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**WOMEN AND PARTICIPATION IN THE ARAB UPRISINGS:
A STRUGGLE FOR JUSTICE**



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This paper constitutes part of the research conducted by the Social Participatory Development Section within the Social Development Division to advocate the principles of social justice, participation and citizenship. Specifically, the paper discusses the pivotal role of women in the democratic movements that swept the region three years ago and the challenges they faced in the process. The paper argues that the increased participation of women and their commendable struggle against gender-based injustices have not yet translated into greater freedoms or increased political participation. More critically, in a region dominated by a patriarchal mindset, violence against women has become a means to an end and a tool to exercise control over society. If the demands for bread, freedom and social justice are not linked to discourses aimed at achieving gender justice, the goals of the Arab revolutions will remain elusive.

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“Only when women achieve their rights can we say that the Arab Spring has commenced.”

-Shirin Ebadi, Nobel Peace Prize Laureate
and Human Rights Lawyer (Iran)

I. INTRODUCTION

In late 2010, several countries in the Arab region witnessed the onset of popular uprisings against decades of autocratic rule. Women in particular were at the forefront of these movements. They played a crucial role both in mobilizing people and as support systems. When they were not actively protesting on the streets, they were publishing videos, dispatching reports or supplying other protesters with food, medical aid and, in some cases, Molotov cocktails. In countries that experienced armed conflict such as Libya, women supported the revolution by smuggling in arms, gathering intelligence and providing relief services.

From the outset, the demands of Arab women were similar to those voiced by their male counterparts: they sought justice, dignity and democracy. At the same time, they demanded their rights as citizens objecting to the patriarchal system that had worked to limit their role in society. Many proponents of gender equality and women’s advancement hoped that the political transition would promote women’s rights and that the processes of reform would expand their role in public life. This was partly felt by the increasing sense of empowerment and belonging that women found in public squares and the experience they gained in collective action. However, the impact of the transition has yet to live up to these expectations.

Although the uprisings have resulted in political changes, social change did not ensue. The participation of women has been limited to votes at the ballot box, while their rights as equal citizens remain contested. Furthermore, the rise of political Islam in countries in transition has provoked serious concern among feminists and human rights advocates that the post-transition period could witness a rollback in women’s rights. At the same time, the outlook for women’s political representation in the transition period appears mixed, depending on the electoral laws enacted.

The sense of empowerment that women felt in public squares came at a hefty price: they were subject to systematic harassment, violence and attacks on their character in a bid to undermine the legitimacy of the revolutions. This was apparent in the statements and public denunciations of emerging political powers attempting to undermine women’s participation by shifting the debate from questions of justice to questions of morality. Author and gender specialist Deniz Kandiyoti would later argue that the struggle against women’s bodies was not a mere manifestation of patriarchy but a question of politics and governance.¹

Women are clearly determined to defend their rights and to benefit as equal citizens from the opportunities offered by the democratic transition. Their responses to their detractors have ranged from filing law suits to launching advocacy campaigns and loudly contesting any attempt to marginalize them.

The success of women in fighting back against these injustices and consolidating their gains has yet to be determined. This will depend on their ability to capitalize on the momentum created during the uprisings and mobilize supporters to hold Governments accountable. It will also depend on the willingness of post-revolutionary regimes to promote broad-based participation and level the playing field for women. Such a commitment requires creating an environment conducive to women’s participation and enacting much-needed legislation to promote and protect women’s rights.

¹ Kandiyoti, Deniz (2013). ‘Fear and fury: women and post-revolutionary violence’. *50.50 Inclusive Democracy* (14 January). Available from: <http://www.opendemocracy.net/5050/deniz-kandiyoti/fear-and-fury-women-and-post-revolutionary-violence>.

This paper explores the gender dimension of the popular movements that have swept a number of Arab cities. It begins by asserting the centrality of gender in the uprisings and analyzes the different facets of women's participation, as well as the mechanisms used by women to mobilize in different countries and the challenges they have faced. Using specific examples, the paper then explores the different means utilized by previous and emergent regimes to suppress women's participation and refocus the discourse around issues of morality. The paper also discusses the different approaches used by women to fight back against the injustices carried out against them during and after the uprisings. It concludes by outlining the key challenges faced by Arab women today and opportunities they can benefit from as they work towards greater gender justice as part of a transition towards democracy.

II. GENDERING ARAB REVOLUTIONS: WHAT WOMEN WANT

A. THE CENTRALITY OF GENDER TO ARAB REVOLUTIONS

The broad participation of women in the Arab uprisings was praised by many, particularly in the western media, given the long history of gender stereotyping and inequality in the region. However, this was not the first time Arab women took on leadership roles in national liberation struggles. Historically, women were at the frontlines of nationalist projects, including the 1919 Egyptian revolution against British occupation, the Algerian revolution (1954-1962) and the first Palestinian Intifada (1988).

Several contemporary scholars and researchers have addressed the relationship between feminism, gender and nationalism in the Middle East.² For example, Joseph noted that "women have been crucial in establishing and maintaining the boundaries of nations and are often made into the symbolic markers of the nation itself".³ At the same time, Joseph places gender at the centre of the discourse on citizenship and argues that the acquisition of women's political and other citizenship rights was often made possible when the State was busy dealing with pressing political and socioeconomic challenges.

In a similar vein, Wahba argues that "the relation between women and the revolution was not spontaneous or momentary".⁴ She further contends that women's increasing educational attainment and their participation in the workforce may have contributed to the social mobilization needed for the 2011 uprisings. She adds that by engaging in what they considered "apolitical activities" over the years, women were challenging the patriarchal structure of society, which had always served as the basis for the rule of Arab regimes. In this way, women challenged the social and political order and gradually contributed to the build-up towards the uprisings.

The centrality of gender to the Arab uprisings is also apparent in the slogans of those who took to the streets. Although gender roles and women's rights were not among the demands of protesters, some scholars suggest that the calls for freedom, democracy and social justice uphold the same feminist principles of equality and justice that require a move away from traditional patriarchy and the end of all forms of inequality.⁵

These and similar perceptions have sparked a renewed interest in quantifying and qualifying the participation of women in the revolutions. However, what will differentiate the Arab uprisings from past revolutions is the extent to which the political transitions set off a transformation of society, empowering

² See, for example, Baron, Beth (2007). *Egypt as a Woman*.

³ Joseph, Suad (ed). (1996). Gender and Citizenship in Middle Eastern States. *Middle East Report (MER)*198, vol. 26 (Spring). Available from: <http://www.merip.org/mer/mer198/>.

⁴ Wahba, D. (2013). Gendering the Egyptian Revolution. Unpublished paper presented at the workshop, *Rethinking Gender in Revolutions and Resistance: Lessons from the Arab World*, 8-10 July, University of Warwick.

⁵ See, for example, Badran, Margot (2011). Egypt's revolution and the new feminism. *Reset DOC* (7 March). Available from: <http://www.resetdoc.org/story/0000021509>.

Arab women to win equal rights as citizens. Despite setbacks, the uprisings may herald a new dawn for women in the region. They have empowered women and allowed those who were not involved in any form of activism prior to the revolutions to create new spaces and new discourses to advance their demands. They have offered an opportunity for women from different socioeconomic classes and religions to rediscover their citizenship and their ability to induce political change. As the next section will show, the heightened visibility and engagement of women have brought about “a paradigm shift in the discussion on women in the Arab region; no longer are they just talked about, they are the ones doing the talking”.⁶

B. PARTICIPATION PAR EXCELLENCE: ACTIVISM AMONG ARAB WOMEN

Women were integral to the struggles that toppled four of the most entrenched regimes in the Arab region. From Tunisia to Yemen, their activism has taken various forms: they occupied public squares, organized marches and gave speeches at great peril to their lives. Some took care of the wounded or distributed food and water, while others smuggled medicines and arms. Many women have been imprisoned or tortured for their activities.

Among these fearless women, several activists played an instrumental role both in igniting the first sparks of protests and in maintaining their momentum. When they were not in the field, they were mobilizing people, blogging and publishing videos, expressing their views on the air or reporting real-time information on unfolding events and human rights abuses.

Tunisian blogger and activist Lina ben Mhenni is one of many whose name became familiar to Arab and international audiences. During the rule of the former Tunisian President Zine el-Abidine ben Ali, Ben Mhenni was one of the few cyberactivists who blogged using her real name and identity. Her blog, *A Tunisian Girl*, was censored under the Ben Ali regime. Her writings conveyed firsthand information of what was happening inside Tunisia at a time when foreign journalists were banned and the national media was censored by the Government.⁷ Ben Mhenni intrepidly travelled to Sidi Bouzeid, the home town of Mohamed Bouazizi where the first protests broke out, and reported the brutal attacks of the security forces on the protestors, supporting her observations with photographs of the bloodshed. After the fall of the regime, Ben Mhenni continued to play a key role among democracy activists in Tunisia, criticizing the double discourse of the Ennahda Party with regards to women. In recognition of her contributions during the Tunisian revolution, Ben Mhenni was nominated for the 2011 Nobel Peace Prize.

In Egypt, on 18 January 2011, activist Asmaa Mahfouz, one of the founders of the April 6 Youth Movement, was the first to post a video on Facebook in which she urged Egyptians to break the barrier of fear and protest against President Hosni Mubarak’s regime in Tahrir Square. Her video went viral and helped spark the mass protests of 25 January 2011. Later in the year, Mahfouz was arrested on charges of defaming Egyptian military officers and provoking unrest. She was referred to a military court, prompting a wave of support from activists and several presidential candidates at the time, which eventually obliged the Supreme Council of the Armed Forces (SCAF) to drop the charges against her.⁸

In Yemen, Tawakkol Karman, a journalist and member of the al-Islah political party, is known as “the Mother of the Yemeni revolution”. Karman organized student rallies against President Ali Abdullah Saleh with the onset of the protests at Sana’a University in January 2011. Shortly thereafter, she was arrested on

⁶ Arshad, Shazia (2013). ‘The Arab Spring: What did it do for women?’. *Middle East Monitor* (25 March). Available from: <http://www.middleeastmonitor.com/articles/middle-east/5584-the-arab-spring-what-did-it-do-for-women>.

⁷ Ryan, Yasmine (2011). ‘Tunisian blogger becomes Nobel prize nominee’. *Al Jazeera* (21 October). Available from: <http://www.aljazeera.com/indepth/features/2011/10/2011106222117687872.html>.

⁸ Osman, Ahmed Z. (2011). ‘Activists and presidential hopefuls condemn Asmaa Mahfouz arrest’. *Egypt Independent* (14 August). Available from: <http://www.egyptindependent.com/news/activists-and-presidential-hopefuls-condemn-asmaa-mahfouz-arrest>.

charges of inciting disorder and organizing unauthorized protests. She was later freed but continued to receive death threats.⁹ In response, she called for a “Day of Rage” that drew more than 20,000 participants, as well as a crackdown by Saleh’s security forces¹⁰ and another detainment. As a result, Karman became the international face of the Yemeni uprising. Her courage and activism won her a Nobel Peace Prize in 2011, making her the first Arab woman laureate. After the prize announcement, Karman called on the international community, including the members of the United Nations Security Council, to support the Yemenis in ousting Saleh and bringing him to justice.

In Libya, the participation of women in the revolution can be traced back to 15 February 2012, when hundreds of women gathered in front of the court of justice in Benghazi to protest the detention of Fathi Terbil, the lawyer who represented the cases of over 1,000 prisoners allegedly massacred by Libyan security forces in the Abu Salim Prison in 1996.¹¹ The demonstration was met with violent police oppression that later evolved into a country-wide revolution to end Muammar al-Qaddafi’s 42-year rule. During the conflict that followed, women played significant roles smuggling weapons and medicines, gathering intelligence and fighting alongside men. Women like Danya Bashir Hobba, a Libyan activist and the Executive Director of Social Media for Change, organized shipments of medical and humanitarian aid during the civil war.¹²

Similarly, Alaa Murabit, once among the “most wanted” female activists of the security apparatus, is today hailed as one of the “phenomenally brave” women who led the Libyan revolution.¹³ Murabit is best known for founding The Voice of Libyan Women, one of the first women’s associations of the post-revolutionary era. The organization focuses on the political participation and economic empowerment of Libyan women, as well as the elimination of all forms of gender-based violence.

The list of prominent female activists goes on. In the Syrian Arab Republic, for example, Samar Yazbek, a renowned novelist and journalist who was born to an Alawite family, was labeled a “traitor” for demonstrating against President Bashar Al-Assad’s regime and publishing her views with regards to the brutalities happening in the streets, prisons and hospitals. Yazbek was one of many who were detained and reportedly tortured by the regime. She was eventually forced to flee to Europe but continues her struggle both online and through published works such as her recent book, “A Woman in the Crossfire: Diaries of the Syrian Revolution”, which offers a unique but disquieting perspective on the Syrian uprising.¹⁴ In 2012, her book was awarded the British PEN Pinter Prize for international writers who have been persecuted or intimidated for speaking out about their beliefs.

⁹ Fédération internationale des ligues des droits de l’Homme (FIDH) (2012). ‘Women and the Arab Spring: Taking Their Place?’ (8 March), pp. 38-45. Available from: <http://www.europarl.europa.eu/document/activities/cont/201206/20120608ATT46510/20120608ATT46510EN.pdf>.

¹⁰ Al Jazeera (2011). ‘New protests erupt in Yemen’ (29 January). Available from: <http://www.aljazeera.com/news/middleeast/2011/01/2011129112626339573.html>.

¹¹ France 24 (2011). ‘Violent protests rock Libyan city of Benghazi’ (16 February). Available from: <http://www.france24.com/en/20110216-libya-violent-protests-rock-benghazi-anti-government-gaddafi-egypt-tunisia-demonstration>.

¹² Bohn, Lauren (2012). ‘Women and the Arab Uprisings: 8 agents of change to follow’. *CNN, Inside the Middle East* (3 February). Available from: <http://edition.cnn.com/2012/02/03/world/africa/women-arab-uprisings/index/html>.

¹³ Williams, Kristin (2013). Video: “I’m not afraid.” Alaa Murabit at the Women in the World Summit. *Institute for Inclusive Security Blog* (6 May). Available from: <http://blog.inclusivesecurity.org/video-im-not-afraid-alaamurabit-at-the-women-in-the-world-summit/>.

¹⁴ Burke, Pamela (2013). ‘Author-Activist Samar Yazbek Speaks About the Syrian Uprising from Exile’. *The Women’s Eye* (8 January). Available from: <http://www.thewomenseye.com/2013/01/08/interview-samar-yazbek-speaks-about-syrian-uprising-from-exile/>.

Razan Zaitouneh is another prominent female Syrian activist. She is a writer and human rights lawyer who principally works on prisoners' rights. When the uprisings broke out in 2011 and stringent restrictions were imposed on foreign journalists and human rights activists, Zaitouneh became a source of information on the atrocities being committed. Eventually, she co-founded the Local Coordination Committees (LCC), a major player in the Syrian uprising that coordinates demonstrations, documents and disseminates information on human rights abuses and links with international and independent media.¹⁵ Zaitouneh went into hiding after she was accused of being a "foreign agent", but she continued to document human rights violations, providing evidence and testimonies on the brutalities and massacres committed across the country, including the horrific chemical attack that took place in Eastern Ghouta on 21 August 2013. Her activism and courage have won her widespread recognition, including the Sakharov Prize, the Anna Politkovskaya award and the International Women of Courage Award. In December 2013, Zaitouni, her husband and two other co-workers were abducted by suspected Islamists militias.¹⁶

In Bahrain, women were among the first to assemble in Pearl Square to demand democracy and an end to sectarian discrimination. Among them was Mariam al-Khawaja, a young activist born and raised in exile because of her father's affiliation with the opposition. The family was granted political asylum in Denmark for twelve years before being permitted to return to Bahrain.¹⁷ During the pro-democracy movements of 2011-2012, al-Khawaja 'tweeted' and publicized human rights abuses and the use of weapons against peaceful protestors. She became a prominent public speaker outside Bahrain, testifying at the Oslo Freedom Forum in May 2011 on government-sponsored violence and providing evidence of the regime's oppression to a United States Congressional Hearing on Human Rights in Bahrain.¹⁸ Al-Khawaja is currently the President of the Bahrain Center for Human Rights. She remains in self-exile in Denmark for safety reasons and has launched a campaign to end the state of impunity in Bahrain and to bring the perpetrators of human rights violations to justice.

Box 1. Syria's lady in red

Many women have become iconic figures of the Syrian revolution. Rima Dali took her place among them when she stood in red paint-splattered clothing in front of the Syrian Parliament on 8 April 2012, holding a red banner reading "Stop the killing, we want to build a country for all Syrians". Dali and other participants were immediately arrested by the security forces, prompting their supporters to create a Facebook page criticizing the arrests of activists and opposition figures in the Syrian Arab Republic. Dali, who later became known as "Syria's lady in red", was released a few days after the incident and resumed her acts of protest. On 21 November 2012, she marched alongside three other young female activists in bridal gowns, calling themselves "brides of peace" and carrying red banners that read "Stop all military operations in Syria, 100 per cent Syrian." The four women were immediately detained, but by then their movement had created a chain reaction of support across the Syrian Arab Republic and beyond.

Sources: Nachawati Rego, Leila (2012). Syria: Activist Rima Dali arrested in Damascus for calling for an end to killing. *Global Voices* (9 April). Available from: <http://globalvoicesonline.org/2012/04/09/syria-activist-rima-dali-arrested-in-damascus-for-calling-for-end-to-killing/>.

AlBawaba (2012). *Syria's Lady in Red is Not Afraid to Speak Her Mind* (12 April). Available from: <http://www.albawaba.com/editorchoice/syria-protest-red-damascus-420792>.

Jalila al-Salman is another Bahraini woman whose name and ordeal drew broad support from international human rights observers. A lifelong teacher and Vice President of the Bahrain Teachers' Association (BTA), al-Salman is best known for her active role in organizing the teachers' strikes in support

¹⁵ The Syrian Observer (2013). 'Who's who: Razan Zaitouneh' (19 August). Available from: http://www.syrianobserver.com/Opposition/Opp_Who/Whos+who+Razan+Zaitouneh.

¹⁶ Mourtada, Hania (2013). "'She was my Mandela:' Famous Syrian activist gets abducted'. *Time World* (11 December). Available from: <http://world.time.com/2013/12/11/she-was-my-mandela-famous-syrian-activist-gets-abducted/>.

¹⁷ Oslo Freedom Forum (2011). Maryam Al Khawaja (accessed 26 November 2013). Available from: http://www.oslofreedomforum.com/speakers/maryam_al_khawaja.html.

¹⁸ POMED (2011). POMED Notes: Human Rights in Bahrain (14 May). Available from: <http://www.bahrainrights.org/en/node/4065>.

of the pro-democracy protests in early 2011. As a result, she was arrested and reportedly subjected to verbal and physical abuse by the security forces, then transferred from one prison to another without a fair trial. After several months, al-Salman was tried at a special military court for halting the educational process, calling for the overthrow of the ruling family and inciting others to take part in protests and criminal activities.¹⁹ Following a three-week hunger strike, al-Salman was released on bail but was found guilty as charged. She was arrested a second time and sentenced to six months of imprisonment and banned from teaching in state schools.²⁰ She continues to speak out about her own experiences in detention and human rights abuses despite threats and intimidation. She also continues to plea the case of Mahdi AbuDeeb, her fellow “prisoner of conscience” and President of BTA, who is currently serving a five-year prison term on similar charges.

III. CHANGING LANES: THE STRUGGLE OVER WOMEN’S BODIES

During the uprisings, women not only stood in defiance of authoritarian regimes but also of patriarchal structures and ideologies that encouraged their exclusion from the public sphere. Yet, as soon as the euphoria following the fall of the regimes had subsided, the battle for control and legitimacy began. This battle manifested itself in a number of ways, most poignantly in the struggle over women’s bodies. In the days that followed, female protestors were not only asked to return to the “private sphere” but were subjected to harassment, sexual violence and other weapons of political intimidation in a clear bid to deter their presence. A recent study by UN Women revealed that 99.3 per cent of women have suffered sexual harassment in Egypt; 49 per cent of women reported an increase in sexual harassment after January 2011; and 83 per cent did not feel secure in public places.²¹

Critically, these violent incidents were used by conservative politicians to shift discussion from questions of justice and rights towards the subject of morality. In Egypt, for example, Reda el Hefnawy of the Freedom and Justice Party suggested that “women should not mingle with men during protests” and Salah Abdel Salam of Al Nour argued that “the woman bears offence when she chooses to protest in places filled with thugs”.²² In Tunisia, Amer Laarayedh, the head of Ennahda’s political bureau and a member of the Constituent Assembly, defended the weak criminal justice system and declared that “the protests taking place in support of a female rape victim are attempts by the opposition to bring down the government”.²³

In this context, Kandiyoti wrote that women’s participation was initially applauded as enhancing the legitimacy of the protests, but the emerging powers were unprepared to embrace the principles of inclusive democracy, least of all in the realm of gender justice and equity, hence their heightened and almost obsessive fixation on women’s morality.²⁴ Kandiyoti would later argue that the pattern of orchestrated and targeted assaults on women post-revolution cannot simply be explained as the result of patriarchy or state-sponsored misogyny but rather as acts of political intimidation, what she called “policing decency”, to deny women a political voice and drown out their calls for actual change to the status quo. Within this framework, the same

¹⁹ Amnesty International (2013). Jalila al-Salman and Mahdi ‘Issa Mahdi Abu Dheeb: Prisoners of Conscience. Available from: <http://www.amnestyusa.org/our-work/cases/bahrain-jalila-al-salman-mahdi-issa-mahdi-abu-dheeb>.

²⁰ Bahrain Center for Human Rights (2013). Bahrain: Court of Cassation rejects appeal of imprisoned unionist (2 July). Available from: <http://www.bahrainrights.org/en/node/6208>.

²¹ UN Women (2013). Study on Ways and Methods to Eliminate Sexual Harassment in Egypt: Results/Outcomes and Recommendations Summary.

²² Taha, Rana M. (2013). ‘Shura Council members blame women for harassment’. *Daily News Egypt* (11 February). Available from: <http://www.dailynewsegypt.com/2013/02/11/shura-council-members-blame-women-for-harassment/>.

²³ Ben Hassine, Wafa (2012). ‘Opinion: Tunisia’s response to police rape puts human rights to shame’. *CNN, Inside the Middle East* (4 October). Available from: <http://edition.cnn.com/2012/10/04/opinion/ben-hassine-tunisia-human-rights/index.html>.

²⁴ Kandiyoti, D. (2012). ‘Disquiet and despair: the gender sub-texts of the “Arab spring”’. *50.50 Inclusive Democracy* (26 June). Available from: <http://www.opendemocracy.net/5050/deniz-kandiyoti/disquiet-and-despair-gender-sub-texts-of-arab-spring>.

legislators expected to protect women against abuse justified violence against them on the grounds that they participate in protests because they have no morals and seek to be assaulted.²⁵

Despite different circumstances and outcomes, the same disturbing reports of violence against women have surfaced across the region. The following section examines some of these stories.

A. POLICING MORALITY: EGYPT'S VIRGINITY TESTING

On 8 and 9 March 2011, shortly after President Hosni Mubarak's ouster, women's rights activists marched in Tahrir Square to commemorate International Women's Day and to support other protestors in drawing attention to the slow pace of reform under the interim military Government. The demonstration was met with military gunfire, abuse and calls for women to "return to the kitchens", where they supposedly belonged. Around 20 women were arrested and reportedly tortured with beatings and electric shocks.²⁶ Seven of the detainees were strip-searched, verbally abused and forced to undergo virginity tests by military physicians.

One of the detainees, Samira Ibrahim, took the Supreme Council of the Armed Forces (SCAF) to a civilian court, arguing that the virginity test was in fact a sexual assault and winning mass support from Egyptian civil society and the international human rights community. Consequently, the court banned the practice of virginity testing, but a military court later dismissed the charges against the physician who reportedly performed the 'examination'.

Similar incidents, such as the 'blue bra woman' who was brutally attacked and stripped publicly by security forces during a sit-in in December 2011, brought women's participation and their right to bodily integrity to the forefront of the political debate. It also brought back memories of similar assaults in 2005, when the *Kefaya* movement organized a demonstration to contest the rigged parliamentary elections in which President Mubarak's ruling party won the majority of seats. The regime allegedly hit back with a militia of trained thugs who beat up men and assaulted women, tearing their clothes off and molesting them. These actions sought to insinuate that women who took part in street protests were aberrant and did not adhere to social norms, thus necessitating the intervention of the police.

The same political bullying was exhibited six years later by the SCAF. A senior military officer sought to justify the violence against women demonstrators on moral grounds, stating that "the girls who were detained were not like your daughter or mine ... these were girls that camped out in the same tents with male protestors in Tahrir Square".²⁷

More critically, a number of Egyptians have reacted by blaming Ibrahim for being in the Square in the first place, and for suing her abusers. Patriarchal or not, these statements were disturbing in their echoes of the discriminatory rhetoric of SCAF, which was intended to further marginalize women. A segment of Egyptian society which backed the interim rule of SCAF may have found it hard to believe the army would actually attack its own citizens or violate women's bodies. Others, perhaps, were so preoccupied with the overarching importance of the revolution that they considered women's political participation and their right to personal safety trivial concerns by comparison.

²⁵ Kandiyoti, 2013, 'Fear'.

²⁶ Mohsen, Habiba (2012). 'What made her go there? Samira Ibrahim and Egypt's virginity test trial'. *Al Jazeera* (16 March). Available from: <http://www.aljazeera.com/indepth/opinion/2012/03/2012316133129201850.html>.

²⁷ Marcus, Elizabeth (2011). 'Rape and the Arab Spring: The Dark Side of the Popular Uprisings in the Middle East' (December). *Center for American Progress*, p. 3. Available from: http://www.americanprogress.org/issues/2011/12/pdf/arab_spring_women.pdf.

B. INCLUSIVE OR SEPARATIST DEMOCRACIES? YEMEN'S SEPARATION WALL

Inspired by the revolutions in Egypt, Libya and Tunisia, Yemeni women were a critical linchpin in the uprising against President Ali Abdallah Saleh's regime as protesters, field nurses and volunteers. During one demonstration, hundreds of Yemeni women responded to government-backed violence against protestors by setting their veils ablaze, in a traditional call to tribal chiefs to come to their rescue. The mere presence of women alongside men in the protests was revolutionary, often challenging entrenched cultural taboos. In the context of the uprising, gender differences temporarily subsided in favour of a more inclusive movement demanding change.

The heightened visibility of women in the public sphere was perceived as deeply threatening to the status quo. On 15 April 2011, in an attempt to discredit women protestors and discourage them from their sustaining role in the demonstrations, Saleh declared that the mixing between women and men in the demonstrations was contrary to Islamic law and should be banned.²⁸ His remarks were met with outrage and sparked marches by thousands of women in Sanaa and other cities criticizing Saleh's selective use of religion and morality when all other tactics had failed to deter the protestors. In the midst of these demonstrations, women were beaten by members of the Square's organizational committee, allegedly controlled by hardliners from the Islah Islamist Party.

After almost a year of ongoing protests, the response of the Islah Party to the increasing participation of women mirrored that of Saleh's regime: it built a wooden wall in Change Square, supposedly to make women protestors more comfortable; in reality, the wall aimed to disconnect female protestors and prevent them from demanding gender equality and recognition alongside political goals. More critically, the Islah leadership did not dismiss the selective use of religion by Saleh's Government, nor did it condemn the physical attacks on women who marched against this provocation. However, when Tawakkol Karman won the Nobel Peace Prize, the Party used her prize in their political campaigns to illustrate their support for women's rights.²⁹

Both the Saleh regime and opposition groups have manipulated issues of morality and decency to curtail the increasingly public role of women and push them back into the private domain. Given the conservative and patriarchal nature of Yemeni society, these reactions were hardly surprising. Many Yemeni women recognized that their voices were used as a political tool to gain momentum against the regime, only to then be suppressed. Unless these practices and the politicization of women's rights are contested, the separation wall will remain a sad reminder of the unequal status of men and women in Yemen.

C. DEBATES OF INDECENCY: ILLUSTRATION FROM TUNISIA

Prior to the Jasmine Revolution, Tunisia was considered one of the most progressive countries in the Arab region in terms of women's rights. However, the unchecked violence against women, particularly by members of the security force under the rule of President Zine el-Abidine Ben Ali, has persisted following his ouster and degenerated into debates over "indecent" and the integrity of the Tunisian justice system. In one telling incident in September 2012, a 27-year-old Tunisian woman and her fiancé were stopped by three policemen who intercepted their car. Two of the officers raped the woman while the third restrained her partner and took his money. When the woman accused the policemen of rape, they claimed that they had caught the couple engaging in indecent acts; the woman was subsequently charged with public indecency.³⁰

²⁸ Kasinof, Laura (2011). 'Women Irate at Remarks by President of Yemen'. *The New York Times* (16 April). Available from: http://www.nytimes.com/2011/04/17/world/middleeast/17yemen.html?_r=0.

²⁹ Al Wazir, Atiaf (2012). 'Yemen: No Spring Without Women'. *Al Akhbar English* (14 February). Available from: <http://english.al-akhbar.com/node/4195>.

³⁰ Ben Hassine, 2012, 'Opinion'.

In this case, the victim was presented as the offender, while the policemen became, in the words of Kandiyoti, “the would-be enforcers of public morality”.³¹

The incident sparked outrage among Tunisian women and supporters abroad. Tunisian feminists, non-governmental organizations (NGOs) and opposition figures seized the opportunity to question the performance of the Ennahda Movement and draw attention to the link between such injustices and the Government’s drive to reverse the hard-won victories for women’s rights in Tunisia.³² As a result of this public outcry, the charges against the woman were dismissed for lack of evidence while the policemen were indicted for rape and corruption. Nevertheless, this incident presents yet another distressing example of how sexual violence against women has been intentionally used as a weapon of political intimidation. A state apology from President Moncef Marzouki came a little too late for the young woman and other female citizens, who had demanded that the rights they had won prior to the revolution be safeguarded.

D. RAPE AS A TOOL OF WAR: POLITICAL INTIMIDATION IN LIBYA AND THE SYRIAN ARAB REPUBLIC

“State agents use rape as an instrument of war and social control in order to assert patriarchal domination or assault the integrity of political opponents.”

-Souad Joseph, Professor of Anthropology
and Women and Gender Studies

In some countries, the Arab uprisings gave way to large-scale military conflicts, creating a context conducive to increased violence against women. In these countries, abuses against women have been used as a weapon of psychological warfare; in other words, the fighting parties have used women’s bodies and sexual violence to humiliate the opponent and exercise dominance over women and the community as a whole. As a result, rape and sexual assault have escalated to alarming levels.

In Libya, a nine-month military conflict claimed thousands of lives and made women a target. With the onset of the uprising in February 2011, a stream of stories claimed that the Gaddafi regime had ordered mass rapes and other forms of human rights abuses against anti-Government civilians. Gaddafi forces reportedly used sexual violence against male and female detainees as a form of torture and to extract information.³³ Women were also subjected to systematic beatings and rape by armed forces in their own homes. Many of them were abducted and suffered long periods of torture and sexual violence, sometimes irrespective of whether they were aligned with the rebels or not. In turn, Gaddafi loyalists claimed that they had been raped by *thumar* (rebels) while in detention.

Rape became a public topic of discussion when 26-year-old law student Eman al-Obeidy stormed into a hotel in Tripoli on 26 March 2011 to tell journalists she had been detained at a checkpoint by brigades loyal to Gaddafi and gang-raped. Immediately afterwards, al-Obeidy was dragged away by the Libyan security services. By publicly sharing her story, al-Obeidi had not only challenged the regime but had also broken a cultural barrier within Libyan society, where rape victims are not allowed to discuss the crimes committed against them. Instead, they are often hidden or married off to their rapists to protect family reputations. After being accused of indecency by government officers, al-Obeidy fled Libya and sought refuge first in Tunisia, then Qatar, but was suddenly deported back to Libya, supposedly due to the expiry of

³¹ Kandiyoti, 2013, ‘Fear’.

³² France 24 (2012). ‘Indecency case against Tunisian rape victim dismissed’ (29 November). Available from: <http://www.france24.com/en/20121129-indecency-case-tunisia-rape-victim-dismissed>.

³³ United Nations Human Rights Council (2012). *Report of the International Commission of Inquiry of Libya (A/HRC/19/68)* (8 March), p. 13. Available from: <http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session19/A.HRC.19.68.pdf>.

her visa.³⁴ Eventually, she was granted asylum in the United States. Al-Obeidi's public appearances on television triggered a massive show of support and indirectly helped expose hundreds of rape cases during and after the conflict in Libya.³⁵

In the context of the Syrian civil conflict raging since September 2011, numerous international organizations and missions have reported sexual violence against men, women and children by both sides of the conflict, including government forces, *Shabbiha* (thugs), paramilitaries and opposition armed forces. When conducting its relief work with Syrian refugees in Lebanon, Jordan, Iraq and Turkey, the International Rescue Committee, among others, publicized the pervasive use of rape as a weapon of war in the Syrian crisis. When they were not used as human shields during military operations or kidnapped in exchange for other prisoners or to pressure male family members, women were attacked everywhere. They were often gang-raped, sometimes with the victim's family forced to watch,³⁶ creating a generation of traumatized survivors.

Similarly, the findings of the "Women under Siege" project indicate that the Syrian Arab Republic is suffering from a massive rape crisis. From March 2011 through to March 2013, the project collected 162 stories of rape and sexualized violence against women between the ages of 7 and 46.³⁷ Although these stories remain unverified, the testimonies of victims point to the same deplorable practices witnessed in other conflict-stricken countries such as Bosnia and Rwanda, where sexual violence was used systematically as a means of humiliation, coercion and intimidation. More critically, as if the war waged on their own bodies was not enough, many of these women have found themselves rejected by their families because of the social stigma attached to rape.

IV. WOMEN FIGHT BACK: SPEAKING OUT AGAINST OPRESSION

The participation of women in the popular uprisings and their presence in public squares could be best described as a roller coaster ride. In the beginning, women, hoping to reinforce demands for social justice, were quick to join and even lead the first protests and mobilize support. Once they had served their political purpose, however, attempts were made to push women out of the public squares and back into the home. Arab regimes, old and new alike, perceived the raised voices and participation of women as an all-out rebellion against the norms of patriarchal society and reacted ruthlessly. Collectively, attempts to wage war on women's bodies have left many traumatized, while others were forced to hide or flee; nevertheless, nothing has succeeded in stemming the tide of Arab women seeking justice. Despite the various strategies employed in an effort to curb their activism, women continue to fight back in the name of the revolution and its ultimate goals, including gender justice.

A. FROM THE STREETS TO THE COURTS

The ways in which women fought back against abuse and ostracism took many forms, in some cases challenging the perpetrators as well as the larger social context within which they occurred. Women's activism continued relentlessly, no longer limited to marches in public squares.

³⁴ Guerin, Sophie (2011). 'Women & Revolution: What Does Media Coverage Mean for Eman Al-Obaidy?'. *Women in International Public Affairs* (5 June). Available from: <http://www.womeninpublicaffairs.com/blog/posts/women-revolution-what-does-media-coverage-mean-for-eman-al-obeidy/>.

³⁵ Associated Press (2011). 'Hundreds of Women Report Rapes by Qaddafi Forces' (28 May). Available from: <http://www.foxnews.com/world/2011/05/28/hundreds-women-report-rapes-qaddafi-forces/>.

³⁶ International Rescue Committee (2013). *Syria: A Regional Crisis – The IRC Commission on Syrian Refugees* (January). Available from: <http://www.rescue.org/sites/default/files/resource-file/IRCReportMidEast20130114.pdf>.

³⁷ Wolfe, Lauren (2013). 'Syria has a massive rape crisis'. *Women Under Siege* (3 April). Available from: <http://www.womenunder siege project.org/blog/entry/syria-has-a-massive-rape-crisis>.

In Egypt and Tunisia, the victims of sexual violence perpetrated by state officials took their cases to court, despite the weakness and bias of the judicial system. Samira Ibrahim's case suffered a major setback when the military court decided to pardon the doctor who had conducted the virginity tests; nevertheless, the banning of these tests on female detainees marked an important step forward for the Egyptian legal system.

Similarly, the rape victim in Tunisia took her case to court, undergoing a second ordeal when her public accusation of her aggressors resulted in her own arrest on charges of indecency. This time, however, supported by Tunisian women's and human rights organizations, she emerged victorious and her violators were convicted.

B. PROTECT AND PRESSURE: ANTI-HARASSMENT GROUPS

In response to the ripple effects of sexual assaults and other forms of violence against women and the consistent failure of Arab Governments to provide accountability, there has been an upsurge in the intensity of civic engagement. A number of organizations and movements have emerged to promote the safety of female protestors and help change attitudes towards women by influencing popular culture.

Box 2. Protect and rescue: I Saw Harassment

“The rescue intervention is undertaken by those in distinct uniforms, a t-shirt printed with an anti-sexual harassment message. When a member of the rescue team infiltrates the crowd to save a woman, he carries a bag containing sheets, flip-flops and first-aid equipment, in case the female is naked or has sustained any injury.”

For more information, see: <http://interactions.eldis.org/profile/shoft-taharosh-harassment-seen>.

Egypt's Tahrir Bodyguards is one of several movements fighting back. The movement works to end sexual violence in all its forms, whether verbal, physical or psychological, through empowerment and awareness campaigns. By the second anniversary of the revolution, sexual harassment, a longstanding issue in Egypt, had escalated to unprecedented levels, raising questions about the lax attitude of the Islamist Government towards these attacks, ranging from molestation to rape. In the absence of law enforcement, the Bodyguards deployed hundreds of volunteers to patrol the streets during mass demonstrations, wearing analogue and highly visible outfits to detect and curtail attempted sexual harassment, often risking their own safety in the process.³⁸ The group collects survivor and witness testimonies to track and document cases of sexual abuse and to raise public awareness. The Bodyguards also provide psychological support and organize free self-defense classes to educate women about how to defend themselves.

Another well-known movement that engages in monitoring and saving victims of sexual harassment in public spaces is Shoft Taharosh (I Saw Harassment, box 2). The movement was formed in 2012 by a coalition of Egyptian youth groups, human rights activists and political parties under the slogan “Have you seen harassment? Report it”. Some of the group members work on awareness-raising campaigns across the country to educate men on the importance of respecting women in public areas and to inform women of the legal steps to be followed if they are harassed. In October 2013, for example, the group organized a human chain along the 6th October Bridge under the slogan “The road is yours and hers: Do not harass her”.³⁹ Another segment of the group works in the field and intervenes to rescue women from harassment.

Similarly, Operation Anti-Sexual Harassment, or OpAntiSH, is another collective based in Cairo and set up in response to the mass incidents of sexual harassments that occurred in Tahrir Square during 2012. OpAntiSH first appeared in the Square on November 2012 during protests against President Mohamed

³⁸ Hume, Tim (2013). ‘Tahrir's Bodyguards fight to cure Egypt's disease’. *CNN* (6 March). Available from: <http://edition.cnn.com/2013/03/05/world/meast/tahrir-bodyguard-egypt-assaults/index.html>.

³⁹ Abu al-Khair, Waleed (2013). ‘Egyptian youth combat sexual harassment’. *Al-Shorfa* (3 October). Available from: http://al-shorfa.com/en_GB/articles/meii/features/2013/10/03/feature-02.

Morsi's constitutional declaration, alongside groups like Banat Misr Khatt Ahmar (Egypt's Girls Are A Red Line). While some of the assaults appear to be impulsive and stem from a mob mentality, OpAntiSH activists and others believe that at least some of the attacks are likely premeditated and politically motivated to scare off women from joining the protests. The group works under the slogan "A Safe Square for All" and operates at three levels: first, the confrontation group surrounds the woman being attacked and diffuses the mob while a female volunteer moves to cover her in case her clothes were torn; second, the safety group ensures the victim reaches a safe location and provides emotional support; and third, the core group coordinates OpAntiSH activities such as sending out reports on assaults and dispatching intervention groups where they are needed.⁴⁰ During the week of 30 June 2013, OpAntiSH reported receiving over 180 calls about incidents of sexual assault and intervened in more than 50 cases.⁴¹

OpAntiSH and other campaigns against sexual harassment are supported by a coalition of organizations such as Harassmap, which detects and maps crowd-sourced data about sexual assault. All of these groups route their communications using social media to report assaults and deploy volunteers to the scene. Social networks that played a crucial organizational role during the uprisings have once again become a decisive tool for women fighting back, as illustrated in the next section.

C. SOCIAL MEDIA

During the uprisings, women championed the use of social networks including Facebook and Twitter to spread the word about unjust acts, promote gender equality and raise awareness of the challenges facing Arab women post-revolution.

Using their newly found voices, women created non-traditional networks to protest harassment and sexual aggression. Baheya Ya Masr is one such women's group that gained a critical mass of supporters using social media outlets. The movement was founded in 2012, shortly after a protest against women's exclusion from decision-making following the ouster of President Mubarak. It aims to promote the right of women to full citizenship, mainstream gender in the constitutional process and bring an end to gender-based violence. The work of the movement has included using political graffiti to advocate social justice.

In addition to Baheya Ya Masr, a large number of informal initiatives by

Box 3. The uprising of women in the Arab world

In October 2011, four young female activists, Diala Haidar and Yalda Younes from Lebanon, Sally Zohney from Egypt, and Farah Barqawi from Palestine, initiated a campaign titled "Uprising of Women in the Arab World". Launched as a Facebook page, the impetus for this initiative was to advocate for the rights of Arab women and establish solidarity across the region in real time, particularly given the discouraging prospects for gender justice in the immediate aftermath of the uprisings. The page invited women to share a picture and a sentence that begins with "I am with the uprising of women in the Arab world because...". In time, the site was inundated with images from Arab countries and beyond and counted 120,000 members at the time this paper was prepared. The site also drew media attention when Facebook shut down the page following complaints regarding a posting by Dana Bakdous, a once-veiled Syrian woman whose picture stating "I am with the uprising because for 20 years I was forbidden from feeling the wind on my body" drew complaints. The administrators fought back and the page was re-established.

More recent campaigns by the group have included "Tell Your Story", which invites women from the Arab world to share their personal stories of violence on the International Day for the Elimination of Violence Against Women. On 12 February 2013, the page called for global protests outside Egyptian embassies and consulates to condemn the violations against women in Egypt and the Government's failure to respond. Protests took place in 35 cities, including Cairo, Melbourne, Washington D.C., New York, London, Beirut, Amman, and Ramallah.

Source: ESCWA (2013). *The Promises of Spring: citizenship and civic engagement in democratic transitions.*

⁴⁰ For more information, see: Eldis Interactions. Available from: <http://interactions.eldis.org/profile/operation-anti-sexual-harassment-opantish>.

⁴¹ Taha, Rana M. (2013). 'OpAntiSH: At least 80 sexual assaults in Tahrir'. *Daily News Egypt*. Available from: <http://www.dailynewsegypt.com/2013/07/04/opantish-at-least-80-sexual-assaults-in-tahrir-and-2-rape-cases/>.

international, regional and national organizations and human rights activists have emerged to express solidarity with Egypt's female protestors and defend women's rights. One leading initiative is The Uprising of Women in the Arab World, an online campaign launched by a group of female activists to advance the rights of women in the Arab region and build solidarity around key gender issues in real time (box 3).

Other online networks, such as the Voice of Egyptian Women, draw upon the images and legacy of famous Egyptian women in history such as Hoda Shaarawi, Doreya Shafiq and Umm Kulthum, to remind ordinary people that women are more than sexual objects. The lobbying efforts of this group also contributed to the removal of the controversial Article 36 from the draft charter of the 2012 Constitution, which stated that women and men would be equal except where such equality conflicted with Islamic law, and to the campaign protesting against statements from public officials favouring the reinstatement of female genital circumcision in Egypt.

V. REGIMES CHANGE, BUT CHALLENGES TO WOMEN'S PARTICIPATION ENDURE

*"The utopia of Tahrir is now facing the harsh test of reality."*⁴²

-Female activist in Egypt

The presumption that the citizen is primarily male while women are relegated to "second class" members of the political community, promulgated for the most part in Arab constitutions, has limited the opportunities for women to participate in the political process or advance in society.⁴³ In addition, Arab women in important official positions were often attached to ruling regimes and their agendas or not connected enough to influence policy change. The Arab uprisings have motivated women to defy traditionally gender-segregated roles and move boldly into politics. However, the national struggle has not translated into a specific feminist agenda. Three years after the uprisings, the outlines of women's participation and the future of their rights remain bleak.

As soon as the popular movements succeeded in toppling authoritarian regimes, women found themselves faced with various challenges that threatened to undermine their achievements, rights and future. As indicated earlier, in some countries, women were intimidated, told to return to their domestic roles, or systematically subjected to sexual harassment and violence. In others, women and young girls have become increasingly vulnerable to the dangers of trafficking, exploitation and sexual abuse. Consequently, harmful practices are on the rise: reports on early marriage and temporary "misyar" marriage among Syrian refugees to alleviate financial burdens on the family abound in the media and among human rights activists. In parallel, rape has become a major issue in Libya and many victims are coerced to marry their attackers or risk being abandoned by their families.

There is more: Today, Arab women face three interconnected challenges that could undermine their rights and contribution to development. These are guaranteeing gender equality and women's rights in the new constitutions; increasing women's political participation; and mitigating the potential impact of conservative politics and political Islam on their hard-earned gains.

⁴² CARE International (2013). *Arab Spring or Arab Autumn? Women's political participation in the uprisings and beyond: Implications for international donor policy* (September), p. 7.

⁴³ Joseph, 1996, 'Gender'.

A. CONSTITUTIONAL RED ALERTS

“The constitutional process was flawed from the beginning, as the Committee overseeing it was mostly comprised of men who view women’s role as that of either sex objects or servants.”

-Nehad Abul Kosman
Director of the Egyptian Center for Women’s Rights

One of the most crucial steps in any political transition is a process of constitutional revision. A new constitution signifies a new system of governance and the foundation of a new social contract, which defines the relationship between citizens and the State. Constitutional processes should be inclusive and participatory and utilize public debate and broad-based consultations to ensure that the aspirations of all citizens, both men and women, are met.

Women who participated in the revolutions hoped that the new constitutions and laws would transcend misogyny and pave the way for women’s rights, but the outcomes have been disappointing so far. In Tunisia, for example, the Draft Constitution released on 13 August 2012 led to intense debate over Article 28 and drove thousands of women to protest in the streets. The article entitled “Women’s Rights” states that women are “complementary” to men, although the word *muwatiniun* (citizens) mentioned earlier in the constitution refers to all Tunisians (women and men). Critics of this article object to the way in which women are defined only in relation to men, and their rights restricted to the context of their role in the family, namely, as spouses.⁴⁴ The outrage expressed by Tunisian women can be explained by the liberal legacy of President Habib Bourguiba, who enshrined women’s rights in the Personal Status Code of 1956, as well as by the long tradition of women’s rights groups in Tunisia. The Code brought about a profound change in the position of women in Tunisian society by outlawing polygamy, establishing a minimum age for the marriage of girls and ensuring the right to equal wages for men and women.

Numerous campaigns, demonstrations and petitions were organized to protect what many regarded as gains made during the pre-revolutionary period, resulting in the omission of the clause on “complementarity” from the second and third drafts of the Constitution. In addition, the lobbying efforts of feminists and secularist groups compelled the Ennahda party to revoke explicit references to Shari’a law as the primary source of legislation from later drafts of the Constitution.⁴⁵ Yet, until a final version of the Tunisian Constitution is released, the rights of Tunisian women remain blurred.

Many Egyptian women’s organizations also expressed concerns early on about how the post-revolutionary Islamist Government and the new constitution would approach women’s rights. Objections were raised as soon as the Constitutional Committee was formed because it did not include a single woman. The Committee was actually dubbed the “Council of Wise Men”⁴⁶ and was headed by a judge known for his strict Islamist views and his campaign to block the appointment of a female judge in 2005.⁴⁷ The constitution itself was viewed by many as a bridge-burning exercise by the Muslim Brotherhood, which would guarantee their own interests at the expense of others. It was criticized by women’s and human rights’ activists and organizations as replete with ambiguities on women’s rights and gender discrimination. One clause, for example, asserted a woman’s right to education and employment opportunities, “as long as it does not conflict with her domestic duties”.⁴⁸ In addition, Article 10 addressed women within the framework of

⁴⁴ Charrad, Mounira M. and Zarrugh, Amina (2013). ‘The Arab Spring and Women’s Rights in Tunisia’. *E-International Relations* (4 September). Available from: <http://www.e-ir.info/2013/09/04/the-arab-spring-and-womens-rights-in-tunisia/>.

⁴⁵ Ibid.

⁴⁶ FIDH (2012). *Women and the Arab Spring: Taking their Place?* Paris, p. 4.

⁴⁷ Al-Bizri, Dalal (2011). ‘Women, Revolution, Politics, and Power’. *Gunda Werner Institute: Feminism and Gender Democracy*, p. 7. Available from: <http://www.gwi-boell.de/en/2011/12/15/women-revolution-politics-and-power>.

⁴⁸ Khalil, Ashraf (2013). ‘Egypt’s Committee of 50 rewrites the constitution – again’. *Al Jazeera America* (11 November). Available from: <http://america.aljazeera.com/articles/2013/11/11/egypt-constitutioncommitteeof50.html>.

motherhood and family and not as equal citizens with similar duties and rights, thus marginalizing their role outside of the household.

Today, the women of Egypt stand at the crossroads: Following the ouster of President Morsi, a committee of 50 members comprising a cross-section of Egyptian political and societal actors, but including only one Islamist, was tasked with drafting a new constitutional amendment. After repeated delays the revised constitution was finally revealed in December 2013 with key amendments on the role of religion in legislation, greater autonomy for the military and judiciary and the possibility to withdraw confidence from the president. The new charter is seen to bestow more rights for women and explicitly states that women are equal to men, allowing them to hold official and judicial posts while committing the State to safeguard women against all forms of violence.⁴⁹ However, the new constitution does not establish a quota to guarantee women representation in the parliament. The interim Government has set 14 January 2014 as the start of a two-day referendum on the new charter, which is so far expected to be widely accepted. The 2013 constitution is nevertheless criticized for lacking effective representation and inclusion; without these two criteria, the rights of women rooted in the new constitution may not be accepted by all factions of Egyptian society.

It is also unclear whether the constitutional processes in Libya and Yemen will result in legislation that is fairer to women, as the efforts to launch these processes have been compromised by a number of factors, notably, polarization, security concerns and secessionist movements. Mainstreaming gender in the Libyan and Yemeni constitutional processes will also be conditioned by the capacity of civil society institutions, women and human rights activists to participate in public debates and consultations and pursue efforts to protect and enshrine women's rights in the new constitutions.

In the absence of strong and encouraging evidence on the outlook of women's rights, there has been a counter-action to make sure that all voices, including the voices of women, are considered in ongoing dialogues on constitutions, the law and the role of religion. In Tunisia, for example, Amira Yahyaoui founded Al Bawsla, a human rights organization that monitors the Tunisian Constituent Assembly and helps Tunisians understand the role that politics plays in their lives, as well as how to work together to protect their rights. In the same vein, the Voice of Egyptian Women organized information and open dialogue sessions to help female citizens understand the importance and intricacies of the 2012 draft constitution and the subsequent referendum.

B. WOMEN'S POLITICAL PARTICIPATION: A MIXED RESULT?

*“Before, I faced challenges because I was a human rights defender.
Now I face challenges because I am a woman.”⁵⁰*

*-A Tunisian activist speaking at a UNHCHR
regional meeting in Beirut in 2012*

Arab countries continue to rank poorly in terms of gender-based disparities, according to the 2012 Global Gender Gap Report of the World Economic Forum; the majority of countries were worse off than in 2011.⁵¹ This performance is partly a consequence of consistently low female political participation, which has plagued the region for decades.

⁴⁹ Rizk, Mariam and El Sharnoubi, Osman (2013). 'Egypt's constitution 2013 vs. 2012: A comparison'. *Ahram Online* (12 December). Available from: <http://english.ahram.org.eg/News/88644.aspx>.

⁵⁰ United Nations Office of the High Commissioner for Human Rights (2013). *Women and the Arab spring: An ongoing struggle for equal rights* (22 March). Available from: <http://www.ohchr.org/EN/NewsEvents/Pages/WomenandtheArabspringanongoingstruggleforequalrights.aspx>.

⁵¹ The Global Gender Gap Index benchmarks national gender gaps on economic, political, education and health criteria, and provides country rankings that allow for effective comparisons across regions and income groups, and over time. For more information, Hausmann, Ricardo et al. (2012). *The Global Gender Gap Report 2012*. Geneva: World Economic Forum, p. 9.

Following the first wave of transition period elections, results for the political status of women appear to be mixed. In some countries, women who had been at the forefront of the uprisings have been excluded from official decision-making roles. As noted earlier, not a single woman was appointed to Egypt's 2012 Constitutional Committee; and following the abolition of the quota system by the SCAF, the proportion of female parliamentarians in Egypt fell from 12 per cent prior to the revolution to 2 per cent, indicating a significant rollback of political rights.⁵²

In Libya, the rebels appointed only two women to the 40-members National Transitional Council (NTC).⁵³ In the run-up to the General National Congress (GNC) elections in July 2012, a number of NGOs rallied to increase female political participation. Out of the 600 women candidates, 33 were elected to the 200-seat Congress.⁵⁴ In terms of ministerial positions, three women are currently members of the cabinets in Tunisia and Egypt and two in Libya. Since the majority of former Governments have had at most two female cabinet ministers, it can be argued that women in these countries have more or less maintained their pre-revolutionary status.

These results were contingent on the electoral laws enacted to promote female political representation. Tunisia, for example, has implemented a parity system to ensure equal representation on parliamentary electoral lists. Egypt issued a decree that requires all electoral lists to include at least one woman, and in Yemen, a 30 per cent quota for women in Government and parliament was set at the National Dialogue Conference (NDC), despite resistance from religious groups. In Libya, a draft electoral law that required 10 per cent of the parliamentary seats to be reserved for women was abandoned and replaced by an article that required that women make up 50 per cent of electoral lists.

However, the effectiveness of these systems is highly contested because few women are being nominated and are often placed at the bottom of the lists of candidates. In the 2011 Tunisian parliamentary elections, for example, the female candidates were relegated to the bottom of electoral lists; despite this disadvantage, they managed to retain their pre-revolution allocations and gained 27 per cent of the seats, the majority going to members of Ennahda.⁵⁵ It can be argued that the parity system did not improve female political representation, given that women were able to win the same number of seats as under the 30 per cent quota enforced during the rule of President Ben Ali.

Similarly, in Yemen, the political participation of women did not increase after the ouster of the Saleh regime. In the transitional National Unity Government formed in December 2011, there was only one woman in the 301-member parliament and three female ministers out of 35, indicating little positive change.⁵⁶ At the same time, women comprised 30 per cent of the total participants in the NDC, key to the country's transition and its future political landscape.⁵⁷ National debates around high-stake issues remain intense, urging women's groups to find the opportunity to promote their rights and challenge such key gender issues as the minimum age at marriage. Moreover, the representation of women in the NDC masks a serious imbalance in experience and political influence. Many argue that women, youth groups and other civil society groups will likely lose out in the upcoming elections, in favour of older elite players.⁵⁸

⁵² Munn, Meg (2013). Has the Arab Spring Been Beneficial for Women? (20 March). Available from: <http://www.megmunnmp.org.uk/press-view-entry.asp?type=Views&id=445>.

⁵³ Munawar, Hisham (2013). 'Women's rights still lacking in Libya'. *Al-Monitor* (25 November). Available from: <http://www.al-monitor.com/pulse/culture/2013/11/libya-revolution-women-rights.html>.

⁵⁴ Ibid.

⁵⁵ CARE International, 2013, p. 7.

⁵⁶ FIDH, 2012, p. 38.

⁵⁷ United Nations Security Council (2013). *Report of the Secretary General on Women and Peace and Security* (S/2013/525) (4 September), p. 13.

⁵⁸ Van Veen, Erwin (2013). 'Gauging "success" in Yemen's National Dialogue: Mission impossible?' *Open Democracy* (27 September). Available from: <http://www.opendemocracy.net/opensecurity/erwin-van-veen/gauging-%E2%80%98success%E2%80%99-in-yemen%E2%80%99s-national-dialogue-mission-impossible>.

The problem of low female participation in politics is not new. However, given the strong participation of women in the protests, many hoped for a proportional improvement in ballot boxes and decision-making roles. The question is, why did this not happen? What was so specific about the political transitions in these countries that gender disparities in politics have persisted?

While several interrelated factors may have contributed to this outcome, many are increasingly arguing that the entrenched patriarchal and religious backgrounds of Arab societies have had overwhelming consequences for the political participation of women during the transition process. As the next section argues, neither the Islamists nor the more secular groups were prepared for increased female engagement in politics, particularly when both groups are preoccupied with the struggle for power and what they deemed to be national priorities. As Hoda el Sada would later observe, “political groups do not make women’s rights a priority. This includes both liberal and Islamist parties. None of the political parties challenged the fact that no quota was imposed for women. Women’s rights were compromised by all political groups.”⁵⁹

More worryingly, this attitude appears to be shared by the wider public. An informal opinion poll of 1,400 voters carried out by Egyptian blogger Dalia Ziada in Cairo shortly before the 2011 elections found that not a single person, male or female, would vote for a female presidential candidate.⁶⁰

Another factor that may have indirectly contributed to this equation is that, for a long time under the former regimes, women’s rights and female-friendly laws were strongly associated in the minds of many with first ladies and their NGOs; thus, any attempt to promote women’s rights, including political rights, were perceived as defunct and totally disconnected from the people. For Islamists, support for women’s ascendance to power in the transition period was similarly perceived as a perpetuation of the policies and priorities of the ousted regimes. Inevitably, this resulted in a backlash against women’s rights, including political participation.

C. THE RISE OF CONSERVATIVE POLITICS AND POLITICAL ISLAM

“Arab women’s presence and participation in public life – specifically in politics, decision-making positions, and state affairs – moved from marginalization under repressive regimes to rejection under Islamist regimes. Their societal policies regarding the role of women will be focused on bringing women back to the private sphere, where they believe their role to be.”

-Rola Dashti, former member of the Kuwaiti Parliament

While Islam does not officially undermine the status or rights of women, the impact of Shari’a Law on women’s rights varies depending on the country’s interpretation of it and how it relates to local traditions. In other words, political Islam is not homogeneous and conservative politics differ from one Islamist group to another.

The ascent of Islamist political parties to power, therefore, raised considerable concerns across a broad spectrum of civil activists and organizations. These included concerns over the potential for setbacks on personal status issues, should the more conservative doctrines of Islamist ideology come to inform legislation. This was particularly the case in countries that tended to be more progressive on the manner in which personal status laws addressed women, including Tunisia and, to some extent, Libya.

During the rule of Zine El Abidine Ben Ali, Tunisian women enjoyed a number of rights unusual in the Arab world, including the right to divorce, the custody of children and the right to pass the Tunisian nationality to their children. In addition, polygamy was banned and women had access to legal abortion services.⁶¹ Serious concerns emerged that these rights would be repealed as the Islamist Ennahda party rose

⁵⁹ FIDH, 2012, p. 20.

⁶⁰ Bohn, 2012, ‘Women’.

⁶¹ United Nations Children’s Fund (UNICEF) (2011). *Tunisia. MENA Gender Equality Profile: Status of Girls and Women in the Middle East and North Africa*, pp. 1-2. Available from: <http://www.unicef.org/gender/files/Tunisia-Gender-Equality-Profile-2011.pdf>.

to power, stoked by the public statements of party officials. For example, in November 2011, Souad Abderrahim, a member of parliament for Ennahda, declared that “single mothers were a disgrace in an Arab Muslim society”.⁶² In the months that followed, many leading Islamist politicians in Tunisia voiced strong disapproval of adoption and spoke in favour of polygamy and religious customary marriages (*urfi*).⁶³

In the Libyan case, during Gaddafi’s rule, it was illegal for men to marry additional women without the consent of their current wife. Women gained access to high-profile jobs within the police, military and sometimes the Government and enjoyed a number of rights: they had the same right to divorce as men, conditional custody rights over their children, freedom of movement and of holding their passports, the right to vote and stand for election, and many others. The legal marriage age in Libya is set to 20 years and women have the lawful right to choose their own marriage partner and to refuse arranged or forced marriages.⁶⁴

However, the statements and actions of some of members of the revolutionary leadership fueled a great deal of controversy over women’s rights in the country. Concerns over the status of women were heightened when the chairman of the NTC announced in October 2011 that Islamic Shari’a would be the basis of legislation in the new Libya. Moreover, a draft election law proposing a 10 per cent quota for women was later abandoned in January 2012, amid complaints from Islamic groups. More recently, the Supreme Court lifted restrictions enacted under the Gaddafi regime on polygamy, while in April 2013, and following the call of the Grand Mufti for the Government to ban the marriage of Libyan women to foreign men, the Ministry of Social Affairs reportedly stopped issuing marriage licences in such cases.⁶⁵ Similarly disturbing developments have been reported in Yemen and Egypt.⁶⁶ While these concerns remain for the most part driven by the public statements of politicians and officials, the status of women in transition countries has yet to experience a dramatic shift.

VI. MOVING FORWARD: CEMENTING WOMEN’S PARTICIPATION AND CAPITALIZING ON GAINS

“If women do not push for a stronger women’s agenda, they may in fact take a backseat in the future. In that case, the gains made in the revolution – including internationally acknowledged prizes – may become peripheries in the long run.”

-Atiyaf el Wazir, Yemeni activist

During the uprisings, women from all walks of life surrendered their specific interests and battles for the sake of the wider struggle for social justice and democracy. Although their roles varied within and across countries, their collective action brought them a new sense of empowerment and a new voice that cannot be taken away. Some women championed civic activism and became iconic figures and the pride of their nations. In the process, many women who led, participated in or organized the demonstrations were intimidated, beaten or sexually assaulted, while others have paid with their lives. But women are fighting back. A number of them have shifted their activism from the streets to cyberspace and are mobilizing, using innovative and effective strategies to advocate and protect their rights as citizens backed by increased popular support.

⁶² Madi-Sisman, Ozlem (2013). ‘Women and the Arab Spring: A Missed Opportunity?’ *Turkish Review* (1 March). Available from: http://www.turkishreview.org/newsDetail_getNewsById.action?newsId=223287.

⁶³ Ibid.

⁶⁴ Pargeter, Alison (2005). *Women’s rights in the Middle East and North Africa – Libya*. Freedom House (14 October). Available from: <http://www.unhcr.org/refworld/docid/47387b6dc.html>.

⁶⁵ Bruce, Ronald (2013). ‘Not Inclusive Yet’, in *SADA Analysis on Arab Reform*. Carnegie Endowment for International Peace (26 September). Available from: <http://carnegieendowment.org/sada/2013/09/26/not-inclusive-yet/gobh>.

⁶⁶ See, for example, Community Times (2013). ‘Local activists Nazli Shahine & Fadia Badrawi fight for women’s rights with The Voice of Egyptian Women’ (26 May). Available from: <http://communitytimes.me/local-activists-nazli-shahine-fadia-badrawi-fight-for-womens-rights-with-the-voice-of-egyptian-women/>.

At the same time, long-standing challenges to women's advancement are now compounded by a serious process of marginalization that varies in intensity from one country to the next, depending on those in power and the different laws enacted after the revolution. Politically, the most critical concern is the increase in public statements by ruling parties qualifying the rights of women. These statements and other actions indicate that important past victories for women's rights may gradually be eroded. Experiences from across the region and beyond have shown that hard-won achievements can quickly disappear once a new regime is in place.

Today's facts and figures on women in political positions are mixed and not commensurate with expectations, despite attempts by activists to ensure equal and fair participation in the political process. Like other civil society groups and activists who were at the forefront of the uprisings, women were not able to reap the fruits of the political transition in its initial stages because they failed to organize into strong political parties and forge the right alliances to influence the electoral and constitutional processes. Consequently, women's unprecedented participation in the street protests could not translate into vibrant political representation and their rights were not articulated as a priority of the transition agenda. In contrast, priority was given to organizing elections, amending constitutions and such high-stake political issues as reforming the security and judiciary sectors, establishing mechanisms for transitional justice, and curbing secessionist movements.

Transitions in the Arab region are still works in progress. While the outlook for women's rights is uncertain, several significant opportunities exist for their advancement. Women's and human rights' groups should continue to mobilize, advocate and petition in support of their demands, which include legal protections for women through the explicit criminalization of violence against women. National dialogues and public debates will be the litmus test for how far women can use collective action to challenge patriarchal and fundamentalist discourses and cement their rights in the new social contracts.

Another opportunity to broaden the support base for women's rights is to renew the commitment of governments to fully implement the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), a treaty that has long been ratified by all Arab countries, and to harmonize national legislation with international human rights instruments. The drafting and amendment of constitutions present a unique venue for women and their supporters to argue for the inclusion of the principles of human rights, equality and justice in a way that does not clash with Islamic teachings and principles.

While numerous challenges remain, what is certain is that women are determined to fight to maintain their public status as first-class citizens. By publicizing their struggle, women can bring questions of gender justice to the forefront of public consciousness, sparking a true social and cultural revolution. In turn, Arab Governments should commit themselves to the cultivation of a democratic environment conducive to the full participation of women as well as men. They should also enact and enforce regulatory frameworks to protect women from any and all forms of intimidation or retaliation. To ensure the sustainability and legitimacy of these processes, gender justice must be linked to broader demands for democracy and for social, economic and political justice. As Bizri states, "democracy is vital to liberate women's political potential ... to strengthen their involvement would be to strengthen democracy itself".⁶⁷

⁶⁷ Al-Bizri, 2011, 'Women'.