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## **Women's Rights Movements in the 'Arab Spring': Major Victories or Failures for Human Rights?**

By Hayat Alvi<sup>1</sup>

### **Abstract**

With the 2011 "Arab Spring", the issue of women's empowerment has emerged as a parallel movement in the Middle East and North Africa (MENA). What are the implications of the women's empowerment movements in the MENA for improved political representation and rights? Do these developments contribute to long-term socio-political, legal, judicial, and economic reforms that would improve overall human rights, and especially women's rights in the MENA? This paper is a comparative survey of women's empowerment and rights, especially in terms of general human rights principles, as well as in terms of political representation in post-revolution Tunisia and Egypt. The level of analysis is Amartya Sen's theories of "development as freedom". Applying Sen's freedom-based development theories, focusing on women's agency in attaining rights and freedoms for the broader goal of human rights and socioeconomic development accounts for the uniqueness of this study.

*Key Words:* Tunisia, Egypt, Human Rights, Arab Spring

### **Introduction**

Awarding the 2011 Nobel Peace Prize to Yemen's prominent nonviolent activist, Tawakkul Karman, sent an unequivocal message to the global community that nonviolent activism against tyranny and authoritarianism should be rewarded, and that women in the frontlines of this struggle must be recognized. Yet, attitudes towards women's rights and freedoms are far from progressive and do not change easily in the Middle East. Women's participation in anti-regime protests and revolutions in 2011 was deemed acceptable, but changes in misogynist policies and laws toward more progressive and liberal ones encounter fierce resistance, especially from the Islamists, though not limited to them. Therefore, the question of the utility and exploitation of women's participation in the protest movements of 2011 becomes critical.

In 2002, a panel of Arab scholars and analysts published a United Nations Development Program (UNDP) report exclusively about the development statuses and deficiencies in the Arab world. This was the groundbreaking *2002 Arab Human Development Report (AHDR)*, which concluded that the region suffers from three major deficiencies, including in the areas of: 1) creating a knowledge-based society; 2) political freedoms and democracy; and 3) women's empowerment.

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With the 2011 “Arab Spring”,<sup>2</sup> encompassing revolutions that rippled throughout the region upon the overthrow of the Zain Al-Abidine Ben Ali regime in Tunisia in January 2011, respective populations and previously repressed opposition groups have enjoyed new political freedoms. With elections in Tunisia and Egypt, we see Islamist parties coming to power, and then overturned. Ennahda led by Rachid Al-Ghannouchi in Tunisia took the lead, followed by the Muslim Brotherhood’s Freedom and Justice Party (FJP) with the election of Mohamed Morsi in Egypt, although the Egyptian military intervened and toppled Morsi in July 2013.

As the world watched the events unfold in 2011, many thought that with these revolutions an equally effective feminist revolution would emerge, culminating in policies and laws that would finally acknowledge the plight of females. Many also thought that with women so prominently active in the Arab Spring, they would be ensured greater political participation and rights and freedoms. The results have been, for the most part, disheartening and disappointing for the women’s rights movements in the region.

In some cases, as with the Supreme Council of the Armed Forces (SCAF) in Egypt upon the overthrow of Hosni Mubarak, sexual assaults and violence against women have increased. Under SCAF’s rule women detainees were subjected to “virginity tests” and sexual humiliation. In March 2012, an army doctor was found not guilty in an Egyptian court for conducting “virginity tests” on a number of detained female protestors. According to the *Guardian*, Dr. Ahmed Adel was acquitted of “public indecency by a military court in Cairo. He was accused of performing the tests on seven women at a military prison who had been arrested in Tahrir Square on 9 March 2011.”<sup>3</sup> Women victims of such sexual assaults usually never come forward, but in this case three women filed charges against the perpetrator. “The first woman to file charges, Samira Ibrahim, was outside court when the verdict was announced. Visibly upset, she joined others in chanting against military rule.”<sup>4</sup> The Egyptian Initiative for Personal Rights (EIPR) is representing Ms. Ibrahim. However, the EIPR’s assistant director has no faith in the system:

Soha Abdel-Aty...told the *Guardian* she had no expectation of justice and no faith in a military court, as it was not independent.

‘This is entirely a show to convince public opinion an investigation was conducted. The whole sham started out with the fact that the military prosecutor decided to bring this doctor to court with an accusation that did not fit the bill,’ she said. The charges referred to the conducting of a medical examination in an open space, and thus the allegation of the ‘virginity tests’ was never even acknowledged, she said.

Amnesty International provides details about these incidents in which women detainees taken from Tahrir Square were tortured and sexually assaulted:

On 9 March 2011, when army officers violently cleared Tahrir square of protesters, they took at least 18 women into military detention. Seventeen of those

<sup>2</sup> The term “Arab Spring” is disputed among Middle Eastern Studies scholars as inaccurate, and the terms “Arab Awakening” or “Arab Citizens’ Revolt” are deemed more appropriate. But for the sake of simplicity, the term “Arab Spring” is used here.

<sup>3</sup> Abdel-Rahman Hussein, “Egyptian Army Doctor Cleared over ‘Virginity Tests’ on Women Activists,” *The Guardian*, March 11, 2012: <http://www.theguardian.com/world/2012/mar/11/egypt-doctor-cleared-virginity-tests>.

<sup>4</sup> Ibid.

women were detained for four days. Some of them told Amnesty International that during that time male soldiers beat them, gave them electric shocks and subjected them to strip searches. They were then forced to undergo “virginity tests”, and threatened with prostitution charges.<sup>5</sup>

Human Rights Watch equally condemns the whole military court trial as a “sham” and highlights the Egyptian military’s failures to prosecute the perpetrators responsible for torturing and sexually assaulting women detainees.<sup>6</sup>

In a June 2014 *New York Times* op-ed, journalist Mona Eltahawy underscores Egypt’s sexual violence problem. The new military regime in Egypt, under the reign of General Abdel Fattah al-Sisi, passed a superficial law that criminalizes sexual harassment of women. But, according to Ms. Eltahawy, this does not achieve anything. She says:

In recent weeks, Egypt has criminalized the physical and verbal harassment of women, setting unprecedented penalties for such crimes. But celebrations for the election and inauguration of our new president, Abdel Fattah el-Sisi, were marred by sexual assaults, including a gang rape, in Tahrir Square. Last week, Human Rights Watch released a report on what it has called an ‘epidemic of sexual violence’ in Egypt. A few days later, yet more sexual violence took place at a march against sexual violence.

In March, I interviewed dozens of women in Egypt, Jordan, Libya and Tunisia for a BBC World Service radio documentary called ‘The Women of the Arab Spring.’ Many told me that very few things had changed for the better in their lives since the uprisings that began in Tunisia in December 2010, but that the revolutions had created a new and combustible power: the power of their rage and the need to use it.<sup>7</sup>

Post-regime-change elections in Egypt and Tunisia failed to open the floodgates to women. What does this say about the viability of the women’s rights movement during and after the Arab Spring? This paper examines this question, and the causal variables behind the continual suppression of women’s rights and freedoms in the region. The core significance of this analysis is the implications of the denial of women’s rights and freedoms for broader human rights and socioeconomic development in the Middle East and North Africa generally, and in Tunisia and Egypt specifically.

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<sup>5</sup> Hassiba Hadj Shahraoui, “Egypt: A Year after ‘Virginity Tests’, Women Victims of Army Violence Still Seek Justice,” *Amnesty International*, Marh 9, 2012: <http://www.amnesty.org/en/news/egypt-year-after-virginity-tests-women-victims-army-violence-still-seek-justice-2012-03-09>.

<sup>6</sup> See “Egypt: Military ‘Virginity Test’ Investigation a Sham: Impunity Highlights Lack of Independence of Justice System,” *Human Rights Watch*, November 9, 2011: <http://www.hrw.org/news/2011/11/09/egypt-military-virginity-test-investigation-sham>.

<sup>7</sup> Mona Eltahawy, “Egypt has a Sexual Violence Problem,” *The New York Times*, June 20, 2014: [http://www.nytimes.com/2014/06/21/opinion/mona-eltahawy-egypts-sexual-violence.html?\\_r=0](http://www.nytimes.com/2014/06/21/opinion/mona-eltahawy-egypts-sexual-violence.html?_r=0).

## Methodology

I went on a research trip to Tunisia from February 26 to March 4, 2012, where interviews were conducted. General observations about the country's economy, politics, and socio-cultural and religious statuses and issues were noted. I interviewed the director of the Center for the Study of Islam and Democracy (CSID) in Tunis, as well as sources he provided, including Tunisian journalist Kamal Ben Younes. I spoke to the general public in casual conversations and observed gender interactions and roles in society.

I have also lived in Egypt for four years (2001-2005). While there, I interviewed fellow colleagues from the American University in Cairo (AUC), as well as Saadeddin Ibrahim, the director of the Ibn Khaldun Center. I participated in various academic conferences, some of which discussed gender issues. I also made general observations about gender issues in Egyptian societies, and through casual conversations and informal interactions with diverse segments of society, I gained a valuable education about Egypt's gender dynamics. This was not restricted to secular and educated Egyptian Muslim women; it included interactions with illiterate, poor, uneducated, and also women in both religions, Islam and Coptic Christianity.

In addition, the author conducted conventional research referring to books, articles, multimedia, and other sources. A comparative analysis of the Tunisian and Egyptian revolutions as they pertain to women's rights is also included in this study.

## Theoretical Framework

This study is conducted from a human rights and political economy perspective. The political economy level of analysis involves two variables. The first is based on the developmental theory of Amartya Sen, recipient of the 1998 Nobel Prize in Economic Sciences. His *social choice theory* posits that without freedoms, there will be no socioeconomic progress, and hence, individuals and society cannot progress if they are not granted the freedoms to make choices. This theory is applied to the women's rights movements pertaining to the Arab uprisings of 2011. Dr. Sen combines economics and philosophy, with the premise that "ethics and a sense of common humanity" contribute to social justice and equality.<sup>8</sup> Specifically, Dr. Sen's theory has

contributed to important paradigm shifts in economics and development—away from approaches that focus exclusively on income, growth and utility, with an increased emphasis on individual entitlements, capabilities, freedoms and rights. It has increased awareness of the importance of respect for human rights for socioeconomic outcomes—challenging the proposition that growth should take priority over civil and political rights, while highlighting the **role of human rights in promoting economic security**, and the **limitations of development without human rights** guarantees.<sup>9</sup> (Emphasis added)

In his book, *Development As Freedom*, Dr. Sen devotes a chapter on women's agency and social change, in which he emphasizes the importance of the role of both women and men in

<sup>8</sup> Jonathan Steele, "Food for Thought –The Guardian Profile: Amartya Sen," *The Guardian*, March 30, 2001: <http://www.guardian.co.uk/books/2001/mar/31/society.politics>.

<sup>9</sup> "Economic Theory, Freedom and Human Rights: The Work of Amartya Sen," ODI Briefing Paper, *Overseas Development Institute (ODI)*, November 2001, p. 1: <http://www.odi.org.uk/resources/docs/2321.pdf>.

serving as active agents of change, referring to them as, “The dynamic promoters of social transformation.”<sup>10</sup> Dr. Sen also intrinsically links agency to women’s well-being. He says, “There is [also] an urgent and basic necessity, particularly at this time, to take an agent-oriented approach to the women’s agenda.”<sup>11</sup>

The variables for women’s well-being include: earning an independent income; employment outside of the home; ownership rights; literacy and education; decision-making authority.<sup>12</sup> In turn, these variables contribute to women’s agency, which also promote empowerment and independence. All of these elements and variables require freedom. Dr. Sen states a simple fact: “Freedom in one area...seems to help to foster freedom in others,”<sup>13</sup> and these factors facilitate what he calls “survival advantages,” as opposed to “survival disadvantages.”<sup>14</sup> Examples of survival advantages, which the above variables for women’s well-being tend to facilitate, include lower fertility rates and lower mortality rates of children.

It is important to note that Dr. Sen’s freedom-based theories of development are predicated on the “removal of repressive states.”<sup>15</sup> Logically, one cannot enjoy freedoms in a repressive society. According to Dr. Sen, “Freedom is central to the process of development for two distinct reasons”—they are (1) the Evaluative Reason: that is, “assessment of progress has to be done primarily in terms of whether the freedoms that people have are enhanced”; and (2) the Effectiveness Reason: “Achievement of development is thoroughly dependent on the free agency of people.”<sup>16</sup> The formula for this is, simply put, that political freedoms allow for economic security; social opportunities allow for economic participation; and economic facilities allow for personal abundance and public resources.<sup>17</sup>

Clearly, if authoritarian and repressive governments want their countries to develop socioeconomically and progressively in the modern, competitive globalized world, then they must realize that these goals cannot be achieved without individual freedoms and rights. As Dr. Sen says, “Freedoms are not only the primary ends of development, they are also among its principal means.”<sup>18</sup> The regimes and societies in the Middle East and North Africa have yet to embrace these realities. Everything comes down to personal choices, that is, the freedom for individuals to make personal choices in society.

Dr. Sen articulates the “real conflict” in traditional cultures and societies (as found pervasively in the MENA region), which can impede freedoms of choice; they revolve around the following core issues and factors:

1. The basic value that the people must be allowed to decide freely what traditions they wish or not wish to follow; and
2. The insistence that established traditions be followed (no matter what), or, alternatively, people must obey the decisions by religious or secular authorities who enforce traditions—real or imagined.<sup>19</sup>

<sup>10</sup> Amartya Sen, *Development As Freedom* (New York: Alfred A. Knopf, 1999), p. 189.

<sup>11</sup> *Ibid.*, p. 191.

<sup>12</sup> See Sen, p. 191.

<sup>13</sup> *Ibid.*, p. 194.

<sup>14</sup> *Ibid.*, p. 195.

<sup>15</sup> *Ibid.*, p. 3.

<sup>16</sup> *Ibid.*, p. 4.

<sup>17</sup> *Ibid.*, p. 11.

<sup>18</sup> *Ibid.*, p. 10.

<sup>19</sup> *Ibid.*, p. 32.

The above two points explain the deeply rooted tensions between individuals and societies, and the latter and governments and religious establishments. In all such categories, women and girls are the primary targets of control and restrictions on choices and freedoms. This is the case in both “secular” and religious contexts, as far as governments and religious clerics are concerned. Together, these variables have a direct correlation with the second major variable utilized in this analysis.

The second variable consists of the findings in the groundbreaking *Arab Human Development Report 2002: Creating Opportunities for Future Generations*, (AHDR 2002) which presents three key challenges for the Middle East region:

1. The lack of a knowledge-based society
2. The prevalence of authoritarian governments that suppress freedoms and rights
3. The lack of empowerment of women

Clearly, the AHDR 2002 and Dr. Sen’s social choice theory are interrelated, as they apply to the Middle East and North Africa (MENA). For decades, we have observed severe repression in these regions, resulting in restrictions and violations of human rights, as well as constricting individual and societal choices. As a result, we see trends in educational and intellectual deficiencies (i.e., lack of a knowledge-based society); repressive and entrenched authoritarianism; and gender inequalities (especially restrictions on women’s choices) that have contributed to lack of socioeconomic progress. Hence, Dr. Sen’s social choice theory and the premises and findings of the AHDR 2002 are interdependent.

The human rights level of analysis pertains specifically to feminist theory, which promotes gender mainstreaming in all sectors of society. Specifically, with the MENA region consisting primarily of Muslim societies, feminist theory must be viewed through the lens of Islamic feminism, and contrasted with secular (sometimes equated with Western) feminism. Islamic feminism seeks gender parity and mainstreaming within the context of the religion of Islam, with the intention of precluding any conflict with or violation of Islamic principles. In other words, it is an attempt to reconcile feminism with Islam. The ensuing ideological struggle between secular and Islamic feminists cannot be overlooked.

Margot Badran defines Islamic feminism as follows: “[Islamic feminism] derives its understanding and mandate from the Quran, seeks rights and justice for women, and for men, in the totality of their existence.”<sup>20</sup> Dr. Badran emphasizes that Islamic feminism is a global phenomenon, including in cyberspace: “Islamic feminism is being produced at diverse sites around the world by women inside their own countries, whether they be from countries with Muslim majorities or from old established minority communities. Islamic feminism is also growing in Muslim Diaspora and convert communities in the West. Islamic feminism is circulating with increasing frequency in cyberspace...”<sup>21</sup>

Islamic feminist discourse embodies a contextual *feminist hermeneutics*, which “renders compelling confirmation of gender equality in the Quran that was lost sight of as male

<sup>20</sup> Margot Badran, “Islamic Feminism: What’s in a Name?” *Al-Ahram Weekly*, 17-23 January 2002: <http://weekly.ahram.org.eg/2002/569/cu1.htm>.

<sup>21</sup> Ibid.

interpreters constructed a corpus of *tafsir* (exegesis, or interpretation) promoting a doctrine of male superiority reflecting the mindset of the prevailing patriarchal cultures.”<sup>22</sup>

The hypothesis for this study states: Because freedoms and rights have been severely repressed in the region, human development and socioeconomic progress have stagnated (Sen’s social choice theory and the 2002 AHDR apply here). This, in turn, has served as the main causal factor for the 2011 uprisings and revolutions in North Africa and the Middle East, beginning with the Jasmine Revolution in Tunisia.

In addition, this study posits that substantive progress in women’s human rights and empowerment has not been realized in the region because of being sidelined in the process of regime change and post-regime priorities, despite the prominent roles women have played in the 2011 uprisings and revolutions.

The reasons for the sidelining of women’s empowerment during and after the Arab Spring are multidimensional. In order to understand these reasons, first, ideological and cultural misogyny must be analyzed. Second, correlated to the first, are human development deficiencies pertaining to women in the MENA region. This is followed by an assessment of the 2011 Arab Spring and respective women’s rights movements, beginning with the revolution in Tunisia. Comparative analyses of the status and rights of women in Egypt are also presented. The conclusion assesses the women’s rights movements in the 2011 Arab Spring, particularly in the contexts of Amartya Sen’s Social Choice Theory, the 2002 AHDR, and feminist theory. The analysis has to begin with the ideological and cultural foundations of misogyny and negative attitudes towards women in the MENA region, as they form the contextual backdrop of the study.

### **Ideological and Cultural Misogyny**

In December 2002, a panel discussion was held at an American university in the Middle East. The topic was the *2002 Arab Human Development Report* (AHDR), and two of its authors served as the panelists in addition to two scholars who critiqued the report. The authors of the report listed the human development deficits in the Middle East region, based on their research findings, which included: (1) a deficit of knowledge, (2) a deficit of women’s empowerment, and (3) the suppression of freedoms and rights.

One of the panelists who critiqued the report responded to the findings with a suggestion that *women’s empowerment is not a priority*, since wealth and power can “trickle down” to them once there is sufficient economic growth and prosperity by means of implementing economic reforms and liberalization. Here is his direct quote:

It could be argued, for instance, that the question of women’s empowerment should not have been included...[as a problem] calling for priority action. For improving the status of Arab women is better regarded as an outcome rather than as a condition of human development. Women’s empowerment is bound to increase [from]...improvements in general economic, social, and political conditions rather than [through] women’s solutions, political decisions, or legislation.<sup>23</sup>

<sup>22</sup> Ibid.

<sup>23</sup> Dr. Ibrahim El Issawy, panel discussion: “The 2002 Arab Human Development Report,” *English Public Lecture Series*, December 16, 2002, Cairo, Egypt.



Of course, this is extremely misguided logic. Human development must progress from the bottom up, as well as simultaneously from government policies from the top down. Human development is based on the prerequisites of literacy and education, good health, and all forms of security for a given population. The panelist's quote reveals more of his own personal gender biases rather than anything that the field of economics posits.

The audience also reacted to the report's UNDP sponsorship. Some in the audience felt that this was Western-sponsored research, and it gives Western-modeled advice for progressive change in the Arab Middle East, and therefore, should be rejected. Specifically, a renowned Egyptian economist, Galal Amin, remarked that: "the [AHDR] adopted criteria for human development which are directly copied from the West," while disregarding cultural sensitivities.<sup>24</sup>

The two authors of the AHDR responded to these reactions by pointing out that the formula for human development is *universal*, and not exclusively Western. Responding to Galal Amin, Dr. Nader Fergany, the lead author of the AHDR, said, "Human rights are the crowning achievement of the human race," adding that the cultural issue should not be taken too far.<sup>25</sup>

Dr. Rima Khalaf-Hunaidi, a co-author of the AHDR, challenged the suggestion that economic growth will take care of women's empowerment, and therefore the latter need not be a priority for development in the Arab world. She retorted:

On women's empowerment...Dr. Issawy said that maybe it shouldn't be a priority, and maybe economic growth will solve it. Ladies and gentlemen, look at our region. You'll see that countries with the highest per capita income are countries where women suffer most. They are countries who have voted to deprive women of their rights. They are countries where women do not have even citizenship, and women are deprived of the basics. So I do not think that economic growth and development in and of itself will solve the women's disempowerment issue, and I actually believe that it is something that we should give priority for, not only because it's a human rights issue, and because women should be entitled to equal citizenship, because I actually believe that a society deprived of half its citizens will find it extremely difficult to move forward.<sup>26</sup>

In a 2007 article in the journal *Kritiké*, entitled "Gender Jihad: Muslim Women, Islamic Jurisprudence, and Women's Rights," Melanie Mejia attributes these patriarchal attitudes to the need for establishing a male-dominated social hierarchy; and, of course, the central component driving this need is the intoxicating attraction to power. According to Professor Mejia, this "hierarchical logic was pushed to such an extreme that the laws were designed to ensure that society places the Muslim woman in a situation where [certain] Quranic conditions for her subordination would automatically be satisfied. This was done by denying her basic right to

<sup>24</sup> Galal Amin, panel discussion: "The 2002 Arab Human Development Report," *English Public Lecture Series*, December 16, 2002, Cairo, Egypt. Written question from Galal Amin asked by panel moderator to the panelists in his absence.

<sup>25</sup> Dr. Nader Fergany, panel discussion: "The 2002 Arab Human Development Report," *English Public Lecture Series*, December 16, 2002, The American University in Cairo, Egypt.

<sup>26</sup> Dr. Rima Khalaf-Hunaidi, panel discussion: "The 2002 Arab Human Development Report," *English Public Lecture Series*, December 16, 2002, Cairo, Egypt.

education and to work, which would make her financially independent from the male.”<sup>27</sup> Patriarchal attitudes in the MENA region remain predominant.

### **The 2011 Arab Spring: Uprisings and Revolutions in the MENA**

It all began in Tunisia, when Mohamed Bouazizi set himself on fire in protest of corruption and repression. Tunisians across generations mobilized and demanded justice and accountability. They were fed up with stifling corruption and brutal authoritarianism that ruled Tunisia for decades. In a surprisingly swift departure, Ben Ali was gone, and the revolutionaries emerged victorious. Like dominoes, other uprisings surfaced in Libya and Egypt, and then throughout the MENA region. Tunisia has been the source of inspiration for the 2011 Arab Spring, but will the post-Ben Ali government and society manage to preserve women's rights and freedoms that originate from the Habib Bourguiba era?

The Islamist Ennahda party came to power briefly following elections after the revolution, and while women participate in Tunisian politics, there is deep fear among secularists and feminists that gradually these rights and freedoms will erode. Ennahda's religious advisor and head Rachid Al-Ghannouchi has tried to calm such fears. He has said publicly that, in his view, “the essence of Islam is freedom.”<sup>28</sup> Still, many fear that the progress achieved for women's rights and freedoms in Tunisia might be reversed. It is important to understand the historical context of Tunisia's tradition of upholding women's rights and freedoms, which go back to the Bourguiba presidency.<sup>29</sup>

### **Tunisia**

Tunisia under the late President Habib Bourguiba for the most part remained Western leaning, which, some argue, contributed to the most advanced women's rights and social policies in the region. Quoting a former Tunisian Minister of Culture, Tunisia's reference groups “are the French and the Italians, not the Algerians and Libyans.”<sup>30</sup> Bourguiba outlawed polygamy and granted women equal status as men. “Women's rights are very advanced in Tunisia,” according to Radwan Masmoudi, director of the Center for the Study of Islam and Democracy (CSID), in an interview.<sup>31</sup>

Bourguiba's secular views and policies pertaining to women sounded very radical for the mostly conservative Muslim region:

Bourguiba believed that old-fashioned clothing encouraged old-fashioned modes of thinking and acting; those who chose to wear [the veil] were, at least subconsciously, expressing their rejection of the modern world. In speech after speech during the first years after independence, he condemned the veil as an

<sup>27</sup> Melanie P. Mejia, “Gender Jihad: Muslim Women, Islamic Jurisprudence, and Women's Rights,” *Kritiké*, volume one, number one, June 2007. p. 12.

<sup>28</sup> Rachid Al-Ghannouchi, Public Lecture (in Arabic), Office of the Center for the Study of Islam and Democracy (CSID), Tunis, Tunisia, March 2, 2012.

<sup>29</sup> Interview with Kamal Ben Younes and Radwan Masmoudi, Office of the Center for the Study of Islam and Democracy (CSID), Tunis, Tunisia, February 29, 2012.

<sup>30</sup> Christopher Alexander, *Tunisia: Stability and Reform in the Modern Maghreb* (NY: Routledge, 2010), p. 1.

<sup>31</sup> Interview with Radwan Masmoudi, Office of the Center for the Study of Islam and Democracy (CSID), Tunis, Tunisia, February 29, 2012.

‘odious rag’ that demeaned women, had no practical value, and was not obligatory in order to conform to Islamic standards of modesty...[he] made similar arguments concerning traditional male garments.<sup>32</sup>

In 1958, Bourguiba’s Neo-Dustur Party passed the Personal Status Code, which “introduced dramatic changes in the law, banning polygyny, setting minimum ages for marriage, and enabling women to initiate divorce proceedings. It represented the most revolutionary such legislation in the Muslim world since the reforms of Mustafa Kemal Atatürk in the Turkey of the 1920s.”<sup>33</sup> A postage stamp of the 1958 Personal Status Code illustrates women’s empowerment with an image of a woman, with the Arabic words “*tahrir al-mar’a*,” which means “freedom of the woman,” next to her. On the bottom of the stamp are the words: “*1<sup>st</sup> Janv. 1958, Emancipation de la Femme, Republique Tunisienne*.”<sup>34</sup>

While fierce secularism constituted official domestic policy, many in the populace remained privately faithful to their Islamic identity, which has manifested itself in post-Ben Ali politics after the 2011 revolution, as the Islamic party Ennahda won the most seats in parliament. In fact, despite the strict secularism under both Bourguiba and Ben Ali, consider the official preservation of Tunisia’s Islamic identity: “*Shariah* (Islamic Law) courts were abolished in 1956, but the constitution declares Islam the state religion and stipulates that the President of the Republic must be a Muslim.”<sup>35</sup> (See Table 1 for Tunisia’s ethnic and religious demographics).

**Table 1: Tunisia’s Ethnic and Religious Demographics**

Demographic Category	Data
Population	10,732,900 (July 2012 estimate)
Ethnic Groups	Arab 98%, European 1%, Jewish and Other 1%
Religions	Muslim 98%, Christian 1%, Jewish and Other 1%

Source: *CIA World Fact Book: Tunisia* (updated March 6, 2012):

<https://www.cia.gov/library/publications/the-world-factbook/geos/ts.html>.

Ben Ali violated Dr. Sen’s social choice theory, as well as denied the masses the fulfillment of basic human development needs, as outlined in the AHDR 2002. The only area where both Bourguiba and Ben Ali made considerable advancements pertains to women’s empowerment. In that regard, Tunisia has remained ahead of the rest in the region. However, authoritarianism and lack of a knowledge-based society, as manifested by intellectual productivity (i.e., translations of literature) and registration of patents, have remained problematic. Denying freedoms and rights, restricting the political process, ruling with brutal authoritarianism, and embezzling from the masses are all formulas for arresting socioeconomic development, as Dr. Sen’s theory and the AHDR 2002 stipulate. These are also attributes of Ben Ali’s legacy.

<sup>32</sup> Kenneth J. Perkins, *A History of Modern Tunisia* (NY: Cambridge University Press, 2004), p. 137.

<sup>33</sup> *Ibid.*, p. 136.

<sup>34</sup> *Ibid.*

<sup>35</sup> Cecily Hilleary, “Return of Islamic Leader Worries Some Tunisian Women,” *Voice of America (VOA)*, February 4, 2011: <http://www.voanews.com/english/news/middle-east/115291829.html>.

Also, “women constitute the majority of graduates. Yet only 38 percent of women are employed compared with 51 percent of men.”<sup>36</sup>

Now, Tunisians are in the process of formulating their post-dictator political system. Although the Islamist Ennahda party, headed by Rachid Al-Ghannouchi, dominated the parliament, the new politicians are careful not to cross certain red lines that might infringe on women’s rights and principles of secular liberalism. These matters are still being sorted out and debated, but in general, Tunisia is faring far better in its political development than neighboring Libya and Egypt. First, in early 2014, the Tunisian parliament approved a new constitution. CNN reports that:

Alongside the vote, Prime Minister Mehdi Jomaa appointed a caretaker Cabinet as part of a deal to end a crisis between Tunisia's Islamist party and its secular opposition until new elections. The approval of the new constitution is one of the last steps to establishing full democracy in the North African country, the cradle of the 2011 Arab Spring uprisings that toppled autocratic leaders in one of the most conservative corners of the world.

Its drafting lasted two years and exposed a deep rift between the Islamist Ennahda party and the secular opposition.<sup>37</sup>

Lucky for Tunisia, the government was able to avert a national crisis that risked a coup and violent chaos, not unlike the violence and turmoil seen in Egypt. Ennahda agreed to step down, and talks between Ennahda and the opposition led to an agreement for drafting a new constitution and forming a new secular government. New elections were held in November 2014, resulting in a runoff between two candidates, the Ennahda incumbent Moncef Marzouki and secularist Beji Caid Essebsi. The second round runoff vote was held on December 21<sup>st</sup>, 2014, and Essebsi won and currently serves as Tunisia’s president. He is also the founder and head of the secular ruling party called Nidaa Tounes (“Call for Tunisia”). This is being hailed as a major victory for Tunisia’s transition to democracy. However, one must consider that Essebsi is 88 years old, and he received 39 percent of the votes in the October election. Meanwhile, Marzouki, representing the Islamist Ennahda Party, earned 33 percent of the votes, hence the December runoff. That is a close difference between the two parties, only 6 percentage points apart. How this will fare for women and women’s rights issues is hard to predict, but the fact that no woman has been elected is disconcerting. Nonetheless, Tunisia presents a promising environment for democratization and potentials for women’s empowerment, social choices, and freedoms. The very fact that Tunisian society has been able to pressure an Islamist government to step down from power is a significant achievement.

In fact, Tunisia even had a woman presidential candidate running as an independent. Her name is Kalthoum Kannu, “who has three children, a long marriage to a doctor, a 25-year career

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<sup>36</sup> Tunisia Country Fact Sheet,” *International Fund for Agricultural Development (IFAD)*, 2011 Governing Council: <http://www.ifad.org/events/gc/34/nen/factsheet/tunisia.pdf>.

<sup>37</sup> Marie-Louise Gumuchian, “Tunisia Approves New Constitution, Appoints New Government,” *CNN*, February 7, 2014: <http://www.cnn.com/2014/01/27/world/africa/tunisia-constitution/>.

as a judge and an ambition to be the first female president of Tunisia.”<sup>38</sup> However, she constantly receives death threats from the extremist Salafists:

Since Ben Ali fled to live in exile in Saudi Arabia, Kannou said, she’s received threatening messages, which can be par for the course for judges, politicians, journalists, filmmakers and talk-show hosts who anger Islamic fundamentalists. The last one arrived at her office in May 2013. It was signed by an ultraconservative Salafist group from the coastal city of Sfax, and she said it warned her to ‘lift your hands from the judiciary or your head will be separated from your body.’<sup>39</sup>

The challenges for Tunisian women and society are overwhelming, despite the enlightened secular post-colonial history that emancipated women. Consider that

Among Kannou’s opponents are men who were high-ranking officials in Ben Ali’s government, including Bejj Caid El Sebsi, a former premier and head of Nidaa Tounes, and Kamel Morjane, who served as defense and foreign minister. The incumbent president, former human-rights activist Moncef Marzouki, [is] running as an independent.

The new government faces a tough road. Receipts from tourism dried up after the Arab Spring upheavals, and joblessness is about 15 percent; youth unemployment, which helped spur the Jasmine Revolution, is about 30 percent. Security forces have battled militants in border regions, and at times in the capital. There have been attacks on targets including the U.S. embassy, which was torched in 2012 by protesters, many of them Salafists angered over a film seen as denigrating the Prophet Mohammad. A gallery showing a painting of a nude woman and a caricature of Mecca was ransacked.<sup>40</sup>

Still, there is reason to believe that Tunisians will persevere and transcend the ideological challenges. According to Tunisia’s Minister of Finance, Jaloul Ayed, “it was not surprising that Tunisia’s revolution was the first of the so-called Arab spring because earlier in its history Tunisia had been the first Arab country to abolish slavery and to grant equal rights to women. Tunisia had even adopted a written constitution as far back as 1861.” He added, “The corrupt old system was bound to fail—and it did fail.”<sup>41</sup>

In Tunisia, women freely occupy the public space. In fact, Tunisian women will often be seen in occupations that one seldom sees in other parts of the MENA region, like café waitresses

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<sup>38</sup> Jihen Laghmari and Caroline Alexander, “Woman Running for President Shows Tunisia’s Arab Spring Progress,” *Bloomberg*, November 12, 2014: <http://www.bloomberg.com/news/2014-11-12/woman-running-for-president-shows-tunisia-s-arab-spring-progress.html>.

<sup>39</sup> Ibid.

<sup>40</sup> Ibid.

<sup>41</sup> Jaloul Ayed, quoted in Conference Report, “Tunisia’s and Egypt’s Revolutions and Transitions to Democracy: What is the Impact on the Arab World? What Lessons can We Learn?” Edited by Thomas W. Skladony, Peter Winston Fettner, and Alexandra Tohmé. Center for the Study of Islam and Democracy (CSID) 12<sup>th</sup> Annual Conference, Washington, DC, April 15, 2011, p. 3.

and traffic police. Tunisia has long held the reputation of being one of the region's most liberal countries.

In 2011, the Tunisian parliament consisted of 27.6% seats reserved for women; that is 58 women out of 217 seats, which is considerably progressive compared to other Arab countries.<sup>42</sup> Still, women in Tunisia continue to protest especially potential constitutional changes that would infringe on women's rights. The Islamist Ennahda party faced pressures from the Salafists calling for implementation of Islamic law on the one hand, and on the other hand, the secularists who demand secular liberal democracy ensuring rights and freedoms to all. Tunisian activists "are not happy with a stipulation in a draft of the constitution that considers women to be 'complementary to men' and want a pioneering 1956 law that grant women full equality with men to remain in place."<sup>43</sup>

In August 2012, thousands protested in Tunis against possible constitutional changes that would threaten gender equality. One of the protesters said, "Normally, more important issues ought to be tackled like unemployment, regional development. Ennahda seems bent on making steps backwards but we are here to say that Tunisian women will not accept that. I fear for the future of my daughters who may grow up in a totally different Tunisia."<sup>44</sup> Ennahda representatives denied that the draft constitutional amendment would render regressive policies for women. The chair of the assembly's human rights and public freedoms panel, Farida al-Obeidi, explains that the draft stipulates: "sharing of roles and does not mean that women are worth less than men."<sup>45</sup> However, many Tunisians worried that passing this draft would lead to future policies and laws that threaten gender equality, which would be a significant reversal for women's rights.<sup>46</sup> In Tunisia, the struggle for preserving women's rights and freedoms has continued, as activists feared an agenda of greater Islamization on the horizon. They are determined not to give up or let up on the pressure to maintain the long tradition of women's equality in Tunisia (see Table 2: Tunisian Feminist Post-2011 Opportunities and Impediments). Eventually, secular activists succeeded in not only overturning the offensive language, but also in paving the way for drafting a new constitution.

<sup>42</sup> "Women in National Parliaments," June 30, 2012: <http://www.ipu.org/wmn-e/classif.htm>.

<sup>43</sup> Tarek Amara, "Thousands Rally in Tunisia for Women's Rights," *Reuters*, August 14, 2012: <http://af.reuters.com/article/worldNews/idAFBRE87C16320120814>.

<sup>44</sup> Ibid.

<sup>45</sup> Ibid.

<sup>46</sup> Ibid.

**Table 2: Tunisian Feminism Post-2011 Opportunities and Impediments**

	<b>Opportunities</b>	<b>Impediments</b>
<b>Strengths for Tunisian Feminism</b>	<ul style="list-style-type: none"> <li>• Bourguiba-era feminist policies &amp; secularism;</li> <li>• Strong tradition of feminist activism;</li> <li>• Constant public exposure of challenges to women's rights &amp; freedoms, via media, Internet, and other forms of information technology.</li> <li>• Strong secular/feminist intelligentsia.</li> </ul>	<ul style="list-style-type: none"> <li>• Too much antagonism of the Islamists, could potentially lead to backlash;</li> <li>• Laws passed without opportunities for checks and balances;</li> <li>• If Islamists in power decide to make women's dress and similar issues priorities over socioeconomic development, it can derail the development focus of post-revolution Tunisia. Feminists can continue to cite this as a major departure from socioeconomic priorities.</li> </ul>
<b>Weaknesses of Tunisian Feminism</b>	<ul style="list-style-type: none"> <li>• Publicity through media and information technology will help keep the issues alive, especially in the face of adversity; but publicity is not power.</li> <li>• Claims of Islamist leanings toward orthodox policies can put the laws and government policies in a critical light.</li> </ul>	<ul style="list-style-type: none"> <li>• Islamists harden their positions &amp; manage to pass laws and policies that constrain women's rights &amp; freedoms;</li> <li>• The challenge of the Salafists;</li> <li>• Inability to sustain the feminist movement &amp; pressures on the government in the medium and long term.</li> </ul>

Women took part in the Tunisian revolution of 2011, and played significant roles in the activism that helped end decades of authoritarianism. Because of the strong tradition of secular policies that granted women freedoms and rights since the Bourguiba era, the pressures for continuing the same policies should keep the Islamists in check. However, this will not happen without major challenges, including from the Salafists.

## Egypt

Asmaa Mahfouz is the young woman who challenged fellow Egyptians to show up at Tahrir Square on January 25, 2011. Asmaa recorded a message in front of a video camera and uploaded it on YouTube. This was part of her message:

*We want to go down to Tahrir Square on January 25<sup>th</sup>*

*Let him have some honor and manhood and come with me on Jan. 25<sup>th</sup>*

*If you have honor and dignity as a man, come...come and protect me and other girls in the protest*

*If you stay at home, then you deserve all that's being done to you*

*Come down with us and demand your rights, my rights, your family's rights*<sup>47</sup>

Asmaa Mahfouz is one of countless women involved in Egypt's April 6<sup>th</sup> movement, Islamic youth, Coptic youth, and organizers and sit-in participants that led to the downfall of Hosni Mubarak. Egypt has a stellar history in initiating the feminist movement in the Arab world. Upon the 2011 revolution, hopes were extremely high for the next major wave in Egyptian feminism, but these hopes were dashed quickly. Leading up to the revolution, despite operating underground, the Muslim Brotherhood made considerable gains at the social level to inspire a religious resurgence in Egypt across economic classes and education levels. More women have been wearing the *hijab* (headscarf) and full burka in Cairo and Alexandria, and college students also visibly seemed to increase their religiosity over the last several years.

Once Mubarak was gone, and both men and women continued sit-in protests in Tahrir Square, the security forces and unknown criminals and gangs viciously assaulted women, including journalists Lara Logan and Mona Eltahawy. Sexual assaults, rape, gang attacks, and the SCAF-enforced "virginity tests" all comprised serious setbacks to women, especially in the public sphere. However, Egyptian women are speaking out and fighting back, including with lawsuits, in the effort to hold perpetrators accountable, even concerning such taboo subjects as sexual assaults.

In the political sphere, the Muslim Brotherhood and even Salafist parties and politicians occupy parliamentary seats resulting from post-revolution elections. Salafists also triggered violence in various parts of Egypt, at times targeting Coptic Christians.

Coptic activist Mona Makram Ebeid is among those who worry that 'the Salafis have been brought out from their caves,' and she has been quoted by the BBC as saying that 'everyone is frightened' and 'there is a lot of fear in society and a lot of concern.' An equally anxious secularist and editor of Cairo's *Democracy Review*, Hala Mustafa, similarly told the BBC that the Salafist movement was very influential in Egypt and was trying to 'turn Egypt into an Islamic state.'<sup>48</sup>

The Muslim Brotherhood (MB) considers fears of Islamists as "overblown," as MB spokesman Essam El-Erian claims, "the Egyptian people are wise enough to have a balanced parliament and are keen to have a civil and democratic state."<sup>49</sup> However, MB's position

pertaining to women and to the country's Coptic Christian minority remains worrying to many. The group was highly criticized recently for statements saying that it would not accept a woman or a Copt as president, and there have been fears that the Islamists will try to impose Islamist ideas on the country if they dominate the next parliament, such as forcing women to wear veils or banning interest on investments.

<sup>47</sup> Asmaa Mahfouz, "Meet Asmaa Mahfouz: The Vlog that Helped Spark a Revolution," *YouTube*, January 18, 2011: <http://www.youtube.com/watch?v=SgjIgMdsEuk>.

<sup>48</sup> Gihan Shahine, "Who's Afraid of Islamist Rule?" *Al-Ahram Weekly*, 30 June – 6 July 2011: <http://weekly.ahram.org.eg/2011/1054/focus.htm>.

<sup>49</sup> Ibid.



[...] The group has [since] revisited many of its former positions, including those concerning women and religious minorities. Women constitute more than 10 per cent of the Brotherhood's political party, the Freedom and Justice Party, while the party's vice-chairman is the prominent Coptic intellectual Rafiq Habib.<sup>50</sup>

In terms of political participation, Egypt has 2.0% of the seats held by women in parliament, that is, ten women out of 508 seats in the lower house. In the upper house, women constitute 2.8%, which translates into five women out of 180 seats.<sup>51</sup> This is considerably less than Tunisia's female political representation, and yet Egypt's population is so much larger, estimated at about 84 million (July 2012 CIA World Fact Book estimate).

Egypt's illiteracy rates, especially of females, are atrocious. The total literacy rate for Egypt's population is 72%. Male illiteracy stands at 19.7%, and female illiteracy is 36.5% (2010 estimate),<sup>52</sup> which means that nearly forty percent of Egypt's female population is illiterate. Forty percent of 84 million is approximately 33 million. That is an astounding number. This statistic alone is a violation of Sen's social choice theory and poses a significant challenge to feminist aspirations.

Egyptian-American journalist Mona Eltahawy has been front and center in Tahrir Square, reporting on developments, and also enduring a gang-led sexual assault similar to Lara Logan of CBS News. In a July 2012 interview with MSNBC, shortly after Mohamed Morsi was elected president, Mona Eltahawy implied that Morsi must have negotiated a power sharing deal with SCAF (i.e., the military junta), but the onus is on him to come through with "concrete promises that he wants to include everybody, women, Christians, minorities of all kinds, and people who do not belong to the Muslim Brotherhood. This is really important."<sup>53</sup> Mona Eltahawy also expresses concerns about ideological positions of not just MB men, but also MB women:

When I look at the history of the MB directorate on women's rights, especially as a feminist, I am very concerned.

We've had female parliamentarians who belong to the Muslim Brotherhood who have justified, among other things, atrocities such as female genital mutilation; we've had the woman who heads the women's committee of the political party that Mohamed Morsi used to lead, the Freedom and Justice Party, saying outrageous things such as, 'It's undignified for women to protest, and they should leave their brothers and fathers to protest for them,' conveniently forgetting that if it wasn't for the fact that Egyptian women were front and center of the protest that led to the revolution, Mohamed Morsi would not be president of Egypt today.

So based on their rhetoric of the past, I am concerned.

<sup>50</sup> Ibid.

<sup>51</sup> "Women in National Parliaments."

<sup>52</sup> "Egypt," *CIA World Fact Book*, updated July 31, 2012: <https://www.cia.gov/library/publications/the-world-factbook/geos/eg.html>.

<sup>53</sup> Mona Eltahawy, "On Egypt's Morsi's Presidency," *MSNBC* and *YouTube*, July 1, 2012: <http://www.youtube.com/watch?v=OcbkC6DnTfA>.

Had Mohamed Morsi said during his many acceptance speeches: 'I salute the women of Egypt standing here in Tahrir, for example, who were sexually assaulted, who paid with their lives, who paid with such a high price,' I might have said this could be the turning of a new page. But I have yet to hear this.

And also remember that the MB have said in their draft platform in the past that women and Christians could not be president.<sup>54</sup>

There exists a direct linkage between the gender equity issue and Egypt's socioeconomic variables. According to Mona Eltahawy, about 40% of Egyptian households are "women-led households," which means that these households are completely dependent on women's incomes. While the MB adheres to conservative "family values" and moral values-based principles, they remain "completely disconnected with the realities on the ground." Mona Eltahawy points out that the MB's grandiose statements about women's place is in the home because a "good Muslim woman belongs," that is "utter nonsense, because the average Egyptian family cannot afford to have women in the home. And so we have to keep the gender issue front and center here."<sup>55</sup>

Mona Eltahawy also emphasizes the troubling trends of horrendous sexual violence and assaults that women suffer in the streets. If so many women have to go out to work out of economic necessity to support their families, then "they need to feel safe outside in the street, that's the reality on the ground."<sup>56</sup> This is one of many challenges that President Morsi faced, and it is likely that Egyptian feminists like Mona Eltahawy and many others will exert persistent pressures for the new military-led government to embrace pragmatism over dogmatism. However, there are some troubling signs: "'Not a single candidate made efforts to sit down with the female coalition's movement during his campaign, except for Amr Moussa,' said Fatma Emam, who is currently a researcher at Nazra for Feminist Studies and an activist blogger."<sup>57</sup>

The challenges that Egyptian feminists face today are formidable, particularly in facing off with the Salafists and hard-liners in and outside of the government, not to mention violence, harassment, and sexual assaults that continue to plague the streets of Egypt (see Table 3: Egyptian Feminism Post-2011 Opportunities and Impediments).

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<sup>54</sup> Ibid.

<sup>55</sup> Ibid.

<sup>56</sup> Ibid.

<sup>57</sup> Reem Abdellatif, "Egyptian Women Challenge Rights Abuses, Militarization," *Global Post*, May 22, 2012: <http://www.globalpost.com/dispatch/news/regions/middle-east/egypt/120522/egyptian-women-presidential-election-military>.

**Table 3: Egyptian Feminism Post-2011 Opportunities and Impediments**

	<b>Opportunities</b>	<b>Impediments</b>
<b>Strengths for Egyptian Feminism</b>	<ul style="list-style-type: none"> <li>• Long tradition of Arab feminism, since the days of Hoda Sharawi;</li> <li>• Constant public exposure to challenges to women's rights &amp; freedoms, via media, Internet, and other forms of information technology;</li> <li>• New openness overcoming taboos of the past;</li> <li>• No more fear;</li> <li>• Ability to demand accountability for crimes against women;</li> <li>• Ability to demand policies and laws that do not violate women's rights and freedoms.</li> </ul>	<ul style="list-style-type: none"> <li>• Backlash against feminist activism;</li> <li>• Not enough (liberal / secular) women involved in politics;</li> <li>• Sexual violence and intimidation targeting women.</li> </ul>
<b>Weaknesses of Egyptian Feminism</b>	<ul style="list-style-type: none"> <li>• Publicity through media and information technology will help keep the issues alive, especially in the face of adversity; but this is not power.</li> <li>• Claims of Islamist leanings toward orthodox policies can put the government in a critical light.</li> </ul>	<ul style="list-style-type: none"> <li>• Islamist campaigns to undermine feminist movements;</li> <li>• Sexual violence and intimidation targeting women;</li> <li>• The military's (SCAF) involvement in, and manipulation of, the government/ politics.</li> </ul>

While feminists may continue to exert pressures on policy makers, the ideological forces within the MB, with women among them, thus far have marginalized the gender equity issues, and have yet to prove them capable and willing to support holistic governance and socioeconomic development for Egypt's future. The gender equity struggle in Egypt will continue for years to come.

Professor Sherifa Zuhur, a specialist in Islamic Studies and Middle Eastern History, shared her thoughts via an email interview about the Egyptian revolution and the women's rights movement. Responding to the question, "In your view, has the women's rights movement in Egypt been sidelined following Mubarak's ouster?" Professor Zuhur commented:

I am opposed to the idea that an Islamist-led government is automatically a defeat for women's rights or that the situation is a reversal of rights obtained on the order of the Iranian revolution. However, I am more pessimistic than I was previously because the new Egyptian government hasn't made any strong gestures towards women's rights nor has President Morsy made any very strong statement to women, instead his party's social media spokesperson is simply asserting that women (along with everyone else) will now be better off. It also depends how you define the 'women's rights movement'? The old guard, the Farkhonda Hassan, Suzanne Mubarak (obviously) and the National Council figures have been compromised by their roles in the prior regime. However, there were already many grassroots groups—some very much a part of the opposition and pro-

revolution and others who have benefited a lot from US and other foreign funding and they are still active.

Also there are female revolutionary figures who aren't particularly active on women's issues, but who have been promoted to act as spokespersons and who interface with the US office most interested in promoting women (Melane Verveer's office)—Asmaa Mahfouz for example. However, many other feminists do not wish to have any contact or connection with Americans and are trying to continue their own efforts without too much concern for the decidedly-American trope of 'where are the women?' Morsy might have directly acknowledged the large women's presence in the revolution—that would have been a useful symbolic action, as well as the problems with physical and sexual attacks which have so crippled women's movement in public space.

These other movements and persons who've worked for many years, or a lesser time on women's issues are not going to cease doing so simply because there is now a government with a large FJP and salafist contingent. The constitution will not disadvantage women (unless some reframing reference to complementarity as in the Tunisian constitution is adopted). So activism—whether or not women's political representation is satisfactory and whether or not major legal reform challenges arise is very important and it is present.

The legal challenges that may arise concern such reforms as the khul` law package of 2000 which various Islamist politicians vowed to overturn and maybe they will attempt to do so now. Or the reform of the Child Law by which punishments were inserted to those who order or practice FGM on a child.

There are women political representatives, but too few and most are not persons concerned with advancing women's rights. So a reform of the electoral process and advocating for quota would be important before the next round of elections.<sup>58</sup>

Responding to the question, "Where do you see the Egyptian women's rights movement going in the medium and long term?" Professor Zuhur remarked:

I see it regrouping...

Their biggest challenge will be to work with the new government to overturn taboos against using public information—television, not just films and children's pamphlets—to address misconceptions about women's rights and gender itself which are part of public consciousness. It is not clear if the new Ministry of Information or Ministry of Education will be any more open to such endeavors than those of the past. Per legal reform, I predict some showdown over legislation and in such a case, women's groups will have to unite - non-Islamist with Islamist as they have done before.<sup>59</sup>

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<sup>58</sup> Interview with Professor Sherifa Zuhur (via email), August 16, 2012.

<sup>59</sup> Ibid.

In my four years in Egypt (2001-2005), I asked a number of Egyptian scholars about the women's rights movement. From the pro-democracy activist Saadeddin Ibrahim to a host of other intellectuals, the same response resonated: "women's rights are not a priority in Egypt." I learned that this attitude prevails across economic classes and sectarian lines. One Coptic Christian woman admitted to me that her husband hits her, and, to my astonishment, she approves of his authority to do so. "If I do something wrong, he has the right to correct me," she said.<sup>60</sup>

Even among the educated upper and upper middle classes, women are often abused and harassed. One of my former students at the university showed up with awful black and blue bruises on her face. She related to me in tears how her ex-boyfriend stalked her, and then in a very busy public Cairo street, he ambushed her and beat her in broad daylight while everyone watched. "No one helped me," she said, "They all just watched." When I asked her why, she explained that in Egypt if a man is seen beating a woman, it is viewed as "his woman being corrected because she did something wrong."<sup>61</sup> Such attitudes are hard to change; and, more often than not, women are blamed as the culprits, rather than the victims.

Many view women as the sources of temptation and sexual desires, and female sexual activity is often seen as promiscuity and dishonorable. This is why two things happen in Egypt: (1) Sexual assaults are deliberately used as political tools to intimidate women to deter them from protesting; attacking women's honor is a means of conveying the message that they should not come out and engage in any activism. (2) The statistics of female genital mutilation (FGM) are so astoundingly high: "The recent 2008 Demographic Health Survey in Egypt (EDHS) reported that the FGM/C prevalence rate among women from ages 15-49 is 91.1 percent, but 74 percent among girls age 15-17."<sup>62</sup> As UNICEF rightly points out, female genital mutilation/cutting "is a violation of girls' and women's human rights."<sup>63</sup>

An Egyptian medical doctor performing FGM on 12-year-old Sohair al-Bata'a resulted in the child's death in June 2013. In 2014, the doctor was charged and tried in court, the first time ever that someone was tried for manslaughter by FGM, but he was found not guilty:

Raslan Fadl, a doctor and Islamic preacher in the village of Agga, northern Egypt, was acquitted of mutilating Sohair al-Bata'a in June 2013. The 12-year-old died during the alleged procedure, but Fadl was also acquitted of her manslaughter. No reason was given by the judge, with the verdict being simply scrawled in a court ledger, rather than being announced in the Agga courtroom. Sohair's father, Mohamed al-Bata'a, was also acquitted of responsibility. Police and health officials testified that the child's parents had admitted taking their daughter to

<sup>60</sup> This woman was a worker at a Christian nursing home in Helwan, a suburb of Cairo. I spoke to her sometime in early 2005.

<sup>61</sup> This young lady was a former student of mine, and this conversation took place in my office sometime in late 2004.

<sup>62</sup> "FGM/C in Egypt: Prevalence Rates and Prospects," *UNFPA Egypt*, UN Population Fund (UNFPA), no date: [http://egypt.unfpa.org/english/fgmStaticpages/0c3b708e-9c55-4b05-994f-a437f89a81d9/Egypt\\_Prevalence\\_rate\\_and\\_Prospects.aspx](http://egypt.unfpa.org/english/fgmStaticpages/0c3b708e-9c55-4b05-994f-a437f89a81d9/Egypt_Prevalence_rate_and_Prospects.aspx).

<sup>63</sup> See this UNICEF site on Child Protection: <http://data.unicef.org/child-protection/fgmc>.

Fadl's clinic for the procedure.<sup>64</sup>

Fadl's acquittal speaks volumes about the situation of girls and women in Egypt. Given these realities in Egypt, which have long existed during the Mubarak era as well as during the SCAF interim leadership, under the Morsi government, and today under the Sisi regime, the AHDR deficiencies remain well in place. In addition, Dr. Sen's social choice theory and "development as freedom" concepts are wholly arrested in Egypt, since girls and women face hostile and violent roadblocks to personal choices and freedoms, rights, and physical security. Unfortunately, the Arab Spring failed to open the floodgates of freedoms and rights for Egyptian women, although the activism is far from dead. It may be in a stage of dormancy, for now. Attitudinal changes eliminating misogyny in society will happen over generations to come, but definitely not any time soon.

## Conclusion

This analysis illustrates the serious implications of the electoral success of Islamist parties in Tunisia and Egypt that might have affected women's empowerment. As of the present situation in these countries, respectively, women's political representation has been limited and unimpressive. Only in Tunisia do we see a noticeable presence of women in politics, including in Ennahda, but still in post-revolution Tunisia and Egypt gender equity remains a distant goal.

The Arab Spring has compelled governments to acknowledge urgent socioeconomic development priorities, although some politicians have failed to focus on them. Instead, some have focused on ideological differences and polemics. In terms of women's empowerment, one of the three deficiencies that the 2002 AHDR has articulated, the Arab Spring has fixed a spotlight on the plight of women in the MENA. How that translates into comprehensive, long-term socio-political, legal, judicial, and economic reforms to improve human rights remains to be seen. Attitudinal changes will take longer than reformist changes on paper, and many are likely to resist women's rights issues. Many others are indifferent and apathetic.

Applying Sen's social choice theory to the women's rights situation in Tunisia and Egypt renders disappointing results. Tunisia's Bourguiba-era laws and policies that empowered women give Tunisian women an advantage over the rest, but even they are not without challenges especially coming from Salafists and hard-liners in Ennahda and other Islamist organizations. Women in Tunisia occupy public space more freely and openly compared to other countries in the MENA. Sen's social choice theory mandates freedoms and rights granted to all citizens in society, which would lead to progressive socioeconomic development. The MENA region in general is still a long way off in achieving such levels of rights and freedoms for women. The 2002 AHDR's assertion that women's empowerment is a major deficiency in the MENA region still holds true.

Feminism in the MENA region has many faces, including Islamic feminism. Yet, gender mainstreaming in the region has not been achieved.

The hypothesis of this study has been proven: Because freedoms and rights have been severely repressed in the region, human development and socioeconomic progress have stagnated (i.e., Sen's social choice theory). Neither development nor freedom has been achieved

<sup>64</sup> Patrick Kingsley, "Egypt's First Genital Mutilation Trial Ends in Not Guilty Verdict," *The Guardian*, November 20, 2014: <http://www.theguardian.com/world/2014/nov/20/egypt-first-female-genital-mutilation-fgm-trial-not-guilty>.

in the MENA region. Development as freedom remains an elusive prospect. This reality, which has existed for decades, has been the main causal factor for the 2011 Arab Spring. Furthermore, substantial progress in women's rights and empowerment has not been realized in the region because of being sidelined in the process of regime change, despite the prominent roles women have played in the Arab Spring.

The marginalization of the women's rights movement does not mean it is dead or it has surrendered to the forces that be, but it does require women's rights activists to maintain pressures on the newly formed governments. The resounding message to these governments is that women who participated in the Arab Spring are not exploitable, nor are they forgettable. Their sacrifices and activism that helped empower these new governments serve as the mirror in the politicians' faces. The latter ignore this mirror at their own risk, and at the same time jeopardize the socioeconomic progress of their respective country.

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