



UvA-DARE (Digital Academic Repository)

Judges in a web of normative orders: judicial practices at the Court of First Instance Tunis in the field of divorce law

Voorhoeve, M.

Publication date
2011

[Link to publication](#)

Citation for published version (APA):

Voorhoeve, M. (2011). *Judges in a web of normative orders: judicial practices at the Court of First Instance Tunis in the field of divorce law*.

General rights

It is not permitted to download or to forward/distribute the text or part of it without the consent of the author(s) and/or copyright holder(s), other than for strictly personal, individual use, unless the work is under an open content license (like Creative Commons).

Disclaimer/Complaints regulations

If you believe that digital publication of certain material infringes any of your rights or (privacy) interests, please let the Library know, stating your reasons. In case of a legitimate complaint, the Library will make the material inaccessible and/or remove it from the website. Please Ask the Library: <https://uba.uva.nl/en/contact>, or a letter to: Library of the University of Amsterdam, Secretariat, Singel 425, 1012 WP Amsterdam, The Netherlands. You will be contacted as soon as possible.

Preface

This book could not have been written without the help of many, in Tunisia and beyond. First and foremost, I should express my gratitude to the two Family Judges at the CFI Tunis, Mrs Noura Soudani and Mrs Naema Rhaïem, for allowing me to intrude in their daily work and their help. I should also thank the president of the CFI Tunis, Mr Belgacem Barrah, for the generous welcome to his court and the many inspiring conversations on law. I also want to thank the judges who allowed me to observe reconciliation sessions with them. Further thanks goes to other members of the CFI Tunis, namely the Family Judge for endangered children, the assistant public prosecutor in family matters, the head public prosecutor at the CFI Tunis and, last but not least, the clerks and other personnel who handed me decisions, found me a chair or brought me 'kahwa wa cake', including the man at the photocopy shop opposite the court who copied thousands of pages for me. I should also thank the personnel at the Cantonal Court in Tunis, especially its president and two maintenance judges. During my research trip around Tunisia, I was warmly welcomed by the Family Judges Jihen Nkais (Sousse), Chedly Wali (Sfax), Moheddin Hani (Gafsa) and Mr Zarelli (Le Kef). I should also express my gratitude to other legal practitioners for the information they handed me, namely Bouchra Bel Haj Hamida, Yosra Frauss, Sana Ben Achour, Monia Ben Jemia, Kalthoum Meziou, Kamal Sharfeddin, Moncef Bouguerra and the counsellors at the *Centre d'écoute* in Tunis.

I'd also like to thank the people from the French *Institut de Recherche sur le Maghreb Contemporain* (IRMC) in Tunis for giving me my own work space and inviting me in on lectures, specifically Pierre-Noël Denieuil, Pierre Robert Baduel, Anne-Marie Planel, Eric Gobe, Kmar Bendana, Amin Allal, Aude-Annabelle Cannede, Myriam Bacha, Yamina Mathlouthi, Lemia Zaki, Morgan Corriou, Chistiane Saddem and Hayet Naccache. I also wish to thank Sadri Saieb from the *Institut Suisse du droit comparé* (ISDC) in Lausanne for his incredible help finding literature. Another important help in the process of writing this thesis was the library of the *École d'hautes études en sciences sociales*, the *Fondation Maison des sciences des homme* (FMSH). I also wish to thank the *Institut d'études de l'islam et des sociétés musulmanes* (IISMM) in Paris and specifically Jean-Philippe Bras, Nathalie Bernard-Maugiron, and Baudouin Dupret, for organising a seminar series on law in the Muslim World, as well as the people I met through this network namely Nada Auzary-Schmaltz, Marième N'Diaye and Ayang Utriza for exchanging thoughts and ideas with me on law and legal practice in the region. At the University of Amsterdam I should express my special thanks to my supervisors Dorien Pessers and Ruud Peters for their strong and conscientious supervision, to André Hoekema, Rob Schwitters, Richard van Leeuwen and Rogier Visser for their feedback, and to the 'maio's' (Iris van Domselaar, David Moszkovicz and Julia van Ooststroom) for the inspiring nights of talk about dissertations and other stuff, and Alexandra Welling and Matthieu Kerbosch for the administrative support. I should thank the Amsterdams Universiteitsfonds and the Prins Bernhard Cultuurfonds

for their financial help. Colleagues who are working in the same field and who I got to know better over the years are Jessica Carlisle, Baudouin Dupret, Léon Buskens, Nadia Sonneveld, Esther van Eijk, Friso Kulk, Iris Sportel and Sarah Grosso, who I should thank for the useful and necessary feedback on several occasions. Last but not least, this research would not have been possible without the help of my private Tunisian Arabic teacher, Mounira.

But most of all I should thank the people close to me for their immense patience of the people surrounding me in the process of writing it. In Tunisia I was lucky enough to meet many people who were kind and helpful, namely Leila Ben M'charek, Huyème Harkati, Wajdi and Raja Ben Hamed, Khaled and Moncef Kchir, Yamina and Aicha Mechri, Fatma Bendana, Sondos Belhassen, Marouane Benmiled, Kay Menasseh, Nora Jacobsen and Ryan Whitney. In Paris, the yoga-and-doctorate-class of Francisca, with Jérémy, Amélie, Nico, Helena and Livia. In Amsterdam, my friends, family and, last but not least, David - I have been a pain to all of you, as the 'bloody thesis' was always more important than anything else.