunisia and Ukraine, Kingdon's MSA framework provides an intuitive structure for Chapters 4-7. Bourdieu's political field theory, in turn, allows us to closely study the behaviour of female MPs and the reasons behind their decisions to fight for women's rights in male-dominated political environment. Finally, a review of the intersectionality theory complements Bourdieu's theory and takes it further, highlighting the importance of a holistic overview of individual agents.

### **Chapter 3. Tunisia and Ukraine: The State's Approach to Women in Modern History**

This chapter takes an historical approach to establish the background for Tunisian and Ukrainian current trends and advances in women's rights. It traces – and questions – the achievements of Ukraine's and Tunisia's state-sanctioned feminism, and the extent to which this has affected the post-revolutionary developments of gender-centric reforms. Chapter 3 validates the importance and topicality of this cross-regional study by highlighting important similarities between the two states.

#### **Chapter 4. Shaping the Political System: Electoral Laws in Tunisia (2011-17) and Ukraine (2013-19)**

Chapter 4 explores the issues Ukraine and Tunisia have faced in their previous parliaments and the origins for parity provisions in Tunisia's and Ukraine's electoral laws of the 2010s. The chapter traces the obstacles and resistance towards these changes that were overcome by female activists, inside and outside the political system, to successfully adopt these reforms. Taking an actor-centric approach, the chapter introduces a number of female MPs in Ukraine and Tunisia who are known to be active proponents of gender equality, emphasising their important role in the fight for greater women's rights.

#### **Chapter 5. The Personal is Political: 2017 Laws to Combat Violence Against Women in Ukraine and Tunisia**

Chapter 5 focuses on the issues of gender-based violence and the reforms that have been put in place to legally combat it. It outlines how this problem has affected Tunisia and Ukraine specifically, what policies have been introduced in both states, and the role female policymakers have played in pushing for crucial change. It then traces the process of introducing, debating, and negotiating the 2017 draft laws in the Tunisian and Ukrainian parliaments, the obstacles women faced in trying to adopt these crucial laws, and the compromises made in the course of discussion. The chapter continues to highlight the recurring power struggle between reform-oriented female MPs and the conservative prevailing order.

#### **Chapter 6. Reimagining the Military: 2018 Gender Equality Reforms in the Ukrainian Armed Forces**

Chapters 6 and 7 take a more country-specific approach. This chapter is concerned with the 2018 gender equality reforms in the Ukrainian Armed Forces. In the wake of the illegal annexation of the Crimea and the beginning of the war in eastern Ukraine in 2014, and with the armed forces in disarray, volunteer battalions that consisted of both men and women were formed to defend the state. Their reintegration into the official army structures in 2015 exposed the systemic inequalities and limitations for servicewomen. This chapter shows how female activists were able to catch the attention of female MPs and together promote a gender equality law in the most masculine and conservative wing of the Ukrainian state – the military establishment.

#### **Chapter 7. Back to the Drawing Board: The Failure of the 2018 Inheritance Law, Tunisia**

Chapter 7 examines the attempts to reform the Tunisian inheritance law in 2018. Despite its failure, it resurrected a topical and important debate in Tunisian society, and revealed persisting boundaries and antagonisms within the political establishment, even among female MPs. While this chapter acts as a deviant case study to show that not all gender-centric reforms were successful, tracing the process of debating and negotiating this sensitive matter still adds gravity to the overall study of the role women play in the political establishment. It provides an important insight into how women from opposing political parties conduct themselves vis-à-vis their female counterparts when debating such sensitive matters, and reinforces the crucial role of cooperation, without which change like this is more unlikely.

#### **Chapter 8. Conclusion: Future Trends in Achieving Gender Equality in Democratising States**

Chapter 8 summarises the theoretical frameworks used in this thesis, historical context, and empirical findings outlined in Chapters 4-7. It once again underlines the importance of an actor-centric approach in the study of politics, and the key addition that women make to this scholarship. Finally, the chapter explores future academic and policy-level prospects in gender equality advancements in Tunisia and Ukraine, as well as democratising states more generally.

## CHAPTER 2. THEORETICAL FRAMEWORKS

To illuminate the involvement of female MPs in their pursuit of gender-centric policies in democratising parliaments of Tunisia and Ukraine, this thesis is largely concerned with three different groups: the state, legislative institutions, and the actors themselves. Within the Comparative Area Studies (CAS) approach, which is sensitive to both local and regional context while at the same time comparing various communities “against the backdrop of more general concepts and theoretical debates” (Köllner et al 2018, 3), I employ three theoretical frameworks: Pierre Bourdieu’s political fields theory, John Kingdon’s Multiple Streams Approach (MSA), and Patricia Hill Collins’ interpretation of the intersectionality theory. All three approaches highlight the complexities of each reform process in Chapters 4-7, while focusing primarily on the agents of change – female MPs.

Bourdieu’s analysis of the political field tackles the broader topics of interactions between agents in political institutions, and considers the motivations behind their actions, namely the urge to compete for power and for their ideas to become the dominant drivers of decision-making. Kingdon’s MSA allows to substantiate these speculations by dissecting particular policymaking processes into different stages, which provides an insight into how policy is made and demonstrates the role agents play in influencing the process. This allows us to not only analyse the different reforms discussed in Chapters 4-7, but also to see how female advocacy steers the process. Finally, upon close examination of both the policymaking procedure and female MPs’ role in them, Collins’ intersectionality framework allows us to recognise how the different identities of female MPs, and their backgrounds and experiences, have shaped the way they view the world, and the ways in which this influenced their ideas and work in the political establishment.

The previous chapter showed the restriction of using the framework of descriptive versus substantive representation in politics, as it does not grant agency to the female

politicians, and misses the point that the shortcomings of gender quota provision do not lead to a stagnation of gender-centric policymaking. Scholars have also outlined the limitations of numerous theories that have in the past been used to study Ukraine and Tunisia respectively. For instance, writing about the impact of international frameworks on domestic gender policies in Ukraine, Hrycak (2012) outlined the shortfalls of world polity theory and world civilization theory. She explained that they either assume that all states in the post-Soviet space would have the same policy developments (world polity theory), or would all be doing this to look favourable vis-à-vis the Western world (world civilization theory) (Hrycak 2012, 100). Schmidt (2020), focusing on gender politics during Tunisia's transition period of 2011-14, showed the limitations of social movement theory as well as policy research frameworks, specifically their narrow approach to wider phenomena (Schmidt 2020, 37). Both have highlighted the limitations of applying a number of mainstream feminist theories to the study of Ukraine and Tunisia, which is why this project has opted for the intersectionality framework that illustrates the interplay between all types of discrimination and privilege, and is more applicable to non-Western states.

Thus, in line with a Comparative Area Studies (CAS) approach that consciously considers "local context and area-specific scholarly discourse while leveraging some version of the comparative method", the three frameworks chosen here proved helpful for understanding how groups of female MPs in Tunisia and Ukraine were able to navigate the male-dominated environment to introduce, negotiate, and ensure the adoption of crucial gender-centric reforms (Ahram, Köllner, and Sil 2018, 5). If applied separately, the above frameworks fall short of explaining the details of the policymaking process. When used together alongside the contextual knowledge provided by an area studies approach and a political science methodology, they act in tandem to paint a fuller picture of the legislative environment in post-revolutionary Ukraine and Tunisia, thus achieving what CAS sets out to

do – overcome the divides “between a context-bound narrative and universalising comparison” – and add fresh insights to political science literature on democratisation and women in politics (Ahram, Köllner, and Sil 2018, 14).

## **2.1 Bourdieu’s Political Fields**

It is important to conceptualise the field of politics as one predominantly constructed and shaped by agents. Pierre Bourdieu’s agent-centric approach is therefore key to our study of women’s agency in the gender-centric policy processes in Tunisia and Ukraine. Schmidt (2020) in her analysis of gender politics during Tunisia’s transition period of 2011-14 strategically applied Bourdieu’s theory to explore the dynamics of competition over political power that ultimately drove the advancement of women’s rights during that period. Where Bourdieu’s concepts were binary, such as in his elaboration on the concept of ‘di-visions’, Schmidt provided a useful adaption to the original approaches and also complemented this framework with an intersectional approach to bring nuance to her discussions.

As she explained, Bourdieu’s theory helps us understand political competition as “dual competition over ideas and access to state institutions” and, more importantly, because it applies “a relational perspective”, which allows us to evaluate policies as “results of relations between actors instead of an independently formed interest of one actor” (Schmidt 2020, 69). The latter point is especially key to the present study, as policies do not originate in a vacuum. Thus, in seeking to understand how women’s agency influenced the policymaking process in Tunisia and Ukraine, it must be examined in relation to the institutions in which they operate and in relation to the interactions with male MPs and between female MPs themselves. As a result, this project seeks to expand on Schmidt’s useful adoption of Bourdieu’s political field theory to examine Tunisia’s progress over a longer period of time, as well as exploring the

dynamics of competition of power and ideas in the case of Ukraine. At the same time, this project aims to pay more attention to the intersectionality framework to unpack the dynamics present in the parliaments of both countries. This section will thus focus on both the original theory proposed by Bourdieu, and on variations introduced by Schmidt.

For Bourdieu, at the heart of politics lies “competition between the agents” of power and ideas, which in turn produces “issues, programmes, analyses, commentaries, concepts and events” (Bourdieu 1991, 172). ‘Power’, loosely defined in his work, generally refers to the desire for a higher and more consolidated position in political institutions. ‘Ideas’ are basic interpretations of the social world that shape it; one of the more influential ideas, according to Bourdieu, is the idea of di-visions, which determines the individual’s positions in society. ‘Stances’, in contrast, are more concrete than ideas and are usually voiced by politicians in policymaking.

Bourdieu argues that ideas do not originate in a vacuum. Instead, he calls for a need to acknowledge the socio-historical conditions that led to the production and construction of political discourses and ideas used by representatives (Bourdieu 1991, 28–29). Here, a thorough understanding of the historical background that influenced gender politics in Tunisia and Ukraine (Chapter 3) will reveal patterns and trajectories of ideas that have been used by female MPs in discussions and negotiations of gender policies. At the same time, looking at the socio-historical elements that Bourdieu speaks of through an intersectional approach adds nuance to the dynamics of power and ideas that become visible in Ukraine’s and Tunisia’s parliaments.

The introduction and production of ideas is also always relative to the desire for power; in Bourdieu’s words, this helps explain why certain proposals gain much more support than others because they are proposed by those “capable of manipulating ideas and groups at one and the same time” (Bourdieu 1991, 182). The value of the proposed ideas, therefore, is

measured not “by their truth-value” but instead “by the power of mobilization that they contain”, which to Bourdieu is “the power of groups that recognises them” (Bourdieu 1991, 190). Along with an understanding of the socio-historical background in Tunisia and Ukraine, idea manipulation and voter mobilisation help explain the reasons behind the successes and failures of certain narratives proposed by female MPs in policy negotiations.

For instance, the noteworthy opposition to the term ‘gender’ voiced by both Ukrainian and Tunisian politicians in discussions on laws banning violence against women are a good example of how ideas can be manipulated and utilised against a certain cause. In the rhetoric of conservative MPs – those who largely support the prevailing order – the term posed a danger to the traditional concept of family. Although there is no proof that this is in fact the case, this power of mobilisation of both internal and external support against this terminology meant that neither the Tunisian nor Ukrainian legislation subsequently featured this word. Whether this was achieved due to an actual conviction that the term ‘gender’ would alter the fabric of society, or to maintain some political power in the face of progress, this incident acts as one of many examples of how the competition of power and ideas can play out in legislative processes.

In Schmidt’s analysis, Bourdieu’s concepts of stances and ‘di-visions’ play a prominent role and as a result, she offers a more nuanced adaptations of Bourdieu’s original idea; hence Schmidt’s variation is also employed in this thesis. For Bourdieu, the principles of vision and di-vision refer to the way in which the social world is constructed by agents, and is subsequently categorised and divided to avoid chaos. Consequently, hierarchies and divisions are established predominantly due to economic and social factors, but can also be based on ethnic, religious, or other principles (Bourdieu 1989, 19). In this sense, Bourdieu’s concepts of *doxa* – the unquestioned, ‘naturalised’ assumptions that support the prevailing order – and ‘heresy’ – a critical break with the *doxa* – become useful when viewing how agents in Ukraine and Tunisia interact with the established system (Bourdieu 1991, 127–28).

While this concept is useful to our understanding of how reform-oriented female MPs sought to challenge the patriarchal political institutions, Schmidt rightly points out that the original explanation proposed by Bourdieu is one-dimensional because it portrays the situation as having two poles: *doxa* and ‘heresy’. On the contrary, as Schmidt’s own analysis shows, and as this thesis will illustrate, ‘di-visions’ can be intertwined, and stances can focus on more than one ‘di-vision’. Multiple opposing stances can exist towards the prevailing order, and these stances can also stand in opposition to each other (Schmidt 2020, 269). The way in which this is overcome, or not, becomes a crucial part of the analysis.

Thus, as Schmidt concludes, it is more important to trace the interactions between the various ‘di-visions’ and stances to see how they are interlinked and what role they play in the policymaking process. In Ukraine, for instance, women generally seem to agree with each other when it comes to specific gender policies, perhaps because there is still a relatively small number of women in parliament. However, there are still differences in the ways they approach the topic of women’s rights, the extent to which they challenge the status quo in discussions regarding amendments to the proposed draft bills, and how they perceive other female MPs in parliament. In Tunisia, perhaps the biggest divide in stances is visible in the activities of Ennahda women versus the ‘secularist’ female MPs. Both sides show equal determination in advancing women’s rights provisions; yet ignoring the conflicts that simmer and grow between these two sides and grouping them together as heretics in Bourdieu’s concept would render the analysis of the situation incomplete. Thus, Schmidt’s proposal to view these concepts as less binary and one-dimensional adds the necessary complexity to the study of women in Tunisian and Ukrainian politics.

Finally, Bourdieu’s explorations of language, such as words and names that can be used to frame social realities both by the opposition and the prevailing order is an important consideration in this thesis. Just as structures are put in place by agents through the imposition

of visions and ‘di-visions’, it is also up to them to challenge these perceptions. Established views or “old political vocabulary” are either fought to be abandoned or preserved, and in some cases retrospectively reconstructed to fit a past “to the needs of the present” (Bourdieu 1989, 20–21). We see this occur in Tunisia and Ukraine after the revolutions of the 2010s. Neither post-revolutionary political system was completely opposed to women’s contributions to the political and economic fields; as a result, the prevailing order did not consider it a necessity to reimagine this topic. However, even if the provision existed and was supported by the status quo, equal representation was circumvented by groups and agents who constructed their own hierarchies in political parties, subsequently excluding women from top positions. The aim of female MPs as agents of change, then, was to challenge the old vision and ensure a more robust approach to an issue that seemed to be resolved.

In Ukraine, for instance, a driver for change was the mobilisation of female activists and civil society to support more progressive and equal rights, be it through electoral quotas or during service in the armed forces. In the case of the latter, the popularity of the *Invisible Battalion* sociological study on the inequalities and limitations that servicewomen faced in the Ukrainian army provided several female politicians with the opportunity to pioneer the first reform of this kind in the military. It also initiated the review of Ukraine’s outdated labour code, thus helping augment the status and power of female parliamentarians within the Verkhovna Rada. In Tunisia, the mobilisation of women’s rights organisations helped control and influence the internal struggle between a male-dominated parliament and women’s rights advocates, and even between female MPs themselves. This was first visible during the 2012 Constitution drafting process, and later was used again as a tool to influence internal negotiations during the inheritance law reforms in 2018. In Tunisia, much more than in Ukraine, we see how the boundaries between internal competition for power between MPs and voter mobilisations have

been blurred, particularly in cases where certain activists and politicians continued to reinforce the divides between secularism and Islamism.

Bourdieu's theory does present other limitations, proving more useful in describing overarching political dynamics, rather than the nuances of parliamentary systems, such as the role of individuals as political party members, a major focus of this thesis. First, without clearly defining what is meant by 'power', the concept is presented as a zero-sum game. As scholars have since illustrated, institutional arrangements can "enhance individual and collective capacity", meaning that either a compromise or added nuance may be reached and observed (Bonikowski 2015, 387). In Ukraine, for instance, political institutions allow for the formation of intra-parliamentary lobby groups, notably the Equal Opportunities caucus, a prime example of such collective capacity in action. The caucus has been highly beneficial for individual reform-oriented female MPs who, though vastly outnumbered, have been able to present a united front during the legislative process. In Tunisia, however, as Chapter 4 will show, the ban on the formation of single-gender groups – in theory to ensure equality – has robbed women of the space to come together and coordinate ways of wielding power collectively in committee and plenary discussions. For this reason, Bourdieu's theory will be used in conjunction with two other frameworks – Kingdon's MSA and intersectionality – to help fill the gaps in the definition of power (in the case of Collins' intersectional approach) and better showcase how this power manifests itself during the policymaking process (as Kingdon's policy theory illustrates).

Second, as Bonikowski points out, Bourdieu does not tackle "the dynamics of political contestation within parties and across them", which would help explain the activity of groups that are responsible for policy change (Bonikowski 2015, 387). As will become apparent in Chapters 4-7, political parties did play an increasingly important role in shaping the political

landscape of democratising Ukraine and Tunisia, whether in their internal approach to gender parity that is mandated by electoral quotas, or in their overall stance on gender policy issues discussed in this thesis. The work conducted by female MPs who belong to these parties is consequently also judged based on their political party affiliation. However, as stated previously, the emphasis in this thesis is placed not on political parties but rather on the individuals elected to politics. Their political party affiliation merely informs us of their ideological views, and sometimes reveals the tensions female MPs experienced within their own parties. Therefore, Bourdieu's theory is still sufficient for this analysis. When women's advocacy goes against the official party narrative or differs from the rhetoric pushed by their male colleagues, we begin to see how female MPs challenge the status quo to fight for their own rights and the rights of other women in Ukraine and Tunisia respectively. These dynamics of contestation, as Bonikowski illustrates, are an important part of the assessment of political culture and, in our case, underline the agency of politically active women in the democratising environments of Ukraine and Tunisia.

Thus, despite certain limitations, Bourdieu's theory provides an adaptable framework that can be applied to a range of cases, while Schmidt's clarifications of certain concepts introduced by Bourdieu bring added complexity to this analytical framework. In this thesis, it helps establish patterns of how politicians compete for power and ideas, and how, in certain cases, this competition leads to moments of cooperation, influencing the policymaking process to their own advantage. Additional approaches, such as Kingdon's MSA framework and the intersectionality theory, help make this initial analysis of women's role in advancing crucial gender-centric policy reforms more nuanced and structured.

## 2.2 Kingdon's Multiple Streams Approach (MSA)

Since Bourdieu looks broadly at the political field and particularly at the agency of politicians, providing us with explanations of why certain ideas originate and how issues become problematised, we can subsequently observe these tensions by focusing on the policy processes themselves and the agents' role in shaping them. John Kingdon's Multiple Streams Approach (MSA) forms the foundation of our examination of the specific reforms introduced in Chapters 4-7. His concept remains relevant in explaining how policies originate, how the policy agenda is set, and what conditions are necessary for a 'window of opportunity' to present itself. Where Kingdon's framework falls short of explaining the decision-making process itself, more recent scholarship on this concept, such as the works Howlett et al. (2015) and Herweg et al. (2017) explore additional factors that help shape the process. Significantly, establishing how specific policy cycles originated and developed over time help illustrate the central role of female agency in Ukraine's and Tunisia's gender policymaking.

Kingdon argues that the policymaking process is far from linear: agenda setting within the legislative system is highly unstable and influenced by long-term processes that occur behind the scenes. Factors such as ambiguity, time limitations, and fluid participation (referring to the changes in government), may complicate the process of achieving a specific reform. In Ukraine especially, the fragmentary nature of policymaking can be traced through multiple failed attempts to introduce draft bills that aimed to institutionalise a better electoral quota provision, one that was mandatory instead of voluntary, and that allowed access to more women wishing to enter politics. In Tunisia, time limitations and even fluid participation are factors that heavily influenced the proponents of the inheritance law reforms, and even acted in favour of those who wanted to see horizontal parity established in the electoral law. These factors are important to consider, as they provide reasoning for the behaviour of reform-oriented female MPs at different times of the policy cycle.

Kingdon approached the initial stages of policymaking by identifying three streams – problem, policy, and politics – that can act independently of each other and do not necessarily trigger change on their own. It is only when these streams converge that they can create a narrow ‘window of opportunity’, which can help policymakers “push their pet project or concern” (Kingdon 2014, 165). These windows must therefore be seized immediately, as they stay open for “only short periods”, and if policy entrepreneurs do not take advantage of them, they must “bide their time until the next opportunity comes along (Kingdon 2014, 166). Subsequent chapters show the importance of this stream convergence, while at the same time reinforcing the dominance of the politics stream in making the most of the tentative opportunity window during the decision-making stages of policymaking. In line with Bourdieu’s agent-centric approach, I maintain that even the most well-defined problem and its solution may not receive the support and attention it requires without the pressure exerted by policy entrepreneurs.

Let us consider how the three streams manifest in the gender-reform process in Ukraine and Tunisia. The ‘problem’ stream is concerned with how problems are identified, highlighted, and framed. These, according to Kingdon, are fairly often identified not through political pressure but through an observation of indicators that reveal an issue: unemployment, annual GDP percentages, and so on (Kingdon 2014, 90–91). However, policymakers are limited in time and only pay serious attention to a fraction of problems (Kingdon 2014, 120). Thus, a social problem must be defined as a looming issue and state intervention must be identified as the necessary means to solving it (Fischer, Miller, and Sidney 2007). In the case of the post-revolutionary, democratising Ukraine that was pre-occupied with economic problems and the war in the east, it was up to the women’s lobby to highlight the pressing nature of issues of electoral inequality and the barely existent support for victims of domestic abuse, both of which could damage Ukraine’s domestic development and aspirations to join the European Union. In

Tunisia, the use of the institutionalised rhetoric around the rise in conservatism following the election of Ennahda into politics helped female MPs who identified as secular and anti-Islamist to mobilise support around women's rights provisions in the early stages of Tunisia's democratic development.

However, the link between problem and solution in this case is rather weak and requires a focus on other streams and factors involved. Even if a pressure group deems something a central and relevant problem, the time constraints mentioned above still make policymakers prioritise their agendas with issues that are most relevant to their electorate and, as a result, to maintaining them in power. The focus, therefore, shifts from the problem being at the centre of the debate, to the ways in which it is made a priority (much like Bourdieu's idea of the subjectivity of ideas and their mobilisation).

The 'policy' stream, therefore, refers to the various solutions that arise from the policy community as a response to a perceived problem, some of which survive and are taken seriously (Kingdon 2014, 117). Kingdon assumes that these are not set in stone; they evolve from the moment a solution is proposed by one actor to the final discussions held in the process of negotiating and compromising; thus, any proposed policy undergoes a "softening up" process (Kingdon 2014, 117). Here, Kingdon also refers to the proposition of a radical solution, one that catches the attention of the majority of policymakers, and once the problem is put on the agenda, the solution undergoes a process of compromise to present a more tolerable, manageable version (Kingdon 2014, 138). Importantly, this process relies on the lobby groups that propose and support a particular reform – in Kingdon's words the 'policy community' – and it is due to their negotiating strategies that a policy is most likely to be accepted by the governmental structures and those who oppose it. In both Tunisia and Ukraine, the small women's lobby had to navigate the opposition to certain elements of the proposed laws that

argued for equality between the sexes, which became an apple of discord among the more conservative and nationalistic forces in parliament.

Kingdon's approach here has been criticised by some scholars who have found it difficult to operationalise this stream, while others have investigated the different "styles, patterns, and outcomes of policy formulation and decision-making" to analyse how a solution is actually reached (Cairney and Zahariadis 2016; Fischer, Miller, and Sidney 2007). Nevertheless, the 'policy' stream is important as it illustrates how different options are formulated by policy communities – from academics, researchers, to policymakers and their consultants – and what changes they undergo during the negotiating period. Kingdon refers to this as the policy "primeval soup", where all ideas are collected and refined to achieve a solution that is backed by the majority. As this thesis is concerned with tracing the introduction and negotiation of specific gender-centric reforms, proposed solutions are key in allowing us to identify and appraise the engagement and work conducted by politically active women during this part of the cycle. In illustrating the sequence of events, female agency becomes central to this examination.

This leads us to the 'politics' stream, which I consider to be an integral element of both the agenda-setting and decision-making process. Within this stream, Kingdon refers to organized political forces, interest groups and their campaigns, governments and legislatures, and even the 'national mood'. Some scholars have argued that the legislature and government are the most relevant groups in the policy cycle, as they hold the power to adopt policies. This paper follows this view; while external pressure groups influence opinions of governments, change happens in and because of the legislative system; therefore, we must understand the mechanisms that occur inside the political establishment to better analyse our chosen reforms.

'National mood' ambiguously refers to the common trends that may exist among large numbers of individuals and therefore drive their understanding of any given topic.

Policymakers, in turn, can be influenced by these moods. At the same time, they are also susceptible to changes in government, external pressure groups like civil society, foreign supporters, or strong groups of advocates that persuade them to vote in favour of a specific reform. Most importantly, they understand the need for consensus building, during which politicians bargain for their ideas. Here, support for a coalition – or active participation in one – becomes an important space for politicians, as “failure to join would result in exclusion from the benefits of participation” (Kingdon 2014, 159–60). In the case of Tunisia and Ukraine, we see how the participation in women’s caucuses became a crucial statement for female – and male – MPs in showing their support for gender equality and progressive legislative changes.

To some extent, Kingdon’s separation of the three streams challenges Bourdieu’s notion of ‘ideas’, showing that it is misleading to think that ideas themselves provide “an irresistible movement that sweeps over our politics and our society, pushing aside everything that might stand in its path” (Kingdon 2014, 1). This is because other conditions must be satisfied in the process – particularly a strong lobby for change – before a policy change occurs. At the same time, Kingdon’s framework does fall short in certain aspects. First, some scholars have stated that the political stream is “imprecise in sorting out the interactions between the different agents in the political stream” (Herweg, Huß, and Zohlnhöfer 2015, 438). As a result, they propose to put political parties at the centre, while using the other factors to explain the behaviour of parties (Herweg, Huß, and Zohlnhöfer 2015, 439). This thesis does not place political parties but rather individual political agents within those parties, namely female MPs, at the centre, to allow for a close actor-centric investigation of their actions and advocacy. Influence of factors, such as the government, national mood, and external interest groups, does indeed help trace the behaviour of female MPs.

Second, Kingdon fell short of explaining the decision-making process as well as other factors that could be influential. Howlett et al. (2015) propose a five stream model that

encompasses the decision-making stage. They suggest that the three initial streams converge through a ‘whirlpool’, a turbulent process “hidden from public view”, during which policymakers decide whether or not they should proceed with the matter at hand (Howlett, McConnell, and Perl 2015). The process then moves to a policy formation stage, where Kingdon’s three streams are supplemented with ‘process’ and ‘programme’ streams. The former is “designed to examine options”, while the latter is “designed to calibrate new programme instruments and integrate them with established ones” (Howlett, McConnell, and Perl, 427). These streams are then subjected to another confluence period, which marks the end of the policy formation stage, moving towards policy settlement and decision-making. At any of the three stages, different streams can become dominant, thus showing the complexity of the policymaking process.

Within that, however, the model can be enhanced by “factoring in the role of the policy maker, or political agent”, hence placing the agency with the policymaker (Howlett, McConnell, and Perl 2015, 429). This ultimately shows the dominance of the ‘political’ stream by illustrating that it is the political agent who steers the reform process, making sure the proposed idea successfully completes each of the three stages and consolidates into a positive outcome for the lobby group. In Ukraine, it was in the interest of female MPs to compromise, negotiate, and provide alternative solutions to accommodate their colleagues’ concerns, without conceding on the draft bill’s future and trying to maintain the core premise of the proposed reforms. In Tunisia, a similar situation occurred, even if some compromise was reached, female MPs – from Ennahda and other parties – were radical in their support for matters such as electoral quotas and combatting violence against women. As a result, not only did this process achieve the desired policies, but it also empowered women in the political establishment to challenge the patriarchal status quo and enact change.

Despite its limitations, Kingdon's MSA provides a useful structural and analytical framework for investigating the different elements that contribute to the creation of a draft bill. An investigation of a specific problem, its historical and contemporary roots in both the global and local contexts, contextualises the reasons as to why certain female MPs in Tunisia and Ukraine decided to become involved in enhancing gender equality provisions and strengthening the positions of women in politics and society. The subsequent examination of the policy solutions outlines the proposals that were already in place in each state, as well as their limitations. Finally, identifying the 'politics' stream highlights the parliamentary groups and specific people involved in any given reform process, their direct or indirect actions that helped bring change, the reasons behind their involvement, and how these factors converged into moments of cooperation between female MPs. At the same time, by emphasising who the individual actors and groups were in each process, and subsequently studying their narratives, allows us to assess their continuous participation in questions pertaining to women's rights and gender parity. Particularly in Tunisia, and to a large extent in Ukraine as well, this analysis seeks to challenge the pre-dispositions and constructed narratives, notably that certain female parliamentarians are vehemently for or against women's rights and equality in their countries.

Situating the present policy analysis with the help of Kingdon's approach within Bourdieu's broader framework helps zoom in on the agents of change. The subsequent variations of MSA, as seen in the works of Howlett et al. and Herweg et al., allow us to investigate the causal chains, interactions, and cooperation between parliamentarians further, this time focusing on the decision-making process itself. The emerging themes and narratives help show the agency of women in committee and parliamentary discussions, as they fight for a woman's right to equal political participation, safety from violence in her home and in the public space, equal inheritance, and equal employment in the armed forces.

### **2.3 Collins' and Crenshaw's Approaches to Intersectionality Theory**

Bourdieu's and Kingdon's frameworks form the basis for the analysis conducted in this project, and are used throughout the empirical chapters. Perhaps the greatest single shortcoming of the application of these theories to the subject of the present thesis is their failure to consider women as agents of change. An understanding of the intersectional approach to the study of actors involved in the process of pushing for gender equality reforms will allow us to not only analyse the steps taken to make changes to the legislative process, but also the difficulties faced by these women in their respective parliaments, particularly vis-à-vis their male counterparts. Unlike feminist theories that mostly focus on the white middle class in Western democracies, intersectionality considers the backgrounds of each actor – their class, status, religion – which can show how their ideas and actions are shaped and whether their political agenda is representative of all women in Tunisia and Ukraine. As a Marxist thinker Bourdieu devotes much attention to the class struggle; however, he is entirely unconcerned with female agency in politics, and thus class is at no point gendered, let alone considered in conjunction with other factors – ethnicity, religion – that determine how discrimination is experienced by different women. Intersectionality, in turn, allows us to explore notions of gender, nation, class, and ethnicity not as separate systems of oppression, but instead prompts us to consider how “these systems mutually construct one another” (Hill Collins 1998, 63).

Thus, this framework is a research paradigm that helps answer previously “unanswerable questions” of gender, class, and religion (Hancock 2019, 117), and no study of the mechanics of attaining greater gender equality in the political sphere is complete without it. In Tunisia, for instance, tensions between class, gender, and religion have created a political and social scene that is difficult to navigate, particularly when pushing for what could be interpreted as more radical reforms, such as equal inheritance rights between men and women. Similarly in Ukraine, the intersection between class, gender, and Soviet versus western identity

creates an unstable environment where, on the one hand, change is theoretically accepted, and on the other, staunchly protested by the patriarchy or more traditional women themselves.

The original proponents of intersectionality – Kimberlé Crenshaw and Patricia Hill Collins – have offered useful conceptualisations of this particular approach. Collins’ focus on Black Feminist Thought, drawing on experiences of women in the US, created a generalisable framework that helps illuminate the inequalities in societies worldwide. Looking at specific problems identified by the policymaking process through this prism provides a more complex understanding of the situation in Tunisia and Ukraine, particularly where reforms proposed by female lobby groups were not instantly adopted or were severely watered down in the negotiation stages.

Moreover, unlike Bourdieu, Collins provides a more substantial definition of the term ‘power’, one of which, namely the “dialectical relationship linking oppression and activism”, is central to this thesis (Hill Collins 2002, 274). Constant oppression results in significant activism and resistance, with this intricate link pointing to her supposition that “change results from human agency” (Hill Collins 2002, 274). This thesis finds that it is precisely due to the agency of female MPs that the gender agenda was shifted to the centre of political discussion at quite a tumultuous time.

Crenshaw, basing her theoretical framework on the issue of violence against women of colour, gave a three-domain explanation for the differences in experience: structural, political, and representational intersectionality. Within the structural domain, she highlighted how the intersection of race and gender makes “experience of domestic violence, rape, and remedial reform qualitatively different than that of white women” (Crenshaw 1991, 1245). The political domain showed how feminist groups and politics “paradoxically often helped to marginalize the issue of violence against women of colour” because the discourses did not always articulate the “full dimensions of racism and sexism” that these women experience (Crenshaw 1991,

1245–52). Finally, the representational domain looked at how the production of images, and their contestation, ignored specific groups within a larger marginalised community, in this case women of colour (Crenshaw 1991, 1283). In all three cases, we can see how important it is to consider and highlight the differences within an oppressed group.

While Crenshaw focused primarily on the intersections of race and gender, modern interpretations of the theory have expanded to include other types of discrimination, such as class, socio-economic background, religion, ethnicity, and so on (International Women's Development Agency 2018). Yet the foundation provided by Crenshaw is still applicable to our case studies. In both Tunisia and Ukraine, the structural domain is shaped by class divides rather than race; in Tunisia, an additional layer of oppression is imposed by attitudes towards religion, where pious women face added discrimination. The political domain in Tunisia, more so than in Ukraine, plays a key role in our understanding of how oppression is promoted along class and religious lines, as secular women's rights organisations continue encouraging narratives about the backward nature of religious supporters. In Ukraine, while this is less visible, the divides between the urban and rural, and West and East, also contribute to the work and discussions held by feminist groups, sowing further discord among the already marginalised groups.

In Ukraine, a consideration of the female MPs' background and their class, wealth, and education is important in seeing the dynamics of their contributions to specific gender policies in parliament. In Tunisia, an exploration of how views on religion, class, and educational background have shaped the individual's approach to policymaking is also vital. Crenshaw's theory is particularly useful in the case of the reform process aimed at strengthening the provisions to combat violence against women, but its key ideas are also applicable in the instance of increasing female political representation in politics through quotas, where we

begin to see how divisions among women due to class, ability, and other social identities affect the experiences and the policymaking process.

Another approach that has been influential within intersectionality scholarship, and is used frequently throughout this thesis, has been Collins' framework of the matrix of domination, which shows how oppressions are organised and operationalised to produce political domination. In her words, types of oppression do not operate separately but instead "work together in producing injustice" (Hill Collins 2002, 18). The matrix of domination refers to the "overall social organization within which intersecting oppressions originate, develop, and are contained", whether it is through education, domestic policy, or the labour market, and relies on the historical roots of how power is distributed, and social groups are embedded (Hill Collins 2002, 228). The framework is defined in terms of structural, disciplinary, hegemonic, and interpersonal domains of power, all of which are interrelated, and allows us to explore how these oppressions are cultivated in everyday life (Hill Collins 2002, 18). As Collins explains, the structural domain "organizes oppression", the disciplinary "manages it", the hegemonic "justifies oppression", and the interpersonal domain "influences everyday lived experience, and the individual consciousness that ensues" (Hill Collins 2002, 276). This non-linear framework therefore provides added nuance into analysing how individuals and groups behave across different social contexts, and how resistance is organised in these situations (Hill Collins 2019, 171).

The study of women's role in political institutions shows how all four domains create obstacles to women operating on equal footing to their male counterparts. When looking at politics specifically, we notice that the dominant ideologies that justify the oppression of women trump any structural changes introduced to the legislative system. In Ukraine, politicians reported a lack of comprehensive female facilities inside the parliamentary building (toilets or baby-changing stations) (Respondent 2 2022). In Tunisia, women found very little

support in making the decision to move themselves and their families to the capital in order to take up their seat in parliament. Women also reported their discomfort of having to leave work late at night, putting their personal safety at risk (National Democratic Institute 2014). These are but some of the obstacles that female politicians uniquely faced as representatives of their electorate; it reveals the breadth and depth of the system of oppression that has been created in both states despite their historically friendly approach to gender equality.

Finally, an intersectionality approach becomes key when discussing multiple reforms that are oriented at increasing women's exposure to political establishments, and in the case of Chapter 6 to the military establishment. As Atkinson et al. (2020) posit, leadership initiatives that target female candidates may only focus on those who are "perceived as the most 'electable'", thus potentially disregarding women based on their class, age, and other identities (Atkinson et al. 2020, 26). The revolution in Tunisia gave an opportunity for oppressed parties like Ennahda to finally run for office, subsequently empowering women to be included in the electoral lists, yet in 2011 and 2014 this practice was still nascent and therefore the lack of resources could have impeded rural women from accessing these opportunities. In Ukraine, ingrained and thriving stereotypes even after the 2014 revolution meant women who were elected to parliament still largely shared some similarities in class and education. Moreover, the lack of representation of other identities – such as LGBTQ+ or people with disabilities – has potential implications on how these women are represented by their MPs in policymaking procedures. Thus, as Chapter 4 will show, it is important to first consider female MPs that feature prominently throughout this thesis as individuals, before analysing their contributions to the process. An examination of the identities and backgrounds helps illustrate the type of agents that actively lobbied for specific gender-centric reforms, and the extent to which their experiences with privilege and discrimination steered their ideas and narratives in the process.

## 2.4 Conclusion

To conclude, extant theories of power and politics that prevail in scholarly analyses are “far less universal than imagined” (Hill Collins 2019, 189), and thus this thesis will benefit from using three analytical frameworks – Bourdieu’s political fields theory, Kingdon’s MSA framework, and Collins’ intersectionality approach – to describe and substantiate its empirical findings. Bourdieu’s theory will highlight the broader trends of political activity: competition, origins of ideas, and how these two things drive the actions of politicians to mobilise support. Kingdon’s MSA approach, aside from providing important insight into the different stages of the policy process, will help structure the empirical analysis of Chapters 4-7. This will allow to further highlight the sheer importance of female MPs and their agency in political institutions, especially when it comes to the reforms discussed in this thesis.

Along with the broader Bourdieusian theory and the more specific factors provided by Kingdon in his analysis of the policymaking process, Collins’ and Crenshaw’s intersectionality frameworks will demonstrate how a variety of social identities shaped the work and interactions of female MPs, both among themselves and with the political establishment. This will add much-needed nuance to our understanding of why female MPs are seen fighting for certain changes in Ukrainian and Tunisian legislative systems, particularly where ‘solutions’ have already been implemented, and the case was considered to be closed, or where a ‘problem’ infringed on certain fundamental values that not all female MPs were willing to change (as seen in the Chapter 7 discussion). No less important is its role in considering how women fought for this change, using their historical experience with oppression to frame the narratives and solutions proposed.

Building on the introduction of theories, the next chapter will explore the history of the state’s approach to women and gender equality in Tunisia and Ukraine over the last century. It

will illustrate the roots of the gender inequality problem, setting the scene for the subsequent analysis of the empirical findings.

## CHAPTER 3.

### LESSONS FROM HISTORY: WOMEN'S RIGHTS IN TUNISIA AND UKRAINE FROM THE 20<sup>TH</sup> CENTURY TO THE PRESENT DAY

Any investigation into the current political trends of a state would be incomplete without an in-depth historical overview of its development. As Bourdieu argued, the socio-historical considerations are key when assessing the construction and promotion of a particular political discourse. From an intersectional perspective, this helps us understand the agents themselves, their background, and the circumstances that shaped their advocacy. In the case of Tunisia and Ukraine, a thorough consideration of history allows us to survey vital similarities and differences between the two states, draw parallels with ongoing developments, and speculate on future trajectories in the political and social spheres. After all, the progress of civic capacity “is a complex process that is deeply imbedded in a country’s history, its internal conflicts, its conception of nationalism” among other things (Mansuri and Rao 2013, 32–33).

This chapter focuses on three periods: Tunisia since independence in 1956 and Ukraine under Soviet rule (1922-1991); Ukraine since independence in 1991 and Tunisia under Ben Ali (1987 - 2011); and the two revolutions of the 2010s – Tunisia’s 2011 Jasmine Revolution and Ukraine’s 2013-14 Revolution of Dignity. What becomes evident is that both states relied heavily “on gender norms to construct legitimacy, make believable arguments, harness support, and exude confidence in the future” to build and maintain their power (Tarkhanova 2021, 4; Sperling 2015). The dichotomy between state-sanctioned emancipation of women and their simultaneous oppression by the state created a warped understanding of what equality actually means, consolidating patriarchal tendencies in states that project a women-friendly image on the regional and international arena. Understanding these roots and tensions will guide our

exploration of specific gender-centric reforms in the 2010s, and particularly the realities that female MPs had to navigate.

### **3.1 Tunisia since Independence (1956) and Ukraine under Soviet Rule (1922-1991)**

The twentieth century brought a number of defining moments to the development of women's rights in Tunisia and Ukraine. In both cases, change was made possible due to significant shocks to the political system. Tunisia became a republic in 1956 under the rule of Habib Bourguiba, a nationalist leader who successfully negotiated the state's full independence from French colonial rule and thwarted domestic opposition, preventing a full-blown civil war. Ukraine, despite fighting for independence from the Russian Empire and the Bolsheviks between 1917-1921 ultimately became a part of the Soviet Union as the Ukrainian Soviet Socialist Republic until 1991. Among the different changes that occurred as a result of these significant political shifts, state-sanctioned emancipation played a significant role in both countries, establishing foundational legislative regulations that set a precedent for future generations of politically active women. It also created a narrative that Tunisia and (Soviet) Ukraine were progressive states in the field of gender equality, which on numerous occasions has played into the hands of the political regimes who exploited this fact for their own image-making on the international stage.

#### *Tunisia*

Tunisia's image as a progressive Muslim country had been cultivated long before its independence from the French in 1956. Prior to the French incursion in North Africa, and the establishment of the French protectorate of Tunisia in 1881, Tunisia was a semi-autonomous

province of the Ottoman Empire known as the Beylik of Tunis. Although Ottoman regencies were established only in key cities in North Africa, such as Tunis and Algiers, thus limiting Ottoman presence in the region (unlike the ubiquity of French colonisers), the Ottomans nonetheless influenced the development of the Tunisian identity (Willis 2014, 15). For instance, it was in Tunisia that the first modern written constitution of the Muslim world<sup>5</sup> was adopted in 1861, nurturing the rhetoric around Tunisia's exceptionalism in the region (Ahmed and Gouda 2015, 17). Moreover, Ottoman presence in the country, with its emphasis on cities as the ruling centres, as well as the influence they had over the urban elites, influenced the geographical and class divides between the urban and rural populations that we see play out in Tunisian politics in the present day (Willis 2014, 15).

These developments also set a trend in Tunisia's future relations with its French colonisers. The concept of constitutionalism was spreading alongside Western colonial dominance in the region, and the French desire to limit the absolute powers of the monarchy was not met with complete resistance in Tunisia. Thus, cooperation between the colonial powers and Muslim reformers arose, as they accepted that laws "not derived from the sharia" may be the natural way to limit absolutism of the monarchy and bring progress to their nation (Ahmed and Gouda 2015, 19). Cementing the power asymmetries "into a deeper narrative of [...] Western versus Islamic values" began creating an image that modernisation is associated with Europe, and conservatism and tradition is tied to religion. This became integral to Bourguiba's state policy after independence, framing countless discussions held on women's rights along this binary.

The legacy of Tahar Haddad, a prominent Tunisian scholar, further nurtured Tunisia's image as a progressive state, particularly in matters concerning women's rights. In his famous

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<sup>5</sup> Interestingly, Ukraine also has a history of being a regional pioneer in constitutional law, through the often cited example of the 1710 Constitution of Pylyp Orlyk (formally known as *The Treaties and Resolutions of the Rights and Freedoms of the Zaporozhian Army*). While this document was never ratified, its legacy is felt in political discourse since the 1991 independence, the educational system, and even street names.

1930 book *Our Woman in Sharia and Society*, Haddad sought to provide modern interpretations of the Qur'an and outline a societal reform that would ensure women's emancipation into all structures of society (Curtiss 1993). He became known as Tunisia's pioneer of women's rights, often praised for his courage in speaking up against the outdated traditional practices of Islam. As a result, he was directly linked to the 'state feminism' promoted by Bourguiba and later Ben Ali, as his ideas provided inspiration for the 1956 Code of Personal Status (CSP). In fact, a researcher and women's rights advocate whom I interviewed praised Haddad as "brave" because he was able to stand up to the status quo at the time (Respondent 8 2023). She also drew my attention to the fact that his legacy, translated into the 1956 CSP, was so powerful that the reforms were implemented before Tunisia had even adopted its post-independence Constitution. In her view, this showed the strong connection between Bourguiba's commitment to equality and Haddad's legacy in Tunisia and the region. It also showed the weight that these events still carry in modern-day Tunisia.

However, as Weideman points out, the link between Tahar Haddad and Bourguiba was more "a rhetorical construction rather than a genuine affiliation" (Weideman 2016, 49). Scholars have highlighted Haddad's desire for social justice and improvement of the religious establishment, rather than its decline or a full secularisation of the state (Weideman 2016, 49; Haj 2009). Here, Bourguiba's image and aims are important to consider, as is our understanding of what secularisation of the state meant in the case of Tunisia. Agrama (2010), examining the notions of religious and secular state in Egypt, argues that secularism "incessantly blurs together religion and politics", which in turn shows that its power arguably relies "upon the precariousness of the categories it establishes", thus shifting the question from whether a state is secular or religious to where the line should be drawn between politics and religion to ensure fundamental rights and freedoms. As McCarthy (2014, 734) wrote, Bourguiba – and later Ben Ali – did not build and maintain a secular state if we define secularism as "the separation of

religious from state institutions or the separation of religion from politics”. Instead, what secularism can and should be defined as in our case is the way in which the state sought to “regulate religious affairs so as to assert the state’s control over religious symbols in order to monopolise political activity” (ibid.). Therefore, building Haddad’s image around his critique of sharia signals to the dominant narrative produced by Bourguiba along these secularisation lines, obscuring Haddad’s intended aims for his own political aims.

From the early discussions of women’s rights, we begin to see the construction of narratives by the state based on a conviction that secularism is good and Islamism is bad, which resonates with Crenshaw’s exploration of how oppression is operationalised, power is distributed, and domination is subsequently produced. This same trend is still present in Tunisia, particularly when assessing the aims and actions of female members of the Ennahda party, who are largely seen as conservative and fully abiding by the tenets of Islam. Even after the 2011 revolution, women’s rights and bodies were still used “as an effective site of social construction and control” by the system, even if individuals in Tunisia – and the wider MENA region – were beginning to reject the established dichotomy between gender equality and religion (Fox, Alzwawi, and Refki 2016, 50). Much like in the case of Tahar Haddad, this lack of nuance has limited our understanding of how Islamist women see the attainment of equal rights, and even re-interpretations of the Qur’an, to be compatible with their religious beliefs, something that Mahmood (2012) spoke extensively about.

However, this is not to say that the 1956 CSP was not important for Tunisia’s development. On the contrary, with regard to women’s rights Tunisia has been praised as the most progressive country in the Arab world. The Code was able to ensure a significant move towards equality between women and men, particularly by abolishing polygamy. Moreover, Article 6 of the 1959 Constitution clearly stated that “all citizens shall have the same rights and duties. They shall be equal before the law” (Tamaru, Holt-Ivry, and O’Reilly 2018; National

Constituent Assembly 1959). Bourguiba granted women the right to vote in 1959 and allowed them to run for elections should they wish to (Masri 2017, 11). Free, state distributed access to birth control was introduced in 1961, when the 1920 French law banning the sale of birth control pills was abolished (Masri 2017, 11). This revolutionary move from Bourguiba's regime came even before France's own decision to abolish this law, portraying Tunisia as a modernising, progressive state, and Bourguiba as a leader who is invested in the emancipation of women. In 1980, Tunisia signed the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and ratified it in 1985, albeit with reservations; these were only removed in 2011, making Tunisia the first country in the region to do so. Thus, Bourguiba built his legacy as the father of the nation, by facilitating the image of Tunisia's support for women's rights through incremental reforms.

However, these ground-breaking changes were not simply a product of the desire to create a fully egalitarian society. Bourguiba's political considerations played an integral role in the process, and his progressive reforms served their purpose in regime survival and consolidation, a clear competition for power in Bourdieusian terms. For instance, the introduction of free birth control was driven specifically by the state's efforts to curb population growth, an effort that was supported by the *Union nationale de la femme tunisienne* (UNFT) and even religious leaders. Surprisingly, opposition came from liberals who "objected to the infringement on freedom caused by family planning policies" (Masri 2017, 234). Thus, despite the positive outcomes of these policies – namely the decrease in Tunisia's infant mortality rates – such revolutionary reforms were condemned by the opposition as state-sanctioned control over women's rights and decision-making.

Bourguiba's political calculations extended beyond the strategic population control mentioned above. The most notorious legacy for women and the general population was Bourguiba's relationship with Islam. In the early days of his campaign for independence,

Bourguiba spoke of *l'émancipation progressive* (progressive emancipation) in Tunisia, whereby a state should encompass its distinctive social customs and history that are heavily influenced by Islam (Salem 1984, 75). This rhetoric was then incorporated by the Neo-Destour, a political party created in 1934 by a group of Tunisian young nationalists including Bourguiba. Whether to gain more widespread support against the French colonial rule, or appease his more conservative allies within the party like Salah Ben Youssef, Bourguiba accepted a more traditionalist approach to some issues, particularly when it came to women.

Bourguiba emphasised Islamic customs such as veiling to be “the last defence of a national identity in danger” and was a proponent of the *sefseri*, a traditional white shawl with which women covered their heads and bodies (Marks 2013, 226). Moreover, Neo-Destour became allies with the first women’s organisation in Tunisia – the *Union musulmane des femmes de Tunisie* (UMFT), which fought for women’s social inclusion and better education but did not advocate for equality of the sexes – unlike their counterparts *al-Qiyada al-nissa’iya* (Women’s Leadership) (Masri 2017, 176–77).

However, Bourguiba’s attitudes gradually shifted, particularly after independence. Gaining enough momentum within the Neo-Destour, and deciding to quell Ben Youssef’s popularity, Bourguiba returned to his original plans for modernisation. With this came the shift in his attitudes towards the *sefseri*, among other things. He proclaimed it to be “a symbol of backwardness – an ‘odious rag’ – and encouraged women to remove it in service of national advancement”, signalling that the political rhetoric had indeed changed (Charrad 1997, 284). Bourguiba’s attitudes and use of the veil in his political campaign is a prime example of how ideas are constructed by representatives to shape political discourse. Bourdieu speaks of the simultaneous manipulation of ideas and groups in the effort to secure more power (Bourdieu 1991, 182). In this case, the need to secure support from groups such as UMFT, and the religious lobby more broadly, to bolster Bourguiba’s own standing in the political arena and

limit the rising opposition from Ben Youssef, meant that Bourguiba was willing to construct his narratives around ideas that would resonate with such groups and produce the results he needed.

The use of women's rights in the fight for independence and in the consequent state-building process showed how this topic was instrumentalised "in service of political ends" (Marks 2013, 226). The largely francophone and French-educated *Baldī-saheli* (coastal bourgeois class) who was now in power solidified further rifts between the generally rural, pious population and the urban, mostly secular dwellers. These divides shaped the reforms and rhetoric of the subsequent decades in Tunisia, and can still be felt in discussions on women's rights in the years following the 2011 revolution.

The improvement of women's rights constituted a small element of Bourguiba's grand vision, a striving for national unity under his reign. Abolishing polygamy was both a significant and progressive decision and a move against Islamic customs, and the signing of CEDAW as a friendly gesture towards its Western partners, notably France. However, while Bourguiba created state-sponsored institutions to promote state feminism, such as the *Centre de recherche, d'études, de documentation et d'information sur la femme*, as well as a Ministry for Women, associations and organisations were not allowed to mobilise independently, making it impossible for independent women's rights organisations to operate under his rule (Tripp 2019, 235). As a result, Bourguiba's modernisation project involved strict state-sanctioned emancipation, where women were granted some freedoms and yet still faced countless restrictions in their daily activities. The oppression of religious women – through the banning of the head scarf in schools and public buildings, for instance – produced another segment of the population who felt the negative consequences of state-sanctioned emancipation. Understanding the historical complexities of Tunisia's modernisation project, as well as the background of different women who are now actively involved in women's rights activism

both inside and outside parliament, better prepares us for the assessment of their actions during critical women's rights reforms.

### *Ukraine*

An analogous trend of the dichotomy between progressiveness and authoritarian oppression was visible in Soviet Ukraine, where women fell victim to the same historical development: a façade of equality that did not match the reality of women's everyday lived experience. Much like in Tunisia, the conversations around women's parity with men in Ukraine did not originate with the establishment of the Communist rule. Feminist activity in Ukraine has a long history, one that is sometimes omitted from mainstream literature. Feminist activity flourished when Ukraine was part of the Russian Empire (1721-1917), with magazines such as *Pershyi vinok*, *Meta*, *Nasha dolya*, *Zhenskii Vestnik*, and *Soyuz Zhenschin* being established even before an illusion of equality was granted to women by the Soviet Union (Kitsa and Mudra 2019, 180). After the establishment of the Soviet Union, ideas of equality between women and men were promoted further in magazines such as *Selyanka Ukrainy* and *Rabotnitsa* (Kitsa and Mudra 2019, 180).

At the same time, a traditional outlook on women's roles in society has been a key part of Ukraine's culture. The most famous image of the Ukrainian woman has always been that of a *Berehynia* – a guardian – of the family and nation (Sviatokum 2017). *Berehynia* remains a prominent and firmly cemented concept within the country's ethnic identity, with one example being the monumental statue of the *Berehynia* on Kyiv's Independence Square, erected in the decade following Ukraine's 1991 independence. National discourse often portrays her as the defender of family and nation compared to the Russian *baba*, a derogatory term for woman, who is limited in her rights in society (Phillips 2014b; Sviatokum 2017). Yet, the notion of

*Berehynia* has been challenged by feminist scholarship as a deeply conservative concept, especially since inequality between men and women persisted in the nineteenth, twentieth, and even twenty-first centuries.

In the interwar years, Ukraine was divided between four states: the Soviets ruled over central, eastern, and northern Ukraine; western Ukraine – Galicia and Volhynia – was under Polish rule; the Bukovina region – eastern Carpathian mountains – was subject to Romanian rule; Transcarpathia had voluntarily joined Czechoslovakia in 1919 (Encyclopaedia Britannica, n.d.). The country was later unified under the Soviet banner once the Red Army began annexing these lands following the secret agreements of the 1939 Molotov-Ribbentrop Pact and the beginning of World War II. This caused significant resistance from anti-Communist Western territories, and consolidated ideological rifts along the East-West divide, which are still felt in Ukrainian society today. Although the interwar period limited Ukraine's ability to cultivate its statehood and a more united national ideology, it did allow for the formation of various women's rights organisations based on different ideologies. Western Ukraine was home to the largest women's organisation in Europe called *Soiuz Ukrayinok* (Ukrainian Women's Union), established in Lviv in 1917, which aimed to unite all Ukrainian women living outside of the Soviet Union (as such organisations were banned under Communist rule), and was not founded or led by elites, unlike Western-style organisations (Havryshko 2016). By 1930 its membership is said to have been around 100,000 women (Bohachevsky-Chomiak 1985, 85). Its central worldview was based on “feelings of patriotism and purely democratic position and the striving towards greater women's rights in society” (Dorohova and Mironova 2023, 37; Gudz' 2013).

The organisation's leaders also promoted a “constructive rather than submissive role within the traditional institutions of family, church and community”, an important idea that promotes a strengthening of women's agency in a highly masculine society (Dorohova and Mironova 2023, 37). Thus, organisations such as these were characterised by a distinct

combination of nationalism and feminism, in large part due to their adamant desire for and striving towards the national emancipation of Ukraine (Zhurzhenko 2011). What organisations such as *Soiuz Ukrayinok* tried to present was a strategy for nation-building that did not centre around militarisation and involved women as equal partners in the game.

However, due to the repression from Polish rule in Galicia on one side, and Soviet rule on the other, radical action quickly became the chosen path of resistance. Tensions grew between the newly established Organisation of Ukrainian Nationalists (OUN) and *Soiuz Ukrayinok*, with the latter enjoying support from the West while at the same time condemning OUN's machismo and its "hierarchical view of gender roles" (Shkandrij 2015, 184; Khromeychuk 2018b). Daria Rebet, as quoted in Khromeychuk's (2018) historical account, wrote about the Women's Section of Department of Culture of the Ukrainian Central Committee, which criticised feminism as a selfish act that is in no way helpful to nation building, and which defies the basic laws of human existence, where

"an individual woven into social relations is only a small cog that cannot exist independently and separately, and naturally must be subordinated to its organically superior society—the nation. This is what feminism wants to defy" (Khromeychuk 2018b, 10).

We begin to see here how the layers of oppression began to shape women's experiences in this important period for the consolidation of Ukraine's identity. On the one hand, both organisations aimed to free Ukraine from repression imposed by the Polish and Soviet regimes. On the other, the statement above shows that the OUN espoused very similar ideas to those promoted by the socialist system: all individuals are a part of the system, and therefore will not enjoy the freedoms that they desire. As Collins explains, this justification of oppression shows

how and why it was cultivated in organisations such as the OUN, and the early experiences of female oppression in systems that theoretically allowed them to express their discontent with the status quo actually played out in reality.

Thus, the rhetoric for national self-determination overshadowed the *Soiuz Ukrainok's* own aims. Its activity came to an end in 1938 when the leadership was arrested by Polish police. Nonetheless, in the time of its existence, the Union helped establish several cultural and economic agencies that improved the quality of life for Ukrainians; they were also influential in the 1925 establishment of the Ukrainian National Women's League of America (Bohachevsky-Chomiak 1985, 85). After that, the monopoly on nationalist and patriotic activity was centred around the OUN, who viewed women as a tool in the fight against Communism (Bohachevsky-Chomiak 1985, 95).

Women were encouraged to join the ranks of OUN in an effort to unite likeminded patriots against the Soviet Union (Kis 2015). Women's participation reached its peak and "became especially important when the Red Army invaded Western Ukraine" in 1944, after the Nazi occupiers were driven out of the Soviet Union (Kis 2015, 58). OUN's resistance to the Soviet forces has been a source of pride in Ukraine's national memory and historiography, the latter of which has, since independence, tilted towards a more nationalistic outlook.

Yet, because of this pride, scholarship has since argued that the inequalities that persisted within the OUN's Ukrainian Insurgent Army (UPA) ranks and activities have largely been silenced so as not to infringe on "male heroisms" (Removska 2015). Some scholars have suggested that despite the importance of women in the struggle against the Soviets, the "nationalists propagated a conservative type of femininity that did not threaten traditional gender norms" (Khromeychuk 2018b, 1). Therefore, although Ukraine has a "historical tradition" of women's equal participation in nationalist causes – and combat more specifically – there is still a sense of inequality between men and women that remains deeply ingrained in

the fabric of the state (Peterson 2015). This is not to say that all women who joined OUN and UPA fought for equality. As is the case today, many women do not identify with the feminist rhetoric and cause but are rather driven by their nationalist convictions. Nonetheless, this still exposed a pattern of systemic oppression that all women – regardless of their ideological convictions – felt. Once again, we see Collins’ matrix of domination play a significant role in the process. Whilst women united over a shared nationalistic cause, they experienced oppression in structural and hegemonic domains; basing women’s standing in Ukraine’s historical notions of *Berehynia*, OUN-UPA was able to organise and justify a woman’s social standing based on historical precedent, which on the one hand allowed for Ukraine’s identity to be kept alive, and on the other hand further cultivated inequality and oppression within a socialist system that already placed significant strain on a woman’s activity in the public and private sectors.

In the Soviet Union more broadly, women were similarly expected to be cogs in the system working towards achieving the realisation of Communist ideals. The illusion of equality under the Communist regime, which has been an important topic in the post-independence literature on the Soviet Union, was introduced and written into the 1936 Constitution during the Stalin regime. Article 122 clearly stated that:

“Women are granted equal rights with men in all areas of economic, state, cultural and socio-political life.

The possibility of exercising these women’s rights is ensured by granting women equal to men rights in labour, wages, holiday, social insurance, and education, state protection of the interests of mother and child, granting women leave during pregnancy with pay, and

providing a wide network of maternity hospitals, and nurseries.” (Extraordinary VIII Congress of the USSR 1936)

Even more clearly than the Tunisian constitution, women were singled out as important contributors to society, and in turn promised equal treatment in all spheres of life (Charrad 1997; Grami 2008). Over time, two narratives were cultivated in state rhetoric: the woman’s important contribution to Soviet society and the labour market, and her heroic efforts in the Second World War (usually clustered together with the achievements of the Red Army and epitomised as the achievements of the ‘Soviet Woman’).

Records show that in the First World War women fought in the military to “‘shame’ Russian men into fulfilling their military duties” (Sanborn 2014, 208), and later the 1918 constitution officially allowed women to undertake voluntary military service (Pennington 2010, 779). Around 800,000 women served in the Soviet military during the 1941-45 Great Patriotic War, with more than half being “in front-line duty units”, a statistic the Soviet Union prided itself on (Campbell 1993, 318). However, the glorification of equality between women and men quickly became a commonly used Soviet trope that very neatly hid the discrepancies and inequalities in society and politics. The political and legal allowances did not attest to the achievement of genuine gender equality, but were rather tools of the state, as the Soviet Union forced women into “pseudo emancipation” for labour purposes (LaFont 2001, 205).

Moreover, while the idealisation of a woman’s role sought to make the Soviet Union appear more progressive than any other state in the international arena and in domestic propaganda, there was a noticeable decline in interest towards women’s contribution after the war ended (Campbell 1993, 320; Petrova 2016). The issue of the double burden overshadowed the positive benefits of the Soviet system: work was “a duty, not a right”, and women faced the double burden of having a duty to work while at the same time being mothers and adhering to

domestic gender roles (LaFont 2001, 205). Women were also forced to accept that “it was ‘natural’ for men to earn more” (Kiblitckaya 2000, 92).

Moreover, although women held positions in political institutions, this gave them little decision-making power, and their representation was diminishing or invisible (Einhorn 1995). Female representation in politics was largely symbolic, especially as communist parliaments were mostly “ceremonial organs that ‘rubber-stamped’ legislation initiated by the party-state leadership” (Saxonberg 2000, 156). In this case, drawing on concepts presented by both Bourdieu and Collins, we see how the Soviet regime was able to establish a clear division of labour and hierarchies between men and women under the guise of equal contribution to the system. By cultivating a strong culture of praise and gratitude towards women in the Soviet Union – through emphasis on the 8 March International Women’s Day celebrations, general state rhetoric of being indebted to women for their sacrifices and commitment, and so on – the Soviets aimed to disguise the inherent system of oppression they promoted while retaining power. As a result, a skewed perception of the Soviet attitude to women’s rights emerged, masking the patriarchal nature of the prevailing order.

An overview of the woman’s role in Soviet history presents similarities in attitudes towards women in Tunisia and the USSR. On the one hand, women were seen as key actors in the overall state-building project, and thus deserved to be treated with equality and respect. Both states provided women with welfare and legal benefits that may not have existed in other countries at the time. On the other hand, the inclusion of women – whether for labour purposes in Soviet Ukraine or for the legitimisation of the authoritarian regime in independent Tunisia – did not always amount to a fair or equal treatment of women in everyday life. From this we can see the origins of what Bourdieu refers to as the visions and di-visions that are constructed by agents in the social order; the *doxa* established in both Tunisia and Ukraine over this period

relied on the assumption that the state knew best how to ‘liberate’ a woman, whether by freeing her of the oppressive nature of religion or by making her an equal contributor to the labour market. In both instances, the woman was not consulted, and different opinions were not taken into consideration, once again creating a power imbalance between the state and the individual.

Such legislative reforms contributed to the image-making projects undertaken by the respective systems, making both Tunisia and Ukraine stand out vis-à-vis their regional and international rivals and be seen to promote modernising and socialist models. The instrumentalization of women’s rights in some ways reduced the promise of equality to a political move to ensure regime stability, and effectively sanctioned the oppression that women of different backgrounds still experienced in these egalitarian systems. From an intersectional perspective, we see how the matrix of domination was established and promoted in both the Soviet and the Tunisian systems. In the latter, the structural and hegemonic domains in particular (the organisation and justification of oppression), played a significant role in limiting Tunisian women from being considered an equal part of the state due to their religious beliefs. In the former, the system brought out all four domains (structural, disciplinary, hegemonic, interpersonal) in its attempts to make all citizens an equal part of the broader socialist cause, reducing women to tools in labour and family production.

### **3.2 From One Regime to the Next: Ukraine’s Independence and Tunisia under Ben Ali**

Zine El Abidine Ben Ali came to power in 1987 as a result of a coup that removed Bourguiba from power, deeming him unfit for office (Masri 2017, 222). Unlike his predecessor, Ben Ali did not have a clear ideological vision for Tunisia. His time in office was broadly concerned with maintaining Western financial support while he continued political and social repression

at home, especially when opposition began to grow as a result of the crumbling economic situation.

With Ben Ali, women's rights once again became relevant in Tunisia. State feminism and women's engagement was seen to be instrumental for Ben Ali's consolidation of his newly established rule, using the existing system of oppression to further marginalise those who did not agree with his politics. As with Bourguiba, women's rights allowed Ben Ali to become the kind of president who was "a symbol of the building of a democratic and secular Tunisia" (Della Valle 2018). He continued to promote very clear divides in society, and especially among women; thus, the postcolonial rural/urban and poor/elite class divide was starkly noticeable in Ben Ali's feminism (Khalil 2014, 198). Ben Ali favoured the latter – wealthy, urban, and secular women, driving a further wedge between women not only on a religious but on a class level, alienating those who felt like the privileges of being a woman in Tunisia did not apply to them.

At the same time, Ben Ali sought to legitimise his rule by rethinking the use of religious symbols by the state, as well as easing the confrontation with Islamist factions (McCarthy 2014, 741-42). As Anne Wolf (2023, 66) wrote, Ben Ali tried to co-opt the opposition to widen his support base; knowing the "sway of religious forces" he and his team "even revived some Islamic institutions and practices". The negotiations of the National Pact, which rallied support "for human rights and the Code of Personal Status, alongside freedom of opinion and association 'within the context of the law'", included the *Mouvement de la tendance islamique* (MTI), later known as Ennahda, as part of the committee in this process (Wolf 2023, 67; Alexander 2010, 53). Thus, from his pilgrimage to Mecca, to allowing radios to broadcast the call to prayer, to pardoning Rached Ghannouchi – the founder of MTI – and releasing him from prison, all of which was not allowed under Bourguiba, Ben Ali sought to present religion "as a source of national identity", and thus consolidate his rule further (McCarthy 2014, 742).

And yet, although Ben Ali was viewed favourably by many members of the MTI in the early days of his presidency, his aims – to control and weaken his opponents – and superficial attitudes to Islamist forces became quickly visible. Ben Ali had steadily positioned himself as a “protector of Islam”, openly declaring that the Islamist supporters were “a critical threat to Islam itself” (McCarthy 2014, 743). Even though at first, as McCarthy wrote, some secular opposition groups sided with Ennahda in their joint disapproval of the lack of political pluralism in Tunisia, this support waned as more and more secularist groups and individuals looked to the state for financial support (McCarthy 2014, 744). Thus, Ben Ali continued to consolidate the notion of secularism as one that was defined as state’s monopolised control of political power through narrative construction and its tight grip on religious activity.

The honeymoon period officially ended when Ennahda-backed candidates, who were forced to run as independents due to the delay in the party status’s approval, won over 15 per cent of national support in the 1989 elections (Willis 2014). As a result, Ben Ali declared his ruling party, *Rassemblement Constitutionnel Démocratique* (RCD, formerly Neo Destour/Socialist Destourian Party), as the sole winner in all constituencies. By doing so he crushed the last bits of hope for a democratic, more open parliament, fuelling the oppression of Islamist supporters and dividing society further. Thus, Tunisia witnessed a new era of repression of political Islamism and “public expression of religion” through crackdown on their activity, inability to participate in politics, and so on (Boulby 1988, 611).

Religious women continued to be the most obvious targets of this repression, especially since Ben Ali posed as the protector of secular Tunisian women against Islamism. From the 1990s, female Islamist militants were imprisoned and Islamist leaders exiled, with Ben Ali justifying this on the grounds of their lack of support for women’s rights (Tripp 2019, 242). As with Bourguiba’s policies, veiled women lost out on numerous opportunities, as under the Circular 108, enacted in September 1981, “sectarian dress” (the hijab) was prohibited in

educational facilities and public administration institutions (Tripp 2019, 238). In 2006 Ben Ali reinforced the 1981 rule, stating that anyone wearing a hijab in a public space would be deemed as a political opponent of the regime (Tripp 2019, 242). Some scholars like Gobe and Geisser (2007) considered this as a tactic to prevent any “rapprochement of the opposition and independent Islamists”, while others like Jomier (2011) considered the banning of the veil as a signal to Tunisia’s European partners, such as France, who viewed the relatively low numbers of veiled women as a sign of ‘modernity’(Geisser and Gobe 2007; Jomier 2011). This illustrated the importance Ben Ali, much like the Ukrainian government, placed on European support.

It must also be noted that oppression extended to other groups beyond Islamist supporters; Tunisian Worker’s Communist Party and other feminists also experienced intimidation by the police and the Ministry of Interior, and were often threatened with rape and persecution (Labidi 2010). Groups of women were denied the freedom of choice and became targets of political oppression of the state in a country that prided itself on women’s emancipation and gender equality.

While repression of political Islam, religion in the wider society, and other opposition groups like the Communist party was rife, Tunisia began using a new strategy for promoting equality between men and women: Ben Ali allowed for the establishment of multiple state-sanctioned women’s rights organisations. The recently recognised *La Ligue Tunisienne des Droits de l’Homme* (LTDH) in 1977 and its women’s commission, the newly established *L’Association tunisienne des femmes démocrates* (ATFD) and *Association des Femmes Tunisiennes pour la Recherche et le Développement* (AFTURD) in 1989, and the first women’s commission of the Tunisian General Labour Union (UGTT), were prime examples of this. The official aim of these groups was to empower women and help them achieve greater equality. In fact, ATFD in particular aimed to provide “a platform for women’s political participation on

the biggest issues of the day”, instead of just focusing on women’s issues, thus empowering women in Tunisia to engage in political and economic conversations (Petkanas 2018, 89). Yet they were also known for their staunch secular and anti-Islamist views. The anti-Islamist sentiments of ATFD and AFTURD, therefore, aligned with Ben Ali’s views as the protector of secular women.

The way the sentiments of these organisations drove their advocacy is insightful to the way we study interactions between various ‘di-visions’ and stances, as per Bourdieu, because it shows how Ben Ali was able to cultivate the antagonism between secularist and religious women by giving the former formal recognition and fully repressing the activities of the latter. The secularist attitudes of these organisations meant that any organised campaign only targeted the experiences of women whom ATFD/AFTURD represented (usually secular, urban segments of society). Ignoring the experiences of religious women, therefore, not only presented a partial account of the inequalities, but also sowed marginalisation and oppression in line with Crenshaw’s three-domain explanation – structural, political, and representational. For Ben Ali himself, showcasing his relationship with these organisations and his stark opposition to Islam ultimately allowed him to consolidate relations with international partners in the wake of the 11 September 2001 aftermath, and his achievements and pro-Western tendencies were used to camouflage domestic oppression (Kebaili 2018, 125).

Unlike the ATFD and AFTURD, the National Union of Tunisian Women (UNFT), which had existed since 1956, was seen as “the mouthpiece of the state” (Petkanas 2018, 85). Ben Ali’s second wife, Leïla Trabelsi, presided over the organisation, and as a result was portrayed in Tunisia as the promoter and defender of women’s rights. However, the combination of the UNFT’s fully state-sanctioned activity and Trabelsi’s leadership, whose name became synonymous with corruption and greed due to the ownership of most of the Tunisian industrial-financial conglomerates by the Ben Ali and Trabelsi families, became a

negative symbol for the women's rights lobby. This caused a significant internal crisis in the UNFT during and after the 2011 revolution, and showed that while all Tunisian feminist organisations of the time were united in their aims to repress Islamism, they did indeed vary in their commitment to women's rights and attitudes towards Ben Ali's repressive regime.

The relationship between feminist organisations and the state was also not built on equality. Both Bourguiba and Ben Ali controlled and repressed any activity that was deemed destabilising for the regime. As one of my interviewees explained, who herself was involved in Marxist student organisations that rallied against certain policies in the 1970s, such acts of discontent and protest were "absolutely prohibited" and were immediately dispersed by the police and members of the regime's party (Respondent 8 2023). Hence, the establishment of state-sponsored organisations did not mean that the system was actually liberalising; instead, it created another way to control the narratives and activities in society.

To some extent, women's rights activists were able to profit "from authoritarian means of adopting women's rights policies, with autocratic leaders often overriding popular sentiments to implement a policy that benefited [secular] women" for their own benefits (Tripp 2019, 92). Nonetheless, ATFD and LTDH managed to produce some notable campaigns during Ben Ali's reign, even despite his uneasy and ambiguous relationship with the more independent state-sanctioned organisations, and growing critique that they were pawns in his state feminism project and repression of Islam.

In 2000, ATFD launched a campaign against sexual harassment, much like their counterparts in Morocco and Algeria (Arfaoui 2011, 99). As in the rest of the world, the issue of harassment and sexual violence had been persistent in the Maghreb, particularly in the workplace. ATFD organised workshops to raise awareness of the gravity of this problem and on 8 March 2004, International Women's Day, a bill was presented to parliament which urged sexual violence to be criminalised. Yet, despite this important step in the legislation, the law's

general ambiguity and complicated nature meant that a woman could be sued by her aggressor should she fail to provide proof of the incident of aggression (Arfaoui 2011, 99). Thus, while change was slowly being enacted, and women's rights organisations were able to cultivate ideas and exert some influence on the one-party parliament, real change was still difficult to achieve, especially since gender equality and women's rights, alongside all of Tunisia's modernisations, became even more politicised under Ben Ali. At the same time, even symbolic gestures made under Ben Ali's rule, such as allowing the establishment of secular women's organisations, set a precedent within Tunisia for some level of independent thought. It created a level of tension between the regime and female activists, a simmering conflict that became critical during the 2011 revolution.

Despite Ben Ali's continuing repression of human rights, political dissidents, and anyone who opposed his regime, women still attained a level of support from the state that set Tunisia apart from its regional partners. The number of women in the executive and legislative branches increased to 28 per cent by 2011, women's organisations continued operating and were influential in shaping social transformations in the state despite constant crackdown.

Women made up over 42 per cent of the labour force in agriculture, 21 per cent of female journalists were in decision-making positions in the industry, and more than 13 per cent of businesses in the Greater Tunis area were managed by women (Murphy 2003, 180). Education for girls dramatically improved, with 99 per cent of six-year-olds in primary education by 1997 (Murphy 2003, 180). Ben Ali even created a state fund in 1993 to provide support to divorced women and their children, which was previously not provided (Tripp 2019, 242). On the 50<sup>th</sup> anniversary of the Code of Personal Status, he introduced two bills that were meant to demonstrate Tunisia's state feminism: one addressed the legal housing rights of mothers that have custody of their children, and the other set a minimum age for marriage for both sexes at 18 years (Marsaud 2006).

All these trends signified a continuing positive development in women's standing within the economic and social sectors in Tunisia. However, while women still attained a level of recognition from the state that set Tunisia apart from its regional partners, this attention came at a cost and with its own setbacks. Political participation continued to be nominal in a one-party state where the freedom of opinion was not exercised. Repression of political dissidents and human rights violations meant that elected female politicians largely agreed with the politics of the state, and made it impossible for those women who would consider enacting change to voice diverging opinions.

Moreover, Ben Ali's education policy reforms have been considered damaging in the long term. Islamism in the curriculum was targeted, ideological content was removed from textbooks, and the vocational track in secondary schools was removed under the consideration that this existed for the less academically inclined who would consequently become easy targets for Islamist recruitment (Masri 2017, 284–86). As a result, intake for higher education increased dramatically, albeit without the increase in spending on education. Not only did this cause a steady deterioration in the quality of education but it also made universities into “factories of unemployment”, fuelling the beginning of the 2011 revolution (Masri 2017, 287). Thus, while the changes to the education system may have favoured (secular) women, the wider scale of problems caused by these changes made it only a relative achievement in the fight for all-encompassing women's empowerment and equality.

The tensions and dichotomies that existed in Tunisia pre-2011, particularly under Ben Ali's rule, illuminate important nuance in the study of equality and female empowerment. On the one hand, Tunisia was able to portray itself as the champion of women's rights in the Arab world, and on paper it certainly was. Participation in politics, advocacy of CSOs, and the constant reforms brought forward by the state provide evidence in support of this trend. On the

other hand, as Kabeer points out, women's empowerment is a multi-faceted concept, in which the woman is primarily able to make strategic life choices without obstacles (Kabeer 1999). Here, both process and outcome are important, and not all women were given the option to participate in the process.

A more critical analysis of the situation may even conclude that barely any women were truly empowered during Ben Ali's rule, as even the secular factions of society faced repression when they tried to stand up for human rights violations in the country. What these two decades show, then, is that this uneasy historic relationship between the state and women undoubtedly shaped individual and collective attitudes towards the status quo and women's rights in society, feeding into the active opposition women showed towards the regime during the 2011 revolution, and their subsequent actions in democratising Tunisia.

### *Ukraine*

The collapse of the Soviet Union presented a number of serious opportunities and challenges to newly independent states, especially those that had been industrialised and urbanised under Communist rule. Ukraine was certainly no exception in this process. One of the biggest challenges was the hasty democratic transition that the country embarked on in order to show Moscow and the West that it was now a sovereign state (D'Anieri 2006, 90). This tumultuous period was characterised by little turnover in elites in positions of power, economic crisis, and significant institutional continuity from the Communist regime, which set a precedent for decades to come, both in the way the system operated and in the trust it received from the population. Weak institutions, continuous conflicts between the executive and legislative branches of government, informal dynamics, role of oligarchic ties, and the overall

concentration and consolidation of de facto political and economic power in the executive branch have continued to define the political landscape in Ukraine, albeit to varying extents (D'Anieri 2006, 59). The role of the president, therefore, played a significant role in many reform processes. This was particularly noticeable when it came to changes – such as women's rights and equality in key sectors like the military and political establishments – that affected Ukraine's image vis-à-vis its international partners, as the state became reliant on their support for economic and political stability.

As the notion of 'Soviet identity' began collapsing, initial hope for varied and liberal cultural, economic, social, national, and religious values grew among women in Ukraine. Ukraine saw an uptick in the formation of women's rights organisations during the transition period, as well as the emergence of prominent women in business, and new faces in parliament (Zhurzhenko 2001, 29). However, debates on the protection of women became "instrumentalized to construct the image of the new state, yet connected to the national past" (Tarkhanova 2021, 7). The very notion of 'transition' meant the dismantling of the existing societal order and the emergence of a new way of living – an establishment of new visions and divisions within the Ukrainian state. Both the democratisation process and the negative experiences with communist state feminism meant that the nationalist ideology was accepted much more by women and different organisations, with varying levels of reluctance, as it became the sole way to "fill the void left by the disintegration of communism" (Pavlychko 2002, 53). Traditional outlooks on gender roles made a comeback in the transition period, shifting from being considered a 'heresy' to *doxa*, and substantially affecting female representation in politics. Some women began to reject the notion of gender equality, as they equated it with the "unpleasant memories of the pseudo equality that they experienced under communism" (LaFont 2001, 215). This meant a shift back to the image of *Berehynia* and an idea of 'equality in difference' (Zhurzhenko 2001, 47). In fact, the reversal to more traditional

female roles in society, such as taking care of the family, was accepted and promoted, and women who supported female liberation were considered to be unpatriotic, threatening the notion of family and the foundation of the nation-state (LaFont 2001, 215; Daskalova 2000). Therefore, unlike in Tunisia, it seems that at first women did not hold an exceptionalist view of their emancipation legacy, and instead considered it deeply flawed and associated it with a failed and oppressive system.

The shift to a free market economy posed challenges for Ukrainian women. As Zhurzhenko explains, ruling elites were able to use the rhetoric of a transition to this type of economy to disguise the redistribution of power and property (Zhurzhenko 2001, 35). The process created social exclusion and an unequal distribution of the new system's benefits, fostering "marginal groups and identities", while also introducing and imposing "the 'normal' sexual division of labour" (Zhurzhenko 2001, 35). Moreover, the harsh double-burden experienced by women under the Soviet system – providing equal contribution to the labour market and organising the household – caused a backlash to these ideas. Women, shifting from one system of oppression to another, were left to suffer the consequences of economic transition, and their previous benefits were taken away from them in the move towards a neoliberal, democratic order.

Economic conditions that affected almost every family in Ukraine combined with "culturally induced inhibiting factors" could certainly explain much of their unwillingness to become involved in politics (Birch 2003, 131). Women continued to identify political action with "masculine behaviour, power struggles, corruption and hypocrisy", and therefore did not express overwhelming interest in political activity and career (LaFont 2001, 208). Many women expressed a preference for a predictable "nine-to-five job", which would allow them to earn money and at the same time leave enough personal time to devote to their families (Avdeyeva, Vinokurova, and Kugaevsky 2017, 444). As a result, the numbers of women in the

legislative system rose insignificantly from 3.8 per cent in 1997 to 8 per cent in 2010, revealing the attitudes both women and men had to the involvement of women in Ukrainian politics (The World Bank, n.d.-a). While female participation in politics remained low, the attitudes of the political institutions turned more traditional. Government policies projected a clear message that women's problems centred around motherhood, the home, child support, and the family as a whole (Pavlychko 2002, 70). The Parliamentary Commission for Women's Problems, the Protection of the Family, Motherhood and Childhood in the Ukrainian Parliament of 1990-4 was a short-lived initiative: in 1994 it was abolished, and policies regarding women continued to not be a priority on the political arena (Pavlychko 2002, 70).

Nonetheless, despite the setbacks and unstable nature of Ukraine's post-Soviet development, the executive branch began cultivating support for issues pertaining to women's protection, thus presenting itself as a modernising state. In 1995 President Kuchma established the Committee on Women, Maternity, and Childhood under the Authority of the President, which served as a basis for the later established Ministry for Family and Youth (Hrycak 2012, 111). The 1993 conferences of Women's Community and the Union of Ukrainian Women all addressed the role of women in democracy, state-building, and Ukraine's future (Hrycak 2012, 111). The country also actively supported global campaigns denouncing gender-based violence: it was the first country in the post-Soviet region to formally criminalise human trafficking in 1998, and in 2001 it passed its first law to combat domestic violence, although it later proved too general and ineffective (Hrycak 2012, 98-99; Pyschulina 2003; Hrycak 2010).

Two issues stood out to be the biggest challenges for the post-Soviet space, namely domestic violence and human trafficking. The shift towards a more open and active conversation about women's rights, particularly the problem of violence against women, a topic that was not considered a problem in the Soviet Union and not given priority in the early 1990s,

came from exogenous factors: the 1995 Fourth World Conference on Women in Beijing and the rise in Western-sponsored initiatives in the post-Soviet region. With emerging new resources to support initiatives against it, the US became a major donor in combatting violence against women (VAW) and human trafficking in the region (Hrycak 2012). Funding began flowing into Ukraine from organisations such as USAID and George Soros's Open Society Initiative, helping local groups educate the public and promote a culture of inclusion (Hrycak 2012). Thus, unlike in Tunisia, a combination of Western-sponsored women's advocacy and the state's openness to such funding and activism increased the role of CSOs in the question of women's rights, elevating the importance of this issue.

Two important caveats must be noted here. First, Western donors did not fund a "broad spectrum of groups" but instead only those who accepted the Western definition of female empowerment (Hrycak 2007, 211). As a result, ideas began to be influenced by the desire to receive external support that was necessary for the survival of many organisations. However, Ukraine's local understanding differed from that imposed by the West. Blame was usually placed on the state, not the individual man within a family; the family, to the contrary, was viewed as "the only site of resistance" by local activists in the 2000s (Hrycak 2007, 211). Second, despite the relative successes of Western-sponsored initiatives and their high importance to Ukraine's development, this set a precedent for heavy reliance of Ukrainian NGOs on external sponsorship, both for setting the agenda and in their consequent advocacy. Any potential change in aims and focus of Western donors could potentially lead to a reduction or complete cessation of financial backing, putting domestic civil society groups in a volatile position. Thus, the competition for power between these civil society groups was deeply influenced by Western financial support, exerting additional pressure on their promotion and framing of specific ideas, showing the added layer of difficulty that women's rights groups faced in newly sovereign Ukraine.

The 2004 Orange Revolution brought further democratic changes to Ukraine's political, economic, and social development. The mid-2000s in Ukraine were commonly considered as the 'golden years', which gave hope to a shift towards political and economic stability. In 2005, President Yushchenko's government passed a highly progressive law on Ensuring Equal Rights and Opportunities for Women and Men (discussed in Chapter 4). The country also saw a rise in grassroots women's organisations, which ranged from being openly feminist (such as Feminist Ofenzyva or FEMEN) to moderate groups that aimed to improve women's social, political, and economic standing. Therefore, particularly after the Orange Revolution, there was a glimmer of hope that more democratic initiatives would be put in place by the government, particularly concerning women's rights and equality in politics and society.

Nonetheless, despite the 2005 law and a seemingly progressive attitude to the advancement of women's rights in politics and society, Ukraine was still unable to consolidate a culture of strong grassroots initiatives and improve its gender equality rankings. After five years of Yushchenko's presidency, the 2010 Global Gender Gap Report showed that Ukraine ranked 105<sup>th</sup> in the political empowerment category, 112<sup>th</sup> in the Women in Parliament sub-category and even lower – 122<sup>nd</sup> – in the Women in Ministerial Positions sub-category (Hausmann, Tyson, and Zahidi 2010, 300). At the time, there were only 8 per cent of women in the Verkhovna Rada and 4 per cent in ministries. These results came in spite of the 2006 World Values Survey used by Hrycak in her analysis of the gender situation in Ukraine in the 2000s, which illustrated overall support and demand for higher female representation and empowerment, as expressed by women themselves. This meant that the agents within the Ukrainian system were not yet ready to do everything in its power to raise the levels of female political participation (Hrycak 2011).

Despite these aspirations, and the election of the first female Ukrainian prime minister in 2005, Yulia Tymoshenko, who was also one of the first women in the post-Soviet region to

take up such a senior government position, there was no surge in female participation in Ukraine's politics. No significant further implementation of the 2005 law was visible, and there were no incentives for political parties to increase gender quotas during election seasons. Tymoshenko, while seen by some as a symbol of women's empowerment, did not promote a feminist worldview herself. In fact, she became the epitome of the *Berehynia* image, and her party All-Ukrainian Union "Batkivshchyna" (Fatherland thereafter) espoused "reformism, spirituality, patriotism, state solidarity, responsibility, rights and freedoms of citizens" but also "national, democratic, Christian values" (All-Ukrainian Association 'Batkivshchyna' 2016). Neither Tymoshenko nor her party have ever actively supported feminism, despite the fact that a small number of the party's female MPs have been the faces of the gender equality movement in Ukraine.

Moreover, and more broadly, the failure of Yushchenko's government to consolidate the successes of the revolution, stabilise and overcome political polarisation, fight corruption, and prevent Viktor Yanukovich's rise to power, first through his premiership and the subsequent presidential win in 2010, meant that all spheres of life began to suffer, women's rights being among them. The intensification of pressure exerted by Russia on Ukraine also meant that political polarisation took centre stage, pushing women's rights even further down on the agenda.

However, despite the lack in visible shifts in closing the gender gap in Ukraine's Verkhovna Rada, some key trends indicating a change in societal and political attitudes began to become apparent. Even though Tymoshenko was defeated in the 2010 presidential elections, she still gained 46 per cent of votes in the second round; within this average, the gender split in voting was almost equal, with 46.4 per cent of women and 44.6 per cent of men casting their votes for her (Hrycak 2011). Thus, even though she did not beat Yanukovich, or espouse clear feminist values, this election showed a slow yet steady shift in the population's attitude towards

supporting a woman for the highest office position in the country. This also indirectly indicates a change in perception, an early liberalisation of attitudes away from the patriarchal, traditional order.

Moreover, women in parliament, albeit in their small numbers, were able to establish the “Equal Opportunities” caucus in 2011. The Caucus (discussed in Chapter 4) was founded with the aim to ensure that Ukraine’s legislation “related to equal rights and opportunities” as well as conforming to European standards, and has been seen as a significant step for women in Ukraine (Palmieri 2013, 18). Even in light of the rising authoritarianism of Viktor Yanukovich, the small women’s lobby inside the Verkhovna Rada (Ukrainian parliament) was able to mobilise its strength and promote its own ideas and stances, exerting agency in achieving a number of minor changes for women’s rights and equality, and challenging the prevalent vision of how women should behave within Ukraine’s political establishment.

Yanukovich’s presidency did, however, impede on these changes and negatively affected Ukraine’s standing in the international arena. Here, parallels emerge between the authoritarian grip and rising tensions in society with the ones experienced in Tunisia, particularly in the years leading up to the 2011 revolution. To begin with, Yanukovich exhibited authoritarian tendencies and a “royal-like” lifestyle (Gorchinskaya 2020). The speed with which he consolidated his rule and established his close circle of trust, known as the Family, shocked many observers (Dragneva-Lewers and Wolczuk 2015). He reinstated the powers of the president that had been weakened with constitutional changes following the Orange Revolution, turned his political party – the Party of Regions – into the main party of power, which meant that he had direct access to the legislature, and gained control of the executive branch through the appointment of Mykola Azarov, the chairman of the Party of Regions, as prime minister (Dragneva-Lewers and Wolczuk 2015).

Moreover, Yanukovich's expansion of the security services meant that he redirected budgetary spending towards the security apparatus, destroying Ukraine's military capabilities (Vdovenko et al. 2014, 6). In the military itself, a highly patriarchal and traditional institution, women were marginalised from combat roles. Although official reports indicated that the Ukrainian Armed Forces (UAF) were showing consistency in their gender policies, allowing more women to join on a contractual basis, it has since been revealed that women predominantly served in feminised roles such as cooks, administrative workers, and nurses, or secured their place in the establishment due to their marital connections to army commanders and influential military figures (Martsenyuk, Grytsenko, and Kvit 2016; Respondent 27 2019). The increase in female contractors was also attributed to the significant "reluctance of men to hold low-paid positions", which created further problems and inequalities for women in the UAF (Dubchak 2008, 190). Thus, by the mid-2010s, the military was facing challenges that ranged from complete defunding to the lack of willing and trained personnel. For women wishing to serve in the UAF the obstacles came from the unreformed, deeply conservative environment cultivated in the military establishment, despite the existence of such frameworks as the 2005 Equal Rights and Opportunities law. Through examples such as this we see the selective nature of the state's implementation of gender equality policies in Ukraine.

Political, economic, and social developments in Ukraine since its independence in 1991 have revealed a complex path towards establishing a system within which women can be treated as equals. The adoption of a traditional outlook on the unequal roles of men and women at home or in the workplace, economic hardship, and Ukraine's uneasy position between its European aspiration and dependence on Russia have all presented challenges and setbacks for the increase in female political participation and the establishment of a strong civil society that fights for women's rights. Yet in spite of this, as is the case in Tunisia, the 2000s witnessed some positive improvements for women, such as the change in attitudes towards political

participation and the shift in priorities towards protecting women's rights in the public and private spheres. The small victories and challenges in the face of uncertainty and rising authoritarianism and systems of oppression that had consolidated in Ukraine since independence must not be overlooked. They reveal the complexity of the challenges that women in society, and female politicians in the Verkhovna Rada, faced before the 2013-14 Revolution of Dignity.

### **3.3 The Melting Point: Revolutions and the Changing Face of Politics**

The previous two sections allowed us to explore the historical trajectories of women's empowerment and fight for their rights in Tunisia and Ukraine, all of which will help contextualise the recent reforms promoted by a number of female MPs in both states. The socio-historical background revealed the origins of certain ideas and stances that shaped the levels of oppression that women experienced in both states. Unsurprisingly, the issue of equality between men and women became a highly politicised game, with a discrepancy between the image presented to outsiders – allies, international institutions, and so on – and the realities women experienced on a daily basis. Tunisia and Ukraine are certainly not the only states where such politicisation occurs. However, they are examples of states that indirectly, throughout history, built and fostered strong opposition forces to their repressive and authoritarian rule. As we have seen, the fine line that each regime tried to tread in projecting a modernising image while still making sure that there was no direct threat to their rule created small pockets of change resulting in women's empowerment. It also revealed how these opposition forces interacted with each other, and the ways in which they tried to promote their ideas to avoid repression but also achieve results.

From the literature on both the 2011 Jasmine Revolution and 2013-14 Revolution of Dignity in Ukraine it is evident that women, or their struggle, did not trigger these revolutions. However, they played an instrumental role in opposing the repressive regimes and demanding change for a democratic transformation in their respective countries.

### *Tunisia*

As mentioned previously, women's role, notably their activity and empowerment, was growing stronger in Tunisia in spite of the authoritarian space in which they were advocating. The period between 1990s and 2010s saw an increase in women's access to health benefits and education; there was a growing collective and individual agency that was visible in both the public and private spheres (Chambers and Cummings 2014). At the same time, Ben Ali's regime was consolidating its authoritarianism to the detriment of Tunisia's economic development. World Bank data puts the rate of unemployment in 2011 at 18.3 per cent, compared to 2010's 13 per cent statistic (The World Bank, n.d.-b). Unemployment rates varied across different regions of Tunisia, with the northwest and southwest, known for their agriculture and mining respectively, being the worst affected (Haouas, Sayre, and Yagoubi 2012, 399).

With 60 per cent of Tunisia's 10 million population under the age of 30, the gravest impact of this unprecedented unemployment was felt by the younger generations, especially graduates of higher education institutions, with 21.6 per cent unable to secure a job in 2008 (Haouas, Sayre, and Yagoubi 2012, 400). The changes to the education system outlined in the previous section, along with the youth's desire to become more educated to avoid the bad labour market, and a lack of jobs in the public sector for which higher education prepares these graduates resulted in a dire situation among young Tunisians (Haouas, Sayre, and Yagoubi 2012).

Unsurprisingly, women suffered immensely in this process due to historical gender inequality in the labour market. Despite opportunities created in the economic and political spheres for women, their participation remained restricted (Grami 2008, 358–59). Haouas, Sayre, and Yagoubi reported that by 2010 64.5 per cent of women between the ages of 15-24 who had a higher education diploma faced unemployment, while the figure for women over 25 was 30.7 per cent (Haouas, Sayre, and Yagoubi 2012, 404). Thus, when protests erupted in Redeyef in January 2008, a city near the Gasfa mining area in southwest of Tunisia, women exerted their agency by demanding change from the government. Thirteen women established an encampment near the city's ferry routes for months, which generated a protest movement that quickly spread across the region and challenged the rates of unemployment, poverty, and corruption of the Tunisian regime (Della Valle 2018). Women shouted, “work is a right, you bunch of thieves!”, a slogan that exposed their grievances and became one of the more used sayings in the 2011 revolution (Della Valle 2018).

The Gasfa protests lasted six months, yet they did not cause Ben Ali's resignation. The economic situation worsened, and repressive practices continued to flourish. However, these protests planted the seeds of the regime's downfall that came two years later. In Bourdieusian terms, they showed how the di-visions in society began to outweigh the visions established by the authoritarian regimes. While these were never covered by state-controlled media, the protests became well-known on university campuses around the country (Chomiak 2011, 72). By chipping away “at the fear barrier that prevented many Tunisians from challenging the regime's repressive policies”, the protests brought forth the general anger of the public, particularly regarding Ben Ali and Leila Trabelsi's lavish lifestyles (Aboueldahab 2018). It also illustrated the significant mobilisation of all Tunisians, including women, many of whom had been repressed and marginalised over the years by the regime and who were ready to challenge the status quo in the general wave of discontent.

The Tunisian revolution of 2011 brought the demise of Ben Ali's regime and has been deemed one of the most influential events of the 2010s in the MENA region and the wider world. The events directly leading to the eruption of nationwide protests, its relatively nonviolent nature, and the peaceful transition to a multi-party democratic order after Ben Ali fled the country on 14 January 2011 have all become examples of "the most successful case of democratic consolidation" during and after the Arab Spring (King 2020, 309).

The five most quoted reasons for why the protests grew into a successful revolution were: the socio-economic crisis, epitomised and catalysed in Muhammad Bouazizi's self-immolation on 17 December 2010; Ben Ali's authorisation to use deadly force against the protesters; the growing use of social media, particularly Facebook; solidarity and active coalition between various CSOs, most prominently the General Union of Tunisian Workers (UGTT), as well as women's organisations such as ATFD and human rights organisations like LTDH; and the army's refusal to follow Ben Ali's orders to suppress the protesters (Schraeder 2012, 77–79).

Much like in Ukraine in 2013, a growing reliance on social media and the internet facilitated the rapid spread of the revolutionary spirit. As of 2009, the Arab world had an estimated amount of about sixty million internet users and authoritarian states were becoming less isolated (Isakhan, Mansouri, and Akbarzadeh 2012, 64). Although Ben Ali tried to suppress Facebook use in August 2008 following the Gasfa protests, his efforts were short-lived due to an international pressure campaign (Chomiak 2011, 73). The videotape of the twenty-six-year-old Muhammad Bouazizi's self-immolation, which spread across Facebook and was subsequently broadcasted by Al Jazeera, facilitated the type of rapid social mobilisation that was able to bring about change. Similarly to Ukraine, daily informal conversations at home, in coffee houses and restaurants formed solidarities between people and against the government, and were augmented by the visuals produced by the media (Chomiak 2011, 71). It allowed the

young, unemployed, and disgruntled Tunisian generations to take charge, and became the subsequent method of voicing discontent during Tunisia's (and Ukraine's) democratisation process.

Tunisian women were considered to be "one of the main souls of the revolution" (Della Valle 2018). During the revolution, established women's organisations were adamant in clarifying that despite their state-sanctioned nature, they were not supporters of the Ben Ali regime, and were as oppressed as other factions of society (Tripp 2019, 245). Alongside the AFTD's active participation in the revolution, women from different generations and socio-economic backgrounds became strong advocates for change. When the scale of female participation became apparent to the regime, they tried, albeit unsuccessfully, to launch a "gender-specific deterrent" with the aim to scare the women from protesting (Johansson-Nogués 2013, 399). Women in the capital and particularly in poorer areas of the country were thus subjected to sexual harassment and even rape by the regime's security services (Chrisafis 2011). Due to the rapid downfall of the regime, this fortunately did not become a systematic and widespread tactic in Tunisia. Yet it challenged the legitimacy of the regime's decades-long narratives on equality between men and women. It also illustrated that rural women were already devalued, through long-term marginalisation, by the regime and therefore appeared as much easier targets, once again revealing the layers of oppression experienced by different classes of Tunisian women.

The participation of women in the revolution, therefore, was instrumental in revealing these double standards of the regime that prided itself on women's rights and gender equality provisions. Here, Al-Ali (2012) summarised the issues that the revolutions around the MENA region revealed perfectly: first, we can see the "centrality of women and gender when it comes to constructing and controlling communities, be they ethnic, religious or political"; we can also observe "the significance of the state in reproducing, maintaining and challenging prevailing

gender regimes, ideologies, discourses and relations”; finally, and most significantly in our case, we have witnessed “the instrumentalization of women’s bodies and sexualities in regulating and controlling citizens and members of communities”, as well as the notions of gender-based violence and the overarching construction of the idea that a woman is a second-class citizen (Al-Ali 2012, 31). This once again reinforces the need to acknowledge women’s experiences, shared and individual, which shaped their attitudes and interactions with the status quo and contextualise their subsequent activism.

Despite the government collapse following Ben Ali’s resignation, CSOs were able to step in, provide a temporary solution to the problem, and ease the tensions in Tunisia. Almost immediately after the revolution ended, the provisional government lifted the CEDAW reservations in 2011, and Tunisia became the first country in the region to do so (Tripp 2019, 139; Moghadam 2018). This was the result of a campaign organised by the *Fédération internationale des droits de l’homme*, ATFD, LTDH, and Doustourna (Tripp 2019, 139). Moreover, women’s organisations such as ATFD and AFTURD were able to open offices outside of Tunis and begin openly collaborating with organisations such as UGTT. This paved the way to the activism both inside and outside the legislative institutions, in the drafting of the 2014 constitution or the 2011 and 2014 electoral laws, and in women’s vocal effort to improve the rights of all women across the country – urban, rural, secular, religious – after 2011. Islamist organisations were also allowed to organise once the ban on their activity was lifted; organisations such as *Nisa Tounsiyat* and *Tounissiet* were able to work towards achieving change for women who had been severely marginalised under the Bourguiba and Ben Ali regimes. They were also now able to tackle “similar issues to their secular feminist counterparts”, once again illustrating that they were not in opposition to each other, but instead fought for largely similar change (Debuysere 2016, 230; Bourdieu 1991).

Finally, the revolution liberalised the political system. Parties were allowed to be registered and participate in elections, which saw a ‘mushrooming’ of new ideas and identities in Tunisian politics, finally making space for what Bourdieu described as “competition of power and ideas”, without an inherent imbalance of power that a one-party authoritarian state produced (Cimini 2020, 961; Bourdieu 1991). Members of the Ennahda party were able to return to Tunisia from exile, and the party was officially registered for the first time in the 2011 elections.

For Tunisian women, therefore, there was hope that women of all backgrounds would now be represented in politics, making the system fairer and tackling the different levels of oppression by taking into consideration a wide range of angles on women’s issues. In fact, an emerging trend in MENA states that had undergone popular revolutions was that Islam is not antagonistic to women’s rights, and gender equality is not hostile to Islam. In a survey conducted by Arab Barometer in 2010-2011 (Wave 2) and 2013 (Wave 3), 1,196 and 1,199 Tunisian respondents respectively answered a series of questions pertaining to various issues, including social, cultural, and religious topics (Arab Barometer 2012-2014, 21). As Fox, Alzwawi, and Refki (2016, 53-4) show, female respondents over the two waves generally showed high support for matters regarding their rights following the revolution. For instance, the question of women’s economic equality and freedom (i.e. working outside the home) was strongly agreed by 92% of women in Wave 2 and 89.2% in Wave 3; similarly, the importance for gender-mixed education in universities received 81.1% agreement from female respondents during Wave 2, and 82.5% during Wave 3.

The same can be said about religiously inclined statements: the need for women to wear modest clothing without needing to wear a hijab was supported by 78.2% of women in Wave 2 and 83% in Wave 3; enacting inheritance provisions in accordance with Islamic law received 77.6% in Wave 2 and 77.3% in Wave 3; finally, enacting personal status laws in line with

Islamic law was supported by 51.6% in Wave 2 and 55.5% in Wave 3. From this we can observe that female respondents in Tunisia were accustomed to and largely supportive of “moderate interpretations of religious codes without the need for pure secularism” (Fox, Alzwawi, and Refki 2016, 48). In fact, it also shows that the Islamist/secularist divide persisted in large part due to the desire of dominant groups (i.e. the state and in some cases individuals in politics and women’s rights organisations) who used their positions of power to continue promoting and re-consolidating this rhetoric in society in order to maintain hierarchies and try to hold on to the monopoly on political activity that existed previously.

Therefore, much like in Ukraine, Tunisia’s revolution was a prime example of how women’s active and equal participation was a necessary occurrence for the democratic development of the state, while at the same time revealing the deeply ingrained problems women continued to face, as well as the dominant narratives that persisted in society long after these catalytic events.

### *Ukraine*

Ukraine has “a rich history of social mobilization and protest activism” (Puglisi 2015, 5). Although not the first uprising in the history of independent Ukraine, the 2013-14 Euromaidan Revolution has had a significant impact on the politics and economy of the state as well as society at large, acting as one of the catalysts for the involvement of civil society in the gender equality reform process. Initially a reaction to President Yanukovich’s “abrupt decision to end talks on a Ukraine-European Union Association Agreement” (Steinzova and Oliynyk 2018), Euromaidan was made possible by the growing role of social media as a political tool used by civil society to mobilise, following in the footsteps of the Arab Spring (Allagui and Kuebler 2011; Surzhko-Harned and Zahuranec 2017). As the growing number of protesters congregated

online and in Independence Square, it became clear that pro-European sentiments were a crucial driver of the disgruntled public, incentivising a new government to emerge on a pro-European platform.

Crucially, just as in the 2004 Orange Revolution, women became an integral part of the Euromaidan, commencing their roles as activists in bringing equality for women wishing to protect Ukraine's territorial integrity. Some estimates indicate that women made up almost 45 per cent of participants in Independence Square and were present since day one (Warren et al. 2018, 31). A study conducted by Nikolayenko and DeCasper (2018) explored the drivers of women's participation in the revolution<sup>6</sup>, and while gender equality was rarely stated as "an incentive for women's initial involvement", the Euromaidan still cultivated a sense of empowerment among the women protesting against the authoritarian Yanukovich government (Nikolayenko and DeCasper 2018, 743; Hrycak 2007, 223). Women showed great courage when they mobilised their efforts to help fight against the Berkut special police force. The most notable example of this is the creation of the Olha Kobylianska Women's Squad<sup>7</sup> (Women's *Sotnia*), which promoted "advocacy, activism, and women's empowerment" (Phillips 2014a, 420). Significantly, most participants who joined the *Sotnia* did so to "champion the idea of gender equality and boost the visibility of women in the protest campaign" (Nikolayenko and DeCasper 2018, 747).

Nonetheless, their active participation also meant that they had to constantly fight against the additional barriers of sexism and gender inequality ingrained in Ukrainian society. Women of the Maidan (Independence Square) reported constant stereotyping, which led to a strong feeling of the need to assert their equal position in the process. Women received little

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<sup>6</sup> The interviewees in the study were able to choose more than one motivation for protesting during Euromaidan, and therefore the total percentage was more than 100 per cent. According to Nikolayenko and DeCasper, around two-thirds of the respondents chose multiple reasons for engaging in the revolution.

<sup>7</sup> Olha Kobylianska was a prominent Ukrainian feminist and modernist writer. Throughout her life, she actively fought for the liberation of women from any type of dependence.

recognition for their contribution to the revolution, despite the fact that “women on the Maidan [didn’t] just make sandwiches, they also [built] barricades” (Phillips 2014b, 416). When police violence grew in January 2014, Andrii Parubii, a Maidan commandant and later the speaker of the Ukrainian parliament, “advised women against participating in direct combat on the barricades” (Nikolayenko and DeCasper 2018, 748). For many, this reinforced the levels of oppression that women still experienced, especially through the paternalistic view that women needed protecting, and that their natural place was in the home rather than on the battlefield.

The fact that women who participated in the Euromaidan fought for more than just gender equality is not an inherently negative factor in this story. According to Nikolayenko and DeCasper, 22 per cent were also motivated by EU integration and 60 by their dissatisfaction with the government, which shows that a variety of interconnected factors united the Ukrainian public against the oppressive regime (Nikolayenko and DeCasper 2018, 743). It also reveals the wide range of ideas and grievances of participating women, underscoring that, just like in the case of Tunisia, their background, beliefs, and experiences must be taken into consideration as they shape their subsequent advocacy and involvement in politics.

Overall, women created “a revolution within a revolution”, served in important leadership roles, and “started a lot of initiatives” that were instrumental to the protests, thus challenging the patriarchal status quo in the Maidan (Khromeychuk 2018a, 51; Warren et al. 2018, 32; Phillips 2014b, 415). As a result, Euromaidan proved to be a “productive space for Ukraine’s feminists”, offering women’s rights activists an opportunity to “(re-)reflect on [...] women’s roles in the formation of the nation” (O’Sullivan 2019, 10). It also illustrated that women were a vital asset to the state’s struggle against Russian aggression on the one hand, and to state-building and democratisation on the other (Phillips 2014a, 415). It is not surprising, then, that the Euromaidan brought women’s contribution to the forefront, laying the foundation for their empowerment in the fight for eastern Ukraine and equal rights.

The events that directly followed Yanukovich's resignation and escape from Ukraine were also crucial for the way in which Ukrainian politics has been shaped since. Dissatisfied with the outcome of the revolution, Russia illegally annexed the Crimea in the spring of 2014 and subsequently sponsored groups of pro-Russian separatists in the Donetsk, Luhansk, Kharkiv, Dnipro, and Odesa regions to stage the so-called independence movements. While Odesa, Dnipro, and Kharkiv withstood the posed threats, in the Donbas region the takeover was imminent. By the spring of 2014, and still recovering from the Euromaidan, Ukraine was forced to defend its territorial integrity against Russian-backed separatist aggression in the east. Yanukovich's severe budget cuts and repurposing of defence spending towards Ukraine's secret services meant that the army was unable to defend Ukraine's territorial integrity at that time. As a result, Ukraine was unable to defend the Crimean peninsula against illegal Russian annexation in March 2014 (Gordon UA 2018). Thus, when protests began spreading across the south-east in April 2014, the population mobilised against the imminent threat of a Russian invasion.

This led to the introduction of the Anti-terrorist Operation (ATO) by the provisional government, and an establishment of volunteer battalions to deter the advancement of Russian-led troops into other Ukrainian territories (Eck 2015; Malyarenko and Galbreath 2016). Some battalions were formed by the Ministry of Internal Affairs, while other battalions consisted of ideologically driven volunteers and were comprised predominantly of Maidan protestors (Delo UA 2014). By October 2014, "more than 44 territorial defence battalions, 32 special police battalions, and three volunteer national guard battalions" were fighting to defend Ukraine, while the UAF were slowly getting back on their feet (Cohen and Green 2016). Most volunteer battalions allowed women to serve in their ranks. This paved the way for women to be able to show their combat capabilities, equalling men and women in the armed forces for the first time in Ukraine's history of independence.

Yet soon after the 2014 presidential and parliamentary elections, the new pro-European government began rebuilding the Ukrainian Armed Forces, and by 2015 almost all volunteer battalions were integrated into the UAF. However, this created significant tension with the paramilitaries already on the ground, especially since the UAF did not allow women to serve in combat roles (Facon 2017, 25–27). This meant that the volunteer battalions would be losing some of their trusted soldiers, and also showed the speed with which the state was willing to sideline women who were integral to its survival. As Chapter 6 will show, this set a precedent for a series of ground-breaking reforms initiated by the women’s lobby inside and outside parliament to bring equality to the armed forces, becoming perhaps one of the most direct consequences of women’s involvement in the Euromaidan revolution.

At the same time, civil society became “de facto a security actor” in Ukraine, and many organisations were led and organised by women who were not serving on the front lines (Puglisi 2015, 3). In the years following the 2004 Orange revolution, Ukraine witnessed a decline in CSO activity and a continuing lack of trust towards organisations. Bilan and Bilan (2011) summarised it as: “society does not accept the civil society as an effective tool to represent and protect their rights. Civil society organizations do not appear at the forefront of the struggle for rights of the citizens” (Bilan and Bilan 2011, 86). However, the period following the 2014 Euromaidan, which culminated in a combination of a pro-European domestic and foreign policy and war in the east, showed an increase in trust for CSOs as well as a rise in citizens’ involvement in voluntary work, informal civic activity, and fundraising for specific causes (Solonenko 2015, 234). Learning the lessons of the Orange revolution, some scholars have argued that civil society has been strongly influential in pushing for crucial domestic reforms in Ukraine, particularly in the fields of economics, anti-corruption, governance, and criminal justice. Nitsova, Pop-Eleches, and Robertson (2018) maintain that Ukraine saw the adoption of a number of successful laws due to a ‘sandwich strategy’, whereby civil society and

international actors applied similar amounts of pressure to “squeeze the government in Kyiv” and achieve change (Nitsova, Pop-Eleches, Robertson 2018, 1).

Thus, in the absence of strong, reformed, and fully democratic institutions, scholars believe that the biggest push came from CSOs and the existence of international conditionality – often tied to financial support – which incentivised certain reform processes to take place (Nitsova, Pop-Eleches, Robertson 2018, 25). With Ukraine’s pro-European foreign policy clearly supported and articulated by both the population and the incoming 2014 government, the new regime was obliged to enact change and satisfy its citizens and allies abroad. Western support became even more important for Ukraine than after the 2004 revolution: with the economy in a dire state after the 2008 financial crisis, Yanukovych’s presidency, and the war in eastern Ukraine, the state relied heavily on its European and transatlantic partners to safeguard and boost its economic activity. For instance, between 2014 and 2019, Ukraine received more than 15 billion euros in grants and loans from the EU and European financial institutions (Powirska 2020). The funding, however, did not come without strings attached, and instead made Ukraine more susceptible to donor pressure. In matters concerning women’s rights (Chapters 4-6), we also witness the vital role of various policy community groups – international actors and organisations, and domestic activists – in the introduction and negotiation periods of the policy cycle. Reform-oriented female MPs were seen to engage CSOs to bolster their activity within parliamentary walls; when it came to framing their narratives and strengthening their stances, the rhetoric surrounding the EU or NATO was certainly present to continue reminding the legislative body why these reforms must be adopted.

Overall, the revolution was key in revealing the population’s European inclination, which brought back a strong desire for democracy in Ukraine. This, in turn, helped women’s rights organisations and female politicians exercise their agency and use their position in

politics to fight against the oppression they had felt in their lifetime. Experiences of political turmoil, which show the complexity of achieving wider agreement and collaboration towards a shared goal in society, as well as the deeply rooted sexism that women felt, shaped the subsequent ideas and actions of women in the political establishment.

### **3.4 Conclusion**

This chapter has presented a succinct and pointed overview of the history of Tunisia's and Ukraine's independence, the evolution of their political systems, and the trajectories of developments in women's rights provision in both states over the twentieth and twenty-first centuries. A common thread of the striking similarity in the advancement of women's rights in the chosen case studies has been revealed. Even before Bourguiba introduced his reforms, ideas of female independence and the importance of women's voices were steadily entering the general discourse in society. Since then, Tunisia has considered itself as the leader in the provision of equal status for both men and women; Bourguiba's highly praised 1956 Code of Personal Status and the involvement of women in the labour market signifies that. Ukraine's long-standing history of women's activism and its tensions with conservative attitudes in society was visible before the Soviet Union established its Communist ideas of state-sanctioned equality. The USSR considered itself the most progressive state in the world, a place where equality was inscribed in the constitution, and women were a key part of the political, labour, and societal force. In both cases, this undoubtedly lay a foundation for powerful and vocal female-led activism.

Tunisia under Ben Ali continued the earlier women's rights trend in the country, in large part to consolidate his status as the new ruler; he continued using state feminism as a façade to mask the repressive tendencies of his regime. Ukraine after 1991 independence witnessed a

tumultuous situation for gender equality with the return of more conservative attitudes towards women as a backlash to the old, unwanted Soviet system. Yet, heads of state still engaged with the newly formed CSOs and groups who advocated for the importance of women's rights in independent Ukraine. The country became a leader in the post-Soviet space on advocating against issues such as human trafficking and domestic violence and attempting to combat them. President Yushchenko's 2005 Law on Ensuring Equal Rights and Opportunities for Women and Men, albeit not directly effective, was seen as the first step towards a comprehensive framework for equal rights between all factions of Ukrainian society. Thus, the mix of progressive and traditional actions reveal the complexity and uneasy relationship between cultural norms and progress, something that can also be witnessed in many Western countries and does not make Tunisia and Ukraine exceptions.

The revolutions in Tunisia (2011) and Ukraine (2013-14) illustrate why the population that was tired of repression, poor economic conditions, and organised crime came to protest and demand change. The pivotal roles that women played in this process also become apparent, as they showed their determination to help their country and win their place at the negotiating table. The crumbling of both regimes and the political demise of their dictators initiated a process of transition towards a democratic order, which allowed women to push through ideas and compete for power in a moment of political turmoil, thus securing victories for women's rights, big and small.

The achievements that will be discussed in subsequent chapters came at a substantial price; the understanding of the socio-historical background has highlighted numerous nuances that have affected different groups of women since. Creating a façade of equality made it more possible to repress unwanted sentiments towards the regime in Tunisia. As was shown, the only women's organisations that were allowed to operate were state-sanctioned, secular, and were allowed only from the late 1970s onwards; their relationship with Ben Ali was very strenuous,

and women in general complained about being targeted during his rule. Islamist women suffered the most: they were unable to express openly their religious beliefs and were constantly targeted by the state apparatus; their repression meant that many found themselves in exile, and no religious women's rights organisation existed to defend even the most basic rights that they were technically granted under the Tunisian constitution.

In Ukraine under the Soviet rule, women faced the double burden of participating in the labour market and maintaining their role as a mother. Even after Communism collapsed, this did not change in the 1990s when women had to become the breadwinners of the family in the face of a collapsed economic system and dire financial crisis. Conservative forces – both the Orthodox Church and ultra-nationalists – did not welcome the idea of feminism, women's rights advancement, and women in positions of power. Therefore, Ukrainian women were divided in their ideological beliefs and class; some were able to benefit from the collapse of the command economy and establish their own privately-owned businesses, while others lost all state support and found themselves in deeply precarious financial situations in rural and even urban parts of the country.

Nonetheless, despite the backlash women have experienced, and continue to witness, the resilience of women as activists has made of both Tunisia and Ukraine notable cases of countries with a generally progressive attitude towards gender equality, carefully and painfully cultivated over decades. This chapter illustrated the crucial foundations for contemporary improvements in gender equality provisions, whether in combatting violence against women, ensuring a higher number of women in political institutions, or increasing the chances of women serving in the military or being able to inherit the same amount as the male members of their family.

As we proceed to look at the specific reforms in the subsequent chapters, the consideration of both the broader history of politics in Tunisia and Ukraine, as well as the

conditions that different groups of women had to endure, will enrich our understanding of how women were able to use their agency to compete for the success of their ideas within parliaments of Tunisia and Ukraine.

## CHAPTER 4.

### THE NECESSITY OF FEMALE POLITICAL PARTICIPATION: ELECTORAL LAWS IN TUNISIA (2011-17) AND UKRAINE (2013-19)

As we look closer at the role female politicians played in widening the scope of women's rights after the revolutions in Tunisia and Ukraine, we begin by analysing how reform-oriented female MPs were able to come together in a moment of cooperation to seize a series of opportunities that enshrined a gender quota provision in the Electoral Laws of Ukraine and Tunisia. Since independence, and particularly since the 2014 revolution, there have been noticeable ideological shifts in Ukraine with the rise in activism, civil society organisations (CSOs), and the emergence of a strong pro-European identity. In Tunisia, the liberalisation of the political system in 2011 allowed women who had been barred from politics – predominantly members of the Ennahda party – to finally have a voice in the political establishment. Despite this, however, women continued to encounter significant obstacles from the overwhelmingly male-dominated political establishment and society, a paradox for a country that prides itself on equality (Respondent 12 2023).

Chapter 1 illustrated that scholarship on women in politics often relies on the achievement of descriptive representation – an increase in the number of women in legislative institutions – as a requirement for stronger democracy and the advancement of women's rights. The cases of Tunisia and Ukraine demonstrate that while increasing the number of women in parliament is a positive step in diversifying opinions and increasing the representation of the whole population, it is not a simple solution to the culturally traditional and conservative societal outlook on the role of women. In fact, theories of descriptive representation are limiting because they do not consider how the intersections of gender, class, race, or nation shape the beliefs and actions of different women entering politics, and thus do not provide the in-depth explanations that this thesis seeks.

Relying instead on Kingdon's MSA framework, Bourdieu's exploration of competition for power in politics, and Collins' analysis of how the background, identity, class, and religion shape the stances of each individual female MP, this chapter looks at what female MPs have been able to achieve, in spite of their continuing underrepresentation in politics (Kingdon 2014; Herweg, Zahariadis, and Zohlnhöfer 2018; Howlett, McConnell, and Perl 2015). Looking at the problem, policy, and politics streams helps establish the context and actions for the potential achievement of greater gender equality in politics. The period immediately following the revolutions applies the MSA framework onto the context of a democratising state, where the basic assumptions of the framework – ambiguity, time constraints, fluid participation, and so on – are coupled with the uncertainty of the political system (Herweg, Zahariadis, and Zohlnhöfer 2018, 16–17). Importantly, despite internal competition over power and ideas, it was the cooperation between female politicians inside parliament that led to their successes in reforming the legislation for the benefit of all women. Their deliberate actions within the political establishment, fuelled by personal convictions and experiences, were the crucial drivers of change, even if at times these female MPs were not directly involved in specific policy debates and negotiations, as this chapter will show.

When it comes to reforming the electoral systems, the comparison between Tunisia and Ukraine is particularly fascinating, as the analysis of the two reform processes reveals how similar outcomes were achieved despite the difference in the institutional design – the prevalent power of the executive in Ukraine versus the overarching role of the legislative branch in Tunisia between 2011 and 2014, as exemplified by the National Constituent Assembly's (NCA) mandate. Moreover, the different circumstances, such as the presence of formal organisational structure in Ukraine (through the women's parliamentary caucus) and an informal organisational structure in Tunisia (due to rules that prevent women from officially and collectively organising) also show how variation in institutional design can still lead to similar

outcomes. In both cases, reform-oriented female MPs were able to cultivate new networks and use pre-established ones to overcome the collective action problem, seize the opportunity amid the post-revolutionary political volatility, and secure better rights for women in society. As a result, this chapter emphasises Kingdon's politics stream, specifically female MPs as policy entrepreneurs and drivers of change (Kingdon 2014).

To present my case, I address the issue of women's participation in Tunisian and Ukrainian parliaments immediately following their respective revolutions. I discuss the initial tensions that existed in the political establishments in these two countries, both between men and women, as well as among the women themselves. I also introduce a number of politicians in both states who have been actively promoting equality between women and men. Their work and commitment to enlarging and strengthening the rights of women in Tunisia and Ukraine will be visible across all chapters. It emphasises the important role of policy entrepreneurs, those who are able to steer the different streams of policymaking in the direction that they desire, making sure that the agenda-setting and decision-making processes deliver results. In the Tunisian case, I examine the popular argument of secularist versus Islamist politics to show that it is not the sole explanation for the events that transpired since the revolution. In the case of Ukraine, I place emphasis on the role of narratives that female MPs adopted to shape the response to their proposals in plenary sessions, particularly narratives surrounding Ukraine's European aspirations.

Moreover, I show how female MPs, understanding the rules of a male-dominated parliament, were able to encourage prominent male MPs to lobby for gender-centric reforms on their behalf in plenary discussions, thus elevating the importance of the proposed changes within the masculine environment. Ultimately, I trace the process of reforms – the 2014 Electoral Law and 2019 Electoral Code in Ukraine – to examine the role female MPs played as policy entrepreneurs in achieving the best possible legal conditions for their participation in

national and local politics, thus working to address gender equality through a top-down approach.

#### **4.1 Identifying the Problem: Attitudes Towards Women in Politics**

##### *Tunisia*

Even before the revolution and subsequent regime change, Tunisia had a strong official stance on women's rights and general equality, exemplified through the 1956 Code of Personal Status (CSP), a model of state feminism, and the establishment of women's rights organisations, such as ATFD and AFTURD, all of which were introduced in Chapter 3.

However, the October 2011 elections and their aftermath exposed how deeply ingrained patriarchal views remained in Tunisia, despite the aforementioned state-sanctioned equality between men and women. Women gained fewer seats in the NCA than in the previous parliament – 26.27 per cent in the NCA versus 27.6 per cent in the final parliament under Ben Ali<sup>8</sup>. This was in large part due to the expansion of the number of parties eligible to run in the 2011 election, which dispersed the votes. Yet, another factor that contributed to this decline was the decision made by political parties to use the zipper system<sup>9</sup> to their advantage, namely by placing men ahead of women in party lists, which meant that more men would get elected in districts with an odd number of seats won. This unexpectedly disappointing outcome pointed to persistent sexism in Tunisian politics, an absence of trust in female candidates in important districts, and even the lack of political training offered to women wishing to run for office. Overall, the situation signalled that undercurrent problems existed in post-independent and post-revolutionary Tunisia despite its strides towards equality. At the same time, the parliament

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<sup>8</sup> For seat distribution of the NCA, please see Appendix B.

<sup>9</sup> An electoral system that requires political parties to alternate candidates in party lists based on their gender.

under Ben Ali was made up predominantly of politicians from the *Rassemblement Constitutionnel Démocratique* (RCD) party who supported the regime and had little say outside of the main party narrative. Thus, once again, the theory of descriptive representation becomes reductionist, as comparing members from the pre- and post-revolutionary parliaments does not account for the variation and difference of political ideologies, or lack thereof.

Once the NCA was elected, further barriers to women's political representation became apparent. There was no sexual harassment policy within the NCA, nor was there an established code of conduct, childcare facilities, or family visiting rooms (National Democratic Institute 2014). For women it was especially difficult to relocate to the capital due to family considerations; no support was given to women who felt uncomfortable leaving parliamentary sessions late at night due to personal safety concerns. On top of that, the lack of political training prior to elections meant that women faced a steep learning curve of interacting with their male counterparts in committee and plenary sessions, while receiving limited to no support in other aspects of their daily life, such as raising a family.

This unequal playing field did not create a favourable environment for women from the very beginning and highlighted the long-lasting limitations of previous state-sanctioned emancipation. The fact that both ordinary women and female MPs felt unsafe after the revolution, and that their basic needs were not addressed even within the NCA, reveals that the CSP did not change the attitudes of Tunisian society. Instead, what started as a strong policy and created a foundation for women's rights in Tunisia, slowly turned into a window-dressing tactic used by the regimes whenever it best suited them. The breakdown of the authoritarian security services – which, to an extent, provided women with a feeling of protection while also being involved in acts of violence towards male and female citizens – further exposed these cracks in the perceptions of Tunisian state feminist image.

## *Ukraine*

In Ukraine, descriptive representation differed greatly from that seen in Tunisia, yet the sentiment towards women in politics remained highly similar. The acceptance of traditional gender roles in the post-independent transition era, as discussed in Chapter 3, fed the existing conservative and patriarchal worldview, making it more difficult for women entering politics to carve out a niche for themselves. The 2001 Law on Political Parties included a clause on gender quota provisions, yet it had no subsequent sanctions for parties not complying with this already vague clause. The percentage of women serving as deputies in the Verkhovna Rada fluctuated in single digit numbers: 3.8 per cent in 1997, 7.8 per cent in 2001, 5.3 per cent in 2005, 8 per cent in 2010, and 12.1 per cent in 2015 in large part as a result of the 2014 Revolution of Dignity (The World Bank, n.d.). Interestingly, there was no significant surge in the number of female MPs after the 2004 Orange Revolution or the 2005 Law On Ensuring Equal Rights and Opportunities for Women and Men, meaning that while the revolution had created a window of opportunity to facilitate this change, there was insufficient support from policymakers to put in place mechanisms that would enable the successful integration and implementation of this law over time.

The sparse number of women in the Verkhovna Rada, along with limited support from CSOs due to a lack of cooperation between the two bodies, meant that women were often not taken seriously in plenary and committee sessions. The rhetoric surrounding women, particularly in parliament, tended to be extremely gendered and traditional. Although many such examples exist, the stark ones revolve around the celebration of the annual International Women's Day on 8 March. In plenary sessions on the eve of 8 March, female MPs were praised as "patient", "supportive", and "forgiving", as well as being associated with "family warmth" and "beauty" (Verkhovna Rada of Ukraine 2003).

If we follow Bourdieu's emphasis on language, this small example in a long line of similar narratives revealed de facto attitudes towards women in the Verkhovna Rada in the 2000s and even 2010s, and thus within society at large, despite the introduction of certain laws that aimed to increase their political representation nationally. In fact, a focus group conducted as recently as 2015 revealed a shared sentiment among participants, who believed that women behave passively and "expected" to be invited and represented in party lists, instead of taking initiative (Tyshchenko and Kazdobina 2015, 45). However, the use of gendered language in itself would not be viewed as a high priority problem by policy entrepreneurs in the grand scheme of things, and thus may not "receive political attention" (Herweg, Zahariadis, and Zohlnhöfer 2018, 19). What becomes important in this case is the way female MPs could use this as an example of the wider discrimination and sexism that existed in Ukraine, subsequently proposing solutions to advance women's representation in politics and fight these ingrained stereotypes.

#### **4.2 Proposed Solutions: Overcoming the Problem of Women's Low Representation**

Policies are seen as a "set of instruments or possible solutions" to different issues that arise (Howlett, McConnell, and Perl 2015, 424). In order to understand why women faced certain barriers in the Tunisian and Ukrainian parliaments, this section will outline what policy changes had already been introduced prior to the reforms discussed in this chapter, and whether or not the existing laws were sufficient to allow women to equally contribute to the political processes in both states.

The introduction of electoral quotas and a general discussion on the equality of political participation for men and women was neither new nor radical in Ukraine or Tunisia. Previous campaigns, charters, and attempts to institutionalise the practice point towards a broader

understanding by the state that this would positively affect the electorate's engagement and the governmental image. Attention placed on the development of new, more robust laws to ensure women's political participation was therefore the result of previous failures, opportunities provided by popular revolutions in 2011 and 2014 respectively, and the possibility for actors inside and outside of parliament to engage with the issue freely and more actively.

### *Tunisia*

In preparation for the October 2011 elections, and with mounting pressure from civil society, a new Law N°35/2011 on Elections of the National Constituent Assembly was adopted in May 2011. Under Article 16, it stipulated that

“candidates shall be presented on the basis of the principle of parity between men and women by classifying candidates in the lists alternately between men and women. Lists that do not respect this principle will be rejected, except in the case of an odd number of seats reserved for certain constituencies” (Assembly of the Representatives of the People 2011).

The introduction of gender quota provisions was, to some extent, expected in Tunisia. The state's legal emphasis on equality dating back to the 1956 CSP, as well as the most recent establishment of electoral quotas under Ben Ali for the 2009 legislative and municipal elections meant that this provision had existed in the past (Kréfa 2016). The introduction of quotas into the first election after the revolution was deemed “a regional breakthrough and progress” for Tunisian women (AWID 2011). Such rhetoric sought to secure the country's position as a champion of parity in the MENA region and to project the image of its exceptionalism, formed during Bourguiba's reign. The key difference in 2011, however, was that this image of Tunisian

exceptionalism was finally turning towards a more democratic approach, allowing parties – including women – of all ideological dispositions to run for a seat in the NCA.

Another significant difference was in the composition of elected members of parliament. Previously, those elected under Ben Ali's RCD party quota system were ready "to echo the 'state-sponsored' brand of feminism supported by the then government" (Chambers and Cummings 2014, 27). Greater political freedom that was achieved after the revolution aimed to reverse this trend. The system saw a "mushrooming of political parties<sup>10</sup> as carriers of new interests and identities", which gave hope that gender quota requirements would stimulate a more democratic gender equality, encouraging more women to run for office and create a balance within the political establishment (Cimini 2020, 961). The establishment of a Troika government – an alliance between the Ettakatol, Ennahda, and Congress for the Republic (CPR) parties – between 2011 and 2014 gave hope that the Islamist-secularist divides would be put aside in order to move Tunisia towards a democratic order.

As a result, the NCA's primary role was to draft a new constitution and prepare the political institutions for elections in 2014. However, the process proved more cumbersome than initially anticipated: the earlier plan to rework the original 1959 constitution within a one-year period was more akin to a dream than reality. Additionally, the NCA had to "serve as a legislative body to draft, debate, and pass legislation to govern the country", which not only delayed the constitution drafting process, but also proved challenging in a post-revolutionary society riddled with grave issues such as unemployment, a failing judicial system, and a track record in the suppression of freedoms (The Carter Centre 2015, 15). Moreover, because the NCA now held so much power – drafting laws, electing Tunisia's interim president, and so on – and Ennahda had won an overwhelming number of seats in the October 2011 election (89 out of 217) and thus held most of the important Cabinet posts, tensions between Ennahda and

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<sup>10</sup> Please see Appendix C, Table 2.

opposition parties like the Progressive Democratic Party grew (El Sharnoubi 2012). The assassinations of prominent leaders of secularist parties – Chokri Belaid in February 2013 and Mohamed Brahmi in July 2013 – caused further tensions and political upheaval inside the NCA, which threatened to delay the constitutional reform process further.

For women’s rights specifically, a significant conflict arose in 2012 during the drafting of Article 46 pertaining to gender equality. Ennahda’s controversial phrasing of women’s ‘complementarity’ instead of ‘equality’ – or the misinterpretation of the proposed Arabic word “يتكامل” (yetekaamul), which can be translated as either complement, complete, or make up – caused an uproar among female MPs who considered themselves feminist and secular, as well as feminist civil society members (Tamaru, Holt-Ivry, and O’Reilly 2018, 17). Multiple French and Tunisian newspapers – *Jeune Afrique*, *Le Point*, *L’Express*, *Al Masdar*, and others – revealed their opposition to Ennahda by phrasing this development as the party showing its true colours, and characterising their actions as the reversal of “the goals of the revolution” (Al Masdar 2012). Quoted in the French *Le Point*, Selma Mabrouk – a prominent member of the Ettakatol party and vocal opponent of Ennahda – summarised this linguistic choice as “the revenge of the Islamist party” and emphasised this clause as an impediment on the rights of citizens (Dufourmont 2012). Not only did this highlight the growing antagonism towards Ennahda in the years following the revolution, but it also revealed the tactics used by those opposing the moderate Islamist party to gain attention. Thus, over 6,000 women from different CSOs took to the streets in August 2012 to protest against what they considered to be a reversal of the CSP and the Islamist influence on the constitution, which in their eyes would ultimately limit women’s equality in Tunisia (Shalaby and Moghadam 2016, 204).

This problem was eventually overcome through a combination of Ennahda’s concession on the term ‘complementarity’ and the establishment of an informal women’s rights caucus in 2013, which will be discussed in the following section. Thus, what could have been a damning

and disruptive climate for female MPs on the eve of the discussions on the Draft Law on Elections and Referendums became an example of the policy softening process that occurred after August 2012. It allowed both for the Constitution to be passed in the way that was expected – making it “one of the most progressive in terms of women’s rights anywhere in the world” – but also for the Electoral Law to have the legislative success that it did in 2014 (Badri and Tripp 2017a, 2) .

The 2014 Electoral Law remained largely the same as the 2011 law with regard to women’s rights provision. However, despite hopes that full parity – vertical and horizontal – would be enshrined in the legal system, the NCA could not agree on the requirement for horizontal parity (National Democratic Institute 2015, 21). Nonetheless, attempts to include this provision were finally achieved in 2017 when further amendments to the law were adopted and women were required “to head at least half the party lists”, albeit only in municipal and regional elections (Tripp 2019, 26). Such steadfast attempts at reform, anchored in constitutional requirements to provide parity between men and women, show that although change did not happen immediately, progress continued to be achieved in the aftermath of the revolution, particularly with the help of reform-oriented, vocal female MPs.

### *Ukraine*

Similarly to Tunisia, Ukraine embodied elements of top-down democratic progress and aspirations, coupled with prevailing conservative attitudes towards women in politics and society. As a result, the unquestioned ‘naturalised’ assumption that Bourdieu refers to as *doxa* changed depending on the situation. From a policymaking point of view, the policy stream in Ukraine was shaped differently to the one in Tunisia, as it was heavily influenced by supranational bodies such as the EU, along with internal actors such as female MPs, supporting

the view that “many solutions originate outside the political system” (Cairney and Jones 2016, 45).

The Revolution of Dignity in 2014 undoubtedly shook Ukraine’s political establishment. This time, however, there was hope that with lessons learned from the 2004 Orange Revolution, and after Russia’s illegal annexation of the Crimea and war in eastern Ukraine, the country would be able to mobilise its efforts to move closer towards its European aspirations and consolidate its democratic values. European ideals therefore became the unquestioned ‘naturalised’ assumption, or the Bourdieusian *doxa*, with Ukraine’s reform process pivoting towards the EU and away from Russia. Article 2 of the Treaty on the European Union requires member states to ensure a society “in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail”, thus demanding equal representation in the political establishment among other things (European Union 2012).

Ukraine, however, continued to struggle with equal representation in politics since the 1991 independence. Until the cycle of reforms that began in 2013, the 2001 Law on Political Parties was the sole insurance for gender quota provisions in the political establishment. The law stipulated that the statute of each political party must include, among other things,

“the size of quotas, which determines the minimum level of representation of women and men in the electoral list of party candidates for People’s Deputies of Ukraine in state-wide district and candidates for deputies of local councils in multi-mandate electoral districts, and must be at least 30 per cent of the total number of candidates in the electoral list” (Verkhovna Rada of Ukraine 2001).

However, the law did not make it necessary to implement these statutes, neither did it state whether there would be any party-wide punishments for non-compliance (Chirillo 2019, 9).

This provision neither enhanced women's political participation, nor did it aim to reform the mindset of the patriarchal structures on the need for greater female representation in the political arena to enhance Ukraine's democratic movement.

Another noteworthy attempt to address this situation came from the landmark Law on Ensuring Equal Rights and Opportunities for Women and Men, introduced at the end of 2004 and adopted under the post-revolutionary Yushchenko government in 2005. It was the first official document to clearly define discrimination based on sex and outline judicial protection from it (Rubchak 2012). Under Section III Article 15 the law stated:

“Political parties and election blocs during the nomination of candidates for national deputies in the multi-mandate electoral district shall ensure representation of women and men in their electoral lists”(Verkhovna Rada of Ukraine 2005b).

Despite the low number of women in politics at the time, this project was facilitated by a male MP from the centre-left People's Party and a female MP from the Communist Party. Moreover, every Communist MP voted in favour of this law, making it the only party to do so (Verkhovna Rada of Ukraine 2005a). One interpretation of this is that at the time of the law's adoption, questions of women's rights were still driven more by political ideology and position, instead of agents who thought beyond their party ideology. At the same time, as stated in *Volyn News*, this was the first time since the 1995 Beijing Declaration, which Ukraine staunchly supported, that the country saw substantial changes to its domestic legislation on gender matters (Volyn News 2016). Yet, despite being seen as a landmark provision, the text of the law did not provide any specifics on how it should be implemented.

As a result of this, and in the aftermath of political turmoil in Ukraine caused by several changes in government during Yushchenko's presidency, no significant chain of reaction was

initiated in terms of amending Ukraine's constitution to enshrine this provision further. The Law on Parliamentary Elections, adopted in 2011, did not introduce a framework for gender quotas in parliamentary elections either (Chirillo 2019). Yet, despite these obvious obstacles to achieving equality in the political establishment, the 2005 law provided a small beacon of hope, which female policymakers were able to use to lobby for further institutional changes.

The combination of this small victory, the Revolution of Dignity, and the lobbying carried out in parliament by the relatively small number of female MPs did reap some rewards. The government adopted and implemented the Law on Local Elections in 2015, which, while deemed "opaque" and highly complex, was nonetheless a strong start for further nationwide change (International Foundation for Electoral Systems 2015). The law ensured equal electoral rights for all and a minimum of 30 per cent representation of each gender in electoral lists (Verkhovna Rada of Ukraine 2015a). However, the Central Electoral Committee (CEC) made its position very clear when it published a resolution stating that "failure to comply with the quota requirement is not enough to cancel a party's candidate list for the 2015 elections" (Dean and Dos Santos 2017, 362). As before, there were no penalties for non-compliance with the law, allowing parties to continue in the same way they always did.

The series of changes outlined above show the acceptance of a new domestic order – a new *doxa* – that centred around European and democratic ideals, a product of both the 2004 Orange Revolution and especially the 2014 Revolution of Dignity. However, despite these general shifts on the national level, Ukraine's continuing attitudes towards equal representation of men and women were the product of a long history of patriarchal attitudes towards women's role in decision-making processes. In this sense, patriarchal attitudes were, in fact, the established *doxa* in the way women were treated, thus clashing with the democratically driven assumptions outlined before. In this sense, a noticeable policymaking crisis can be observed: on the one hand, sweeping reforms to improve women's rights were made, and on the other,

the policies were riddled with weaknesses and women continued to be underrepresented in parliament.

However, the limitations of existing laws allowed the policy communities and entrepreneurs – namely female policymakers – to interpret them for their own benefit, and to use them in debates and negotiations to seek further institutional and legal formation of equal representation provisions for all genders. By doing so, female MPs critically broke from the *doxa* – thus becoming heretics in Bourdieu’s view – initiating a crisis in the understanding of how women have been treated and how extant laws failed these women, and thus making greater strides towards equality in a political environment that eagerly desired to follow a democratic model. As one senior female politician stated in our interview, since the passing of the 2015 law she has worked with women in regional centres and local politics who were able to access politics because of the newly adopted local gender quotas, thus illustrating that the fight for this provision did indeed produce results (Respondent 15 2023).

However, as stated previously, the issue with quotas in the 2015 law was their voluntary application. As reported by Human Rights Centre *Zmina* in 2018, the number of women in local governments of amalgamated hromadas<sup>11</sup> decreased from 20 to 14 per cent between 2016 and 2018, which female MPs attributed to the correlation between greater financial independence (as per decentralisation reforms) and the lack of negative sanctions, such as punishments for non-compliance with quotas (Zmina 2018). Thus, when it came to the Electoral Code, female MPs devoted close attention to the introduction of compulsory gender quota provisions to avoid other ambiguous promises. Draft Law N°1465 on Introducing Changes to Certain Legislative Acts of Ukraine (Regarding Ensuring Equal Rights and Opportunities of Women and Men in the Electoral Process) was registered in December 2014

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<sup>11</sup> Amalgamated hromadas were special units of administrative division in Ukraine between 2015 and 2020, started as part of the decentralisation reforms under President Poroshenko. Since 2020, these are now termed simply as “hromadas”.

in parliament to ensure more concrete solutions to this issue, yet because it coincided with the discussions on Ukraine's Electoral Code, Draft Law №1456 was never discussed, and was ultimately withdrawn in August 2019 (Equal Opportunities Caucus 2019). Despite having to recall their own draft bill, its proponents introduced amendments into the Electoral Code that hoped to ensure a 40 per cent quota provision along with sanctions for non-compliance. As a result, Article 316 of the 2019 Electoral Code of Ukraine stipulates:

“When forming national and regional election lists of candidates for deputies, the party must ensure presence in each top five (places from the first to the fifth, from the sixth to the tenth etc.) of each electoral list of both men and women (at least two candidates of the same sex).” (Verkhovna Rada of Ukraine 2020)

As such, reform-oriented female MPs used the means and resources available to them to lobby for this important addition to the Electoral Code, even if it was not exactly as they had hoped. While this article was seen as incomplete by some female MPs, it nonetheless provided a strong platform for women to demand better distribution of candidates in the electoral lists. The example of electoral laws in Ukraine, their convoluted history, and the recent developments illustrate the nuanced nature of Bourdieu's concept of 'di-visions', as it revealed the different interpretations of what a 'naturalised' assumption can be in any given situation. On the one hand, a traditional outlook on women's presence in politics prevailed, alongside the overall neglect of the need to fundamentally shift the attitudes of political parties to include more women in their ranks, as it could potentially infringe on an individual's – most likely male – future political aspirations and electability prospects. On the other, by choosing the European path, Ukraine also chose to abide by EU rules, and gender equality in politics was therefore expected. Overall, this example signals the need to have dedicated actors and pressure groups

inside the legislative system that would be able to deliver such reforms, especially in an environment that is not actively eager or supportive to see these changes.

### **4.3 Policymakers and Policy Entrepreneurs: Influential Women Inside Parliament**

The juxtaposition of inherent problems stemming from the historic dominance of men over women in the private and public spheres, and the progressive laws adopted by both states poses the question of how these reforms were ultimately achieved. Women had not been fully omitted from electoral and political policies throughout the history of both countries, and a push for equal representation existed even before their respective popular revolutions of the 2010s. However, despite a limited female presence, their newly gained freedom (Tunisia) and empowerment (Ukraine) to openly oppose the overwhelmingly male authority in the political establishment exposed all previous laws as vague and redundant.

Problem brokers, namely actors who “define conditions as problems” and work to convince policymakers that attention must be given to an issue, are therefore crucial to ensure that thorough laws are designed and adopted by the legislative bodies (Knaggård 2015, 452). In the case of Ukraine and Tunisia, problem brokers ranged from CSOs to active politicians, both male and female, thus blurring the lines between ‘policy broker’ and ‘policy entrepreneur’ that have been previously established in the literature. Yet the emphasis here remains on the female politicians themselves as agents of change; we infer that the radical shift towards democratisation not only made it easier for women to enter politics, but also gave those women who were already part of the political establishment, and very slowly pushing for change (as was the case in Ukraine), more freedom to act on matters that concerned their livelihoods and the livelihoods of other women. We begin by tracing the process through which female MPs

initiated reforms of the systems that failed to fully support women across the social spectrum. In these democratising systems we see Bourdieu's notion of "competition over ideas and power" play out, as female politicians who desired this change came together and seized the opportunity to showcase the value of their ideas while challenging the status quo and amassing power even in their relatively small numbers (Bourdieu, Thompson, and Raymond 1992, 190).

It is important to underline here that women are not a homogenous entity. If we follow Collins' intersectionality framework, female MPs tend to be interested in different policies based on their background, class, ethnicity, religion, and political agenda. Moreover, Bourdieu's stipulation that politicians "serve the interests of their clients insofar as they also serve themselves", highlights that not all politically active women would support other women in parliament, which is important to keep in mind as we trace the process of achieving electoral quotas and analyse certain disagreements that arose between female MPs in plenary and committee sessions. In fact, some sceptical feminists, particularly in Tunisia, have openly stated in our interviews that there is no "systematic support" between women, only rare moments of cooperation (Respondent 6 2023). Yet, despite this persisting frustration expressed in interviews, which could have also been influenced by their personal views and convictions, what the reform process and empirical data of this chapter reveal is that success lay in these moments of cooperation that arose despite complex relations between the women themselves. Female MPs do not need to agree on everything they propose; yet when it comes to fundamental rights that women are entitled to, and have not been granted in full, we see cooperation that surpasses factors like background, religious beliefs, or political agenda.

### *Ukraine*

Despite the staggeringly low percentage of women in the Verkhovna Rada during the 2000s, a handful of female MPs still became prominent in the political scene, elevating their career

status, and gaining enough support from political parties and the electorate to be re-elected in subsequent elections. Gradually and consistently consolidating their political influence allowed these women to push for an establishment of a key intra-parliamentary women's caucus. In 2011, the Equal Opportunities caucus was founded with the aim to ensure that Ukraine's legislation "related to equal rights and opportunities" and conformed to European standards (Palmieri 2013, 18). At first, the caucus included only parliamentarians, but later established a civil society wing that now includes activists and academics, thus creating a direct channel for knowledge exchange between society and political institutions.

The formation of Equal Opportunities was seen as a major victory for women in Ukraine, and thus became a type of policy community, significantly increasing the policymakers' chances of successfully lobbying for specific issues (Herweg, Zahariadis, and Zohlhöfer 2018, 19). Deeply rooted divisions between political parties, virtually non-existent female representation, and a generally limited solidarity among the women who carried political mandates meant that many previous efforts to establish a similar caucus had failed. This time, an opportunity was seized by women in parliament who united over a shared cause: protecting the benefits received by single mothers, an issue that was debated in the Verkhovna Rada and could have been taken away by a proposed draft law (Herweg, Zahariadis, and Zohlhöfer 2018, 39). This act of unity not only helped to recall these changes, but also highlighted the problems of gender inequality that pervaded Ukraine's parliament and society. It also ultimately helped establish a mechanism to further shift attitudes towards women's rights. This relatively small example shows the importance actors carry in these situations, and the power of solidarity, advocacy, and cooperation that can ultimately lead to the desired outcomes.

The existence of the "Equal Opportunities" Caucus also helped counterbalance the "For the Spirituality, Morality, and Health of the Nation" Caucus (henceforth "For the Spirituality")

Caucus), which was largely based on an anti-gender, anti-LGBTQ platform. With 50 members during the 2014-2019 parliament, five of whom were women, the Caucus fought against any and all initiatives that they deemed to be anti-religion or anti-family. In fact, most of the opposers of the 2017 law to counter domestic violence (Chapter 5) or the electoral quotas (discussed later in this chapter) were members of this Caucus: Ihor Mosiichuk, Pavlo Ungurian (head of the Caucus), Serhii Rudyk, and others (Ierusalimov 2019, 57). Thus, despite the pro-European movement within Ukraine's foreign and domestic policy, reform-oriented female MPs were made to fight for gender equality, their ideas, and political activity not only in the wider society but also within parliamentary walls.

While many female politicians have been involved in reforming Ukraine's legislature in one way or another, a few names stand out from their continuous work across the different reforms to strengthen women's rights in Ukraine. They are: Olena Kondratyuk, co-founder of the Equal Opportunities caucus and current first deputy Chairwoman of the Verkhovna Rada; Iryna Herashchenko, co-founder of Equal Opportunities and former first deputy Chairwoman of the Verkhovna Rada (2014-19); Lyudmyla Denisova, former head of the Committee on Social Rights and former Ukraine's Parliament Commissioner for Human Rights (Ombudswoman) (2018-2022); Iryna Suslova, former head of the Subcommittee for Gender Equality and Non-Discrimination (2014-19); Svitlana Zalishchuk, former head of the Subcommittee on European Integration and Euro-Atlantic Co-operation (2014-19); and Mariia Ionova, co-chair of the Equal Opportunities caucus (2014-19) and co-founder of the Ukrainian Women's Congress. Importantly, their background provides an insight into how their experiences – both inside and outside the political establishment – have shaped their ability to mobilise their networks and ideas, and question the naturalised prevailing order. For more information on their background and political history, please see Appendix A.

## *Tunisia*

Owing much to the repressive regimes before 2011 and the speed of liberalisation after the revolution, Tunisia's political and social environment was much more tumultuous than in Ukraine. The Tunisian political and civil society landscapes saw a simultaneous surge in vocal actors, with dozens of new parties and organisations being able to officially register after the revolution. This created initial challenges for existing political groups and CSOs who had to reconcile with the new realities and find effective ways to collaborate.

One such example was the increase in women's rights organisations and the formation of *La Coalition pour les femmes de Tunisie*, a collective of over twenty organisations that classified itself as "classic feminist" and fought for total equality (Euro-Mediterranean Women's Foundation 2016). A member of the coalition and a women's rights activist I interviewed told me that the group "was not very spoiled with media attention" because they did not represent the biggest, and arguably the only well-known organisation – the ATFD (Respondent 9 2023). Yet, as a policy community, they pushed for change and took responsibility for the fight against the 'complementarity' clause. Despite the initial post-revolutionary chaos, most of the organisations who considered themselves feminist and progressive quickly found a way to get their message across to the political establishment, especially since their goals were very similar to many elected female MPs who considered themselves 'progressive' and anti-Ennahda: to safeguard women's rights and, in the case of secularist groups, to avoid the 'Islamisation' of Tunisian society (Respondent 6 2023). Acting as a policy community whose role was to advise and influence policymakers within the legislature, they began exerting their influence on debates regarding key women's rights issues (Kingdon 2014).

The post-revolutionary parliament made a strong case for using the intersectionality lens in the study of policy processes concerning women's rights. The rise in differing

ideological backgrounds could be seen not only among political parties, but also among female MPs elected to the NCA and later the Assembly of People's Representatives (ARP). While the numbers did not reach the 30 per cent threshold – as per the critical mass theory – the NCA did have a strong contingent of active and vocal female MPs. Despite their relative minority, these MPs were able to draw on the relative failures of previous women's rights provisions to establish stronger measures to combat political inequalities. However, the deeply rooted historical divides between female MPs along ideological, class, and religious lines created tensions within the NCA, feeding a well-established anti-Islamist rhetoric in Tunisia that members of Islamist parties wanted to reverse the progress achieved since independence, while members of other parties aimed to stop this from happening. As discussed previously, the interpretation of the term “يتكامل”, which was proposed by Ennahda, as ‘complementarity’ exacerbated the situation, providing enough ammunition for other parties and secularist women's rights organisations to promote a negative image of all female members of Ennahda, even if a significant number of them were actively fighting for better women's rights provision.

These heated arguments at the dawn of Tunisia's democratisation period, and the bursts of anti-Islamist narratives around crucial events such as the 2012 Constitution drafting process, also encouraged a steady return of the state feminist rhetoric propagated by Bourguiba and Ben Ali. The main actor who explicitly re-introduced aspects of the state feminist narrative was Beji Caid Essebsi, prime minister of the post-revolutionary interim government in 2011 and later president of the Republic (2014-19). As Bourguiba's protégé, the 84-year-old Essebsi was able to re-enter the Tunisian political landscape in 2011 more easily because he had been side-lined by Ben Ali in the 2000s (Wolf 2023, 213). Having held the posts of defence, interior, and foreign minister under Bourguiba, Essebsi's experience seemed to have been appropriate for a pivotal moment in Tunisia's history. It was also a “poignant reminder” of the weight of Bourguiba's legacy, which was still prevalent in the minds of many Tunisians (Masri 2017, 55).

As interim prime minister in 2011, Essebsi very quickly acted on the revolution's grievances, some of which were the dissolution of the RCD and the election of the NCA, all of which acted in the spirit of democratising the country. Essebsi created his political party in 2012 – Nidaa Tounes – from a mix of secular leftists, former members of the RCD, feminists, and progressive liberals (Marks 2014; Ottaway 2017; Marks 2017). Since Ennahda had won a plurality of seats in the 2011 elections<sup>12</sup>, and was dominating the NCA, which had full powers “to legislate and control the government”, Essebsi's goal was to oppose any future Ennahda successes and inherently promote a strong anti-Islamist worldview in Tunisia (Mekki 2013). Essebsi thus built his image as a defender of women's rights and a “charismatic leader”, which helped him play on the entrenched stereotypes and drive a wedge between secular female MPs and religious Ennahda MPs (Marks 2014; Zaki 2019).

However, despite this, Nidaa Tounes encountered its own opposition from secular and feminist civil society, which was picked up by the media and most prominently illustrated by Sana Ben Achour – former president of ATFD and founder of the *Beity* women's refuge shelters – refusing to accept an award from Essebsi in 2016 (Kapitalis 2016; Espace Manager 2016). While this action sparked controversy within the secularist circles, it revealed growing discontent with Essebsi's decision to enter into a coalition with Ennahda, the growing role of Essebsi as the president, the internal party crisis concerning his son, and the overall conservative approaches of many of its members – despite it being a big tent secularist party. In broad terms, women were once again divided in hierarchical segments along the pre-established binary of ‘feminism’ as a progressive notion and ‘Islamism’ as a regressive framework, and had to navigate the dynamics imposed by the executive branch of government.

However, as this and the subsequent chapters show, in debates many Ennahda women acted in a progressive way, supporting the strengthening of women's rights through proposed

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<sup>12</sup> Please see Appendix B.

reforms and lobbying for their implementation. Religion, while playing an important role in their lives, appeared at the intersection of other factors in their support for electoral quotas. This shows that Ennahda women cannot be viewed as a single entity, just like not all other female MPs appeared supportive of the proposed women's rights reforms.

Furthermore, unlike in Ukraine, Tunisian female MPs were not able to establish a permanent intra-parliamentary caucus in the NCA, even though many respondents of a study conducted by the National Democratic Institute admitted that they would use it as an opportunity to discuss "a breadth of issues" affecting women (National Democratic Institute 2014, 13). This was due to the rules stipulated by the NCA, particularly Chapter 4 Articles 42 and 50, that forbade the establishment of any group that was not formed on the basis of proportional representation (AdeL 2012). Political polarisation had been cited as one of the main factors delaying the establishment of an informal caucus, as well as the busy schedule of all MPs in trying to persevere with legislative and constitutional tasks (International IDEA and NIMD 2014, 79).

However, despite the restrictions, and due to the rising tensions among women in the summer 2012 as a result of the 'complementarity' clause crisis within the Constitution, an informal women's caucus called *Le Groupe des Femmes* was established by a small group of female MPs, led by Mehrezia Laabidi, an Ennahda MP. As in Ukraine, the creation of such inter-parliamentary group relied on the right conditions: the existence of a problem that affected the majority if not all female parliamentarians, and a diplomatic space to debate their differences and agree on the right way forward.

Once it was established, the caucus helped to show a similar trajectory of support as the one noticeable in Ukraine. Informal gatherings over lunch began nurturing "a spirit of unity" among many of the female MPs actively involved in the NCA "regardless of political affiliation", pointing to the importance of such spaces for women to share their grievances and

come together in solidarity (International IDEA and NIMD 2014, 78). Joint statements from Ennahda MPs and female MPs from other parties were issued surrounding threats to women's rights and the rights of children; together, they also acted as mediators in the drafting of Article 46 of the Constitution, and fought for vertical parity in electoral lists (International IDEA and NIMD 2014, 80). The informal caucus also helped female MPs cooperate during the drafting process of the Electoral Laws in Tunisia. During this time, female MPs contributed significantly to dialogues held with CSOs, and negotiations in committee sessions and within their own political parties (Kellogg and Paffenholz 2019, 1). This opportunity, albeit informal and not institutionalised within the parliamentary structure, reaped significant results for likeminded female MPs, regardless of their party affiliation, to enact change within the NCA.

Despite the political turbulence following the 2011 revolution, women's rights and equality was one of the priorities on the parliamentary agenda. Several female MPs stood out between 2011 and 2019 in their efforts to reform the Tunisian legislative system in favour of greater and more substantial women's rights. These were Bochra Belhaj Hmida, co-founder of ATFD; Nidaa Tounes, MP and head of the Commission of Individual Freedoms and Equality (COLIBE) established by Beji Caid Essebsi in 2017; Leila Hamrouni, a prominent MP from Nidaa Tounes; Selma Mabrouk, an influential MP for Ettakatol (2011-14); Imen Ben Mohamed, member of the Ennahda party and former first deputy rapporteur in the Committee On Rights and Freedoms and External Relations (2015-17); Mehrezia Labidi, a prominent Ennahda MP and the first vice-president of the NCA (2011-14); Yamina Zoghlami, an influential MP from the Ennahda party; and Rim Mahjoub, president of the Afek Tounes bloc since 2015. For a more detailed account, please see Appendix A.

Their qualifications revealed – perhaps even more than in the case of Ukraine – that their support and advocacy for women's rights was not influenced by their religion or class, but was instead fuelled by their experiences, ideology, and background.

#### **4.4 Discussion. Advancing Electoral Laws in Tunisia (2011-17) and Ukraine (2013-19)**

Outlining the problem, policy, and politics streams in the question of electoral reforms illustrated that women's political participation was not a novel topic in either Tunisia or Ukraine; yet it was also not highly prominent on the political agenda before the revolutions of 2011 and 2014. The problems were undeniably visible, and while some changes were implemented on the legislative level, the situation did not seem to improve. As we saw, the lack of steadfast policy brokering meant that the issue of women's limited representation – pertaining to numbers in the case of Ukraine, and in the case of Tunisia to a limited variation of ideological backgrounds – was not formulated as a clear policy problem that needed to be immediately addressed.

As we assess the causal mechanisms that were used to achieve equality between men and women in Ukrainian and Tunisian politics, the complexity of the situation comes to light. The politics streams becomes dominant in our analysis, with political agents aiming to challenge established ideas and attitudes – such as that members of Ennahda in Tunisia oppose progress – or mobilise widely accepted ideas – that Ukraine belongs in the EU – in order to seize windows of opportunity and reshape the prevailing order. The turbulent post-revolutionary democratising environments also highlighted that while the agenda-setting process may be clear and convincing, this does not ensure that the subsequent decision-making process will go smoothly, showing that the policymaking process is not linear. Nonetheless, the perseverance of reform-oriented female MPs, and their ability to cooperate with one another on certain issues despite ideological differences, eased the already turbulent policymaking process and brought them closer to the desired outcome.

Importantly, while reform-oriented female politicians and CSOs showed their authority in the policymaking processes outlined in this chapter, the institutional design of the Tunisian and Ukrainian systems varied, and thus affected these actors in different ways. In Tunisia, female MPs benefitted from the consensus politics established under the NCA, where inter-party, inter-elite tolerance was significant (despite lack of trust and ongoing opposition from secular CSOs towards Ennahda). They also relied much more on consolidated and emerging CSOs, which illuminated the mood of the population. In Ukraine, however, the drawn-out nature of the achievement of quotas meant that reform-oriented female MPs operated in a parliament that was first heavily pressured by the executive and the ruling party (Yanukovich and the Party of Regions), and then by a post-Euromaidan parliament that held more power yet was still influenced by the executive and the ruling party (Poroshenko and the Petro Poroshenko Bloc). The role of domestic actors such as CSOs was not as prominent in this case, as female MPs relied more on international actors, their funding, and the conditional promise of European integration. Despite this, female MPs in both countries were able to achieve their goals: enact electoral quotas to raise the profile of women in politics.

#### ***4.4.1 Ukraine***

##### *(i) 2011-2014 Efforts*

Despite the low numbers of women in politics, female MPs from different backgrounds and political parties (some who were new to parliament in 2014, and others who already had an established political portfolio) still managed to introduce and successfully lobby for changes in the interests of all Ukrainian women. The Equal Opportunities caucus, albeit in its relatively

nascent form, provided a space for likeminded women who wanted to bring better women's rights provision to Ukraine to unite and face the overwhelmingly male parliament together.

The first Electoral Law since 2001 was adopted in 2011 with no mention of quotas or equality as an integral part of Verkhovna Rada's development. The first attempt to make it fairer for female candidates came in autumn 2013. In this case Howlett et al.'s five stream policy theory metaphor, an extension of Kingdon's initial premise, helps us account for the multiple attempts to reform the Electoral Law. The turbulence and complexity of the process, despite the strong political incentive and the engagement of active policy entrepreneurs, showed that stumbling blocks can be caused by a plethora of variables – in this case timing (Kingdon 2014; Howlett, McConnell, and Perl 2015, 431). The October-November 2013 season saw various draft laws being introduced, aiming to modernise a number of laws to bring Ukraine closer to equal participation between men and women, and subsequently towards a European approach to gender parity. The following draft laws were submitted: Draft Law N°3396 on Amendments to Certain Legislative Acts of Ukraine on Improving Legislation on Elections; an alternative Draft Law N°3396-1 on Amendments to Certain Legislative Acts of Ukraine on Improving Legislation on Elections; and Draft Law N°3411 on Amendments to Some Legislative Acts of Ukraine (On Ensuring Equal Rights and Opportunities for Women and Men in the Electoral Process), proposed by Olena Kondratyuk and Iryna Herashchenko. The latter was the only draft law to clearly state the need for raising the number of women in politics. Draft Laws N°3396 and N°3396-1 did not mention this in either their preamble, main text, or amendments, even though this would have been a requirement in light of Ukraine's EU aspirations, which at the time were technically still on the table for Yanukovich's government. More broadly, it illustrated that women's political participation was not considered a priority.

Only Draft Law N°3396 was added to the parliamentary agenda at the time, while the other two draft laws were sidelined, a move that could be explained by the internal politics of

Ukraine's Verkhovna Rada in October 2013, where Yanukovich's Party of Regions still dominated the discourse<sup>13</sup>. Some positive outcomes did, however, arise from this situation: an extra clause was introduced to Article 8 of the 2001 Law on Political Parties to include a quota provision that would "determine the minimum level of representation of women and men in electoral lists" (Yefremov and Oliynyk 2013). The clause was later made more substantive in an amendment proposed by Volodymyr Yavorivsky, who added that the quota should be "no less than 30% from the overall number of candidates in the electoral list" (Yefremov, Oliynyk, and Shpenov 2013).

A number of things were striking in this case. First, this clause was submitted by a male MP, instead of a female MP or a co-founder of the Equal Opportunities caucus, who themselves submitted a bill to increase provisions for female representation in politics. This can be explained not only by the low numbers of women in the Verkhovna Rada – around 10 per cent at the time – but also the fact that at this point women were seen to be much less involved in the overall political activity than men. In 2013 *Ukrayinska Pravda*, a leading Ukrainian newspaper, published a story on female political activity after a study was released by the *Chesno* NGO; *Chesno* found that at the time the general image of a female MP was non-public and mostly very wealthy (Andrushko and Borzilo 2013). Importantly, 6 of 43 female MPs did not submit any bills or requests, or make any speeches in the first 3 months since they were elected in autumn 2012; only 10 women actively spoke from the stage in the Verkhovna Rada since December 2012 (ibid.). This illustrates that while there were women – particularly in the opposition – who fought hard to introduce bills, empower the "Equal Opportunities" caucus, and change the situation, the overwhelming number of female MPs were unable – or unwilling – to take on an active role in publicly defying the status quo, submitting amendments, and discussing them from the main stage.

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<sup>13</sup> For seat distribution, please see Appendix B.

Due to a relative lack of open-source records on the first three years of the caucus's activities, it is not possible to establish whether Yavorivsky was himself a member of Equal Opportunities; however, as a member of the Fatherland Party, which, despite its more traditional ideology, included caucus co-founder Olena Kondratyuk and several other members of the organisation, his support for the caucus may have arisen from these interactions. Importantly, it shows that while female MPs were not yet fully empowered to challenge the status quo, as they were still heavily outnumbered in parliament and stood in direct opposition to the Party of Regions, they played a key role in preparing the ground and gathering support among different politicians behind the scenes. As policy theory dictates, it is up to the policy entrepreneurs – in this case female MPs – to influence as many policymakers as possible to support their ideas. In this situation, framing the problem and proposing solutions in a way that would garner substantial support was crucial. Whether they achieved this during plenary sessions or backroom bargaining is secondary, but their growing involvement was still noticeable during this important period.

Second, the amendment introduced in 2013 by Yavorivsky cited Ukraine's dangerously low numbers of female MPs and the need to improve the situation in light of Ukraine's European integration commitment. *Radio Svoboda* reported in 2011 the risks that Ukraine's significant gender inequality in politics poses to its achievement of European standards, as warned by the Deputy Head of the EU Delegation to Ukraine, even despite the funds allocated by the EU to Ukraine for the development of gender programmes (Aksionova 2011). Thus, while Yavorivskiy was not seen attempting to reform the 2011 Law on Elections and only fought to include the 30 per cent provision in the Law on Political Parties, it was still an important contribution for the wider gender equality agenda.

While Yavorivsky was not the most obvious policy entrepreneur in the question of gender equality, he nonetheless managed to phrase this amendment in a way that steered other

policymakers to support this provision (Kingdon 2014). Using circumstances to his advantage, such as Ukraine’s consideration of EU integration, and a promise for an extra 10 per cent in funding for each political party that met the quota, he utilised the necessary mechanisms to lobby for these small yet necessary modifications (Verkhovna Rada of Ukraine 2013; Zelenyuk 2020). The 2014 Revolution of Dignity, while temporarily disrupting the policymaking process, reinforced the narratives that were already present in the Verkhovna Rada, and consolidated the use of this foreign policy course as a useful tool for MPs to reform outdated domestic legislation (Howlett, McConnell, and Perl 2015, 431).

(ii) *2014-2019 Parliament: Change in Sight*

Even with only 48 women in the Verkhovna Rada at the beginning of the 2014 mandate (a number that subsequently rose to 56 over the 5 years)<sup>14</sup>, this period contrasted with the one *Chesno* and *Ukrayinska Pravda* reported on in 2012-13. As Iryna Herashchenko wrote, most women immediately joined the “Equal Opportunities” caucus, which allowed it to lobby on behalf of female MPs and build authority in the eyes of the overwhelming majority of male politicians (Herashchenko 2014). While as a co-founder of the caucus it is unsurprising that Herashchenko was advocating for its important place in the Verkhovna Rada, her analysis of the changing environment for women was backed up by a number of local, regional, and national NGOs that spoke of the changing character of female political participation. For instance, the head of the Volyn CSO “Gender Centre” praised the new intake of female MPs as politicians who actually knew what was expected from an MP, while *Radio Svoboda* reported that female MPs were no longer the “decoration of the party list”, but instead were expected to be a truly active force (Stelmakh 2014).

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<sup>14</sup> Please see Appendix B for more information.

Thus, female activity in parliament was now defined by perseverance, bargaining, and group mobilisation with the aim to re-define the status quo, establish a gender balance, and fight existing stereotypes within parliament (Herweg, Zahariadis, and Zohlnhöfer 2018, 18). In fact, Draft Law N°1456 (formerly known as Draft Law N°3411) on Amendments to Some Legislative Acts of Ukraine (On Ensuring Equal Rights and Opportunities for Women and Men in the Electoral Process) was re-submitted to parliament in December 2014 by four female MPs – Olena Kondratyuk, Mariya Ionova, Iryna Herashchenko, and Oleksandra Kuzhel – and two male MPs – Hryhoriy Nemyrya and Borys Tarasiuk – in order to define a stricter set of rules for political parties in forming electoral lists for municipal and national elections.

The significance of Draft Law N°1456 is that it established the presence of women in each group of ten politicians registered in the electoral list, but most importantly, it called for penalties to be imposed on parties in case the quota was not fulfilled. By reintroducing a bill that was sidelined in the previous parliament, Kondratyuk and her co-authors continued to keep the issue on the politicians' agenda, aiming to institutionalise concrete measures that would ensure female political representation would expand and strengthen in the true spirit of democracy and EU aspirations (Schwindt-Bayer 2009, 5).

The Draft Law's explanatory note considered equality between men and women “one of the cornerstone principles of society's democratic development” and restated that the principle of equality has been ingrained in the Constitution of Ukraine as well as in section 5 Article 3 of the Law of Ukraine on Election of People's Deputies (Kondratyuk et al. 2014). Specifically, one of the important amendments of the Draft Law was to Articles 53 and 54 of the Law of Ukraine on the Election of People's Deputies of Ukraine, which exposed gaps in the original legislation and aimed to ensure that:

1. no more than 60 per cent of one gender appears in the top 5 of the electoral list and no more than 70% of one gender is listed in each subsequent ten (Article 53, Section 4);
2. the Central Election Committee (CEC) would not allow a political party to register if the criteria of gender distribution in the electoral list is not upheld (Article 54, Section 5) (Verkhovna Rada of Ukraine 2014).

Yet even in a new post-Euromaidan parliament with an active cohort of parliamentarians – several of whom were fighting for Ukraine’s European choice during the revolution – and a new president who was presented as a supporter of gender equality and women’s rights, as he himself joined the Equal Opportunities caucus before 2014 (according to one of my interviewees), the timing was still off, and there was no confluence of the problem, policy, and politics streams to trigger a window of opportunity for female MPs to successfully push through these amendments (Respondent 15 2023). Here we see that while cooperation among female MPs was growing – with the strengthening of the Equal Opportunities caucus and increasing numbers of women in parliament, most of whom embodied Ukraine’s democratic and European aspirations – timing became a crucial element in this part of the policy process. Importantly, there is sparse evidence that shows President Poroshenko’s investment in gender equality during the early parts of his presidency. Aside from his address to the “Equal Opportunities” caucus in July 2014 – two months after he was elected – that tied the need for more women in all branches of government to Eurointegration, as well as his demand for an increase in female diplomats, as reported by *LB.ua*, his views on gender equality were not as prominent in the Ukrainian media until the armed forces reforms in 2017-18 (discussed in Chapter 6) (LB.ua 2014). Thus, we can assume that while the executive was approving of these changes in general, there was insufficient pressure from the president onto the legislative branch to deliver rapid changes, and thus the results were not as striking.

And yet, this draft law successfully set a bureaucratic precedent for the fight against gender inequality in politics, leaving female MPs with the difficult task of amassing crucial support. The silver lining came when female MPs successfully ensured the inclusion of gender quotas in the 2015 Law of Ukraine on Local Elections, which became the first step towards a more robust establishment of gender quotas in Ukraine's legislative system. As in the policy process of 2013, the gender quota stipulation was adopted after a male MP had introduced it in a plenary discussion. Yet, it was due to the female MPs' advocacy, and their efforts in convincing parliament in the necessity of gender quota inclusion, that this became a prominent idea in political discourse. As women remained outnumbered in an overwhelmingly male-dominated environment, male MPs who supported the women's lobby became important in carrying the message across to the wider parliamentary body. Thus, as we shall see, in this case 'the medium is the message', as female MPs framed the problem and the necessity of addressing it – namely the need to increase female presence in politics, democratise, and hence also abide by European ideals – and the male MPs helped to successfully deliver this message to a wider (parliamentary) audience.

The initial draft bill was submitted with no quota provision, even though by this time the Law on Political Parties had already been reformed to include a gender parity provision and parties knew they would receive an extra 10 per cent in yearly funding from the government if they met the quota. Thus, the idea was not novel. Ukraine's political pivot towards Europe formed the crux of the explanation for the need of this new law – an explanation provided by both male MPs who introduced the draft bill and subsequently the female MPs who aimed to make it more nuanced (Denysenko et al. 2015a). As a result, an amendment was submitted by Olena Kondratyuk to include the quota provision into the Draft Law. Specifically, she proposed

“a requirement to have a minimum level of representation of one gender in the amount of at least 30 per cent from the total number of candidates in the electoral lists of the respective council.

In the case where two candidates for deputies in each territorial constituency were nominated for the respective council, these candidates should be of different genders.”

(Denysenko et al. 2015b)

This amendment was listed in the comparison table submitted as part of the supporting documentation for the second plenary hearing on the reform, and labelled as one that was “considered in substance within other articles”, meaning that the notion was not rejected but the wording proposed by Kondratyuk was not adopted (Denysenko et al. 2015b). Looking at the amended second draft of the bill, the gender quota provision that Kondratyuk aimed to pass was not actually included. In fact, there was neither a vague nor direct mention of the need for a representation threshold to ensure that enough female candidates were considered by their electorates. More narrowly, this points to an oversight by the proponents of the Draft Law on Local Elections; more broadly, it highlights the clash of two incompatible *doxas* that existed in Ukraine: the largely patriarchal outlook that still persisted, and the universal desire to modernise and democratise. This shows that a desire for EU accession and deeply rooted cultural patriarchal views were not two mutually exclusive things, but were merely a facet of the struggle between contemporary and historic nuances that Ukraine, like Tunisia, has had to overcome.

Still, a verbal amendment was passed in the final hearing on the bill in July 2015, now introduced by Yuriy Lutsenko (member of the Petro Poroshenko Bloc, a strong ally of the President and later Prosecutor General, and husband of Iryna Lutsenko who herself was active in matters relating to women’s rights) and supported by Iryna Herashchenko, with the majority

of parties in favour of this “quick” addition to the Draft Law (Verkhovna Rada of Ukraine 2015b). Angling at “an amendment of a European character”, the threshold of 30 per cent was set in stone in 2015, paving the way for future changes at the national level (Verkhovna Rada of Ukraine 2015b).

Although this process was not as straightforward as anticipated, it was still of great significance to Ukraine’s policymaking in general, and the role played in it by female MPs merits deeper consideration. Olena Kondratyuk was able to use her previous political experience, established networks, and work with the Equal Opportunities caucus to propose this important amendment, something that has been highlighted in her vocal activity within the Verkhovna Rada and in her interviews to media outlets and online campaigns like *Povaha*, an educational human rights media campaign (Povaha 2015). While the strategy was not immediately successful, her work laid a foundation for a male MP to introduce it at the final stages of negotiations, framing the problem in a way that would fit the general ideology of parliamentarians in order to achieve results (Howlett, McConnell, and Perl 2015, 430; Herweg, Zahariadis, and Zohlhöfer 2018, 24). As Ukraine’s domestic political landscape still remained largely male-dominated and conservative in its outlook on women, female MPs circumvented the matrix of domination by making male MPs their allies. This played in their favour at this crucial time for Ukraine. Herashchenko, also using her experience and position as the first deputy Chairwoman of the Rada, was able to add weight to Yurii Lutsenko’s verbal amendment.

The advocacy conducted by female MPs in the discussion of the Law on Local Elections consequently proved useful in the drafting of the 2019 Electoral Code. The first draft of the Code, submitted in 2015, under Articles 341, 397, and 541 already included a gender quota provision which stated that each political party

“must ensure the presence of both men and women (at least two candidates of each gender) in each group of 5 candidates (numbers 1 to 5, 5 to 10, etc.) in all electoral lists” (Parubiy, Chernenko, and Yemets 2015).

This provision extended across national, municipal, and Autonomous Republic of Crimea elections, thus making sure that women were included in electoral lists in elections at every level. Moreover, the article was already much more progressive than the previous article included in the 2013 Law on Political Parties, which spoke of a 30 per cent quota relative to the overall electoral list. Under the Electoral Code provision, each gender would receive a minimum of 40 per cent of representation in each group of 5 candidates, which is arguably an even better provision than the one proposed by the co-chairs of Equal Opportunities in Draft Law №1456. One could argue that female MPs, in trying to reform the extant legislation, were striking a balance between challenging the *doxa* of the prevailing order while at the same time avoiding radical changes that could result in the bill being blocked by the male-dominated, conservative parliament – an approach that could be classed as pre-emptive policy softening (Kingdon 2014).

The introduction of this article in the very first draft of the Electoral Code pointed to a gradual shift in attitudes within the political status quo towards the inclusion of women in Ukrainian politics, as part of the country’s active democratisation and move towards a European future. It illustrated that impact is achieved not through situational and sporadic moments of communication between policymakers, but through constant and consistent presence, advocacy, and cooperation, which is something that can be seen in the persistence of female MPs who continued to try to introduce robust electoral quotas into the legislature. In fact, one of the co-authors of the Electoral Code, Leonid Yemets, himself a member of the Equal Opportunities caucus, voiced his unwavering support for the caucus and women’s rights

in this process. When speaking to various social projects like “Women are 50% of Ukraine's success”, which are aimed at promoting women in political life, Oleksandr Chernenko, another co-author of the Draft Law, called the quota an “evolutionary” rather than a “revolutionary” requirement, and mentioned that this article “is impressive to both Western partners and the Ukrainian voter” (Ganzha 2017). And yet, overall, there was less focus from the co-authors on the quotas aspect in the media than on ensuring open-list proportional representation system (e.g. as seen in *LB.ua* and BBC News Ukraine, Lashchuk 2018; Chervonenko and Danylchenko 2019). As in the case of Tunisia, this could mean that because quotas had existed in Ukraine’s legislation since 2013 there was less impetus to justify their presence in the Electoral Code.

However, even with an acceptance among certain male MPs of the importance of this provision, and the lobbying conducted by the Equal Opportunities caucus as a key policy broker, the prevailing order was still largely resistant to certain changes. All 12 amendments submitted by Kondratyuk, Voytsekhovska, and Ionova that aimed to sharpen the language and content of clauses pertaining to gender or anti-discrimination were not passed in the amendment voting procedures. Several amendments were even submitted to remove this provision completely, once again pointing to the “competition of power and ideas” that prevailed even in a pro-European Rada (Bourdieu 1991). Requests to remove the quota assurances came from members of Oleh Liashko’s Radical Party, far-right Svoboda party, and even BPP (Parubiy, Chernenko, and Yemets 2019). The Radical Party’s stance on the matter was unpredictable, considering they voiced deep opposition to aspects of domestic violence law (discussed in Chapter 5) due to their fear of its intrusion on Ukrainian family values, yet supported the bill on equality in the Ukrainian Armed Forces (discussed in Chapter 6). This irregularity in the Radical Party’s stance on women’s rights points to two things. The first is the informal institutions that exist in Ukraine: the Radical Party’s voting patterns are often strongly believed by scholars and the media to be tied to its financial roots, namely the support

of Ukraine's oligarch Dmytro Firtash, thus highlighting the role of power politics and backchannel negotiations (Whitmore 2019, 1483; Kravets, Romanyuk, and Zhartovska 2017). The second is the fact that proponents of change faced new rounds of negotiations, persuasion, and lobbying every time they had to convince a critical mass of MPs to vote in a certain way on a specific bill.

The opposition from members of the BPP was more striking in this case. BPP – or European Solidarity in the current parliament – has always positioned itself as one of the most supportive parties in questions such as gender equality and women's rights, as per Ukraine's European integration aspirations. Poroshenko's own cultivated image as a staunch supporter of women's rights has also positioned him and his party as major proponents of this narrative, according to one of my interview sources. However, several members of BPP have throughout the 2014-19 parliament's activity revealed their patriarchal views on matters concerning women and their equal rights. In this case, two members – Serhiy Rudyk and Dmytro Lubinets – were under the impression that this was a deeply unnecessary addition and that voters should themselves decide who gets nominated and who doesn't. As Rudyk himself stated in parliament:

“If you want [...] you could even make up the whole top ten [of the electoral lists] with just women, because apparently only a woman has the ability to save this country. But, frankly, leave the right to nominate candidates for deputies to the people. [By doing this] you give them an opportunity to choose someone who is with them constantly, who is present at all their events and constantly helps in solving their urgent problems, so do not normalise what is not necessary” (Verkhovna Rada of Ukraine 2019).

One explanation of this could be that male MPs were afraid that female MPs would undermine their chances to be elected, and at the same time did not believe that a woman can do a good job in representing her electorate. Voluntary quotas had existed in Ukrainian legislation since 2013, and yet as reported by BBC News Ukraine, in the 2014 elections only the *Samopomich* party abided by the rule (Chronous 2019). It was not until the 2019 parliamentary elections that established parties such as Poroshenko's BPP (now European Solidarity) or Tymoshenko's Fatherland began promoting gender equality within their electoral lists (ibid.).

Yet, the statement above is also broadly indicative of a traditional culture that is still present in Ukrainian politics. As the 2015 study conducted by the Ilko Kucheriv Democratic Initiative Foundation showed, society was divided on the issue of the level of women's participation in politics, whilst the issue of "traditional social order" ranked highly among the reasons provided to respondents that prevent more women from going into politics (Ilko Kucheriv Democratic Initiative Foundation 2015). Due to the overwhelming size of the Electoral Code bill, and an even more overwhelming number of submitted amendments, not all changes were debated in detail during plenary sessions. However, the mere fact that Rudyk was able to speak and justify this particular amendment speaks volumes about the persistent stereotypical views directed at female politicians, especially from members of a party that prided itself on its adherence to European values.

In the face of this opposition, a significant number of female MPs were still determined to lobby for their position, and submitted necessary amendments to ensure their participation in politics was not only enshrined in the legislation, but also forced political parties to reconsider their recruitment policies and attitudes towards female candidates. In the end, female MPs fighting the prevailing order were able to block amendments that were trying to prevent the quota provision from being passed. Their perseverance, along with the support they

received from organised lobby groups like the Equal Opportunities Caucus – giving them more credibility – illustrated the important role cooperation among policy entrepreneurs plays in the policymaking process.

Still, the almost decade-long process of ensuring greater equality between men and women in the political establishment through electoral quotas came at the cost of compromise. It also required a persistent campaign to ensure that the basic right of equal political participation was granted to women who wished to participate in local, regional, or national politics. In this case, female politicians compromised on the need to penalise parties should they not adhere to this requirement, an amendment that also did not pass. The Equal Opportunities caucus called quotas merely “declarative in nature”, and expressed hope that political parties would remain loyal to this clause and the Electoral Code in general (Equal Opportunities Caucus 2019). Despite the presence of voluntary electoral quotas, party culture has shown that there is still reluctance to implement them, especially since it impedes certain individuals – largely male MPs – from getting elected, as a feminist activist and prominent scholar stated in our interview (Respondent 1 2022).

As Kingdon posits, even if all the factors exist for a window of opportunity to appear, it might not actually materialise. It is therefore up to the actors to use the mechanisms available to bring this window of opportunity into being in a diplomatic yet insistent manner. Policymakers have a “formal ‘steering’ capacity, even if they do not exercise absolute power over destinations” (Howlett, McConnell, and Perl 2015, 431). The reform processes discussed in this section can be seen as a gradual journey away from the patriarchal status quo, where every reform attempt became an empowering step towards creating a more accepting, equal environment for women. As a high-ranking female politician stated in our interview, women in power continue to push for the enhancement of these provisions, and have campaigned for

the amendment of the Electoral Code to include not only punishment but also financial rewards to parties who abide by the electoral quota requirement (Respondent 16 2023).

Thus, while the confluence of streams, as per Kingdon, is vital for change to be made possible, it is the ongoing work, advocacy, and presence of reform-oriented female MPs that played the decisive role in this process. As they continue expanding the remit of the Equal Opportunities caucus, building their networks, and using their political and activist experience to inform their work, they create more space and opportunities for cooperation, a vital aspect of any policymaking process.

#### *4.4.2 Tunisia*

As the introduction of the problem, policy, and politics streams illustrated, the situation in Tunisia ahead of the 2014 electoral reform was quite different to that of Ukraine. In Ukraine, the hard-earned gender quota provision was layered onto a foundation that was primarily built on largely patriarchal principles regarding women: men supported and appreciated the opposite sex, and agreed in theory on equal rights, yet did not accept that quotas would become mandatory. Tunisia, however, already had a historic practice of gender quotas under Ben Ali's authoritarian regime, which set a precedent for the inclusion of gender quotas in future legislation. This pre-existing provision gave female activists more tools to fight for more robust electoral quotas during and after the transition period.

Nevertheless, strong similarities between Tunisia and Ukraine existed: a discrepancy prevailed between the hypothetical and practical implications of the support they received in the matter of electoral quotas. In Tunisia, intersectionality plays a much more dominant role in the way interactions between politicians, including female MPs, were shaped – both due to the higher numbers of women in politics compared to Ukraine, and also the socio-historical

conditions. Here intersectionality revealed both the injustices and discrimination that all women experienced, regardless of their backgrounds, and at the same time underlined the levels of privilege that different female MPs experience vis-à-vis each other (Crenshaw 1997). Specifically, this privilege originated in the complex attitudes towards religion and Islam that continue to exist in Tunisia. On the one hand, Islam is considered the official religion of the state. On the other, the divides that had been sown into the fabric of the state under the authoritarian regimes – in favour of secularism and against Islamism – have made it virtually impossible for religious female MPs who decided to enter into politics to overcome the negative image of backwardness and conservatism that is associated with outward displays of piety, such as wearing the veil. As a result, female MPs who considered themselves progressive or anti-Islamist, or those who had in the past been members of secularist women’s rights organisations, still enjoyed an implicit level of privilege and dominance within the discourse during this period of Tunisia’s political reincarnation. However, prominent female Ennahda MPs, operating within a party structure that still at times voiced conservative opinions, and within a parliament where the majority of their female counterparts considered them to be anti-progressive (as will be seen through interview material and the analysis of committee sessions), were still able to push for change and advocate for foundational women’s rights for the entire Tunisian population.

Thus, in light of Tunisia’s history of state-sanctioned women’s rights, the agenda-setting process looked to be an easy task. Overcoming biases and entrenched patriarchal views inside committees, however, became the stumbling block for all female advocates, regardless of their backgrounds. Howlett et al.’s expansion of the original MSA framework allows us to acknowledge that the stages following the agenda-setting process were riddled with turbulence that complicated or slowed down the achievement of the end goal (Howlett, McConnell, and Perl 2015, 421). The example of electoral quotas in Tunisia illustrates that the status quo held

more power than the agents of change. The compromise on an individual's chances (in this case largely male) of successfully getting elected if the number of women that have to be included in party lists increases – reducing the number of male MPs that appear on those lists or placing them lower down on the electoral register – became a direct threat to those with political aspirations.

Nonetheless, despite the difficulties, my interviewees referred to important “moments of cooperation” between female MPs, which helped them negotiate a substantial quota provision, despite the largely conservative attitudes of their male counterparts (Respondent 3 2023; Respondent 6 2023). In the face of difficulty, female MPs overcame stereotypes and channelled their agency into enabling change within Tunisia's outwardly progressive yet masculine environment.

(i) *2011: Provisional Government and the Transition to the NCA*

The period following the 2011 revolution, and particularly the adoption of Electoral Law N°35 in the spring of 2011, prepared the ground for women to exercise their power within the political establishment. The *Haute Instance pour la réalisation des objectifs de la révolution, la réforme politique et la transition démocratique*, or HIROR in short, was established in January 2011 under the new provisional government and swiftly embarked on a transition to democracy. It consisted of 155 members – 122 men and 33 women – and represented 12 parties as well as organisations such as LTDH, UGTT, and ATFD (Sarret 2011). One of HIROR's priorities, as explained by Yadh Ben Achour, the head of the Commission, was gender parity and safeguarding women's rights that bear significance in the history of Tunisia (Dahmani 2011c). As a result, Article 16 of the Electoral Law read as follows:

“Candidate applications are presented on the basis of the principle of parity between women and men by classifying candidates in the lists alternately between women and men. The list which does not respect this principle is rejected, except in the case of an odd number of seats reserved for certain constituencies.” (Assembly of the Representatives of the People 2011).

A journalist at the *Jeune Afrique* – Tunisian founded pan-African news magazine based in France – reported that inscribing compulsory gender parity provision into the law, which would theoretically increase female participation to 50 per cent, was welcomed both in the HIROR and among the public (Dahmani 2011a). The president of the ATFD, Sana Ben Achour, called it an “historic moment for [...] political participation”, a strong endorsement from the well-known feminist organisation (Dahmani 2011c).

Timing, an important factor in emphasising the urgency of a specific issue to policymakers who deal with multiple topics at once, played a crucial role for the advocates supporting gender parity (Herweg, Zahariadis, and Zohlhöfer 2018, 17). In the drafting of the 2011 Electoral Law, two articles were juxtaposed in discussions for a democratic Tunisia: Article 16 on parity provisions and Article 15 on banning former members of Ben Ali’s RCD party from participating in the October elections. In her article for *Jeune Afrique* Frida Dahmani summarised the question that had been on the minds of Tunisians during this debate with a quote: “By voting for gender parity, we acted like democrats. But is it democratic to exclude former members of the RCD?” (Dahmani 2011a). As Tunisians debated the nuances of banning the RCD members from elections, the time constraints placed on HIROR played into the hands of Article 16 proponents and advocates for women’s rights. Identifying the RCD question as a more important problem to focus on than the generally accepted parity provision clause, Article

16 was safe from tedious debates or the need to convince the majority of policymakers to accept it.

As timing certainly eased the situation, the women's rights lobby also continued its advocacy to ensure that electoral quotas were added to the Electoral Law in the chaos of Tunisia's political turmoil. In an interview with TV5Monde, a well-known Tunisian women's rights activist, Faïza Skandrani, explained that because many women in the HIROR were already supportive of the provision, the majority of convincing centred around the male members of the *Haute Instance*; thus, she and the supporters of the parity provision began lobbying progressive parties, stopping the cars of HIROR members to "give them our manifesto and start the discussion", and even seeking support from the Islamists because "parity can also serve their interests" (Sarret 2011). Shandrani's gruelling work, which highlighted the tenacity and power of individual activists and CSOs as pressure groups and policy communities in policy cycles, was later praised by a number of male and female MPs from Tahya Tounes, Afek Tounes, Nidaa Tounes, and especially Mehrezia Laabidi from the Ennahda party (Faza.tn 2019).

Another strategy employed by female advocates who considered themselves feminists was alarming members of society that the post-revolutionary order, namely the presence of Islamist parties like Ennahda, could bring a reversal of women's rights. A combination of strong anti-Islamist sentiments dating back to established narratives under Bourguiba and Ben Ali and the liberalisation of Tunisian media ignited concerns that after the revolution women's rights would deeply suffer. In fact, as several newspapers reported at the time, there was a growing presence of participants in televised debates that called for a return to conservatism, sometimes even the legalisation of polygamy (AFP 2011). There is little evidence to support the statement that Ennahda as a moderate Islamist party would be responsible for any reversal of women's rights, especially since Rached Ghannouchi – the leader of the party – publicly committed

Ennahda to the CSP and democratic development of Tunisia, as reported in several newspapers like *La Depeche* and *Jeune Afrique* (La Dépêche 2011; Dahmani 2012). The adoption of the gender parity clause, and Ennahda's stance on the matter, sent a powerful message to women and activists that the transitional government was adamant in safeguarding the rights that women were granted under the CSP (Dahmani 2011b; 2011c).

Significantly, this initial reaction revealed the dynamic that shaped the decade of policymaking in Tunisia, creating another level of competition and struggle that women in politics had to endure in their work. On one level, female MPs were competing with their male counterparts for a better and more equal standing in political parties, parliament, and society in general. On a deeper level, women were divided by their religious beliefs, creating a tense environment in countless discussions and marginalising progressive Ennahda female MPs who fought for the same privileges as their female counterparts. Yet, while we see these divides and the mainstream narratives that aim to solidify them, the events that followed defy these initial observations and stereotypes, revealing instead the commitment of a group of elected female MPs to the shared values they espoused – in this case women's political empowerment.

### *October 2011 Elections*

From an electoral perspective, the initial 2011 gender quota policy reaped mixed results. The election had more than 4,000 women compete for a seat in parliament, but only 57 of the 217 seats – 26.27 per cent – were secured by female MPs (Inter-Parliamentary Union, n.d.; National Democratic Institute 2014). Many politicians and academics attribute this to the lack of horizontal parity provision, as party lists put women in second place rather than first, meaning that in districts where parties won an odd number of seats there were fewer women elected than men. Overall, only eight per cent of all lists had women placed as the number one candidate

(Tamaru, Holt-Ivry, and O'Reilly 2018, 11). This lack of immediate success of quotas was hardly unforeseen: while female MPs were officially included in Tunisian politics before 2011, Ben Ali's window dressing policies to promote his own agenda meant that women did not receive the necessary political training and education, nor were they included in elite networks that chose party candidates, which were already overwhelmingly male (Hinojosa 2021).

This refers back to a point made during my interview with a former member of parliament from the Ennahda party, who maintained that it is precisely the role of political parties to recruit and prepare candidates (Respondent 12 2023). This initial result showed the intrinsic problems of a heavily masculine environment that, despite the progressive outlooks on Tunisia's future, did not factor in women as equals in the game (Respondent 12 2023). Much like in Ukraine, in practice quotas revealed the masculine status quo's prevailing approach to the formal and informal processes of candidate selection, as my source explained (Respondent 12 2023). Thus, we can observe that the issue here is not situated along the Islamist-secularist divide; as reported in *Le Point*, the French newspaper, women were "only 7% of the top candidates" in the October elections, were generally "discreetly kept during the election campaign", and only one major party – the Progressive Democratic Party (PDP) – was led by a woman, Maya Jribi (Le Point 2011). Ennahda, on the other hand, elected 41 women out of 89 seats it received in the NCA<sup>15</sup>. Thus, while the narratives were built to highlight Ennahda's, or the broader Islamist, threat, the data provided by news outlets supports the above statement given by my respondent.

Another interview subject, a prominent lawyer and activist who considers herself a secular feminist, stated that she was against quotas because they "stigmatise women and act as positive discrimination that cannot last" and do not shift the mentalities of political parties (Respondent 4 2023). While this is a contested statement to some extent – especially since

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<sup>15</sup> See Appendix C, Table 2a.

academic literature seems to favour quotas as the way towards establishing parity between men and women, and subsequently reshaping the status quo – Tunisia and Ukraine show the difficulties that electoral quotas present in environments that are riddled with double standards. Moreover, what these two interviews showed was a shared understanding among most women, regardless of their party affiliation or background, that the main issue lay with political parties as systems that promote systemic and hegemonic discrimination, as per Collins’ matrix of domination.

In the face of these challenges, the 26 per cent of women who were elected to the NCA should not be overlooked. Tunisia continued to have “the largest representation of women in any parliament in the Arab world at the time”, both assuring an important role for women in the drafting process of the Constitution and Electoral Law, and fuelling Tunisia’s long-term narrative as a women’s rights champion in the region – thus providing more incentives to continue on this path in exchange for regional and international recognition (National Democratic Institute 2014, 8). Women in positions of political power played a significant role in the policy choices made between 2011 and 2014, as well as in overcoming difficulties that women faced among themselves, namely in the persisting Islamist/secularist rift that was most noticeable in the 2011-14 parliament. A discussion of the 2014 Electoral Law reveals that despite their differences or external stumbling blocks, like in Ukraine, female MPs were able to create moments of cooperation to seize the opportunity of democratisation and push for a consolidation of women’s rights in Tunisia’s political establishment.

(ii) *2014 Electoral Law*

Discussions on the 2014 Draft Law N° 14 on Elections and Referendums in Tunisia were similar to the debates surrounding Ukraine’s 2019 Electoral Code. The considerable size of the document, with its 167 chapters, and the limited time available to debate it placed restrictions

on how thoroughly certain issues could be discussed and negotiated. Among them were the gender parity provisions. As in Ukraine, and based on the previous experience of Tunisia's 2011 law, the rule was once again included in the legal framework; and similar to Ukraine, the informal and formal institutions clashed over the nuances of gender equality in politics. While the 2014 Constitution spoke of equality between the sexes, informal institution – social attitudes and the overwhelmingly masculine status quo – trumped the legal requirements and stalled the achievement of more robust rules for electoral quotas. Nonetheless, female MPs remained active and vocal agents in trying to push the remit of political gender parity further. Their participation in committee sessions and voting patterns showed their strong stance on some matters and a softening on others, as is common in any successful policy process that requires a degree of compromise during negotiations.

Several committees were tasked with discussing the Draft Law: the General Legislation Committee, Finance Commission, and the Committee on the Rights, Liberties, and Foreign Relations (Al Bawsala 2014b). Statistics of attendance of the abovementioned committees acted as the primary indicator of the role female MPs played in drafting and negotiating the 2014 Draft Law. According to Al Bawsala's records, the most dedicated members of the General Legislation Committee were Kalthoum Badreddine (the President of the Commission), Imen Ben Mohamed, Yamina Zoghlami, Samia Abbou, and Salha Ben Aicha – most of whom were Ennahda women, each with over 90 per cent attendance that attested to their commitment to their work. Moreover, the commissions were presented with several versions of the law, submitted by the Citizenship Centre and the Youth Without Borders Association, as well as the Shahid Observatory, all of which included gender parity provisions to varying extents, unlike the various bills submitted in Ukraine.

It is also worth noting that both the General Legislation Committee (with 21 members overall) and the Committee on Rights, Liberties, and Foreign Relations (with 20

representatives) included 10 and 9 female MPs respectively. In both committees the president position went to a female MP – Kalthoum Badreddine in the General Legislation Committee and Souad Abderrahim in the Committee on Rights and Liberties – as did other positions of power, with a female vice-president in both, a female rapporteur in the Legislation Committee, and a female first deputy rapporteur in both (Al Bawsala, n.d.). The presence of women certainly pointed to a positive step in female representation in important committees, as well as some adherence to the parity values espoused by the NCA. The presence of Ennahda women in high ranking positions may be unsurprising due to the number of Ennahda candidates elected to the NCA, but also shows that both the party and the parliament trusted in these women’s abilities. In the face of the discrimination and marginalisation they had faced historically under Ben Ali and from the secularist women’s rights organisations after the 2011 revolution this helped elevate their status as female representatives and show that their background was not a barrier to their progressive thinking and policymaking. More generally, it showed that women do indeed possess the necessary skills to hold positions of power, which countered the statements made by those male MPs who opposed the electoral parity rule because they believed it encouraged unqualified candidates.

Parity, as presented in Article 23 of the Draft Law, was one of the first topics raised in discussions of the Committee on Rights, Freedoms, and Foreign Relations. The question of adopting both vertical and horizontal parity – the latter requiring an equal number of electoral lists with female and male candidates listed as number one – was yet to be negotiated in preparation of the Draft Law. Even though the former was agreed upon in 2011, the latter continued to be a highly contested topic in Tunisia. As a summary of the General Legislation Committee’s meeting on 19 February 2014 explained, various themes emerged: some representatives, such as Ahmed Smiai, a former member of the Ennahda party, considered horizontal parity “unconstitutional”, while other MPs thought it would set a precedent for other

groups like young people and citizens from abroad to “demand specific representation” (Al Bawsala 2014c). On 3 March 2014, one of the arguments presented against parity was based on the fact that competence should drive candidate selection, not vertical or horizontal parity stipulations, hence illustrating that either women were not considered as competent, or parties did not feel like investing in their female candidates (Al Bawsala 2014a). Importantly, horizontal parity was in fact not unconstitutional, but rather reinforced the clauses of the 2014 Constitution that promised “equality of opportunities between women and men to have access to all levels of responsibility in all domains” (Republic of Tunisia 2014). The initial and prolonged opposition to horizontal parity showed that despite Tunisia’s historic women’s rights and equality promises, women still faced a glass ceiling in politics, leading those already in parliament to operate and negotiate in difficult conditions.

Despite the backlash, the work of a group of female MPs trying to counteract these views had been visible from the beginning. Members of the Committee were able to generate several amendments to Article 23. According to a Facebook post made by Nadia Chaabane, more than 20 amendments were submitted, most of which aimed to safeguard both vertical and horizontal parity from those “challenging it” (Chaabane 2014). These amendments, written by some male deputies and female politicians such as Lobna Jeribi, Yamina Zoghlami, Imen Ben Mohamed, and Rim Mahjoub among others, ranged from options to instate women’s representation “in the leadership of candidate lists by at least 50%” to ideas that women should have the possibility to “exceed this percentage, both horizontally and vertically, with regard to women’s representation” (Al Bawsala 2014d).

Notably, Yamina Zoghlami, a long-term member of Ennahda who voiced more conservative views on issues such as the inheritance laws, was a radical advocate for women’s equal representation in parliament. Petkanas found that politicians like Zoghlami fought hard to maintain horizontal parity because they believed it to be the right to which women were

entitled, especially in light of the constitutional consolidation of equality between men and women (Petkanas 2018, 175). Other female MPs may have decided to adopt a policy softening approach to be more reserved or compromising in order to see the expected outcomes. Thus, from an early stage, we can trace the involvement of female MPs, regardless of their party affiliation, chipping away at the preconceived ideas of the conservative status quo and slowly breaking the *doxa* in attitudes towards political parity, while also debunking the ingrained idea that members of the Ennahda party were unwilling to fight for women's rights.

Moreover, the establishment of an informal women's caucus, *Le Groupe des Femmes*, increased female cooperation around this issue and generally in the NCA further. According to Zoe Petkanas's research, the caucus worked according to "the framework that gender parity in general, and absolute horizontal parity specifically, represented the constitutional pathway to achieving equality of opportunity" (Petkanas 2018, 175). The overall discussion held by the women's caucus displayed a clear stance on Article 23, indicating early signs of potential success in changing the attitudes of the Committee and the plenary, as well as a step back from the mainstream Islamist/secularist binary that has pervaded much of the academic and societal discussions on the work of the parliament. The unity of the caucus and staunch support of all types of parity from high profile Ennahda politicians like Yamina Zoghalmi, Mehrezia Laabidi, and Kalthoum Badreddine further indicate this.

At the same time, the negotiations held in the Committee illustrated that policy success is often dictated by the timing, environment, and lobby groups that participate in the process. We saw in the example of Ukraine that the women's lobby tried their best to operate in a situation where timing was not on their side. In this case, the timing seemed to be on their side, and the lobby groups – and specifically the individual female MPs – also brought character to their discussions, doing everything in their power to compete for their ideas to be heard and accepted. If we take Collins' definition of power, then we are focusing on the "dialectical

relationship linking oppression and activism” (Hill Collins 2002, 274); if constant oppression leads to significant activism, and change is the result of human agency, then it becomes clearer why female MPs – particularly from the Ennahda party – were willing to so radically support horizontal parity. The oppression they had faced from the pre-revolutionary regime in the first place, and from certain more conservative male MPs in their own party and from others, had forged their determination for activism in this matter.

Riding the wave of victories gained in the passing of the 2014 Constitution, and overcoming the heightened tensions that the Constitution drafting process caused apropos the ‘complementarity’ clause, gave hope that debates on the Draft Law on Elections and Referendums would be an opportunity for the informal caucus – i.e. the policy entrepreneurs – to continue promoting women’s rights in other aspects of Tunisia’s legislature. However, according to several female deputies, including Chaabane, the discussion of Article 23 and the submitted amendments continued to be postponed, until it was finally discussed on 1 May 2014.

Among all the amendments that were submitted, 18 were withdrawn and only several were accepted for discussion. The main amendment was a technicality to divide Article 23 into three separate issues (vertical parity as Article 23, horizontal parity as Article 23bis, and the question of youth representation as Article 23ter). As such, the Draft Law did not dedicate standalone articles to the advancement of women’s rights, and this division of Article 23 was seen as a policy ‘softening’ tactic from the women’s lobby. At the same time, it made it easier for the supporters of the status quo to remove the controversial aspect of horizontal parity while accepting a vertical zipper system as before. This allowed the prevailing order to appear progressive and supportive of equality without having to enact significant change.

In the end, despite the work done by the women’s lobby, horizontal parity was not adopted in the 2014 Electoral Law. During the debates in the General Assembly, Ennahda’s

Souad Abderrahim spoke in favour of horizontal parity and the impact it will have on the future Assemblies; Ibrahim Kassar, a male MP from the Current of Love party, spoke against the provision, reverting to gendered language, demoting women to common stereotypes – for instance that the woman should “wait for her man at home – and even quoting the Prophet as proof that women are inferior to men (Petkanas 2018, 182). Once again, entrenched patriarchal views and conservative tendencies overshadowed the will of reform-oriented female MPs. As Petkanas’s research shows – specifically when she herself witnessed female MPs’ caution in the *Le Groupe Des Femmes* meetings – while there may be support for horizontal parity among many of the members from the informal women’s caucus, they would “never get any men to vote for it” due to the entrenched patriarchal norms (Hajer Azaiez; Petkanas 2018, 175).

With 69 for, 67 against, and 44 abstentions, the amendments failed. The blocs that voted overwhelmingly in opposition to this provision were Fidélité à La Révolution (2 for, 6 against, 1 abstention), Ennahda Movement (12 for, 33 against, 22 abstentions), and Transition Démocratique (3 for, 5 against) (Al Bawsala 2014e). A journalist at the independent Tunisian newspaper, *Nawaat*, pointed to a similar situation that occurred in April 2011: the overwhelming “No” for Article 23bis coincided with an overwhelming “Yes” on Article 167 that dictated the eligibility of former RCD executives, thus suggesting that electoral compromises were made to the detriment of women’s rights (Haddaoui 2014). While this speculation is difficult to prove – and my respondents who were directly involved in the electoral law process were unable to confirm this – it suggests the power of informal networks that existed in the NCA, and the compromises that politicians was willing to make despite the recent revolution that brought down the RCD, as well as the Constitutional provision for gender parity.

Ennahda’s vote appears unequivocally anti-progressive at first glance, and may spur initial conclusions in line with the anti-Islamist rhetoric concerning women’s rights. The party’s

voting behaviour certainly stood out, but primarily because of its size in parliament and not because of its supposed anti-equality beliefs. Within the 12 votes cast in favour by Ennahda, 10 were from female MPs and 2 from male parliamentarians; 8 female MPs opposed, and 13 abstained, indicating that Ennahda, like every other party, did not present a fully united position on the topic of horizontal parity. And yet the fact that male MPs voted overwhelmingly against the clause, and female MPs voted either for, against, or abstained, shows rather the dominant position of patriarchal structures inside the political establishment and a divide based on gender rather than religion. Even if horizontal parity was not achieved, the process demonstrated the empowerment of female parliamentarians who lay the foundation for their own cooperation and subsequent changes that would benefit women inside and outside of the political establishment.

As a result, we can see the slow but steady progress achieved in the Tunisian NCA over the course of the 2011-14 mandate. The heated debates on the 2014 Constitution and Electoral Law brought a sense of clarity that several women in Tunisian politics had indeed established themselves as equal decision-makers to men, formed alliances, and demystified the pre-conceived notions that their background was an obvious marker of how they would act in politics. The overwhelming support for Article 23 as one that provides vertical parity can be attributed to the ongoing work of female MPs. 160 MPs voted in favour, and only 11 against, with 10 abstentions. Only 3 women abstained from the vote. Looking at the achievement of this clause through a policy cycle perspective illustrated the importance of timing, but especially the political stream – namely lobby groups and policy entrepreneurs who were able to shape conversations, frame problems, and offer solutions, as well as seize the fleeting windows of opportunity to enact change, all through their cooperation and unity over shared values of gender equality.

*(iii) 2016-17 Amendments to the Electoral Law*

Much like in Ukraine, changing the minds of the overwhelmingly patriarchal political establishment was neither a fast nor a linear process. While women in the Ukrainian parliament continued to fight for quota provisions in the 2019 Electoral Code, female MPs in Tunisia relentlessly lobbied for horizontal parity to further increase women's access to politics. The opportunity to further negotiate horizontal parity presented itself in 2016 when Draft Law N°1/2016 Amending and Supplementing Organic Law N°14/2014 of May 26, 2014 Relating to Elections and Referendums was submitted to the Assembly of the Representatives of the People (ARP). The main purpose of this draft law was to amend certain elements of the 2014 Electoral Law and apply it to “presidential, legislative, municipal, and regional elections, and referendums” (Al Bawsala 2016). As a result, politicians were able to target important and arguably more contested points relating to elections. Better parity provisions constituted a large part of the discussion.

A report submitted by the Committee on Internal Regulations, Immunity, Parliamentary Laws and Electoral Laws outlined the reasoning behind the introduction of the amendment on horizontal parity, as well as the negotiation process and final outcome. In it, the Committee refers to Article 46 of the Constitution as the driving force in enabling better female political participation on the legislative and municipal levels. The negotiations that followed were similar in nature to the concerns raised in 2014: large parties would be placed at an advantage, unlike smaller parties who have fewer candidates to choose from; horizontal parity would be difficult to apply and maintain in practice, while vertical parity was considered to be “rooted in Tunisian culture”, and therefore in general this provision would be “unfair and impossible” (Al Bawsala 2016d). From the outset, opposition to horizontal parity remained as staunch as it was in 2014, and once again arose from entrenched paternalistic approaches of male, and some

female, parliamentarians from a variety of parties, including the president's Nidaa Tounes party and Ennahda (Al Bawsala 2016c).

However, discussions that took place in both the committees and the plenary illustrated that supporters of amendments to the 2014 provisions were unafraid to begin a new cycle of lobbying for change. The timing also seemed to be more favourable: following the 2014 parliamentary elections, there was a greater engagement of CSOs in the parliament's work that helped create the right environment for further debates on these issues. In May 2016, *Al-Araby Al-Jadeed* reported that a number of Tunisian CSOs as well as regional and international organisations began a campaign titled "Full Democracy in Local Elections", which called for both vertical and horizontal parity to be adopted, as well as the representation of the youth and people with disabilities, effectively reigniting the fight for Articles 23bis and 23ter from the CSO position (Al-Trabelsi 2016). For female MPs, this campaign, as well as their experience of drafting the Constitution and the 2014 Electoral Law, equipped them with the necessary support to lobby for this issue within the ARP.

In parliamentary negotiations, Kalthoum Badreddine from Ennahda suggested that every party should be responsible for fulfilling electoral parity by deciding to shorten its electoral lists if they were unable to find enough female candidates, thus providing a more moderate solution to the discussions held on the topic. She also pointed out that the situation should be easier for women on the local level, seeing as they did not need to travel far and uproot their lives and families, an issue that many female MPs faced when having to relocate to Tunis because of their mandate in the national legislature (Al Bawsala 2016a). Leila Hamrouni from Nidaa Tounes repeated how the law would become "pioneering in Tunisia and the entire world" if horizontal parity were to be added, and Najla Saadaoui emphasised that parity was a constitutional right (Al Bawsala 2016b). The convergence of opinions from female MPs affiliated with ideologically different parties once again reinforced the cooperation that

was witnessed in parliament during this reform process, making it an important case study into how politically active women were able to overcome their differences when their ideas aligned.

There was also a noticeable increase in support for all types of parity from men in the plenary discussions, although many still opposed these provisions. For instance, Hassouna Nasfi from Al Hurra stated that “women today have made their presence felt in an important way” and that in the ARP “women are the members who work the most” (Al Bawsala 2016b). Other male MPs also supported this addition based on the constitutional backing of equal rights and opportunities. Although the 2014 Electoral Law was debated after the adoption of the Constitution, meaning that MPs could have relied on equality guarantees inscribed in it even then, the timing was better in 2016 because it gave an opportunity for the new Constitution to be consolidated in the minds and work of politicians, empowering women inside parliament to conduct further negotiations to inscribe parity into the electoral process. Ultimately, a similar trend to that seen in Ukraine emerged, whereby male MPs were seen to take the side of female MPs who were fighting for gender equality. This expanded the size of the networks and the scope of cooperation that women enjoyed in parliament, empowering female MPs to continue advocating for greater women’s rights in their subsequent campaigns (as seen in Chapter 5).

In the end, 127 MPs voted in favour of the amendment on horizontal parity, with 3 abstaining and 4 against. Voting data from Al Bawsala shows that among those against were three male MPs and one female MP, all members of the Democratic Bloc, and none from Ennahda (Al Bawsala 2016e;). While this new rule extended only to the municipal level, it has still be praised by prominent activists like Nadia Chaabane and in newspapers like *Jeune Afrique* as a significant victory for female MPs and organisations supporting these efforts, as their work and cooperation allowed them to seize the moment when good timing and the appropriate environment converged to achieve what they set out to do in 2014 (Chaouch 2016; Chaabane 2016).

The 2016-17 changes to the Electoral Law cannot be studied in isolation from the heated debates of 2014. In fact, the return to the discussions on an important matter like equality in politics shows once again that the policy cycle is not a linear process and is heavily influenced by factors such as time constraints, legislative turnover and elections, campaigns from interest groups, among other things, all of which may hamper certain policy trajectories (Herweg, Zahariadis, and Zohlnhöfer 2018; Howlett, McConnell, and Perl 2015). In this case, the initial heated debates on the 2014 Electoral Law coincided with the end of the NCA's mandate, upcoming elections, and a relatively fragile democratic transition following the revolution. Yet, even in that environment the women's lobby achieved a legal promise of vertical parity in electoral lists, despite the resistance to horizontal parity, showing that where there is a will, there is a way (as Chapter 7 will illustrate it is not always the case).

In 2016, at a time when the newly formed parliament of 2014 was still in its early policy-driven days, women restarted the conversation on horizontal parity, taking this as a window of opportunity within the ARP. What helped seize this opportunity, however, was the fact that female MPs who fought for horizontal parity in the first place already possessed the necessary arguments, networks, and skills to restart the conversation. Had it not been for their readiness, the timing may not have been used advantageously, and the opportunity would not have been turned into a positive reality. The memory and collective action that came out of previous moments of cooperation among female MPs empowered them as policy entrepreneurs and resulted in a progressive change for Tunisia's democratic consolidation.

#### **4.5 Conclusion: The Need for Female Cooperation in a Male-Dominated Environment**

The complexities of the policy process, as introduced by Kingdon's framework and complemented by later developments of the theory by Howlett et al. (2015) and Herweg et al. (2018), point to the key role of the political agent in achieving change. In the case of Tunisia, change was overwhelmingly achieved by female politicians and the help of external actors like the various women's rights organisation, some of whom feared setbacks to their rights and others who were trying to protect their image as a moderate and progressive force. The establishment of an informal women's caucus helped unite female MPs in the wake of uncertainty and rising tensions due to the 2012 'complementarity' clause crisis. In Ukraine, women, because they remained a small minority in parliament despite the broad narratives about the value of women in politics sometimes promoted by the executive branch, used all the available tactics and resources to push through their agenda. They laid the foundation for change through their advocacy behind the scenes, while male MPs acted as the official speakers in favour of the reforms and amendments in plenary sessions. The Equal Opportunities caucus and its members also worked tirelessly to introduce the same bill across a number of years, and submitted amendments to other bills, in particular the 2019 Electoral Code, to make sure that electoral quotas were clearly enshrined in the country's laws and reflected the importance of non-discrimination against female candidates. These female MPs reframed the problem to make it more pertinent, and despite the changing political landscape with every election of the 2010s, they were able to seize the right moment to achieve compromise and cooperation that helped ensure the provision of gender quotas in national and local elections (Kingdon 2014).

The cases of Tunisia and Ukraine are strong examples of how women were able to bring about important changes for themselves, operating in an environment that is characterised by

political volatility, informal dynamics and networks, and an overall presence of entrenched patriarchal domination. Yet, while quotas in theory ensure a higher level of female participation in political establishments, they do not address the root causes of discrimination and inequality. Political parties may dismiss it as a band-aid solution for deeper issues, or be unwilling to put in the work to change the structures that may affect their electability.

Nonetheless, this chapter revealed that despite the modest success of mandatory quotas (in the case of Tunisia) or the lack of mandatory quotas (in the case of Ukraine), women inside the political establishment still tried to shift deeply ingrained patriarchal attitudes to allow for a new appreciation of the need for the greater participation of female candidates in electoral politics. By doing so, they challenged the accepted *doxa* and aimed to reshape it in line with the changing national priorities. By arguing for quotas, they also revealed that at times the progressive attitudes of politicians (in this case mostly male, but also some female) were more theoretical than not. By challenging a politician's potential place in the party lists, these reforms showed that Bourdieu's convictions were, in fact, correct: each individual is most concerned with their place in the system, and therefore competition over power and ideas becomes critical in such situations. Finally, the process also showed that while all women are different in their background, ideology, and political affiliation, they were able to turn their experience with oppression into agency and activism, ultimately leading to the legislative changes that they, as elected members of constituencies, were committed to fighting for.

## **CHAPTER 5.**

### **THE PERSONAL IS POLITICAL:**

#### **2017 LAWS AGAINST GENDER-BASED VIOLENCE IN TUNISIA AND UKRAINE**

Amidst generally progressive attitudes towards establishing equality between women and men in Tunisia and Ukraine, the issue of gender-based violence (GBV) remained highly salient in both states. Persistent conservative outlooks on women's place in society, the desire to safeguard traditional values and keep the family sphere a private space, and the lack of consensus on the optimal legislative approach to combat GBV were all themes that emerged in the course of research, contributing to the decades-long inadequacy of response to the prevention of psychological and physical abuse of women.

Nonetheless, after years of drafting, negotiations, and lobbying for change, Ukraine's Verkhovna Rada and Tunisia's Assembly of the People's Representatives (ARP) passed very similar legislative changes in 2017: the Law on the Counteraction and Prevention of Domestic Violence in Ukraine, and the Law on the Elimination of Violence Against Women in Tunisia. Both reforms focused closely on definitions of violence through a gendered lens, state instated support for the victim (for instance, police support as a means to seek protection from acts of violence, particularly at home, as well as legal aid), harsher punishments for violence against women (VAW), and providing necessary help and support to children as secondary victims of abuse (Zaki 2019; Verkhovna Rada of Ukraine 2016b). As the problem was neither new in society nor on the female policymakers' agenda, the aim of this chapter is to understand how these rapid and sudden positive changes emerged within the largely hostile conservative environment in which Ukrainian and Tunisian female politicians operated.

This chapter shows that policy changes occurred because certain female politicians, with the support of civil society organisations (CSOs), were able to once again put aside their

fundamental differences, find common ground, and use the moment of political volatility caused by post-revolutionary democratic shifts to their advantage to lobby for crucial women's rights reforms. The strides towards modernisation in Ukraine and Tunisia after the revolutions allowed female MPs to show the important correlations between democracy and a woman's right to safety, both in her home and at work, something that would benefit the achievement of political, economic, and social progress domestically, as well as strengthen the democratic image of both states abroad.

This chapter delves deeper into the divide between established patriarchal structures that perpetuated inequalities between men and women within the public sphere (e.g. political institutions or the labour market) and the private sphere (the home), and the reformist attitudes of certain female MPs who fought to change these stereotypical stances by fighting against one of the gravest issues they face: gender-based violence. As this chapter shows, this reform process is perhaps the greatest example of the similarities between the Ukrainian and Tunisian cases. Despite the different roots and experiences of oppression that various groups of women have endured in both countries, the solutions to this particular problem display a remarkable similarity. The opposition to the proposed policies was astonishingly similar as well, illustrating that despite this difference in culture, the issue of women's safety in the private and public spheres transcends borders. Understanding the power dynamics between the established *doxa* and the 'heretic' proponents of change, and their fight for the acceptance of new ideas pertaining to 'gender' and the illumination of problems that go on behind closed doors, allows us to trace the origins of agency and resistance, and assess the extent to which politically active women were willing to engage in the policy 'softening' process to achieve even the smallest change in the fight against GBV.

Kingdon's MSA framework therefore allows us to examine the problem, policy, and politics streams that set the legislative agenda and prepared the ground for female MPs to come

together in cooperation and seize their window of opportunity by negotiating and convincing their male – and some female – colleagues of the crucial need to support these changes. Throughout, the emphasis on the politics stream is evident, as the political agency of the small group of female MPs remained integral to the achievement of GBV reforms in both Tunisia and Ukraine.

At the same time, Crenshaw's intersectional focus on women's differing experiences with GBV adds further nuance by suggesting that while all women have suffered from these injustices, some groups may have suffered more due to other established forms of oppression. In dealing with the legislative reform itself, intersectionality shows us how even in such crucial conversations on combatting GBV, female politicians themselves can get lost in the established layers of oppression – vis-à-vis each other's identity, class, and religious choices – thus revealing the complexities of negotiating issues that seem so clearly unifying.

### **5.1 Problematising the Issue of Gender-Based Violence (GBV)**

Policymakers only pay serious attention to a fraction of problems (Kingdon 2014, 120). Thus, a social problem must be defined as an issue, and state intervention must be identified as the necessary means to solving it (Fischer, Miller, and Sidney 2007). Existence of international treaties that directly involve the state in the problem-solving aspect of GBV signal the need for state intervention. However, in many cases international treaties are not directly responsible for a state's response to the problem. Historical attitudes and a catalyst event are more likely to draw attention to the need for a new policy.

Among CSOs in Ukraine, the issue of domestic violence had been a topic of discussion since the late 1990s. For instance, La Strada Ukraine – a European NGO working to combat human trafficking and domestic violence – has been operating since 1997 (La Strada

International09/05/2026 12:59:00 n.d.). Ukraine was also seen as one of the more progressive countries in the post-Communist space: the 2001 Law on the Prevention of Violence in the Family, the 2005 Law on Ensuring Equal Rights and Opportunities of Women and Men, and the 2011 Law on Counteracting Human Trafficking, as well as several articles of the Ukrainian Constitution and National Action Plans, were all geared towards combatting gender-based violence (Verkhovna Rada of Ukraine 2011).

However, over the decades of Ukraine's independence, local, national, and international NGOs have highlighted the severe gaps in these extant laws and their implementation, which was noticeable in the underreporting and underfunding of this field. Even within the underreported nature of the issue, official administrative data showed that "1 in 145 adult women have experienced domestic violence in Ukraine" and according to La Strada Ukraine, "the official number of complaints represents only 10-15% of the actual total number" (Duban 2017, 38). Thus, on the national level, this issue continued to fester with no clear concrete solutions to prevent further deterioration of the situation.

Tunisia, the quintessential state feminist regime, had historically made rhetorical claims about fighting for human rights (Arfaoui and Moghadam 2016; Marks 2012, 228). Similarly to Ukraine, CSOs were the most vocal actors in this matter. Since the early 1990s, ATFD, LTDH, and international organisations like FIDH (International Federation for Human Rights) focused their efforts on the issue of domestic violence. In 1993, ATFD produced a report – *Les violences à l'égard des femmes* – which, along with the growing attention to the issue globally, ended in amendments to Article 218 of the Penal Code, which "introduced punishments for perpetrators of family violence" (Arfaoui and Moghadam 2016, 641). In 2002, ATFD, LTDH, and FIDH sent recommendations to the Tunisian government on how to eliminate VAW and other forms of gender discrimination (FIDH 2002). In 2004, ATFD led a campaign that helped pass a law

amending and supplementing the Penal Code to punish acts of sexual harassment by one year of imprisonment and a fine of 3,000 dinars (Ministry of Justice of Tunisia 2004).

However, despite these legislative victories, injustice and VAW continued. The rape of a young woman in 2012 by two policemen brought the issue back into public discourse, and politically active women began demanding real change. While this incident had not been the first of its kind, as for decades Tunisian women had suffered from “systematic sexual violence at the hands of the state” (Zaki 2019), the democratising setting gave hope that this time change could actually happen. With the liberalisation of political institutions and freedom of speech, there was hope that this would be treated as an urgent matter in need of resolving. As Kingdon underlined, at points the change in government may be “enough to provide that motive” (Kingdon 2014, 19).

Unlike in Tunisia, the main catalyst in Ukraine for a renewed focus on the issue did not occur due to an incident of this kind. Instead, there was an increased pressure from grassroots organisations and international partners to enact change in line with Ukraine’s European choice (Losyev 2016; Yarmoshchuk 2016). The Istanbul Convention, which was signed by Ukraine on 7 November 2011 (but was not ratified until July 2022) became an even more important topic of discussion among female parliamentarians and CSOs. The fact that this was a highly important piece of European legislation set a precedent for domestic legislators and women’s rights organisations and allowed them to use the EU angle as a valuable argument in their lobbying for amendments to existing legislation on the topic of domestic violence.

## **5.2 Finding Solutions to Existing Problems**

The ‘policy’ stream looks at solutions proposed together with the problem, or that are otherwise developed after the introduction of the issue. While some scholarship has found it difficult to

operationalise this stream, some scholars have focused on the different “styles, patterns, and outcomes of policy formulation and decision-making” to analyse how a solution is reached (Cairney and Zahariadis 2016; Fischer, Miller, and Sidney 2007). In our case, the proposed solutions also reveal how ideas were being formed and promoted by various lobby groups, and the extent to which the competition over power eclipsed the issue itself and began shaping conversations throughout the process.

International treaties on the prevention and elimination of VAW have played a significant role in national conversations on the topic of gender-based violence, particularly in Ukraine. The 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW Convention), and the 1995 Beijing Declaration and the Platform for Action set a precedent for more robust national and international action towards combatting VAW. A prominent Ukrainian lawyer and women’s rights advocate whom I interviewed recalled the importance of the Beijing conference in drawing the attention of Ukraine’s then-President Leonid Kuchma to the issue of gender-based violence and human trafficking (Respondent 19 2023). She recounted her team’s efforts in convincing the president that ratifying the Convention was key to the country’s position on the international stage, a move that also triggered a positive development in Ukraine’s domestic reforms. From this, we begin observing how the growing role of international conventions shaped national solutions to the issue, and increased the role female advocates play in the process, calling the government to action.

Regional conventions have played an even bigger role in providing more specific and substantive frameworks that engage states in the question of VAW. The Maputo Protocol was adopted by the African Union in 2003 to provide a comprehensive agenda for the prevention and eradication of violence against women<sup>16</sup>. The Protocol’s holistic approach was regarded as

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<sup>16</sup> It defined key concepts and provided action points for achieving better rights and equality for women. Issues pertinent to the continent were subsequently addressed: right to life, access to justice, elimination of harmful practices, marriage and divorce, right to participation in political and decision-making processes, women in armed conflicts, among other issues. Importantly, Article 26 briefly outlined the implementation and monitoring

one of the most progressive human rights instruments in the world, and today it remains an important document in the fight for gender equality in Africa (Mohamed 2014). On the European continent, arguably the most influential human rights instrument since 2011 has been the Council of Europe Convention on Preventing and Combatting Violence Against Women and Domestic Violence (the Istanbul Convention). It aimed to create a legal framework at the pan-European level “to protect women against all forms of violence”<sup>17</sup> (Council of Europe 2011). Importantly, it also put states at the centre of decision-making, calling on them to “organise their response to all forms of violence covered by the scope of this Convention in a way that allows relevant authorities to diligently prevent, investigate, punish and provide reparation for such acts of violence” (Council of Europe 2011, 11). This way, states would be equal participants in shaping their domestic policy based on regional duties, avoiding a situation where a particular way is imposed on any given signatory of the Convention.

Thus, we could expect the Maputo Protocol and Istanbul Convention to be influential factors within the advocacy of female politicians in Tunisia and Ukraine. However, my empirical analysis reveals limitations to this expectation. In Ukraine, the failure to ratify the Istanbul Convention in 2017 showed a direct limitation to the internalisation argument, as the state, despite the fervent lobbying by female MPs and CSOs, did not display a unified or supportive stance on this particular matter. In Tunisia, the Maputo Protocol was only ratified in 2018, despite being signed in 2015. The lack of overwhelming mention of its importance in the passing of the ground-breaking 2017 law to combat violence against women also showed

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responsibilities of each signatory, which mostly focused on showcasing legislative and other changes for the realisation of the stated women’s rights (Office of the United Nations High Commissioner for Human Rights, ‘Protocol to the African Charter on Human and People’s Rights on the Rights of Women in Africa’, 2003, 21).

<sup>17</sup> It was modelled on several other conventions: the Maputo Protocol and the Belém do Pará Convention (Morrison, Ellsberg, and Bott 2004). Similarly to the Maputo Protocol, it set up the Group of Experts on Action against Violence against Women and Domestic Violence, “GREVIO”, to monitor and evaluate the participating states’ improvements in combatting gender-based violence, adding a layer of accountability and incentive for countries who ratify the Convention (Council of Europe, ‘Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO)’, 21 September 2015).

that regional treaties and norm diffusion do not necessarily explain this specific legislative change.

Since 2013, the Council of Europe had been working with Ukraine's Ministry of Social Policy to reform the country's legislation in line with European norms; as reported by *Zmina*, this required changing around 20 laws (Virtosu 2015). In 2016, a package of reforms was introduced in the Verkhovna Rada, aimed at combatting domestic violence and preparing the Ukrainian legislature to ratify the Istanbul Convention., These reforms consisted of: Draft Law N°5294 on the Elimination and Prevention of Domestic Violence; Draft Law N°0119 on the Ratification of Council of Europe Convention on Preventing and Combatting Violence Against Women and Domestic Violence; and Draft Law N°4952 on Amendments to Some Laws of Ukraine in Connection with the Ratification of the Council of Europe Convention on the Prevention of Violence Against Women and Domestic Violence and the Fight Against These Phenomena (Verkhovna Rada of Ukraine 2016a). All three drafts caused heated debates within the Ukrainian parliament. Three themes emerged as the main points of contention: the need to keep family matters private, the role of religion in aspects of private life, and the unnecessary and even destructive nature of the terms 'gender' and 'gender-based violence'. Competition between a group of reform-oriented female MPs fighting for greater women's rights and the more traditional – overwhelmingly male – voices resulted in much more scrupulous debates during the 2016-17 period, especially compared to negotiations on electoral quotas outlined in Chapter 4. Solutions to this policy problem and subsequent debates revealed the deep-seated divides between the naturalised *doxa* and the division from the status quo, with the latter prevailing much more than in any other gender-centric reform process of this period in Ukraine.

In Tunisia, unlike Ukraine, a series of domestic events led to a clear policy proposal on the fight against gender-based violence: the previously mentioned events of 2012 and the authorisation of a Tunisian court for a 13-year-old pregnant girl to be married to her abuser in

2014 (allowed under Article 227 bis of the Penal Code), which caused a demonstration outside the ARP, organised by members of civil society and supported by the Directorate of Child Protection under the Ministry of Women, Family, and Children (NY 2016). At the same time, the ratification of the 2014 Constitution obliged the State to “protect and reinforce women’s rights” and broadly guaranteed measures to combat VAW, CSOs felt empowered to increase their pressure on the legislative branch, while female MPs elected in the 2014 election were ready to use their previous experience in policymaking and advocacy to fight for more substantial changes to Tunisian laws (Voorhoeve 2021; National Constituent Assembly 2014). Thus, a comprehensive Draft Law N°60/2016 on the Elimination of Violence Against Women by the Minister of Women’s Affairs was introduced in 2016 (Al Bawsala, n.d.-c).

Similar to Ukraine, the introduction of Draft Law N°60 increased tensions between the proponents of this necessary legislation and those to whom the old established status quo appealed more, regardless of party affiliation or religious convictions. Contestations also arose around the themes of culture, religion, and the role of family values – all of which were stumbling blocks in committee and plenary discussions. The solutions for combatting VAW, and the subsequent CSO activism and work of female MPs in parliament to ensure the reforms are passed, is perhaps the greatest example of how the fight for women’s safety transcends borders.

Yet, it also revealed that traditional values have a universal quality across different cultures. Women in Ukraine and Tunisia may not have faced identical struggles created at various intersections of oppression: in Tunisia, religion played a much greater role in creating the different levels of oppression, while in Ukraine this was typically done through class wars. Nonetheless, despite experiencing different levels of oppression, women’s response to questions pertaining to their safety in the home and the public sphere was still greatly similar, while the response of the established, prevailing order was practically identical. The main –

and perhaps, only – difference between the two cases was the extent to which women were willing to undergo the policy ‘softening’ phase to compromise with the status quo and achieve a fraction of the proposed legislative change.

The “styles and patterns of policy formulations”, this thesis argues, therefore became visible through the manner in which reform-oriented policymakers (female MPs) and their support base within CSOs were able to cooperate and lobby against the prevailing order and push for this draft law to be accepted and adopted by the Assembly (Cairney and Zahariadis 2016, 98). To understand how female politicians achieved this, and the extent to which they compromised, we must consider who the staunch supporters of the bills were and examine the actions they undertook to convince the status quo to accept these changes.

### **5.3 Policymakers: Exercising Agency in the Face of Opposition**

Policymakers are generally key in identifying problems and turning them into policies, while at the same time motivating others around them to accept the proposed solutions. The persistent role of female actors in both cases, influencing important legislative shifts towards a more equal treatment of women within democratising societies, makes these two countries a good match for comparison.

Ukraine’s 2014 Revolution of Dignity and the role of European values in Ukrainian post-Soviet society would not have been as influential in the events of 2016-17 if not for a small but committed group of female MPs operating within the Verkhovna Rada. In spite of persistent opposition, female MPs introduced this reform as a necessary and urgent matter, were seen standing their ground throughout the negotiating process, and exhibited their unity and ability to mobilise at a time of political change. The most vocal group of female MPs during these reforms were Olena Kondratyuk, Iryna Herashchenko, Lyudmyla Denisova, Mariia

Ionova, and Iryna Lutsenko – the returning members of parliament during the 2014-19 period – as well as Svitlana Zalishchuk and Iryna Suslova – serving their first political term in office during the 2014-19 cycle<sup>18</sup>. The activity of these female MPs fostered an image of their progressive and reformist attitudes in the fight for women’s rights, which was often portrayed as such in different news reports (e.g. Korrespondent.net 2013; Zn.ua 2017; Taranenko 2018) .

As in the electoral law reforms, returning female MPs (Kondratyuk, Herashchenko, Ionova, Denisova, and Lutsenko) were able to use their experience with law-making and their established membership in the Equal Opportunities caucus to negotiate and lobby for change in the post-revolutionary environment, and their constant presence in the media elevated their role (Komarova 2017a). The so-called new faces in parliament (Suslova and Zalishchuk), who were interested in issues of gender equality and combatting GBV, were able to join forces with these knowledgeable returning parliamentarians, use their experience, bring their own perspectives and networks, and participate in the behind-the-scenes negotiations for this particular reform. Having most of these reform-oriented MPs in positions of power within the Verkhovna Rada (ranging from the Deputy Chairwoman of the Rada, to head of the Committee on Social Rights, to head of the Subcommittee for Gender Equality and Non-Discrimination) substantially elevated their status in the eyes of the more conservative and patriarchal members of parliament, most of whom showed strong resistance to change in this field. The position of these female MPs in parliament therefore increased their chances of mobilising support for their ideas, and placed them on firm ground to compete with the prominent, well-established, male MPs who opposed these changes.

In Tunisia, Beji Caid Essebsi’s attitudes towards women’s rights and constant juxtaposition to the actions of the Ennahda raised concerns about a “new phase of state feminism” (Yacoubi 2016, 270). Yet, instrumental agents in Tunisia’s process on combatting

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<sup>18</sup> See Appendix A.

GBV came from both main political parties – Nidaa Tounes and Ennahda – as well as CSOs supporting either party. For this reason, we focus on the inter-parliamentary work of women from both sides of the political spectrum in the Tunisian assembly. The draft law was also seen as a product of sustained, years-long efforts by the women’s rights movements, which were seen by news outlets, social media, and among policymakers as equally influential in incentivising change for women in rural and urban areas through their grassroots initiatives (Bailey 2018; Zaki 2019, 6).

In the post-2011 transition period, ATFD’s work focused on workshops, research, and public demonstrations against gendered violence to raise awareness of the issue. They were subsequently invited to participate in a number of parliamentary meetings that discussed the 2017 draft bill on eliminating VAW. As one high-ranking member of ATFD told me in our interview, they believe that the 2017 law was the culmination of ATFD’s long-term effort to change the situation, a sentiment cultivated in many newspapers that appear more sympathetic towards the feminist cause – as well as an anti-Islamist platform (Ghorbal 2016; Crétois 2017; Kapitalis 2017; Association Tunisienne des Femmes Democrates 2017, 9; Respondent 7 2023). *Tounissiet*, formed on the principles that aimed to “promote the roles of Tunisian women without distinction among them”, and act as an organisation for “all Tunisian women” in order to overcome the underrepresentation of women based on their socio-economic situations, also became deeply invested in the GBV reforms (Tounissiet Board, Cooke, and Hasso 2015).

Among the prominent women within the ATFD were Khadija Cherif, Ahlem Belhadj, Sana Ben Achour, and Monia Ben Jemia, whose long-term presence within the organisation allowed them to continue fighting for the elimination of GBV after the 2011 revolution. As per Kingdon’s theory, for them it was indeed the regime change – first in 2011 when a democratic government was elected, and subsequently in 2014 after many feminist advocates entered parliament under the banner of Nidaa Tounes – that filled them with necessary confidence to

share their version of the draft law with politicians in 2016 (Associated Press 2014; Kingdon 2014, 19).

However, the conviction that ATFD was the driving force in the fight against GBV does not take into consideration that ATFD historically has been an urban, middle-class organisation that did not advocate for the rights of rural, Muslim women. Tunisian media has focused predominantly on the ATFD because it is a well-known and established organisation, and its members are used to voicing their opinions in the traditional media, something that Nabila Hamza – co-founder of ATFD – admitted in an interview with *Medfeminiswiya* when speaking about the younger generations of activists who prefer social media advocacy and mobilisation (Belhassine 2025). Scholars have begun giving more credit to other organisations for their work, such as *Le Front Des Femmes Pour L'égalité*, *La Coalition Pour les Femmes de Tunisie*, and even the Islamist *L'Union Des Femmes Libres*, which formed after the Revolution to promote democracy and women's rights and defend the Arab-Muslim identity (Kilani 2018; Babnet 2011). During our interview, a prominent women's rights activist even stated that the more radical feminist groups did not accept that the ATFD took all the credit for the influence on the ARP and the proposed changes (Respondent 9 2023). Thus, while ATFD played a crucial role, certain comments made by the organisation's representatives about the incompatibility of the Islamic religion and extensive women's rights did have some negative effect on their image inside the ARP, and hampered the efforts initiated by the informal women's caucus in the NCA to overcome the Islamist/secularist divide for the benefit of broader gender equality (Al Bawsala 2017b). Crenshaw's mention of how feminist groups are often complicit in marginalising the issue of VAW among women of colour resonates in this case, then, as secularist CSOs continued the anti-Islamist agenda despite an overall willingness of all organisations to fight against GBV.

Within parliament, however, there was no notable hostility between female MPs, and their conduct during this particular reform process was indicative of an implicit unity and compromise they managed to achieve, regardless of their ideological positions. In fact, it is widely documented that this reform once again brought together women from both sides of the ideological spectrum. Therefore, without minimising the role of CSOs, the spotlight here is on the female MPs as the main drivers of change within parliament.

Leila Hamrouni, Bochra Belhaj Hmida, Sameh Bouhaouel from Nidaa Tounes, and Lamia Dridi from the Democratic Alliance party were among the prominent proponents of the 2017 law in the plenary sessions and the Committee on Rights, Freedom, and Foreign Relations of the Tunisian Assembly (hereafter ‘the Committee on Rights’) that worked on this draft bill. From the Ennahda party, Yamina Zoghalmi, Mehrezia Laabidi, and Imen Ben Mohamed were vocal members of the discussions held within the Committee on Rights hearings. Their support for this reform was reinforced by their own personal experience of discrimination and violence committed against them based on their religion, and the leadership positions they held within the Ennahda party in exile before 2011 (Mhajne and Brandt 2021). Moreover, similarly to the women fighting for this reform in the Ukrainian parliament, the fact that a proportion of these female MPs within the ARP held high positions of power at the time of the bill negotiations (Imen Ben Mohamed was the President of the Commission of Women and Family Affairs in the Tunisian Parliament 2015-18) or in the past (Mehrezia Laabidi was the first vice-president of the NCA between 2011-14) set them on a more equal footing in tense negotiations on the nature of this reform and its seeming violation of traditional family values.

Therefore, together, the groups of reform-oriented parliamentarians both in Ukraine and Tunisia were influential in pushing back against patriarchal arguments and negotiating for a compromise that would make both sides satisfied. While the successes of the debates were mixed, it is due to the tenacity of these women within the legislative systems that the ‘window

of opportunity' was used, this issue was placed high on the parliamentary agenda, and the respective bills were adopted by the overwhelmingly male-dominated legislative institutions.

#### **5.4 Discussion. A 'Window of Opportunity': Female MPs Lobby for Change**

Cairney and Zahariadis have defined Kingdon's concept of 'window of opportunity' as the analytical exploration of "why an issue's time has come" (Cairney and Zahariadis 2016, 100). Politically active women in both states had begun to feel more empowered to move on from only fighting for issues that, as one Ukrainian MP described, were "harmless to the status quo", to those that directly challenged the pre-established order and were indicative of the strive towards greater gender equality (Respondent 21 2023, 17). What became clear was that in both countries there was no visible hostility towards the actual idea of elimination of gender-based or domestic violence, as both states realised the need to resolve this grave issue. However, without going against the concept of domestic violence, those trying to uphold the status quo managed to resist these reforms in other ways. The prevailing order opposed the intervention into the private family sphere and acceptance of 'foreign' terminology such as 'gender' and 'gender-based violence', and proceeded to manipulate the mainstream narratives to their own advantage, citing their desire to safeguard Tunisian or Ukrainian traditional values. At the same time, reform-oriented female MPs had to compete with these dominant ideas and narratives that in actuality did not directly concern VAW, but instead focused on Ukrainian and Tunisian traditional culture. As this section shows, the group of female MPs fighting in favour of these reforms had to navigate narratives that distracted from the main topic of conversation while mobilising their own support groups to ensure that the legislative changes would be accepted. While the draft bills in both Tunisia and Ukraine were successfully adopted, it is insightful to see how female MPs were able to cope within the existent matrix of domination, which

concessions they had to make, and how they delivered notable change to all women in their respective societies.

#### ***5.4.1 Agenda Setting and Staunch Opposition Towards the Reform***

##### *Ukraine*

In Ukraine, based on information found in transcripts of parliamentary hearings, as well as through supplementary interviews conducted with female parliamentarians actively involved in the process of lobbying in favour of this reform, three main themes were identified as considerable stumbling blocks in the process of reforming Ukraine's legislation to match the requirements of the Council of Europe. These were the use of the term 'gender', the supposed invasion of family privacy by openly discussing domestic violence, and religious and cultural considerations that shaped the core of Ukrainian-ness and traditional values, which, according to the supporters of the status quo, would be substantially disrupted by the ratification of the Istanbul Convention. Tracing the process of introducing, debating, and voting for the draft bills concerning VAW revealed the ingrained conservatism within the Verkhovna Rada, as well as how negotiations were framed around these secondary themes, detracting attention from the real issue at hand.

In November 2016 – the first time Draft Law N°5294 was debated in the Rada – the Minister of Social Policy of Ukraine, Nataliya Fedorovych, mentioned the need to “uphold European standards, react to the situation in Ukraine, [...] and reform current legislation that is not effective” (Verkhovna Rada of Ukraine 2016c). She spoke of the unity of all branches of government, deputies, civil society, Equal Opportunities caucus, and international organisations in preparing this bill, showing that there was strong cooperation on this topic from the very beginning. The work conducted to find the best possible solutions – with a broad

scope of actors involved – was also outlined in the early remarks to substantiate the position of female MPs and bring more validity to the issue at hand (Cairney and Zahariadis 2016). Thus, we can already see how, upon introducing the bill, ideas were constructed and solutions to the problem were framed in a way that indicated overwhelming unity on the issue, thus signalling to its importance and leaving little space for deputies to oppose the proposed reform.

However, Fedorovych immediately underlined that initial discussions with all the ministries involved in this reform process revealed the problematic nature of the term ‘gender’ in the legislation, which she promised would consequently be “removed as per the wishes of all parliamentary fractions” (Verkhovna Rada of Ukraine 2016c). This pre-emptive reaction is precisely what Kingdon referred to as policy solution ‘softening’ (Kingdon 2014). The introduced Draft Law N°5294 grabbed the policymakers’ attention due to its radical (in their opinion) nature, initiating the stage of bargaining and compromise that would, theoretically, lead to an agreement that both sides would consider acceptable. Alternatively, it pointed to the fear of the prevailing traditional, patriarchal order inside parliament that at any point could overpower the reformist attitudes of parliamentarians in matters of gender equality. MPs therefore acknowledged the inability to pass the bill without necessary sacrifice or compromise, accepting the potential need to remove from the text radical – according to many male MPs – terms like ‘gender’ and ‘gender-based violence’ to appease the opposing side.

However, even the promise of removing this terminology did not result in a civilised discussion on this bill. Opposition to the term ‘gender’ and how its introduction could affect family values was quickly voiced by male MPs from various parties, most frequently Oleh Liashko’s Radical Party, but also the People’s Front, the Opposition Bloc, and Yuliya Tymoshenko’s Fatherland. Despite the fact that the term ‘gender’ had existed in Ukrainian legislation since the 2005 Law on Ensuring Equal Rights and Opportunities for Women and Men, and in 2011 the term ‘sexual orientation’ was also enshrined in Ukrainian legislation,

staunch opposition to the reform questioned “the need for this ‘gender’”, which they found unnecessary and even demeaning to the core values espoused by Ukrainians (Verkhovna Rada of Ukraine 2016c). *Ukrayinskiy Tyzhden*’ also reported on the fact that a number of MPs were stalling the ratification of the Istanbul Convention – introduced by President Poroshenko himself – because of their conservative beliefs surrounding family values (Chabaraï 2017). In our interviews, several parliamentarians revealed that members of pro-European parties such as the People’s Front were actually fighting against women in their own parties who were actively lobbying for this draft bill, labelling them as opposers of Ukrainian family values (Respondent 2 2022; Respondent 14 2023). These statements came from politicians affiliated with different parties, illustrating how visible the opposition to this bill was. Thus, not only did female MPs lack support from their own political parties in this instance, but the reform process was also not advanced through informal networks; nor was there extra pressure from the executive branch – which introduced the reform in the first place – in the same way as we will witness in Chapter 6.

A noticeable trend began to emerge, one that revealed the internal tensions between the *doxa* and ‘heresy’, and the definitions of the two concepts in Ukraine’s evolving domestic and foreign policies. On the one hand, Ukraine’s desire to make European values the *doxa* meant that any opposition to the Istanbul Convention or broader notions such as ‘gender’ or ‘gender-based violence’ would be deemed as heretic. On the other, in line with traditional, Christian values that emerged post-1991 in opposition to Ukraine’s socialist past, the *doxa* would have to remain with traditional family values, while ‘heresy’ could be interpreted as the desire to ratify the Istanbul Convention and make the personal political. In the case of Ukraine, much like the case of Tunisia, these two possibilities merged into one, making it less easy to mobilise support inside parliament on a topic that to female MPs arguing in favour of the reform seemed clear-cut. While conservative outlooks are not a phenomenon that applies solely to Ukraine and

Tunisia, in this case it revealed the shaky foundation of identity and future direction of policymaking. Nonetheless, it also made the work and lobbying of reform-oriented female MPs even more significant, since the conditions they were made to operate in appeared unfavourable from the very beginning.

Moreover, opposition to the seemingly radical concepts of ‘gender’ came from opposite sides of the political spectrum, and therefore cannot be seen as inherently pro-Russian or nationalist. Oleh Liashko, an outspoken pro-Ukrainian radical, argued that the discussion should centre on the protection of the family rather than on sexual orientation, and remarked that “the defence of Ukrainian women is the sacred duty of every man”, thus bringing established norms and inequalities between men and women into the conversation (Verkhovna Rada of Ukraine 2016c). Others, such as Pavlo Ungurian from the People’s Front, interpreted it as the desire of the reform’s proponents to impose a foreign idea onto a sufficient and established concept of ‘sex’ that does not show good sense or solve the problem of violence in the family. Yurii Myroshnychenko, a pro-Russian deputy in the Opposition Bloc, argued that the Ukrainian word for ‘sex’ (*stat*) “fully includes and outlines all the necessary features for the qualification of such offenses as domestic violence” (Verkhovna Rada of Ukraine 2016c).

Importantly, the rejection of this concept did not come solely from male MPs. Iryna Farion, a prominent politician from Ukraine’s ultranationalist Svoboda party had on several occasions expressed her opposition to the prevailing existence of the term ‘gender’ in Ukrainian society. Her article in a leading Ukrainian newspaper displayed this best, as she criticised the desire to introduce the idea of gender and its definitions into the education sector, which women’s organisations and all my interviewees – MPs and activists – believed to be unquestionably crucial for the development and consolidation of women’s rights in Ukraine. In 2021, Farion wrote a blog in *Ukrayinska Pravda* that the post-Euromaidan Minister of Education Hrynevych (2016-2019), along with the proponents of the term ‘gender’, had

decided “through schools [to] destroy the national worldview of Ukrainian children and make them into ingredients of globalist mixture” (Farion 2021).

Thus, the scope of ideological opposition to the term ‘gender’ came from deeply ingrained stereotypical views on the role of women in society, the role of the family, and the staunch opposition to relatively unfamiliar concepts that could, in some way, reshape the ‘naturalised’ established views. Furthermore, it showed a disproportionate response to a relatively small piece in the wider puzzle of eliminating domestic violence, illustrating how narratives can be shaped not based on their ‘truth-value’, as Bourdieu described, but in order to successfully manipulate and mobilise support.

For female MPs fighting to change the situation, this initial reaction was not necessarily an indication that a window of opportunity had been missed, or that the time for a specific reform was inconvenient. Instead, it gave an indication of what these women would have to deal with in the coming committee and plenary sessions, and how they would need to adapt their strategies and narratives to compete for greater support. What was key was the existence of unity among those female MPs who fought hard to see this bill become law, as it prepared them to counter the vocal opposition. In this sense, Howlett et al.’s discussion of the decision-making stage of the policy process, through their incorporation of two more streams – process and programme – and exploration of the ‘whirlpool’ through which a reform goes before it is adopted or rejected, is beneficial to our understanding of how female MPs were able to achieve a positive outcome for the draft bill despite opposition and compromise.

### *Tunisia*

In Tunisia, while opposition to Draft Law N°60 also existed, and the process of introducing the bill was not easy, parliamentary records portray a more diplomatic approach than in Ukraine. The democratic opening up of the political system, a more active involvement of civil society

in the legislative process, and the drafting the new 2014 Constitution and the electoral laws revealed a generally women-friendly approach to new legislation. As the previous chapter showed, these processes also helped overcome certain, albeit not all, tensions between women from opposing parties within parliament to reach a consensus and appreciate that both sides were fighting for the same cause.

Draft Law N°60/2016 was introduced in parliament by the Samira Merai, Minister of Women, Family, and Children, in July 2016, after being blocked by the Ministries of Justice, Education and Religious Affairs, all of whom argued that “they were not consulted in the preparation of a bill that encroaches on their prerogatives”, as revealed by *Nawaat* magazine, (Chennaoui 2016; Al Bawsala, n.d.-c). It was then directed to the Committee on Rights for debate and revision; discussions began in February 2017, and after 25 sessions the final version was presented to the plenary in July 2017 for a final vote (Assembly of the Representatives of the People 2017b). Various ministries and specialist committees were consulted in the process, such as the Ministry of Justice and the Parliamentarians for the Family Association, as well as women’s rights organisations like the ATFD and Association of Tunisian Women Voters (Al Bawsala 2017c).

In our interview, a prominent Tunisian lawyer referred to this project as “among the most avant-garde laws” as it aimed to fight different forms of violence to provide greater rights and safety to women (Respondent 4 2023). Such high praise for a policy change only several years after it was adopted indicates the satisfaction some feminists felt about this reform, despite the fact that other interviewees revealed to me the law’s shortcomings due to the compromises that were made in the process of committee hearings, something that has since been reported in the news (Respondent 3 2023; Respondent 6 2023; Ayadi 2018; L'Économiste Maghrébin 2024). As the feeling of Tunisia’s exceptionalism in questions of women’s rights and gender equality is still woven into the country’s fabric and widely expressed by Tunisian

activists and politicians in their advocacy and interviews on the subject, this reaction, especially compared to the more moderate opinions I heard from my Ukrainian interviewees, is not overly surprising.

The precise origins of the law are contested: some scholars and news outlets reported that the initial bill was drafted by Neila Chaabane, then-Secretary of State for Women and the Family, in response to the new 2014 Constitution and the softening of Ennahda's position on women's rights (Bertoluzzi 2017; Voorhoeve 2021, 384). The parliamentary Committee on Rights spoke of "the culmination of women's struggles and [...] the demands of civil society in Tunisia since the 1990s in defence of women's rights and advocacy for women's issues, according to the human rights approach" (Al Bawsala 2017c). Another source – an interview with a women's rights activist – claimed that the first draft of this reform had existed since 2006, written with the help of research conducted by ATFD and AFTURD (Respondent 7 2023), which again points to the aforementioned dominance of ATFD in these matters, and the way in which they led the discourse on women's rights in the media and parliamentary hearings (Respondent 9 2023; Respondent 10 2023). While the origin of the reform may not be immediately important to its subsequent success, it also reveals the more fragmented nature of the women's lobby in Tunisia if compared to Ukraine. Here, understanding the socio-historical context in which these women had been brought up and operated, as well as the persisting matrix of domination, allows us to appreciate why the women's rights landscape was in less than good shape, and why certain CSOs wanted their efforts to be appreciated.

If in Ukraine the need to pass women's rights reforms was driven by the desire to adopt external frameworks to position the country better on the regional and world stages, in Tunisia the process was reversed. Essebsi's growing role as President of the Republic, and his desire to boost Tunisia's image as a progressive and equal state through the adoption of reforms such as eliminating GBV in order to maintain its standing on the regional and world stages signalled

hope that Tunisia could still be considered the leader in this field. Thus, Tunisia's state feminist image was once again reincarnated. In the words of Bourdieu, the "old political vocabulary" was being reconstructed to fit the past "to the needs of the present" (Bourdieu 1989, 19). As in Ukraine, we notice a similar confusion of what can be interpreted as *doxa* and 'heresy'. The history of state feminism that Essebsi aimed to mimic, and thus grant women more rights, could lead to an assumption that eliminating VAW was deemed as the *doxa*, while all opposition to the draft bill would be considered as 'heresy'. This was indeed the driver for many secular feminists; in an interview with OrientXXI journal, Monia Ben Jemia, Khadija Chérif (both ATFD members) and Neïla Chaabane (member of Mehdi Jomaa's government 2014-15) all spoke about the conducive environment of the NCA government that led to it lifting all reservations to the CEDAW, and juxtaposed it with the reluctant and largely conservative environment of the Ennahda-Nidaa Tounes alliance since 2014 (Bertoluzzi 2017). According to them, draft bill N°60/2016 was adapted by the Minister Samira Meria to remove "aspects of the law likely to disturb Islamists" (ibid.).

Thus, tensions began to rise again between secular women's rights organisations and Ennahda. As several news outlets reported, secular feminists considered this the defining obstacle in the discussion on gender-centric reforms post-2014, with the *Kapitalis* newspaper referring to it as "unnatural alliance" (Kapitalis 2016). However, parliamentary records show that opposition did not come solely from Ennahda, and was documented more as a split between women who largely supported the reforms and men who did not; thus, the definitions of *doxa* and 'heresy' switched. Similarly to Ukraine, women operated in the environment that was split between an outward image of a progressive, emancipatory state and an inward commitment to the safeguarding of traditional values. As such, I argue that the secularist/Islamist binary still remains a reductionist way of discussing the fight against GBV.

Division of power and ideas lay between the reformist female voices in parliament and the highly conservative proponents of the status quo, regardless of ideological or party affiliation.

The previous successes of the NCA – the 2014 Constitution and Electoral Law – as well as the 2014 parliamentary elections provided favourable conditions for pushing other gender-centric policies through. As was stated by the Minister of Justice in the first hearing of the Committee on Rights on 2 February 2017, this law was “the embodiment of the provisions of the Constitution” (Al Bawsala 2017c). Neziha Labidi, the new Minister of Women, Family, and Children, also emphasised the vital role the Constitution played in the implementation of this law as a natural progression in ensuring more equal rights and protection for women. In her speech, she also addressed economic violence, particularly in rural areas, as an important element that the draft bill addresses (Al Bawsala 2017c). Finally, she highlighted the exceptionalism of Tunisia’s position on women’s rights in the Arab world, as the country “has signed almost all international conventions, unlike Arab countries” and therefore must continue the development of its gender equality frameworks (Al Bawsala 2017c). Therefore, as well as further promoting Tunisia’s image in the region, the context upon which the introduction of this reform relied illustrated that a window of opportunity could be created quite easily and quickly for female MPs.

Objections in Tunisia’s parliamentary committees to Draft Law N°60/2016 came mostly from men in different coalitions and political parties, much like in the Ukrainian parliament. The two issues that immediately arose were the lack of funding for the implementation of this reform and, as in Ukraine, a hostility towards the concept of ‘gender’. A female MP whom I interviewed suggested that the biggest fear for male MPs was the redistribution of their budgets, as they feared their funds would be reduced “and money would be given to the women” (Respondent 5 2023). This suggests that while gender equality was supported as a theoretical concept, political competition meant that in practice male politicians

were not willing to sacrifice their own ideas and projects for which they needed funding in support of a reform that did not benefit them directly. The general ‘othering’ of women therefore shows that despite the inherited and widely promoted exceptionalism of Tunisia’s attitudes towards women’s rights, division between men and women was still persistent and remained inherent to the fabric of Tunisian society.

When it came to the term ‘gender’, “women faced opposition from Ennahda, but also from other conservative secular forces, the left, and the left-left”, as one of my interviewees stated in our conversation (Respondent 4 2023). Transcripts of committee sessions reveal this to be true: Nawfal Jamali from the Ennahda Party questioned the definition of this term, saying that “it is dangerous to identify a woman as a female”, while Tawfiq Jamil from the secularist Free Patriotic Union stated that the term is “scientifically and morally inappropriate” (Al Bawsala 2017c). Some of the more radical members of the Committee on Rights, like Salem Labayed and Imad Al-Daimi from the Democratic Bloc, feared that this bill and terms such as gender, imported from the United States, can “perpetuate radical feminism and homosexuality”, and therefore “have nothing to do with us” (Al Bawsala 2017d). Thus, while my respondent displayed strong anti-Ennahda sentiments, much like other respondents whom I spoke with who positioned themselves as secular feminist, this rather objective admission that secular parties also spoke against parts of this bill revealed the extent of tensions and opposition that female MPs faced while trying to bring change to help those suffering from GBV.

Similarly to Ukraine, the debate in the Tunisian Committee revealed that a small number of female MPs stood in opposition to Draft Law N°60. There was particular opposition to Article 227bis of the Penal Code. For instance, Noura Amri, a representative of Nidaa Tounes – a secularist party that included some of the most active Tunisian feminists-turned-politicians – claimed that she was in favour of victims “marrying their rapist because in rural areas rape is considered a stigma and it leads to suicide or delinquency” (Al Bawsala 2017c). Sanaa Al-Salhi

from Nidaa Tounes did not see the need to raise the age of consent nor “applying a prison sentence to the aggressor and not being able to get married” as Tunisia is a conservative society (Al Bawsala 2017b). Others considered that marriage between the abuser and victim would act as a “symbolic punishment” for the aggressor (Al Bawsala 2017h). This strong anti-reform position from female deputies of Essebsi’s party, who continued cultivating his image as the defender of state feminism in the press, showed that, much like in Ukraine, the executive branch could not always control the views expressed by their political parties, which instead undermined the president’s official image (e.g. Jawhara FM 2015; Business News 2015b). Moreover, the prevailing status quo was maintained not only by men but also by certain women, irrespective of their party affiliation. This also weakens the remarks made against Ennahda in interviews I conducted with Tunisian politicians and civil society activists, who placed blame solely on Ennahda MPs and thus chose to continue promoting the matrix of domination that existed in Tunisia due to their political convictions.

Nevertheless, it must be mentioned that while most conversations I held with Tunisian feminists were based on the antithesis to Ennahda’s actions, some respondents were also, with time, comfortable in admitting that there was strong cooperation between secularist female MPs and female politicians from Ennahda. As such, this signals to the incremental shifts in the way women interacted with each other inside the political establishment, regardless of their ideological and political affiliations, as well as the overall compromise and acceptance that this reform must be adopted (as seen in Bertoluzzi 2017). The process therefore provided the necessary empowerment for them to act as a united front against the prevailing patriarchal order and demand better support systems for women suffering from GBV.

Overall, from the very introduction of the draft bill, staunch opposition to this bill came from the status quo, in a similar way that we saw the resistance to horizontal parity (Chapter 4). While some representatives of Ennahda opposed various aspects of Draft Law N°60, so did

politicians from secular parties. The most fervent anti-bill remarks came from the Free Patriotic Movement, a party that in theory rejected Islamism and proposed a modern society, yet was against the notion of gender. Despite these tensions, the three streams – problem, policy, and politics – had begun to converge to allow female MPs to make use of the post-revolutionary political competition and promote this important legislative reform, as the majority of policymakers were willing to listen and debate this draft law, while female MPs mobilised their efforts to garner the required support.

#### ***5.4.2 The Unpredictable Role of Religion***

##### *Ukraine*

The biggest driving force in the debate on ‘gender’ in Ukraine was predominantly tied to the values and opinion of the All-Ukrainian Council of Churches. According to Ivan Krylko from the Fatherland Party, Ihor Mosiichuk from Oleh Liashko’s Radical Party, and Yurii Myroshnychenko from the Opposition Bloc, the Council of Churches strictly opposed anything other than the established definitions of ‘man’ and ‘woman’, and deemed the term “not acceptable in [Ukrainian] society” (Verkhovna Rada of Ukraine 2016c). Thus, they suggested that the bill should abide by the tenets of the Church. In 2014, support for the institution of the Church among Ukrainians was 65.6 per cent, and while this decreased to 59.8 per cent by 2018, the indicators remain high, reflecting the influential role Church and religion holds in the lives of many citizens (Aristova, n.d.). Therefore, it is not surprising that the Church became involved in this policy reform process.

In safeguarding traditional Ukrainian values, the Church has resisted the ratification of the Istanbul Convention and the introduction of the terms ‘gender-based violence’ and ‘gender’ into legal frameworks due to fears of same-sex relationships and the popularisation of new

‘gender roles’ among children and the youth, which could corrupt their values, in the opinion of the Church (Religion in Ukraine 2017). The presence of religion was therefore starkly evident in parliamentary debates, where staunch opposers of the law argued for the withdrawal of the draft bills and the involvement of the Council of Churches to return to “ethical norms accepted in Ukrainian society” before anything was discussed further (Verkhovna Rada of Ukraine 2016c). In fact, Mosiichuk went as far as to say that these reforms would “kill the Ukrainian church, Ukrainian spirituality” and “impose foreign values”, a sentiment shared by all the male MPs that spoke out against the Draft Law on Domestic Violence and the ratification of the Istanbul Convention (Verkhovna Rada of Ukraine 2016c).

The discourse surrounding the role of values, religion, and social norms protected by the Church is a common obstacle for women’s rights, perpetuating patriarchal control and justifying oppression in line with the matrix of domination. This is not exclusive to Orthodoxy, the Christian faith, or the Eastern European region, but is also prevalent in Asian societies, some African societies, and Muslim societies, as the case of Tunisia equally identifies (Alkan and Tekmanlı 2021; Tarar and Pulla 2014). What is important in the case of Ukraine, however, is that this argument acted as a distraction from the actual acute problem in society – domestic violence. As a prominent female MP from Petro Poroshenko’s Bloc clearly stated in our interview, “I respect the Church, the institution of the Church. But in our country, the Church is separated from the state, and it definitely cannot interfere in the law-making process” (Respondent 15 2023).

It must be noted that while this general statement is understandable in light of the more restricting attitudes of religious institutions towards women’s rights that can be seen not only in Ukraine or Tunisia but in some EU countries as well (such as Poland, Hungary, and Ireland), the comment made by this female politician was actually directed at the Russian Orthodox Church. Since independence, the Russian Orthodox Church had been operating on Ukraine’s

soil to destabilise the country from within, making this a wider issue that did not only concern women's safety, but brought into focus the macro political relations between Ukraine and Russia. Thus, she implied that these views and restrictions were coming from Moscow. While there is scarce evidence of Moscow's direct involvement in this case, be it through the Church or pro-Russian sentiments in parliament, the fact that Russia itself decriminalised some forms of domestic violence in January 2017 certainly served as a stark contrast to what Ukraine was trying to achieve at the time (Walker 2017).

The same interviewee summed up this juxtaposition by arguing that the common Russian concept of "if he beats me, that means he loves me" should be unacceptable in Ukraine because it was "not a European approach at all, this is impossible in a civilised democratic country, and we need to talk about it" (Respondent 15 2023). Although there are numerous news reports of Russian activists also trying to fight against this stereotype (e.g. Walker 2016; Lenta.ru 2019) – weaking the generalisation of it being a 'Russian concept' and instead showing that activists were fighting against the deep roots of Russia's patriarchal culture – this sentiment is a product of Ukraine's geopolitical struggle between East and West, which has been the reason for much of the democratic reforms that have been achieved since the 2004 Orange Revolution, and especially since the 2014 Euromaidan Revolution. Therefore, the disagreement with the Church as a conservative establishment here can be seen more as a political statement in the ongoing confrontation between Russian imperialism and Ukraine's fight to safeguard its sovereignty.

Nonetheless, references to religion made by several male MPs still revealed that traditional values were deeply entrenched in Ukraine's cultural fabric. This strong patriarchal culture that put roadblocks on the way to achieving a better framework for the elimination of GBV is precisely what Lomazzi referred to as a "fatal mix" (Lomazzi 2023, 16). However, while female MPs were beginning their advocacy from an uneasy position, having to

compromise on certain vital aspects of the bill from the first instance, their unity empowered them to put forward ideas that were beginning to break certain stereotypes and change the prevailing order (Bourdieu 1991).

### *Tunisia*

Whereas in Ukraine the role of religion and culture featured prominently in parliamentary debates, in Tunisia its function was much more unpredictable. As Voorhoeve finds, religion in Tunisia was used both to support *and* oppose the 2017 law. Members of the Parliamentary Commission on Rights and Liberties, both from secular parties and Ennahda, highlighted that this law did not “contradict the teachings of Islam” and was, therefore, accepted by both sides (Voorhoeve 2021, 387; Association Tounissiet 2017). Some religious-based criticism of the law was still voiced but came predominantly from Hizb al-Tahrir Tunisia, a branch of the transnational Islamist movement, which argued that the law violated Muslim identity and interfered with the concept of a family (Al-Khamiri 2022). However, the movement’s more radical views had never gained a substantial following, and while they were granted legal approval to operate as a political party in 2012, their activity was always on the margins of Tunisia’s political developments. Therefore, their hostility and opposition to certain reforms, in this case the gender-based violence legislation, did not bear much significance (McCarthy 2023).

Article 1 of the 2014 Tunisian Constitution stated that “Tunisia is a free, independent, sovereign state; its religion is Islam, its language Arabic, and its system is republican” (National Constituent Assembly 2014). Despite the official recognition of religion, its role was to be outside of politics, much like under the Ben Ali regime (and in Ukraine). Thus, tensions between the secular and Islamist parties continued to be at the centre of all debates. One of my interviewees in particular, a prominent representative of ATFD, pointed to the fact that from

the beginning “only women from the Islamist party did not want the law on violence”, which, as we saw in the previous section, was not actually the case (Respondent 7 2023). Transcripts of committee and plenary discussions have shown that those women who supported this reform process from all parties inside the Assembly were able to navigate this rhetoric to work towards the same cause in a moment of cooperation and understanding. This was primarily seen in both Ennahda and other women’s confidence when rebuffing claims made by those opposing the bill, as well as in their pro-active approach to debating issues that were necessary to the draft law banning violence against women. As a result, any antagonistic views on the secularist/Islamist binary did not originate from those arguing in favour of this law inside parliament, but rather from those who operated outside of the political establishment and continued promoting the ingrained rhetoric against Ennahda supporters.

As several scholars and journalists have noted, Ennahda have always displayed strong political activism in matters concerning GBV and openly voiced their opposition to any forms of VAW, which allowed them to contribute to the overall success of this draft bill and re-define the stereotypical attitudes towards their activity in politics (Norbakk 2016; Laameri 2019; Express Radio 2021). This staunch position among many Ennahda women came from the discrimination they experienced in Ben Ali’s Tunisia, such as the mass targeting of the hijab and other oppressive tactics, as well as the lessons they learnt during their European exile in the 1990s and 2000s. Exile allowed them to build regional and international alliances, and frame their political work in democratic and human rights terms (Mhajne and Brandt 2021, 598). Although the process of drafting the Constitution caused a setback to Ennahda’s position in Tunisia’s democratising political order and overshadowed Ennahda’s overall support for human rights provision – a frame they used to argue in favour of the law on the elimination of violence against women – the Committee on Rights debates clearly showed that in general

Ennahda women were driven by democracy and human rights frameworks, not references to religion (Mhajne and Brandt 2021, 603; Marks 2014).

Furthermore, Ennahda-supported CSOs displayed a similar tendency in fighting for this law and breaking stereotypes of their expected position. As seen in parliamentary transcripts and their social media activity, *Tounissiet* had been actively involved in the process of debating changes to this bill and suggesting areas in which the reform could be improved. Their lack of focus on the religious element of intervention into the domestic affairs of a family or the overall connotations of this reform in religious and cultural spheres reinforced their position as an association of women rather than religious entities (Association Tounissiet 2017).

This is not to say, however, that there was no resistance from the Ennahda party towards the draft bill. For instance, Nawfal Jamali, an active Ennahda member of the Committee on Rights, referred to the bill as “one of the least important bills”, which did not require advice or coordination from other committees and civil society actors (Al Bawsala 2017c). He also called the law “questionable” and objected to the presence of the term ‘gender’ as for him “an important criminal law text cannot be built on this strange concept” (Al Bawsala 2017c). The apprehension about the term ‘gender’ similarly came from *Tounissiet* and some female MPs. However, these reservations were not centred purely around Islamic values. On the contrary, these appear to be more socially and culturally conservative opinions among those opposing Western values, which are seen as modes of oppression for Tunisian women. They also reinforce the argument seen in the case of Ukraine, that traditional patriarchal attitudes were rooted deeply within the fabric of the country, and that the import of foreign concepts was feared and rejected.

In Tunisia, much like in most democratic debates on emerging concepts, in this case ‘gender’, a plurality of views and opinions was anticipated. What cannot be inferred from the study of discussions on this reform is that there was clear antagonism from Ennahda and

Ennahda-supporting civil society towards these proposed changes to fight GBV. After “decades-long conflation of women’s rights” and the somewhat contrived divide between Islamism and secularism, scholars and journalists have highlighted that it is easy to overlook Ennahda’s positive role in this process (Petkanas 2018a, 355; Hajar 2020). Bourguiba’s and Ben Ali’s use of this divide, and the adoption of the image of a secular woman as a symbol of democracy merely “further reinforced patriarchal structures” and consolidated the matrix of domination (Petkanas 2018a, 355).

Open references to Islam did not come from Ennahda. From the onset, Iman Ben and Sahbi Ateek, both renowned members of Ennahda, stated that neither the Code of Personal Status nor this bill contradicted Islamic law. In fact, the most critical voice was Rim Thairi, an independent MP, who argued that this bill would bring destruction to the family and Islamic identity (Al Bawsala 2017h). Yet, in the six months of discussion, her opinion was not actively supported by other members of the Committee on Rights.

The frequently perceived obstacle of religious influence was overcome by all the proponents of this law within the Committee on Rights sessions, and this did not jeopardise negotiations on the proposed reform. While there have been instances in which religious considerations have played a defining role in debates – as will be observed in Chapter 7 – in this case a moderate approach was taken to what both sides viewed as a necessary development of human and women’s rights. Women from both sides of the ideological spectrum were able to unite under the same goal – to bring justice to women who suffer from GBV.

Much like in the Ukrainian case, we see in Tunisia a split between female MPs who strove to bring the nation closer to gender equality and the patriarchal status quo. Opposition was not rooted within religious, but instead in patriarchal attitudes towards women. Undoubtedly, some tensions between secularist and Islamist politicians persisted. Yet, in this case, it did not define the policy process. On the contrary, the experiences of oppression that

female Ennahda members carried themselves allowed them to elaborate a much stronger, more personal position on issues concerning human rights violations, with VAW being a pivotal factor. The added nuance of their personal experience allowed the group of women who lobbied for this bill to mobilise ideas and supporters to their advantage, and reach the necessary compromises in committees to ensure that the legislation was adopted and implemented in Tunisia.

### ***5.4.3 Female MPs Fight Back***

The mobilisation of resources and ideas in the fight for women's rights was noticeable in subsequent parliamentary and committee discussions on the proposed bills in both Ukraine and Tunisia. They illustrated the empowerment women felt to stand up to the opposition and argue their case for the necessity of these bills in their original format. In Tunisia, we see this through the intensive participation of women's rights organisations in several Committee sessions, who voiced their ideas and concerns, and backed up the actions of female MPs. We can also see cooperation between parliamentarians through frequent mentions of their role in shifting mentalities, raising awareness, and dealing with the issue "from a cultural point of view" (as mentioned by Iman ben Mohammad, Rabha ben Hussain, and Leila Hamrouni). In Ukraine, we see this in the work of the Equal Opportunities caucus and their cooperation with women NGOs such as La Strada Ukraine to raise awareness of the issue of GBV through various campaigns (Council of Europe 2014; News of the Verkhovna Rada of Ukraine 2016). The mutual support between CSOs and MPs was indeed important in giving female MPs the necessary power to fight for the reforms seeking to eliminate VAW in their respective parliaments.

In personal discussions with female MPs from Tunisia and Ukraine on the subject of these policy changes, I noticed that the majority of women were not critical of the other female MPs whom they usually deemed to be their opposition in parliament. In this case, we see how Bourdieu's conceptualisation of the main political goal as being the competition between agents to achieve more power does not directly apply here. While we cannot objectively determine that these female MPs were not in competition with each other, they could have still used this opportunity to voice their concerns about the behaviour of their counterparts. Instead, they spoke of the collaborative efforts during this time, and only sometimes vaguely alluded to their colleagues in other parties in a negative way.

When my respondents did voice negative opinions about other female MPs, in Ukraine it concerned the juxtaposition of established female politicians in contrast to the incoming cohort of young and inexperienced MPs, and in Tunisia the juxtaposition remained in the constant referral to the Islamists as the collective backward force unable to see the benefits of change. However, all respondents admitted at some point in their interviews that these two specific reforms – elimination of gender-based violence in Tunisia and law against domestic violence in Ukraine – brought opposition forces together, and a core group of women united across party lines to ensure these bills would be turned into laws. The reason for this, as this section will show, was the realisation made by female MPs that a crucial window of opportunity appeared to counterbalance the overwhelmingly masculine, patriarchal attitudes towards women's rights that persistently impeded legislative progress in questions of VAW. Interview data in this section highlights this further, adding depth to the information provided in parliamentary and committee transcripts that do not fully reveal how antagonisms between women themselves were put aside in favour of safeguarding a woman's right to personal safety.

## *Ukraine*

The post-Euromaidan, democratising, Western-facing political landscape of the 8<sup>th</sup> government of Ukraine presented reform-oriented women with a window of opportunity to counter the arguments made by the establishment. They did so by adopting a fully pro-European rhetoric in discussions on domestic violence more generally, and the inclusion of concepts like ‘gender’ more specifically. Gender issues “identify the state”, especially “how open it is to change” (Koshulko and Makazan 2020, 544); thus, female MPs considered that if Ukraine’s goal was to join the EU, then the European rhetoric would serve to convince the entrenched patriarchal status quo to accept these particular legislative changes. We see this here more as a tool rather than a conviction that there exists a causal chain between the two aspects; after all, several feminist CSOs voiced their reservations about the level of influence the EU Association Agreement can have on the domestic legislative reforms in the case of women’s rights (Zaitseva 2016; Kobyllyatska 2015). However, the issue women now faced was that the policy ‘softening’ phase had occurred to an extent that all references to the so-called controversial topics were removed from the Draft Law. Therefore, not only did this group of female MPs have to convince parliament to adopt the bill, but they also had to reverse the amendments made between the first and second plenary sessions, such as the full removal of any reference to the terms ‘gender’ or ‘gender-based violence’.

As proponents of the Draft Law argued, the original text introduced in parliament in 2016 brought Ukraine’s legislature closer to European standard, and was necessary for Ukraine to ratify the Istanbul Convention. Thus, to begin with, female MPs experienced setbacks between 2016 and 2017. As a senior member of the Committee of Social Policy explained in her interview, the process of debating and reaching a compromise on amendments to the bill meant facing opposition from male MPs and the Orthodox Church. According to her, some

MPs were exceptionally rude towards her and another female politician who was also arguing in favour of this reform during the Committee session:

“The lobby against gender equality in parliament is still huge... [We] needed the support from MPs. But those people who were against gender equality, who believed that a woman cannot be equal to her husband, they blocked Hrushevskoho Street [linking the Cabinet of Ministers and Verkhovna Rada buildings] in order not to give [their support]. The priests came to the meeting of our committee and were grabbing [the other MP] by the lapels. They were breaking my microphone. Do you understand what kind of fight this was? There were people against this law – people’s deputies – from other factions who were voicing their opinions that it is impossible to have such equality. But I succeeded [in getting the committee’s approval].” (Respondent 14 2023).

While another female MP from a different political party who was present at this committee hearing did not provide the same level of detail on this particular event in her interview, making it difficult to judge the complete accuracy of this confrontation, she did confirm that the process was a “nightmare” and that the opposition forces had painted “a horror story that had nothing to do with reality” (Respondent 15 2023). Although internal committee meetings were not televised, resistance to aspects of this draft bill was documented by *Radio Svoboda* (Polyanska 2016). What the interviews reveal, then, is the severe blow this process could have caused to Ukraine’s image in the eyes of its European partners. At the same time, this showed that policy reform was not a linear process, and that traditional values trumped a high proportion of considerations regarding Ukraine’s European future. Yet, in knowing that the reform was successfully adopted, this insight also indicates that women from different political parties were

able to unite in the face of the patriarchal backlash and overcome various obstacles that they experienced along the way.

Despite this opposition, a core group of female politicians used their accumulated power, through the Equal Opportunities caucus and their high-level roles in Committees and Subcommittees inside parliament to introduce and fight for 427 amendments to the bill once it was returned to parliament in December 2017 (People's Deputies of Ukraine 2017). The majority of these amendments aimed to reintroduce the terms 'gender' and 'gender-based violence' into the legislation, the dominant narrative in contention. This aimed in part to comply with the requirements of the Council of Europe and also to debunk the myths surrounding these terms to consequently improve the lives of women in Ukraine, seeing as most acts of violence in the family are committed by men.

By using the argument surrounding the need to comply with the requirements of the Council of Europe, female MPs once again brought the conversation back to arguably the most consistently unifying goal: for Ukraine to join the European Union. Transcripts of plenary sessions show that narratives used by politicians were based more on how the pushback to the bills and the failure to ratify the Istanbul Convention would set Ukraine back in its European integration and less on the need to definitively end violence in the home (Verkhovna Rada of Ukraine 2017c). Politicians and academics alike have emphasised the need for the country to "demonstrate that it is a civilised and progressive country, ready to become part of the European community" before highlighting the positive changes this would create for Ukrainian women suffering from gender-based violence (Koshulko and Makazan 2020, 544).

This, to an extent, can be understood through the prism of Bourdieu's exploration of how language is used to form ideas that would ultimately help mobilise support. In this sense, female MPs understood that the state was adamant to move towards Europe as a result of the revolution, consequent relative political instability, war in eastern Ukraine, and Western

funding that was significantly helping Ukraine's economy. As a result, the idea of Europeanisation, broadly meant as a set of processes through which EU political, social, and economic dynamics became a part of domestic discourse, identity formation, political structures, and public discourses was certainly seen as a crucial factor in the promotion and adoption of gender equality policies (Wolczuk 2004, 1; Radaelli 2002). This also acted as a desired alternative to Russia's imperialist, backward, and authoritarian traditions. Ideas promoted by certain groups "serve the interests of their clients insofar as they also serve themselves" (Bourdieu, Thompson, and Raymond 1992, 193), and in this case it is difficult to assume that female MPs fighting for this legislation were serving the interests of the European Union, especially since no Ukrainian political party presented gender equality as a key promise in their political campaigns.

At the same time, one could argue that politically active women chose this moment to redefine the definition of 'power'. As Collins explained, constant oppression leads to activism and resistance, and it is up to the agency of the people to change the situation. Thus, while women who fought in favour of this Draft Law themselves espoused pro-European values, they also used EU narratives as a simple yet effective framing strategy to convince those who supported the status quo that this was the way for Ukraine to show its compliance with its European policy responsibilities, consequently aiming to improve the situation for women domestically.

In light of these goals, each female politician operating within this narrow window of opportunity argued that the reworked draft bill "contradicts" or "does not meet the requirements of" the Istanbul Convention; some went as far as to accuse the domineering opposition of being the "dark demons" or "parliamentary Taliban" who were trying to veer Ukraine's development off-course (Verkhovna Rada of Ukraine 2017c). Some, like Herashchenko herself, threatened to refrain from voting on the final version of the bill should the terminology not be restored.

While these efforts did not ultimately change the minds of the opposition, and all amendments mentioning ‘gender’ did not gain enough votes to be reinstated in the law, the willingness to challenge the status quo showed women to be more empowered than they had been in previous governments. They stood their ground, argued fiercely for the need to create the necessary checks and balances to avoid any further escalations of domestic violence, and tried to reform Ukraine’s mentality on several concepts such as the family, gender, and attitudes towards women.

According to all interviewees, the version of the Law on the Counteraction and Prevention of Domestic Violence that was voted through on 7 December 2017 differed greatly to what was initially proposed; in fact, the loopholes in the law were later openly discussed by women’s rights activists in Ukrainian media (But 2019). Only one of four co-chairs of Equal Opportunities, Maria Ionova, voted in favour of the reform; most of the female MPs who proposed amendments to the Draft Law and wished to see it passed in its original version abstained from voting on it, aside for Iryna Lutsenko (Verkhovna Rada of Ukraine 2017a). Interestingly, the MPs quoted in this section who took a pragmatic view to passing this reform did not vote in favour of it in 2017. This could either point to their subsequent re-evaluation of the situation after this particular policy process was concluded, or to their desire to safeguard their feminist image in our conversations, especially since the Verkhovna Rada has seen an influx of new women in politics who are actively building their careers and promoting gender equality in Ukraine.

Furthermore, the initial main goal was not achieved: the Istanbul Convention was not ratified. As one female politician put it in our interview, the Convention was “a litmus test [...] or maybe even a whole litmus concept, which speaks about the importance of Ukraine's belonging to all standards of European countries” (Respondent 21 2023). In 2017, Ukraine was still not quite ready to reshape its traditional and highly conservative attitudes to certain

important issues in the name of European ideals. This was later exemplified when Poroshenko publicly supported the ratification of the Istanbul Convention at the Second Ukrainian Women's Congress in 2018 – a year after the ratification failed – while Oleksandr Turchynov, secretary of the National Security and Defence Council of Ukraine and former head of Ukraine's provisional government in 2014, publicly declared his views against LGBT rights and in favour of safeguarding family values to show his support for several local governments around Ukraine who were advocating for the same values (Turchynov 2018). Thus, if there are visible disagreements in the executive branch of government regarding this important issue, there is little hope that informal networks or indirect orders from the president could have united male MPs in favour of the ratification process in this case.

Nonetheless, certain failures of this legislation were viewed to be relative to the gains it achieved and the empowerment it gave to women in parliament and society. The important aspect was that the 'window of opportunity' did not close prematurely. Interest in this issue was not lost between the first and second plenary hearings, and those women fighting for this bill stood together throughout this process (Cairney and Zahariadis 2016). Moreover, supporters of the initial bill have all emphasised the importance of this legislation despite the 'softened' text that they inevitably passed. As one female MP stated in our interview,

“everything is done in small steps. As a lawmaker, I'm all for perfect laws. But as a person who is actually in parliament for the fourth time, I understand that sometimes it is impossible to pass perfect laws, and you need to take small steps towards the goal by passing laws that make it on the parliamentary agenda” (Respondent 15 2023).

The desire of this respondent to be recognised as a pragmatic and senior politician, and thus as someone who understands the importance of compromise within policymaking for the greater

good, also illustrated the broader image that female MPs put forward in this process. Another prominent female politician acknowledged that while this law set a precedent for change, MPs now had a “significant amount of work” to change the extant laws in compliance with the Convention (Respondent 17 2023). The argument she presented was that while this was only the beginning of changing attitudes towards women, violence in the home, and treatment of this highly complex issue, the law still presented mechanisms that, if applied correctly, would safeguard women from domestic violence. Arguably, the benefits of this imperfect law should not be dismissed: it secured children’s rights and legally ensured they were provided with the appropriate support if they had been a victim – primary or secondary – of abuse. It also called for the introduction of concrete frameworks that would make women unafraid to report abuse and seek the necessary support – legal, social, economic – in case of a domestic crime committed against them (Verkhovna Rada of Ukraine 2016a; Ukrayinska Pravda 2017). Therefore, despite certain compromises made in the process of redrafting the bill, its adoption showed how female MPs were able to exercise their power to channel the parliament’s support in this crucial issue.

Therefore, despite the mixed results, this reform process illustrated the tenacity of the women’s lobby inside the Verkhovna Rada, their determination to amend and improve the draft bill to certain structural, economic, and social concepts that have “existed for far too long and are breaking down the fibre of the family” (Wyatt 1994, 19). The Istanbul Convention was finally ratified in June 2022, despite (and largely because of) the full-scale war in Ukraine and the pressure applied by President Zelensky to finally ratify this important document. All the female MPs who had abstained from voting for the watered-down version of the 2017 bill voted in favour of the ratification process, thus ending their active six-year campaign for the adoption of this important piece of legislation. This case study, much like in Tunisia, presents an example

of how female MPs pushed the boundaries of the entrenched patriarchal status quo to ease the situation for women in society and build a foundation for further lasting change.

### *Tunisia*

Unlike in Ukraine, the process of policy ‘softening’ and the subsequent mobilisation of resources to fight against the status quo and advance the Draft Law N°60 on the elimination of violence against women seemed to have occurred much more neutrally in Tunisia. This did not mean there was no opposition to important elements of the proposed reform. Yet, as per the official transcripts, the debates within the Committee and plenary sessions seemed to have been conducted more diplomatically and were less antagonistic than the examples we have seen from Ukrainian respondents. There was also a noticeable increase in female empowerment in the role they played when setting the Committee’s agenda, and mobilising vital support from civil society groups that were able to argue on their behalf in committee sessions, consequently increasing their chances of success.

Most importantly, and what has been noted by all sides in the Tunisian assembly and by journalists of the Legal Agenda magazine, there was a visible consensus among female MPs in the debates, regardless of party affiliation (Hajar 2020). As one interviewee explained, the Tunisian Assembly was generally deeply reliant on political parties, displayed a lack of visible cooperation between politicians outside of these structures, and showed deep patriarchal tendencies (Respondent 5 2023). Therefore, it was usually difficult to unite members of the ARP on matters that did not match their party’s official line. In Chapter 4 we saw how women cooperated through informal parliamentary groups to achieve electoral laws that benefited all politicians. Here, there was no mention of an informal caucus, and yet wide cooperation between female MPs was also visible, according to a female politician within the ARP who herself did not have prior political experience or links with prominent feminist organisations,

thus providing an arguably less biased opinion on the actions of female parliamentarians during this time (Respondent 4 2023).

This observation was also supported by an influential female MP from Nidaa Tounes, who herself referred to this reform process as a significant “moment of cooperation” among parliamentarians who empowered other women across the political spectrum to argue against their male, and sometimes female, colleagues who did not support such a broad and extensive way of fighting against GBV on the legislative level (Respondent 6 2023). She went as far as saying that while everything was usually “driven by politics”, feminists had agreed that “it was the only successful legislative result of the Nidaa Tounes and Ennahda coalition” without any antagonism between the Islamists and secularists (Respondent 6 2023). This reluctant appreciation of the importance of this coalition certainly shows some shifts in the way secular feminists viewed female members of the Ennahda party. However, even in this instance, the way that this was acknowledged still shows how widespread the oppression of religious female politicians remained in the structural, political, and even representational domains. While both respondents appreciated the importance of this coalition because it achieved the desired result, they were unable to speak about how the involvement of Ennahda MPs in this process highlighted the ways in which different types of VAW had been perpetuated in society. In this instance, the secular feminists viewed Ennahda’s involvement as a means to an end, rather than a moment of transcending and changing attitudes towards each other, as will become more visible in Chapter 7.

Nevertheless, all respondents concurred that “remarkable work was conducted inside the parliament” (Respondent 7 2023). The Constitution placed the obligation to combat violence against women in the hands of the Tunisian state. News outlets like Business News reported that Rached Ghannouchi was adamant to improve Ennahda’s image as supporters of women’s rights, and thus emphasised the importance of this law and the need to respect

women's rights, "beginning with the Code of Personal Status" (Business News 2017). Sceptical experts and journalists still believed that this was an image-making tactic for the party. Yet, as mentioned before, many female Ennahda MPs strove to show their staunch support for the advancement of gender equality – in parliament and in the media – and tried to dissipate any stereotypes that they, as religious women, would not be in favour of true gender equality.

As committee minutes show, the president of the Committee and member of the moderate Islamist party, Imen Ben Mohamed displayed her full support for the importance of this legislation and even questioned why the state was reluctant to pass what had already existed previously. She believed that the law came "relatively late" in Tunisia's development, but that it presented the right path for women to have the opportunity to voice their fears within Tunisia's "masculine society" (Al Bawsala 2017b). In fact, *Deutsche Welle* emphasised the "backward thinking" of men who "deny their wives rights", something that female MPs and CSOs aimed to fight against with this law (Knipp 2017). Ben Mohamed also emphasised the need to educate women about violence and the frameworks that were being put in place to safeguard them, which was a key aspect of this reform (Al Bawsala 2017c). Importantly, like many other Ennahda supporters of this reform, she was put in a position in which her support for this necessary reform was being overshadowed and even undermined due to her religious affiliation. She stood up to the criticisms presented by a secular civil society group, the National Union of Women, whose rhetoric further consolidated the discrimination that secular CSOs exercised towards religious women, and used her position as the member of the Committee to state that it was false to assume that imams "do not believe the supporters of this bill", as, in her opinion, the Code of Personal Status "does not contradict Islamic law" (Al Bawsala 2017c). Importantly, these concerns were not raised by her political counterparts, but rather by women's rights organisations, once again pointing to the fact that while cooperation existed within

parliament, external forces were still staunchly anti-Islamist and did not trust Ennahda's actions.

Other Ennahda MPs, such as Yamina Zoghalmi and Mehrezia Laabidi, called for the proper implementation of the Law on the Elimination of Violence against Women, especially since it was the result “of the struggle of so many women” (Al Bawsala 2017d). Zoghalmi also called for better funding and recognition of political violence as an important issue in Tunisian society. At the same time, Laabidi warned that implementing the protection of women's rights and freedom was more difficult than “writing them down”, and that while Tunisia was still in the process of building the appropriate institutions after the revolution, this needs to be taken into serious account by the state (Al Bawsala 2017e). Thus, female Ennahda MPs who stood for vertical and horizontal parity in the electoral laws were seen to once again push for equality between men and women, this time by making sure that GBV was eliminated, and that women felt safe both in their homes and in public. This not only reinforces the dedication of these female MPs to the topic of women's rights, but also transcends the restricting narratives that their religious background would somehow prevent them from standing up for fundamental human rights.

The fact that a number of female MPs from Nidaa Tounes supported this bill was also not surprising; a large number of them had been part of ATFD or other prominent women's rights organisations prior to accepting their political mandate. And yet, the fact that the party ignited some controversies in the news over its “lack of common political vision”, as well as its appropriation of the discourse on women's rights to “sell itself as a party” – according to Tunisian researcher Hend Hassassi, explains the divides between men and women on the issue of draft bill N°60 (Strickland and Verghese 2015). Thus, even though the party could be seen as the extension of Essebsi's ideology, Nidaa Tounes female MPs also had to counteract any

patriarchal opposition from the political establishment, once again pointing to the imbalance and added layers of oppression and domination that pervaded Tunisian politics.

The debate over the term 'gender' became a prime example of the entrenched patriarchal attitudes within Tunisia. Even a handful of male MPs, such as Aymen Aloui from the Popular Front, commented on this visible trend (Al Bawsala 2017a). Along with Minister Labidi, Leila Hamrouni, Lamia Dridi, Sameh Bouhaouel, and Belhaj Hmida argued that the word 'gender' was "used as a tool to differentiate between women and men" and that its inclusion in the legislation would help treat the widespread phenomenon of violence while also changing Tunisia's image abroad (Al Bawsala 2017f). Hamrouni emphasised that 'gender' signified integration and equality between the sexes, while Dridi noted its global importance "as defined in international conventions" (Al Bawsala 2017g). Belhaj Hmida, in turn, employed a similar persuasion technique as the one seen in the Ukrainian debates: the rhetoric for international acceptance of the country's development through its use of progressive terminology.

Here, we do see some divides along religious lines, as both members of *Ennahda* and *Tounissiet* had expressed the need to remove this word from the bill. Nevertheless, we must once again differentiate these opposing views from the female *Ennahda* MPs who proposed and supported this important piece of legislation. As this thesis maintains, female politicians, much like their male colleagues, can voice differing opinions; if some women agree on the need to include this terminology while others do not, this could be due to their personal ideological convictions (not identifying with Western concepts) as much as it can show their overall resistance and conservatism in matters concerning equality and women's rights. However, this does not detract from the work conducted by prominent *Ennahda* MPs who proved themselves as staunch supporters of women's rights; it merely shows a difference in opinion, much like the one that existed among *Nidaa Tounes* MPs.

The concept of ‘gender’, which remained as the sole point that divided some female MPs, was compromised on in the end and was axed from the law. While opinions and ideological convictions may differ, the importance of the overall law and the need to implement it to ameliorate women’s rights in Tunisia and progress along the path to eliminating VAW remained much more important for these women, and some men, in the Committee and plenary sessions. In debates, MPs like Belhaj Hmida reinforced that “the defence of women’s rights is not a party position but a personal conviction”, here reinforcing Collins’ belief that it is up to human agency to change the situation (Al Bawsala 2017d). In my interviews with Nidaa Tounes politicians, one respondent stated:

“My formation is that of a political reformist. For me, the most important is to advance, not to block. For me, it is always important to win something. Every law [such as this] is a victory” (Respondent 6 2023).

As seen already in this chapter, this sentiment was echoed in interviews with both Tunisian and Ukrainian MPs. On the one hand, it revealed a political culture of pragmatism, which some may interpret as a politician’s desire to appear successful regardless of the outcome. On the other hand, it lays bare the art of policymaking, which is achieved through compromise and ideas that “serve the interests of their clients insofar as they also serve themselves” (Bourdieu 1991, 183). In this case, compromise and the wider victory in enacting this important policy change served female politicians as much as it served all the women of Tunisia and Ukraine.

If the 2016-17 policy process surrounding Draft Law N°60 has been deemed as the most successful moment of cooperation between Ennahda and Nidaa Tounes of the 2014-19 ARP, then the most prominent example of this cooperation was in the collective push to repeal the highly controversial Article 227bis of the Penal Code as part of this reform. The article

ensured impunity for sexual relations with anyone under the age of 16, revealing the deeply rooted problems of the Tunisian legal system that still considered age of consent to be 13 (Assembly of the Representatives of the People 2017b). Female MPs showed a highly unified position on the matter: Leila Hamrouni from Nidaa Tounes referred to it as a “scandal”, while Monia Ibrahim from Ennahda supported Hamrouni’s response, and called for repealing the article, saying that marrying a victim was a “reproduction of the crime” (Al Bawsala 2017d). In this case, cooperation was based on personal convictions, showing that the lobby for women’s rights and against violence transcended previously imposed stereotypes and divides. These female MPs revealed their strong agency and showed how it could be used to change archaic laws that were clearly against Tunisia’s image as a progressive state.

Overall, the strategies used by both Ennahda and Nidaa Tounes female MPs have been exceedingly similar in this reform cycle. Their ability to use specific narratives to galvanise support for this draft law showed that they were working in tandem to deliver greater women’s rights in Tunisia. Such narratives included the need for better education on the topic, the involvement of civil society to spearhead efforts on the ground in different regions to deliver elements of support noted in the legislation, and the need for the state to take responsibility in the implementation process. The attribution of these legislative achievements to the ‘secular feminists’, therefore, becomes reductionist and one-dimensional, further consolidating inequality and the matrix of domination.

Internal political considerations of both parties also revealed that while female MPs continued to fight to eliminate VAW based on their personal convictions, the window of opportunity also arose from the need to promote and safeguard the party image at a time of democratic transformation. This helped female MPs build a convincing narrative and use it as a tool to ensure that their parties, regardless of their differing opinions, would ultimately vote

in favour of this reform. As a result, while in Ukraine the driving narrative was the Europeanisation of the country's politics following the 2014 revolution, in Tunisia it was safeguarding the feminist image of Tunisia vis-à-vis its regional partners, despite the country's persisting patriarchal tendencies (Nasrallah 2018). This aligned the desires and actions of women across the political spectrum to argue in favour of the proposed policy, and even though opposition from the entrenched patriarchal structures persisted, those fighting to change the conversation on VAW were successful in pushing through vital policy reforms in both states. Thus, despite compromises and momentary failures, the fight for women's rights in Tunisia's legislative process of 2016-17 demonstrated the growing importance and empowerment of female MPs, similarly to Ukraine in this period.

## **5.5 Conclusion**

At first glance, the above assessments of Ukraine's 2017 Law on the Elimination and Prevention of Domestic Violence and Tunisia's 2017 Law on the Elimination of Violence against Women may seem to have had only marginal success. The Covid-19 pandemic, along with the problem of fully implementing the laws in both Ukraine and Tunisia due to a lack of funding and internal political rifts, showed that both countries still have a long journey of altering the conservative mindset of their respective societies (Azouz 2022).

Russia's full-scale invasion of Ukraine in 2022 created an opportunity for President Zelensky to ratify the Istanbul Convention with the help of his Servant of the People Party, which still makes up a majority in the Verkhovna Rada. One of my respondents claimed that Zelensky was able to do so only due to the "inexperienced" nature of most of the politicians in the party, who did not fully understand what they were voting on, and which benefited the cause in the long-term (Respondent 18 2023). While this opinion showed disbelief in the work

and successes of the Servant of the People party, which has been noticeable in recent years, it highlighted that legislative change and, more importantly, the change in mentality that led to the ratification of such frameworks as the Istanbul Convention takes time.

While the 2017 law required significant subsequent amendments to make it compliant with the Council of Europe demands, it laid the groundwork in achieving these initial ideological shifts. There was an overall agreement among my respondents that while the law still needed amending, the version of the law that was passed in 2017 provided a strong legal basis and urgent tools for non-state actors to help victims of domestic violence, both women and children (Respondent 16 2023). Moreover, it meant that the topic was no longer silenced in Ukraine and “concrete facts and successful cases on the implementation of this programme” were finally being presented in parliament and the media (Respondent 17 2023).

Official international rhetoric continues to commend Tunisia on its women’s rights achievements, as was recently seen in CEDAW’s committee session in February 2023. However, a 2023 study conducted by Afrobarometer concluded that while Tunisians view GBV as “the most pressing issue related to women’s rights that the government and society must address”, the majority also believe that it is a private matter that should be dealt with “within the family” (Ben Saad 2023). The unclear position of the current president Kais Saied and his government on the issue of women’s rights calls into question the future implementation of this reform. While Saied has reversed one of the most famous aspects of the Constitution – parity between men and women in politics – he has not taken active measures against the 2017 Law on the Elimination of Violence against Women. However, broadly speaking, the perception reported in the news that like his predecessors he is using women’s rights as a smokescreen while he tries to hold on to power calls into question the state’s willingness to provide funding and other support for the implementation of this law (Ibrahim 2022). Nonetheless, the fact that the law exists and has not been overturned by Saied leaves a glimmer of hope for the future

amelioration of the situation for women suffering from abuse. The work of civil society and female political advocates continues, albeit not within parliamentary walls.

The initial relative successes, therefore, were the result of the advocacy work of female MPs within parliament and various ministries to provide concrete solutions to the pervasive issue of violence against women. Tracing this process through an intersectionality lens highlighted the different levels of oppression that female MPs themselves had experienced, something they were subsequently able to translate into the policies they proposed on the topic of VAW. Bourdieu's concept of competition in the political field, as well as the differing 'visions' and 'di-visions' (or *doxa* and 'heresy') revealed the extent to which these were not clearly defined in both Tunisia and Ukraine with regard to women's rights. The overall image of both states as progressive supporters of equality was put under scrutiny during the plenary debates that revealed conservative outlooks on the issue of GBV. As we saw, female MPs were able to use this to their advantage and convince their counterparts that these reforms were important for upholding this progressive image. Kingdon et al.'s exploration of policymaking through the distinct streams of problem, policy, and politics showed that women MPs were the reason the 'window of opportunity' was seized in this situation, despite vocal opposition. They highlighted the salient nature of the topic, presented viable solutions, and ensured – through fierce lobbying and pushback on traditional and prevailing order – that some important changes were accepted. It is precisely this commitment that makes a strong case for putting the women at the centre of the discussion and investigating their contributions to the process of achieving important gender-centric reforms in both Ukraine and Tunisia.

## CHAPTER 6.

### **GENDER EQUALITY REFORMS IN THE UKRAINIAN ARMED FORCES, 2016-18**

The Law on Amendments to Certain Laws of Ukraine to Ensure Equal Rights and Opportunities of Women and Men during Military Service in the Armed Forces of Ukraine and Other Military Formations (hereafter ‘Law on Amendments to Certain Laws of Ukraine’) was adopted by Ukrainian parliament on 6 September 2018 (Verkhovna Rada of Ukraine 2018a). As this chapter will show, female parliamentarians were once again integral to the policy formulation and decision-making processes. Their ability to navigate the overwhelmingly masculine environment of the military establishment, together with their understanding of the importance of this reform and the use of appropriate argumentations that would trigger the necessary response resulted in a relatively painless policy cycle.

The rise in pro-Western, and specifically pro-European, sentiments during and after the 2014 Revolution of Dignity, as well as Russia’s illegal annexation of the Crimea in spring 2014 followed by the outbreak of war in eastern Ukraine, shifted the state’s priorities and also revealed sectors that were in dire need of improvement. Ukraine’s own armed forces, substantially defunded by President Yanukovich, were in a state of disarray, leaving the defence of the country’s territorial integrity to volunteer battalions that were rapidly assembled in the wake of the 2014 Russian invasion. The political and military vacuum, although damaging to Ukraine’s sovereignty and livelihood, handed women a crucial opportunity. For the first time, they were able to participate in the war effort on the same terms as their male counterparts. Women volunteered to be a part of paramilitary groups and received ad hoc training on the battlefields. However, once the Ukrainian Armed Forces (UAF) were rebuilt and the battalions were integrated into the official military structures, women were once again forced to assume traditional roles.

Kingdon's MSA framework, in allowing us to examine the problem, policy, and politics streams that set the legislative agenda, emphasises the role of external events in this particular policymaking process, namely the findings of the *Invisible Battalion* project, a 2015 study that exposed severe limitations, and the Ukrainian government's biggest goal – NATO and EU accession – which became an important bargaining tool in the agenda-setting and decision-making process. The examination of the role a small group of female MPs played in this process, who were invested in bringing gender equality to the military establishment, once again showed their agency in the legislative system, despite the pushback from the most conservative institution.

In this chapter, we also continue to observe how female MPs operated in an environment that continued to, both indirectly and directly, promote the systems of discrimination and oppression that were sown into the fabric of the state. Collins' matrix of domination – how oppression is organised, managed, justified, and promoted in everyday lived experiences – was useful in this case, as it allows us to conceptualise the different narratives that emerged from backroom-bargaining stages of the policy cycle. Finally, Bourdieu's concepts of *doxa* and 'heresy' became important for our understanding of how the political and military establishments were made to overcome its 'naturalised' conservative opinion on a woman's role in the army, and adopt a progressive *doxa* that supported gender equality in the UAF as part of Ukraine's Europeanisation efforts.

Overall, the timing and the environment, along with a clearly defined problem and a well-crafted solution, set up the perfect policy window for women to lobby for gender equality in arguably the most masculine institution – the armed forces.

## 6.1 Identifying the Problem: Ukraine at War and Women on the Battlefield

The origin of the problem stream in this particular case study differs to a large extent from the examples hitherto examined in this thesis. On average, policy problems such as VAW or low numbers of female politicians were topics that had been on the women's lobby's radar for a prolonged period of time, and when the time and circumstances were right they were able to provide suitable solutions and fight for change. In this case, the military establishment had continued to uphold its deeply conservative status quo throughout Ukraine's independence without much interference or attempts from the women's lobby to reform it. From Bourdieu's perspective, we can speculate that there was no clear-cut stance from the already low number of women in the Verkhovna Rada before 2014 on matters concerning inequality in the UAF because there were no significant demands from their clientele on the matter, and because it did not serve the interests of the women in parliament to engage in competition with the most conservative institution, particularly at a time when the women's lobby was small and enjoyed limited support even on more 'harmless' policies.

### *Ukraine at War*

Instead, the problem was shaped by external events. The pro-European Revolution of Dignity (2013-14) ended when President Yanukovich fled the country, and a new interim government was established. By the spring of 2014, and still recovering from the Euromaidan, Ukraine was forced to defend its territorial integrity against Russian aggression in the east. The subsequent war in eastern Ukraine exposed the decrepit state of Ukraine's military establishment, which was riddled with corruption on all levels. Moreover, according to the 2013 White Book published by the Ministry of Defence, less than one per cent of GDP was allocated for defence purposes by the Yanukovich government, and only 15 per cent of 150,000 troops "were

deemed battle-worthy” (Vdovenko et al. 2014, 6; Malyarenko and Galbreath 2016, 119). Thus, the politically and economically tumultuous environment meant that the interim government was unable to fully support the war effort, instead placing large responsibility on grassroots initiatives for material and military support.

A temporary solution to this long-term problem was the establishment of a number of volunteer battalions to deter the advancement of Russian-led troops into other Ukrainian territories (Eck 2015). Some battalions were formed by the Ministry of Internal Affairs, which set “a legal framework for their activity” and were largely made up of former policemen (Malyarenko and Galbreath 2016, 121). Others such as the Aidar, Azov, and Right Sector battalions – many of which have been tied by Ukrainian newspapers like *Kyiv Post* to Ukraine’s oligarch Ihor Kolomoisky – were driven by nationalist considerations and comprised predominantly of Maidan protesters (Delo UA 2014; Grytsenko, Zhuk, and Sukhov 2016). Importantly, most battalions welcomed both men and women into their ranks, as the need to safeguard Ukraine’s territorial integrity from the imminent Russian threat trumped any hesitation over a woman’s participation in combat.

The eventual rebuilding and introduction of regular armed forces to the conflict created substantial tensions with the paramilitary groups. The interaction between the two was characterised by “strong distrust and suspicion”: the army was still perceived as an unpopular corrupt institution, while the paramilitaries were lauded as true defenders of Ukraine’s sovereignty (Facon 2017, 25–27). Kyiv was also apprehensive of the need to control the volunteer battalions to guarantee domestic order “on all its territory” and quell any potential uprising against the government (Käihkö 2018, 157). The government later integrated most of the volunteer battalions “into the structures of the Ministry of Defence, the Ministry of Internal Affairs, and the National Guard”, a move that a number of military commanders and CSOs voiced opposition to in the Ukrainian media, and yet was hailed as Kyiv’s attempt to curb the

activity of far-rights groups to boost domestic security in Western news outlets (Karatnycky 2015; Petrenko 2018).

Thus, the 2014-15 period in Ukraine's history was marked by rapid and effective mobilisation of the population in the economic, social, and defence sectors while the state systems rebuilt themselves. More importantly, as the next sections will show, these years became a catalyst for change in attitudes towards women who demonstrated tremendous commitment to the defence of Ukraine.

### *Women on the Battlefield*

As discussed in Chapter 3, Ukrainian women were historically known to participate in nationalist groups, even if they have been largely “ignored or written out” of political movement history (Provost and Whyte 2018). In 2014, women could be found in most volunteer battalions fighting in eastern Ukraine, which became a prominent topic in national and foreign media. In an interview with Newsweek, American photographer Sarah Blesener who spent several weeks with the ultranationalist Right Sector battalions observed that women were able to do “the same thing as the men” on the battlefield, while the Guardian published a story about Aidar, another ultranationalist battalion, which allowed most women to serve in combat roles and focusing instead on Ukraine's territorial defence (Savchuk 2015; Sharkov 2016). In fact, one servicewoman from Aidar told *Hromadske International* that during two prominent battles in which the battalion was involved – the liberation of Shchastya and the storming of Metalist – she never heard the phrase “this operation is complicated, so Andriana's not going” (Hromadske International 2019), showing she was recognised as an equal for her abilities. Similarly in the Shakhtarsk battalion, women and men shared all facilities (Cohen and Green 2016). Thus, the speed with which women were integrated and sent to the battlefields to defend the country showed the arbitrary nature of the unquestioned *doxa* that women should

not be subjected to male-oriented tasks, such as conducting reconnaissance and operating heavy artillery.

Nevertheless, stereotypes and unequal treatment of women began pervading even in volunteer battalions. While some servicewomen said they had been accorded treatment that could be interpreted as affectionate, others still reported in their interviews with the press that their male counterparts believed they should be “at home [having] kids”, and usually this resulted in men taking away jobs from the female fighters (iTeam 2016). One female volunteer, who had been trained specifically as a drone operator, explained that her job was given to a man without any consultation (Hromadske International 2019). These attitudes perpetuated inequalities between men and women, which led to an imbalance in support, whether through appropriate facilities, clothes, or medical provision for women, and revealed that discrimination was based – and perpetuated – only on the issue of gender, and not on other factors that could be detrimental to the struggle, such as experience, teamwork, or effectiveness on the battlefield (Martsenyuk, Grytsenko, and Kvit 2016). As discrimination based on gender is so deeply ingrained in society, using it as an excuse does not need further substantiation; thus, as Collins would argue, the hegemonic promotion of this form of oppression played into the hands of men who were unwilling to accept structural changes within the military establishment.

The path to women’s equal participation in the armed forces became even more complicated once the volunteer battalions were integrated into the UAF. According to a 1994 decree, women with appropriate training and education were allowed to work in the armed forces, but only as medics, technicians, cartographers, polygraphers, and other auxiliary positions (Masol and Pustovoytenko 1994). This limited the ways in which women were able to remain on the frontlines, after spending crucial time and effort defending Ukraine’s territorial integrity in 2014-15.

The move to circumvent the system, with many women registering as auxiliaries and still continuing to operate heavy equipment on the battlefield, exposed numerous structural problems. As the *Invisible Battalion* study – discussed in the next section – and a number of my respondents confirmed in our interviews, they, along with other female volunteers, risked their lives on the battlefield without the promise of basic social benefits or salaries (Respondent 24 2019). As further discussed by UN Women, these women did not enjoy the same status or career growth as their male counterparts, did not receive appropriate uniform, and were not acknowledged during the national Defender of Ukraine Day (UN Women 2015; Khromeychuk 2016). From Bourdieu’s perspective, we see how his theory of the political field is applicable to the military establishment, in that both formal and informal rules, and the unquestioned prevailing order within the UAF, created substantial barriers for the servicewomen’s equal participation in the defence of their country.

## **6.2 Active Solutions: The Policy Community and Initial Change**

The integration of volunteer battalions into the armed forces spurred the establishment of a prominent policy community – in Kingdon’s terms a group of specialists who “have in common their concerns with one area of policy problems” (Kingdon 2014, 117). This quickly led to a number of short-term legislative changes. The shift was initiated by the release of a pioneering sociological study called the *Invisible Battalion* in 2015. The study was co-authored by sociologists from the National University of Kyiv-Mohyla Academy and Mariia Berlinska, an army volunteer and subsequent advocate for women’s rights in the military.

The *Invisible Battalion* was an exposé of the notorious inequality in the Ukrainian army. The study explored the experiences of 42 servicewomen during the Anti-Terrorist Operation (ATO) in eastern Ukraine, providing “a platform for the voices of women” (Grytsenko 2018).

The first of its kind, the study's aim was to "expose the peculiarities of the status of women in the Ukrainian army, the risks, and grounds for discrimination, thus turning the attention to the relevant problems" (Martsenyuk et al. 2018, 14). It revealed that a list of staff roles agreed upon in a 2014 decree by the Ministry of Defence (MoD) permitted women's participation in traditionally female posts such as librarian, nurse, and other professions that "involve the provision of services, care for others, and entertainment" (Ministry of Defence of Ukraine 2014; Martsenyuk, Grytsenko, and Kvit 2016, 16). It also illustrated the limitations imposed on the profession by the Ukrainian labour code rules.

From Kingdon's perspective, the work conducted by the *Invisible Battalion* was an example of how an external policy community significantly influenced the agenda-setting stage of the policy cycle by exposing the weaknesses in Ukraine's war efforts, successfully building a case for the need of policymakers to focus on this problem (Kingdon 2014). Importantly, the study set a legal precedent by revealing that women were in fact fighting on the frontlines and put pressure on the MoD to open up combat positions for servicewomen (Maksymenko 2015). It was also able to point to the obvious goal – the defence of Ukraine's sovereignty against Russian expansionism – and tied the success of this operation to the need for full and equal participation of women in the armed forces.

Furthermore, it was able to exert pressure on the state by framing the gross violation of women's security and rights through the prism of Ukraine's NATO and EU integration aspirations. The study, aware that Ukraine's security reforms were "oriented towards the harmonization [of] standards and principles with NATO and EU membership standards" mentioned that the first steps towards "integration of women into the NATO armed forces included development of policy of equal opportunities, fighting discrimination and harassment" (Martsenyuk, Grytsenko, and Kvit 2016, 1; Martsenyuk, Ganna Grytsenko, and Kvit 2016, 183). The subsequent presentation of the study in the UK, US, Canada, and at the

UN, NATO, and EU headquarters meant that Ukraine's key allies were made aware of the realities facing women in the UAF (Ukrinform 2018, 201; Maksymenko 2019). Here, female activists were using the ideas and narratives promoted by the state to reveal the government's hypocrisy in this situation, which set an even bigger precedent for the need to reform the UAF.

This strategic move attracted the state's attention, forcing the government to become actively involved in order not to lose face in front of its NATO and foreign partners. Framing their idea based on Ukraine's vital strategic consideration meant that this policy community ensured that the issue had the right 'criteria for survival' (Kingdon 2014, 131–39). Not only did this allow for the new government to present its reformist attitudes vis-à-vis its allies, it also in theory improved the policymakers' 'electoral relevance', increasing the chances of a successful re-election in the future (Herweg, Zahariadis, and Zohlnhöfer 2018).

The *Invisible Battalion* study attracted the attention of a group of female and male MPs who were able to further push for a number of initial changes to Ukraine's legislative system. In 2016, the MoD reversed the 2014 order that limited female participation in non-combat roles; the new order "enforced changes to the temporary list of military specialties and staff positions of private, sergeant, and officer ranks, and servicewomen and tariff lists of positions for the above-mentioned servicemen and women" (Ministry of Defence of Ukraine 2016).

At the same time, the study and the work of a small group of female MPs in parliament, with external support from activists and women's rights CSOs, applied pressure on the Ministry of Health to abolish the 1993 Order Confirming the List of Difficult Jobs and Jobs with Harmful and Dangerous Working Conditions in Which the Use of Women's Labour is Prohibited (Ministry of Health of Ukraine 1993; 2017). When it was largely abolished in December 2017, removing any possibility of these restrictions being imposed onto the work conducted on the battlefield, Verkhovna Rada deputy Iryna Suslova posted on her Facebook page that "the months-long fight, which started in April with the flashmob #womancandoitall has ended with

a success!” and thanked all CSOs and politicians who helped make this happen (Suslova 2017). Others, like *Ukrayinska Pravda* and a co-founder of *Dobra Lystivka* (a charitable foundation), trace the beginning of this campaign to 2016, when *Dobra Lystivka* and *Povaha. Kampaniya Protiv Seksyzmu* launched an illustrations competition called “Not a woman's business” to urge the government to review the 1993 Order (Ukrayinska Pravda – Life 2016; Strongowski 2017). The statement made by the Ministry of Health on the Cabinet of Ministers website talked about abiding by “domestic legislation, requirements of EU legislation, and Ukraine’s international obligations in questions of gender politics” (Cabinet of Ministers of Ukraine 2018). Thus, Suslova’s post reveals the important role politicians and CSOs as policy brokers played in amplifying the issue, while the official statement shows Ukraine’s concerns regarding its image vis-à-vis the West and European allies.

Alongside these changes, the National Action Plan (NAP) for the Implementation of UN Security Council Resolution 1325 on Women, Peace and Security (UNSCR 1325) in 2016-20 was adopted by the Cabinet of Ministers in February 2016. This became an important document in allowing women to fully participate in “matters of peace and security at the national level” (Cabinet of Ministries of Ukraine 2016). It also meant that Ukraine became the “first country to [ratify UNSCR 1325] while directly affected by conflict” (O’Sullivan 2019, 2).

The work conducted by the policy brokers created a better chance for a window of opportunity to arise in 2017, when Draft Law N°6109 Concerning the Amendments to Certain Laws to Ensure Equal Opportunities for Both Men and Women in the Military was introduced. The success of their work ultimately resulted in the adoption of the 2018 Law on Amendments to Certain Laws of Ukraine and the steady shift in attitudes towards assuming combat roles.

### 6.3 Policymakers Strike Again: Female MPs Fighting Against the Status Quo

According to Kingdon, the politics stream is comprised of national mood, interest group campaigns, governments and legislatures. While at times some are more significant than others, in this case all factors were equally important in this policy process. The war placed substantial expectations on the political system. Grassroots initiatives were also on the rise: in 2015, trust in volunteers reached 67 per cent, and trust in civic organisations was at 42 per cent (Ilko Kucheriv Democratic Initiative Foundation 2015). The rising role of women in advocacy, therefore, increased and consolidated their “ability to make an impact on political decision makers” (Benigni 2016, 65). Civil society became a participant in numerous reforms, particularly in drafting legislation relating to the difficult battle against corruption and the way security structures functioned (Puglisi 2018, 227). The establishment of the civil society wing within the “Equal Opportunities” caucus united women’s rights advocates inside and outside parliament. The work of the *Invisible Battalion*, and Mariia Berlinska and Dr Tamara Martsenyuk especially, further put the issue on the policymakers’ radar.

Initially, the overlap with civil society was high. An impressive 236 of the 422 parliamentarians elected in October 2014 were new to politics and included civil activists, volunteers, and journalists (Yakymenko et al. 2015, 8). Their presence became reassuring for activists lobbying for gender equality in Ukraine; there was hope that links with civil society would be maintained, and that fresh perspectives on ingrained issues would provide faster and more successful reforms.

However, as discussed in previous chapters, this was not the only positive outcome of the 2014 election. Established female MPs felt empowered to lobby for substantial change under the new political regime, and the Equal Opportunities caucus grew into a key player inside the Verkhovna Rada. Above all, some believed that the caucus was instrumental in “connecting grassroots actors with legislators”, as it argued that “activists must work with the

Rada to affect legislation” (Warren et al. 2018, 36). Parliamentarians such as Iryna Herashchenko, Olena Kondratyuk, and Mariia Ionova continued to be prominent faces in the media as advocates for gender equality reforms, including in the military (UN News 2015; iPress 2016; Komarova 2017).

The bulk of the negotiation and lobbying was conducted by the Subcommittee on Gender Equality, headed by Iryna Suslova. As we have witnessed so far, despite existing institutional provisions, power politics often dictated the path of lawmaking in Ukraine. However, in this case, the Subcommittee, which was specifically formed in December 2014 by the Committee on Human Rights to fight for equality between women and men, has been a known and key player in this particular process. As Ierusalimov (2019, 16) wrote for the Women's Information And Consulting Centre, which the “Equal Opportunities” Caucus was particularly influential in the 2017 domestic violence elimination policymaking process, the Subcommittee were especially key in this policy cycle. In releasing the annual report of the Subcommittee’s work and achievements in 2017 – which included the approval of the draft bill N°6109 during the first plenary hearing – the Committee on Human Rights confirmed its efforts in providing results, both to improve the situation and to satisfy its international partners (Committee on Human Rights of Ukraine 2017). In fact, several parliamentarians and women’s rights advocates I interviewed in 2019 strongly emphasised that without the Subcommittee on Gender Equality and its dedication to the cause, civil society’s campaign to establish gender equality in the Ukrainian military would have dwindled after some time (Respondent 13, 2019; Respondent 27, 2019; Respondent 30, 2019; Respondent 31, 2019). By approaching the Subcommittee on Gender Equality with their findings, female activists accelerated this process and lay the foundation upon which to build the case inside parliament (Respondent 31 2019).

Similarly to the Tunisian reform process outlined in Chapter 7, another important interest group in this reform cycle was the executive branch, specifically the president. As

discussed previously, Ukraine's political dynamics since 2016 resembled that of the 1990s, namely a single executive system. Poroshenko enjoyed the support of Prime Minister Volodymyr Hroysman as well as the Speaker of Parliament Andrii Parubii. While the newly formed coalition between BPP and People's Front parties did not achieve a working majority in Verkhovna Rada, it relied on "situational majorities" or votes from smaller groups, such as Kolomoyskii's *Vidrodzennya* or *Volya Narodu* (Whitmore 2019, 1483). Thus, it was a system that benefitted the president, who employed informal methods to enact reforms and bills that were key to his agenda.

When it came to the gender equality reforms, then, we could see how these informal methods and internal rules helped both the president and MPs swiftly pass the bill. The broad and generalised nature of the *Reglament* of the Verkhovna Rada (or parliamentary standing orders) allowed the president and speaker – who were allies – to “bend the rules to their convenience” (Whitmore 2019, 1483). As the next section will show, Parubii was able to influence the agenda-setting process and the methods of voting on Draft Law N°6109 (using a shortened procedure to avoid any delay or speculation on the nature of the draft bill). Although this benefitted those fighting for equality in the armed forces, the process revealed the power and patronal environment that still existed in Ukraine.

Moreover, it was noted in my interviews that the high-profile women's rights supporters – i.e. the founders of the Equal Opportunities caucus – were not as actively involved in this process, and thus the successes of the 2018 law should be attributed directly to the Subcommittee. While this may be a biased opinion, and one that is difficult to prove, this rhetoric does reveal an implicit divide between established and new female MPs in parliament, which, unlike in Tunisia, was not as obvious, yet began showing more once women felt stronger, having built up their own support networks in parliament and with CSOs. The Bourdieusian notion of competition for power, along with Collins' idea of how interpersonal

relations can promote oppression and privilege, conceptualise how age, class, and political experience fuelled narratives in the Verkhovna Rada and created a hierarchy among female politicians. It was assumed that the ‘veterans’ in the fight for gender equality would play an important role in this process, and it was assumed that new female MPs may not have enough negotiating experience or political connections to successfully execute this reform process. While this underestimation of other actors was futile in this case, it does point to the individual goals that drive each parliamentarian – namely the desire to consolidate their image and power within the establishment – and the need to overcome them in crucial moments of the policy process, to achieve a necessary moment of cooperation and seize the ‘window of opportunity’ to enact change.

Thus, as a high-ranking member of the Committee on Human Rights explained in our interview, the aim of the Subcommittee on Gender Equality and the small number of MPs, despite their political experience and who were actively invested in these reforms, was to lobby the patriarchal military establishment with “deeply cemented Soviet stereotypes” to shift their perspectives on women’s role at this important time in Ukraine’s history (Respondent 13 2019). They framed their narrative around the domestic situation and Ukraine’s interest in NATO membership, while also playing on the president’s obvious aims to leave a strong reformist legacy and satisfy international partners. These highly familiar and desirable outcomes were subsequently used as tools in all discussions pertaining to this reform process, mobilising much-needed support inside parliament.

As a result, female MPs as policy entrepreneurs were once again able to play on the goals and aims that appeared to be most pressing to the executive branch and various political parties, in this case Ukraine’s foreign relations and its territorial integrity. By correctly assessing the national mood, timing of the reform, and the environment in which they would be taking place, the female lobby inside the Verkhovna Rada was once again successful in

facilitating the creation of a window of opportunity that could be seized in order to reform the outdated system of governance. The urgency of the matter, and the agreement among many female MPs on the need to ensure this reform was successful, pushed for a faster resolution of the issue. Arguably, policy entrepreneurs created an even smoother decision-making process, reducing the possibility for opposition and radical bill amendments as was seen in the 2017 domestic violence abolition policy process.

#### **6.4 Discussion. The Decision-Making Process, 2017-18**

In the case of the gender equality reforms in the UAF, all three of Kingdon's streams are clear-cut, which gave hope that the swift agenda-setting procedure would result in a seamless decision-making process. Overall, despite the overarching patriarchal nature of the military establishment, the reform did not endure the same amount of backlash and delay as the law on the elimination of domestic violence, and it certainly did not face nearly as much antagonism as the 2018 Inheritance Law reform in Tunisia (Chapter 7).

Ukraine's military reform was still a complex policy process. Its delicate and contentious premise illustrated that the streams varied in their dominance, something that Howlett et al.'s five-stream model could capture much better than Kingdon's initial theory. At times the problem stream led the debates, particularly in the initial stages, and was reinforced strongly by the policy stream. But when the problem stream was reframed in order to appeal to the majority of policymakers, the process stream appeared more prominent in negotiations, making the key goal to "achieve some form of outcome", even if the solution was not perfect (Howlett, McConnell, and Perl 2015, 428).

Nonetheless, throughout all these stages, and despite the varying importance of the streams, political agents were the ones able to steer the negotiation towards a desired policy outcome, using the other streams for support. At the same time, this reform process once again illustrated how women played the game of politics and competition to achieve groundbreaking initial change, reshaping the masculine status quo through the introduction of new ideas that challenged the existing *doxa* on the role of women in the army, and mobilising support to recalibrate the military institution's understanding of why servicewomen are important for their success.

#### ***6.4.1 Female MPs and Parliament: Analysing the Decision-Making Process***

The Verkhovna Rada received Draft Law N°6109 in February 2017. Of the thirteen authors of the bill, nine were MPs (seven women, two men), and four were members of CSOs (three women, one man). From the very beginning the authors were able to establish their credibility and the high importance of this issue: the involvement of ex-servicewomen in the drafting process addressed the problem directly by involving those who actively experienced this discrimination themselves, and emphasised the democratic procedure that Ukraine was choosing to follow. It also pointed to the agency women had finally acquired for themselves in parliament, considering that, in Chapter 4, we discussed the journey upon which female MPs embarked on when they founded the Equal Opportunities caucus. The fact that these female politicians, the majority of whom were still relatively new to the system, were ready to tackle problems in Ukraine's most conservative institution – the military – illustrated the extent to which they had grown and were empowered in the years following the revolution.

It was not until 5 December 2017 that the draft bill was debated in its first plenary hearing. While the process was slow, it provided an opportunity for the authors of the Draft Law to lobby for support. As one of the bill's authors stated in our interview in 2019,

“there was no unified view on this issue. Some governmental representatives reacted highly negatively to these suggestions and even tried to create various obstacles to this reform.” (Respondent 13 2019).

In a country guided by conservative attitudes towards the role of women in society, the view expressed above is not surprising. As these policies were being developed and introduced, there was a strong anti-gender lobby in parliament led by individual male MPs and also the “For the Spirituality, Morality, and Health of the Nation” Caucus (discussed in Chapter 4) (Ierusalimov 2019, 20-21). More specifically, at a time when Ukraine had already been at war for almost four years, expressing negative opinions on such matters showed the depth of structural and interpersonal discrimination that existed in government and the military, where women were not treated as equals even if they had already proven themselves as effective servicewomen in the volunteer battalions. However, at the same time, those opposing the proposed reform could not be seen voicing their resistance to the amendments, as it would undermine their power and standing in Ukraine's wartime political scene, and hinder Ukraine's image vis-à-vis its Western partners.

Surprisingly, despite the active presence of the “For the Spirituality” Caucus, the first plenary session showed an overall semblance of unity behind a common goal: to strengthen Ukraine's defence and security sector. When the Head of the Rada, Andrii Parubii, introduced this bill to the plenary session, he stated that it would be discussed under a shortened procedure (OPORA 2021). As he invited MPs to vote on the bill's introduction, he reminded them several

times of the need to vote the draft through in order not to jeopardise the future of the defence and security laws. More importantly, he allowed the bill to be voted on several times to ensure that it received as many votes as possible.

This could be interpreted as standard procedure: politicians were returning late to the session from lunch, which underlined a general lack of discipline rather than a disregard for the reform itself. However, a sense of urgency could also have determined this move, which was triggered by the need to debate several defence related bills, the potentially detrimental consequences of the *Invisible Battalion* study if the issue was not addressed, and Ukraine's constant need to show its democratic developments to its key international allies. The European Commission's refusal to pay Ukraine its final tranche under the 2015 Macro-Financial Assistance agreement due to the country's outstanding policy commitments; moreover, reports from hearings of the US's Senate Committee on Foreign Relations that discussed Ukraine's need for continued reforms, something the US government "reminds Kyiv of [...] in direct conversations" (European Commission 2017, Voice of America 2017). Thus, the exercise of a shortened procedure – a useful interpretation of the rather lenient *Reglament* – may have been an indirect result of international pressure, showing the importance of this factor in Ukraine's consideration of its reforms.

Plenary records show that the majority of those speaking in favour or against Draft Law №6109 in the first plenary session were women. It is unclear whether this was done to avoid any real opposition to the bill, or whether men did not take enough interest in it to voice their opinions. However, this worked in absolute favour of the female MPs presenting the changes to the law. In her opening statement, Iryna Suslova, one of the main proponents of the reform, emphasised that the bill was designed with the input of the General Staff, building up the bill's credibility. She outlined the number of women serving in the armed forces, and stressed the need to transform the UAF to value qualifications and abilities over gender (Verkhovna Rada

of Ukraine 2017). By keeping her speech short and informative, she was able to present important points while steering the conversation towards two main political goals: the war effort and compliance with international standards. In this way, she controlled the framing of the problem and the solution to influence the politicians in the room. By speaking of the women who were already serving in the UAF, she went against the *doxa* that persisted in Ukraine's political and military establishments, emphasising that women were, in fact, useful additions to the country's war effort in the fight against Russian aggression.

Plenary meeting minutes also revealed that speakers like Tetyana Chornovol from the People's Front highlighted various problems like the absolute lack of rights for the 10 to 30 per cent of women serving in the armed forces, age limitations, and the impossibility of career progression. This revealed both the impact the *Invisible Battalion* study had on the politicians themselves and the ways in which female MPs built their arguments in order to secure as much support for the bill as possible. Importantly, however, even the short interaction in support of the bill revealed the persisting gendered stereotypes towards women. Yuriy Tymoshenko from the same party as Chornovol, the People's Front, in declaring his full support for the bill, referred to women as "our Ukrainian *Amazonkas*<sup>19</sup>" who are saints and should be protected (Verkhovna Rada of Ukraine 2017). He also condemned the men who "hid under their woman's skirts and did not go to serve in the war, leaving girls and women to do it for them" (Verkhovna Rada of Ukraine 2017). The use of blatant stereotypes about male and female duties, even as he was voicing his support for the gender equality bill, still revealed the culture of inequality between men and women, implicitly describing the established structural understanding of what the role distribution should look like in society. Rhetoric such as this is a perfect example

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<sup>19</sup> Female warriors from Greek mythology (famously referred to in Homer's *Illiad*). They are thought to have been resident in the steppes around Khersones (Crimea) and the Black Sea among other places, and are often evoked in Ukraine's folk art.

of how the matrix of domination is still perpetuated even in situations that aim to reverse the systems of oppression.

Importantly, even those who spoke against the bill had nothing negative to say about the content of the proposal. MPs representing the Samopomich party expressed their support for the bill and voiced their grievances about protests that were happening in Kyiv at the time concerning police brutality and the “despotic system” of rule in Ukraine (Verkhovna Rada of Ukraine 2017). Even politicians from the Fatherland party, which previously stood against the ratification of the Istanbul Convention and did not actively lobby for women’s rights, supported these gender equality advancements. The majority of the pro-Russian Opposition Bloc, which had previously opposed the introduction of terms such as ‘gender’ and were in one way or another complicit in the Donbas war (through their business ties or previous affiliation with Yanukovich’s Party of Regions), were either absent or refrained from voting. Their absence on this issue feeds into their position stated in September 2014 during a forum titled ‘Peace. Stability. Renaissance’, during which the Opposition Bloc announced its platform for the “neutrality and preservation of the non-aligned status of Ukraine” as well as “end of bloodshed [...] and dissolution and prohibition of illegal armed groups” (LB.ua 2024). Moreover, as found by NGO *Chesno*, voting statistics of members of Opposition Bloc (as well as *Vidrodzhennya* and *Volia Narodu* parties – all of which had former Party of Regions MPs in their ranks) for the whole period of the 8<sup>th</sup> parliament (2014-19) was 22 per cent, and their absence was over 25 per cent (Stavniychuk 2015). Thus, not only was their platform implicitly against the strengthening of the Ukrainian Armed Forces, but their political activity and presence was known to be both lacking and unreliable.

The biggest surprise was the Radical Party’s general support of this reform. Women had served in multiple right-wing volunteer battalions, and to an extent some MPs felt a personal attachment to this subject. Ihor Mosiichuk, a prominent member of the Radical Party who, as

we saw in Chapter 5, was deeply against the bill that banned domestic violence for its imposition of foreign values on Ukrainian families and culture, and at the same was part of the “For the Spirituality” Caucus, actively supported Draft Law N°6109 (Verkhovna Rada of Ukraine 2017b). His history as former official representative of Azov – or as news outlets and Azov themselves have revealed he was a “self-proclaimed representative” of the battalion – as well as the murder of Amina Okueva, his assistant and famous servicewoman, in October 2017, and an attempt on his own life in the same month – all of which were widely discussed by different Ukrainian news outlets like *Radio Svoboda* and *LB.ua* – may have fuelled his support for this particular reform (Chervonenko 2017; LB.ua 2014; Solonina 2017). It seemed that not all male politicians were staunchly opposed to Draft Law N°6109, showing that perhaps there was more agreement in parliament on this issue than my respondent had claimed in our interview.

However, as more interview data revealed, plenary debates differed from backroom-bargaining. The majority of obstacles surged during closed door negotiations. Although the official narrative of the first plenary session was centred around the overwhelming acceptance of the proposed amendments, further conversations with high-ranking female politicians revealed that at first only a handful of parliamentarians believed in the relevance and success of this reform (Respondent 13 2019; Respondent 27 2019; Respondent 15 2023). The fact that several women – all from different political parties – disclosed this information, boosted this statement’s credence. The greatest difficulty came from negotiations with the military establishment itself. The level of opposition was higher from the General Staff than the Ministry of Defence. Stepan Poltorak, the Minister of Defence, had been generally supportive of the initiative and saw the *Invisible Battalion* as an influential study and “a guarantee that these women were in fact present at the front lines and required help”, according to an interview

source (Respondent 13 2019). The Chief of General Staff Viktor Muzhenko, however, openly voiced the traditional views that had been circulating in the military establishment.

In theory, the General Staff should have been interested in ways to strengthen the army in wartime; however, the *doxa* in most military establishments centres around war being a male-dominated environment. Even in countries where the presence of servicewomen has grown in the 21<sup>st</sup> century, mainstream thought still considers that the “feminist equal opportunity agenda undermines military effectiveness” (Collins-Dogrul and Ulrich 2018, 447). Instead, breaking with this naturalised vision of hierarchy and gender role distribution in culturally conservative Ukraine proved to be difficult and time consuming. According to one of the authors of the draft bill, in response to the proposal and demand for the rules to be changed,

“the ancient, high-ranking generals, who themselves have never been to the front lines, began telling us: ‘What do you know? You’re a woman, you should be bearing children and watching over the household, not shooting guns’” (Respondent 27 2019).

Another interviewee mentioned that “Muzhenko and the General Staff were very reluctant to call women to duty, let alone accept these significant changes, which shows the nuanced nature of the reform process”, in large part because they were guided by the principles that women were not as strong and therefore decrease effectiveness (Respondent 24 2019). Several other interviewees confirmed that Muzhenko “needed much more convincing than the Minister of Defence” (Respondent 30 2019).

While most of this information came from interviewees who were closely lobbying in favour of this bill in various committees and among the numerous political parties, which could have arguably affected the objective assessment of the General Staff to some extent, their testimonies still revealed the sobering realities of how the matrix of domination was upheld in

society, despite the fact that women became integral in defending Ukraine's territorial integrity. Writing for *Ukrayinska Pravda – Life* Lesya Vasylenko, the head of the 'Legal Hundred' NGO, addresses these attitudes, reminding Ukrainian society that any woman who decides to risk her life does so out of her own choice "as a conscious adult" (Vasylenko 2018). At the same time, neither the army commanders nor the wider society were yet willing to accept these choices and begin teaching Ukrainians about equality from a young age. Furthermore, if inequalities were perpetuated among the top ranks, one could infer by extension that sexism was rife in the lower ranks, substantially complicating the work of female MPs and civil society groups. In fact, Vasylenko quoted a commander of an active military unit who said that "[a woman's] place is not here", while other servicewomen spoke to *Radio Svoboda* about the various resistance and opposition they themselves encountered from commanders, further supporting my respondents' claims (Vasylenko 2018; Kostyuk 2016).

However, the fact that reform-oriented female MPs and their CSO supporters were ultimately able to convince the military establishment of the need for this reform to be accepted showed the resilience of the lobby, their ability to judge the timing of their negotiation, and use aspects of the political environment (i.e. the emphasis on the war effort and Ukraine's image in the eyes of its Western allies) to their own advantage. This perseverance dominated the policy process, guiding all the streams towards a policy window that would result in successful policy settlement. As a prominent female politicians in this reform process explained:

"We made a very simple argument before these generals: we are not claiming that we want to go out there and serve ourselves. What we want, however, is for those women who are currently out there, who are fighting to defend their country, to be registered and to be fighting legally." (Respondent 13 2019)

This sentiment was further echoed by an active servicewoman whom I interviewed in 2019. Stating that she was not a feminist and instead “espoused more conservative views”, she believed that although not all women should be forced to serve in the army, they should still be given a choice if they wished to do so; otherwise, discrimination based on gender or other arbitrary notions in any line of work was “darkness, the Middle Ages, and should not be happening” (Respondent 24 2019). This can indicate that the striving towards equality in the workplace – in the military or the labour market more broadly – was not just a value espoused by those who identified as feminists, but a more general desire of Ukrainian women by 2018, something we can also see happen in Tunisia, where a lack of identification with the term ‘feminist’ does not directly signify opposition to equality among sexes.

The ability to withstand criticism from the military establishment is what empowered these policy entrepreneurs to persevere with the reform process. By the time the bill was debated in the second plenary hearing in September 2018, a small group of female MPs worked through nineteen amendments introduced by a number of parliamentarians in the Committee for National Security and Defence; most of the amendments were not significant, meaning that, unlike the 2017 law on domestic violence, there was little opposition to the wording of the bill. Thus, most amendments were either implemented in part, in full, or ignored (Suslova et al. 2018).

The debate and voting procedure on the overall bill in the second plenary session did not take longer than ten minutes. Only two people spoke on the matter: Ivan Vinnyk from BPP outlined the positive elements that this bill would bring to the military establishment, the labour market, and Ukraine’s image abroad; and Oksana Bilozir, also from BPP, requested that her amendment be voted on as she was determined to grant women even more rights in the army, specifically the creation of separate offices for women’s health in hospitals (Verkhovna Rada of Ukraine 2018b). The amendment did not receive enough votes to be passed, which resembles

the idea suggested by Howlett's five-stream approach that sometimes the process stream dominates because the key goal is addressing the issue and not how the issue is actually addressed (Howlett, McConnell, and Perl 2015, 428). However, while the priority at this point was to grant women the right to officially serve in the military, Bilozir's emphasis on women's health showed the level of detail that female politicians were able to debate, giving hope that the political establishment would continue working to improve the lives and conditions of women serving in the armed forces.

As some of my interviewees concluded, even though the battle "lasted for almost a year", there was a simple case to be made: change in the military establishment was achieved with the rigour and perseverance that members of parliament and external women's rights activists showed in the process of negotiating behind closed doors and actively lobbying for these changes in the media, as outlined in this section (Respondent 30 2019; Respondent 13 2019). Without this gruelling collective work, favourable timing, environment, and even the *Invisible Battalion* report, such a rapid and substantial impact on the deeply masculine and traditional institutions like the military would not have occurred.

#### ***6.4.2 Bargaining Chips: NATO, EU, and the Rhetoric of Female MPs***

Ukraine's EU and NATO aspirations became an important bargaining chip that female MPs used in their negotiations throughout the 2014-19 period. In Bourdieusian terms, female parliamentarians fighting for this bill took an established view and well-known political vocabulary and applied it to their cause; because policies do not originate in a vacuum, or from "independently formed interests of one actor", politicians have to understand which ideas resonate most with their colleagues, and use a number of different frames in which to successfully present their ideas and stances (Schmidt 2020, 69). To gain trust and support of

other actors in the Verkhovna Rada, the women's lobby used the one narrative that, in the case of military reforms, could almost guarantee their success: Ukraine's longing to become a full-fledged member of NATO and the EU.

Since independence, Ukraine has nominally demonstrated a commitment to a European choice, although this never translated into practical results due to a lack of crucial reforms and necessary adjustments that would set Ukraine on the democratising path (Dragneva and Wolczuk 2016, 690). As Hanna Hopko, a prominent member of the *Samopomich* party, explained in 2017, the EU for many Ukrainians has always stood for values such as freedom, dignity, and democracy – the fight for which fuelled the 2013-14 revolution (Hopko 2017). NATO aspirations have also been part of political discussions since the 1990s, from independent Ukraine joining the North Atlantic Cooperation Council in 1991 to the NATO-Ukraine Commission being established by the 1997 Charter (North Atlantic Treaty Organisation 2025). As a prominent women's rights activist explained in our interview in 2019, the overarching desire of NATO membership, which has existed in the Ukrainian national psyche since independence – even after NATO's interest in giving Ukraine membership began stagnating – showed just how much NATO norms had diffused into Ukraine's domestic policy over time (Respondent 26 2019). Gender equality, acting as one such norm, had a visible impact on the evaluation of the situation within the UAF, adding to the list of the numerous standards that the state would have to adhere by.

The elites understood that NATO membership would provide “additional ‘security guarantees’”, all of which were crucial for Ukraine's development; according to Kuzio, in 1996 85.3 per cent of the population expressed that it would be in Ukraine's interest to become a member, although Bohdan Tsyupin – a journalist with *Radio Svoboda* – wrote in 2017 that when Poland, Hungary, and Czech Republic joined NATO in 1999 “the majority of Ukrainians thought then that they don't need NATO” (Kuzio 1998, 5; Tsyupin 2017). In 2012, the support

for NATO as the “best guarantee of national security” was at 13 per cent, an all-time low (Ilko Kucheriv Democratic Initiative Foundation 2017). By 2017, this rose back to 47 per cent, pointing to a significant increase in hopes for Ukraine’s future, the impact of the revolution and the war, and the noticeable change in political rhetoric. Thus, we can see why NATO would once again play an important role in the policymakers’ considerations.

As a result, upholding gender equality standards became one of the priorities for the Ukrainian state. The NATO Committee on Gender Perspectives remains one of the key pillars of the Alliance. Thus, the exposure of severe problems in the employment and treatment of women within the UAF since 2014 by the *Invisible Battalion* study undoubtedly undermined these efforts, posing significant complications to the country’s and particularly the pro-European government’s image vis-à-vis its allies. The NATO rhetoric became common in parliament and negotiations of the defence and security reforms.

Reform-oriented female politicians were able to leverage these commonly accepted goals to make the environment work in their favour. As one interviewee explained, the collaborative actions in the Ukrainian parliament, inspired by a small group of female parliamentarians, resulted from the threat that Ukraine would otherwise not be complying with NATO standards (Respondent 31 2019). In fact, the explanatory note submitted alongside Draft Law N°6109 clearly stated that “equal conditions for men and women in military service is one of NATO’s fundamental standards”, emphasising that the current laws of Ukraine on military service “violate the recommendations of the Committee on Women in the NATO Forces (CWINF)” (Suslova et al. 2017). This emphasis became even more significant in light of the State Program for the Development of the Armed Forces of Ukraine for the Period up to 2020, approved in March 2017, which clearly stated Ukraine’s commitment to developing the UAF “on the basis of the principles and standards adopted in NATO” (Ministry of Defence 2017).

As gender equality is one of NATO's principles, Ukraine's domestic rhetoric was, once again, unsurprising.

As well as a direct reference to NATO, the explanatory note also gave examples of armies in the US, Norway, and Israel, which have allowed women to serve in all military positions and ranks (with the US being the most recent addition to the list in 2015). This mention could be considered a tactic used by the authors of the bill to sway the opinion of policymakers who may have needed persuading, thus manipulating ideas and groups to appeal to both the rationality of including women in the armed forces and the personal gains that the government would achieve by accepting this new policy. Female MPs and their supporters from women's rights NGOs thus steered the agenda-setting and decision-making path into the direction that benefitted them the most. The salient NATO and EU rhetoric provided an easy solution to the framing of the issue.

The government's continued collaboration with NATO on the establishment of gender parity in the UAF contrasts with the previously discussed insights provided by respondents and servicewomen interviewed by journalists. For instance, in 2016 Chief of General Staff Muzhenko, the same one who needed convincing of the necessity of this bill, declared Ukraine's commitment to removing "barriers to women in the armed forces, including combat positions" during a meeting with Marriëtt Schuurman, NATO Secretary General's Special Representative for Women, Peace and Security (North Atlantic Treaty Organisation 2016). It is most likely that the UAF was adamant to keep up their image vis-à-vis the international partners on whom the UAF relied, especially since *Ukrinform* reported that Muzhenko and Schuurman discussed both NATO's support of Ukraine's UAF reforms as well as "practical assistance to ensure gender equality for Ukrainian servicemen and women" (Ukrinform 2016). As such, Muzhenko's official rhetoric of reassuring that the country is following through on its Western-centric developments revealed the double standards of the military establishment towards the

reform process and the issue of gender equality. Yet, these official promises provided a good opportunity for all policy brokers – female MPs and activists – to use it to their advantage in plenary sessions. Thus, the existence of the *Invisible Battalion* study and the framing used by the female MPs and authors of Draft Law N°6109 allowed to push the right buttons in this process.

This policy process revealed that female MPs were able to “use information selectively and exploit people’s biases, perceptions, beliefs, or emotions to make a persuasive case to pay attention to one aspect of a policy problem” (Cairney and Zahariadis 2016, 97). NATO and the EU played on the beliefs and emotions of Verkhovna Rada MPs who built their parties on a pro-European platform. With lessons learnt from the Orange and Euromaidan revolutions, the government understood that it had to deliver on certain promises in order to retain its legitimacy and approval ratings. Moreover, talk “is not always cheap” (Splidsboel Hansen 2006, 120). Utterances very often have a binding force, especially if the speaker and hearer reach a shared understanding of what has been stated (Habermas 1995, 26–27). As a prominent member of parliament suggested in our interview, it was in the parliamentary coalition’s interest to vote in favour of this reform, as

“they officially declared their promises everywhere, [...] otherwise they would have received millions of messages asking why they are not moving towards [EU and NATO] standards.” (Respondent 13 2019).

Another interviewee recalled that the parliament was so set on passing this bill that “you could have passed anything alongside this legislation that day” (Respondent 27 2019). As some of the bill’s authors were part of the ruling coalition, they were able to more easily assess the best possible timing during which to introduce the gender equality reforms. Without their

persistence and ability to judge the environment, the appropriate solution acceptable to all sides would not have originated from the clearly defined problem.

## 6.5 Conclusion

This chapter has traced the arduous process of pushing for reforms concerning gender equality in one of the most traditional and patriarchal institutions: the military. The discussion on the reform's origin and the procedure it underwent in the Ukrainian parliament over 2017 and 2018 once again pointed to the vital role female MPs and policy brokers outside of the political establishment played. United in their understanding of the need to improve the situation for women on the front lines, and applying both bottom-up and top-down pressure, they were able to employ the right tools and steer the policy process in a way that would suit the achievement of their goals, thus seizing the window of opportunity to bring a new perspective to the most conservative institution.

The publication of the *Invisible Battalion* study following the tumultuous integration of volunteer battalions into the UAF exposed the dire situation women faced while serving in the armed forces. Among all other inequalities perpetuated by these circumstances, the lack of legal combatant status resulted in the complete lack of appreciation of servicewomen's contribution to the war effort. Viewing this situation through Collins' matrix of domination framework showed that women were only viewed as equal in emergency situations (revolutions, sudden outbreaks of war, and so on), and very little could be done to naturally break the systems of oppression that they had been continuously subjected to in ordinary life.

The realities outlined in the study caused significant problems for the stability of Ukraine's image before its Western allies. In the midst of war and with great NATO and EU aspirations, this pro-European course created an opportunity for female MPs who were already

engaging with gender inequality cases to lobby the executive and legislative branches of government to accept the proposed bill. In seizing this policy window, female MPs were able to pass these changes and, at the same time, overturn several other outdated laws that affected women's situation in the economic sector, thus bringing shifts in the legal provision and, after some time, the mentality surrounding women's position in the labour market as well as the armed forces.

It must be noted here that the language surrounding NATO and the EU does not correlate with Ukraine's increased chances of membership, as there are other obstacles impeding the process, namely the war in eastern Ukraine (now a full-scale war) as well as the question of the illegally annexed Crimea. However, in an effort to mobilise support for this political change, female MPs rightly assessed the effectiveness of this rhetoric and used it to their own advantage. Tying gender equality in the UAF to NATO aspirations and European ideals makes the process almost irreversible, particularly in the post-2022 climate, and thus "benefits women in the long run" (Enloe 2000, 287). In Bourdieu's terms, female MPs and women's rights activists produced ideas and narratives that would put them in a powerful position apropos their male (and female) counterparts. With these ideas, they persevered in closed doors negotiations with the military to convince the Chief of Staff of the need to allow servicewomen to take up the same positions and receive the same benefits as servicemen, paving the way to the successful adoption of this law in September 2018.

Much like with the reforms banning domestic violence, the 2018 law set a precedent for further change. As Ukraine's Deputy Minister of Internal Affairs for European Integration stated in an interview with *Ukrayinska Pravda*, the presence of women "has [had] a positive effect on traditionally male spheres" of influence, while also making them less prone to corruption and more effective in peacekeeping operations (Deyeva 2017). Moreover, *Zmina* wrote that greater privileges on the battlefield – since 2018, but especially after the full-scale

invasion in 2022 – and access to military education for women has benefited not only the servicewomen protecting the country but also Ukraine as a country at war (Zmina 2019). Without the rigorous participation of reform-oriented and determined female MPs in this question, Ukraine could have once again found itself in a weakened position in the face of the aggressor.

## CHAPTER 7.

### BACK TO THE DRAWING BOARD:

#### THE FAILURE OF THE 2018 INHERITANCE LAW IN TUNISIA

Reforms that resulted in gender quotas and laws banning violence against women in Tunisia and Ukraine, as well as the gender equality reforms in the Ukrainian Armed Forces, all exemplified periods of momentary unity, perseverance, and influence exerted by a group of female MPs who were otherwise outnumbered in male-dominated legislative environments and did not always see eye to eye on many social, economic, and political topics. These politicians were able to facilitate the necessary changes to encourage greater female empowerment, as well as legislative shifts towards a more tolerant and equal Tunisia and Ukraine. Examining these achievements retrospectively may create the impression that gender-based reforms, although difficult, were nonetheless inevitable. Yet this view would be misguidedly optimistic, and this chapter will show that success is never assured when the patriarchal status quo is challenged.

The introduction of Draft Law No. 90/2018 Supplementing the Code of Personal Status (hereafter the Inheritance Law reform), initiated in 2017 by Tunisia's president Beji Caid Essebsi, was expected by some to fit in the aforementioned framework. Those in favour hoped it would become a revolutionary step for Tunisia, both in bringing further equality between men and women, and in the state's position as the first Arab country to reform what had traditionally been perceived by them as a mere stipulation of the Qur'an. As this chapter will show, however, these aims were never achieved, and the reform was never passed. Drawing on policy theory, I argue that this change was not achieved because there was no consensus within the policy and politics streams, especially since the women's lobby both in and outside parliament was deeply divided on this polarising issue and the timing never appeared to be

optimal. The issue of inheritance had always been deeply subjective, which meant that no right or wrong solution presented itself in the same way as in the ban on violence against women or even the introduction of electoral quotas. Instead of uniting against the male-dominated status quo, female agents were either apprehensive of getting involved in these debates so close to the 2019 parliamentary election, or found themselves competing against each other for the dominance of their idea and interpretation of the Qur'an. As a result, there was no significant push for these amendments, and no window of opportunity was created to facilitate the proposed changes.

The Inheritance Law reform, therefore, provides the basis for a deviant case study, as it does not fit the well-established generalisations that have been presented throughout. Deviant cases have the important role of assuring readers that the relevant variables have been measured correctly and therefore the case is, in fact, disconfirming (Seawright et al. 2014, 19). Until now, the thesis has focused on how female MPs, as the main pressure group inside the political establishment, were able to put aside their differences in order to achieve crucial reforms to promote female empowerment and equality between the sexes. It has also examined the reform process itself and how opportunities for change arose through the synergy of Kingdon's three streams – problem, policy, and politics – allowing female policymakers to shape the inherently male-dominated status quo.

Simultaneously, a Bourdieusian understanding of the fragmentation around the inheritance law reform is deeply interwoven with the lessons learnt from Crenshaw's and Collin's intersectionality theory, which dictates the need to address the levels of inequality that women of different backgrounds experience. In the case of the 2018 reforms, we see that a small, secular feminist lobby – primarily made up of CSO activists and a few politicians – was actively imposing a specific view and idea on a substantial part of Tunisia's female population, alienating women – both secular and Islamist – who did not consider these changes important

enough or accept them based on their religious beliefs, thus perpetuating the matrix of domination that has historically oppressed religious women in Tunisia.

Thus, by analysing the agenda-setting process following Kingdon's three-pronged framework and assessing the different themes that influenced the decision-making process while applying Collins' and Crenshaw's intersectionality approach, this chapter will show how the initial breakdown in solidarity and unity among women, as well as unfavourable timing, led to the failure of the proposed reform process.

### **7.1 The Initial Breakdown: Understanding the Problem Stream**

Unequal inheritance has long been a topic of conversation and concern within Tunisia's secular circles. Several themes characterised the discussions in parliament and society. First, whether this perceived stipulation in the Qur'an can be reinterpreted. Second, whether inheritance was a textual, sociological, or a legal issue. Third, whether this reform was based primarily on the fight to empower women or in the wider desire to further secularise Tunisian legislation and enshrine Essebsi's image as a feminist – and thus continue imposing the matrix of domination on religious women. Therefore, unlike in the previously discussed reforms, we can see that the so-called problem construction process in the initial agenda-setting stages of policy formation – the importance of which Kingdon emphasises strongly in his work – was already facing major challenges.

Verse eleven of the fourth surah of the Qur'an posits "concerning your children (inheritance): for the male, what is equal to the share of two females. But if there are [only] daughters [...] for them is two thirds of one estate. And if there is only one, for her is half" (Qur'an, n.d.). This very clear stipulation for distributing inheritance shares has meant that many followers of Islam, particularly in conservative circles, have been unwilling to entertain

the possibility of opposing the scripture. In this case, it became even more difficult to argue for the separation of politics from religion within the more traditional parts of society, especially since religious leaders and citizens are known to apply and reformulate their theologies in new political contexts not only in Islam but in religious settings more generally (Walhof 2013, 229).

Still, this particular surah has been problematised by secular female activists who believed that the idea was both outdated and detrimental to equality and women's empowerment, both economically and socially. As quoted in the French news magazine *Le Nouvel Obs*, the president of ATFD Yosra Frawes deemed this reform process a "major, unprecedented advance" and yet expressed her sadness that the new law was not even more radical in its promotion of equal rights (L.L.F. and Le Nouvel Obs 2017). Yet what this shows is – as Kingdon's MSA theory dictates – that people's opinions and values differ, and therefore problems have a "perceptual, interpretive element" (Kingdon 2014, 110).

In Bourdieusian terms, opinions that generate ideas are also produced in relation to the desire for power, and therefore successful ideas are the ones that are capable of mobilising support, regardless of their 'truth-value' (Bourdieu 1991, 190). The *Collectif 95 Maghreb-Egalité*, formed by Tunisian, Algerian, and Moroccan scholars prior to the 1995 UN's Fourth World Conference on Women in Beijing, argued that inheritance should be viewed in its historical and social contexts, "when men fought battles while also maintaining wives, children, and other kin" (Moghadam 2022, 5). However, as they pointed out, "men are no longer required to play this role since women have greater economic independence vis-à-vis men" and on top of that, "women are now contributing to family budgets and in some cases women are the family's sole source of support" (Collectif 95 Maghreb-Egalité 2003, 134). Thus, when a prominent women's rights activist and lawyer, Salwa Hamrouni, gave a lecture at the Aga Khan Centre in London in 2019 and equated unequal inheritance to economic violence against

women, this signalled a resumption of this conversation and the desire to consolidate the secular lobby's power in the question of inheritance (Moghadam 2022).

Thus, the debates between secularist supporters of the reform and those opposing the changes had been substantiated following a set of arguments framed in a way that would attract the attention of policymakers and mobilise their support. Here, Bourdieu and proponents of MSA agree that problems are not usually seen as “objective facts but rather as social constructs” (Herweg, Zahariadis, and Zohlnhöfer 2018, 19). As Hanafi and Tomeh (2019) summarised, those supporting the changes based their arguments “primarily on legal, then sociological, then textual grounds”, while the opposition substantiated their claims on “textual, then legal, then sociological grounds”, making it almost impossible to reach a consensus, especially since each side failed to “understand the ‘other’” (Hanafi and Tomeh 2019, 208). For decades, these disagreements were central to the conversation on inheritance, with neither side willing to compromise.

To add more nuance, Crenshaw spoke against a “single-axis framework” and pointed to the need for a multidimensional study of social issues (Crenshaw 1997, 140). For urban, largely secular, middle-class female activists and policymakers in Tunisia, the antiquated rules of inheritance appear oppressive and denigrating. For religious, urban or rural, middle or lower-class women this may not have been the case. In fact, Tunisian correspondent Thierry Brésillon wrote in *OrientXXI* that one must consider what role religious references should play “in positive law when it is impossible to ignore their importance in society” and stated that it is unimaginable to implement societal changes in the now democratic Tunisia “without the people, or even against them” (Brésillon 2018). Thus, even if the article largely explores the reasons in favour of this reform, the point made is crucial: the inheritance law reform became a vivid example of how delicate the issue had always been, and how a decision like this cannot

be made if there is no critical mass among the population who believe this is the right way forward.

What became even more evident in the 2017-19 attempt to reform Tunisia's family law was that the issue was not only about the inheritance itself, but also about power dynamics within the legislative and executive branches, particularly in preparation for the 2019 election season. News articles tended to implicitly or explicitly focus on the Ennahda party as a source of opposition or undecidedness in this reform process, and rarely on Nidaa Tounes (which was going through an internal leadership power struggle) or other parties in parliament. *Jeune Afrique* released an article in 2019 dedicated solely to Ennahda's opinions on the inheritance law, juxtaposing its wavering and often reserved position on the matter with the opinions of Bochra Belhaj Hmida, who was appointed by Essebsi to lead the charge on this reform (Lafrance 2019). An article in *24 heures* goes as far as to label Ennahda's refusal to vote on the draft bill as "Tunisians "betrayed"" (Allemand 2018). *Le Temps* was one of the few outlets to mention that Nidaa Tounes's elected officials were also divided on this topic, signalling that it is not just a religious issue but one that invokes a feeling of conservatism and traditionalism in many elected MPs (Le Temps 2018). As the next sections will show, the conversation mostly centred around the democratisation in Tunisia and bringing different laws in line with the 2014 Constitution, which did not give specific solutions to the issue of female economic empowerment, and instead further cemented the systems of oppression within Tunisian politics and society, raising concerns that Essebsi's aim was to further secularise the country.

## **7.2 Proposing Solutions to a Controversial Problem**

Previous chapters have shown that both problems and solutions were usually relative to the stances of a particular group (i.e. the issue of women's inequality in Ukraine's Armed Forces

was at first seen as a grave issue predominantly by a group of politically active women); yet, in all cases both the identified problem and proposed solution fundamentally had the wider backing of the majority of female MPs and a number of male MPs, even if there were disagreements on the micro level. In the case of unequal inheritance, however, there was no overall unity on the proposed solutions between female MPs even on the macro level, which destabilised relations between secular and Ennahda MPs.

On 13 August 2017, the anniversary of the 1956 Code of Personal Status (CSP), President Essebsi announced the formation of the Commission on Individual Liberties and Equality (COLIBE), which was in charge of preparing a report on necessary reforms that would bring greater equality between men and women in line with the 2014 Constitution (Mosaique FM, n.d.). COLIBE's 237-page report, a product of 33 meetings, was officially released on 1 June 2018, and detailed the different areas that needed improvement (Hmida et al. 2018). It spoke of all the basic rights – such as the right to life, freedom of speech, etc. – and assessed how domestic legislation compared to international charters. The report also focused on 'demystifying' the role of Islam in Tunisia and the rights women were entitled to (Hmida et al. 2018). One of the big questions discussed in the report subsequently was the fate of inheritance in Tunisia and the urgent need to change the outdated laws.

The way this topic was managed in the report was precisely how Hanafi and Tomeh described the supporters of the change had structured their arguments. The main crux of the report's explanation centred around the socio-economic and legal elements: the 2014 Constitution enshrined equality in Articles 21 and 46, and therefore the inheritance laws must abide by this. On top of that, Tunisian society was now socio-economically different to what it was in 1956 when the rules on inheritance were left unchanged by Bourguiba and the CSP (Hmida et al. 2018, 164). In fact, the report's reasoning for why the 1956 CSP "drew inspiration from Islamic jurisprudence" was because "the solutions it provided were appropriate and

responded to the socio-economic structure of Tunisian society as it was at that time” (Hmida et al. 2018, 164). This became one of the key arguments in favour of this reform: Kmar Bendana in an article for *The Conversation* referred to Tunisian society as “patriarchal and sexist” and yet evolving “in demographic, health, and cultural terms”, with women becoming “breadwinners in their own right” (Bendana 2018). The New Humanitarian, in turn, labelled the reform a pressing issue as “more Tunisian women participate in the country’s economic and social life” (Bajec 2018). Others – such as *L’Express* quoting Sana Ben Achour or *Leaders* writing about a gender equality conference held in Malta during which the Tunisian professor Kalthoum Meziou gave a speech on this topic – linked Islam with a patriarchal model that was no longer applicable in Tunisia (Leaders 2019; AFP 2019).

References to the CSP, particularly when discussing the Inheritance Law, are also important to our understanding of why few solutions have existed to this polarizing issue. While the 1956 Code is still considered as the main pillar of equality in Tunisia, even Bourguiba was unwilling to challenge the perceived stipulations of the Qur’an: he never openly attacked Islam and instead worked to get religious authorities on board to be able to adopt the proposed changes (Whidden 2019, 113). As a result, Bourguiba was able to strategically achieve his aims while also ensuring the political survival of his regime (Whidden 2019, 120). The apparent lack of a solution for inequality in inheritance, therefore, was historically a strategic move on the part of both Bourguiba’s and Ben Ali’s regimes, with the latter “maintaining the status quo on laws pertaining to religion” and “keeping a safe distance” from this topic (Hanafi and Tomeh 2019, 210; Tanner 2024).

The formation of COLIBE and the subsequent legislation that was introduced in parliament was treated as an openly calculated move from President Essebsi. As the next section will discuss, scholars and some journalists began speculating on what the president’s ulterior motives were in this case, with the most common explanation being the upcoming

election season (Bessis 2017). As Herweg, Huß, and Zohlnhöfer explain, a problem's political relevance can be "strongly related to [its] electoral relevance": if it can diminish the chances of a successful re-election, it must be acted on by the policymaker (Herweg, Huß, and Zohlnhöfer 2015, 437). This also ties in with Bourdieu's explanation of how ideas proposed by agents do not originate purely due to their altruistic motives, but are also tools in the broader competition between agents in their bid to amass power in state institutions (Schmidt 2020, 69). Therefore, Essebsi's move to establish the COLIBE can be interpreted as such.

Draft Law N°90/2018 was introduced on 28 November 2018, and was subsequently discussed in parliament in February and May 2019. The draft included five articles all geared towards reforming the Inheritance Law, with the main one being an addition of Chapter Seven to Book Nine of the 1956 CSP to incorporate "Provisions Concerning Equality of Inheritance" (Al Bawsala 2018). Even though the Health and Social Affairs Committee, which was in charge of debating this law, was poorly attended throughout the discussion process, almost immediately there was a noticeable division between the staunch supporters of the Inheritance Law reform and its opposition. All tensions were centred around one factor: the role of religion.

The evident divisions in the ARP were unsurprising considering the rocky road to the introduction of this bill. While it makes sense that any solution is subjective, Kingdon does speak of a proposal's 'criteria for survival': when policy entrepreneurs are uncertain if an idea can be "implemented smoothly" or "find a majority in the political stream", it is unlikely to survive and the process has a low likelihood of success (Kingdon 2014, 131–39). In this case, it is surprising that the advocates for change persevered with their efforts, considering the significant opposition they faced.

### **7.3 Policymakers and Interest Groups: the Main Actors in the Fight for Change**

This thesis has maintained that the politics stream is the most important, even if not always dominant, factor behind change. For this reason, it is important to closely analyse the different groups that played a role in the 2017-18 agenda-setting and decision-making processes of the Inheritance Law reforms. The conclusions that can be drawn are based on the premise that the politics stream was polarised to an extent that proved detrimental to any further debates on the matter at hand. Amid the societal division, female MPs were unable to compromise, unite, or even uphold prolonged dialogue on the matter, thus further hindering any prospect of a successful policy process.

The politics stream is usually comprised of several elements: the national mood, interest group campaigns, and governments and legislatures (Herweg, Zahariadis, and Zohlnhöfer 2018, 21). Seeing as the recommendations for amendments to the 1956 CSP were directly linked to the President's orders, the agents of change in this case study can be divided into the following groups: the first is President Beji Caid Essebsi; the second is the COLIBE; the third is the policymakers arguing for or against the reform in parliamentary committees; and the final is the civil society activists who were determined to rally for or against this notoriously controversial topic.

#### *7.3.1 Beji Caid Essebsi*

Essebsi's role in this process was prominent considering his background and the timing of the announcements regarding the Inheritance Law reforms. As Chapter 4 outlined, Essebsi was a staunch supporter of Bourguiba's legacy, particularly when it came to women's rights. His conscious decision to tie his own image to that of the late founder of the Republic made this rather explicit between 2014 and 2019. However, much like Bourguiba's feminist image,

Essebsi's efforts to promote women's rights have been linked to his anti-Islamist rhetoric, particularly his desire to limit the successes and outreach of the Ennahda party. As Tripp wrote, the 2014 presidential election evidently showed the Tunisian president that "promoting women's rights in a country where women make up the majority of the voting electorate brings votes", thus putting his relationship with feminist organisations and promotion of certain pieces of legislation under scrutiny (Tripp 2019, 257).

This was most starkly exemplified by the announcement Essebsi made on 13 August 2017, the anniversary of the CSP, that he will be establishing the COLIBE to reform the controversial issue of unequal inheritance. According to a high-ranking official within ATFD, Essebsi was influenced by his spokesperson, Saida Ben Garrach, who was in charge of civil society relations and brought this issue to him, leading him to establish the Committee (Respondent 7 2023). This certainly created a positive image for ATFD and Essebsi, showing the much-anticipated cooperation between civil society and the state.

Yet, Essebsi's symbolic gesture has since divided scholars in their interpretation of events. Some scholars say he was brave enough to venture into territory that even Bourguiba was afraid of, consequently responding to "feminist and progressive demands for more freedoms" (Moghadam 2022, 8). Others, however, conclude that the commission and its report were dedicated purely "to the glory of the presidency of Beji Caid Essebsi", and were not aimed at initiating a discussion on the subject based on a healthy compromise between the two positions (Bernard-Maugiron and N'Diaye 2021, 471). In fact, as Bessis wrote in *OrientXXI* in 2017, Essebsi had "steadfastly refused" to deal with this issue even though there was a significant lobby pushing for the changes to inheritance provision (Bessis 2017). Similarly, Bendana wrote in her 2018 article for *The Conversation* that MP Mehdi Ben Gharbia had proposed equal inheritance in a long parliamentary discussion in May 2016 (Bendana 2018). Thus, Essebsi's involvement in this issue from 2017 – not earlier – although was to be expected

to an extent, made sceptics think that he was trying to win back support of “modernising democrats” after his controversial 2017 amnesty law for officials involved in corruption scandals under Ben Ali (Bessis 2017; Le Point 2017). In line with Bourdieusian ideas of competition for power between agents, this thesis believes that Essebsi’s involvement in the process of the Inheritance Law reform was indeed performative and geared towards the upcoming election cycle, both to potentially secure him another term in office<sup>20</sup> and to further marginalise the role of Ennahda in parliament.

Finally, the numerous scandals and tumultuous internal situation of Nidaa Tounes, and their substantial loss of the 2019 parliamentary election<sup>21</sup> coupled with the lack of a united front over this particular reform inside the party set Essebsi and this reform up for failure, especially in comparison to the previous women’s rights reforms in Tunisia. Thus, the controversial nature of the question of inheritance, along with the largely polarising COLIBE and Essebsi’s direct involvement in its establishment, meant that the political stream was fragmented and not aligned under a common goal.

### 7.3.2 *Commission on Individual Liberties and Equality (COLIBE)*

COLIBE was an important agent in this process, representing a policy community that “propose ideas and participate in the softening-up process” (Herweg, Zahariadis, and Zohlhöfer 2018). Its report on the issue aimed to demystify the role of religion which, according to the Committee, should have little influence on societal and legal attitudes to equality in inheritance (Présidence Tunisie 2017). Presided over by Bochra Belhaj Hmida, COLIBE consisted of nine members overall: Abdelmajid Charfi, Slim Laghmani, Dorra

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<sup>20</sup> At the time of the announcement Essebsi was still considering running for office, despite his old age.

<sup>21</sup> Please see Appendix C, Table 2.

Bouchoucha, Malek Ghazouani, Iqbal Gharbi, Kerim Bouzouit, Slaheddine Jourchi, and Salwa Hamrouni. The majority of the committee were professors and academics, with only two members not representing the academic community: Ghazouani was a magistrate and Belhaj Hmida was both a lawyer and a member of parliament.

Although this had allowed COLIBE to take a more historical and academic approach to the issue of inheritance, as is reflected in its monumental report, it underestimated the extent of the political backlash to changing the legal requirements so closely tied to religious tenets. Moreover, the Committee members were appointed solely by Essebsi and did not include any representatives that could oppose these changes or bring a different perspective. This further fuelled the polarisation within society and the political establishment. As pointed out by journalist Saif Eddine Amri in an article for *Nawaat*, the COLIBE's tasks intersected with the work of the High Commission for Human Rights and Fundamental Freedoms (Eddine Amri 2017). The Commission's rather weak activity in post-revolutionary Tunisia not only revealed the lack of substantial reform of weak institutional structures, but also Essebsi's strategic choice to set up a different committee "without any legal framework in which he has complete freedom to choose members and control the method of work" instead (Eddine Amri 2017).

Most significantly, by doing this, not only did Essebsi fail to push for crucial institutional reforms, but he also continued to consolidate the systems of oppression on an intersectional level, despite the state's mission to promote equality between men and women. Through the COLIBE, he also alienated groups, including secular members of society who were not in favour of this reform, or Ennahda MPs that were in favour of the change, like Ennahda's Saida Ounissi, which could have ultimately played in his favour (Bernard-Maugiron and N'Diaye 2021).

### 7.3.3 *Policymakers*

Rifts among female policymakers were caused, among other things, by the fact that the report drafting process was conducted externally and not by parliament. This was fuelled further by the fact that only one member of parliament took part in the COLIBE. Bochra Belhaj Hmida, while a highly influential actor in women's rights activism, had always been a divisive personality due to her strong anti-Islamist views, further proving how simple it is for feminist groups to disregard the voices of women whose views do not fully match theirs, as per Crenshaw's illustration in her three-domain intersectionality framework (Crenshaw 1991).

Aside from Ounissi and Belhaj Hmida, there was a number of female MPs who were vocal in this process, albeit not necessarily in the Health and Social Affairs Committee. Among them were already established defenders of women's rights like Yamina Zoghlami, who, despite her staunch support for the previous reforms, stood in opposition to the Inheritance Law reforms due to her religious considerations, as reported in Business News in 2016, although in an interview with Yasmin Hajar she stated her firm conviction "in the superiority of the constitution and international treaties signed by the Tunisian state over any other source of legislation", making her position somewhat less clear (Hajar 2019). As Hajar reported in the Legal Agenda, having interviewed seven Ennahda female MPs, women who adopted an Islamic feminist discourse were still a minority in the party; those generally in favour of the reform were Sanaa Marsni and Jamila Kessi, the latter of whom said that "since Ennahda believes in freedom of choice and belief, as a constitutional guarantee, we cannot force all Tunisians to abide only by the Islamic inheritance law" (Hajar 2019). This once again showed that the problem lay with the patriarchal culture, not Ennahda as a party that united politicians with differing views under its banner.

At the time, the Health and Social Affairs Committee was not dominated by one particular bloc (Ennahda or Nidaa Tounes) and instead had representation from different

ideological backgrounds. The divide between Nidaa Tounes and Ennahda female MPs was not quite obvious, and therefore does not automatically explain why there was a lack of resolution on this matter before the bill lost prominence following the 2019 elections and Essebsi's death. Of the twenty members of the committee, eleven were women (Al Bawsala, n.d.). Of those eleven, six were part of the Nidaa Tounes bloc, one represented the Front Populaire bloc, and only four came from Ennahda (Al Bawsala, n.d.). Therefore, the expectation was that this would facilitate a faster and smoother process of the Code of Personal Status reforms.

However, attendance in both committee sessions that discussed the proposed changes ranged between 45 to 50 per cent, which showed the relatively low commitment to the issue among members of the committee. Unlike in previous reform processes, the strong representation of women in the committee did not signal a positive outcome within the parliamentary and committee debates. Other factors, such as the role of civil society at this time, must be acknowledged to understand the breadth of the issue at hand.

#### *7.3.4 Civil Society and National Mood*

Contrary to Kingdon's explanation, Herweg, Huß, and Zohlhöfer maintain that governments and legislatures are the more important groups within the political stream as they are directly responsible for implementing policy changes (Herweg, Huß, and Zohlhöfer 2015). Although this thesis has mostly focused on the activities inside parliaments, this policy process saw a significant engagement of women's rights organisations as both sides of the women's lobby aimed to mobilise societal support for their position on the matter. Thus, similarly to the case of military reforms in Ukraine, CSOs became prominent and vocal actors in Tunisia's Inheritance Law question. However, unlike in Ukraine, divisions soon surged along the expected lines: religious groups supported what Bourdieu called the 'vision' (the naturalised order), such as that the 1956 CSP was sufficient and further amendments to the Inheritance

Law would undermine Islamic law, whereas secular feminists promoted their idea of ‘division’, namely a break from the unquestioned prevailing order that would reform Islamic law and ensure equality in inheritance for Tunisian women (Bourdieu 1989, 19). These clear binaries constructed by political agents shaped the responses from civil society, thus proving very effective in mobilising the masses for political gains.

Essebsi’s announcement of the establishment of COLIBE in 2017 led to significant protests in Tunis. Society appeared more fragmented than usual, affecting the way in which the national mood could sway the reform process. As the Algerian newspaper *Liberté* reported, a Tunisian Coalition for Equality in Inheritance (*Coalition tunisienne pour l’égalité dans l’héritage*) was quickly formed, which incorporated more than 80 associations “of different backgrounds”<sup>22</sup> demanding equal rights in inheritance (Menacer 2018). On 10 March 2018, the Coalition called for a large-scale march to show support for equality in inheritance, attracting 1500-2000 people, including female and male MPs such as Salma Baccar, Mohamed Bennour, Habib Kazdaghli, Mondher Belhaj Ali, Zied Lakhdhar, and Mehdi Ben Gharbia – the minister responsible for relations with constitutional authorities, civil society and human rights, and an avid proponent of the Inheritance Law reforms. AFTURD, participating in the event, called the march “a precious moment in the history of our dear Tunisia” (Association des Femmes Tunisiennes pour la Recherche sur le Développement 2018).

The march was widely covered in the news, particularly since it was the first large-scale demonstration in support of changing the inheritance laws. News articles, predominantly in French, also revealed the biased nature of the coverage, which supported the project: *Jeune Afrique* called the march “a beginning of a long battle”, while another article focused on the concerns of the “broad progressive camp” that the reform was not concrete or radical enough

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<sup>22</sup> The author was unable to locate more detailed information on the types of organisations that joined the Coalition, yet it is assumed that the majority were secular feminist organisations.

(Dahmani 2018a; Attia and Crétois 2018). This signals to the power that secular civil society enjoyed in this instance, and the bias towards their action in the mainstream media. Once the COLIBE report was released, a number of prominent women's rights organisations reacted favourably to its conclusions and recommendations; among them were the LTDH and ATFD, as Attia reported (Attia 2018). Members of these organisations expressed hope that Tunisia was finally moving in the right direction, continuing to bring anticipated changes to the legislature.

However, there was also staunch opposition to the reform of the CSP, mostly from conservative factions of society. Vocal disapproval came from individuals within Tunisian political establishment and society, and even Egypt's Al-Azhar institution, which asserted that the verses of the Qur'an on inheritance "leave no room for alternative interpretations" (El-Din 2017). As El-Din reported in Egypt's Mada media outlet, Essebsi had previously received the blessing from Diwan al-Ifta, Tunisia's highest-ranking religious institution in charge of checking for compliance to Islamic guidelines, for the establishment of the COLIBE and subsequent reform of the Inheritance Law (El-Din 2017). Their acceptance of Essebsi's Carthage speech may also mean that an agreement was struck beforehand between the president and the Mufti of the Republic, much like Bourguiba had done at a time when he was negotiating the 1956 CSP, especially considering that the Mufti opposed the measure when Mehdi Ben Gharbia proposed it in 2016 (Zayat 2017).

The biggest opposition came from counterprotests organised after the COLIBE report was published. The streets of central Tunis were filled with around 5000 members of the National Umbrella Committee for the Defence of the Qur'an and the Constitution (*La Coordination nationale pour défendre le Coran et la Constitution*), an initiative made up of academics, religious dignitaries, and pro-Islamist supporters (Harrus 2018). The protest showed the strength of the lobby against the reforms in society, as well as the deeply divided nature of Tunisian society that was now on full display owing to the increasing freedom of

speech after the revolution. The size of the protest was also not surprising, considering the results of survey data presented by the International Republican Institute, which showed that 63 per cent of 1,202 Tunisians who participated strongly opposed Essebsi's proposal (Taylor and Miller 2018, 44). Of this overall number, 75 per cent were men and 25 per cent were women. These polls, based on a proportional division of urban and rural categories and not on religious beliefs, illustrated that while the issue mostly aggravated the male population, a substantial number of women also opposed these reforms.

It is also important to consider that not all those protesting against the inheritance law reform were doing so out of religious considerations. Ben Yahmed and Yerkes (2018) pointed out that this was not simply a fight between progressive and conservative forces; many who protested against the COLIBE's report and subsequent bill did so "to resist top-down cultural domination eerily similar to the secularization practices of the Bourguiba and Ben Ali regimes" (Ben Yahmed and Yerkes 2018). This supports the polling by IRI that show that opposition to the Inheritance Law reform was not driven purely by religious<sup>23</sup> considerations (Taylor and Miller 2018, 45). Moreover, Waves 2 and 3 of the Arab Barometer, conducted between 2010 and 2013, showed that of the 1,196 (wave 2) and 1,199 (wave 3) respondents, 77.6 and 77.3 per cent of female respondents respectively agreed or strongly agreed with the statement that "the gov/parliament should enact inheritance laws in accordance with Islamic law", thus revealing that this issue was not as prominent of the women's agenda than it was made to seem in 2017 (Fox, Alzwawi, and Refki 2016, 53).

As for the involvement of CSOs, high-ranking members of ATFD during our interviews in Tunis maintained that they were closely involved in the process of lobbying the

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<sup>23</sup> Note: IRI's sample aimed to present a proportionate representation of society. To quote their methodology, "Stratification was based on three stages: a proportional division among Tunisia's 24 governorates; proportional division of urban and rural categories; and proportional division by gender and age group according to the most up-to-date data from Tunisia's National Statistics Institute collected in 2014. The sample was then post-weighted to make it proportionate to national representation by province."

recommendations given by the COLIBE among different political parties. This was supported by an interview with Yosra Frawes, then-president of ATFD, published in *La Presse*, in which Olfa Belhassine refers to the ATFD as the organisation that “initiated the fight for equality in inheritance”, which undermines the work conducted by the Tunisian Coalition for Equality in Inheritance and other individuals (Belhassine 2019). And yet, as my respondent explained, even those “progressive parties” that had supported them in the past were unwilling to get involved in the issue of inheritance, citing the “conservative nature of society”, the “delicate nature of the question”, and the election period as factors stopping these parties from lobbying in favour of this reform, bringing the political issue back to the consideration of electoral cycles (Respondent 7 2023). Thus, with time it seems that even the staunchest supporters of the bill realised that their timing was off, and that without collective agreement within parliament this change could not be achieved.

CSOs remained deeply divided on the issue of inheritance, which arguably created more problems and instability for policymakers who were set to debate this topic in the months after the two demonstrations. At this point, they were unable to wield their democratic power and apply pressure on the political establishment, as they were able to do in Ukraine and even in Tunisia during the Constitution drafting process in 2012. It is here where we begin to really see the fatalistic nature of this policy process.

#### **7.4 Discussion. What Happened in Parliament? Lessons (not) Learnt from Previous Reform Cycles**

In previous chapters we witnessed the creation of the so-called ‘window of opportunity’ – a serendipitous and confluent moment where the problem, policy, and politics streams align, helping female MPs capitalise on this moment to enact change. While theory dictates that the streams can change over time, and that the agenda setting moment does not indicate that the

decision-making period will be successful, policy theory still largely agrees that all factors have to align in order to begin the process. At the same time, this confluence is usually achieved when a group of policymakers, who are most invested in a particular reform, steer the conversation in a direction that most suits them. When Draft Law N°90/2018 was introduced to reform the inheritance provision, this did not happen.

On 23 November 2018, the Draft Law was adopted by the Council of Ministers chaired by Essebsi himself, and was consequently passed on to the ARP to be debated. Once again, Essebsi held a dominant role in this process, which can only be juxtaposed to his relatively passive presence in the 2016-17 legislative process banning violence against women. The fact that Essebsi chaired the ministerial council – which he was entitled to do under the Constitutional provision, especially where “points falling within his prerogatives are dealt with”, as reported in the *Jeune Afrique* – to turn the report into a bill, the same way he did for the controversial amnesty bill, and later instructed the ARP to discuss it urgently, strengthens the belief that he was trying to make history and consolidate his Bourguiba-esque image in Tunisia (Dahmani 2018b). Thierry Brésillon, writing for OrientXXI, summarised it as “more a question of recovering the strength of the symbol than of implementing a complex reform” (Brésillon 2019). His speech to the Council in 2018 about Tunisia’s modern future and the rights of women, which referred to the need for equal inheritance, was reminiscent of the rhetoric employed by Bourguiba, and further fuelled speculations about the reasons behind this sudden push for the adoption of equal inheritance.

This is not to say that Essebsi did not enjoy the support of secular women’s activists. In a 2018 interview with *L'économiste Maghrebien*, Ayda Ben Chaabane, who supported the initiative but feared it would not pass because of Ennahda, stated that because “the Islamists [kept] trying to convince us that their party [was] a progressive party” this bill would present a chance for them to vote accordingly in order to substantiate these claims (Dejoui 2018). In fact,

in 2017 the *Libération* newspaper quoted Abdelfattah Mourou, Ennahda MP and vice-president of the ARP, said that he “did not oppose a “debate” on the subject” (Vinchon 2017). *Le Temps* in turn, reported that former Prime Minister Ali Larayedh (Ennahda) said that the party “will continue our fight within the framework of the objectives of the revolution and the Constitution of 2014”, once again showing a less explicitly opposing viewpoint on the matter in the earlier days of its introduction, despite already submitting reservations on the reform process to the president (Le Temps 2018). Yet, as explained by several secularist women’s rights activists whom I interviewed, this view is too simplistic, considering that Nidaa Tounes was also divided on the issue of inheritance, thus singling out patriarchal tendencies of the ARP more broadly and the general ambivalence towards this reform (Respondent 7 2023; Respondent 4 2023).

It is important to understand the overarching role religion has played in this particular policy process. Previously this thesis has tried to step away from religion-centred arguments, both to illustrate other, more prominent reasons behind unity or antagonisms in politics, and also to shift from stereotypical assumptions about Tunisian politics. In this case, there were politicians who were either apathetic or opposed the changes because of their conservative, patriarchal attitudes that were not grounded in religion. However, this reform process was also heavily permeated with arguments for and against the influence of Islamic law. Article 1 of the 2014 Tunisian Constitution stated that the Republic’s “religion is Islam, its language Arabic, and its system is republican”(National Constituent Assembly 2014). The wording ensured that Tunisia was not a secular country, yet it did not make Islam the central pillar of the state. This ambiguity influenced much of the discussion on the Inheritance Law reforms. A high-ranking member of the COLIBE revealed in our interview that the inheritance provisions in the CSP were “unconstitutional” because they did not abide with the articles that centred on equality between men and women (Respondent 4 2023). It was therefore the job of the COLIBE report to provide solutions that could be translated into law. On the other end, when discussing the

proposed draft bill in parliament, Bashir Al-Lazzam, an Ennahda representative, referred to Tunisia as “a civil state, not a secular one”, mentioning that there was no reason “to interpret a religious text that is definitive in meaning and definitive in proof” (Al Bawsala 2019a).

These two arguments found themselves on opposite sides of the spectrum, with one side claiming that the established rules do not comply with a new framework, while the other side considered that the new framework undermined clearly established rules. The added level of complexity here was the lack of a clear definition what the *doxa* is. On the one hand, the 1959 and 2014 Constitutions both reinforced equality between the sexes, meaning that this was the dominant vision, in Bourdieu’s terms, that was being emphasised, and therefore the inheritance laws went against this. On the other hand, the vision could be interpreted in line with Islamic law to say that the prevailing order was centred on the relative clarity of the Qur’anic verse, thus making these reforms break from the prevailing order. While it is clear that both narratives were subject to the agents’ considerations of how their idea could mobilise support, the real issue in this specific reform was that the feminist parliamentary lobby was so set on secularising Tunisia’s legislation that they did not unite around a single narrative, and therefore undermined their efforts vis-à-vis their opposition.

Another grievance voiced by certain female MPs inside parliament, particularly those from Ennahda, was that a separate commission was established in order to draft the changes to the Inheritance Law reforms, only then triggering an official policy process within the legislative system. This goes back to the point made by Eddine Amri in *Nawaat* regarding Tunisia’s failure to reform its institutions, which created room for Essebsi to circumvent the system and create such a divisive commission (Eddine Amri 2017; see also Ben Yahmed and Yerkes 2018). In fact, this was also later criticised by the PDL (Free Destourian Party), whose deputy Mohamed Karim Krifa stated in an interview with *Mosaïque FM* that there was “no open debate” on the matter (Business News 2020). In theory, according to Kingdon, a solution

to a problem can come from external policy entrepreneurs, and as we saw in Chapter 6 this can encourage the prioritisation of a specific problem in parliament. Thus, COLIBE's actions and recommendations were not strictly wrong, undemocratic, or undermining for the work of the ARP. However, as Saida Ounissi mentioned in an interview conducted by Nathalie Bernard-Maugiron and Marième N'Diaye, Bochra Belhaj Hmida, who was in charge of COLIBE, could have "used parliament as a platform for this struggle", instead of a commission whose "legitimacy is extremely uncertain" due to the way it was formed (Bernard-Maugiron and N'Diaye 2021, 471). Thus, in the case of Tunisia, unlike in Ukraine, strong political undercurrents and the legitimacy of the Commission set up directly by the President, whose actions were not altruistic, complicated the situation. As a former Ennahda MP explained in their interview, spaces for solidarity and "opportunities and platforms for discussion" must be created in order to allow women to talk about their shared grievances and cooperate with each other (Respondent 12 2023). The outright hostile tone of the Inheritance Law reform and its supporters did not attempt to do that, further consolidating the rift between female MPs based on intersectional oppression and undoing the process of cooperation we witnessed in previous reform cycles. The top-down imposition of the COLIBE, the inherently polarising nature of the question of inheritance, and the lack of prior consensus among female MPs on the need to modernise this aspect of the 1956 Code doomed this process from the very beginning.

The debates in the Health and Social Affairs Committee, which was responsible for discussing this reform, did not live up to the expectation that Ennahda would act in favour of the proposed draft bill to safeguard their image. The debates instead pointed to a lack of unity among female MPs. This was particularly noticeable in the arguments made during the first committee meeting on Draft Law N°90/2018 on 27 February 2019. Saeeda Qarash, the President's spokeswoman, commented on this being "an historic moment" in line with the 2014 Tunisian Constitution that recognised "the protection of women's rights" (Al Bawsala 2019a).

She continued by stating that the issue of inheritance should be viewed “from a purely economic and social perspective”, considering the role women play in the “formation of national wealth” (Al Bawsala 2019a). Lilia Ksibi, who replaced Rim Mahjoub as the head of the Afeq Tounes parliamentary bloc, used the same rhetoric in her remarks, stating that the project “falls within the principle of justice among all citizens” and was especially important considering “all the agreements that [parliament] recently ratified, which obligate [them] to ensure gender equality” (Al Bawsala 2019a). While neither of them directly referred to the Qur’an, both followed what Hanafi and Tomeh called the secularist framework, constructed “primarily on legal, then sociological, then textual grounds” (Hanafi and Tomeh 2019, 207).

The tone of the Ennahda MPs opposing the initial proposal can be viewed from the opposite end of this framework (Hanafi and Tomeh 2019, 207). Soulef Ksantini, a female Ennahda MP who had previously voted in favour of the electoral quotas in 2014, began her statement with an observation that the UN “have begun to emphasise the concept of justice more than equality”, indirectly offering her disapproval of the proposed Draft Law (Al Bawsala 2019a). Incidentally, she was one of the few deputies who commented on the substance of the bill itself and not its general idea, and pointed out its arguably problematic nature. Ksantini demonstrated how despite the lack of overwhelming female support and solidarity in this case, women were still able to put aside their individual opinions to debate the proposed bill in a way that the committee and the parliament in general is tasked to. This points towards the fact that political agents are generally key in steering the conversation in order to ensure the policy decision-making process advances (Howlett, McConnell, and Perl 2015, 430). Yet it also shows that sometimes this in itself is not enough to achieve noticeable progress during negotiations, as without internal cooperation it is most unlikely to mobilise wider support.

From an intersectional perspective, tensions can be explained from the perceived incompatibility of religion and the definitions of feminism that we adopt in our everyday lives.

Prominent secular Tunisian women's rights organisations continue to follow the frameworks of mainstream Western feminism. Mainstream feminism has continuously found it difficult to engage with religion, consequently creating certain barriers in recognising that a woman can be both religious and a feminist. As Saba Mahmood and others have pointed out, religion continues to be seen as deeply patriarchal, restricting women's agency and autonomy (Mahmood 2012; Salem, n.d., 2). In the case of Tunisia, we have so far seen the imposition of labels between secular activist as the force for good, and female members of Ennahda and other Islamic women's rights organisations as the backward patriarchal status quo. The events of 2018 consolidated the antagonistic idea that emerged with the introduction of the 2014 electoral quota law, namely that "it is not efficient to have women [in parliament], they should be 'good women'", as one of my interviewees explained (Respondent 9 2023). Such rhetoric severely downplayed and disregarded the impressive achievements of the women's rights lobby in parliament, which originated from visible cooperation between women of different ideological backgrounds. It instead showed that certain secular feminists were waiting for this moment to 'expose' Ennahda women and their 'true colours'. The bias in the media reporting on this issue only exacerbated these divides, and thus without the cooperation between women from both sides of the aisle little progress was achieved.

The divide in rhetoric within the committee itself, while reflective of the months of antagonism witnessed in society and the media, only further exacerbated the state of unease and polarisation on this matter. The first meeting did not reap any useful results: Ennahda was blamed for "monopolising religious interpretations", while Ennahda dismissed the project as being established "for purely electoral reasons" (Al Bawsala 2019a).

While this stalemate was not new in Tunisian parliament, as we have seen from previous chapters, usually at this point female MPs from both sides of the aisle, who were invested in radical changes for the advancement of women's rights, would be able to play on the

differences, the political vacuum, or the upcoming electoral cycle to push through their agenda. In this case, however, although the situation could have been favourable for a window of opportunity to arise, there was no agenda or a large enough group of female advocates to steer the conversation. As one prominent women's rights activist, herself secular and anti-Islamist, said in our interview, nobody agreed on the Inheritance Law because "it [did] not bother anyone"; in her words, no party showed real support for this important matter, not even Al Massar, which she considered the most progressive party in parliament (Respondent 9 2023). Al Massar was indeed considered to be a pro-equality party, especially in the early post-revolutionary days: in 2014 an article in *Leaders* singled it out as the only party to respect parity in its electoral lists, despite the fact that all other parties appeared supportive of this after the revolution and yet did not deliver on the promises (Ammar 2014). Moreover, Nadia Chaabane of Al Massar has been a prominent figure in the fight for women's rights – whose actions have appeared frequently throughout this thesis – and has been quoted in numerous opinion pieces and articles that focus on equality in Tunisia (e.g. Attia and Crétois 2018; Chaouch 2016; Collectif national pour les Droits des Femmes 2011). Thus this disappointment, voiced by someone who in large parts of our conversation blamed Ennahda for the shortfalls in Tunisia's gender policies, illustrated the failures of this reform process could no longer be fully attributed to Ennahda's 'faults', but rather the overall lack of recognition of the importance of this project. After all, as Kingdon posited, policymakers are limited in their time and resources and only pay serious attention to a fraction of problems (Kingdon 2014, 120). In this case, this problem did not make it to the top of the priorities list.

Therefore, the failure could not be explained purely based on the Ennahda/Nidaa Tounes divide. Instead, it revealed the lack of overall enthusiasm for this reform among all parties who feared this issue would impede their re-election. As a prominent female MP mentioned in our interview, aside from the limited interest in the changes itself, "nobody

wanted to debate a law on inheritance months before the elections” (Respondent 6 2023). As Ben Yahmed and Yerkes confirmed, the timing was rather bizarre: it raised “the political stakes for the president and parliamentarians” and came “in the midst of a [Nidaa Tounes] political crisis”, namely a major conflict between Prime Minister Youssef Chahed and the leader of Nidaa Tounes, Hafez Caid Essebsi, the president’s son (Ben Yahmed and Yerkes 2018). Thus, even Belhaj Hmida’s participation in the COLIBE did not amass enough support in the parliament to sway the vote. In fact, her mention of the “boldness and courage of the President of the Republic” in introducing this bill may have further alienated female MPs who were either revolting against the president’s controversial RCD amnesty bill, did not accept the president’s close oversight of this reform process and his staunch antagonism towards Ennahda, or did not think it was the appropriate time to discuss such bill (Al Bawsala 2019a).

Furthermore, the lack of support from established Ennahda politicians like Yamina Zoghlami certainly reduced the chances of a more united front from the party behind the Inheritance Law reforms. In a 2016 interview with Tunisia’s *Business News*, Zoghlami was clear on her position on the matter of inheritance by stating that it was “a campaign against the Qur’an” and dismissed it for being “not the first preoccupation of women and Tunisian families” (I. L. 2016). She also suggested that such a bill could give rise to extremism and eventually harm Tunisia more than expected, therefore trying to balance her own religious views with a wider narrative of caution against greater instability. Zoghlami’s stance shows that support for women’s rights was not black and white. As a progressive Islamist politician, she was able to exercise her power and agency in previous policy cycles that fought for equal rights for women. Her position on the Inheritance Law did not, and should not, detract from her position as a reform-oriented female MP who fought for equality. It merely showed the role that religion plays in the lives of Tunisian women, whether they identify as feminist or not,

revealing the nuance of personal identity and experience that must be taken into consideration as per Collins' and Crenshaw's descriptions of systems of oppression and domination.

Zoghlami defended her stance once again in 2018 in another interview on *Mosaïque FM*, a famous Tunisian radio station, stating that women in rural parts of the country were more in need of economic and social justice initiatives (Tunis Scope 2018). This showed that once the COLIBE report was published, it did not change the minds and opinions of female MPs who did not wish to compromise on certain fundamental values. Yet her statements and approach were also indicative of the blurred lines between support for women's rights and equality, and a commitment to Sharia law that ultimately played into the hands of the opposition who easily turned this into a campaign against the Ennahda party.

Whether Zoghlami's attitude was right or wrong cannot be assessed objectively. Lingelser wrote in 2023 that "feminism in Tunisia is fractured" and there is a noticeable split within civil society (Lingesler 2023); if this is the case, then Zoghlami's earlier opinions on the issue of inheritance reforms, especially consider her otherwise supportive – and at times radical – position on the promotion of women's rights and equality, should not be analysed on the basis of right or wrong. As scholars of intersectionality have shown, this is largely influenced by the opinions established by mainstream feminism that views religion as the continuation of patriarchy and, therefore, a detriment above all else. Yet, as Bourdieu has stated, political ideas do not originate in a vacuum: the interactions between agents shape narratives and even stances proposed by politicians, and the socio-historical background plays a substantial role in these interactions. Instead, looking at the way in which this reform process originated, who its fervent supporters were, and comparing it with the previous policymaking cycles, allows us to consider that Zoghlami's support may have been out of defence of the value system that had been repressed for a long time by a lobby that was now aiming to reform the Inheritance Law.

From the MSA perspective, this constitutes as one of the reasons for this project's failure and rests in stark comparison to the process witnessed in 2012 during the Constitution drafting process and the 'complementarity' crisis. Back then the large-scale protests against this proposal overturned Ennahda's support for this particular wording and resulted in a compromise that was reached between MPs on both sides. Now, despite the large-scale demonstrations in favour of the Inheritance Law reforms and the work conducted by COLIBE, the majority of female Ennahda MPs, along with other parties, were unwilling to easily compromise on the matter of inheritance. We can conclude that while the former crisis revolved around a misuse of a particular word, women were not fundamentally opposed to gender equality. In the latter crisis, their fundamental values were being attacked, thus triggering a different response to the situation.

The second hearing held on the Draft Law N°90/2018 on 30 May 2019 was an even shorter session with only seven deputies present. The brief conversation held with the Minister of Justice centred around the same points concerning religion from the Ennahda representatives and the need to elevate women's social status from the Nidaa Tounes deputies. Some important points were raised by Heger Bouzemmi, a female Ennahda MP and the first rapporteur of the committee, who stressed that Tunisia had "an arsenal of laws that, despite being fair to women, are not implemented", and Radhia Toumi, another Ennahda representative, who stated that "the existence of equality does not mean that it is applied in all cases" (Al Bawsala 2019b). These MPs raised important points that exposed the divide between the top-down legislative process that enshrines laws but does not necessarily ensure they are implemented in society, and the bottom-up struggle against inequalities that persist in spite of the adopted laws.

These two hearings were the only recorded discussions on the subject of inheritance in the ARP. Despite the efforts to negotiate better terms for female inheritance, the timing was off, the environment was hostile, and the politics stream was not united around this particular

struggle. Following Essebsi's death and Kais Saied's rise to power, the project was once again abandoned, and the momentum that female MPs gained over the 2014-19 parliamentary period did not result in a clearer understanding of the necessity of this bill. COLIBE supporters were disappointed that their efforts were wasted in the face of the rising opposition; as a women's rights scholar and activist summarised in our interview, "*tout ce travail est tombé dans l'eau*" ("all this work went down the drain") (Respondent 3 2023). In an interview for *Webmanagercenter* and *TAP*, Yosra Frawes went as far as to say that there was "a regression of women's rights" because of the "duplicity in the treatment of women's problems and in the absence of political will" (Webmanagercenter and TAP 2019). Thus, the politics stream remained ambiguous due to a visible lack of unity among female MPs in parliament. Without a clear dominant force, it was impossible for a window of opportunity to present itself to those fighting for the equality of inheritance.

## **7.5 Conclusion**

To this day, the law on equal inheritance remains a deeply controversial issue with no hope of resolution. The closest this issue had ever come to a potential resolution was in 2017 when President Essebsi declared the creation of COLIBE, which subsequently produced a comprehensive report in June 2018 on matters that needed to be reformed within the 1956 CSP to comply with the equality provisions of the 2014 Constitution and modernise the Tunisian system. Despite the report's detailed exploration of the Islamic foundations in which the inheritance stipulations were based, a review of Tunisia's domestic and international commitments to equality and human rights, and a promise that the proposed changes to land and property ownership would remain optional to each family even if they became legally enshrined, COLIBE's work further fuelled a deep divide within society on this particular topic.

Neither the demonstrations of support for the reforms nor Essebsi's perseverance with the draft bill that was eventually, albeit briefly, debated in parliament managed to sway the opinion of the MPs and civil society opposing these changes. The result was an overwhelming counterprotest in August 2018, persisting antagonisms towards the bill within the ARP, and the subsequent postponement of the motion indefinitely following a political stalemate and Essebsi's death in 2019. What this delicate topic revealed, however, despite its pitfalls and failures, was both the small attempts to reinstate state sanctioned feminism, but also the liberalisation of the freedom of speech and press in Tunisia. As one of the interviewees stated, none of this would have been possible before 2011, and this "advanced things and is a very-very-very big gain" (Respondent 7 2023).

From an intersectionality point of view, the inflexibility of the secular women's rights lobby in fostering dialogue with religiously oriented organisations to understand their position on the role of Islam in the question of inheritance, as well as the inability to rally enough support even in secular circles, led to the initial demise of their quest to reform the 1956 CSP. From a policy theory perspective, the process failed due to a lack of clearly defined streams and a lack of a united front among a substantial number of female MPs. The problem stream was fragmented due to a lack of consensus on whether or not the existing Inheritance Law was a drawback to equality. This influenced the ambiguity of the policy stream, as the solutions seemingly benefited only one side – the secular supporters.

Most importantly, however, there was no clear political stream; while a minimal number of policies enjoy the support of an overwhelming majority in any parliament, their success rests on a vocal and united group of policymakers who are determined to change the minds of those in opposition. In this case, there was no clear lobby group within the political establishment: the COLIBE was unpopular and only had one member of parliament in its ranks, and female

MPs did not organise in the same way they had during previous policy cycles. Thus, each stream relied on each other, and neither of them held a dominant position in this matter.

This was the first major attempt at changing a prominent and clear principle of the Sharia law's traditional approach to succession and inheritance, something that Morocco decided to undertake in recent months amid opposition from the Justice and Development Party (PJD), a conservative Islamic-democratic party. And yet the results we see in Tunisia show the pushback that persists in progressive Muslim societies against changes to religious rules, even in light of international charters that call for a liberalisation and true equality between women and men.

Nonetheless, despite these relative failures, this chapter showed the level of freedom that politicians experienced in this period, which allowed them to openly voice their concerns and lobby their authentic views. While the question of inheritance remains on Tunisia's reform agenda, this does not detract from the leaps female MPs had made in Tunisia since 2011 in coming together, despite their differences, to recalibrate the legislative system and advance gender equality through the electoral law and attempts to eliminate violence against women.

## CHAPTER 8. CONCLUSION

This thesis has focused on two nascent semi-presidential democracies – Tunisia and Ukraine – to examine the work and advocacy of female politicians within legislative institutions at a time of substantial political and economic recalibration following the respective popular revolutions of 2011 and 2014. Throughout, the thesis sought to understand why parliaments adopted different gender equality reforms not long after the revolutionary regime change – all despite the relatively low number of women in the political system, conservative attitudes that reinforced traditional gender roles, and a pressing need to focus on other reforms (political and economic) to democratise and satisfy the population’s demands. The topic of women’s rights advancement, which is usually seen as a matter concerning female politicians more than men, was thus used as a means to explore political dynamics.

Through focusing on the key role of female politicians in countries belonging to two different, unconnected regions, this thesis aimed to contribute to, and argue in favour of, Comparative Area Studies (CAS), in the hopes of overcoming rigid constraints of regional studies and introducing country case studies that together provide new insights into the study of female politicians in democratising states. Additionally, it aimed to expand on the political science literature pertaining to women in policymaking and democratisation. For instance, this project found that while literature on semi-presidentialism tends to place more emphasis on the power presidents have in controlling parliamentary activity, the reforms that were analysed in this thesis show that actors within the legislative branch displayed significant credence in pursuing and lobbying for specific changes, even when the presidents did not become significantly involved. Moreover, where the general mood and parliamentary interests did not align with those of the president (as seen in the desire to ratify the Istanbul Convention in 2017 in Chapter 5, or Essebsi’s push for the inheritance law reforms in Chapter 7), change was not

achieved to the benefit of the executive, thus weakening our assumptions on the amount of control that the president is able to exercise over the legislative branch of government.

A focus on the backgrounds, identities, and experience of the female MPs, the way they interacted between themselves and with their male colleagues in parliament, alongside their ideas and negotiation styles, allowed to zoom in on the agents themselves and formed a part of the larger examination of how the political field operates and change occurs. Despite their different backgrounds, ideological convictions, and political experience, these interactions led to crucial moments of cooperation between female MPs, which enabled them to seize the opportunity to lobby for crucial women's rights reforms during a moment of political volatility caused by post-revolutionary democratic shifts. Once female MPs became unified in their goals and put aside their differences, their actions as agents of change – introducing bills and amendments, negotiating in plenary and committee sessions, and raising awareness through advocacy campaigns – allowed them to garner a strong base of supporters inside and outside parliament, and enact change that would benefit women in society and politics. Where cooperation was fragile or non-existent, no common ground was reached on a proposed issue and the reform process was unsuccessful.

### **8.1 Historical Background and Theoretical Contributions**

Theoretical frameworks, outlined in Chapter 2, helped explain the empirical data presented in Chapters 4-7. Yet, if used alone, they would not be able to explain the nuances of the policymaking process in Ukraine or Tunisia. Instead, following the Comparative Area Studies (CAS) approach, where background and analytical knowledge is combined for the purposes of a cross-regional analysis, the contextual richness and nuance provided in Chapter 3 grounded

the theory, exposing both country-specific and more generalisable issues and experiences that drove female MPs in both countries to fight for change.

Politics of democratic states can vary in form, yet remain similar in substance. Political parties unite individuals, male and female, on the basis of a shared ideology, and create a diversity of opinions that shape coalitions and opposition blocs in parliament. Representing the interests of their electorate and enacting change in the legislative system is widely accepted as the purpose of both political parties and elected individuals. At the same time, the model of semi-presidentialism that has been established in both Tunisia and Ukraine shows that the extent to which shared ideology or the interests of individual actors affects the policy process can vary depending on the purpose of the reform, its timing, and the ability to amass the right amount of support. As Pierre Bourdieu wrote, despite altruistic intentions, politics is ultimately shaped by “competition between agents” over power – i.e. the desire for a more consolidated position in the political establishment – and their ideas – i.e. their interpretation of the social world (Bourdieu 1991, 172). As such, the political field becomes a balancing act between serving the interests of the clientele and personally benefiting from such actions (Bourdieu 1991, 182).

The literature on the history of the formation of Ukraine’s and Tunisia’s institutional design showed that fragmentation and polarisation were a big part of the process; aside from the power given to the president, in Ukraine political parties have been – and still remain – weak and prone to external financial control, and in Tunisia political parties were degraded by political impasse, which some scholars believe occurred because they stopped focusing on public policy and instead began competing with each other for administrative power (Rivera-Escartin 2022, 415-17). Yet, in spite of these obstacles and the flaws of the institutional design that was implemented in both countries, this thesis still finds that female politicians were able to play on both the advantages and disadvantages of the semi-presidential model to enact

change they considered to be vital for the democratic development and the country's image abroad. Although we certainly observed a level of political competition between agents regardless of their gender, we also witnessed crucial moments of cooperation between female MPs of different backgrounds, ideological convictions, political experience, and party affiliation, which allowed them to lobby for key women's rights reforms.

Furthermore, ideas may arise based on the *doxa* – an unquestioned view of the prevailing order – or as part of a “heresy” – a break from the naturalised order. It is therefore up to the agents to formulate their ideas and stances in a way that would not only portray this, but would also mobilise enough support for these ideas to be accepted and carried forward. Both in Tunisia and Ukraine, the *doxa* had been an alternating combination of two oppressive systems: historic state feminism and deeply conservative culture, with either *doxa* becoming dominant whenever it was most convenient for the status quo. Still, the latter seemed to prevail in discussions on gender roles in the public and private spheres. Politically active women, therefore, were faced with the challenging task of changing the narratives rooted in the state's historical past: in Ukraine, the push for gender equality was often framed as a necessity for the country's Europeanisation strategy, whereas in Tunisia it was based both on the country's strong legacy of equality – harking back to Tahar Haddad and Habib Bourguiba – and the need to ensure that all women benefited from these changes, thus aiming to overcome the marginalisation of pious women.

Bourdieu's emphasis on the need to understand the socio-historical background that shapes agents' ideas and stances influenced the discussions in Chapter 3, which illustrated the different types of oppression – and privilege – that women in Tunisia and Ukraine had experienced throughout recent history. State feminism, developed under the one-party systems in both countries, meant that while equality between men and women was enshrined in the 1959 Tunisian and 1936 USSR constitutions, it came with strings attached. In Soviet Ukraine,

women, while carrying the same responsibilities as men in the labour market, were also expected to comply with traditional domestic gender roles by fulfilling household duties and bearing children. The concept of *Berehynia* – the guardian of the family and nation, an integral female archetype in Ukrainian traditional culture – reinforced this further. When the Soviet Union collapsed in 1991, a significant backlash to communist legacies brought back conservative values that were deemed authentic to Ukrainian national culture. These values aimed to re-establish traditional gender roles, further limiting women's individual agency. Despite legislative efforts of the 1990s and 2000s to grant women better rights and increase equality between the sexes, conservative undercurrents continued to shape narratives in Ukraine's legislative institutions.

In Tunisia, while Bourguiba was praised as the champion of women's rights, especially since he introduced the 1956 Code of Personal Status (CSP), his idea of 'progressive emancipation' evolved into strictly secular emancipation, thus repressing religious women. Veiled Tunisians were denied any rights that were related to their religious beliefs. As Bourguiba banned veiling in schools and state institutions in 1981, Ben Ali intensified the anti-Islamist policies once he became leader in 1987, and religious women were frequently harassed by security services and the police. At the same time, to uphold the state feminist image, secular women's rights organisations were allowed to be formed, and they worked alongside the regime to increase equality among (secular) women and men. The discrepancy between the activity of the state – passing women-friendly laws and cooperating with urban, middle-class women's rights organisations such as ATFD, LTDH, and others – and its policy of repressing religious women created severe inequalities among women, consolidating an arbitrary divide 'secular' and 'Islamist' Tunisians.

As well as promoting state feminism that imposed control on women's freedoms in the labour market and society, the system of one-party authoritarian control in both states meant

that female political participation was merely nominal. Thus, the competition for power and ideas, as per Bourdieu, was highly limited. In Tunisia, while the state prided itself on relatively high numbers of women in parliament, which reached 28 per cent by 2011, (secular) women were only able to participate if they were a part of the *Rassemblement Constitutionnel Démocratique* (RCD), and thus could not voice any substantive opinions that went against the official party line. In Soviet Ukraine, the issue was identical: women who were interested in politics had to be members of the Communist Party of the Soviet Union, and nominated by that same party. After independence in 1991, unlike in Tunisia in 2011, Ukraine witnessed a continuation of relatively high levels of distrust towards political participation among women, a product of the legacy of Soviet uncompetitive elections. Thus, women neither expressed an interest in political activity, nor did the state or nascent civil society develop educational campaigns to build up female political cadres.

Furthermore, Collins' and Crenshaw's intersectionality approach helped situate the difficulties faced by women to this day in Ukraine and Tunisia within the historical context outlined in Chapter 3, contextualising trajectories of change in women's rights advancement in Tunisia's and Ukraine's legislative systems after the respective revolutions of 2011 and 2014. Collins and Crenshaw draw significant attention to how considering a woman's background and identity points to different forms of discrimination, oppression, and even privilege that persist in society. Collins' matrix of domination showed how oppression is developed and cultivated through structural, hegemonic, disciplinary, and interpersonal modes of oppression, and Crenshaw's three domains explained how different groups of men and even women can promote and institutionalise discrimination, both historically and contemporarily. In Tunisia, inequalities were predominantly experienced based on religious beliefs, but were also promoted significantly along class lines; in Ukraine, inequalities were less obviously manipulated by the state, and yet surged from class inequality, regional origin, and gender (as

historically western Ukraine related more to Europe, while the eastern regions felt more closely connected to Russia). The difference in women's exposure to the top-down state-controlled emancipation also showed that women should not be treated as a homogenous group, as not every woman's experience was shaped by the same type and level of discrimination.

Using an intersectional approach throughout Chapter 3 and in the following empirical analysis allowed us to look closer at both the historical and contemporary roots of oppression that women have experienced *and* reinforced with their actions. Concurrently, applying this framework to understand the narratives that drove Tunisia's and Ukraine's private and public spheres also reinforced the significance of the moments of cooperation between female MPs of different backgrounds and political party affiliations during key gender-centric policymaking processes, which showed that while oppression and discrimination was imposed by the system, it could be overcome if policymakers were united over a shared goal.

Finally, Kingdon's Multiple Streams Approach (MSA) made it possible to trace the process of introducing, negotiating, and voting on specific reforms. Unlike Bourdieu's broader theory, MSA provided this thesis with a conceptual framework that could be easily operationalised in later chapters. Structuring each chapter according to Kingdon's three streams – problem, policy, politics – demonstrated how women inside parliament identified the problem, framed it in a way that would help gather interest in resolving it, cooperated with civil society and other MPs to provide a policy solution, and exercised their agency, networks, timing, and environment to maximise the chances of success. By doing so, they ensured that a fleeting 'window of opportunity' – a time when all the above streams converge – would present itself, and did everything necessary to seize the moment to enact change.

The three theoretical frameworks used in this thesis became integral to explaining the significance of the empirical data, and female politicians' advocacy in politics more broadly. Extant scholarship revealed that women who become directly involved in legislative

procedures are rarely given a voice. Similarly, most mainstream theories on politics and policymaking do not differentiate between male and female politicians, unless the theory is viewed through a feminist lens. Neither Bourdieu nor Kingdon focus on the role of women as agents of change. Thus, their approaches did have limitations in this study of the role of female politicians. Nevertheless, the ambiguity of the ‘agent’ in both the MSA and political fields frameworks made it applicable to both the traditional male-dominated political establishments, and to the work and advocacy of female MPs, who, as this thesis has shown, use the same tools and techniques in debates and negotiations. Adding an intersectional framework – a feminist theory that fits an agent-centric approach best – further enriched our understanding of the context within which the female agents discussed in this thesis operate, conceptualising the empirical data presented in Chapters 4-7. Thus, using these frameworks together painted a more all-encompassing picture of the legislative environment and female MPs’ activity in post-revolutionary Ukraine and Tunisia.

## **8.2 Empirical Findings**

Chapters 4-7 provided empirical evidence of the female MPs’ work and advocacy in the Tunisian and Ukrainian parliaments between 2011 and 2019, which substantiated the argument that the success of such rapid women’s rights reforms originated from moments of cooperation between politically active women of different backgrounds within the political establishment. It also proposed an alternative opinion to that which persists in extant literature, that still considers women to be a homogenous entity in politics, always acting in favour of women’s rights and agreeing on the ideas and stances they promote in the process. The differences between the two cases – their institutional design and interaction with external actors – did not impede the analysis that examined the reform process and illustrated the largely similar

legislative outcomes in Tunisia and Ukraine. On the contrary, acknowledging that at times the legislative branch of government was much more dominant in Tunisia than the executive, namely during the reforms that took place between 2011-14 (Chapter 4), and contrasting that with the role the president played in Ukraine's electoral reforms, for example, as well as the growing emphasis on external relations for the economic and geopolitical benefit of both countries, revealed the different pressure points that MPs leveraged in the process.

In general, this project illustrated that generalisations about the way female legislators would act in a given situation – based on their religious convictions, political experience, party affiliation, or any other factor – fail to consider individual agency and have proven to be an unreliable predictor of behaviour. By conducting a qualitative study and focusing on how individual agency can shape the team effort to break the *doxa* while also competing for a place in the system, women in politics are given an individual voice that is largely absent from the current literature.

Overarching themes like religion, whether it is sacred or reverses rights, gender, if it is progressive or destructive to national values, culture, and legacies in both of these progressive states steered negotiations regardless of what gender-centric reform was being debated. Moreover, this process highlighted a number of contested themes that emerged from specific reform processes, such as the introduction of the term 'gender' and the role of Western partnerships. Identifying emerging themes and conducting a thematic analysis allowed this thesis to explore their similarities and differences across the two states, as well as trace how female MPs were able to tackle these preconceptions by either pre-emptively debunking them, or using them to their own advantage during the policymaking process.

Chapter 4 introduced key female agents in the parliaments of Ukraine and Tunisia, and examined how these women were able to strategically campaign for a comprehensive gender quota provision to improve female representation in politics. Even though the two policy

processes led to differing results – in Tunisia both vertical and horizontal parity was adopted by 2017, whereas in Ukraine the quota provision remained voluntary – they showed that although female MPs at times struggled to overcome ingrained biases towards each other, opposition mostly came from male MPs who, while espousing largely traditional gender views, also feared that this would affect both their place in parliament and the success of their political party during elections. As was clear, true opposition was not based on the so-called ‘Islamist’ pushback, but rather a patriarchal understanding of traditional societal roles.

In fact, the majority of Ennahda women supported the push for both vertical and horizontal parity, actively lobbying for these so-called ‘radical’ changes to be implemented in the 2014 electoral law. While the secular female MPs’ distrust towards Ennahda initially eclipsed the need for collaboration, and their relationship became almost irreparable during the 2012 ‘complementarity’ clause scandal in the Constitution drafting process, the two sides were able to overcome their differences in the spirit of consensus politics advocated by the NCA, and unite against patriarchal attempts to water down the electoral quota provision in the 2014 law. Although at first they only succeeded in including vertical parity in the legislation, in 2016 female MPs began the process of amending the new 2014 law, and finally achieved their initial aims in 2017.

In Ukraine, a similar situation occurred, albeit without the added obstacle of religious tensions, but with the presence of a dominating president (Yanukovich) in the first instance, and some political fragmentation in the post-revolutionary parliament. Female MPs, though relatively small in numbers, successfully set up the Equal Opportunities caucus in 2011 to unite women across the political aisle in support of women’s rights reforms. The caucus empowered them to demand better access to politics. Reinforcing Kingdon’s notion that the policy process is not linear, after several unsuccessful attempts at introducing bills that demanded quotas in order to raise female political representation to a minimum of 30 per cent, female MPs found

an alternative way to lobby for this change. As Ukraine's political landscape was still largely male-dominated and conservative in its outlook on women, female MPs gained the support of prominent male MPs who became their main messengers in plenary sessions on important gender-centric policies. Thus, the women's lobby that continued negotiating for change in committees and behind closed doors, used an important resource – male MPs – to their advantage. They were also able to frame solutions to the problem in a way that would ensure support from the majority of parliament, namely linking in their rhetoric the increase of female political participation and Ukraine's Europeanisation. The 2015 Law on Local Elections and the subsequent 2019 Electoral Code therefore all included a quota stipulation, and were the result of years of negotiations and mobilisation led by reform-oriented female MPs who put aside their ideological differences to achieve these changes.

Chapter 5 illustrated how this trend continued in policymaking procedures on the elimination of violence against women (VAW). This process proved more difficult for female MPs in Ukraine than in Tunisia, instantly demystifying the stereotypical view that a Muslim-majority country would present more challenges to such reforms. Comparing the two processes became a revelatory and remarkable discovery that supported the need for cross-regional comparisons to debunk stereotypes. The patriarchal status quo in both states voiced significant opposition to the concept of 'gender' included in the bills. A number of male, and some female, politicians also expressed their concern that these reforms would alter the traditional family nucleus, and believed that private family matters should not be politicised.

Although in Ukraine this opposition was much more vocal and disruptive to the plenary proceedings, the process of negotiating these changes was thorough in both countries. Ennahda women were equally involved in defending the proposed draft law, while at the same time still facing negative stereotyping from members of secularist civil society about how their religious beliefs would prevent these types of reforms. Ironically, it was in Ukraine that MPs faced severe

opposition from the Orthodox Church, which expressed its fundamental opposition to the Draft Law N°5294 On the Elimination and Prevention of Domestic Violence. Ukrainian MPs, much like their Tunisian counterparts, faced a structural form of oppression that they had to overcome in order to successfully reform the legislation.

Yet, despite new obstacles that women faced in Tunisia and Ukraine, internal collaborations between female MPs in committee and plenary sessions created an important ‘window of opportunity’ and paved the way to a successful outcome of the reform process. Despite not fully reaching their intended goals – not ratifying the Istanbul Convention in Ukraine and compromising on different aspects of the bill in Tunisia – many of my interviewees said that it was a momentous achievement and the emergence of a new path towards women’s safety in public and private spheres. Tracing this process once again confirmed that the end goal is not always passing ‘the perfect law’, but instead competing for an idea and changing the attitudes in order to shift definitions of the *doxa*. Female MPs in both states were once again successful in their advocacy.

Chapter 6 focused on an issue crucial to Ukraine’s sovereignty and European image: gender equality in the Ukrainian Armed Forces (UAF). In this policy process, much more than the previous two, the policy community – both female MPs and civil society activists – framed the problem and the solution in such a way that made it almost impossible for the patriarchal status quo to challenge Draft Law N°6109 Concerning the Amendments to Certain Laws to Ensure Equal Opportunities for Both Men and Women in the Military. The *Invisible Battalion* study, conducted by women’s rights activists and academics, exposed the shocking wartime conditions of female military service in the UAF in eastern Ukraine. The fact that women were serving on the frontlines despite not being accorded combatant status – due the limitations of Ukraine’s laws and labour code that only permitted women to be registered as auxiliary forces

– caused an uproar in Ukrainian society and the political establishment, in large part because it significantly affected the country’s image vis-à-vis its Western allies.

A small group of female MPs, organised by the head of the Subcommittee on Gender Equality, were able to leverage this situation to lobby for change in the most conservative institution – the military. Significantly, this reform process revealed the extent to which the president could get involved even in a parliamentary-presidential system. Poroshenko’s interest in enacting this reform in order to signal his reformist attitudes apropos Ukraine’s international partners facilitated a much faster and smoother process of debating these changes in the Verkhovna Rada. Parliamentary discussions showed no substantial opposition from the supporters of the more conservative *doxa* that we witnessed in previous policy procedures, easing the process of achieving this change. Parliamentary proceedings were amended – sometimes circumvented – to make sure that the bill was placed high on the plenary’s agenda and voted on for discussion. Yet, as the interviews I conducted with MPs and activists involved in the process revealed, despite the official support for this reform, patriarchal attitudes and opposition still shaped negotiations behind closed doors.

Nonetheless, reform-oriented female MPs succeeded in pushing through Draft Law N°6109, triggering the reform of other outdated laws in Ukraine that placed restrictions on women’s access to the labour market. This process of advancing gender equality in the Ukrainian Armed Forces was perhaps the fastest of all three. Yet, again, it exposed certain tensions between female MPs, particularly between the relatively new and the well-established parliamentarians, the latter of whom were considered to be taking credit for achievements they seldom contributed to. At the same time, it showed how politically active women in general were becoming more empowered, and negotiations with their male counterparts were becoming easier and more rewarding. Thus, with lessons learnt from this and previous policymaking procedures, female MPs in Ukraine proved that in spite of their relatively low

numbers in parliament, and the different types of privilege and discrimination they had experienced, they were seen as effective and integral agents of change.

Chapter 7, a deviant case study, showed how the breakdown of cooperation between female MPs in the tense discussions on the Inheritance Law reforms resulted in its failure. It offered an illustration of what could be termed as Tunisia's secular MPs' greatest fears: an overwhelming Ennahda opposition to the proposed amendments. Yet, in reality, it also showed how discriminating against religious factions in politics and society and attempting to continue secularising Tunisia caused irreparable rifts between Ennahda and the Nidaa Tounes parties.

Unlike the other reforms, the idea of amending Tunisia's Inheritance Law came from President Essebsi, who promoted a staunch anti-Islamist narrative to drive a wedge between secular and religious female MPs in an effort to limit Ennahda's political credence. He also exercised his augmented power under the semi-presidential model by establishing the COLIBE, chairing the ministerial council – which he was entitled to do in special circumstances under the constitutional provision – and turning the COLIBE's report into a bill that was subsequently passed on to the legislative to debate in high priority.

Importantly, by merely establishing the COLIBE in 2017, which was made up entirely of members who supported Essebsi's idea, he provoked a serious conflict with MPs who saw this as an imposition of his power, and female Ennahda MPs who, having supported all previous reforms, did not see the need to reform Islamic law that, to them, was clear on the inheritance rules. Doing this he also alienated those Ennahda female MPs who agreed with the need to reform the Family Code, further shrinking the support base for this policy. As a result, COLIBE's report, published in 2018, and the introduction of Draft Law N°90/2018 later that year divided Tunisian society across the lines that secular feminists had been cautioning against and reinforcing all along: the supporters of the reform were largely secular urban middle-class women headed by the main secular women's rights organisations – ATFD and AFTURD –

while the opposition was largely driven by religious considerations and their belief in the clarity of Sharia law.

In parliament, the divisions were equally based on the secularist-religious binary, and while the turnout was low in committee sessions to discuss the proposed reform, it was clear that it faced strong opposition. In this case, the competition for power, as per Bourdieu, coincided with the imminent election season. This escalated the tensions but at the same time led to a stalemate, as no male or female politician wanted to actively engage in discussions that would hamper their prospect of being re-elected. As the reform failed, and no rewards were reaped by those who hoped to amend the 1956 CSP, this policy process underscored a number of things that this thesis aimed to highlight. First, while presidents tend to enjoy some power over the legislative system in semi-presidential states, Essebsi was unable to force the ARP to act on his behalf. Second, female MPs were not united merely on the basis that they are ‘women’; instead, they were driven by their ideological considerations, backgrounds, and experience with the oppressive patriarchal system. This can predominate over a more general female solidarity. Third, as women still constituted a minority in government, without moments of cooperation between them it became harder to withstand the patriarchal status quo. At the same time, nuanced and rather controversial issues, such as the question of unequal inheritance, could easily be used as a tool to rupture the existing yet frail solidarity for the attainment of other partisan political ends. While Kingdon points to the fact that the timing and environment must be ideal for a policy to gain traction, it is also up to the agents to change the conversation and identify the most favourable conditions for action – something that Tunisia’s secular feminist lobby failed to take into consideration in this instance.

### **8.3 Comparison and Avenues for Further Research**

An overview of Tunisia's and Ukraine's gendered past and the empirical findings effectively highlight the similarities between these two seemingly different states. Both countries presented perfect examples of the struggles caused by democratic transformation, the turbulence of regime change, and the consequent rise in conservative and traditional outlooks on a woman's place in society. Yet these moments of chaos also helped female MPs to take on decisive roles, use the political environment to their advantage, and convince the patriarchal status quo to enact changes that would significantly improve women's rights. Using a CAS approach within this thesis sought to contribute to the overall aim of the discipline: to create more space and opportunities for cross-regional research that, while remaining sensitive to local context, draws lessons that may not arise from single-case study or even intra-regional comparisons. Moreover, it revealed in practice that although a cross-regional comparative project is at times difficult, as it requires an immersion into an unfamiliar region, it is not impossible and instead is rewarding, opening new avenues for research and analytical findings. Overall, this study revealed the importance of taking women in politics seriously, helping to debunk the narrative that politics is a man's world.

Female MPs in Ukraine and Tunisia do not feature prominently in extant literature on democratising states and gender equality, where discussions are usually dedicated to bottom-up grassroots initiatives or consolidated democracies. However, studies focusing on women as agents of change in Tunisia have begun to emerge, though still very few look at Ukraine. At the same time, most studies that do focus on female politicians usually do so through a large-N quantitative approach, which limits our understanding of the unique identities and backgrounds of female politicians that ultimately shape the policymaking process.

This project has sought to address these gaps by developing a research toolkit that contributes to the growing literature on female agency in political institutions of democratising

states, and one that is unafraid to conduct a cross-regional comparison to effectively address the research questions. I have always believed in the value of an agent-centric approach, and interviewing female respondents who were central to the policymaking procedures discussed in this thesis reinforced its value further. Through interviews and conversations, I became privy to the complexities of the legislative process, behind-the-scenes negotiations struggles, interpersonal dynamics, and their own opinions, all of which created a multidimensional image of the situation and the atmosphere in parliament during critical junctures, one that is often difficult to gauge from written sources alone. These eye-opening discussions were foundational for this thesis, and added the much-needed context and nuance to the official documents and minutes from committee and plenary hearings that I relied on as part of the empirical analysis.

Tracing the trajectory of women's contributions to policymaking in both Tunisia and Ukraine also helped develop and refine existing political science, policy studies, and feminist theory, outlined in Chapter 2, by rooting it in new contextual information. The exploration of cross-regional comparative angles outside of the rigid constraints of regional studies also indicated that the development of ideas and competition between politicians of all genders transcends borders and (democratic) political systems. Such comparisons are complex, as they require language skills, broader contextual knowledge, and the ability to access the right primary material, as this thesis has shown. Yet, this thesis reaps the rewards of taking this leap of faith, providing a new understanding of the general patterns of the ways in which female MPs operating in volatile political environments nonetheless made use of opportunities created by moments of cooperation to overcome historically rooted tensions and advance gender equality.

While this thesis has addressed a number of specific reforms with the aim of showing the similarities and differences in the dynamics between female MPs in policymaking procedures, future research could address the interactions between female politicians on topics

that do not pertain to women's rights. A comparison of their advocacy in different policy areas could further rebuke the hypothesis that women are largely driven by women-centric issues, and add nuance to the study of agents' competition for power and ideas in the political field.

The case of Tunisia and Ukraine showed that female MPs working in tough post-revolutionary circumstances were empowered to demand bigger, better changes for all women – irrespective of their class, religion, or ethnicity. These circumstances showed that cooperation between women of different class and religious backgrounds is possible, despite the mainstream narratives and party-based antagonisms that are promoted in politics and society. These top-down changes further mobilised grassroots activism, arming them with legislative proof that governments stand against discrimination, thus empowering local, regional, and national programmes that help implement these laws. Further research may wish to focus on the impact these reforms have made in society, and the extent to which they have allowed social movements to enact bottom-up change.

Another trend that was not addressed in this thesis due to time and space constraints is the success and aftermath of the legislative changes in both Tunisia and Ukraine discussed here. Tables 1a-c in the appendix show that the number of women in the Ukrainian parliament grew substantially between the 2014 and 2019 elections, unlike between 2012 and 2014 elections, even though the electoral quota regulations adopted in the 2019 Electoral Code came into force after the elections were held. In Tunisia, despite the revolutionary horizontal parity clause adopted in 2017, the number of women in the ARP subsided in the 2019 elections. The groundbreaking 2017 legislative changes against gender-based violence have been challenged in both Tunisia and Ukraine with the advent of the Covid-19 pandemic that saw a rise in domestic violence worldwide, and in Ukraine this continued after Russia's full-scale invasion in 2022. The situation for women in the armed forces improved significantly since 2018, with more training and other facilities becoming women friendly. Yet, the 2022 war exposed the lack of

uniforms and equipment (such as bulletproof vests) that fit women. These shortfalls do not reduce the importance of the policymaking processes examined in this thesis, but merely show the volatility of policymaking before, during, and after the adoption of a policy.

Since the adoption of the aforementioned reforms, both Tunisia and Ukraine have undergone significant political turmoil. Neither Ukraine nor Tunisia have been able to consolidate their democratic efforts. In Tunisia, the rise of authoritarianism under President Kais Saied and his 2021 self-coup, which suspended parliament and helped initiate a new constitution in July 2022 to expand the president's powers, resulted in the reversal of the 2014 Constitution and a rejection of the ground-breaking gender quota provisions. In Ukraine, despite the big leaps of progress under President Volodymyr Zelensky between 2019 and 2021, and a growing number of women in parliament with the advent of his Servant of the People Party, Russia's full scale invasion in February 2022 triggered martial law that ultimately placed restrictions on a number of fundamental rights. The slow crumbling of the Servant of the People Party, due to a number of scandals tied to the party's individuals, further undermined its image as a progressive political party. Yet, these developments, while to an extent harmful to the reforms discussed in this thesis, do not undermine the importance of the policy processes that led to female empowerment, and the moments of cooperation they experienced during the policymaking stages that led to the laws discussed in this thesis. Investigating how female MPs operate in the new political climate of Tunisia and Ukraine would also be an insightful continuation to this project.

Finally, as this thesis has sought to show, cross-regional comparisons are key to providing a fresh outlook on female agency in politics. Tunisia and Ukraine have illustrated the basic conditions that led to moments of cooperation between female MPs and productive problem-solving on the legislative level. Expanding the study to include examples of states in other regions that pride themselves on their gender equality provisions would provide an

additional dataset that could yield conclusions to either bolster or challenge the inferences drawn in this project. After all, the comparison of Tunisia and Ukraine has displayed the importance of putting women at the centre of the conversation, giving them the recognition and attention that they deserve – but do not always receive – as active drivers of change in the sphere of politics in general, and specifically women’s rights.

## 9. APPENDICES

### Appendix A: Select Female MPs from Ukraine

Name	Biography
<b>Lyudmyla Denisova</b>	began her political career in 1992 in the Crimea working for the pension fund. She later became Minister of Finance in the Crimean government and was invited to be a part of the Fatherland Movement, first at the local level and then in the Ukrainian parliament. Under Tymoshenko's premiership, Denisova became the Minister of Social Policy. As one of the prominent figures during the 2013-14 revolution and an avid supporter of Tymoshenko's release from unlawful detention under Yanukovych's presidency, Denisova returned to parliament as Head the Committee on Social Rights, and later served as the Ukrainian Parliament Commissioner for Human Rights (Ombudsperson) 2018-2022. Her active participation in parliamentary debates has been visible in the discussions on women's rights, particularly the reform on gender-based violence.
<b>Iryna Herashchenko</b>	is one of the co-founders of the Equal Opportunities caucus, and a prominent female politician in the Ukrainian parliament. She is the former First Deputy Chairwoman of the Verkhovna Rada (2014-19). Originally a journalist, she entered parliament in 2007, having previously been the spokesperson for President Yushchenko. Herashchenko is a high-ranking member of the Petro Poroshenko's Bloc/European Solidarity Party. She has been a vocal supporter of Ukraine's pro-European movement and the need for the advancement of women's rights.
<b>Mariia Ionova</b>	was elected for the first time into the Ukrainian parliament in 2012 through Vitaliy Klitschko's UDAR party. Before that, she gained experience working in parliament as an advisor to several parliamentarians and as a consultant to the Secretariat of the President of Ukraine. She consequently joined Petro Poroshenko's Bloc/European Solidarity in the 2014 elections and has been a prominent member of the party since. Ionova is the current co-chair of the Equal Opportunities caucus, and a co-founder of the Ukrainian Women's Congress.
<b>Olena Kondratyuk</b>	has been engaged in politics since 2007. With a background in history and communications, she joined the Reforms and Order Party. Once the party merged with the Fatherland Party, Kondratyuk found herself in a mainstream political movement. She advocated for European values and human rights, and promoted women's participation in politics. She is a co-founder and current co-chair of the Equal Opportunities caucus, and a co-founder of the Ukrainian Women's Congress, which is a platform for advocating for greater and more substantial gender equality. She is also the current Deputy Chairwoman of the Verkhovna Rada.

<p><b>Iryna Lutsenko</b></p>	<p>gained prominence in politics during the 7<sup>th</sup> (2012-2014) and 8<sup>th</sup> (2014-2019) governments. She was a member of Petro Poroshenko’s Bloc. In 2016, she was appointed as the Representative of the President of Ukraine in the Verkhovna Rada. Despite being involved in several scandals pertaining to her conduct in parliament and tied to her husband who served as the Prosecutor General of Ukraine (2016-2019), Lutsenko has been very vocal in advocating against gender-based violence and for the implementation of the domestic violence law. She is one of the few proponents of the initial draft law who voted in favour of the final version, which featured several amendments that were boycotted by most of the supporters of this important piece of legislation.</p>
<p><b>Iryna Suslova</b></p>	<p>was elected for the first time during the 2014 parliamentary elections, as part of the Samopomich Party. She was the Head the Subcommittee for Gender Equality and Non-Discrimination. Suslova’s work focused very closely on enhancing women’s rights in the legislative system. Her notable achievements lie in the promotion of gender equality reforms in the Ukrainian Armed Forces, but also in passing amendments to the Labour Code. Suslova was not re-elected in the 2019 parliamentary elections; since then, she has become the head of the women’s movement wing of For the Future Party, which is directly supported by one of Ukraine’s oligarchs, Ihor Kolomoyskyi. In May 2023, Suslova was appointed to the position of the Representative of the Commissioner for Human Rights on the Rights of Children.</p>
<p><b>Svitlana Zalishchuk</b></p>	<p>is originally a journalist, and was also elected to the Verkhovna Rada in 2014 as part of Petro Poroshenko’s Bloc. Having been an active participant of the Euromaidan revolution, she became the Head of the Subcommittee on European integration and Euro-Atlantic Cooperation. Her portfolio focused on democratic movements within parliament, and she was always vocal about Ukraine’s need to reform and move towards a more European order. Along with another journalist-turned-MP, Serhii Leshchenko, they were the first parliamentarians to actively voice their support for LGBTQ+ rights and join KyivPride 2016.</p>

## Appendix B: Select Female MPs from Tunisia

Name	Biography
<b>Bochra Belhaj Hmida</b>	is a prominent feminist and women’s rights advocate. A lawyer by profession, she was one of the co-founders of the <i>Association tunisienne des femmes démocrates</i> (ATFD) in 1989 and its president from 1994 to 1998. Belhaj Hmida, nominated through the Ettakatol party, was unsuccessful in securing a seat in the NCA in 2011. Yet, she became a prominent member of the Nidaa Tounes party, and was elected to parliament in 2014. She was appointed Head of the <i>Commission des libertés individuelles et de l'égalité</i> (COLIBE) by Beji Caid Essebsi in 2017. She has been vocal about her strong views against the Ennahda party.
<b>Imen Ben Mohamed</b>	was born in Tunisia and left the country at the age of 14 as a result of her father’s political exile in Italy during the Ben Ali regime. Ben Mohamed was always politically active, especially in the Association of Young Muslims in Southern Italy. She returned to Tunisia and was elected in the 2011 and 2014 elections as part of the Ennahda political party. During the 2014-19 period, she was a vocal member of the Committee on Affairs of Women, Family, Children, Youth and the Elderly, particularly during the important debates on the law banning violence against women.
<b>Leila Hamrouni</b>	is another representative of the Nidaa Tounes party, and a member of the party’s Executive board. Hamrouni was placed 2 <sup>nd</sup> on the electoral list for Ariana, Greater Tunis, and underwent political training organised by <i>La Ligue des Electrices Tunisienne</i> in April 2013, prior to being elected to the Assembly. She was later one of 22 deputies who resigned from the Nidaa Tounes party not long after the 2014 election due to the perceived undemocratic climate of the party’s summit, during which Hafedh Caïd Essebsi, the president’s son, took over the control of party structures.
<b>Selma Mabrouk</b>	is a language teacher by profession. She gained political prominence as a member of the Ettakatol party, having never been in politics prior to the 2011 revolution. During her time in office, Mabrouk was a vocal MP, particularly when it came to safeguarding rights and freedoms in the new Constitution. She also voiced staunch opposition to Ennahda within the NCA. Similar to Belhaj Hmida, she believed that women’s rights were under attack because of the ambiguity of Ennahda’s position and Ennahda’s overall ‘hegemonic’ approach to politics, to which she refers in her book, ‘Le Bras de fer 2011 – 2014’.

<b>Rim Mahjoub</b>	became involved in politics after the revolution, joining Afek Tounes to run in the October 2011 and 2014 elections. She subsequently became the president of the Afek Tounes bloc in 2015. Mahjoub, leading the centre-right party, was a vocal supporter of positive discrimination to ensure that the number of women in politics was growing and equal rights would be further secured. Once elected to parliament, she developed an image of ‘an icon’ of Tunisian women.
<b>Mehrezia Maïzi Labidi</b>	was a prominent and well-respected deputy for the Ennahda party. She was elected to the NCA in 2011 through the France 1 electoral district list, and was appointed as the First Vice-President of the NCA, and in 2014 and 2019 as the 2 <sup>nd</sup> candidate on the electoral list for the Nabeul 2 district. While in exile, Labidi was active in several civil society networks, such as “Women of Faith for Peace” and “European Council of Civil and Religious Personalities for Peace”. She was the most senior female politician within Ennahda, and her firm commitment to women’s rights has been well documented. She died in January 2021 in France due to Covid-19.
<b>Yamina Zoghlami</b>	was an active member of Ennahda since 1985 until the early 1990s, when the party halted its official activity due to the crackdown from the regime. Growing up in Tunisia, Zoghlami experienced discrimination for her religious beliefs, and was even expelled from secondary school for wearing a veil. Her commitment to women’s rights and equality between men and women is noticeable in her staunch advocacy during the Electoral Law reforms and discussions on the elimination of violence against women. However, she has openly voiced her opposition to the proposed changes to the inheritance laws due to her religious considerations.

## Appendix C: Political Parties and Seat Distributions

Table 1: Election Data on Ukraine's Political Parties Since 2012

Party Name	No of Seats (2012)	No of Seats (2014)	No of Seats (2019)
<b>Communist Party</b>	32	0	n/a
<b>Fatherland Party</b>	104	19	26
<b>Holos</b>	n/a	n/a	19
<b>Oleh Liashko's Radical Party</b>	1	22	0
<b>Party of Regions / Opposition Bloc*</b>	186	29	35
<b>Samopomich</b>	n/a	33	1
<b>Servant of the People</b>	n/a	n/a	251
<b>Svoboda</b>	37	6	1
<b>UDAR/Petro Poroshenko's Bloc/ European Solidarity**</b>	40	132	25
<b>UKROP Party</b>	n/a	2	0

\*Party of Regions was renamed and reformed into the Opposition Bloc after the 2014 Euromaidan Revolution.

\*\*Petro Poroshenko's Bloc and UDAR merged in 2015.

Table 1a: Seat distribution, female MPs during the period of 2012-14

Party Name	No of Seats	No of Female MPs	%
<b>Party of Regions</b>	186	14	7.5
<b>Fatherland</b>	104	14	13.5
<b>UDAR Party</b>	40	7	17.5
<b>Communist Party</b>	32	6	18.8
<b>Svoboda Party</b>	37	2	5.4
<b>Oleh Liashko's Radical Party</b>	1	0	0
<b>Other Parties</b>	6	0	0
<b>Self-nominated candidates</b>	43	3	7
<b>TOTAL</b>	<b>449</b>	<b>46</b>	<b>10.2</b>

*Table 1b: Seat distribution, female MPs during the period of 2014-19*

<b>Party Name</b>	<b>No of Seats</b>	<b>No of Female MPs</b>	<b>%</b>
<b>Petro Poroshenko's Bloc</b>	132	17	12.9
<b>People's Front</b>	82	12	14.6
<b>Samopomich</b>	33	12	36.4
<b>Opposition Bloc</b>	29	3	10.3
<b>Radical Party of Oleh Liashko</b>	22	5	22.7
<b>Fatherland</b>	19	5	26.3
<b>Svoboda Party</b>	6	0	0
<b>Ukrainian Association of Patriots (UKROP) Party</b>	2	1	50
<b>Self-nominated candidates</b>	94	1	1.06
<b>TOTAL</b>	<b>419</b>	<b>56</b>	<b>11.7</b>

*Table 1c: Seat distribution, female MPs during the period of 2019-24*

<b>Party Name</b>	<b>No of Seats</b>	<b>No of Female MPs</b>	<b>%</b>
<b>Servant of the People</b>	251	56	22.3
<b>Opposition Bloc</b>	35	3	8.6
<b>Fatherland</b>	26	4	15.4
<b>European Solidarity (formerly BPP)</b>	25	9	36
<b>Voice (Holos)</b>	19	9	47.4
<b>Samopomich</b>	1	0	0
<b>Svoboda</b>	1	1	100
<b>United Centre</b>	1	0	0
<b>Bila Tserkva Together</b>	1	0	0
<b>Self-nominated</b>	40	3	7.5
<b>TOTAL</b>	<b>400</b>	<b>85</b>	<b>21.3</b>

Table 2: Election Data on Tunisia's Political Parties Since 2011

Party Name	No of Seats (2011)	No of Seats (2014)	No of Seats (2019)
Afek Tounes	4	8	2
Aïch Tounsi	n/a	n/a	1
Al Moubadara (The Initiative)/ National Destourian Initiative	5	3	n/a
Congress for the Republic	29	4	n/a
Democratic Alliance Party	n/a	1	n/a
Democratic and Social Union	n/a	n/a	1
Democratic Current	n/a	3	22
Democratic Modernist Pole	5	n/a	n/a
Dignity Coalition	n/a	n/a	21
Ennahda Movement	89	69	52
Errahma	n/a	n/a	3
Ettakatol	20	n/a	n/a
Farmer's Voice Party	n/a	1	1
Free Destourian Party	n/a	n/a	17
Free Patriotic Union	1	16	n/a
Green League	n/a	n/a	1
Heart of Tunisia	n/a	n/a	38
List for the Glory of the Djerid	n/a	1	n/a
List of the Rehabilitation	n/a	1	n/a
Machrouu Tounes	n/a	n/a	4
Movement of Socialist Democrats (MDS)	2	1	n/a
National Salvation Front	n/a	1	n/a
Nidaa Tounes	n/a	86	3
People's Movement	n/a	3	16
Popular Front	n/a	15	1
Popular Petition/Current of Love	26	1	1
Progressive Democratic Party	16	n/a	n/a
Republican Party	n/a	1	n/a
Republican People's Union	n/a	n/a	3
Social Democratic Path	n/a	1	n/a
Socialist Destourian Party	n/a	n/a	1
Tahya Tounes	n/a	n/a	14
Tunisian Alternative	n/a	n/a	3
Workers Communist Party	3	n/a	n/a

Table 2a: Seat distribution, female MPs during the period of 2011-14

Party Name	No of Seats	No of Female MPs Elected	%
Ennahda	89	41	46
CPR	29	5	17
Ettakatol	20	6	30
Popular Petition (Aridha Chaabia)	26	3	12
Democratic Progressive Party	16	1	6
The Initiative	5	1	20
Democratic Modernist Pole	5	1	20
Afek Tounes	4	2	50
Tunisian Workers Communist Party	3	0	0
Free Patriotic Union	1	1	100
Other	19	5	25
<b>TOTAL</b>	<b>217</b>	<b>66</b>	<b>30.4</b>

Table 2b: Seat distribution, female MPs during the period of 2014-19

Party Name	No of Seats	No of Female MPs Elected	%
Nidaa Tounes	86	39	45
Ennahda	69	27	39
Front Populaire	15	2	13
Democratic Current	3	1	33
Free Patriotic Union	16	3	19
Afek Tounes	8	3	38
Congress for the Republic	4	0	0
Republican Party	1	0	0
People's Movement	3	0	0
National Destourian Initiative	3	0	0
Current of Love	2	1	50
Democratic Alliance Party	1	1	100
National Salvation Front	1	1	100
The Voice of Farmers	1	0	0
Movement of Socialist Democrats	1	0	0
The Call of Tunisians Abroad	1	0	0
Independent list 'Al Majd al-Jerid'	1	0	0
Independent list 'Rad el iitibar'	1	0	0
<b>TOTAL</b>	<b>217</b>	<b>78</b>	<b>35.9</b>

Table 2c: Seat distribution, female MPs during the period of 2019-21

Party Name	No of Seats	No of Female MPs Elected	%
<b>Nidaa Tounes</b>	3	1	33
<b>Ennahda</b>	52	21	40
<b>Qalb Tounes</b>	38	17	45
<b>Al Karama</b>	21	3	14
<b>Free Destourian Party</b>	17	5	29
<b>Democratic Current</b>	22	4	18
<b>People's Movement</b>	15	1	6
<b>Tahya Tounes</b>	14	1	7
<b>Republican People's Union</b>	3	0	0
<b>Aich Tounsi</b>	1	1	100
<b>Tunisian Alternative</b>	3	0	0
<b>Afek Tounes</b>	2	0	0
<b>Machrouu Tounes</b>	4	1	25
<b>Popular Front</b>	1	0	0
<b>Errahma</b>	4	1	25
<b>Democratic and Social Union</b>	1	0	0
<b>Current of Love</b>	1	0	0
<b>Socialist Destourian Party</b>	1	0	0
<b>Farmers' Voice Party</b>	1	0	0
<b>Green League</b>	1	0	0
<b>Independents</b>	12	1	8
<b>TOTAL</b>	<b>217</b>	<b>57</b>	<b>26.3</b>

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