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Why Women are Losing Rights in Post-Revolutionary Egypt By Aliaa Dawoud

Abstract

A backlash against women's rights emerged in post-revolutionary Egypt. This paper argues that one of the reasons is the fact that former President Mubarak, his wife and son were the key decision makers when it came to women's rights. These decisions were reflected in the media so that women's rights came to be associated with government policy personalized around the first lady. The paper demonstrates that the backlash did not emerge suddenly after Mubarak was ousted from power, but that dissent against Mubaraks' decisions pertaining to women was prevalent in the media long before the 25th of January revolution. The paper builds on a number of theories. One of them is whether the notion of personal authoritarianism was applicable to the former President's wife and son and not just to the President himself. It also takes a new element into consideration: the media, and will analyze the drawbacks of women's rights as addressed by an authoritarian regime.

Keywords: women's rights and authoritarianism; media treatment of women's rights; backlash against women's rights

Introduction

Even though Egyptian women actively participated in the 25th of January revolution, they did not gain more rights in post- revolutionary Egypt. On the contrary, a backlash against women's rights emerged in the form of attempts and/or concrete steps to repeal the laws pertaining to women that were introduced or amended by the Mubarak regime. This paper aims to explain why this backlash took place by arguing that one of the main reasons is the identity of the key decision makers concerning women' rights under the Mubarak regime, couple with media treatment of these decision, and the role played by those behind the scenes.

The first section of the paper identifies the key decision makers, the second analyzes media treatment of their role in these decisions, and the third section demonstrates that societal dissent against women's rights was prevalent during Mubarak's reign, but only after he was ousted from power it culminated into an outright backlash against women's rights.

The paper builds on a number of theories. One is Maye Kassem's (2004) argument that the former Egyptian regime was personal authoritarian, whereby all branches of government are loyal to the President. This paper tests whether the theory is also applicable to the former first lady and Gamal Mubarak, the former President's younger son, and not just the former President. In addition, it builds on the drawbacks of an authoritarian regime addressing women's rights identified by Emma Murphy (2003). Murphy examines the impact of an authoritarian government's approach to women's rights not only society's perception of women and their rights, but also on media treatment of women's rights. This paper states that the former Egyptian regime created a similar organization called the National Council for Women (NCW). Both Murphy and Melinda Adams (2007) identify some of the problems of having a women's organization created by an authoritarian regime, but they did not look into whether or not they identity of the person who heads the organization and the level of popularity of the authoritarian regime in power can have an impact on media treatment of women's rights. The paper will build on their findings by looking into this issue.

Background Information

This section will provide a brief overview and some background information about the Mubarak regime engaging in various legal changes and other measures pertaining to women's rights. In 2000, a new law that granted women unprecedented divorce rights was introduced. By virtue of this law called *khula*, a woman can obtain swift, unilateral and irrevocable divorce, provided that she return her dowry and relinquish all of her financial rights. *Khula* is an Arabic term that means remove or get rid of. Its usage in this context connotes that a woman can easily get rid of her husband, and this term was rather offensive to Egyptian men. Three years later, the Egyptian law on nationality was amended in a manner that was more favorable to women. It used to allow for the children of an Egyptian man and a non-Egyptian woman to obtain the Egyptian nationality. The children's mother was also entitled to it two years after the marriage took place. However, the children of an Egyptian woman married to a non-Egyptian man, as well as the children's father, were not allowed to obtain Egyptian nationality. In 2003, the law was amended to allow those children – but not their father – to obtain the Egyptian nationality. In the same year, Mubarak appointed the very first female judge in Egypt (Leila, 2009). In 2005, the child custody law was amended. Prior to the amendment the law stipulated that boys remained in their mothers' custody until the age of 10, while girls remained in their mothers' custody until the age of 12. Moreover, at a specified age child custody was automatically transferred to the father. The law was amended so that both boys and girls would remain in their others' custody till the age of 15, then they would get to choose with which parent they wished to live (Leila, 2005). Finally, in 2009 a women's parliamentary quota was adopted. Other legal changes which took place under the Mubarak regime pertaining to women were to reintroduce a law that stipulates that a man can be sentenced to prison if he does not pay his ex-wife the alimony (NCW, 2004), to cancel the law that stated that women need their husband's permission in order to travel (Kandil, 2006), and to amend the pension law to allow men to receive the pension of their deceased wives.

Identifying the Main Policy Makers in Decisions Pertaining to Women's Rights under the Mubarak Regime

I will examine statements made by three different women to gain an understanding of who the main players were when decisions pertaining to women's rights were made under the Muabrak regime. The first woman is Nehal Shoukry, a journalist and former duty editor in chief of *Al Ahram*, and a member of the Women's Secretariat of the former ruling National Democratic Party (NDP) and NCW's Political Participation Committee. The second woman is Iman Baibers, the President of the Board of Trustees of the Association for the Development and Enhancement of Women (ADEW). ADEW is an NGO that primarily works with female-headed households living in shanty towns. The third woman is Nehad Abu El-Komsan President of the Egyptian Center for Women's Rights (ECWR) and chair of its Board of Directors. ECWR's main concern is supporting Egyptian women in their struggle to obtain all of their rights and equality. Finally, I will examine NCW's role in addressing women's rights.

The National Council for Women (NCW) was established by a Presidential decree in the year 2000 and it is affiliated with the President of the Republic. Former first lady Suzanne Mubarak used to be the acting President of NCW, and followed the Council's work almost on a daily basis. Her role was to nominate the Secretary General of the Council, approve the composition of the Standing Committees of the Council and nominate the coordinator and the alternate coordinator for each committee after the approval of the Board of the Council,

supervise the ... [council's] work with the assistance of the Secretary General [and any other member of her choosing], invite the Council to hold regular or exceptional meetings [and] invite any of the Committees to meet [at a date and time of her choosing], ... approve the composition of the Council's delegation abroad, .. approve the proposed general budget and the final financial statement of the Council after approval by the Board of the Council, delegate anyone she chooses for conducting research ... [related to] the objective and mandate of the council, ... approve the composition of the Branches of the Council [and] approve the composition of Ad-hoc Committees of the Council.

Therefore, the first lady was almost in full control of NCW, and was involved in the intrinsic details of its workings. One of NCW's committees is the Legislative Committee. It aims to examine laws, regulations and decrees related to women, and to propose any amendment deemed necessary to express opinions on draft laws, regulations, and decrees related to the objective of NCW [and] to follow up on the enforcement of laws, regulations and decrees to ensure that they live up to the principle] of gender equality, as stipulated in the Egyptian Constitution. In others, NCW's mandate grants it the power to play an integral role in changing laws pertaining to women. Since NCW was run like a one (wo)man show, the first lady was entitled to change laws.

Shoukry's statements shed some more light on the role played by the former first lady in introducing a specific law pertaining to women's rights.

For many years the Women's Secretariat [of the NDP] produced several reports about the need to introduce something along the lines of what later became the *khula* law. The reports were then passed on to the Secretary General of the NDP, but the leaders of the party were embarrassed and were reluctant to make that decision until Suzanne Mubarak supported this cause and after that it was implemented.

Meanwhile, Abu El Komsan revealed that the former first lady played an integral role in changing another law in a manner that benefits women:

NCW has achieved a lot in a short period of time. ... NCW is the one who changed the nationality law, NGOs worked on it for 10 years but it was NCW that managed to change it, but not in the manner we were calling for.

If the law was changed in way that differed from those called by women's NGOs, it indicates that they did not have a say in the decision itself. The former first lady's role was not confined to changing and introducing laws. For Shoukry, "appointing women as judges was the result of efforts by the first lady ... the Women's Secretariat [of the NDP] ... did not play any role whatsoever in this issue and the NDP as a whole had nothing to do with it."

Despite this, it is wrong to assume that the first lady was the sole decision maker. According to Shoukry, the [NDP's] Women's Secretariat sought to change the nationality law for many long years but the NDP refused to even consider it. Things only changed after Safwat al Sherif became Secretary General of the NDP and the Policies Committee was formed in 2002 headed by Gamal Mubarak i.e. young people with a new vision joined the Party. They sponsored changing the nationality law. We also owe the first lady because she exerted a lot of effort in this regard and at the end of the day, we owe the President for responding to the demands of Egyptian mothers.

In other words, both the former President and Gamal Mubarak played integral roles in changing the law of nationality. The importance of their roles toward changes pertaining to women's rights is clarified even further by examining how the women's parliamentary quota was adopted.

In 2005, the first presidential election took place in Egypt, and former President Mubarak was the NDP candidate. His electoral program included taking the necessary measures to increase women's parliamentary quota would be considered during a joint session of the People's Assembly and Shoura Council. Therefore, the former President's direct involvement was necessary to adopt the women's parliamentary quota. Furthermore, according to Shoukry, "the NDP Policies Committee which is headed by Gamal Mubarak formed a working group" to decide which type of quota would be adopted and how it would be implemented.

Clearly, when it came to decisions pertaining to women's rights the main key policy makers were the former President, the former first lady and their son Gamal. Perhaps Baibers summed it up very well by saying:

Who is going to change the law? Hosni Mubarak. If you do not like him, go ahead and establish a political party and change him. But until he is changed, I will beseech him to change the nationality law. ... On Orbit [television station] I said Mr. President, these are your children, please do not let them down. Who stood up on the 18th of September 2003 and said we will change the nationality law? Hosni Mubarak. You have to utilize the tactics that will result in achieving your goals. ... Suzanne, Gamal and Hosni [Mubarak] are the ones who change things regardless of whether or not you work on the media. You have to get your message across to them and be persistent. ... It is very easy for Suzanne Mubarak to change a law.

Media Treatment of the Role of the Mubaraks in Decisions Pertaining to Women's Rights

The adoption of a women's parliamentary quota was the Mubarak's most recent – and also their last – decision pertaining to women's rights. It will be taken as a case study in media treatment in both newspapers and talk shows. The newspapers are the government owned *Al Ahrām* or 'The Pyramids' and the privately owned *Al Masry Al Youm* or 'The Egyptian Today.' The talk shows are *48 Sa'a* or 48 Hours and *90 Dekika* or '90 Minutes', both of which are aired on the privately owned channel *Al Mehwar*, in addition to *Al Beit Betak* or 'Make Yourself at Home', which used to be aired on two government owned channels. Government owned media outlets were mouthpieces for the Mubarak regime, while privately owned media was largely controlled by the former regime so that any criticism against it or its policies was allowed to a certain extent to create a fake pluralistic media environment.

The media was hypocritical toward former President Mubarak's role in adopting a quota for women in parliament. There were countless opinion columns in *Al Ahrām* that contained praise for the former President. For example, Abo Imara argued that women remained underrepresented in parliament until President Mubarak placed increasing representation at the top of his priorities (Abo Imara, 2009). Members of the former ruling party also made similar statements. For example, in the episode of the talk show *48 Sa'a* aired on *Al Mehwar* June 26, 2009, former member of the NDP Ibitssam Abo Rihab said: "I would like to thank the President for supporting women throughout, and for adopting the women's parliamentary quota." It is not surprising in any way that such statements were made by people affiliated with the regime, but it is significant in any way that such statements were made by people affiliated with the regime, but it is significant that members of the opposition acted in a similar fashion. For example, in the episode of the talk show *90 Dekika* aired on the November 3, 2008, on *Al Mehwar*, Nehad Soliman, head of the Women's Committee of the opposition Egyptian Arab Socialist Party said: "We are pleased with the quota and we would like to thank his Excellency the President, but the type of quota which was adopted focuses on quantity not quality ... female members of the NDP will end up winning all of the 56 seats."

Finally, there were several news stories in *Al Ahram* reporting on the President holding meetings with senior members of the regime to discuss various matters related to adopting the women's parliamentary quota. An example is an article entitled "Mubarak Reviews the proposed Law to Empower Women and [Ensure that they are] Represented in the People's Assembly: The Proposed [Law] Reflects the President's Concern for Women's Political and Economic Rights" it was about a meeting between President Mubarak and several high-ranking government officials where they discussed a draft law to increase women's representation in parliament (El Masry, 2009).

The role played by Gamal Mubarak in the adoption of the women's parliamentary quota also received some media coverage, largely consisting of news stories in *Al Ahram*. For example, an article entitled "In a Meeting off the NDP's Higher Policies Committee A Sherif: Increasing Women's Parliamentary Representation is A Step towards Political Reform and Fulfills the President's Promise" stated that the NDP Policies Committee meeting discussed details pertaining to the women's parliamentary quota, such as how many seats would be allocated for women. The story included an extremely long quote from Gamal Mubarak (Shoukry, 2009).

But things were rather different when it came to the first lady, especially in the privately owned media. She was indirectly and negatively referred to in association with the women's parliamentary quota. For example, in an opinion column entitled "Women's Society" and published in *Al Masry Al Youm*, El Deramali reports:

I support women's political participation in principle and I believe that it could be by adopting electoral lists ... NCW ... and the 16,000 [women's] NGOs which are foreign funded implemented a foreign agenda under the banner of empowering women. ... I will sue the law on the grounds that it is unconstitutional because ... women now rule the country ... through NCW ... and they now have [these] parliamentary seats ... they incur illegal benefits from these posts while inflicting a lot of harm on society (El Deremali, 2009).

NCW did not run the country. Far from it, but it was an institution with considerable power, simply because it was headed by the former first lady. The writer's exaggeration of its powers as well as his unsubstantiated accusation that women incur illegal benefits are a manifestation of the societal dissent against women's rights which will be addressed in the next section.

Another example of the unfavorable indirect references to the former first lady from the same newspaper is an interview with Mohamed El Omda, member of the free Constitutional Party. In the story, he argues that "positive discrimination" is a meaningless and contradictory term ... Egyptian women are not in the least interested in politics ... What kind of rights do they not have and how come people claim that women do not play a role in the decision making process when every single government official has to be very hypocritical when it comes to women and has to speak very highly of women and their role all the time. ... having a vision is very different from adopting policies to please important local figures [i.e. the former first lady] (Khalil, 2009).

The writer argues that government officials are hypocritical when it comes to women because the former first lady used to sponsor women's rights. Therefore, they did not sin in order to please her. It is important to note that the former first lady was criticized in the media for playing a role in the adoption of the women's parliamentary quota, whereas the former President and Gamal were not. The reason behind this is that for more than a decade the media provided extensive coverage of NCW activities under the auspices of the first lady. In the words of Abu El

Komsan, “when you [a women’s NGO] cooperate with NCW all of the credit goes to NCW because the first lady is NCW’s President, and because the media will focus on it.”

It was not only the extensive coverage, but also the type of coverage. At the first lady’s request news about NCW used to be published in the governments page and not in the women’s page of *Al Ahrām* because she did not want her name to appear next to stories about make-up and fashion, but next to stories about ministries. This is the status she wanted NCW to have. Therefore, women’s rights became directly associated with the persona of the former first lady. In addition, since stories about NCW were either published next to stories about ministries, or covered by television alongside the former President’s and Gamal’s actions, women’s rights came to be associated with government policy.

Ramifications of Policies in Decisions Pertaining to Women’s Rights

Sakr (2004) argues that media treatment of women both reflects and reinforces societal views of women. I argue that linking women’s rights to the Mubaraks led to societal dissent while the regime lasted, and after it was ousted dissent escalated into an outright backlash against women’s rights. *Anisati Sadati* or ‘Ladies and Gentlemen,’ is a weekly program aired on the privately owned channel Dream TV, and *Sa’et Zaman* or ‘An Hour’, is a daily program that used to be aired owned channel Egyptian Satellite Channel. On Thursdays it used to address women’s rights. A final media outlet is the leftist magazine *Roe El Youssef*.

While Mubarak was still in power, societal dissent was reflected in the media in three different forms. The first on was sexist and hostile comments about women. For example, in the episode of *90 Dekika* aired on June 17, 2009, Mohamed Helmi, the editor in chief of caricature magazine and a writer in the government owned *Al Akhbar* or ‘The News’ newspaper, had this to say:

Helmi: Several women have previously won parliamentary elections in a manner that I greatly admire ... male journalists voted for the female ones who ran for the journalists’ syndicate. ...

Presenter: What do you think of the women’s parliamentary quota?

Helmi: I may disagree with the issue of quota, *metafahina el kota* [men are overworked because of women]. I do not think women can play a role in politics. They can play a role in other fields such as services, civil society, women *metafahina el kota* [men are overworked because of women], as if that were not enough. What do women want from parliament anyway?

Presenter: Do you support an all-male parliament?

Helmi: No, I don’t but I am against the women’s parliamentary quota.

Helmi is not against women’s political participation, but curiously, he makes hostile comments about women. In addition, the use of the non-Arabic term *quota* led him – and many others for that matter – to associate it with an Arabic term pronounced in a similar manner. This term is used in the saying *tafhan el kota* which means that someone is overworked. Helmi used it twice to make a derogatory comment, and so did many other men in other media outlets.

Similar comments were made in the government owned media. The following example is from the talk show *Al Beit Betak*. In the episode aired on June 1, 2009, some of the questions and comments made by the presenter, Khairy Ramadan, were insulting to women.

“Did the former female members of parliament play a positive role?”

“How will NCW ... convince voters that women will be capable of opening an office to meet up with people, go to police stations to release people from jail and be available [to attend to people’s needs] in the middle of the night?” also, a male caller-into the program argued that in some countries quotas for men have been introduced to protect men from women. The presenter said to him “don’t you worry, similar measures will eventually be necessary in Egypt.”

The second form of dissent reflected in the media is the notion that the Mubarak regime was busy taking away rights from men and giving them to women. One of the episodes of *Anisati Sadati* contained a discussion on how men entrap their wives. The speaker was a male psychiatrist and marriage consultant. A segment of the discussion went as follows:

Consultant: In recent years, due to calls for liberating women, as if they were occupied and colonized ... women have attained freedom at the expense of men’s rights. ... if I ask my wife to do something and she does it ... there will be no need for me to get uptight. But if I am in a situation in which my wife disobeys my orders, challenges me, oppresses me and if we do not get along she can leave the marital home, divorce me and use the *khula* law to get rid of me. This is oppression that men are now subjected to due to mishandling the male-female relationship ... Since you [women] overdid it in obtaining some rights that should have been mine, I was forced to give up these rights for you, then I will deprive of other rights.

In this example, the speaker argues that the Mubarak regime took away rights from men and gave them to women and he cites the *khula* law as an example.

This attitude was also to be found in government-owned media. For example, the episode of *Sa’et Zaman* aired on January 15, 2009 was about a program administered by United Nations Development Fund for Women [UNIFEM] to foster equal opportunities within companies in Egypt. The project’s main aim was to ensure that companies do not discriminate against employees while appointing or promoting them, primarily on the basis of gender. During the discussion, the speakers mentioned that the training program consists of several stages. They always ensure that the first stage is administered by a man because they are concerned that if the first trainee is a woman, than the employees may dismiss her and anything she says on the grounds that she is a woman who is there to provide women with rights at the expense of men.

The dissent against women’s rights is no secret to those who support and are trying to further women’s rights. Thus, they are on the defensive the whole time and they end up apologizing for addressing women’s rights in the media. For example, in the episode of *Sa’et Zaman* aired on December 11, 2008, towards the end of the introduction the presenter said:

I would like to stress that when we address any issue we are not biased to one side or the other, even though the program is concerned with women’s issues ... However, we are objective in presenting [different views]. We are not biased towards women and against men, nor are we biased towards men against women. At the end of the day, we want to arrive at justice ... regain lost rights and solve unprecedented societal problems.

Furthermore, a columnist in a section on women in *Roze El Youssef* wrote:

I am aware that many male and female readers will argue that a section for men should also be in place. Such arguments are justified because readers and the public at large have been bombarded with talk about women’s rights, their

empowerment and their oppression over and over again by the government, NGOs, the international community, satellite channels, terrestrial channels, men, youth and women so that people are fed up with women who have attained so many rights and yet are still asking for more (Hassona, 2009).

The quote reveals how bad the situation is; even someone who promotes women's rights acknowledges that both men and women have every right to feel bad about the rights women have gained under the Mubarak regime.

Things became far worse in post-Mubarak's Egypt. The association between women's rights as a whole and the former first lady became far more pronounced, and so did the antagonism that resulted from this association. The excerpt below is from the introductory paragraph of a lengthy investigative story published in *Al Ahram*.

For more than 30 years persona status laws have been subjected to futile changes by Suzanne Mubarak that disregard religious and cultural principles ... these changes have culminated in distorted and unacceptable reckless laws that run against religious principles and the holy books of non-Muslims. This dealt a blow to the stability of Egyptian families and men's status in their households ... and gave women [rights] that are not lawfully theirs according to *Sharia*, such as obtaining unilateral divorce through *khula* without reaching an agreement with her husband ... This may be one of the reasons behind the psychological problems of a large segment of the Egypt[ian population] and it may be one of the indirect causes of the revolution against the former regime which ruined the Egyptian people's social life and their psyche (Imam, 2011).

Criticism in this text is far more profound than the subtle criticism of the first lady's role in decisions pertaining to women's rights which were cited earlier.

Headlines like this one also emerged: "The Revolution that will Change the Personal Status Law is Coming ... *El Khala* [Getting Rid] of the *Khula* [Law]" (Imam, 2011).

Headlines like this one also emerged: "The Revolution that will change the Personal Law is Coming ... *El Khala* [Getting Rid] of the *Khula* [Law]" (Imam, 2011). In fact, laws pertaining to women that were changed or introduced under the Mubarak regime came to be referred to as 'Suzanne Mubarak's laws' (Abo El Nisr, 2012). Calls to cancel these laws altogether emerged, largely – but not solely – by groups like 'Egyptian men's Revolution' which was established after the ousting of Mubarak. According to its founder, Walid Zahran, "We demand that the personal status law be amended ... for it does not make sense that we should be governed by laws which were formulated and approved by the former first lady that lead to the dismantling of Egyptian families" (Hilal, 2012).

It is not surprising that along with these comments, further calls to abolish NCW and replace it with a council for the family emerged. As a result, the women's parliamentary quota was cancelled altogether and a committee to amend the *khula* law was formed. At the time of this writing, the committee was considering amending the law so that divorce by virtue of *khula* would only take place if both the wife and husband consented to it, rather than giving women the right to unilateral divorce (Imam, 2011).

Conclusion

When it came to decisions pertaining to women's right, the former Egyptian regime was personal authoritarian with power concentrated not only around the President, as argued by Kassem (2004), but also around the former first lady, and to a lesser degree to their son, Gamal.

This also meant that the former first lady and Gamal were involved in formal politics. As mandated by NCW, the former first lady used to be entitled to the written powers of playing a role in amending and introducing laws. Yet, her formal political influence extended beyond these powers, since she also played a role in other decisions pertaining to women, such as appointing women judges.

As portrayed by the media, decisions pertaining to women's rights came to be associated with government policy and with the regime as a whole, but they became even more associated with the persona of the first lady because under her auspices media coverage of NCW's activities was extensive and varied. Thus, in the process of analyzing the drawbacks of an authoritarian regime that addresses women's rights one must take into consideration the popularity of the regime as a whole, the popularity of the person heading a governmental institution that is concerned with the rights of women. These are factors that were not identified by Murphy (2003) and Adams (2007).

These factors have collectively led to societal dissent against women's rights while Mubarak was still in power, reflected in both government and privately owned media. First, it led to the emergence of hostile comments toward women in the media. In some cases, these were made by men who did not seem to be against women's rights, but ended up expressing such views nevertheless. Second, it led men to believe that women can only obtain rights at their expense, so that men have come to perceive women's emancipation as a process in which rights are taken away from men and given to women; men's power in public and in private is slowly eroded to the advantage of women. This in turn made it difficult to address the issue in the media; those who tried it later apologized. After Mubarak was ousted from power, societal dissent on this issue was transformed into an outright backlash against women's rights. It remains to be seen whether or not the laws pertaining to women that were introduced or amended by the Mubarak regime will indeed be revoked. If this were to take place, the reasons behind this regression lay in the Mubarak era and not in post-revolutionary Egypt.

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