



## Religion

- Muslims : **99.5%**
- Others : **0.5%**

## Population

11,375,000

## Area

163,610 Km<sup>2</sup>

## Legal framework on freedom of religion and actual application

The post-revolutionary constitution <sup>[1]</sup>promulgated in January 2014 stresses the Tunisian people's commitment "to the teachings of Islam" and the protection of the country's "cultural heritage". According to Article 1, "Tunisia is a free, independent and sovereign state; its religion is Islam, its language is Arabic, and its system is republican." Article 2 states, however: "Tunisia is a civil state based on citizenship, the will of the people and the supremacy of the law."

Article 6 reads as follows: "The state is the guardian of religion. It guarantees freedom of conscience and belief, the free exercise of religious practices and the neutrality of mosques... The state undertakes to disseminate the values of moderation and tolerance and the protection of the sacred, and the prohibition of all violations thereof. It undertakes equally to prohibit and fight against calls for Takfir and the incitement of violence and hatred."<sup>[2]</sup> Critics see this article as contradictory.<sup>[3]</sup> Although the current government has emphasised the importance of religious freedom, that same liberty is – according to critics – undermined by the constitution, which they see as legitimising restrictions. According to Fadhel Achour, secretary general of the Union of Imams, secularism in Tunisia is impossible because Tunisia is historically "a Muslim Nation".<sup>[4]</sup>

The president must be Muslim. The constitution, however, guarantees freedom of belief and conscience. Attempts by Islamists in the Constitutional Assembly to criminalise apostasy have failed. Conversion from Islam to another religion is not illegal under the constitution.

Shari'a law is not mentioned as a source of legislation but it is partly incorporated in the laws that regulate personal status (marriage and inheritance).

Under an agreement between the Holy See and Tunisia, dating from 1964, the Catholic Church is officially recognised

and allowed to operate churches and social institutions. A local Catholic source who wished to remain anonymous, said: “[The agreement] gives us legal certainty, but also brings restrictions. According to this *modus vivendi*, we are not allowed to make public expressions of the Catholic faith such as processions or the like. On the whole, this agreement prohibits any form of proselytising.”<sup>[5]</sup>

The vast majority of Tunisian citizens are Sunni Muslims but a number have converted to Christianity, with some sources citing figures as high as 12,000. According to local Catholic sources, around 25,000 foreign Christians live in Tunisia. Others give a much lower figure. The majority of foreign Christians are Catholic, with local sources suggesting there may be as many as 20,000.<sup>[6]</sup> In addition, there are Orthodox and Protestant communities. Most Christians from abroad work or study in Tunisia or are migrants, many of them sub-Saharan Africans.

Many Christians worked as clerks in the African Development Bank<sup>[7]</sup> and their numbers in parishes dwindled after the ADB left Tunis; they had temporarily settled in Tunisia after being forced to leave the Ivory Coast in 2003 for reasons of safety. The bank employed several hundred Christians and their families have now returned to the Ivory Coast.

There is an ancient Jewish community of around 1,500 people living in Tunisia.<sup>[8]</sup> Most Jews left Tunisia after the establishment of the State of Israel. Today’s Tunisian Jews are mainly in Tunis and on the island of Djerba. The Chief Rabbi is paid by the Tunisian government. Although Jewish communities are still exposed to threats, they are given relative freedom and close protection.<sup>[9]</sup>

## Incidents

There is increasing social and official pressure in favour of a more conservative Islam, especially in remote small cities and rural areas. Last Ramadan (summer 2017), five Tunisians were arrested on charges of “public indecency” for not respecting Ramadan in public; each was sentenced to one month in prison, four for eating in public and the fifth for smoking.<sup>[10]</sup> This sparked protests by civil society groups asking for the right not to fast during Ramadan!<sup>[11]</sup>

There were no terrorist attacks in Tunisia since 2015. The historic Christian cemetery of Sfax was, however, desecrated in February 2017.<sup>[12]</sup>

More recently, in January 2018, the El Ghriba synagogue on the island of Djerba was firebombed!<sup>[13]</sup> Unlike the terror attack by Al-Qaeda in 2002, this one, which only caused minor damage and no injuries, appears to be the result of social unrest. Two Molotov cocktails were thrown at the entrance of Jewish schools!<sup>[14]</sup>

Although there was no repeat of the large-scale terrorist attacks seen in the previous reporting period, concerns remained especially concerning Al-Qaeda and other extremists returning to the country following the defeat of Daesh (ISIS) in many parts of Syria and Iraq. The Tunisia military is very concerned about the possibility of Al-Qaeda trying to regroup in the country.<sup>[15]</sup>

## Prospects for freedom of religion

Moves towards changing inheritance law in Tunisia to achieve gender equality are among a number of indications suggesting that the government in Tunisia may be willing to take steps to empower minority groups including non-Muslims. President Béji Caïd Essebsi appointed a commission to look into changes to a 1973 decree that prohibits Tunisian Muslim women from marrying non-Muslim men. For the President, the latter is “an obstacle to the freedom of choice of the spouse”.<sup>[16]</sup> Following heated debates, the decree was repealed.

These issues have ignited a broad and heated debate not only in Tunisia, but also around the Arab and Muslim World. There was whole-hearted condemnation from Egypt’s Al-Azhar, a Sunni institution, which declared such decisions as “counter to Islamic teachings”.<sup>[17]</sup>

Local Catholics consider the country's 2014 constitution as progress. "It not only guarantees freedom of worship but also real freedom of conscience," a Catholic priest told ACN.<sup>[18]</sup> He added: "This includes religious conversions, such as those from Islam to Christianity, which would be inconceivable in many Islamic countries."

He went on: "We will have to see how things develop. Theory is one thing, practice is another. A Muslim who shows an interest in Christianity might be placed under strong social pressure."<sup>[19]</sup> In fact, according to local sources, some Muslim converts to Christianity have been harassed or ostracised by their own families.

As social and economic discontent grows, unrest may lead to massive street protests and a resurgence in recruitment by jihadist groups. This, in turn, may lead to the targeting of non-Muslim communities.

## Endnotes / Sources

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