

Women's Issues in Maghrebi Reformist Discourse during the Colonial Period: Between Renewal and Conservatism

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Abstract:

This research paper examines the problem of women's issues in Maghrebi reformist discourse during the colonial period, focusing geographically on Algeria, Tunisia, and Morocco. It sheds light on the two contrasting intellectual positions towards these issues: the emancipatory, reformative, and Enlightenment movement on the one hand, and the conservative reformist movement on the other. The study rests upon two primary axes: the first traces the question of women's education as a vehicle for civilisational advancement and confronting colonialism, whilst the second analyses the intense intellectual and jurisprudence debate surrounding the 'dialectic of the veil (*hijab*) and unveiling (*sufur*)'. The paper concludes that the reformist movement succeeded in formulating a centrist approach that established women as a fundamental pillar of societal transformation without detaching them from their Islamic identity.

Introduction

During the colonial era, the Maghreb witnessed the emergence of reformist movements as a form of peaceful resistance addressing cultural, intellectual, and social domains. These were led by a cohort of pioneers, such as Sheikhs Abdelhamid Ben Badis and Mohamed Bachir El Ibrahimi in Algeria, Sheikhs Mohamed Tahar Ben Achour and Abdelaziz Thâalbi in Tunisia, and Allal El Fassi and Sheikh Mohamed Ibn al-Hassan al-Hajwi in Morocco. These movements confronted formidable challenges, foremost amongst which was the phenomenon of colonialism, which sought to perpetuate illiteracy and ignorance.

The reform movement stood before two civilisational springs: the first was the Islamic heritage, its religious texts, and the pious ancestors (*al-salaf*); the second was the influence of Western civilisation, which brought winds of renewal and emancipation. This latter influence was discernible in women's issues, such as the question of the veil, unveiling, and feminist concerns. Consequently, the reformist camp divided into two factions: an emancipatory, reformative group and a conservative reformist one. Accordingly, this research paper addresses women's issues in Maghrebi reformist discourse, posing the question: **To what extent was the reform movement able to reconcile inherited tradition with incoming Western influences when addressing women's issues?**

First: The Question of Education

Women's issues were brought to the fore in the reformist arena and addressed by press writers. Interest in these matters stemmed from two main objectives: first, investing in women to rear a generation capable of steering the nation towards safety; second, countering the assertions of colonial scholars who regarded Muslim women as subjugated, humiliated, and excluded from public life, arguing that

Islamic society afforded them no opportunity for flourishing.^[1] Reformist scholars, recognising the true stature of women and their role in preparing, qualifying, and civilising the nation, held them in high esteem, proceeding invariably from Islamic values. The reformist and journalist Hamza Boukouche stated: '...The woman's place in the nation is like that of the soul in the body or the palm to the hand: if she is upright, the whole nation is upright, and if she is corrupted, the whole nation is corrupted.' He drew upon historical milestones illustrating the role of women in shaping the history of nations, citing Pharaoh's wife, the women of Carthage, and the women of our own Islamic nation.^[2] Thus, some of the ideas advanced by the reformers addressed the role and significance of women in society, serving directly or indirectly as a call to respect them, serve them, and provide them with appropriate living conditions.

They also addressed the question of women's education. However, this was contingent upon their leaving the home to seek knowledge, which directly challenged customary traditions that kept women confined within four walls in the service of family and kin. Departing from this social pattern required psychological sacrifice and moral acceptance across Maghrebi society at large, which was known for its obstinacy and pride. In reality, the societal mindset at the time stemmed from a fear of gender mixing (*ikhtilat*) and the resulting corruption of both young women and men. This was seen as a threat to chastity and virtue, striking at the core values upon which this naturally conservative society had been raised.

The issue of education was a matter of paramount concern for reformist thinkers. Sheikh M'barek el-Mili^[3] was attentive to the negative aspects that the Association's schools would not tolerate as a consequence of educating girls. He noted: 'If we recognise the necessity of educating the girl, there is no ground for disputing the need to teach her writing. We must, however, consider the method of combining her education with the preservation of her womanhood and avoiding her masculinisation. This is the aspect I deem worthy of research and thorough deliberation; rather than merely integrating it into our present discussion, it ought to be an independent subject in its own right.'^[4] It is no exaggeration to say that El-Mili's awareness of this point demonstrates remarkable acumen, reflecting his sound judgment and mastery in the field of pedagogy and education.

A similar stance was adopted by Ben Badis, who stipulated that a woman's education should remain within the realm of religious, national, moral, and modest ideals, ensuring that education did not render her half-man and half-woman. He observed: 'Woman was created to preserve the human race and to nurture man in his weakest stages—his bearing and his weaning taking thirty months... It is incumbent upon us to teach her everything she requires to fulfil her role, and to educate her in female virtues so that a woman remains a woman, neither half-man nor half-woman. A woman who gives birth to a man capable of flying is better for us than a woman who flies herself.'^[5]

The interest in women's education assumed a practical dimension, as these ideas were translated into reality. Among the manifestations of this was the decision by members of the Association of Algerian Muslim Ulema to establish an Arabic school for Muslim women alongside *Dar al-Hadith*.^[6] This was duly achieved, and it was named the Aisha School, after the Mother of the Believers, Aisha (may Allah be pleased with her).^[7] Affiliated with *Dar al-Hadith*, it was exclusively for girls and comprised nine classrooms. All of its female teachers were drawn from the most outstanding students of *Dar al-Hadith*. It was inaugurated on Sunday, 14 May 1952, in the presence of its founder, Sheikh El Ibrahimy.^[8] A

festive celebration was held on the occasion, attended by a vast gathering of scholars, professors, teachers, and reformers who travelled from various parts of the east and west of the country. Women also attended the celebration and joined the men in financial contributions, donating from their personal possessions—earrings, bracelets, and necklaces—to the school's fund.^[9] Furthermore, the Islamic Education Association, founded by Ben Badis in 1930, directed its attention to offering free education for girls to encourage them to enrol in schools.^[10]

The issue also received significant attention in Morocco, where it was addressed by Sheikh Mohamed Ibn al-Hassan al-Hajwi^[11] in his book *Al-Fikr al-Sami* (The High Thought). He writes: 'There is no way for a nation to be counted among the living nations except by universalising reading and writing across urban and rural areas alike, and by making primary education universal so that the vast majority of its members, men and women, can read and write.' The text appears self-evident today; yet, when read historically within the context of the circumstances of that period, the extent of the detriment suffered by education becomes clear, as does the profound marginalisation practiced against women. Any attempt to draw women out of their confinement, even to seek knowledge, was perceived as a blow to social values.^[12]

Through an investigation conducted by the Directorate of Education and Training, numerous young women expressed their desire to pursue their studies, declaring their ambition to become nurses, midwives, teachers, or professors.^[13] However, the opposing stance on this issue represented the majority of Moroccans, including some elites and even individuals associated with the reformist movement. In 1925, as part of the series of evening lectures organised by the Protectorate authorities at the Institut des Hautes Études in Rabat, Sheikh Al-Hajwi delivered a lecture entitled 'The Education of the Young Woman' in his capacity as Delegate for Public Instruction, in which he defended girls' education. However, the Grand Vizier, Mohamed El Mokri, interrupted the lecture, stating that Islam did not support the education of girls. He turned to Sheikh Abu Shu'ayb al-Doukkali^[14] requesting his ruling on the matter, and El-Doukkali concurred with him, whereupon Sheikh Al-Hajwi was obliged to sit down without completing his lecture.^[15]

It remains unclear whether El-Doukkali's stance stemmed from a genuine jurisprudence conviction—given that he was a Salafi known for his modernising inclination—or from political expediency to accommodate the Grand Vizier. In general, addressing this matter required considerable courage in both theory and practice. It is worth noting here that Al-Hajwi's Salafism was marked by reformist open-mindedness, whereas Sheikh El-Doukkali and El Mokri represented through their position the opinion of the majority of Moroccans. Al-Hajwi did not resort to blind imitation (*taqlid*); rather, he relied on the jurisprudence of reality (*fiqh al-waqi'*) and his own personal experience.^[16]

In general, the initial divergence between conservatives and modernisers favored the conservative camp, which reinforced women's inferiority and lack of legal capacity. French colonial policy undoubtedly intervened in this matter as well. Mohamed Ibn al-Hassan al-Ouazzani^[17] noted: 'The truth is that the intervention of French policy frightened many fathers and mothers, becoming one of the main factors hampering the education of girls in its early stages; had this matter been left to Moroccans alone, they would have succeeded in this field.' Thus, the parents' opposition was attributable to the dominance of the conservative trend, compounded by France's oversight of the project.^[18]

Al-Hajwi affirmed that educating a girl did not imply her unveiling (*sufur*), maintaining that Islam's position supported women's emancipation without unveiling.[19] He cited his grandmother as evidence, acknowledging her role in his upbringing. Consequently, he raised this issue in every lecture despite the opposition he encountered in Rabat in 1925, stating: 'I consider it obligatory to educate and refine them in a manner fitting for our religion.'^[20]

People gradually realised the necessity of education for their children, while scholars and poets simultaneously recognised the need to educate girls as well. Several poems were composed on the subject; for instance, the poet Mohamed El Karoui wrote:

*Why are my people blind to the clear and open path,
Finding the destination unpalatable?
In their ignorance, they turned away from its distinct landmarks,
And thus lost their way.
Was the ignorance of men not enough,
That they added to it the ignorance and exclusion of women?
Teach the girl what you teach the boy,
For the religion of Islam has demonstrated unity.
Why should she not acquire knowledge? Alas for you!
You have grown accustomed to straying.
The remaining of the girl in ignorance is a disgrace upon you,
That shall not cease for eternity.
Where is the religion that came to deprive her?
You have gone astray; will you not recognise righteousness?
For if she is educated, you shall prevail through her knowledge,
And your prominence shall only increase.
Mohamed Ali al-Alawi similarly declared:
Educating the girl elevates our resolve,
We rise to heights of glory in an instant.
The ignorance of the young woman is injustice and disgrace,
A state of decline and an axe to the foundation.*

Allal El Fassi likewise wrote:

*It is a disgrace upon us that our young woman remains
Drowned in ignorance, unable to realise progress.*

Allal El Fassi^[21] viewed the neglect of women as the neglect of the entire nation, offering the coloniser an opportunity to perpetuate her ignorance. He emphasised that Islam had called for her care; consequently, El Fassi sought to establish an independent department at the University of al-Qarawiyyin where women could specialise in religious and literary sciences and obtain the *Alimiyya* degree.^[22]

Mehdi Ben Barka^[23] submitted a report to the Makhzen authorities addressing the ideal structure, operation, and curricula for girls' schools, stating: 'It has become imperative to educate the Moroccan girl to reform her condition and correct her shortcomings, so that she may become a potent factor in the advancement and happiness of society.' In his report, he proposed a six-year primary education

programme with an admission age between six and seven years. The curriculum comprised the following subjects:^[24]

- **Fundamentals of Science and Humanities:** Arabic, the Qur'an, principles of religion, recitation, composition, history, and ethics.
- **French Studies:** The French language, serving as a medium for learning arithmetic, geography, and related subjects.
- **Domestic Economy:** Hygiene and child rearing (taught in the final two years of the primary stage).
- **Handicrafts:** Embroidery, sewing, and weaving. This final subject was tailored to the pupil's social class, as some might have no practical need for it.

Saïd Hajji^[25] also contributed to the discourse, advocating for the education, training, and school enrollment of young women. In a report submitted to North African students, he wrote: 'Let us demand the establishment of girls' schools and launch a widespread campaign to that end; let us clarify its manifest benefits and the grave harms of our current state, so that this sound opinion may mature in the near future, enabling us to remedy this deep slumber.'^[26]

The subject remained largely marginalised until the 1940s, when voices warning against female illiteracy grew louder, giving rise to lectures and public lessons. Reformist discourse became more assertive and bold in defending women and seeking to extricate them from the mire of reactionary customs and traditions. Among these lessons was one delivered by Mohamed Ibn al-Arabi al-Alawi on 3 October 1943 over Moroccan radio broadcasts; the cause was likewise championed by Mohamed Zeghari, Al-Arabi Ibn al-Hassan al-Alawi, and Mehdi Ben Barka. The project moved towards implementation in late 1944 with the initiation of dedicated schools for girls.^[27]

The issue resonated in official circles as well as among the public and the elites. Reports submitted to King Mohamed V bore fruit; one such report noted: 'It has become imperative to educate the Moroccan girl to reform her condition and correct her shortcomings, so that she may become a potent factor in the advancement and happiness of our society.'^[28]

Consequently, King Mohamed V took charge of the cause, ordering an annual competition at the Royal Palace to select teachers of exceptional knowledge and piety. Abdallah al-Jirari was appointed Inspector General, and several girls' schools were inaugurated, including a school in the Habous village in Rabat. There, Al-Arabi al-Alawi delivered a lecture emphasising the Islamic injunction to educate all people, male and female without distinction, highlighting a woman's role in her home and how Islam had honoured her. He spoke of the repercussions of the uneducated woman, whose harm outweighs her benefit, stating: 'Imagine a home built upon a woman lacking both religious and worldly education, ignorant of the rights of her Lord, her Prophet, her ancestors, her husband, and her children... You would undoubtedly imagine a breeding ground for moral corruption, deceit, hypocrisy, and dissimulation.' He added: 'Gentlemen, through this proper education, the woman becomes qualified to manage and care for her husband's household.' Among the other schools established were:

- **Queen Aisha School in Salé:** Inaugurated on 28 December 1946.
- **Princess Aisha al-Alawiyya Institute in Salé:** Inaugurated on 3 January 1947, headed by Abu Bakr el-Kadjiri.
- **An-Nahda School in the Saf Centre:** Inaugurated on 4 June 1946.

- **Mohamed V Schools in Rabat and Marrakech.**^[29]
- **Lalla Malika School:** Founded by Ibrahim al-Kettani.

The Salafi reformist movement blessed these initiatives, aligning its objectives with those of the Makhzen. Reformers actively participated in these official endeavours as teachers and supervisors: Othman Jorio served as an inspector for the Mohamed V Schools; Ahmed el-الشرقاوي (Al-Charkawi) as their administrator; and Abdallah al-Jirari, as noted, as Inspector General. Other prominent figures included Abdel-Latif el-Gharbi, Mehdi Ben Barka, Abu Bakr el-Kadjiri, Abu Bakr al-Ouazzani, Abdel-Wahhab Ben Mansour, El-Hassan el-Bekkari, Salih al-Charkawi, Mohamed Ben Chekroun, El-Tahar Zambir, Ben Aissa Karim, Mohamed Hakam, El-Mehdi al-Rich, El-Hachemi el-Bannani, El-Tahar al-Charkawi, Idris Ibn al-Ashhab, and Al-Arabi al-Mastati.^[30]

Second: The Dialectic of the Veil (*Hijab*) and Unveilment (*Sufur*)

Sheikh Abdelaziz Thâalbi^[31] unequivocally supported the unveilment of women and the removal of the veil, advocating gender mixing and calling on women to abandon seclusion. He maintained that the isolation and veiling characteristic of Tunisian women at the time were the result of commentators and jurists (*fuqaha*) who had injected their own ideas into Islamic society until it reached its contemporary state. He wrote: 'Women must uncover their faces, and they ought not to retreat into their homes or hide from view.' Thâalbi argued that the veil was a custom (*'ada*) rather than an act of worship (*'ibada*), imposed by social circumstances in imitation of Persian women, and asserted that the advancement and development of society were contingent upon its removal.^[32]

Thâalbi's thought represented his personal *ijtihad* (independent legal reasoning), even if he had been preceded by earlier thinkers such as the Egyptian Qasim Amin. His vision was not grounded in foundational religious or legal texts; although he cited various Qur'anic verses and Prophetic traditions (*hadiths*), he interpreted them through the lens of his own ideological background, departing from earlier commentators. While a detailed analysis of the jurisprudence dimensions and Islamic legal rulings lies beyond the scope of this paper, it suffices to understand his thought without delving excessively into religious technicalities.

Generally, Thâalbi constructed his vision on two reference points: Islamic society during the era of the Prophecy, and the contemporary Western model. He wrote in this regard: 'Removing the veil ultimately constitutes a reconstruction of Islamic society as it existed during the era of the Messenger of Allah (may Allah bless him and grant him peace) and his Companions (may Allah be pleased with them)—that is, similar to European society.' Dr Hamad Salem al-Zubaidi remarks on Thâalbi's statement: 'This is a flimsy argument unworthy of response; for what European society could Thâalbi possibly liken to the Prophetic society!'^[33] Indeed, there is no basis for comparison between the values, ethics, and elevated state of Islamic society during the Prophetic era and the reality of European society during Thâalbi's time—or even in our present day, despite modern developments and prosperity.

Tahar Haddad^[34] wrote extensively on the issues facing Tunisian women, representing a sharp break with the conservative stance and igniting an intellectual controversy in 1920s Tunisia through his work *Our Woman in Sharia and Society* (*Our'atuna fi al-Shari'a wa al-Mujtama'*).

Haddad's discourse centered on several key issues: removing the veil, advocating gender mixing, enabling young women to choose their life partners, prohibiting polygyny, restricting divorce exclusively to judicial courts, birth control, and equalising inheritance between males and females.^[35]

It appears that Haddad was influenced by Thâalbi's thought, particularly regarding the removal of the veil as articulated in the latter's *The Spirit of Emancipation in the Qur'an*. Thâalbi, in turn, seems to have drawn these ideas from Qasim Amin during his stay in Egypt between 1886 and 1902.^[36]

Haddad was particularly bold in his treatment of women's issues. On the question of the veil, he likened the face veil worn by women to a muzzle placed on a dog, writing: 'How similar is the face veil (*niqab*) a woman wears to prevent immorality to the muzzle placed on a dog's mouth to prevent it from biting passers-by!' He argued that imposing the veil—or what he termed 'physical barriers'—indirectly signaled a lack of trust in a young woman's character, thereby concluding: '...we prepare our own misery and the misery of our homes by our own hands.'^[37]

Haddad put forward a series of arguments to support his position, chief among which were:^[38]

- **Human Nature:** Human nature (*fitra*) naturally inclines towards unveiling, as evidenced by rural women, who are the furthest removed from external influences and the most faithful preservers of heritage and customs.
- **Barrier to Selection:** The veil constitutes the greatest barrier between man and woman, rendering both parties incapable of choosing an ideal partner and forcing them to rely on the opinions of others.
- **Licence for Men:** The veil affords men complete freedom and a private life outside the home marked by immorality and licentiousness, which would not occur if the veil were removed and gender mixing permitted.
- **Obstacle to Marriage:** The veil discourages or delays marriage, thereby opening the door to vice, sodomy, and lesbianism.
- **Impediment to Education:** The veil hinders women from acquiring an education, leaving them incapable of mastering home economics, arithmetic, history, and other practical disciplines.
- **Impact on Child Rearing:** The veil and the prohibition of gender mixing prevent nursing mothers from going outdoors to secure fresh air for their children; women must therefore be permitted to venture out to fulfill this role and to supervise their children upon reaching five or six years of age and beyond.
- **Health Consequences:** Confinement to the home adversely affects a woman's physical health.
- **Superstitious Practices:** The prevalence of visits to shrines and tombs is a byproduct of the veil and domestic isolation, as women resort to these visits as a means of recreation, leading to the widespread growth of this phenomenon.

As noted, Haddad did not limit his critique to the veil; he also advocated gender mixing, the abolition of polygyny, and inheritance equality. His framework drew upon a personal vision informed by Western concepts. Although his book incorporated a legal dimension citing the Qur'an and Sunnah, his understanding relied entirely on personal interpretation, treating the matter as a sociological phenomenon rather than a strictly religious issue.

Several Tunisian intellectuals and reformist leaders followed a similar trajectory, including Ahmed el-Dra'i, El-Hedi el-Oubaidi, Zine el-Abidine es-Sanoussi,^[39] and Salem Ben Hamida—a graduate of both the *Madrasa Ta'dibiyya* and Al-Zaytuna University. Influenced by Western civilisation, Ben Hamida

advocated gender equality and unveiling, applying these ideas to his own daughters by removing their legal veils and issuing a legal opinion (*fatwa*) prohibiting polygyny. Similarly, Ali Bouhajib openly championed unveiling, while El-Hedi el-Oubaidi published supporting articles in the newspaper *Es-Sawab*, alongside contributions from Ali el-Jandoubi, Naouesh el-Ra'a'a, Mohamed el-Aqrabi,^[40] and others.

Conversely, the conservative faction within the reformist movement strongly opposed this emancipatory, Westernising thought. Scholars and intellectuals launched a vigorous campaign against Tahar Haddad, particularly following the publication of *Our Woman in Sharia and Society*. This opposition was led by Mohieddine Klibi and Rajeh Ibrahim through the newspaper *An-Nadim*, alongside Moncef El Monastiri, Salih Neifer, Hussein el-Jaziri, and Mohamed Es-Salah Ben Mourad,^[41] among others.

Ali Bouchoucha^[42] was among the earliest figures to address the debate over the veil and unveiling. His journalistic articles in the newspaper *Al-Hadhira* were written in response to Qasim Amin's advocate for unveiling in *The Liberation of Women (Tahrir al-Mar'a)*. Bouchoucha argued that the veil was an ancient Arab custom and an established Islamic principle observed continuously by the Muslim nation,^[43] which had to be preserved to safeguard Islamic precepts and social values.^[44]

A religious dimension and an explicit support for the veiling and modesty of women are evident throughout his writings. For instance, he employed the term *al-mukhaddarat* (meaning veiled or secluded women) when addressing the education of girls, stating: '...The share of veiled women in these sweet springs—that is, the springs of knowledge—and the sources of spiritual life was no less than that of young men.'^[45] Historically, a veiled girl's pursuit of knowledge was equal to that of young men. His conservative orientation, which firmly opposed all forms of gender mixing and display (*tabarruj*), is further illustrated when he writes: '...Yes, the education of girls... so that they may become virtuous, good, and chaste women, not unbridled, ostentatious, or objectionable.' He adds: 'What is required to stir the resolve of fathers to educate their daughters from the age of discernment until puberty and veiling is for an elite group of youth to lead a revival...'^[46] His deliberate use of the term 'veiling' (*ijtiḥab*) reflects his conviction that it had never served as an obstacle to a girl's education or personal development.

If Tahar Haddad was the prominent figure of the unveiling movement, Mohamed Es-Salah Ben Mourad^[47] was his counterpart within the conservative movement. Just as *Our Woman in Sharia and Society* served as a foundational document for the former, Ben Mourad's *Mourning for Haddad's Woman (Al-Hidad 'ala Imra'at al-Haddad)* was penned to consolidate the conservative stance, systematically refuting Haddad's arguments and evidence. If Haddad sought reform, Ben Mourad sought to reform the reform itself.

Ben Mourad commented on Tahar Haddad, stating: 'Haddad has exposed us to shame among Islamic nations through the confusion, blunders, and arguments he presented in his book, demonstrating a profound ignorance that almost extended to the general public, were it not for the fact that the Tunisian people proclaimed their innocence of him and his book.' His work was dedicated entirely to dismantling the arguments contained in *Our Woman in Sharia and Society*, upholding veiling and modesty, opposing gender mixing, and advocating strict adherence to religious texts according to

established jurisprudence schools and commentators, without resorting to reinterpretation or reformulating legal discourse. Ben Mourad's rebuttal was stern, leading him to remark: 'The true purpose of composing this book—meaning *Our Woman in Sharia and Society*—is to destroy the pillars of the Islamic religion, not to defend women.' He added: 'Had its title been replaced with *Our Disgrace in Sharia and Society*, we would have said that Haddad was correct.'^[48]

As noted previously, Haddad based his perspective on personal interpretations of various verses and Prophetic traditions, relying on historical references from earlier eras alongside contemporary Western social models. In response, Ben Mourad sought to close the door to independent reasoning (*ijtihad*) on issues he considered definitively settled by religion. He cited a tradition from Malik ibn Anas, who stated: 'The Messenger of Allah (may Allah bless him and grant him peace) passed away when this matter had been completed and perfected; it is therefore only fitting to follow the footsteps of the Prophet (may Allah bless him and grant him peace) and not to follow personal opinion (*ra'y*). For if one follows personal opinion, another man with a stronger opinion will come along and be followed instead. Thus, whenever someone overcomes you in argument, you would follow him, leaving the Lawgiver without meaning and wisdom without adherence.'^[49]

Ben Mourad's work also addressed other issues, such as inheritance. Given that Tahar Haddad had advocated equal inheritance rights between men and women, Ben Mourad addressed this matter directly, highlighting errors and exposing contradictions in Haddad's work, which he argued demonstrated '...his ignorance and failure to comprehend what he says.'^[50]

In summary, Ben Mourad's volume stood firmly in support of the conservative movement. It was printed and distributed only after receiving endorsements from prominent scholars at Al-Zaytuna—the so-called *Scientific Directorate (Al-Nazzara al-'Ilmiyya)*—who granted publication approval to ensure its widespread benefit. This endorsement underscored their collective support for the veil, opposition to gender mixing, and adherence to legal rulings established prior to these Western developments. Among these prominent scholars were Ahmed Beyram, Mohamed Tahar Ben Achour, Mohamed El-Tayyeb Beyram, and Salih al-Maliki.^[51]

As in Tunisia, the issue of the veil and unveiling engaged Algerian reformist scholars, led by Ben Badis. He remarked: 'Covering a woman's face is a preferable prescribed practice; revealing it when temptation (*fitna*) is absent is permissible, whereas doing so when temptation is present is obligatory. The matter of temptation varies according to eras, regions, individuals, and circumstances; hence, the ruling changes accordingly and is applied to each case on its own merits.' Thus, according to Ben Badis, unveiling was permissible depending on the context. His perspective reflected an understanding of social variables and human conditions, demonstrating a grasp of the jurisprudence of reality (*fiqh al-waqi'*)—a practical embodiment of modernization that avoided rigidity while adapting to contemporary realities within a religious framework.

However, he strongly advocated resisting what he termed 'European unveiling'. He divided unveiling into two types: the first was permissible Islamic unveiling, wherein a woman exposes her face—excluding her hair and neck—provided there is no risk of temptation or display of adornments; the second was European unveiling, involving the exposure of the hair and neck alongside makeup and ornamentation, which he considered unequivocally prohibited.^[52]

Saïd al-Zahiri^[53] similarly called for emulating the Mothers of the Believers, regarding the veil as a reflection of Islamic civilisation that should be maintained, as had been the case in the early era of Islam.^[54] He argued that full femininity, grace, and elegance were preserved through the veil rather than unveiling. Unveiling, he contended, was customary among Bedouin and rural women known for their rugged lifestyle, rather than urban women characterized by delicacy and refinement.^[55]

Al-Zahiri was convinced that Algerian women sometimes possessed a deeper understanding of the Prophetic Sunnah than men. While a man might know the principles of the Sunnah without applying them in daily life, women often embodied the Sunnah in practice, including through the observance of the veil and modesty. Women frequently used the term *Sunnah* to denote both seclusion and the veil, considering any departure from it as ostentation and unveiling. He added: 'What pleases me immensely is that our women still believe that the veil is a mark of honour and integrity, and a symbol of chastity and piety.'^[56]

Conversely, the reformer Mustapha Hallouche adopted a position that diverged somewhat from his predecessors, viewing the veil as a custom rather than an act of worship—one that weighed heavily on the life of the Muslim woman. This perspective appeared in an article discussing the travels of the Delegation of the Islamic Congress, which had arrived in Perrégaux and was received by delegations of European Christians, Jews, and their wives. Reflecting on the event, Ben Hallouche observed: '...Were it not for the burdensome custom of the veil, our gentle Muslim gender would have stood alongside them as well.'

Hamza Boukouche, editor-in-chief of the newspaper *Al-Basa'ir*, criticised this phrasing, remarking: 'It would have been more fitting, my dear editor, to say "the noble custom of the veil." When has the custom of the veil ever been burdensome to us...? And when did our women ever find it burdensome, such that our men should find it so?'^[57] It is evident from this exchange that Sheikh Mustapha Ben Hallouche implicitly expressed support for unveiling, whereas Boukouche aligned himself with the conservative reformist movement.

Hamza Boukouche subsequently published an article in Issue 49 of *Al-Basa'ir* requesting Sheikh Ben Hallouche to clarify his stance explicitly, as describing the veil as a 'burdensome custom' had generated significant resonance within reformist circles. Such issues, deeply rooted in society and reinforced by custom, provoked debate among thinkers and different factions within the reform movement. Consequently, Ben Hallouche clarified his position in Issue 53, writing: '...The veil is a heavy custom, yet despite its weight, we do not call for its removal; rather, we leave it to time to pass its judgment.' He maintained that his position was not novel but a continuation of earlier scholarly views, adding that no explicit text existed in either the Qur'an or the Prophetic Sunnah mandating full facial veiling. He argued that the verse frequently cited by the opposing camp—'*O Prophet! Tell thy wives and thy daughters and the women of the believers to draw their cloaks close round them. That will be better, so that they may be recognised and not annoyed. Allah is ever Forgiving, Merciful*' (Qur'an 33:59)^[58]—applied specifically to the Prophet's household.^[59]

Ben Badis did not limit his call to observing the veil merely as an external appearance, which might not necessarily reflect an adherence to Islamic values. He maintained that modesty had to become an internal conviction before being manifested externally. Consequently, the Sheikh urged women to

adhere to a veil grounded in education, knowledge, and virtue, citing the history of Muslim women whose observance of modesty had not prevented them from acquiring knowledge or contributing to the nation's advancement. Addressing advocates of unveiling, he remarked that the physical veil had not harmed women; rather, it was the 'veil of ignorance' that had done so. Those who wished to elevate women, he argued, needed to lift the veil of ignorance from their minds before demanding the removal of the veil of modesty from their faces.^[60]

Women also received significant attention from reformist leaders in Morocco, whose writings and speeches addressed several issues requiring intellectual and practical reform. Among the earliest figures to address this topic was Allal El Fassi, who dedicated extensive sections of his book *Self-Criticism (Al-Naqd al-Dati)* to the matter. He argued that humanity had not yet fully recognized women's role as dictated by sound reason, framing her issues within the ongoing debate between folk custom and religious textual authority, while lamenting practices affecting women that he viewed as remnants of pre-Islamic ignorance (*Jahiliyya*).^[61]

Among the issues El Fassi raised was the call to grant women the freedom to choose their spouses, as well as the freedom regarding whether or not to veil. He noted that revealing the face and hands was deemed permissible by the majority of scholars provided temptation was absent, whereas the ruling in the presence of temptation remained a matter of scholarly disagreement. He maintained that these freedoms were legitimate rights stipulated by the Prophetic Sunnah. Furthermore, he called for an end to customary practices such as child marriage or betrothals where the wedding was delayed for years, resulting in a bride finding her fiancé significantly older than herself. He also addressed matters pertaining to marriage, such as dowries, polygyny, and divorce, consistently urging a return to the Sharia and the abandonment of detrimental customs.^[62]

Conclusion

In conclusion, the reform movement regarded women as an essential element in the process of societal reform, viewing them as the primary environment for nurturing a generation capable of leading the nation towards advancement, prosperity, and a revival of the principles of the early Muslim community (*al-salaf*). Consequently, there was a consensus among reform leaders regarding the necessity of female education and the importance of protecting girls from ignorance and restrictive customs that confined them to the home.

However, the question of the veil and unveiling proved to be a point of contention that generated extensive debate in the reformist press and contemporary literature. Certain figures adopted radical reformist views that departed from social custom and traditional textual interpretations, advocating unveiling, gender mixing, and broad personal freedoms modeled after European women. This position drew substantial criticism, leading to an intellectual debate between competing factions. Simultaneously, a centrist movement emerged that sought to reconcile religious texts, Islamic heritage, and social custom with contemporary necessities. Led by figures such as Ben Badis, this approach maintained that full facial veiling was not strictly obligatory and that unveiling was permissible when temptation was absent, while remaining necessary when temptation threatened societal cohesion, thereby fulfilling the objectives of Islamic law (*maqasid*) and preventing harm (*sadd al-dhara'i*).

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- [2] Hamza Boukouche, 'Qimat al-Mar'a fi al-Mujtama' [The Value of Woman in Society], Al-Basa'ir, No. 8, 21 February 1936, pp. 3, 6.
- [3] M'barek ben Mohamed ben M'barek al-Hilali el-Mili (1898–1945): Historian, writer, and reformist scholar born in Mila. He studied in Tunisia, graduating from Al-Zaytuna University with the Tatwi' degree. Upon his return in 1922, he worked in education and journalism. Following the foundation of the Association of Algerian Muslim Ulema (AAMU) in 1931, he became one of its leading figures and most brilliant writers. Dr Mohamed Nasser noted that his writing was distinguished by 'analytical precision and depth of thought, earning him the title of the philosopher of the reformist movement.' His works include Tarikh al-Jaza'ir fi al-Qadim wa al-Hadith [The History of Algeria in Ancient and Modern Times] (2 vols.) and Risalat al-Shirk wa Mazaherih [Treatise on Polytheism and Its Manifestations], alongside numerous articles published in reformist journals such as Al-Chihab and Al-Basa'ir. See: Adel Noueihed, Mu'jam A'lam al-Jaza'ir min Sadr al-Islam hatta al-'Asr al-Hadir [Dictionary of Algerian Biographies from the Dawn of Islam to the Present Era], 2nd ed., Beirut: Dar al-Afaq al-Jadida, 1980, p. 325.
- [4] Soumia Boussena, 'Al-Fikr al-Ijtima'i al-Islahi 'inda Jam'iyyat al-'Ulama' al-Muslimin al-Jaza'iriyin' [Social Reformist Thought in the Association of Algerian Muslim Ulema], Al-Mi'yar, Djilali Liabes University, Sidi Bel Abbès, Vol. 23, No. 45, 2019, p. 676.
- [5] Ammar Talbi, Athar Ibn Badis [The Collected Works of Ibn Badis], Vol. 3, 3rd ed., Beirut: Dar al-Gharb al-Islami, 1997, p. 469.
- [6] Dar al-Hadith: A school affiliated with the Association of Algerian Muslim Ulema, inaugurated on 27 September 1937 in Tlemcen. See: Mohamed Guenanèche, Zikrayati ma'a Mashahir al-Kifah [My Memories with Prominent Figures of the Struggle], Algiers: Dar Casbah, 2005, p. 118.
- [7] Fatiha Loualichi, 'Hawla Ta'sis Madrasat 'A'isha bi-Tlemcen' [On the Foundation of the Aisha School in Tlemcen], Al-Basa'ir, No. 201, Monday 15 September 1952, p. 172.
- [8] El-Bachir El Ibrahim (1889–1965): Algerian freedom fighter and prominent scholar who was elected President of the Association of Algerian Muslim Ulema. Born and raised in the Sétif district within the renowned Righa tribe (Ouled Ibrahim), he pursued religious and literary studies during a journey to the East in 1911, residing in Medina until 1917 and Damascus until approximately 1921. Upon his return to Algeria, he joined the active reformist movement led by his friend Ibn Badis, co-founding the Association of Ulema in 1931, serving as Vice-President under Ibn Badis and succeeding him as President upon his death. Within a single year, he established 73 primary schools and Qur'anic institutions aimed at promoting the Arabic language. In 1952, he settled in Cairo; following the outbreak of the Algerian War of Independence, he travelled extensively to India and other nations to secure financial support for the revolution. He returned to Algeria after independence, but finding limited scope for public engagement, lived in retreat until his passing. He held memberships in the Arab language academies of Cairo, Damascus, and Baghdad. See: Khayr al-Din al-Zirikli, Al-A'lam, Vol. 6, 15th ed., Beirut: Dar al-'Ilm lil-Malayin, 2002, p. 54.

- [9] Mohamed El Hassan Fodala, *Al-Masira al-Ra'ida lil-Ta'lim al-'Arabi al-Hurr bi-l-Jaza'ir (fi al-Qita' al-Wahrani)* [The Pioneering Journey of Free Arabic Education in Algeria (Oran Sector)], Vol. 3, 1st ed., Bordj El Kiffan, Algiers: Dar al-Umma, 1999, p. 25.
- [10] Soumia Boussena, op. cit., p. 677.
- [11] Mohamed Ibn al-Hassan al-Hajwi: Born in Fez in 1291 AH / 1874 AD into a scholarly family of Algerian descent. He received his early education from his grandmother, who played a pivotal role in his intellectual formation—a contribution he frequently acknowledged when advocating for girls' education. He entered Al-Qarawiyyin University, studying under renowned scholars, and began delivering lectures at the age of 25 after nine years of study. He subsequently entered commerce and held several government (Makhzen) positions, beginning in the Sultan's cabinet in 1901, followed by Director of the Oujda Customs Bureau, Inspector General of the Army, Deputy Minister of Finance and War (1903), Deputy Grand Vizier (1914), and Minister of Justice under Sultan Mohamed V from 1944. Known for his Salafi orientation and his opposition to religious innovations and heterodox practices, he passed away in 1956 and was buried in Fez, leaving behind several jurisprudence, literary, and administrative works, most notably *Al-Fikr al-Sami fi Tarikh al-Fiqh al-Islami* [High Thought in the History of Islamic Jurisprudence]. See: Zoubir Mehdad, 'Rihlat Mohamed ben al-Hassan al-Hajwi al-Thaalbi ila al-Hijaz' [The Journey of Mohamed ben al-Hassan al-Hajwi al-Thaalbi to the Hijaz], *Ru'a lil-Dirasat al-Ma'rifiyya wa al-Hadarayyya*, Vol. 2, No. 1, 31 December 2016, pp. 34–35.
- [12] Hassan Ahmed al-Hajwi, *Al-'Aql wa al-Naql fi al-Fikr al-Islahi al-Maghribi 1757–1912* [Reason and Revelation in Moroccan Reformist Thought 1757–1912], 1st ed., Casablanca/Beirut: Al-Markaz al-Thaqafi al-'Arabi, 2003, p. 206.
- [13] Brahim Aarab, 'Al-Fikr al-Salafi bi-l-Maghrib fi Fatrat al-Himaya wa Qadiyyat al-Mar'a 1912–1956' [Salafi Thought in Morocco During the Protectorate Period and the Women's Question 1912–1956], *Amal*, Vol. 5, No. 13–14, 1998, p. 110.
- [14] Abu Shu'ayb ben Abdel-Rahman al-Siddiqi al-Doukkali (1878–1938): Minister, scholar, and man of letters, widely regarded as the first to revive the Salafi spirit among modern Moroccan scholars. Hailing from the Siddiqat branch of the Ouled Amr tribe in Doukkala, he was born in his tribal lands and educated at Al-Qarawiyyin in Fez. In 1314 AH, he travelled to Egypt, studying at Al-Azhar for nearly six years, before proceeding to Mecca, where he served as a confidant to Sharif Awn al-Rafiq and as an Imam and preacher at the Grand Mosque (Al-Haram). Upon returning to Morocco, he aligned himself with Sultan Abdelhafid, serving as Judge of Marrakech and later as Minister of Justice in 1912. He subsequently resigned to devote himself entirely to teaching in Rabat until his death. He is reported to have authored a commentary on *Maqamat al-Hariri*. See: Khayr al-Din al-Zirikli, *Al-A'lam*, Vol. 3, 15th ed., Beirut: Dar al-'Ilm lil-Malayin, 2002, p. 167.
- [15] Abdallah al-Jirari, *Min A'lam al-Fikr al-Mu'asir bi-l-'Adwatayni Rabat wa Salé* [Intellectual Figures of Contemporary Thought in the Twin Cities of Rabat and Salé], Vol. 1, 1st ed., Rabat: Imprimerie El Omnia, 1971, p. 68.
- [16] Djilali Karim, 'Mohamed ben al-Hassan al-Hajwi: Al-Nahda wa al-Kabwa' [Mohamed ben al-Hassan al-Hajwi: Renaissance and Setback], *Al-Manahil*, Ministry of Cultural Affairs, Morocco, No. 93–94, November 2012, p. 122.

[17] Mohamed ben al-Hassan al-Ouazzani: Born in Fez in 1910 to a conservative Salafi family, he pursued religious studies at Al-Qarawiyyin University. In 1927, he travelled to France, where he obtained his baccalaureate before enrolling at the École Libre des Sciences Politiques to study journalism and history, culminating in a doctoral thesis completed in Switzerland. During his time abroad, he met Shakib Arslan and joined the editorial board of the journal *La Nation Arabe*. In 1933, he founded *L'Action du Peuple*, the first Moroccan national newspaper, whose journalistic rigor and incisive commentary caused considerable disquiet among Protectorate authorities. His political activities included founding the Nationalist Movement (1936), the Democratic Independence Party (1946), and the Democratic Constitutional Party (1965). Al-Ouazzani passed away on 9 September 1978, after which the Belhassan Ouazzani Foundation was established under the direction of his daughter, Houria, to oversee the publication of his intellectual heritage. See: Anonymous, 'Mohamed ben al-Hassan al-Ouazzani: Aychounat al-Nidal min ajl al-Istiqlal wa al-Dimuqratiyya' [Mohamed ben al-Hassan al-Ouazzani: Icon of the Struggle for Independence and Democracy], Justice and Development Party Website, 4 July 2015, <https://www.pjd.ma/52288-26690.html> (accessed 13 July 2026).

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[20] Najat El Mourini, 'Mas'alat Ta'lim al-Fatah fi al-Fikr al-Islahi al-Maghribi: Allal El Fassi wa Mohamed Al-Hajwi Namuthajayn' [The Question of Girls' Education in Moroccan Reformist Thought: Allal El Fassi and Mohamed Al-Hajwi as Case Studies], *Da'wat al-Haqq*, No. 363, October–December 2001, Ministry of Endowments and Islamic Affairs, available at: <https://www.habous.gov.ma/daouat-alhaq/item/8785> (accessed 13 July 2026).

[21] Allal El Fassi (1908–1974): National leader, prominent orator, and scholar in Morocco. Born in Fez, he was educated at Al-Qarawiyyin, where he began his political activist career as a student, opposing colonial policies, most notably following the promulgation of the Berber Dahir. He established connections across all strata of society—peasants, Sahrawis, artisans, merchants, scholars, and intellectuals—earning widespread popularity. His colleague Abdelkrim Ghallab noted that El Fassi was chosen to lead a secret organisation at Al-Qarawiyyin despite his youth due to his intelligence and standing. Exiled to Taza, he later returned to Fez, where he was banned from teaching; he subsequently established the first trade union and formed the secret National Action Bloc, which re-emerged as the National Party in 1937. He was exiled to Gabon (1937–1941) and subsequently transferred to Congo (1941–1946). Following his release, he founded the Istiqlal Party, travelling across international capitals to rally support for the revolution after the exile of Sultan Mohamed V, and assumed sole leadership of the party after independence. His major works include *Al-Naqd al-Dati* [Self-Criticism] and *Maqasid al-Shari'a al-Islamiyya wa Makarimuha* [The Higher Objectives and Virtues of Islamic Law]. See: Khayr al-Din al-Zirikli, op. cit., Vol. 4, pp. 246–247; Abdelkrim Ghallab, *Malamih min Shakhsiyyat 'Allal al-Fasi* [Features of Allal El Fassi's Personality], Rabat: Imprimerie Ar-Rissala, n.d., pp. 5–15.

[22] Najat El Mourini, 'Mas'alat Ta'lim al-Fatah fi al-Fikr al-Islahi al-Maghribi', op. cit.

[23] Mehdi Ben Barka: Born in January 1920 in Rabat, he studied at the Lycée Moulay Youssef while working as an accountant in wholesale markets to support his family. He earned his first baccalaureate in 1938, followed shortly by a diploma in Islamic Studies. Realising his ambition to study mathematics in Paris, he passed the specialized baccalaureate in 1939 and subsequently attended university in Algiers—then under French occupation—where he obtained a Bachelor of Science degree in mathematics, becoming the first Moroccan to achieve this distinction. Entering political life, he signed the Proclamation of Independence in 1944, incurring imprisonment and state repression. Following independence, he opposed the monarchical political order, leading to strained relations with the Royal Palace and forcing his self-imposed exile. He was abducted in Paris in 1965; his fate remains unknown, and his family continues to demand the disclosure of the circumstances surrounding his death. See: Anonymous, 'Mehdi Ben Barka: Mu'arid Maghribi Laysa Lahu Qabr' [Mehdi Ben Barka: A Moroccan Opposition Figure Without a Grave], Al Jazeera Net, 24 May 2015, <https://www.aljazeera.net/encyclopedia/2015/5/24> (accessed 24 July 2024).

[24] Abdallah al-Jirari, op. cit., p. 70.

[25] Saïd Hajji: Writer and journalist from Salé who founded the newspaper Al-Maghrib and later the journal of the same name. Born on 2 March 1912, days prior to the imposition of the French Protectorate, he was raised in a religious family with a strong patriotic orientation. At sixteen, he co-founded the Widadyya Association to promote literary culture and moral values. He subsequently travelled to Great Britain to learn English, returning a year later to establish the Imprimerie de L'Afrique du Nord in Salé and enter journalism. See: Saïd Hajji, *Fajr al-Sihafa al-Wataniyya al-Maghribiyya fi 'Asr al-Himaya* [The Dawn of Moroccan National Press During the Protectorate Era], ed. Abdelraouf ben Abdelrahman Hajji, n.d., pp. 11–15.

[26] Najat El Mourini, 'Mafhum al-Islah fi al-Kitaba al-Suhufiyya: Sa'id Hajji Namuthajan' [The Concept of Reform in Journalistic Writing: Saïd Hajji as a Case Study], *Al-Manahil*, No. 84, 1 January 2008, p. 83.

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[28] Najat El Mourini, 'Mas'alat Ta'lim al-Fatah fi al-Fikr al-Islahi al-Maghribi', op. cit.

[29] Abdallah al-Jirari, op. cit., pp. 75–100.

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[31] Abdelaziz Thâalbi: Reformer, modernising scholar, and anti-colonial campaigner born in Tunis on 5 September 1876. He was raised under the care of his grandfather, Abdelrahman Thâalbi—a prominent Algerian figure—and memorised the Qur'an before completing his studies at Al-Zaytuna University in 1896, subsequently pursuing higher studies at the Khaldounia institute. He maintained a long political career and advocated reformist ideas, calling for Islamic unity and writing extensively for various newspapers. His most notable works include *La Tunisie Martyre* [Martyred Tunisia] and *Ruh al-Tahrir fi al-Qur'an* [The Spirit of Emancipation in the Qur'an]. He passed away on 1 October 1944. See: Collective Authors, *Mu'jam al-Jami' fi Tarajim al-'Ulama' wa Tullab al-'Ilm al-Mu'asirin*

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[32] Faraj Hamad Salem al-Zubaidi, 'Qira'a Naqdiyya li-Kitab Ruh al-Tahrir fi al-Qur'an li-Abdelaziz al-Thâalbi' [A Critical Reading of Abdelaziz Thâalbi's The Spirit of Emancipation in the Qur'an], *Jordanian Journal of Islamic Studies*, Vol. 10, No. 5, 2014, p. 551.

[33] *Ibid.*, p. 552.

[34] Tahar Haddad (1899–1934): A pioneer of the modern renaissance in Tunisia, born in Tunis and educated at Al-Zaytuna. He joined the Destour Party upon its establishment in 1920 and travelled with official delegations to Paris to advocate for national independence. His principal works include *Al-'Ummal al-Tunisiyyuna wa Zuhur al-Haraka al-Niqabiyya* [Tunisian Workers and the Emergence of the Trade Union Movement] and *Imra'atuna fi al-Shari'a wa al-Mujtama'* [Our Woman in Sharia and Society]. See: Khayr al-Din al-Zirikli, *op. cit.*, Vol. 3, p. 220.

[35] Mohamed El Aziz Sahli, *Hammadi Sahli fi Akhir Kitabatih* [Hammadi Sahli in His Final Writings], Tunis: National Centre for Cultural Communication, 2008, p. 98.

[36] Mohamed Boutaibi, 'Mas'alat al-Hijab wa al-Sufur fi Tunis Khilal al-Thuluth al-Awwal min al-Qarn al-'Ishrin' [The Issue of the Veil and Unveilment in Tunisia During the First Third of the Twentieth Century], *Al-Qirtas lil-Dirasat al-Tarikhiyya wa al-Hadarayyya wa al-Fikriyya*, Vol. 6, No. 12, July 2019, p. 100.

[37] Tahar Haddad, *Imra'atuna fi al-Shari'a wa al-Mujtama'* [Our Woman in Sharia and Society], ed. Mohamed Haddad, Cairo/Beirut: Dar al-Kitab al-Misri, 2011, p. 209.

[38] *Ibid.*, pp. 210–215.

[39] Mohamed El Aziz Sahli, *op. cit.*, p. 99.

[40] Mohamed Boutaibi, *op. cit.*, pp. 102–103.

[41] Mohamed El Aziz Sahli, *op. cit.*, p. 98.

[42] Ali Bouchoucha: Of Algerian descent, his family settled in the Bizerte region and engaged in agriculture. Bouchoucha entered the local Qur'anic school in 1859, memorising the Qur'an before attending Al-Zaytuna University and subsequently Sadiki College in 1875, where he mastered foreign languages. His linguistic proficiency qualified him for a five-year appointment as a translator in the Secretariat-General. He was an active journalist who influenced the Tunisian renaissance and participated in cultural and educational initiatives, including the Khaldounia Association, while maintaining firm opposition to colonial administration. He passed away on Saturday, 11 August 1917, at the age of 56. For further details, see: Ali Ouraibi, *Ali Bouchoucha: Hayatuhu wa Atharuh* [Ali Bouchoucha: His Life and Works], Tunis: National Centre for Cultural Communication, 2008.

[43] Islam frequently preserved certain pre-Islamic Arab customs, such as the fixed blood money (diyya). This is illustrated by the historical account of Abdel-Muttalib's vow to sacrifice his son Abdallah (father of the Prophet). Unable to carry out the sacrifice, he slaughtered one hundred camels as blood money and expiation, a practice subsequently ratified by the Prophet and maintained in Islamic law. Ali Bouchoucha applied this principle to the veil in response to Tahar Haddad and others who deemed the veil a pre-Islamic custom rather than an act of worship, demonstrating that pre-Islamic origin does not inherently place a practice outside Islam. This aligns with the Hadith: 'I was sent only to perfect noble character traits', as well as the Qur'anic injunction: 'Hold to forgiveness; command

what is customary ('urf); and turn away from the ignorant' (Qur'an 7:199). See: Abu Bakr ibn al-Arabi, *Al-Masalik fi Sharh Muwatta' Malik*, ed. Mohamed and Aisha El Slimani, Vol. 7, 1st ed., Beirut: Dar al-Gharb al-Islami, 2007, p. 35.

[44] Mohamed Boutaibi, op. cit., p. 97.

[45] Ali Ouraibi, Ali Bouchoucha: *Hayatuhu wa Atharuh*, Tunis: National Centre for Cultural Communication, 2008, p. 110.

[46] Ibid., p. 112.

[47] Mohamed Es-Salah ben Ahmed ben Mohamed Ibn Mourad: Born in 1881 into a family of scholars; his father, Sheikh Ahmed Ibn Mourad, was the Hanafi Mufti of Tunis and an accomplished author who established the journal *Shams al-Islam*. Mohamed Es-Salah served as Sheikh al-Islam in Tunis and authored *Al-Hidad 'ala Imra'at al-Haddad* [Mourning for Haddad's Woman] in 1349 AH (1930 AD). In his later years, he endured trials on account of his nationalistic positions and passed away in 1979. See: Mahmoud Chammam, 'Al-Tahkim fi al-Fiqh al-Islami' [Arbitration in Islamic Jurisprudence], *Journal of the Islamic Fiqh Academy*, Vol. 9, digital edition, Shamela Library, p. 1950, <https://shamela.ws/book/8356/15684> (accessed 21 July 2026).

[48] Mohamed Es-Salah Ben Mourad, *Al-Hidad 'ala Imra'at al-Haddad, aw Redd al-Khata' wa al-Kufr wa al-Bida' allati Ihtawaha Kitab Imra'atuna fi al-Shari'a wa al-Mujtama'* [Mourning for Haddad's Woman, or the Refutation of Errors, Unbelief, and Innovations Contained in the Book 'Our Woman in Sharia and Society'], 1st ed., Tunis: Imprimerie Tunisienne, 1930, pp. 3–6.

[49] Mohamed Es-Salah Ben Mourad, op. cit., p. 10. This methodology aligns with that of Imam Malik, which was widely followed in the Maghreb. It is narrated that a man named Abu al-Juwayriyya, suspected of Irja', approached Imam Malik saying: 'Listen to me!' Malik replied: 'Beware lest I testify against you!' The man said: 'By Allah, I seek only the truth; if I am correct, agree with me, or else speak!' Malik asked: 'And if you overcome me?' The man replied: 'Then follow me!' Malik asked: 'And if I overcome you?' The man replied: 'Then I shall follow you!' Malik asked: 'And if another man approaches and overcomes us both in argument?' The man replied: 'Then we shall follow him!' Malik responded: 'O man, Allah sent Mohamed with a single religion, yet I see you constantly shifting from one opinion to another!' See: Shams al-Din al-Dhahabi, *Siyar A'lam al-Nubala'*, ed. Shu'ayb al-Arna'ut, Vol. 8, 3rd ed., Beirut: Al-Resalah Foundation, 1985, p. 106.

[50] Mohamed Es-Salah Ben Mourad, op. cit., p. 81.

[51] Ibid., see title page.

[52] Ammar Talbi, *Athar Ibn Badis*, Vol. 2, Part 1, 3rd ed., Beirut: Dar al-Gharb al-Islami, 1997, pp. 204, 206.

[53] Mohamed Es-Sa'id al-Sanoussi al-Zahiri (1899–1956): Journalist, poet, writer, and reformist figure. Known for his vigorous critique of Sufi orders and heterodox practices, he was born in the village of Liana near Biskra and studied under Sheikh Abdelhamid Ben Badis, later attending Al-Zaytuna University in Tunis. He wrote short stories alongside reformist articles and nationalist essays, founding the newspapers *L'Algérie* (1925), *Al-Barq* (1927), *Al-Wifaq* (1938), and *Al-Maghrib al-'Arabi* (1947). He contributed extensively to Eastern periodicals, notably *Ar-Rissala*, *Al-Muqtataf*, and *Al-Fath*. His published works include *Al-Islam fi Haja ila Di'aya wa Tabshir* [Islam is in Need of Propagation and Preaching]. See: Adel Noueihed, op. cit., p. 157.

[54] BelaAjal Ahmed, *Al-Khitab al-Islahi 'inda al-Sheikh Mohamed Sa'id al-Zahiri* [Reformist Discourse in the Thought of Sheikh Mohamed Sa me Sa'id al-Zahiri], Master's Thesis in Mediterranean History and Civilisation, Mentouri University, Constantine, 2005–2006, p. 212.

[55] Es-Sa'id al-Zahiri, 'Al-Islam fi Haja ila Di'aya wa Tabshir', *Al-Hadiqa* (Cairo), No. 8, 1 September 1930, p. 201.

[56] Es-Sa'id al-Zahiri, 'Al-Sunna 'inda al-Nisa' al-Jaza'iriyat' [The Sunnah Among Algerian Women], *Al-Sunna*, No. 1, 8 Dhu al-Hijjah 1351 AH / 1933 AD, p. 2.

[57] Hamza Boukouche, 'Mulahazati 'ala al-Basa'ir' [My Observations on Al-Basa'ir], *Al-Basa'ir*, No. 43, 13 November 1936, p. 7.

[58] Qur'an, Surah al-Ahzab (33:59).

[59] Mustapha Ben Hallouche, 'Hijab al-Mar'a 'Ada la Din' [The Woman's Veil is a Custom, Not a Religion], *Al-Basa'ir*, No. 53, 29 January 1937, pp. 4–5.

[60] Mohamed Ben Samina, 'Qadiyyat al-Mar'a fi Manzumat al-Fikr al-Badisi: Qadiyyat al-Hijab wa al-Sufur' [The Women's Question in Badisian Thought: The Issue of the Veil and Unveilment], Abdelhamid Ben Badis Website, 7 March 2012, <https://binbadis.net/archives/342> (accessed 31 December 2023).

[61] Allal El Fassi, *Al-Naqd al-Dati* [Self-Criticism], Cairo: Al-Matba'a al-'Ilmiyya, n.d., pp. 260–261.

[62] *Ibid.*, pp. 263–266.