# Gender Justice and The Uprisings in the Arab World

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# Gender Justice and The Uprisings in the Arab World

gendered citizenship, gender equality,
and women's mobilization in Libya, Tunisia, Algeria,
Lebanon, Bahrain, and the Islamic State

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Workshop papers
*The Arab Network for the Study of Democracy*
in cooperation with
*Issam Fares Institute for Public Policy and International Affairs*

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EDITED BY
**Ibtesam Al-Atiyat**

ENGLISH TRANSLATION BY
Jeffrey Drew Reger

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The Arab Network for the Study of Democracy

# TABLE OF CONTENTS

Acknowledgments ........ 7

Preface

*Ibtesam Al-Atiyat* ........ 9

Author Biographies ........ 15

Chapter One
**Democracy as an Arab Feminist Demand**

*Ibtesam Al-Atiyat* ........ 21

Chapter Two
**The Women's Movement and the Situation of Women in Countries where Popular Uprisings Have Transformed into Armed Conflict: The Case of Libya**

*Ebtisam Algusbi* ........ 31

CHAPTER THREE
**WOMEN'S RIGHTS BLOWING IN THE WIND OF THE ARAB REVOLUTIONS: THE TUNISIAN EXPERIENCE**

*Salsabil Alqulaibi* ........ 59

CHAPTER FOUR
**WOMEN'S MOVEMENT IN ALGERIA: BETWEEN INSTITUTIONALIZATION AND AUTONOMY**

*Ferial Lalami* ........ 73

CHAPTER FIVE
**LEBANESE WOMEN AFTER THE ARAB UPRISINGS: CLIMATE, IMAGE, MOSAIC, POLITICAL CORRECTNESS, EMOTIONAL MISERY**

*Dalal al-Bizri* ........ 83

CHAPTER SIX
**BAHRAINI WOMEN AFTER THE UPRISING**

*Mona Abbas Fadel* ........ 91

CHAPTER SEVEN
**"SISTERS IN JIHAD": THE FEMALE FACE OF THE ISLAMIC STATE ORGANIZATION**

*Dalia Ghanem-Yazbeck* ........ 117

CONCLUSION ........ 147

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# PREFACE

The papers included in this book represent analyses and testimonies presented at the Gender Equality and the Arab Uprisings conference organized by the Arab Network for the Study of Democracy (ANSD) and the Issam Fares Institute for Public Policy and International Affairs at the American University of Beirut. On March 3–5, 2017 scholars and activists from different Arab countries convened to address two key questions. First: where do Arab women stand in terms of their enjoyment of their political, civil, and socioeconomic rights six years after the uprisings began? Second: what impact did the uprisings have on the forms and scopes of women's activism in the region?

In answering these questions, the conference discussions and analyses took three distinct forms. The first included case studies focusing on the status of women and women's activism in specific Arab countries including Lebanon, Libya, Tunisia, Algeria, and Bahrain. All of these case studies and analyses are included in this volume. The second category included oral testimonies of women's activists from

Syria and Egypt. It is worth noting here, that the participants from Syria and Egypt joined the conference via Skype due to restrictions to their mobility. The participant from Egypt (**Mozn Hassan**, women's rights campaigner and founder of Nazra Center for Feminist Studies) could not travel to Beirut due to a travel ban imposed on her by the Egyptian government. Since the 2013 military coup in Egypt, travel bans have become a key strategy of the Egyptian regime against civil society and human rights activists. The case of the Syrian participant (**Rouba Mhaissen**, Founder and director of *Sawa*, Refugee Relief Agency in The UK and Lebanon) was a little different. Several activists had to flee Syria due to the systematic persecution of all anti-Assad regime and human rights activists in general. Many of those activists sought refuge in Europe. Owing to asylum-seeking procedures, and/or lacking guarantees of their safety in Lebanon or while traveling, many of the activists we approached to participate in the conference were reluctant to participate in person. Skype was the means by which their voices were included in the conference proceedings, in spite of the travel troubles. Because those contributions took the form of oral testimonies, they were not included in this volume. However, their testimonies highlight that freedoms of speech, mobility, and assembly — all key to democratic transformations — are under serious attack by several Arab regimes in the wake of the uprisings. They are too major concerns for women in the region.

The third category of papers and contributions at the conference offered thematic analysis of relatively newer forms of activism taking shape in the Arab World and beyond. Under this category the conveners were introduced to HELEM, a Lebanese non-profit organization that aims at protecting the rights of LGBTQI+ communities in Lebanon and the Arab World. *HELEM* is the Arabic acronym of the "Lebanese Protection for Lesbians, Gays, Bisexuals and

Transgender People." At the conference, **Ghenwa Smahat**, the director of HELEM, presented the challenges facing LGBTQI+ communities in the Arab World and the urgent need for activism that demands recognition of their human and citizenship rights in the Arab World. The focus of this organization represents a taboo issue in many Arab countries. Furthermore, it highlights the reluctance of many Arab women's organizations to incorporate LGBTQI+ rights and issues into their agendas and struggle. Some of this reluctance can be attributed to fear of becoming labeled as "too westernized" or 'too radical," a stigma Arab women's movements have tried to resist since their modern re-emergence in the early 20th century. Because HELEM was also an oral testimony/presentation, their case is not formally included in this volume.

The country case studies included in this volume are divided into three main categories. First we offer case studies of women's activism and status in countries that are understood to have undergone violent transition or went through some form of a civil war. Those cases include Libya. **Ebtisam Algusbi** offers a rich analysis that includes a personal account in which she reflects on her participation in the Libyan uprising before it turned into a bloody war. Algusbi narrates her exodus from Libya to Tunisia were she resides now after being accused of using her husband's textile factory as a ground where the rebel's flags were manufactured. Her personal narrative is woven into a historical overview of the different transitions Libya has experienced since independence. She highlights the major ups and downs in women's status and recognizes the main achievements of women's activism throughout Libya's history. Her main argument is that the women's movement is Libya is witnessing a renaissance. However, the significance of the return of independent women's activism cannot be understand without acknowledging the impact of social

class, as a component driving the current movement and differentiating its activists.

The case of Bahrain presented by **Mona Fadel** is another case where much still remains to be done to advance the status of women. The Bahraini uprising took a sectarian turn, privileging religious/ethnic rights and status over that of women as a cohesive bloc. Some Bahraini women found themselves in the awkward position of being marginalized within a marginalized group (as Shi‘a Muslim as well as women in Bahrain). Still, Bahraini women's activists struggled to push women's rights to the fore amidst a strong repression of the uprising.

The second set of case studies focus on women's activism and the status of women in countries that experienced a *peaceful* regime change. Included here is the case of Tunisia, documented and examined by **Salsabil Alqulaibi**. The legal and constitutional changes introduced after the uprising did indeed offer protections to women's rights and promise further advancement, but the work of the women's movement is far from done. The chapter looks at certain issues pertaining to women's sexuality and bodily integrity rights that still need further protection. The struggle of Tunisian women according to Alqulaibi is divided in two main efforts: to preserve and protect the rights achieved, and to fight for truer gender equality.

The third set of cases examining women's activism and the status of women in countries that did not experience regime change includes the cases of Algeria and Lebanon. **Ferial Lalami** discusses the main constitutional and legal rights of women in Algeria and the changes introduced to further advance the status of women. The fight is far from over, she argues, since several legal and constitutional changes still need to take place in order for equality between women and men to prevail. Lalami declares the constitution, laws, and other legislative frameworks as the primary battleground for

gender equality in the region. Even when laws acknowledge equal status on paper, law application is still subjected to a patriarchal justice system, where male judges still enjoy broad grounds of law interpretation favoring men at the expense of women most of the time.

**Dalal Al-Bizri** examines the status of Lebanese women from a sociocultural perspective. She highlights the cultural machinery in Lebanon that objectifies women, to present an appealing image of the country to foreign tourists. Al-Bizri also highlights the impact of socio-economic struggles on the lives of Lebanese women. The outmigration of men to work abroad, combined with demographic changes and sectarian politics, all represent challenges to women's pursuit of justice and equality. Al-Bizri's chapter is unique because it highlights emotional burdens young women in the Arab World face. Most of the analyses about the status of Arab women, including many that are included in this volume, tend to privilege structural and cultural barriers standing in the face of gender justice and troubling women. To Al-Bizri the problem penetrates deeper beyond structure and culture to the psyche of the Arab women, where uncertainty and frustration are troubles that face younger women on daily basis. No sobering analysis of women's status in the region or anywhere else in the world can any longer ignore the importance of women's emotional wellbeing and health.

The final paper by **Dalia Ghanem-Yezbeck** examines women's involvements in violent extremism through the case of female members of the Islamic State in Iraq and Syria "ISIS". Ghanem-Yezbeck argues against employing a gender-biased lens in the analysis of ISIS women and contends that the reasons forcing women to join are not that different from those for men. In other words, women join the group as a "rational" act and cannot continue to be seen as passive victims recruited as sex object (often referred to as ISIS-brides) or as wives and/or mothers of male

fighters. Their reasons to join the group vary especially if looked at through the lens of their *Hijra*-Origin. Many of ISIS female members came from Europe and other parts of the World filled with the thrill to establish a utopia, escape racism and discrimination, save Muslims, or engage in a love affair and live rent and tax free lives. The kinds of activities women undertake also vary and never follow a specific pattern. Some were engaged directly in violent activities, some acted as dress and public conduct police, and other were wives and mothers of the group members on the side of being the group's ideologues and main online recruiters. Ghanem-Yezbeck concludes that understanding women's complex and active involvement in politically violent groups is important in itself, if efforts to counter the rise of "terrorism" are to succeed.

In sum, women's issues in the region vary. Some issues became more pressing than others because of the Uprisings and their aftermath. Freedoms of expression, right to assembly, and equality before the law remain top on the agenda of women's activists in the region. Ultimately, this book is a chance to reflect on the recent changes to women's activism in the Arab world, and an occasion to share the different lessons learned through the diverse journeys of the differently gendered political transitions taking place in the region. It is also an opportunity to think through what needs to be done to make transitions more inclusive of women and their issues — now and in the future.

**Ibtesam Al-Atiyat**

# AUTHOR BIOS

*Ibtesam Al-Atiyat — Jordan*

Associate professor of Sociology, Women's and Gender Studies at St. Olaf College, in Northfield, MN. Al-Atiyat received her PhD from the Freie Universiaet in Berlin/ Germany. Her research is devoted to women's activism and gender issues in Jordan and the Arab world, focusing primarily on gender justice and violence against women. She is the author of the book "The Women's Movement in Jordan: Discourses, Activism and Strategies."

*Ebtisam Algusbi — Libya*

President of organization, Pathways to Peace and Development, and faculty member at Azzawiyah University. Researcher and rights activists residing in Tunis. She is also a member of the women's dialogue in Tunis.

*Salsabil Alqulaibi — Tunisia*

Instructor in the Faculty of Judicial, Political, and Social Sciences at the University of Carthage, in Tunis. She holds a master's degree in public law, and teaches constitutional law, electoral law, and philosophy of law. She is the executive director of the International Academy of Constitutional Law, member of the Tunisian Association for Constitutional Law, member of the Association for Research on Democratic Transition, co-author of a guide for youth empowerment in the fields of democracy and human rights under the auspices of the United Nations Educational, Scientific, and Cultural Organization (UNESCO) in 2011. Additionally she was a contributor to the glossary of Arabic-French electoral terms under the supervision of United Nations Development Program in 2012.

*Ferial Lalami — Algeria*

Lalami holds a PhD in sociology from the University of Poitiers. She is the author of several scientific works including her book *Algerians against the family code: The struggle for equality* (Paris, Presses de Sciences Po, 2012).

*Dalal al-Bizri — Lebanon*

Assistant professor at the Lebanese University, Institute of Social Sciences, and a researcher in political sociology and consultant to ESCWA. She holds a PhD degree in political sociology for the dissertation entitled "Introduction to the study of contemporary Sunni Islamic movements in Lebanon."

*Mona Abbas Fadel — Bahrain*

One of the leading contemporary Bahraini female activists in the field of women's rights, she has been known for

her political, student, and women's rights activism in the ranks of the national, student, and women's movements. She holds a doctorate and has been active in the Nahdat Fatah [Girl's Renaissance] Society of Bahrain since 1976. She previously held administrative positions in the society, and was a prominent participant in the Bahrain women's political and cultural movement through her activism and her contributions to the press. She has written in the local press since 1999 on politics, issues of women's rights, and critical interpretations of narratives. She headed a research team to study violence directed against women in the Kingdom of Bahrain in 2005, prepared by the Bahrain Center for Studies and Research, and additionally participated in preparing a number of studies: a study of family businesses in 2003 and 2007; a study of the experience of Bahraini women in the municipal and parliamentary elections in 2004; a study of Bahraini women's usage of credit cards in 2006; family support centers in Bahrain in 2008; and also in 2008, a study entitled "Women's political activity in the Emirates, Bahrain, and Kuwait" for the United Nations Development Fund for Women (UNIFEM). She had a book published, entitled "Political education of Bahrain women: impact and visions." She has been honored by the Bahrain Ministry of Labor and Social Affairs at a ceremony honoring the pioneers of social work on 5 December 2000, as well as for her voluntary contributions to summer activities at social development centers in 2004.

*Dalia Ghanem-Yazbeck — Based in Lebanon*

Dalia Ghanem-Yazbeck is a resident scholar at the Carnegie Middle East Center in Beirut, where her work examines political and extremist violence, radicalization, Islamism, and jihadism with an emphasis on Algeria. She also focuses on the participation of women in jihadist

groups. Ghanem-Yazbeck has been a guest speaker on these issues in various conferences and a regular commentator in different Arab and international print and audio-visual media. Ghanem-Yazbeck was previously an El-Erian fellow at the Carnegie Middle East Center. Prior to joining Carnegie in 2013, she was a teaching associate at Williams College in Massachusetts and she also served as a research assistant at the Center for Political Analysis and Regulation at the University of Versailles. She is the author of numerous publications, including most recently: “Obstacles to ISIS Expansion in Algeria” (Cipher Brief, September 2016); “Algeria on the Verge: What Seventeen Years of Bouteflika Have Achieved” (Carnegie Endowment for International Peace, April 2016); “Why Is AQIM Still a Regional Threat?” (New Arab, March 2016); “The Female Face of Jihadism” (EuroMeSCo Joint Policy, February 2016); “Running Low: Algeria’s Fiscal Challenges and Implications for Stability” (Carnegie Endowment for International Peace, February 2016); “Women in the Men’s House: The Road to Equality in the Algerian Military” (Carnegie Endowment for International Peace, November 2015); and “Despite Shakeups, Algeria’s Security Apparatus Stronger Than Ever” (World Politics Review, September, 2015).

*Jeffrey Drew Reger — Washington, DC, USA*

Lecturer at Catholic University of America, Reger holds a PhD in the history of the modern Middle East and North Africa from Georgetown University and is the author of the dissertation “Planting Palestine: the political economy of olive culture in the 20$^{th}$ century Galilee and West Bank.” He has worked with the Arab Network for the Study of Democracy since 2010, and translated a series of policy papers and their previous two edited volumes from Arabic into English: *Political developments in Arab countries since 2011*:

*papers from a workshop organized by the Arab Network for the Study of Democracy and the Issam Fares Institute for Public Policy and International Affairs at the American University of Beirut* (Beirut: L'Orient des Livres, 2017); and *The Arab Spring: revolutions for deliverance from authoritarianism: case studies,* Hassan Krayem, ed. (Beirut: L'Orient des Livres, 2014).

## CHAPTER ONE

# DEMOCRACY AS AN ARAB FEMINIST DEMAND

*Ibtesam Al-Atiyat*

One of the dominant visions regarding the liberation of women in the Arab World has been the pursuit of a democratic, secular, and liberal modern nation state: a state that does not discriminate on the basis of gender, and abides by the international conventions on women's and human rights. The hope from such arrangement is that it will redefine the long distorted relationship between women and the Arab state, and summon women as full-fledged citizens: not as clients, or second-class citizens whose membership is defined by their relationship to male citizens, as wives, mothers, or daughters. This vision is grounded on the conviction that the distorted modernization process in the Arab World (Sharabi 1988) — lacking political and economic independence; with the legacies of colonialism and persisting occupation; and an absence of peace — which

altogether have led to the rise of neopatriarchal autocracies and theocracies, and created unequal classes among male and female citizens. This unequal citizenship status adds to the persistent traditional patriarchies (conservative interpretations of religions, traditions, and customs) and continues to limit women's enjoyment of full and equal citizenship rights and privileges.

Hopes towards realizing a transformative and egalitarian vision were high when a series of uprisings (known as the Arab Uprisings) erupted in several Arab countries in late 2010. Because women's participation in the Uprisings was remarkably high and significant, it was believed that the aftermath would bring about not only socioeconomic and political change, but also gender justice.

However, years after the uprisings took place; different devastating realities became evident for Arab women. One of the early lessons Arab women learned from the uprisings and their aftermath was that democracy cannot be regarded as an inherently gender-neutral project. In many cases, the change in the political system allowed for women's issues to continue being a bargaining chip between different political actors. Within this context, the promotion of or resistance to women's rights cannot be understood as straightforwardly reflective of political or religio-cultural convictions. Instead it is often an area of contention between rival political groups. Political actors of different political orientations, from right to left, have used women's issues to disqualify their political rivals, and maintain their political presence and relevance.

But this lesson is far from new for women's activists in the region. For decades prior to the uprisings, Arab women have long struggled to achieve full participation in democracy. After independence (typically in the mid-20th century), the Arab world turned to nation building and state formation, in the process imposing upon women new, hybrid

patriarchal legal and political system, often ones imported from their former colonizers. Several legal frameworks that oppress women in the Arab world are expressly designed following British, French, and Italian legal codes (Joseph 2010; Kandiyoti 1991; Moghadam 2004).

During the uprisings, women worked hard to secure their physical position at the forefront of the protests by demanding regime change. Some have described the early moments and days of the uprisings in Egypt, for example, as the "ultimate egalitarian moment in the history of the country" (Abu-AnNaga, presentation, ANSD Meeting, Ohio, July 8-14, 2012), as women stood next to men claiming their share of the public space and affirming their role in the change yet to come.

After the uprisings, Arab women activists acted diligently, and beginning early during the initial stages of drafting new constitutions (Egypt and Tunisia). Some were successful while others were not. In Egypt for example, the first body formed by the military council to prepare for the constitutional change failed to include any women, amid protests by women. Later on the revised constitution did fortunately include gender sensitive language and provisions on equality before the law. In Tunisia, women's alliances have succeeded through effective civic organization and timely mobilization to enable women to occupy 31% of the seats of the supreme commission created to amend the constitution, which ultimately strengthened their ability to influence its provisions (Charrad & Zarrugh 2014).

Moreover — despite many, systematic efforts — the fact remains that many Arab constitutions still lack explicit statements regarding the equality of genders. The amended Jordanian constitution exemplifies the failed efforts by the women's movement to introduce changes to the language in the constitution recognizing further gender equality before the law. The committee redrafting the constitution

known as the Royal Reform Committee formed in March 2011. Although it met with women's activists and listened to their demands, the body still failed to incorporate gender equality language into the newly redrafted constitution (UNDP 2011). However, even in those cases where such provisions do exist, or were added as a result of the uprisings (Egypt and Tunisia), they are too often contradicted by other provisions (recognizing a state's religion for example), or/and through practices that undermine the equality principle and grant men and the patriarchal state the upper hand in defining women's lives. They do so either directly by recognizing male authority within the hierarchy of the family as husbands, brothers, or fathers — enshrining men as patriarchs within a gendered system of patriarchy — or indirectly through the unequal representation of men and women in public office.

Today, though the dust from the change-seeking movements has not yet entirely settled in several Arab countries, many structural and legal patriarchies also remain intact. Family laws (often portrayed as being based on Islamic Shari'a, a highly disputed claim) around the Arab world still grant women limited rights within the institutions of marriage, divorce, inheritance, and child custody. Despite some progress (take the Moroccan Moudawana [personal status code] for example), women's activism in the Arab world has yet to release family matters from the grip of religion, tradition, and sexist postcolonial policies and politics.

Domestic violence and public sexual harassment are still leniently punished despite relentless demands for harsher punishment. In recent years, sexual harassment and violence against women became one of the major focuses of women's activism resulting in limited achievements. On the bright side, rape-related laws were successfully repealed in Morocco and Jordan due to active campaigns demanding an end to legal protection to rapists who through a legal

provision can escape punishment if they marry their victims. Female parliamentarians and several women's organizations in Jordan ran a successful campaign demanding the elimination of legal protections offered through article 308 of the penal code (Husseini 2017). The law that allowed the rapist to escape punishment if he married his victim was repealed altogether. A similar campaign took place earlier in Morocco and yielded successful results, eliminating law article 475 of the penal code that used to offer similar protections to rapists (Alami 2014). Violence was the focus of women's activism in Lebanon, as several campaigns demanding harsher punishments for domestic abuse took place. Also in Egypt campaigns demanded harsher sentences for in-public sexual harassment cases.

Political representation remains another front for feminist struggles in the Arab World. In the region, women's political representation remains symbolic, and in a few cases non-existent. In fact, despite their quantitative participation in the events of the Arab Spring (masses of women took to the street demanding change on equal footing with men), and the unique strategies they employed (women deployed their naked bodies, and used art and other creative or unconventional forms of resistance) women's political representation in governing bodies went down, instead of going up. For example, Yemen's early signs of progress which included an unprecedented 30% women's quota at the National Dialogue Conference that emerged immediately after the uprising in 2011, was short lived. The situation in the country has soon escalated into a bloody civil war and the accomplishments Yemeni women celebrated are gone for good. Yemeni women who were at the forefront of the uprising (Tawakol Karaman won the Nobel Prize in recognition of her role mobilizing youth) are now struggling with poverty, disease, lack of basic necessities and above all insecurity. They joined the masses of Arab women in countries

that are still torn by war, conflict and occupation (Palestine, Libya, Yemen, Syria and Iraq) who experience on a daily basis newer forms of oppression. They likewise continue to lack access to basic necessities, while being exposed to risks of death, injury, and the traumas of war and refugee status. Areas and communities captured by IS (the so-called "Islamic State") subjected women to further atrocities, especially minority women who were dehumanized, raped and even sold as commodities.

For countries that did not experience a dramatic regime change (Jordan, for example); women activists have to fight to maintain women's issues on the agenda of political and legal reforms in the face of rising new challenges including economic difficulties, regional instabilities, and terrorism. Even in the Gulf region where women's issues witnessed recent positive change (such as political rights for Saudi women), the shadow of terrorism haunts these slow steps and threatens any further progress. Such changes are also problematic because of their top-down introduction and paternalistic approach. While Saudi women were granted civil rights (such as the ability to drive cars), and citizenship rights (such as issuing personal identification cards, rather than depending on a male guardian) among other rights, women's activists were simultaneously thrown in jail without due process. Recent reports indicate that Saudi women calling for basic rights have been tortured in prison, while the royal family basked in praise from the media in the West. Arab regimes, like other autocracies around the world, used to escape international criticism and threats to their legitimacy by applying cosmetic measurements with the appearance of gendered democracy and inclusivity (such as controlled elections, limited quotas, etc.). Instead, in recent decades the political regimes in the Arab world have earned their political legitimacy and international support through commitment to the war against terror.

In addition to their impact on women's status, the uprisings also had a significant effect on women's collective action and movements. The fact that younger women in particular participated effectively in the protests using creative strategies (effective use of social media, posting nude pictures, resisting through art, bringing their rapists to justice … etc.), has shown how isolated the established women's organizations have become from their larger (mainly younger) bases. During the uprisings, not only were the forms of women's activism unique, but also the ways in which they framed women's issues. Younger female activists framed women's issues as core issues of citizenship. They were to an extent successful in presenting issues such as sexual liberation, rights to mobility, political presence and participation, not simply as women's specific issues but as fundamental to the liberation of the nation. Consider the acts of Magda al-Mahdy, whose nude pictures on facebook posed a real challenge to Egypt's protestors and polarized them between those embraced her act as the essence of the demanded freedoms, and those who condemned it as going a little too far. Samira Ibrahim's rape case is another important example. Ibrahim used her sexual harassment case to insist on the rule of law, as she was able to bring those who subjected her to a virginity test to justice. That form of vindication is important because it demonstrated how the rule of law is key to women's liberation.

The issues young women have raised and the forms of their activism herald the birth of a new wave of Arab feminism. Earlier phases included gendering national liberation and anti-colonial discourses and movements, then gendering social and political changes and national development plans. The new wave centers on women's bodies and sexuality rights. Important to young Arab women are issues of bodily integrity, gaining protections from domestic and public violence and sexual harassment, and seeking the

liberation of their bodies from patriarchal laws and policies regulating familial and personal status affairs.

Moreover, the uprisings and women's participation in them exposed the limitations of the patriarchal bargains that established women's organization have made throughout the past three decades. Because the international aid community made women's issues a top priority and a condition to receiving aid, many states in the Arab world have become more "feminist." It is not surprising that the leaders of prominent women's organizations in many Arab World countries, especially in the past three decades, were first ladies: the wives and female relatives of the leading elites. Many independent women's organization rode this wave of "fake" state feminism that swept the region in the 1990s and 2000s. The patriarchal bargains they made have indeed led to some short-term achievements. In fact, women were included in ministerial cabinets (Jordan, Palestine, Morocco, Tunisia, Egypt); women had reserved seats in parliaments (Jordan and Egypt at certain points); their issues were gradually integrated into public policy at both national and regional levels (the establishment of the Arab Women Organization at the regional level through the Arab League); and legal reforms in women's favor were a priority in more than one country (between 2000-2010 family laws were subject to change in several Arab states).

Yet, despite such change, the actual status of women in the region barely changed. Women's unemployment remains high and poverty (especially among female-headed households) remains an issue. According to International Labor Organization statistics, unemployment rates in the MENA region stand at 18.1% (19.5% if high income countries in the region are excluded), a rate significantly higher than countries and regions of the same income levels. Unemployment rates in low and middle-income countries stand at 5.6%, and in low-income countries it is 6.1%. Some countries

have dramatically high rates of women's unemployment, including Jordan, where female unemployment stands at 35.1%, and Libya, where the rate is 30.1% (ILO 2018). The discrepancy between women's prominent enrollment in higher education and their relatively weak involvement in the labor market was recognized by the World Bank, which labeled this problem a "Gendered Paradox" (World Bank Group 2011).

The focus on legal changes, which was the main preoccupation of women's activism in the years between 2000-2010, is often accused of being class specific and inconsiderate of women of working class and rural backgrounds — in other words, irrelevant to women for whom rights within marriage do not have the same priority as poverty and unemployment. The same criticism can also be extended to the formulation of women's issues within the Arab Uprisings. One may argue the acts of nudity, or resisting and fighting rape through the justice system, and expanding women's sexual rights and freedoms are only significant to urban middle class women and of no urgency to women of other backgrounds.

The aim of the general survey presented by this paper is to provide a framework on how to critique and assess the status of women and women's activism in the Arab world after the Arab Uprisings, and to emphasize that it is naive to think that democracy is by definition an egalitarian process. Rather, democracy is a gendered and gendering process. The authors of the papers included in this volume, which cover women's activism and status throughout the Arab world, skillfully argue that the protection of rights is not inherent to democratic institutions and processes but instead remains an ongoing struggle. Democracy based on casting the ballot has always had the potential threat of helping anti-women, conservative actors to gain power. Conversely, it also holds the promise of including everyone.

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CHAPTER TWO

# THE WOMEN'S MOVEMENT AND THE SITUATION OF WOMEN IN COUNTRIES WHERE POPULAR UPRISINGS HAVE TRANSFORMED INTO ARMED CONFLICT:

## THE CASE OF LIBYA

*Ebtisam Algusbi*

This paper aims to contribute to achieving the objectives of the conference entitled "The Uprisings and Gender Equality in the Arab World" and convened by the Arab Network for the Study of Democracy and the Issam Fares Institute at the American University of Beirut. The conference was set to analyze the situation and impact of the Arab uprisings on gender justice, and women's movements in the region. In the case of Libya, the absence of the state and the transformation of the popular uprising into an armed conflict over the past six years have been detrimental to the

situation of Libyan women. This paper therefore reflects the state of crisis that women have lived through and continue to experience since 2011, including the difficult years between 2014 and 2017, which led to the current collapse of women's aspirations due to the armed conflict and its aftermath. I argue that in order gain a better understanding of the current conditions of women in Libya, a systematic analysis of Libya's history through a gender-sensitive lens is necessary. To do so, the paper highlights the reality and challenges to the role of Libyan women in the post-independence era in three periods: first, the Kingdom of Libya under the Senussi monarchical dynasty; second, the Libyan Arab Republic's transition into one-man rule under Muammar Gaddafi's *jamahiriya* concept; and third and finally, the roles played by women in the popular movement of February 2011. In analyzing the most recent period, I will highlight women's contributions to the success of the Libyan revolution, discuss what happened following the fall of the Gaddafi regime, and examine the effect on women of the transformation of this uprising into an armed conflict — with particular focus on the economic, social, and health conditions, from the perspective of the legislative and administrative frameworks offering women rights as citizens.

## Libya and the uprisings through modern and contemporary history

Most histories of Libya are divided into four major periods, the first beginning with the advent of the Ottoman in 958 AH / 1551 CE and continuing until the end of the Ottoman era. The second is the period of Western colonization from 1911 CE until independence in the mid-20$^{th}$ century. The third begins with the declaration of the establishment of the United Kingdom of Libya in 1951, until the September 1969 movement. The fourth and final period begins with the

*Jamahiriya* [a term coined by Gaddafi, which can be roughly translated as "rule of the masses"] and one-man rule until the present day. The gender-sensitive analysis offered next will begin at the rise of the monarchy with independence.

## 1. Libyan women and legislation under the monarchy

King Idris believed that women had the same rights as men, to live in freedom like men and exercise social, economic, and political roles in society without male guardianship. Depriving women of the rights of participation is contrary to the values of Islam and divine messages, he believed. Respect for women was important to development, and countries should not mistake outdated customs and traditions of society as Islamic values. Islam does not advocate the exclusion of women. Legislation issued 27 April 1963 as a constitutional law granted Libyan women the rights of participation in all aspects of public life, foremost the right to vote in elections, and advancing women's education. Yet women did not enter public life, despite what we might expect from the law. This did not happen because of the culture of Libyan society and in particular patriarchal fear for daughters in the shadow of the experience of Italian colonization and occupation.

But, women were far from being passive. There were pioneering elite women in civil life, such as Hamida al-Enezi, who played a positive role in social and cultural fields. After completing her studies abroad in Turkey, she returned to spend all her time raising consciousness and social awareness. She founded the first women's association for women's charitable renaissance [Nahda] in 1953/1954 in Benghazi. She worked to spread the culture of education and its importance to Libyan women, maintaining the lifestyles, customs, and traditions of Libyan families in the 1920s. Restrictions on education of girls weighed heavily, prompting her to

write and to enlighten her community on the importance of educating girls in the Libyan illustrated magazine, and additionally encouraging her students to write in its pages (Madi, 2016). Alongside her were other pioneering women such as al-Baroni, author of short stories published in 1958. Women's activism cannot be reduced to Enezi and Baroni from the Libyan East. In the west of the country, Rabab Adham and Magda al-Mabruk returned from studying at the American University of Beirut in 1958, and they carried out similar tasks of social work in Tripoli. They worked to raise awareness and educate the community, forming the elite Libyan women in various fields, particularly cultural and social, in addition to women like Khadija al-Jahmi in the media.

At that time, Khadija Abdul Qader al-Sharif emerged as one of the most prominent female pioneers in women's work in Libya, establishing the Women's Renaissance Association in Tripoli. She worked to record her personal experiences and travels. She was one of the first Libyan travel writers, engaging in travel literature in a personal, unique way from 1959-1963. Among her published works was a book on *Women and the countryside in Libya* and a paper to obtain a diploma from the Center for Basic Education in the Arab World in Cairo in June 1957 that led to the establishment of the women's association in Tripoli, which was founded in her home, where she hosted the first meetings and where its statutes were drafted. The association played an important role in the development of women's work in Libya and in broadening the base of support and interest in Libyan society for women's rights and their political, social, cultural, and professional roles. Among the aims of the society were promoting the cultural level of women, their health and social state, strengthening cooperation and mutual understanding, and unifying the efforts of Arab women to contribute to cultural, health, and social activity.

King Idris, according to anti-Gaddafi authors, showcased female pioneers and honored them with awards, particularly Enezi. He also tasked the queen consort Fatimah el-Sharif with women's fields of social activity such as in education, culture, scouting, and nursing.

Despite the agreement of most sources on this rosy narrative, the intention of policy toward women under the king was to make the country appear "civilized." From a perspective of gender equality, it was not even close to being equitable. Women's pioneers were figureheads, their careers confined to soft social and cultural work befitting their biology, per stereotypes. Women had to know their place.

Under the federal system of government under the king, the constitution gave each of the three provinces of Barqah (Cyrenaica), Tripoli, and Fezzan 20 members in the national assembly, for 60 total seats. This equal representation defied the massive population disparity between regions; the south that had around 50,000 people was equal to the million in the west and the 300,000 in the east. Idris appointed the representatives for the east; the Grand Mufti of Libya Sheikh Muhammad Abu al-Assaad in the west; and Ahmad Bey Saif in the south. Needless to say, there were no female representatives. The distribution of seats and important positions was determined without any direct participation of women. The use of the "vote/voice festival," a methodology of politics by acclamation, accorded by its nature all votes to tribal leaders. No tribes had a female leader. And because the culture of tribal society does not allow women to participate in these electoral festivals, there was no presence or representation of women in decision- or policy-making decisions. This indicates that social disparities and gender gaps widened in the era of the monarch, with political roles being exclusively masculine and male dominated.

## 2. Libyan women and legislation in the Gaddafi era

Libyan women faced numerous obstacles imposed upon them during the era of the king in terms of tradition and stereotypes, in a conservative patriarchal society where tribal and traditional customs were stronger than any provisional law. In the events of the September coup, Gaddafi also tried to show great concern and interest in the rights of women. In the first declaration of the revolution broadcast, he openly declared the freedom of the country and the achievement of equality between men and women without discrimination. The 17 September constitutional declaration affirmed that “all Libyan citizens are equal before the law.” The declaration of the establishment of the authority of the people on 2 March 1977 affirmed that power in Libya is practiced by men and women through people’s congresses. Libyan women, bound by customs and tradition, could not escalate issues out of local people’s congresses, which implicitly deprived them of political participation. While legally equal to men in Libya, women were handicapped not only by the traditions of society, family, and tribe, but also the fear of being hunted by revolutionary committees. Women remained in the shadows. They were found neither at public celebrations, nor in cultural and scientific activities, apart from a select coterie of devoted followers.

Legislation was promulgated with the aim of supporting women’s rights. The first was law no. 10 of 1984, on marriage and divorce, which included the right of a female taking care of children to the conjugal home, though not ownership. In the following year, law no. 16 of 1985 was issued regarding a basic pension. The state was obliged to support widows and divorcees financially. A widow who did not find a decent source of income was guaranteed a decent life (articles 7-12). Women’s responsibilities toward their families were not considered, regardless of number of children and their ages, with a salary capped at 180 dinars in local currency.

Law no. 12 of 2010 regarding work also affirmed the right to work as a duty for all citizens, male and female (articles 2, 24, 25). The law stressed the need to employ women in work appropriate to their "nature," non-discrimination against women, and positive discrimination in their favor concerning maternity leave, fully paid for three months. The law declared the principle of equality between men and women in wages. Women in Libya could travel without approval. They could refuse to become a second wife.

Libya ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1989 with a reservation against articles 2 and 16. Basic law no. 20 of 1991 in the absence of a constitution in the country was considered an effective constitutional document containing 38 articles. Article 1 stated that "citizens of the Great Jamahiriya, male or female, are free and equal in inalienable rights." Article 2 affirmed the rights of women to exercise power, to not be deprived of their duty to defend the country, as well as compulsory education for all children, male and female (Ghabara, 2016). I should note here that Gaddafi canceled instruction in foreign languages, refused to allow internet access until his final years, and closed cinemas, theaters, and art clubs or spaces.

## Libyan women: figures and indicators before February 2011

Since independence, Libyan women made steady progress in terms of access to education and employment. It is very common to see women as lawyers, judges, civil pilots, teachers, and professors. Among the most notable achievements for women under the Gaddafi regime was unrestricted access to free education at all levels, which is reflected in the high level of education among Libyan women. Almost equal numbers of women (32 percent) and men (33 percent)

hold university degrees (General Department of Statistics, 2014).

Although education in Libya was confined to science, without a right-based civic culture and devoid of foreign languages and lacking openness to the outside world, the ground was generally prepared for Libyan women to pursue education and employment at a decent level compared to the level under the monarchy. Economic conditions had been depressed in the wake of colonialism. Most Libyan towns had a rural character. Families feared the military occupation and wouldn't send their daughters to school on their own. This is what my mother, Naima Karima, said. I studied in the Gaddafi era at a school called "New Dawn" in Zawiya when I was four years old and she took me with her. My mother and her friends were better off than some women in our city, because they could learn math, writing, reading, embroidery, and sewing. This helped them establish businesses and financial associations composed of families from the city and manage them successfully. They collected a set amount of money, and at the end of the week or month disbursed an appropriate amount, placing full responsibility on the chairwoman of the charitable society, who would document all transactions.

"Women's Numbers and Indicators" is the title of a report prepared by the General People's Committee for Social Affairs, which collected figures regarding the population growth rates of women in Libya, which have been higher than men's, when they would be expected to remain the same. This may result in women forming half of the population or more in the coming decades in Libya. The population increased from 1.5 million in 1964 to 5.3 million in 2006. The growing proportion of women posed a challenge to policy makers in terms of employment and related policies, necessitating a pressing need for more work opportunities for women. Women's employment was concentrated

in specific professions and sectors like education, health, and public administration (88.3 percent in 2006), and the proportion of those working in scientific and technical professions did not exceed 5.4 percent in the same year. This is evidence of the poor management by the regime, whose organizational structures did not keep pace with the developments and weaknesses in the structure of the national economy, particularly the skills of working women combined with the continued preference for traditional social values that employed women in service sectors (See "Women's growth rates in Libya are higher than men's," 2010).

Legislation remained disconnected from application. The state legally and rhetorically acknowledged the rights of women. Yet despite the statistics, in the Gaddafi era, women had no public presence and suffered constant discrimination in all stages of their public lives. Inequities in economic opportunity resulted in social fragility. The regime and women did not have a relationship of trust. The state was not interested in the rights of women as citizens, to enjoy effectively all of their human rights. The regime did not consider women to have significant value, nor was it able to offer them adequate protection. It did not work to enact policies or to apply legislation that would enable women to access the resources to live within the framework of a just and equal civil state. Women were unable to organize their lives along the lines of the regime's laws. The foggy status of women owed to the inharmonious combination of a patriarchal society, a rentier state, and a traditional familial structure.

I must deal with the obstacles and challenges faced by women in Libyan society, despite the achievements and reforms of the kingdom and Gaddafi eras, which contradicted one another and the state's commitments to abide by ratified agreements and protocols on human rights. Women

have faced and still face obstacles and challenges caused by their absence from society, and weak growth of their public presence, most notably in:

- Socialization based on discrimination from birth between females and males in the same family, a kind of systematic discrimination in the external environment surrounding them. Therefore, the culture in Libyan society does not permit individuals to play roles according to their capabilities and behaviors by distributing tasks and responsibilities to men and women.
- The communal and individual customs, traditions, and practices and general lack of awareness that hold women back and prevent their use of the law to protect themselves and defend their rights. This happens in our Libyan society every day, and in hundreds of cases of violence of all kinds. None of these women can resort to the authorities, because the society will descend upon her in anger as a result of its conservative, closed customs and traditions.
- The weakness of cultural and educational institutions and resultant lack of access to their curricula, which in turn limits the capacity of individuals to enlighten themselves and grow at various stages of life, as part of enabling one to learn, grow, and understand life and humanity in general.
- Total absence of domestic laws and regulations that would reinforce the necessity of the participation of women in all sites and departments in equitable proportion with male citizens of the state, as equal female citizens with all rights, indivisible.

Nevertheless, improvements in the situation of women in Libya under Gaddafi are undeniable. The numbers of businesswomen who own and run medium-sized and large

business in various fields is not directly related to the needs and traditional businesses of women, such as clothing and grooming. While there are no accurate figures on the number of businesses owned and operated by women in Libya, there are several indicators of the presence of dozens of such projects, from pharmaceutical distribution companies to schools and vocational training centers in various fields. The last ten years prior to February 2011 witnessed a boom in the work of women, including housewives working from home, the establishment of a business council with several female members, plus another exclusively for women, and the presence of female members from the private sector on the board of directors of the Libyan Chamber of Commerce. I noticed that quite a few successful businesswomen were divorced. The main reason behind this is the mentality of the Libyan man, who mostly rejects a woman who wants to be herself, economically independent, and rebellious toward social traditions. It is also impossible to overlook the problem of childcare, particularly the lack of good nannies, nurseries, and domestic servants, which make it difficult for a woman to divide her time between housework and work outside the home. This is especially because the Libyan man tends to refrain from housework and considers it demeaning. In spite of what women have achieved in Libya, the absence of a social culture that respects women and the lack of awareness connected to the needs of women and their role, as well as the failure to seriously implement the law, leaves most of these rights blowing in the wind like so much paper — especially since society is patriarchal and traditional in culture and outlook at the best of times.

## The uprising in Libya in February 2011

History always omits certain names and dates. The so-called 17 February revolution began not on that date,

but erupted a few days prior with a demonstration on 15 February in Benghazi. Most of the demonstrators were relatives of the martyrs of Bo Salim [a mass killing in June 1996 of prisoners at Tripoli's Abu Salim prison], who on that date like all Saturdays staged a protest demanding the location of the bodies and the prosecution of those responsible. An attorney representing some of these families was arrested on 15 February, along with his friend, and young men mobilized to demonstrate early that day, which had been agreed upon online. The arrest of Fathi Terbel and the activist Faraj al-Sharani was the fuse for the revolution. Hundreds of demonstrators protested outside the Security Directorate in Benghazi, as well as counter protesters loyal to the Gaddafi regime who chanted in support of it and tried to disperse the demonstrators. A clash between them occurred, with the demonstrators throwing stones, which the world saw in videos and pictures on that date. It ended when the police used batons and water cannons to disperse the demonstrations. The outcome of the clashes in the end was 38 wounded, and rallies erupted in support of Gaddafi in other cities throughout Libya, including Benghazi, Tripoli, Sirte, and Sabha in which a number of women participated. The lawyer, Terbel, was released late that night.

On 16 February, demonstrations calling for the fall of the Gaddafi regime in the city of al-Baydah resulted in two killed. Most of the cities mobilized on 17 February — Zawiya, Zuwara, Nalut, Zintan, Yafran, Benghazi, Baydah, Tobruk, Derna, and Ajdabiya. These quickly turned violent when confronted by the security forces, which used live ammunition. Protesters burned police stations in some cities. On 18 February, the movement grew as other cities including the capital of Tripoli rose up, along with Fashloum, Tajura, and Jazur. This movement was accompanied by both an overt and a secret women's movement, as the confrontations and the numbers killed in most cities only increased people's

agitation, anger, and determination to continue. The demonstrators felt the seriousness of the situation. There was no return. They tried to prepare as well for conflict with arms. Protestors attacked military camps and units, and took control of their weapons. This was followed by the resignation and defection of many diplomats from the Gaddafi regime.

Women were also present, with many conveying news of the protests, the conditions of the cities, and the numbers of the dead to the media. This helped greatly in the success of the uprising. Others distributed leaflets or prepared food. Others yet were subject to violence: displacement, threats, murder, torture, forced disappearance, and rape. By comparison with the revolutions in the neighboring countries in the same year, in Tunisia and Egypt arms did not spread as quickly, and people were not killed in comparable numbers, armed confrontation between two parties did not occur on the same scale (though forces loyal to Hosni Mubarak did resort to armed force and a number of protestors fell in the field). In Libya, from the start some in the protest movement wanted it to become a violent armed conflict, particularly those associated with the Muslim Brothers who were fighting in some cities from the first days. They joined the popular movement, not with the intention of toppling the regime and transforming the state into a democratic system empowering the people to live in freedom, dignity, and social justice — but with the intention of transforming Libya in all its capabilities into an Islamist state.

Gaddafi instrumentalized, exploited, and used the violent confrontations to turn to arms, which left the demonstrators no choice but to use the same means. Protesters seized control of an installation near Benghazi on 20 February 2011, after al-Mahdi Muhammad Zio breached it with a suicide car bombing. In the city of Zawiya, which always occupied a prominent position during crises, Gaddafi was afraid of the movement in this city owing to its religiosity and the

anger and determination similar to that of Benghazi, its proximity to the capital (about 45 kilometers from Tripoli), and its fame during the period of Italian colonization for the battle "al-Ras al-Ahmar [Red Head]" in April 1922. The mujahed and hero of the western mountains Khalifa bin Askar al-Naluti was executed publicly in its market in July 1922. Throughout its history, men have been remembered and women forgotten. They are not present in history books or in the stories of the descendents from the city. They tell us about the likes of Farhat al-Zawi, who participated in the battles of 1911, and the Grand Sheikh al-Taher al-Zawi who wrote a book on the heroes of jihad and did not mention the name of a single Libyan woman. We hear about the departed politician, journalist, and owner of the newspaper *al-Libi* Ali al-Dhib. Many other intellectuals were "liquidated" under Gaddafi. Sheikh Muhammad al-Bashti was publicly executed after a televised, fabricated trial in 1983 in what was known as the "Masjed al-Qasr [Mosque Palace]" affair after Qaddafi's *mukhabarat* [intelligence services or secret police] stormed it in November 1980. In the same case, Masur Kaabar was hanged in front of the Faculty of Pharmacology at the University of Tripoli on 16 April 1984 with the student Hafez al-Madani, who was hanged the same day in front of the Faculty of Agriculture.

With the popular movement that erupted in February 2011, two large battles were waged in Zawiya on 18 February in support of Benghazi. The chant was "with spirit, with blood, we will avenge you Benghazi." Women were present in small numbers, singing "Benghazi, in spirit / we are in solidarity with your wounded." The number of women in the field, on the ground, was few. But there were women present on the roofs and behind the bars of windows. The calls changed to overthrowing the regime by 19 February. Women were crowded out by revolutionary committees and Gaddafi supporters who rushed out with cars, flags, and megaphones.

On 20 February, there was significant mobilization. All of Zawiya came out, men and women alike. Around 10:00 AM, the posts, police station, and court were burned down. Demonstrators took weapons and ammunition. A fierce confrontation broke out with Gaddafi's battalions on 24 February. The toll was painful and very saddening, with dead and wounded in the streets of the city. Mrs. Nuria El-Nesr was one of the women in the field treating the wounded along with some other women who helped with first aid. The city fell under the grip of the loyalist battalions. The following days were some of the most difficult. People were arrested, their houses raided, adding feelings of oppression to say nothing of the hardships of daily life. Demonstrators continued their work with the support of women.

I lived the pain. A huge turning point in my life was when I was stopped for questioning by Gaddafi's battalions on Wednesday, 9 March 2011 at 6:00 PM, on the charge of sewing an independence flag in the furniture factory owned by my husband that I ran when he was traveling. I was taken by Gaddafi's forces to their headquarters, a farm they had seized in its entirety when they entered the city on Thursday 24 February. It was full of their vehicles and military equipment. They also occupied the entire hotel, neighboring the farm, located at the eastern entrance of the city in the direction toward Tripoli. This was one of their headquarters for investigating and torturing demonstrators, across from a wedding hall, which was called Point Zero by the city's entrance at the traffic light. When I learned from one of my husband's friends who was loyal to the Gaddafi regime that I was wanted and needed to leave the country, we decided to go without hope of returning, which was a great sadness and broke my heart to flee to an unknown fate.

On Wednesday 19 March 2011, I decided to leave at 4:00 AM with my children, my sister, and her husband. Hundreds of women faced the same fate, perhaps more painful and

bitter, at the same time. I worked in Tunisia with a group of women and men volunteering in the care and rehabilitation of the wounded. We received many Libyan revolutionaries, and discussed the future with them. We all knew that there were many operations to help the demonstrators, such as supplying fuel, petroleum, and phones to facilitate communications (because the regime had cut off all kinds), as well as weapons to combat Gaddafi's forces. In August 2011, Maeda al-Rahman [Table of Mercy] opened in Menzah al-Nahli in Tunis where men and women worked as volunteers to administer it and provide aid. Our presence was very welcome. Many of the men were pleased that we were efficient and faster in working and communicating quickly, and they asked us to continue to be present and participate to support them, despite the exposure of some of us to threats in Tunis also.

Years later, I see that the current situation in Libya is one of continuing armed conflict that accompanied the uprising and permeated it from the beginning.

## The women's movement during the February 2011 popular uprising

Changes in the region have rocked the Arab regimes, and provided strong momentum to the women's movement. Women have played a role in the uprisings and revolutions in the street from the beginning.

The February movement in Libya was part of these broader changes. Women's participation was roughly equivalent to that of neighboring countries, perhaps stronger considering the nature of events. Women took to the streets, albeit in smaller numbers, affirming their presence in the revolutions and changing the face of the Arab world. Observers hoped that it would be a prelude to effective participation in the future in political leadership of emerging democracies,

offering optimism in itself for desirable change. Thousands of women in Libya participated, some of them wearing jeans and t-shirts, others the headscarf or *niqab*, which did not prevent their participation in a rentier state, wealthy in natural resources including oil. The population of Libya is 13th of 22 Arab countries, and third in area after Algeria and Saudi Arabia. The majority are of a single faith, and there is no sectarian divide. However, the country is closed socially by wrong customs and misguided traditions adopted by families. Women have had no right to participate in intellectual culture for decades owing to these problems.

Television and social media broadcast the daily events of the movement, which witnessed demonstrations by brave, courageous, daring, and educated women who spoke English fluently and formal Arabic grammatically. They stood before the cameras demanding change and freedom. The world watched Libyan women of all ages participate in the marches and demonstrations, fighting for the rights of all Libyans against an oppressive dictatorship.

The main aim of the revolutions was to overthrow the political regimes, however, they also succeeded as social revolutions by breaking outdated traditions that led women to stay in their homes and confined them to stereotypical roles far from political and public life.

Women were active through social networking pages and blogging. Women sacrificed their children for a better future, freedom, and dignity in our beloved Libya. Examples of their devotion were many: Female doctors and nurses dedicated to saving and treating hundreds of injured and wounded. Women have also worked tirelessly in the media to transmit information about the crimes of the regime against civilians, which were crucial to the overthrow of the regime and the success of the regime, as well as on the legal front, where women filed lawsuits and raised complaints on behalf of families affected by the war to help them obtain

compensation. Women formulated statements that condemned the Gaddafi regime and demanded the rights and roles of women to be enshrined legally. Logistically they fed the young men at the front with sandwiches, hot food, and water. Women smuggled arms. Women sewed flags. Women distributed pamphlets in the streets and at universities to instill the importance of change and involvement in the popular movement to combat the Gaddafi regime. Women helped to spread a culture of human rights and peacebuilding. There were many such initiatives on small and medium scales to ameliorate the economic situation for families trying to rebuild. Women proportionally have returned to work more than men who are busy with making war, seeking power, and traveling abroad. Women have found platforms for expression in civil society, founding associations and organizations. Some have become involved in political parties, believing in the ability to participate, express their views, and claim and defend their rights. In the beginning, the movement put the public interest first and achieved historical victories for Libyan women, committing themselves to activism and seeking to realize dreams and aspiration of equality between the sexes and the inclusion of equality in public policies and state development programs.

The formation of civic associations, although an extension of what it was in the era of the king, was more daring this time. They were more free to raise and discuss women's issues, despite all of the obstacles posed by the violence and the nature of society and political events. Women have worked hard to advance their rights, relying on UNSC 1325 to demand their participation in peacemaking and peacebuilding, rejecting violence and injustice and silences. Female lawyers have uncovered the abuses of female prisoners. They did not shy away from claiming Libyan nationality for children with a non-Libyan husband. They tried to reform the education, health, and reproductive health

systems. In February 2017, they peacefully protested and rejected a decision by the military governor forbidding women to travel. After meeting with some female activists, the authorities changed the decision after it was challenged legally and constitutionally. These all indicate the ability of Libyan women to effect change by closing ranks around an issue.

The women's movement in Libya needs to frame and unify around the issue of women, looking in depth at and analyzing the reality of the serious situation, and seek solutions that can achieve the movement's priorities across partisan political lines and rivalries. Throughout the Libyan experience, men have never effectively supported women, who politicians want only as accessories to demonstrate their modernity, and from the fear of disunity.

## Preliminary successes of the women's movement after February 2011

After four decades of the Gaddafi regime suffocating all basic freedoms, "our demand is freedom" was the slogan above all others in the Libyan case. The uprising unlike other revolutions of the so-called "Arab Spring" was not for bread, water, and electricity. The Gaddafi regime had been keen to provide flour to Libyans since the 1980s, at the expense of the education and health sectors, which remain below regional and international standards five years later.

Perhaps the penetration of women in the public sphere is a kind of soft revolution, as a male-dominated domain that marginalized their roles in public and political life. This was a ray of hope toward achieving rights at the start of the democratization process after February 2011. After a long period of one-man rule, two women (Salwa el-Deghali and Shahida al-Nidal) were on the National Transitional Council, which was formed in March 2011 in difficult

circumstances fraught with treats and risks, along with another who resigned to work with the community.

Preparations were made for the first election in Libya for a general national congress according to a time-frame set by the constitutional declaration that aimed to write a permanent constitution for Libya to be approved by referendum and adopted as the basis for a new electoral law for subsequent legislative elections. The transitional council approved the formation of a committee to oversee drafting the electoral law and the draft laws for the electoral commission, naming its members, and proposing districts.

With the adoption of the final electoral law (2012), the electoral system combined a “simple majority system” with 120 seats and a “proportional representation system” with 80 seats. In the first draft, 10 percent of seats in the constituent assembly were allocated to women. The final law states that women must be represented in 50 percent of the lists of candidates for political groups, i.e. requiring rotation among male and female candidates.

Libya’s first parliamentary elections were held on 7 July 2012. People celebrated in the streets patriotically with fireworks and so forth. Turnout was 62 percent, 1.7 million votes for 3,700 candidates, including 624 women.

Women had a prominent and active role in the first general elections held in Libya since 1952. Women worked as trainers for the electoral commission, training employees at centers. Some women headed some of the election centers. This was a historical shift in the participation of women. Despite fears, elections were held in full view of local and international observers, who judged it free and fair. The official results, issued 10 days after polls closed, was another cause for optimism for the political future of Libya based on the aspirations of all its people from all social categories. The General National Congress adopted the law to elect a constituent assembly to draft the constitution on 16 July

2013, which was decisive and the most important law of its year-long mandate. The electoral law gave criteria and conditions for voting and candidature, determining who could participate in drafting the constitution. The law stated at the time that the elections would be contested by individuals as independent candidates, contradicting the list system. The 60 seats were divided into thirds, with 20 for the east, 20 for the west, and 20 for the south. On 20 February 2014, elections were held for the constituent assembly. Women were given six seats — two from each region. Six seats were similarly reserved for cultural and linguistic minorities: two each for the Amazigh, Tuaregs, and Tbu. This is not proportionate to Libya's population. Women are 49 percent according to the census. Turnout was very weak for the next election in June 2014 for the new legislative body, around 18 percent. In the Libyan parliament 30 seats out of 200 were allocated to women.

## Absence of the state and its impact on the situation of women in armed conflict

In the absence of the state, armed conflict between militias has negative effects upon society and the economy. War destroys the social and economic fabric in general, violating the rights of individuals and generating repercussions long after the end of armed hostilities.

The first indicator is the widening gender gap in Libyan society and the stifling of women's participation in the public spaces of the popular uprising. In the liberation speech after the overthrow of Gaddafi in October 2011, an internationally known revolutionary leader and president of the opposition National Transitional Council Mustafa Abdel Jalil, referred to polygyny as one of the necessary changes after the fall of the regime as a pressing goal of the movement, which paid dearly in the blood of men, women and

children for the sake of change and equal rights for all. On that historic day, people were eager to hear a solemn speech calling for reconciliation and to look at Libyan women differently for their role in achieving the victories of the movement. Instead, they were shocked to hear the invocation of divine duality, of the natural binaries created by God: sun and moon, night and day, man and woman, as incontrovertible.

As armed conflict continued, militias predominated and transformed into armed gangs protecting the state, its institutions, its buildings, and its people as a type of protection racket. They struggled for power and control of sources of wealth, such as oil fields, banks, and other types of investments. Corruption spread in the absence of law. People could not protect themselves, and women especially suffered woes and violence of all kinds.

Gender-based violence is a deeply rooted phenomenon in Libyan society in general as is domestic violence. Despite slow progress in policy development and improved responses to violence, more than half of women still face the threat of violence and do not know where to seek help. It is rare for a victim to seek support outside the family, because of a culture that imposes silence on women regarding family problems as issues that should stay in the family. Judicial institutions, in particular the police, are unable to solve the problem. The violence is enabled by discriminatory laws against women, especially the personal status law.

The violence of arbitrary arrest and forced disappearance touches all men and women. The majority of victims were male, but it had a devastating impact on women, who lost their husbands who provided for them. In public and private, women were forced to change their social roles as heads of families and providers. Desperation forced women into vulnerable situations, despite grave personal risks. In my work at the Libyan Consulate General in Tunisia as the

head of the Libyan refugees committee in Tunis, the humiliations before, during, and after displacement, migration, and asylum are beyond count. Women have survived and endured conditions of true desperation, despondency, and vulnerability thanks to war and forced migration.

Kidnapping and murder are not new, but occur everywhere owing to economic conditions. In 1819, a victim, Margaret Paul, a 20-month-old girl, was kidnapped in America by a 19-year-old woman and her friend for ransom from her parents ("Child Abduction," 2017). Hence we understand the normal situation in which kidnapping occurs. Libya, like all other Arab countries that have lived under a totalitarian military regime, had cases of abduction, forced deportation, threats to women and their torture in prisons. But to my memory the first case of abduction of a child in Libya happened in 1995 from Al-Galaa hospital in Tripoli, with the caveat that the media was not free.

A country undergoing an unprecedented political crisis and civil war, in the absence of legal deterrent, offers an atmosphere conducive to such phenomena and introduces other kinds of motives and dimensions. Kidnapping in Libya became openly systematic in 2012. I am not talking about the missing who disappeared during the political revolution on 17 February, but rather the past six years: kidnapping men to exchange prisoners, or to demand an investigation by pressuring an official, or abducting children for ransom, or abducting girls for the purpose of forced marriage (taking them from their families by force), though these cases may be few. The abduction of women became more common in 2016.

Political violence against and repression of female activists and human rights defenders was escalated systematically by armed militias, which threatened, kidnapped, assassinated, and displaced women owing to their political

views. A young reporter, Naseeb Karfanah from Sabha was murdered in May 2014. On 21 November 2014, Sara al-Deeb was shot driving in the Andalus neighborhood of Tripoli. A series of assassinations in different cities on 26 June 2014, signaling the rising danger of involvement in the public sphere, but the assassination of a women — a rights activist and excellent lawyer — was a true shock. Shadia Salwa had participated in the Libyan parliamentary elections, a sign of the future and a new Libya, without fear. Then Fariha al-Birkawi was assassinated in a storm of bullets on 17 July 2014 at a fueling station in Derna. This was part of a systematic process targeting activists and organizers in the democratic current in the city who had came to prominence after the uprising. She was a nonpartisan patriot with a conscience. On 17 February 2015, a sniper shot Zeynab Abd al-Karim, wife of the former director of the security directorate in Benghazi al-Sayid al-Darsi, who was also in the car with their children. He was assassinated, and she died in the hospital of her wounds on the 21st. Lastly the rights activist Intisar al-Hasari, who likewise called for a civic state, was abducted along with her aunt. They were found killed at dawn on 24 February 2015. Many other prominent women were systematically assassinated, jailed in awful conditions, or abducted and tortured and found gruesomely murdered since 2012. These actions were aimed at forcing displacement, eliminating women's rights activism, and suppressing women's voices calling for the rule of law and a civic state and society in Libya.

Similarly, health conditions and infrastructure deteriorated in the context of armed conflict, preventing access to medical services and leading to the spread of preventable deaths and injuries from accidents and diseases, as well as related humiliations.

Likewise the economic conditions for women worsened, with disruption of wages and salaries as foreign exchange

reserves and public revenues fell or were exhausted. Women have become vulnerable to extortion and harassment as a result. The Libyan economy contracted by 10 percent in 2015, and most sectors remain weak apart from oil, due to import-dependent supply chains and lack of funding, while the rate of inflation accelerated to 9.2 percent (Libya: Economic Outlook, 2016). This economic situation is expected to continue in light of the unstable political situation and the absence of the state and its institutions.

It should be pointed out how inflation affects women, who became unable to afford basic daily needs, such as clean water, healthy food, and sanitary housing, exposing them and their children to multidimensional poverty.

The severity of the situation made even socially conservative women active on social networks. On 21 November 2016, a respectable woman who had spent a week trying to get her salary drawn — but failing because of lack of liquidity at the bank — stood angrily protesting in front of the crowds of people gathered in the main square. She removed her veil, climbed a foundation, and started loudly screaming in the Libyan dialect "we are dying from hunger, we sold our honor, we are eating our young." In a striking and shameful way, it gives an idea of the suffering of thousands of women.

Political conflict and insecurity have severely damaged the economy, which has been in a deep recession with hyperinflation and lack of liquidity for the fifth consecutive year in 2017. The price of flour has quadrupled. Has the slogan of the demands of the people changed after five years to "our demand is flour"? The problem of flour reflects the tragedy of conditions in Libya. Does "our demand is safety and peace" precede it or exceed it in priority? Is this a collective demand, or does it differ according to gender, and the differentiated intensity, severity, or

impact of the conflict on the people? The questions on the minds of those who follow the Libyan situation remain: Where were these successive authorities all this time? How did they lose so much time over the past five years? Why do they have no sense of responsibility toward the country? Where were women in their schemes for protection? The shortcomings and failings of elected and appointed institutions, and of official apparatuses in general, have led both certain individuals and groups to feel marginalized, dehumanized, and unjustly treated. It has undermined their feelings of belonging to a society or to the country in general.

How can women obtain and enjoy their rights to the fullest? What are the means, politically and economically, to empower them to participate in all fields of public life and contribute to building and elevating society? Who will advance legal and legislative reforms? Who will impose and apply policies and regulations? In light of the continuing armed conflict and political divisions, who will have the historic responsibility of realizing and understanding that it is the women of Libya who are most capable of managing things and bringing about change for the better?

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CHAPTER THREE

# WOMEN'S RIGHTS BLOWING IN THE WIND OF THE ARAB REVOLUTIONS: THE TUNISIAN EXPERIENCE

*Salsabil Alqulaibi*

I will not delve into the debate over what has been happening in the Arab world since 2011 — particularly the terminology of revolution, uprising, or foreign conspiracy, or whether there was a revolution that was then hijacked or corrupted by external parties — because at the present time we simply do not have sufficient distance to allow us to answer these questions, and also because the answer may be all of the above, at least in some small part. However we characterize what is happening, one cannot deny that all of the states of the Arab world have been living through six years and counting of social, political, and institutional fluctuations, embodied in the form of a conflict between forces of change and others resisting this change.

Arab women are a central element in this movement, first because they were essential actors in these events, and

second because Arab women served as a site of conflict between warring social and political forces — becoming hostage to this tug of war and targeted by both parties. Despite an assessment to the effect that "women do not represent a [cohesive] class, differing in terms of their visions for themselves, their dreams, their imaginations, and their effectiveness," we contend that women faced a common ordeal in this "[so-called] Arab Spring," which was no spring for them. Indeed, despite the involvement of women from various social classes and of all ages in the revolutionary movements throughout the region — whether at the fore of demonstrations and confrontations with security forces, or on social media mobilizing groups, calling for demonstrations, or informing others of the progression of events, and so forth — they remain the weak link in society, and thus a prime target in crises or conflict, exposed to violence and subject to political bargaining.

In this paper, the focus is placed on the Tunisian experience. Despite assumptions that Tunisia is outside the norm of other Arab states regarding the status of women in law and in society generally, what they have undergone is not very different from their counterparts elsewhere in the region, particularly the pushback toward giving up their gains. We will address some of these challenges that they have faced and still confront on two levels. The first is the political and social conditions facing Tunisian women from the time of the revolution through the current repercussions. The second is the results of the resistance they have waged in terms of legal outcomes since the revolution.

## The woman issue, and political and social developments since the revolution

Since the founding of Carthage by a Phoenician princess, Tunisia has had women serve as beacons throughout its

history, including the emergence of a women's movement dating back to the 1930s. Nevertheless it is of the utmost importance to note that this movement was neither continuous nor regularly organized, unified in its features, or coordinated with the existing political authorities. Instead, it was a grassroots movement animated by the imagination and involvement of women themselves. The Muslim Union of Tunisian Women [UMFT] was established in 1936 by [Bchira Ben Mrad along with others like] the medical doctor Tawhida Ben Sheikh, followed by the Tunisian Women's Union in 1944 connected with the Tunisian Communist Party, whose leaders included Nabiha Ben Miled, Sharifa al-Saadawi, and Gladys Addah among others. The National Union of Tunisian Women followed in 1955, with Radhia Haddad serving as its first president. The Bourguiba modernization project came with independence to build upon this base and to support it; it did not create a women's movement out of nothing.

As for the Tunisian revolution, the consensus is that it broke out in the interior of the country against a backdrop of economic insecurity. In the beginning, the primary demands were socioeconomic concerning employment, dignity, and social justice. But these demands quickly transformed, as the area of protests expanded to major cities and then the capital, into political demands revolving around rooting democracy, freedom, and the peaceful transfer of power before reaching the point of no return, encapsulated in the famous slogan "dégage" or "leave" directed at President Ben Ali.

It was therefore to be expected that all of the efforts of actors in the public sphere, whether the political class or in civil society, would be directed toward establishing democracy with all that it is based upon: guaranteeing civil, political, economic, social, cultural and solidarity-based rights and freedoms on an equal and non-discriminatory basis. Additionally, that the focus would be on building new institutions of governance based upon popular will, i.e. free and

fair general elections, and the principles of accountability and transparency. Furthermore, that it would preserve the model of Tunisian society based on the legal guarantees of women's rights, whether in public or private, their equality with men, and their involvement in consolidating this model of society, particularly on the ground

There is no doubt that one of the most important things that the revolution brought to male and female Tunisians is the freedom of thought and expression. However, we soon discovered that this freedom not only liberated modernist, liberal, democratic tongues, but also unleashed a more conservative discourse, with a reactionary approach to violence and whose purpose was to transform the revolution from one of freedom to one of "revenge for religion." This conservative discourse also rejected all of what the revolution had called for, especially in the field of rights and freedoms, foremost women's rights.

Indeed, none of us expected that the day of overthrowing the tyrant Ben Ali would open the door to violations of the rights of women, who participated in the liberation movement against colonialism, in building modern Tunisia economically and socially, and in resisting the dictatorship through the day of the fall of its mightiest symbols on 14 January 2011. No one expected that a day would come when we would need to demand protection of the Personal Status Code and the constitutionalization of women's gains. The fact was that we believed that these had become our traditions, not only legally, but also communally — that is, they had become a component of Tunisian identity. As if overnight, a new discourse emerged — whether in public forums in provisional political institutions such as the National Constituent Assembly, which was elected freely and directly in the first democratic and fair elections known by Tunisia, in order to draft a new constitution; or in the media; or even in the Tunisian street in general — regarding customary

marriage, and the fact that personal status laws issued in 1956 authorized a single formula for marriage and outlawed marriage in ways other than the authorized legal formula. Likewise, talk spread of a return to polygyny and the circumcision of girls, and even of the mobilization of women and girls for the purpose of "sexual jihad."

Things came to the extent of calling for the dismissal of women from work as a solution to the crisis of chronic unemployment in the country. Such a call is also based on a deep-rooted conception of the division of roles within society. With regard to the political rights of women, given our present reality and the content of the discussions and debates that took place in official spaces, for example in the National Constituent Assembly or in society in general, we can note the depth of the gap that can be found in our minds between civil and political rights on the one hand, and economic and social rights on the other. Many of us still do not see any correlation between them. This is due to various reasons, perhaps the most important of which is women breaking into the field of work. This is not seen by many as a form of self-realization or a guarantee of her material independence, which is a condition of preserving her dignity, and as a result work outside the home is not incorporated as an entitlement of women to work, that is within her economic and social rights. Instead, her going out to work was only an urgent material necessity reflecting the inability of a man on his own to meet the material requirements for the family, i.e. "guardianship." This is why for some the natural place for a woman remains the home, and why at the first opportunity available in the current situation (with the unemployment crisis most suited) such a discourse called for their return to it.

The invasion of this discourse into the Tunisian public sphere, which coincided with the victory of the Islamic Renaissance [Ennahda] Party in the elections for the Constituent Assembly, was a strong shock in democratic

circles. The result was a clash within the Constituent Assembly, where the democratic bloc occupied the position of opposition, and a clash outside of it in civil society, where the political balances were reversed, with the democratic forces strongly present.

We cannot lose sight of the impact of the regional situation on these issues, and resultant stances toward them, particularly with the rise of Islamist forces in the countries of the "Arab revolutions." On the regional level, the victory of Islamists in Tunisia and then in Egypt gave the impression that the political future of the regions was in their hands. As a result, they began to implement schemes to change not only the features of the Tunisian legal system on the occasion of the writing of the constitution, but also the features of society. Nevertheless the Western world supported these movements and blessed their entry into political life via elections by their promotion of the concept of "democratic Islam," without paying any attention to the contents of the discourse of these movements, their explicit calls for a caliphate, and their rejection of human rights (either directly or indirectly, on the grounds that it is a Western concept imposed upon us and dropped on our societies, or that the very model of society or even the political system has been imported or implanted).

In this context, it is necessary to draw attention to the gravity of this discourse, which allegedly emanates from the requirements of cultural rights and cultural specificities, because it necessarily cancels out the universality of human rights, specifically the rights of women to equality with men and the illegitimacy of any form of discrimination against them. Paradoxically, the debate has turned toward wearing the head scarf, the "legal [*shari'i*] veil," and the burqa'. But more serious is the widespread phenomenon of both adolescent and younger girls wearing the headscarves (as minors and children in both cases), either pressured or

decided by their families. This entails the emergence of the idea that part of their body represents *'awra* [shame] that must be hidden from view. These practices are defended in the name of "safeguarding" the honor of women and that it expresses their free choice. Thus it is promoted on the basis of freedom of expression, as one of the components of individualistic freedom. All of this is an attempt to combat a rights-based discourse regarding the dignity of women and equality between them and men. Here we can see that women are most damaged by "culturalist" readings of the system of rights and freedoms.

This regional and international support for Islamist political forces, which gave them material power and international legitimacy, deepened the sense of fear within modernist democratic ranks in society, as well as the rift between them and Islamists.

The introduction of these concepts and principles into discussions of the new draft constitution and their spread in the public sphere resulted in confusion in the constitutional writing process. All debates became stuck in considerations related to religious identity, with all that attends to it and extends from it, from the implications of the sources of law, to the nature of the relationships between different components of society (particularly women and men) — instead of all efforts focusing on the establishment of a democracy based upon individual and public freedoms, on equality in rights and non-discrimination on the basis of race, religion, sex, origin, thought or any other considerations. The text of the constitution itself bears these effects clearly.

## Legal outcomes of the Tunisian revolution in women's affairs

We can argue on the basis of the Tunisian experience that the gains achieved by women concerning their rights

through decades of struggles are not immune or immutable, since they can be reversed whenever society passes through a political, economic, or other type of crisis. Women remain the vulnerable category in society. In fact, when male and female Tunisians found themselves in a situation that gave them the opportunity to choose a new political system, some expected to start from scratch as if Tunisia had no history or set principles. Therefore, vigilance and caution must be practiced toward any perspective that in the name of the revolution all of the accumulated experience of society must be blown up, in any field, whether intellectual, social, legal, or otherwise.

To this end, keeping in mind the previously discussed history of the Tunisian women's movement, the recent calls of Islamists to abandon the principle of equality between women and men, and to reverse the gains made by women in both private (familial) and public spaces, were based rhetorically on the fact that these gains had been imposed from above by President Bourguiba, tainted as the byproducts of his authoritarian regime, and that they had not resulted from grassroots demands emanating from broader Tunisian society. This discourse is partially correct in diagnosing the nature of Bourguiba's rule as authoritarian, however Islamist currents obscure the origins of the Tunisian women's movement long prior, which was not created out of thin air by his regime. Therefore, to say that Tunisian society wants to return to its roots and abandon this model of society is based on a blatant historical fallacy. This is what the other part of Tunisian civil society, backed by the opposition within the National Constituent Assembly, sought throughout the three years it took to draft the constitution: re-correcting the political, cultural, and social orientation of the text.

The discussion of the principle of equality between women and men in terms of rights and duties was the first test for both political forces, modernist and Islamist, against

one another. In fact, the second paragraph of article 28 of the draft constitution issued in August 2012 states: "the state guarantees the protection of women's rights and supports their gains as a genuine partner with men in building the nation and the complementary of both of their roles within the family ... [.]" This text triggered a tremor in Tunisian civil society, where crowds of women and men descended to the streets in all of the major cities of the country side by side on the night of 13 August 2012, to protest the article's replacement of the principle of equality between women and men with the principle of complementary roles within the family. The most important stake for Islamists is the status of women within the family — whether related to marriage, divorce, or guardianship over property or inheritance — as subordination of the rights of women is key in order to remain in control over them. As a result of this movement, the Islamists were compelled by civil society to retreat from this text and withdraw it, leaving only the article on equality between male and female citizens. Meanwhile, the family-related article merely recognizes that it is a basic building block of society, without referring to the place of women/mothers and men/fathers within it.

Article 21 continues, after stating the principal of equality and non-discrimination between male and female citizens, that "the state guarantees male and female citizens personal and public rights and freedoms and the provision of a life of dignity." This represents progress in comparison to the June 1959 constitution in this arena, in which article 6 was content to certify that "all citizens are equal in rights and duties and they are equal before the law." The 1959 constitution took the masculine form [*muwatanin*, alone] as a universal formula, whereas the 2014 constitution uses gendered language [*muwatanin wa-muwatanat*] in certifying the principle of equality. This is positive, because a narrow interpretation of the exclusively masculine formula excluded women from

certain matters, particularly when it comes to the right to hold positions of leadership in political power.

Additionally, the change in language in the 2014 constitution was more comprehensive in terms of rights and freedoms, using the expression "personal and public rights and liberties," a type of universalism that allows women to escape confinement within the domestic household.

The last element of article 21 relates to the persistence of discrimination. The inclusion of the principle of non-discrimination raises a series of objections concerning the wording.

Firstly, the principle of non-discrimination is coupled with equality before the law. Article 21 states: "Male and female citizens are equal in rights and duties, and they are equal before the law, without discrimination … [.]." However, non-discrimination is most important in guaranteeing rights, not only in the application of the law. That is, equality in the law, not just before the law.

Secondly, the principle of non-discrimination is included rather bashfully, because it is not incorporated as a separate article to emphasize its importance. The problem of discrimination is distinct in and of itself, and different from the principle of equality. Likewise it comes almost incidentally at the end of article 21, without acknowledging all of the different forms of discrimination on any basis or enumerating the different prohibited bases of discrimination: gender, race, religion, language, origin, thought, disability, and so forth.

However, the mere declaration of rights and freedoms at the heart of the text of the constitution is not sufficient to guarantee or protect them, particularly in a society where conservative forces have not yet firmly internalized the equality of men and women and the accordant rights and freedoms due to women. As a result, mechanisms must be made to ensure that this principle is enacted on the ground and that women are protected if their rights are violated,

regardless of the perpetrator. This is what the constituent assembly had also been working on.

One of the most important mechanisms to ensure equality between women and men is contained in article 46 of the constitution, which can be considered a central article in this respect: "The state is committed to protecting, promoting, and developing the rights obtained by women. The state guarantees equal opportunities between men and women in bearing various responsibilities and in all fields. The state strives to achieve parity between women and men in elected bodies. The state shall take measures to eliminate violence against women."

The first point commits the state to avoid regression in the civil, political, economic, and socio-cultural rights women have won since independence, whether related to their place in the family, their status as citizens and their place in public, meaning that these rights are not subject to change in the future regardless of the nature of the ruling political parties or their political or ideological orientations. Furthermore, it adds that these rights gained are not the ceiling on the legal and actual state of women, but a starting point for further development and strengthening. This article is an extremely important instrument, driving various actors in the public sphere to seek equality for and participation of women in all areas of public life. Indeed, the incorporation of the principle of parity within elected bodies is an effective tool. It has been proven by experience that if the matter was left to the pure desire of political actors, they would neither nominate nor elect women. As a result, they must be driven to do so legally, by the principle of equality.

Equal opportunity requires the state to intervene not only in legal mechanisms to ensure equality, but also by taking all practical measures and adopting policies supporting women, such as building infrastructure and public facilities

that help women to care for children in order so women can devote part of their time to responsibilities other than familial, enable women's economic empowerment, and ensure their independence from the patriarch. In all, it could bridge the existing gap between men and women, and prevent excluding the latter and discriminating against them in order to return to a bygone era.

Last but not least, everyone recognizes that violence against women and girls is simultaneously an indication of their lack of the most basic human rights (human dignity and the right to protection of their physical sanctity) and an obstacle to their obtaining and enjoying their rights in general, but in particular their political rights, as women in public spaces are vulnerable to all forms of violence: physical, moral, symbolic, and psychological. What is even more dangerous is that violence against women is considered in our Arab Islamic societies to be natural or normal treatment. There are those who find legitimate bases for it. For this reason, it was necessary to incorporate the state's commitment to eradicating this phenomenon as an essential demand by modernist forces inside the assembly and outside of it.

As for institutions directly oriented toward women and for the promotion and protection of their rights, the constitution did not create independent bodies tasked with fighting discrimination and the support of parity and equal opportunity. This is the case for example in some comparable constitutions, along the lines of those of South Africa or Morocco. The Tunisian constitution, however, confines itself to the creation of an independent human rights body. Among the most important of its functions, as stated in article 128 of the constitution: "The Human Rights Commission oversees and works to reinforce human rights and freedom, and proposes what it deems necessary for the development of a system of human rights, and is consulted on draft laws related to its area of competency. The body investigates

cases of violations of human rights for settlement or referral to the competent authorities… [.]" It should be noted that the draft law connected with establishing this body is in the hands of the Assembly of the Representatives of the People, and that it stipulates the establishment of specialized committees, including a committee for women's affairs.

No matter what may be, the most important challenge facing women's rights is the chasm between texts and reality or practice. If the post-independence state believed in the law as a tool for modernizing society and adopted a legal system that would advance society, it did not succeed in making society assimilate or adopt this type of modernity. The result was resistance of the text by a society seeking to distance itself from it. In the short term this necessitated the intervention of a judiciary, forcefully, in accordance with the constitution, to protect rights and freedoms in order to harmonize the two (penalizing the head of the discriminatory institution). In the long term, young people must be raised and educated on the principle of equality, on the dignity of women, and on the idea that women's rights are linked to her humanity and not any other factor.

Although the Tunisian Constitution has succeeded to some extent in consolidating women's rights, even in developing them, it now remains to wait for the implementation of these principles and provisions introduced therein. This may be either through jurisprudential policy on the level of the promises of the constitution, or legislative policy that supports the existing legal system in this regard. In the latter regard, a legislative approach must do away with the marred texts that have become contrary to the standards set by the new constitution. To name a few, this includes (but is not limited to) the withdrawal of the ministerial publication that prohibits the marriage by a Muslim Tunisian woman of a non-Muslim man, and the revision of the personal status code to recognize equality in inheritance between women and men.

CHAPTER FOUR

# WOMEN'S MOVEMENT IN ALGERIA: BETWEEN INSTITUTIONALIZATION AND AUTONOMY

*Ferial Lalami*

Although Algerian leaders often declare Algeria had its Arab spring in October 1988, a sort of Arab spring rehearsal, the advent of the Arab Uprisings warranted that the regime take a series of measures. First, as of February 2012, the government lifted the state of emergency it had declared since 1992. Then, in a speech to the nation on 15 April 2011, President Abdelaziz Bouteflika, announced political reforms and promised to "deepen [the] democratic process".

As far as women's rights are concerned, these measures consisted of constitutional and electoral law amendments. The effects of these measures are examined in this paper in light of women's agency and the Algerian women's movement. The paper sets forth the question: Is the area of reforms related to women an answer to the demands of the

women's movement? Does the emergence of what seems to be state feminism strengthen the capacities of Algerian women? Or, on the contrary, does it threaten the women's movement?

## Institutionalization of the Women's Cause

During the last ten years, the Algerian regime has institutionalized the issue of gender equality. Before that period, the focus was placed on the "woman and her participation toward economic development". In the Algerian socialist strategy of development during the 1970s, women were supposed to contribute by their entry into the labor market where they were needed: the National Charter of 1976 "encourages the woman, for the benefit of the society, to be employed". But since the 1980s, the development of a movement seeking gender equality, led to the recognition of this very demand on the political scene.

Since the beginning of the 2000s, institutions devoted to women and the family have been established such as the Ministry for National Solidarity and the Family and the Status of Women and the National Council for the Family and the Woman in 2006. An increase of women in the government, up to 19%, was even reached in 2012. Moreover, ex-activists or experts on women's issues were appointed as ministers and some observers considered them "femocrats".

Pursuant to article 35 of the Constitution, new provisions were added to the electoral law in January 2012 introducing quotas for women in elected assemblies at a local and national level. Consequently, in June 2012, women legislative representation jumped from 7.7% in the previous National Assembly (2007-2012) to 31.6%, reaching the first place in the MENA region. Algeria thus became the country which has the highest rate of female legislative

representation in the MENA. This is a source of pride for the leaders who often highlight this result. The increase in female representation in the legislative body sheds a very positive light on Algeria worldwide and constitutes an improvement to the regime's image. In May 2017, the percentage of women elected to the National Assembly slightly decreased to 26.19%.

This significant increase in female representation, as well as the establishment of institutions devoted to women's issues, led us to examine if it matches the strategy of women's organizations and if they benefit women. Have these measures improved women's agency and capacities of action?

## Sociological trends as far as women are concerned

Some indicators give us a general idea on the improvements in terms of women's status. In the field of education, outstanding progress has been realized. To assess this evolution, we must note that female illiteracy has been reduced from 90% in 1962 to 28% in 2012. Moreover there was an exponential expansion in girls' education. Furthermore, since the 2000s, in the secondary level as well at the university level, girls are more numerous than boys. This is the result of continual progress in the percentage of girls and women attending secondary schools and entering higher education: from around 40% in the 1990s to 60% in 2015.

Demographic trends give us also an idea of the changes in women's lives. Another characteristic of the situation which can be taken into account is the increase in the female average age of marriage: from 18 in the 1980s, it is now almost 30. Consequently, as an effect of the combined aspects of longer school attendance and the higher marriage age, the fertility rate, which was near 8 children per women in the 1970s, has fallen to 3.1 children per woman in 2015.

The accomplishments are less obvious as far as employment is considered. In a context of important unemployment, the percentage of women in labor force is limited and increases slowly from 7% in the 1980's to almost 20% in 2016. In parallel, women are more severely affected by unemployment than men. In September 2016 the overall rate was 8.1% for men and 20% for women. If we consider the graduates, it was 10.2% for men and increased to 24.7% among women.

Moreover, many working women are invisible in statistical data because they are engaged in informal activities, outside of the declared working population. They work in the field of agriculture and as caregivers, doing cooking, cleaning, caring for children or the elderly to increase family income or to cope with poverty. Though they are often the sole breadwinner of the family, their work is undervalued and precarious.

As these figures show, the picture of women in Algeria is varied, and their different situations depend on the sector. However the overall view is that of a move toward empowerment.

## The Algerian women's movement and its claims

Against this backdrop, the Algerian women's movement finds resources, especially among more educated women. Before developing our analysis, a definition is necessary. What we refer to as the Algerian women's movement is composed of women's organizations focusing on the same issue: aiming to a change of relations based on gender discrimination, as a strategic interest of women. They are different from feminine organizations, even if those aim at women's interests, as they deal with social problems such as illiteracy, poverty, reproductive rights, or in other words, practical interests of women.

The development and independence of women's movement is marked by its resistance to the conservative Family Code in the 1980s. Since that time, demonstrations, campaigns, and petitions have never ceased in protest of this law. The Family Code, enacted in 1984, was amended in 2005.

However, according to the leaders of the main organizations such as *Wassila* network, AFEPEC, and FARD, some provisions remain discriminatory:

- Marriage: the bride requires a *wali* (matrimonial guardian); polygamy, though restricted by law, is not banned.
- Divorce proceedings are unequal: a man has a full right to divorce, whereas a woman has to justify her request.
- Parenthood: a mother has limited rights and she loses custody if she remarries after divorce.
- Inheritance: a female heir receives half the shares of a male heir.

  In spite of the fact that the Constitutional Council in a decision of 20 August 1989 confirmed the constitutional principle according to which duly ratified international treaties prevail over domestic law (article 150), the family law can neither be objected to on the basis of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), ratified in January 1996, nor on the basis of the Constitution. On the one hand, the reservations Algeria placed in regards to the CEDAW Convention deal primarily with the articles regarding equality in marriage and international arbitration. Concerning article 2 of the Convention it is specified "on condition that they not conflict with the provisions of the Algerian Family Code". In relation to article 15, paragraph 4 states: "The right of women to choose their residence and

> domicile should not be interpreted in such manner as to contradict the provisions [...] of the Family Code". Regarding article 16, "the Government of the People's Democratic Republic of Algeria declares the provisions of article 16 concerning equal rights for men and women relating to marriage, both during marriage and at its dissolution, should not contradict the provisions of the Algerian Family Code". And to avoid the jurisdiction of an international court, "the Government of the People's Democratic Republic of Algeria [....] does not consider itself bound by article 29, paragraph 1 which states that any dispute between two or more parties concerning the interpretation or application of the Convention which is not settled by negotiation, shall, at the request of one of them be submitted to arbitration or to the International Court of Justice".

On the other hand, family law can neither be challenged on the basis of the constitution, which enshrines the principle of non-discrimination and equality, because of its article 2, which provides that "Islam is the religion of the state". So the demands for a law respectful of gender equality in every field of the family life, that is to say as parent, spouse, etc., have not yet been really satisfied.

If the amendments of the family law did not fulfill the expectations of the women's movement, in the same year, a reform of the Nationality Code granted women the right to transmit their nationality to their children and spouse. Before 2005 it was a right reserved only to men. Algeria subsequently lifted its reservation regarding article 9 of the CEDAW in 2009. Allowing women to transfer her nationality is a strong symbolic act as it concerns citizenship.

In December 2015, after more than fifteen years of struggle, the Algerian women's movement succeeded in placing the issue of violence against women on the political agenda. Provisions of the criminal law recognize and name "violence

against women", especially "domestic violence", and enact strong punishment for acts of domestic violence or for sexual harassment or harassment of women in the streets and other public places.

These provisions were not welcomed. The members of the National Assembly from Islamist parties criticized the amendment as being "[an act of] legislation seeking to wreck the family". On the other hand, feminists were not totally satisfied because of a clause that allows the victim to pardon the perpetrator.

But, in the end, these amendments of the penal code were the result of an adaptive strategy from the phase of protest in the 1990s to lobbying women recently elected to the legislature. Feminist activists have contributed to putting the question of violence against women on the political agenda. The success of the movement was to move the problem of violence from the private sphere (and a taboo issue) to a topic of public policy by using political opportunities. The leaders of the movement put pressure on the government by using institutions, such as the National Assembly, and by taking advantage of the regime's need to project the right image when it comes to the subject of human rights.

The legal reforms concerning quotas in the elected assemblies, the Nationality Code, and violence against women might suggest that the Algerian women's movement has succeeded in introducing gender equality to the political sphere, by linking women's rights to citizenship.

## Challenges

What are the major challenges facing the Algerian women's movement?

The demand for equality is an integral part of the democratic process according to the discourse of the Algerian women's movement. The Family Law legalizes

discrimination and relegates women to second class citizens, in contradiction with the constitution. By their political actions, advocating for a change of the Family Law toward gender equality, women's associations have introduced this issue to the public sphere. Of course, the law, as good as it can be (and we previously saw that there is always a flaw in the legislation), cannot change social practices by itself. However it contributes to change them, by modifying the public representation of women and by giving tools to feminist activists to help women and increase their agency.

Moreover, the practice of feminist activism leads to questioning the state-civil society relationship. In other words, there is a strong link between women's rights and the rule of law in a political system, especially respect of human rights principles.

In addition, the conditions for political action are linked to collective freedoms. Activists need freedom of expression in the political contest to raise their demands, argue and answer their opponents who often accuse them of being westernized and having aims at odds with traditional and religious values. They also need freedom of organization. Women's associations, as part of the civil society, denounced the law on associations. The law increased governmental control of women's organizations, and the sources of foreign funding that enable them, on the argument of sovereignty. Most women's associations which do not benefit from national subsidies use foreign grants to realize their projects. The funds come from organizations of the UN such as UNICEF, UNPD, World Health Organization (WHO), or the EU, or international NGOs such as Friedrich Hebert Foundation, Freedom House or Global Rights Watch. With these financial contributions, social actions are realized: establishing listening centers, shelters for women, and especially single mothers; or developing tools for advocacy, such as the national inquiry on violence against women, established in

2005 with the help of the WHO, the UN Population Fund (UNPF) and the UN Fund for Women.

However, as the Algerian political system is not open, the question remains: What strategy can be enacted within the limits of an authoritarian regime? The primary strategy is to continue to act in spite of the constraints imposed, especially by the law of associations and other limitations on freedom, while remaining focused on the original objectives. This choice means taking small steps toward democratic transition. What is really at stake here is autonomy, which is for the organizations to advance its own program in order to remain a force for political and social change. Within the main fields at the core of the movement (family law, violence), the answers of the government remain unsatisfactory. There is a risk for the women's movement of being exploited, losing the legitimacy acquired from the nationalist struggle. This legitimacy goes back generations; it has historical roots, when women gave priority to the nationalist cause and took part fully in the war for independence, arguing that they would acquire their rights after the liberation of the country. The women's movement can combine historical legitimacy won by the *moudjahidate* on the one hand, with political legitimacy on the other, won in the fight for women's rights in the context of a democratic process.

Contemporary trends of women's collective actions are rooted in structures of opportunities that are themselves the product of their own history as well as present-day social and political relations. The regional background is characterized by dangerous unrest in Libya, the Syrian tragedy and the situation in Egypt. We have to add to these geopolitical aspects the vivid memory of the "black decade" which maintains the fear of political instability and leads the leaders of the Algerian women's movement toward a cautious pragmatism. New forms of mobilization are used. Information technologies offer a space for expression and even organization

of groups, calls for petitions, demonstrations, and so on. Collective action being limited, the emphasis is put on media campaigns, using social media, lobbying MPs, and the judicialization in cases of harassment or murder of women.

We can contend that the Algerian women's movement has used the opportunities offered in a trade-off, and that this position has not destroyed its fundamental objectives. The path is narrow and the movement is on the edge. The risk for the women's movement is to be seen as state feminism, thus losing its legitimacy. This risk was avoided during the black decade when women refused to be used as mere pawns in the war on terror, and refused to be silenced, but instead maintained their agenda and tried to remain the subjects of their own history.

In spite of the perception that there is no mass feminism in Algeria, the ideas of feminism have spread in Algerian society and gained a wider audience: in addition to the social progress mentioned above, women have expanded their presence in many sectors of social life. Their emergence in literature, art, sport, and religion attest to this momentum. They also fight for their rights as students or workers for better salaries or status, and their preference is for organized forms of actions (strikes, sit-ins). In 2015, women of 'In Salah (in the south of Algeria) were at the forefront of the actions against the exploitation of shale gas, an environmentalist goal.

In the countries where the uprisings occurred and have led to a change of regime as well as in the countries where there had been reforms, the challenge for women's movement is to avoid being excluded from the democratic process. Women have broadened the scope of their capacities and presence in all fields of the public sphere. The rejection of *hogra* [domination and contempt], and the demand for *karama* [dignity] expressed by women resound as echoes of the slogans of the Arab uprisings.

CHAPTER FIVE

# LEBANESE WOMEN AFTER THE ARAB UPRISINGS:

## CLIMATE, IMAGE, MOSAIC, POLITICAL CORRECTNESS, EMOTIONAL MISERY

*Dalal al-Bizri*

I chose to approach this topic via five perspectives, however incomplete and problematic in overlapping and contradicting one another, while other angles are absent. But the flames and chaos of the nascent Arab uprisings have upset the balance, and necessity is the mother of invention when it comes to painting a comprehensive picture.

## The climate and lost time

The Arab uprisings brought futuristic dreams. But soon, these were obscured by the mire of military conflict, sectarianism, and horror. This disorder translated to Lebanon

counter-intuitively. The war in Syria, wherein the most dangerous of the revolutions took place, paralyzed Lebanon and stopped what was supposed, or even required, to occur in terms of its political "life." The result was a prolonged vacuum in its institutions, quota wars over its resources, and stagnation in its political mechanisms … and all else that results from covert or latent political violence. Those concerned, i.e. the politicians, have sold the Lebanese people on this beautifully: saying that by remaining so, in their agreement with paralysis, in a time of manifest violence, by putting their heads in the sand, that they are thereby saving Lebanon from the inferno of the war next door in Syria resulting from its uprising. But they do not notice that such close violence, with the force of reality, inescapably permeates into the folds, the delicate tissue, of mundane quotidian life. Violence revolves around itself, creating isolation that protects its perpetrators from neighbors, colleagues, police, etc. In other words, it is not only the sects that close their doors to others, but even within the sects themselves, retreating to a small sanctuary. Any major area of isolation is equaled by endless [smaller] isolations.

These isolations translate in turn to the organized women's movement, which isolates its issue areas from one another, and flattens the components of each topic in turn. Excessive use of English, and staking "their programs and topics" to the agendas of their financers, completes their isolation from their society and closest neighbors. For example, these groups are active in defending the rights of foreign female domestic workers, and "forget" the closest women to them — female Syrian refugees fleeing the violence of armed conflict — and "forget" the closest cases to them, i.e. the women falling into the snare of human trafficking by organized crime, and the resultant sex slavery next door. These groups do not see that the effects of the war and these rings in Syria could determine the fate

of the neighborhood. Violence, for the dominant women's groups, is limited to physical, domestic, marital violence. They demand its end, and the most severe possible punishment for its perpetrators. No violence of any other kind is intertwined. Under such a climate, it is impossible to find a women's movement that is in agreement about shared issues, and it cannot be expected in the future, without a deeper examination of the structures that it serves. Political Lebanon therefore now lives in "lost time," paralyzed by its nature. It has no horizon beyond waiting and watching the ongoing war in Syria to determine the defeated and the victorious, in order to arrange its agendas and visions on that basis. As with politics in any other country, the women's movement is on its own.

## Image and sexual stereotyping

Search on Google for "Lebanese women" or "the Lebanese woman," and you will find that "they crave beauty and femininity," and other descriptions that one need not be sagacious to understand. Especially as it is accompanied by the encouragement of politicians, from two ministers, each in his own particular language, both marketing "Lebanese beauty," which serves the tourist economy.

Last year, when the Lebanese took to the streets to protest against the government's inability to solve the trash problem, women participated in force. They shared expressions and sayings across social networks. All of it was drowned in sexism, with female demonstrators stereotyped as temptresses. Modest, veiled women were not noticed among them. They were prejudged and confined to the image of a woman selling sex.

This excess of sexual stereotyping of Lebanese women was inevitable after the Arab uprisings heated up. Paralysis, stagnation, and vacuity are all exacerbating crises of living

conditions. Young women who have not emigrated, found a decent job, married or have dependents… what else can they do in such a case except to rely on "attractiveness," even if it is camouflaged, meager, unintentional or undesirable … to achieve what they want. Images of Lebanese women, at home and abroad, are overflowing with stereotyped clichés, reinforcing preconceptions about Lebanese women. These clichés are more powerful than the realities of their lives, stronger than their remote inner truths. The interaction between these clichés and the dynamics of this life is a difficult battle, disrupting and wasting mental energy. It is an aerial battle high above, marred by lightheadedness and lightness, overshadowing the realities of life.

## Political correctness and the booby-trapped consensus

The problem is that these clichés coexist with ideas that contradict them, which are basically at the ready. Everyone, among men of religion, politics, and society, agrees on a two or three word phrase: "the importance of women's rights," "condemning violence" against women, or to women's quotas in executive and legislative councils. Perhaps this is because of the influence of campaigns by women's associations, or from the "spirit of the times" derived from Western values and based on respect for these rights. These "ideas" are frequently repeated. One organization, Ab'ad [Dimensions], put together a YouTube video clip in which muftis and bishops, at the peak of their respective religious hierarchies, talk about their rejection of violence against women and respect for their rights, etc. It is effectively a coup de grace [the killing blow] to these rights when they descend to the depths of politically correct slogans.

Political correctness is speech that avoids anything sensitive. It neither gains nor detracts from either side. It is the

stepchild of the minefield of Lebanese "consensual democracy," which maintains "the interests of all parties," which does not lead to anything. Political correctness encapsulates the essence of the political situation reigning right after the Arab uprisings, Syria's in particular: for as long as the war in our neighborhood is not over, we must avoid it in our country with the utmost consensuses that serve our remaining as heads of state. This "consensus" is the offspring of political correctness itself. The latter in turn is a candidate for worsening as long as post-intifada Syria remains at war. Political correctness can coexist with the most extreme extremism — and with the most powerful of its political parties, and the most well armed [Hezbollah], involved in the Syrian war. And it forestalls overt political conflict that could lead to results. And it obscures violence against both women and men. Quiet, "non-military" violence against men is transferred to women almost automatically. But when the mufti or bishop says that he condemns violence against women, when the most hardline sources of criticism of women's rights have good "politically correct" words … it will never be easy to identify the ambushes, the collective women's battlegrounds, and their short-term or immediate objectives. Instead there will only be individuals, like Fatima Hamza, who dared to contravene religious law. She was imprisoned for days, which was enough to ignite a firestorm of protest demanding civil laws for personal status, extinguished two decades ago. But the solidarity she received from groups and individuals, women for the most part, did not start a battle, and has not left an echo after the media frenzy evaporated. Words of political correctness extinguished the case, and wrapped it up to the extent that we did not know the fate of Fatima Hamza after her courageous battle with the religious judiciary. Did she keep her son? Or was he taken from her, following the decision of the religious authority?

## Mosaic, floundering fates

A female Egyptian writer compares personal fates. She says that female Egyptian intellectuals are well known for their predetermined paths and ends, which are drawn up beforehand, and reassuring generally (speaking before the uprisings). Their Lebanese colleagues do not wager on it. The difference as she explains is that female Lebanese intellectuals have disparate experiences, sometimes floundering, scattered, quarrelsome. With the exception of some who are secure at high ranks, the paths of female Lebanese intellectuals are very different from one another. As it is for male citizens, even more so for female Lebanese citizens.

The mosaic of Lebanese women is inexhaustible. It contradicts the preconceived image, thought it does not stand up to it completely. Is it the sectarian divide serving anthropology, which enables one to know the “sect” of a woman without asking her name or the name of her village, without guessing her dialect? Orderly diversity. The first is whether the woman is bareheaded or veiled. Within the veil one finds huge variation by age, taste, class, region, individual, etc. Among the uncovered, there is diversity to the same degree, perhaps even more, given the freedom of adornment in terms of selection or invention. Next, after outward appearance, comes a surprise from the [inward] “content”: an uncovered female artist, who plays “seductive” roles, dressed in a revealing fashion, declares that she will not let her daughter, when she grows older, to engage in intimate experiences with young men, while allowing her son his complete freedom (“a boy should not be burdened by anything” or “he is in the end a man”). Of course, the appearance of this artist would suggest otherwise. From afar, one would call her “easy.” But she is in fact more conservative than her grandmother (Nadine Nassib Najim). In contrast, you will find veiled women in nightclubs, dancing

and swaying to the same loud music as uncovered women wearing evening dresses.

Lebanese women are fiercely individualistic and communalistic at the same time. A woman can be one of the "masses of the sects" (supposedly harmonious, symphonious), but not resemble in any way her counterparts. The Lebanese mosaic was enriched by the civil war (1975-1990), by tearing apart families, exiling men, and scattering women to all kinds of experiences. The war is silent now, its cluster bombs distributed here and there. This war enriches the mosaic again with a list of individual women. It is only a slight exaggeration that you cannot find a single Lebanese woman to represent Lebanese women.

## Emotional misery and scarcity of men

The last thing is neither noticed by researchers nor by movements. It has been ridiculed or underestimated… It is emotional misery, the killer of the women's renaissance. Emotional misery affects young women in the first degree, and after them women of an older age. Men cannot be compared numerically; some of them departed, either as a martyr or a victim, and others emigrated with or without a promise of return. The latter are split among those constantly receiving, participating in, condoning, or missing in the shrapnel of the war next door. Departing over and again. The remaining category of men, resident and settled, is like a rare jewel, unguarded, which gets the most attention from women, although most of these "gems" are worthless, even by the absurdly low standards applied. Therefore, most Lebanese young women, when they go out in public, it is as if they are venturing out toward hope… Go to a café in the capital, a large sidewalk café: elevated, like a stage. Viewed from near or far, it can't escape attention: groups of young women, distributed among the tables, immaculately

dressed, and numerically overwhelming the men. And the men, past the age of youth, approaching senility, lifting their heads to exhale cigar smoke in the open air, their faces exuding pride and self-glory, over all those young girls with overlapping lamentation, though the only signal is the wink of an eyebrow.

Emotional misery is part of the everyday for women. It is similar in its negative effect to the despotism of wars and fires. Emotional misery is another war. It is, at lost times like ours currently, dependent in turn on the neighboring war. A war wounds femininity and motherhood at the core, and praises fierce masculinity, whether that masculinity is victorious or defeated. As for now, we can only recognize the meaning of emotional misery, and mock it, without underestimating its cruelty that pains lonesome hearts.

CHAPTER SIX

# BAHRAINI WOMEN AFTER THE UPRISING

*Mona Abbas Fadel*

## Introduction

Most of the analyses and studies dealing with the Arab Uprisings emphasize that the Arab peoples lived for a long time under the burden of oppression and injustice. They suffered from political disintegration and the misuse of resources and wealth. The Arab Uprisings came as an angry, desperate reaction to the hopelessness of young people, humiliation of the individual, and contempt for the individual's value as a human being under decades of authoritarian, dictatorial regimes and their political, economic and developmental setbacks and failures. These regimes, which were involved in the process of structural transformation of the economics of our countries, applied the dictates of the World Bank and entrenched the values of savage globalization.

In addition, the regimes in these "spoils-system states" are characterized by corruption, monopoly of power, total absorption over wealth, and a lack of transparency with regard to incomes, expenses, and transactions. All of this widens the gap between the regime and the other stratums of society, spreading frustration and despair, until most think that the peoples of the region will not rise up, because they have lost confidence in themselves and succumbed to the reality that they live in, with repression at times, and with training, silence, and robbing of will at other times. However, the awakening of the peoples of the region, and their rush to revolutions and waves of fierce mass protests surprised the world with its rapid speed, breaking the barrier of fear, with its widespread nature, and its popular momentum. The protests began spontaneously, demanding change and calling for "freedom, bread, life, social justice." They soon crystallized into a dynamic in subsequent stages, with contributions from female actors alongside intellectuals as well as party, union, and women's organizations. Men and women of all kinds, from across society, together chose the path of democracy and social justice, against corruption, exploitation, impoverishment, and deepening class divides.

Six years have passed since the first spark of the era of revolutions and transformations in the Arab world, a period long enough to identify the roles played by women in the uprisings of the streets and the protests in the squares. Likewise, it is fitting to try to understand what followed in terms of subsequent variables, and whether women remain partners in these efforts, and if they form an effective and influential force in the process of change that followed the uprisings and revolutions, for which they had sacrificed.

## Bahrain at the heart of the Arab revolutions

Bahrain has known popular demand-based movements since the early 20$^{th}$ century, when it was a British protectorate

controlled by a central authority subject to a ruler chosen by consensus of the emir's family. These movements crystallized, and were influenced by the interaction of economic, social, and political factors as well the presence of colonialism, the nature of the tribal ruling system, the discovery of oil, and independence. All of this imposed a rapid pace of transformations in the social, economic, and political structures. As a result, these movements did not emerge from a vacuum, suddenly, or a result of pre-drawn plans. Instead, they came gradually, as a reaction to certain historical incidents in which the British and local political forces played various roles, especially when the British chose Bahrain as a hub for their trading operations in the Gulf, and forced the rulers to undertake reforms in the local administration, as they faced challenges related to meeting the needs of citizens in providing municipal, educational, health, and legal services, as well as *Awqaf* [religious endowments] and employment opportunities among others.

Historical studies point out that the process of transformation in Bahraini society was not easy, especially with the reorganization of economic resources such as pearl harvesting, palm cultivation, and fisheries, and organizing public services such as import-export policy, port operations, treasury, and common rights. This necessitated the abolishment of the system of the emirate and feudal tribal government, and to start establishing bureaucratic organizations and institutions of the state, the essence of which were administrative reforms.

Since the 1950s, Bahrain has witnessed significant development hinging upon the domain of reforms. The discovery of oil and its production in 1932 created economic momentum that led to the emergence of new jobs and departments, such as health, transportation, public works, electricity, water, and others. This contributed to the growth of a popular movement, the formation of a working class, and the

crystallization of deep-rooted popular demands; however, the main engine of this political and administrative development was not limited to the influence of oil alone, because it coincided with the emergence of a national movement known as the "Higher Executive Committee." This body was officially recognized by the Government of Bahrain and the British Government on 20 March 1956 as a political entity under the new name of the "National Union Committee." Considered by politicians to be the first political party, the committee submitted to the ruler demands for establishing a representative popular assembly to pass laws and to undertake fundamental reforms in the system of administration, but the government and the British rejected their demands and it was eliminated in 1956. The government continued to be administered centrally until independence.

Independence brought the establishment of state institutions in the early 1970s. A constitution was instituted for the country, beginning a parliamentary experiment. On 16 December 1973 the national council met for its first session. The experiment lasted until 1975, when the constitution was suspended until 2000. It was followed by a series of laws that were the subject of controversy and disagreement among the regime, political forces, and civil society, as well as banning political activity and labor unions. Since then, the Council of Ministers has issued various civil and criminal legislation, meaning that the executive authority of the state represented by that body has been determining public policy centrally, ensuring its implementation, and overseeing the functioning of the apparatus of the state.

In the era of political reform with the new millennium, the state security law was abolished and a general amnesty granted. The National Action Charter was issued in 2001. This was an important political event by the consensus of citizens and the regime. A popular referendum on 14 February 2001 passed it with 98.4 percent of the vote. The

text contained democratic aspects, forming the basis of administrative and constitutional reforms that would meet the needs of citizens and of popular demands. The charter established a legislative council, a constitutional monarchy, and an independent judiciary. The legislative branch was to be composed of two chambers: a *Shura* [advisory] council and a house of representatives. This step eased security tensions after the clashes of the 1980s and 1990s. But it was quickly weakened by the issuance of a new constitution the next year (14 February 2002), which marked a new stage in the political struggle. The political opposition considered it to be unilateral and illegitimate, forfeiting consensus and concentrating authority and powers in the hands of the ruler.

The unilateral step of constitutional amendment by the ruler was enough to trigger the return of political and security disturbances and popular movements to the street, led by licensed political societies, demanding restoration of the previous constitution and that amendments must be made by the agreed-upon mechanisms — i.e. through an elected constitutional body or a new elected parliament. The constitutional protest movement remained unstable, however, because of defections, divergent views, and strident political rhetoric of some parties. Politicized naturalization [offering citizenship for the purposes of demographic engineering, largely along sectarian lines], the deterioration of living conditions for large swathes of the population, rising unemployment, and growing corruption all contributed to continuing unrest and tensions, which led to demands focusing on political and economic reforms, while rhetoric and slogans varied between compromise and militancy.

Based on the above, these popular demand-based movements exhibited political awareness by the people of Bahrain, and reflected the accumulated experience of a long national struggle toward peaceful partisanship and

political activity, as components of society cohered in a way similar to and influenced by then-contemporary Arab liberation movements. Their demands were constantly shaped to and by the national context, going above and beyond sectarian divisions. This was reflected in the labor uprisings of 1965 and 1972, which focused on national issues of workers' rights, which contributed to the involvement of all categories across society including workers, women, and students in the popular movements. They formed associations and unions amidst the development of political organizations at home and abroad. Their demands were rights based and professional. However, naturally these movements were subsequently affected by the growing religious tide and the emergence of political Islam, particularly after the Iranian revolution, the collapse of the Soviet Union and the Eastern European socialist bloc, and the tyranny of globalization.

Thus the Bahraini popular protest movement that emerged in the context of the Arab Spring revolutions and uprisings was met with popular enthusiasm. Its slogans found fertile ground in Bahrain, following decades of unrest and instability. Much of society felt despair, suffering from discrimination, marginalization, unemployment, and poverty. The regime escalated a security-based approach and triggered crises, while incapacitating both elected and appointed legislative bodies (which remained controversial owing to the nature of their composition, their powers, and their relations to the executive authorities) and closing off possibilities of reaching solutions to the problems of society and the demands of the people, particularly with regard to pervasive corruption and waste of public money. All this led to further obstruction and inability of representatives to present solutions or initiatives, dividing people between those loyal to the government, and the opposition, which increasingly took the form of a "Sunni-Shi'ai" sectarian

divide. The appointed council remained a vehicle for the aspirations and decisions of the government, losing its intermediary role as it lost popular confidence. This only increased the state of polarization and tension.

This set the stage for the popular Bahraini movement in the Arab Spring. Women participated in it extensively as a peaceful movement with similar slogans of prior movements; however, security forces shot and martyred a male demonstrator on the first day of the protest movement. He was followed by other martyrs with the first attack on the Pearl Roundabout, the center of large popular gatherings in the capital of Manama, and the others who were wounded. This inflamed the street, and led to escalating slogans similar to those in Tunisia and Egypt [i.e. the fall of the regime and its figureheads], which provoked a more severe crackdown. Bahrain thus entered into a cycle of violence through repression and escalation.

When the movement was present, rhetoric in the Pearl Square ranged broadly from demands for constitutional reform to calls to overthrow the regime and institute a republican system. Excitement reigned, following 10 years of disagreement, and of clashes and conflicts, which increased the pace of repression, turmoil, and tension, especially after protestors barricaded some of the entrances to commercial areas in the heart of the capital (which the regime considered to be crossing a line).

State media contributed to sectarianization, employing extremist rhetoric in depicting the opposition as if it was an Iranian project. This helped convince and terrify most of the Sunni leadership that what was happening was at the expense of their sectarian interests. As a result, we saw the emergency of "al-Fateh group," a Sunni reactionary counter-protest movement, in harmony with official rhetoric and practice.

In the meantime, the crown prince put forward an initiative to conduct a dialogue about some potential points of

reform. Stances varied regarding its seriousness. Some saw it as a valuable opportunity to end the crisis, and the political opposition entered into a dialogue. After three days of give and take regarding the sincerity and utility of the initiative, Peninsula Shield Forces deployed under the Gulf Cooperation Council Joint Defense Treaties in Bahrain on 14 March 2011, and everything changed. GCC security and military intervention decided this round in favor of the regime, and the crisis became a regional issue, with internal forces overlapping with external actors in determining the path of change.

According to one study, foreign pressure and advice was also divided in two. The first, the international view (including the American perspective), was inclined toward negotiation and settlement, whereas the regional [Arab] Gulf position was mostly inclined toward a security resolution. One of the justifications for the latter was to emphasize the Shi‘ai sectarian character of the movement, at the expense of its diverse nature that characterized it from the beginning, transforming the conflict from a domestic political struggle for reform into a sectarian conflict and an extension of the Iranian regional project against Bahrain and the [Sunni] countries of the region. This contributed to mobilizing internally and externally along sectarian lines, which led to the marginalization of domestic demands and the portrayal of the movement as an Iranian intervention in Bahrain and by extension in the broader Gulf.

Owing to international pressure and the deteriorating situation, the establishment of an “Bahrain Independent Commission of Inquiry” under the chairmanship of Cherif Bassiouni was announced. The Bassiouni commission noted that the government used the Bahraini penal code to punish the opposition and deter it politically: “The committee has a number of concerns about the inconsistency of the application of these provisions with international and human rights

law, and with the provisions of the constitution of Bahrain, and that Article 165 of the penal code was applied in violation of the freedom of opinion and expressions … against opinions supporting peaceful change to the structure of the government or its regime."

The report also noted in article 429 that "women and men in society were subject to a campaign of violations and that women have been severely affected," and that violations included killing by police bullets and suffocation from poisonous gases thrown at demonstrators, and that there were degrading practices for women during the arrests of wanted persons, seizures of property, threat of rape of wife and family, arrests and dismissals from work, expulsions of students from universities and institutes, revocations of nationality [denaturalization], expulsions of educational missions, etc.

## Participation of Bahraini women in the protests

In this political context, thousands of Bahraini women came out for the protest movement on the ground. It is understood that Bahrain is an exception to the GCC countries, which did not experience revolutions and uprisings; however, Bahrain had a strong impact on its neighbors, who hurried to implement political changes and reforms.

Governments varied in their reactions to the uprisings. Those benefitting from oil revenues raised public sector wages and paid generous bonuses, as happened in Bahrain. Most also increased social supports and retirement benefits such as Kuwait and Oman, or addressed the unemployment crisis as in Saudi Arabia. These measures were on the whole interpreted as politically motivated, and therefore did not have a strong impact according to some studies. However, other reform measures have been credited by some as favoring women, as in Morocco.

The participation of Bahraini women in the uprising, taking to the street, reflects the relative vitality and dynamism of the local society in comparison to its neighbors. Bahraini women quickly and interactively responded to demands for change, reform, justice, and equal rights.

There is no doubt that the relative awareness of women, particularly young women, has driven them to interact with political and social movements. Their participation is a continuation of their earlier presence in the political arena since the early 20th century, in all stages of the nation's history. Their activity in the protest movement bears consequences and results. It is a link in the chain of the cumulative struggle of Bahraini women, regardless of political or ideological affiliation. They responded quickly to educational opportunity, with the opening of the first regular school in 1928. Likewise, they were active participants in both the 1950s uprisings led by the first political party (the National Union) and in the 1965 labor uprising across Bahrain. Some even practiced secretive organizational work in the 1972 uprising and in the 1990s.

## The presence of Bahraini women in the field as a political phenomenon

The phenomenon of Bahraini women's participation in the field of protest was not limited to women affiliated with political Islam. It also encompassed women belonging to leftist and nationalist movements, particularly as the last three decades have been distinguished by the rise of political Islamist movement in our Arab societies in general, with resultant varying discourses concerning women's image, roles, rights, and place in society.

Some social scientists argue that the participation of Bahraini women is an indication of the impact of family formation and one's surroundings, which raise awareness and

cultivate values of adhering to the demand for rights and not relinquishing them. Therefore women cannot but react and interact strongly with the movement, foremost young men and women. From another perspective, it is an indication of the political twists and turns accompanying social and cultural revolutions in Bahrain as in other societies, in which women often have a strong presence.

The presence of Bahraini women in the protest movement was astonishing and impressive because of the intense presence of young women and their courageousness and ability to influence and impact the movement. They rushed to the streets by the thousands, bearing flags, banners, roses, and flashing victory signs. Like other Arab women, they demolished the saying that "the voice of a woman and her presence in public is forbidden." Female intellectuals, lawyers, teachers, professors, doctors, engineers, workers, unemployed, journalists and others all participated in the political scene.

Bahraini women astonished even with their image: clad in black abayas, yelling loudly and angrily with the calls of male demonstrators, listening to speeches at the fronts of the crowds, and chanting enthusiastic slogans. However, the same scene was terrifying to other intellectual and political orientations who saw it as a threat to women's future and existence. Bahrain women lived amidst the tremors of the Arab popular movements and revolutions, in Tunisia, Egypt, Yemen, Libya, and Syria, which they watched and followed closely. They saw the massive crowds and the treatment of the wounded and the organization via electronic means and the sit-ins in the squares and the strikes in some places and the food strikes in others as protests against corruption and tyranny, and they benefited from awareness of and sympathy with these experiences.

It became clear that the traditional, widespread stereotypical view of Bahraini women — as largely submissive and

confined to their homes, and not participating in public life — had been shattered. Women played a major role and became a key element of the protest movement in the field. They mastered skills of communication, disseminating details of political events on a daily basis. Politics was no longer a luxury or a hollow concept circulating in forums and training workshops of international institutions in partnership with official institutions or some elite women's institutions. It was no longer a numbers game. Waves after waves of women in the field of protest shattered the stereotypes and reshaped ideological thought and vision.

Bahraini women have practiced and continue to play an active and dynamic role at the forefront of the waves of protests that took to "Pearl Square." Mothers accompanied their children and supported their sons, daughters, and husbands in claiming rights. They also raised their voices in protest at night vigils for unity, and they responded with tireless participation in weekly opposition festivals and marches by the thousands. And when the campaign of arrests and interrogations came, and trials continued during the imposition of the "national safety" law and thereafter, women and young women did not escape the abuse inflicted on men. Women were exposed to danger, violence, arrest, interrogation, arrest, and suspension or dismissal from work among other repercussions to the same extent as men. They participated in prayers, in fasting, and in hunger strikes in protest of the arrests of women or their families. They also crossed the front lines in the midst of confrontations and demonstrations, sometimes led by mothers of martyrs, detainees, and the laid off, even during the imposition of the "national safety law" following the strike at the protest movement.

So, has what Bahraini women's participation in the protest movement achieved in fact surpassed their successes that they had previously realized over the years in terms of legislation, laws, certificates, leadership positions, and other

gains through their involvement in public activity and in the labor market?

In other words, can their participation contribute to the realization and crystallization of the slogans in place since last century, related to the empowerment of women economically, socially, and educationally? In order to answer that question, one must consider and contemplate the points of view and opinions that have varied in their analyses about the nature of assessing the presence of Bahraini women amidst the protest movement, which will be addressed in the next section.

## Varying opinions

Opinions have proliferated and analyses differed about assessing the nature of Bahraini women's presence, the extent of their participation, the position that they occupied, and their representation in the institutions and structures after the uprisings, especially since some of the constitutions and legislation introduced in some Arab countries with similar experiences have not been particularly keen to preserve the rights of citizenship for women, except in some cases. Therefore the situation has been uneven in rights and the nature of participation, representation, and outlook for women.

Several reports indicate that there are some who oppose and still deplore the participation of women in the protest movement, considering it a departure from consensus and a type of unacceptable opposition to the government that deserves punishment and discipline. It also said that it is a result of a foreign conspiracy. In contrast, others found in it a maturing influence on Bahraini political organizations and their different orientations, while others disagreed about the relationship of their participation to the level of their political consciousness, viewing their presence in the

field as a pure expression of their ideological subordination to religion. Others still considered their participation to be an expression of social oppression and feelings of injustice and sectarian discrimination against them as female citizens and as women. Others yet found it to be a golden opportunity for them to exercise freedom of expression, belief, and equality in education, work, and protection against violence in all its forms.

From all of this, regardless of the different views, it can be said that the participation of Bahraini women in the protest movement in itself exhibited their awareness and motivation toward demanding rights and consolidating gains, especially as the information revolution and social networking opened up new fields, initiatives, and diverse types of innovation. It provided cumulative experience and awareness to young men and women and opened their minds to new developments, as well as enabling them to follow these events and reproduce their own views on the situation around them. It broke the barrier of fear, as clearly illustrated by the large numbers of different types of women in the public spaces occupied by the popular movement. This forces us to raise the questions again:

- Did the female participants in the uprising realize the extent of what they deserve as a result of this participation, or will they do so in the foreseeable future? Did they come out spontaneously in response to ideological religious calls, or with the aim of demanding equality between the sexes and gains in rights beyond the usual?

The answers to these questions remain dependent on the women themselves and on the credibility of the rhetoric of the political opposition and their behavior (which diverge in different directions), as well as on the government and its supporters, especially since Bahraini women and their rights demand legislation and laws connected with personal status, prevention of violence against women, and achievement of

equality between the sexes among others, which were not major issues in the protest movement and were not integral to its slogans, though they did comprise one of the more contentious topics.

This is what we can derive from the research of Adib Neama in his analysis of this issue at the regional level of the Arab world in general, which is not too far off from what happened in Bahrain. He notes: "the popular revolutionary movement in the street was marked by the introduction of broad new forces, but the situation reversed with the success of the movement in changing the head of the regime and forming transitional authorities. Confrontations occurred between one current with civil (i.e. non-religious) ideologies and others with 'Islamic' and cultural religious characters. This contributed to increasing popular polarization and triggered a shift in priorities and agendas, in which 'the issue of equality between men and women' fell. The issue of women's rights is an integral part of human rights, which must be guaranteed and protected through a constitutional text, and should be at the core of the process of democratic transformation, and a true measure of that process." The relationship between religion and state, and women's rights, as a result became the two most prominent issues in the media and in the political discourse directed toward the general public in the countries experiencing political transformations. The fear is that this course would serve to intentionally reverse the stated objectives of the revolutionary movement.

In contrast, other studies suggest that the participation of women in the popular movement led to continued discrimination against their rights, as revealed by the content of the speeches of the forces that participated in the movement. For example, the discourse of the Muslim Brotherhood considers women's civil and political rights to be a "gray area." Views vary across the Arab world owing to different political,

legal, and historical contexts. The Brotherhood — like leftist, nationalist, liberal, and secular parties — has failed to equitably incorporate female activists in its ranks, and women's presence diminishes the higher up the leadership ladder one ascends, which means there is a gap between discourse and practice.

"Salafist discourse" violates the rights of women, threatening their humanity and their most basic gains, while some of the rhetoric of "movements of Shi'ai political Islam" support the participation of women, their rights, their representation, and their citizenship. But trends of extremism and deviant legal opinions from some Shi'ai political current that seek to limit the ability of women to demand their rights, to consolidate their subordination, and to return them to an age of marginalization cannot be ignored, and should be challenged. Expediency and political alliances should not supersede the interests and basic rights of women.

Thus, we, up to this moment, face challenges that continue to stand before us, especially with the emergence of women of all ages who have views that can be in opposition to one another. Some women participated in rallies and gatherings against the protest movement in Bahrain. They do not want change, and are content with "reform."

## Results of participation, and facts of challenges

Despite welcoming the presence of Bahraini women alongside men in the field when they demanded reform and democracy, women were confronted with violence and condemnation from some that opposed the protest movement. Others with patriarchical tendencies tried to exclude them from the scene, and thus women's presence was weak in leadership and in negotiating or organizational committees. It was noted how they were dealt with during protests, how they were sprayed with harmful substances as

if they were insects, how they were arrested in the street and assaulted during household raids, in addition to how they were detained and interrogated.

The repeated detention of women and their imprisonment pending charges before trial was aimed at humiliating them as punishment for their stances and for practicing their freedom of expression. This occurred even on the level of the official media, which defamed young girls who went out with their families in the marches with the most vile expressions. In response to women's participation in rallies and sit-ins, the response was essentially that they deserved public censure, since women were being exploiting and forced to break the law. However the challenges resulting from women's participation in the protest movement were not limited only to that. They are multiple and we will deal with them here, focusing on two dimensions of the issues particular to the situation of Bahraini women after the intifada:

## First: on the level of political Islamist currents

The discourse of political Islamist groups varies across sects in Bahraini society as in others, but in general the political and civil rights of women fall into a "gray area," or the presence of women in the public sphere is either outright rejected or implicitly and unevenly discouraged. As with other political groups across the ideological spectrum, women are not well represented in formal organizations, particularly at the top.

Although the rhetoric of Shi'ai political Islamic movements in Bahrain publicly supports the political participation of women and their rights to representation and citizenship, nevertheless they have never nominated a female candidate in parliamentary or municipal elections prior to the intifada. Furthermore, some have extremist tendencies concerning the exclusion of women, as noted previously.

It is worth noting that the dominant rhetoric in these circles is to postpone demands for gender equality, as less important and less pressing than other challenges and issues raised in the protest movement. The most prominent example of this is the demand to enact a "Shi 'ai part of the personal status code in Bahrain." It is said to be a historical moment, too serious and too preoccupied to deal with issues of equality between the two sexes. Furthermore, voices have been raised in some ultra-conservative religious circles demonizing CEDAW, condemning and rejecting the state's accession to it, and demanding it be suspended while searching for legal means to withdraw from it. They consider the convention to be a dangerous setback, a real threat to the Bahraini family, and a flagrant violation of state sovereignty.

## Second: on the level of empowerment and legislation

Concerning developments in women's empowerment and in legislation that can help to realize justice and equality between the sexes, the following can be noted:

1. The state still has reservations on certain articles and items of CEDAW, namely Article 2, Article 9 Paragraph 2, Article 10 Paragraph 4, Article 15 Paragraph 4, and Article 16. These reservations violate the essence of the convention, and are contrary to article 18 of the Constitution of Bahrain. Women's rights advocates consider the continuance of these reservations as legalized discrimination, owing to the failure to translate article 18 of the constitution into laws and legislation encouraging equality between women and men. It is also absent from the nationality law and the family provisions act. It should be noted that decree no. 70 of 2014 intending to amend some provisions of the law no. 5 of 2002 approving

accession to CEDAW was discussed in both legislative houses and approved on 5 April 2016 by the House of Representatives. The decree included the rewording of some of the reservations to make them less absolute, specifically to Articles 15(4) and 16, which narrowed the scope of the reservation. However, in practice it was only an amendment and a curtailment of the reservations made by the state, meaning it did not totally remove them, which continue to diminish the rights of women citizens.

2. Despite the progress achieved in some areas of women's empowerment politically and article 18 of the constitution (equal rights in voting and participating in elections), the portion of Bahraini women in decision-making positions remains low. This is in light of the lack of any mechanisms to monitor forms of discrimination, such as gender-responsive budgets or gender statistics. Reports indicate women's access to the Legislative and Shura Councils remains weak. There are only 3 women in elected parliament (compared to 37 men), and 8 women in the Shura Council (32 men). There are 7 women in the civil judiciary, and none in the shari'a courts. There is only one female director in the public prosecutor's office, and 3 female prosecutors. While out of 22 ministers in government, there is only one female minister.
3. The number of unemployed in Bahrain has increased to 7,414 according to the publications of the Ministry of Work and Social Development in 2014. 3,377 of them hold bachelor's degrees and 19 have master's degrees. Of the total, 6,368 were female, that is 86 percent of the unemployed. The data indicate that most of the unemployed women hold university qualifications in various fields, such as nursing, special-needs instruction, computing, English, and other specialties, without any possibility of retraining proposed by the authorities so that they can

work in other areas such as teaching, for example. This contradicts the principle of closing the gap between levels of education achieved by women and opportunities for work available to them.

4. There is also blatant discrimination against Bahraini women owing to article 353 of section three of the penal code, which stipulates that "a person who commits any crime of ravishment, or rape, may not be sentenced or punished if there is a valid marriage contract between him and the victim. If a criminal sentence is issued before the marriage contract, it will be suspended and punitive effects will cease." Women's rights groups agree that article constitutes blatant discrimination and it clearly and directly usurps a basic right of women and violates their humanity. Moreover, this law reinforces the predominance of prevailing stereotypes in Bahraini and Arab society, that the value of a women is limited to her body, which can be compensated with a proper marriage paper transferring ownership of her from her birth family to the rapist husband, which only makes the enormity of the crime greater.

   The Bahraini Women's Union has proven in a number of cases that rape is a form of trafficking and exploitation of women. The perpetrator signs a marriage contract and uses article 353 to evade punishment, while retaining the ability to divorce the female victim at any time he wants, which would result in her loss of protection from various forms of violence and sexual offenses, without punishing the perpetrator as he deserves. It encourages male perpetrators of violations to commit further crimes, since there is no firm legislative provision to deter them from doing this. On the whole, families prefer to conclude a marriage contract between perpetrator and victim, if for a short time, then divorce — in order to forestall scandal according to prevailing social custom, without regard to

the impact of this act on the victim or compensation for psychological and physical damages. There are many testimonies to these practices available.

5. Bahraini women are still barred from giving their nationality to their children in case of marriage to a foreign man. The state still has a reservation for the provisions of article 9 of CEDAW granting equal rights to both women and men in acquiring, changing, or retaining citizenship, and in granting it to their children. Notwithstanding the reformulation of the reservation noted above referring to item 2, the Bahraini Nationality Act of 1963 requires that the father be Bahraini in order for the child to gain Bahraini nationality. Although the same law grants nationality at birth to a child born to a Bahraini father and a foreign mother, five years must pass of residency for the foreign-born mother to acquire Bahraini citizenship. Therefore many Bahraini mothers suffer from multiple problems, due to depriving their children of Bahraini nationality and rights of citizenship such as education, health care, employment, and housing. There are administrative procedures to deal with such cases, but they remain procedures and not an inherent right. Suffering is compounded, especially in cases where the foreign husband dies, or when the husband divorces his wife or abandons her while she is still residing in Bahrain.

   The inability of a Bahraini mother married to a non-Bahraini man to grant her nationality to her children is a violation of her citizenship rights and of gender equality. It can make her children live as aliens in the country where they were born, where they feel they belong, but they cannot exercise their political, social, and economic rights. Women's rights defenders continue to demand the necessity of taking measures and recommend amending article 4 of the Bahraini nationality law. The Bahrain Women's Union proposed formulating the article legally

as follows: “A person is considered Bahraini if born in Bahrain or abroad to a Bahraini father or mother at birth,” as well as demanding the removal of the reservation completely from paragraph 2 of article 9 of CEDAW concerning the right to gender equality.

6. The continued predominance of the forces of political Islam on the political scene and their ability to control and benefit from women’s votes and not nominate any female candidates (as is required by law), in addition to not abiding by legislation for political groups obliging the adoptions of quotas for women in organizational electoral lists. Additionally, civil associations law no. 21 of 1989 in article 18 prohibits civil society organizations, including women’s associations, from engaging in politics, which thereby weakens women’s political participation. The absence of legislative measures undermines opportunity for women to access decision-making positions and therefore does not contribute to realizing gender equality. The most important of these missing measures would be adopting a “quota system” as contained in article 4 of CEDAW, setting a 30 percent quota as the percentage of women’s participation in political life, both elected and appointed, at the national level. This would strength participation in all centers of decision-making in the three branches (legislative, executive, and judicial) and in all state institutions. Also, there is no law criminalizing discrimination against women and holding perpetrators accountable.

7. Partial progress was made with the adoption of the first part of the Family Provisions Act – Law no. 91 of 2009; however, the achievement of justice in family issues, with equitability and equality for women in all stages of litigation has not yet been completed because of the non-adoption of a “uniform family law” that would stipulate equality and real ways to realize it. The second part

(al-Ja'afri) remains absent, constituting discrimination against Bahraini women of the Ja'afari community who suffer in Shari'a courts from contradictory jurisprudential views and the lack of uniform provisions for litigation concerning divorce, custody rights, alimony, and family relations overall.

Official statistics reveal 12,000 unresolved cases from 2009-2015, ranging from spousal maintenance to custody, divorce, and abandonment, in addition to 3,000 cases of divorce pending since 2011. It turns out that cases continue in the courts for 4-16 years, which confirms the pressing need to adopt the Family Provisions Law for the Ja'afari community. Its absence is a blatant and unfair violation of the right of a woman as a human being guaranteed by constitutional provisions the right to justice, safety, and tranquility. Bahraini women from the Ja'afari doctrinal school suffer the most as a result of the absence of the law, despite continuous demand for its adoption for more than 20 years. Despite the intensification of the national campaigns led by the Bahraini Women's Union along with other women's associations to issue the law, seriousness is lacking from officials in relaunching the initiative to establish communal consensus to adopt the second part of the law. Efforts remain limited to press releases. Civil society organizations believe that the state has not exerted real or serious efforts to live up to its commitments related to finding a community consensus to achieve this, citing the sensitivity of the issue and potential problems, particularly if a political decision is needed.

The judicial system in the Shari'a courts still requires review and reform, as well as finding a mechanism to follow up on the implementation of judgments issued and to rectify the slow pace, from which women suffer, particularly during the litigation stages. This situation requires research and intervention from the official authorities concerned.

> Women suffer badly from the slow implementation of judgments in personal status cases, such as the right to visit and see children in the case of divorce with paternal custody. The court does not take quick action when the father is intransigent and refrains from implementing the decision. The mother spends a long time (up to two years in some cases) in courtrooms and corridors to no avail. As for the establishment of an alimony fund, in the case of a spousal maintenance ruling, many suffer from the extremely slow procedures of the court to implement the ruling and to transfer the necessary funds into the account.

## Conclusion

The facts indicate that some try to beautify the reality of women by ignoring the oppression and arbitrary injustice they are subject to in the context of the popular movement, and who try to justify security options at the expense of finding solutions, as well as continuing attempts to claw back some of the gains made by women in revising the provisions of the items of some laws or adopting legislation that may contradict the suggested aims of economic and political empowerment. Historical events have shown that the low status afflicting Arab women in general is closely related to the social, political, and economic imbalances that have worsened for decades: high rates of unemployment among women, widening poverty and illiteracy, paucity of opportunities for education, lack of full citizenship, and inability to exercise political rights. This raises questions again regarding the thousands of women who took to the streets, and whether the subsequent political transformations are commensurate with their sacrifices and suffering.

In conclusion, I echo in this research what other researchers have found: the popular movement came close, albeit temporarily, to bringing the sexes together. However, it

was unable to change the social, economic, and political situation of women qualitatively. Women's, trade union, political, and civil society organizations, together with modernizing currents, must continue their cumulative efforts. It is also important to reconsider the circumstances of the broader societies, especially in relation to political Islam, and not be content with waiting and watching, or ruminating on traditional analyses.

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CHAPTER SEVEN

# "SISTERS IN JIHAD"

## THE FEMALE FACE OF THE ISLAMIC STATE ORGANIZATION

*Dalia Ghanem-Yazbeck*

## Introduction

The Islamic State organization (IS) is currently and principally present in Syria, Iraq and Libya. IS has gained significant military capabilities, financial resources and many members. Since its inception in June 2014, hundreds of women have joined the Islamic State organization. The organization opened an all-female brigade called *Al Khansa* that operates in Raqqa (Syria) (Al Bawaba 2014). More recently, IS-Libya deployed female snipers in defense of its positions in Sirte.

There is a popular misconception about why these women join such a group. In fact, western and Arab news

portray these females joining such an organization as truly extraordinary, as if violence perpetrated by women were a new phenomenon. This is due to our perception of seeing women as nurturers and as soft, caring figures. Media coverage and policymakers tend to see women as victims, never as perpetrators. Consequently, there are many misconceptions (Holt, 2010) regarding Islamist female militancy. The issue is that both the media and some academics (Vitor 2003, Berko-Erez 2008) depict women as victims or as male-controlled pawns (Naaman, 2007). The assumption is that men and women are driven by different motives and the latter are considered subordinate to men.

The truth is that women have been participating in political violence for a while. Studies show that violent female extremists kill approximately four times more people than their male counterparts because they can access targets more easily than men as the level of scrutiny towards them is lower (Bloom, 2010: 93). Women's roles have evolved in the organizational structures of jihadist groups through time. They went from participation in logistical missions to more violent activism in the frontline and to being used in suicide bombing missions. As explained by Bloom (2010: 92): "between 1985 and 2008 female suicide bombers committed over 230 attacks, representing roughly a quarter of the total attacks committed. Since 2002 women have represented over 50 percent of successful suicide terror operatives in the conflicts in Sri Lanka, Turkey, and Chechnya.

In this paper, I put forward the claim that women who engage in political violence are rational and political actors (Alison 2004, Gentry 2004). I argue that women do have other motivational factors to join IS that are more determinant than being a "jihadi bride". The motives of both westerners and Arabs to join the Islamic State organization are numerous and complex. They include: personal and

collective motivations, as well as religious, economic, political, psychological and philosophical motivations. Women are eager to leave their lives and to fight in the name of their cause. These factors should be taken together because one factor cannot explain high-risk activism. It is crucial to understand what drives these women because the better our understanding of this phenomenon, the better our response will be to violent Islamism and our capacity to shape viable preventative measures.

## Motivational Sets

### Religious Ideology

Since the announcement of the creation of the Islamic State in Syria and Iraq in June 2014, the organization called on women to take an active role. The "sisters" have been informed through IS propaganda (videos, posts, magazines, pamphlets etc.) that they have, like their male counterparts, a religious obligation towards their fellow Muslim and towards God. Women are invited to perform the *Hijrah* [migration to IS-held territories], and participate in the establishment of the Caliphate [Islamic State]. In the multilingual official magazine of the organization, previously called *Dabiq*, Umm Sumayyah Al Muhajirah clarifies to all "sisters" that:

> This decision is a commitment upon ladies pretty much as it is upon men, for Allah (ta‘¯al¯a), while barring those unequipped for performing *Hijrah*, He prohibited the inadequate ladies generally as He avoided the unable men," including, "If talking about the muh¯ajir¯ın [male migrants] is stunning, then talking about their twin parts the muh¯ajir¯at [female migrants] is significantly additionally astounding! What number of stories have I heard which I would not have accepted notwithstanding listening to them specifically from the mouths of those sisters

included or seeing these sisters with my own particular eyes; else, I would have thought them the result of creative ability or something unimaginable! (*Dabiq* issue 8, 2015).

Many women refer to the *Hijrah* and joining IS as a religious obligation. They wish to complete their unfulfilled religious obligation until the migration to IS-held territories is achieved. They are not only convinced about their decision, they also try to convince others to do the same. Their role as "sisters" is also to spread the word of Allah and make Muslims realize that living in "un-Islamic" societies is a sin. For Umm Haritha, a 20-year-old Canadian student who joined IS in Syria in December 2014, her decision was motivated by a desire to "live a life of honor under Islamic law rather than the laws of the "kuffar" [unbelievers] in a Western society" (N. Roberts, 2014). Aqsa Mahmood, named Umm Layth, a 20-year-old Scottish university student who joined IS-held territories in Syria in November 2013 and became an active recruiter for the group, wrote to "sisters" that through the *Hijrah* they will "gain true honor by living under the law of Shariah" (J. Dettmer, 2014).

Many women speak about their choice to leave their home countries because of their thirst for a society in which they would be able to practice Islam without being marginalized and play a key role in the foundation of the Caliphate. The latter is seen as the perfect place to be a Muslim where everybody shares and respects the commandments of the Quran. For Western women, IS-held territories appear to be the place where they can practice their religion freely without judgment or exclusion. The findings appear to suggest that there is a clear rejection of liberal values. Indeed, they choose to go to a place where they are no longer able to do simple things such as walking in the street without a *mahram* [a male chaperon], dressing

as they used to since they have to wear a full *niqab* [full veil including the face] and cover even their hands. These women have to be married as they cannot be single and live by themselves, nor can they choose their own husbands. Instead, a partner is imposed on them. IS women make the choice to go to a place where they have to embrace and accept fully traditional roles (except when they are given a position in a female brigade). There is a desire to conform to the extremist values of a specific reading of the Quran. Females are offered a utopian image of a familial life in IS-held territories and in heaven as the martyr (husband, son, and sibling) who enters Paradise will secure a place in Heaven in the afterlife for them. For Umm Haritha, the rejection of liberal norms is very prevalent and present. She discusses at length her troubles during her years in Canada when she decided to put on a veil:

> I would get mocked in public, people shoved me and told me to go back to my country and spoke to me like I was mentally ill or didn't understand English. Life was degrading and an embarrassment and nothing like the multicultural freedom of expression and religion they make it out to be, and when I heard that the Islamic State had sharia in some cities in Syria, it became an automatic obligation upon me since I was able to come here. (Roberts, N. 2014)

By contrast with western societies, these women perceived IS-held territories as a place where there are only advantages to be found due to the strict application of the Sharia. For them it is a place without corruption, injustice, discrimination or criminality. In a tweet, Umm Obaida explains how, for instance, living under Sharia is great because all crimes are severely punished, hence one feels secure. She states: "Drove passed [sic] the body of the man who was crucified in manbij for raping a 70 year old. Perks

of living under the shade of Shariah." Another IS female explains in a tweet: "Alhumdulilaah there were 4 hand cuttings in Mimbej yesterday. & 1 was a man who was nearly a part of Doula (he was doing a Shareeah course)" [*sic*].

## Fraternity and sisterhood in a utopian society

The data appears to suggest that many IS women are attracted to the idea of living in a "pure society" that IS advertises through its powerful communication strategy. Joining the organization is for many of them their way to rebel against the social order in their home countries, a social order seen as defective, vicious and impure. IS is perceived by many as a "State" in which as a Muslim one receives multiple benefits (one does not pay taxes, nor electricity or any bills, as the State provides all commodities for free and gives every couple a monthly stipend for each of their children and each of their slaves). IS-held territories are seen as a safe and trustful environment where for instance, people can leave their shops to perform prayers without having to worry about thefts. Many women also explain that it is a place where women are highly respected and feel totally secure. Both men and women seem to be attracted by the idyllic picture of a state where Sharia rules and where there is social equity and *zakat* [religious tax], and where there is no corruption, no disparities, no prejudices or discrimination. As portrayed in *Dabiq*, it is believed to be a state where:

> [...] the Arab and non-Arab, the white man and black man, the easterner and westerner are all brothers. [...] Allah brought their hearts together, and thus, they became brothers by His grace, loving each other for the sake of Allah, standing in a single trench, defending and guarding each other, and sacrificing themselves for one another. (*Dabiq*, issue 1)

Shams, a 26 year-old Malaysian doctor who joined IS in Syria, for example, persistently applauds fraternity and equality: "[…] the number of mix-marriages and mix-race children are so high. It's beautiful to witness brotherhood with no racism".

IS members call themselves "sisters" and "brothers". The use of these words is enlightening in the sense that they show that the organization mirrors a comprehension of Islam as an *Ummah* [community of believers] in which all Muslims care and have a connection to each other and hence are "brothers" and "sisters". They are a substitute family that rises above blood ties. Once the female recruits are in IS-held territories, the more they are involved with the group and its activities, the more their ties with the new "surrogate family" (Khosrokhavar, 1995) are strengthened. The "sisters" and "brothers" of the Islamic State supplant the organic family and these new connections offer emotional sustinence to the new recruit. In a Facebook post, Aqsa Mahmood, named Umm Layth, a 20 year-old Scottish university student explains: "All of us disassociated ourselves from our families, friends and societies" (E. Hall 2014). Mahmood explains in a post:

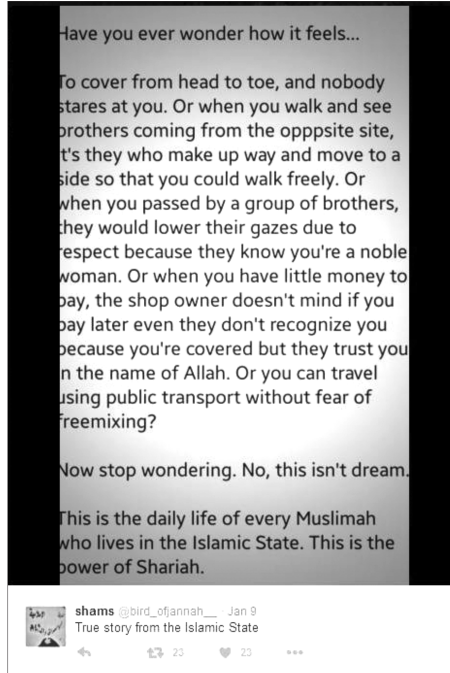
> Once you arrive in the land of Jihad [it] is your family. […] Rejecting your family is a religious duty if they makes allies with the kuffar and reject jihad. […] blood ties are nothing compared to living a truly Islamic life (M. Petrou 2015).

The "sisters" provide physical, emotional and social support to one another that leads to a shared communal sentiment among the women who constitute a community of IS wives, mothers and widows. This is the "we feeling". This fake familiarity is so strong that even those who have not perform the Hijrah and are not in IS-held territories can identify with the sisters who are and can feel a sense of belonging

through the "virtual community" and online connections. They feel connected, in tune with the rest of the family and can take actions accordingly. Women are not only attracted by that image but they also play a crucial role in advertising it on social media. They are like "guides" and provide like-minded individuals with help and advice. IS female recruits play an important role in recruiting others by appealing to them and answering their online questions. Through manuals, chat rooms and blogs they provide all kinds of answers and advice on what to pack in a suitcase before reaching IS-held territories, what to wear, how to avoid suspicions, what routes to take and so on. Zehra Halane explains in a tweet to another women that she would be "more then [sic] happy to" help her marry a jihadist husband in Syria and that she can advise on a private communication platform (E. Saltman and M. Smith 2015).

IS females play an important role in the glamorization of the Islamic State: for instance, they constantly post pictures of food, and other products to show the abundance of goods and how despite the war, the Caliphate remains the land of prosperity and wealth. Umm Haritha explains in a post that there are even "Islamic clothing stores" and that "it looked so beautiful the sisters and I joked around and called it the New York City of Syria" (N. Roberts 2014). This glamorization of IS-held territories helps project a worthy and positive image of the organization especially among Western women who might be uncertain about leaving their comfortable life in the West to suffer from shortages. It should be noted that this glamorization and abundance might also appeal to Arabs who live in difficult conditions and who can be tempted by or are attracted to a more comfortable lifestyle.

## Self-seeking and the desire to be the mothers of "today's cub, tomorrow's lions"




It appears that the search for an identity or self-seeking is another motivational factor that can explain why women join the Islamic State organization. For many of these women, their desire to be respected within their societies by their families, friends and peers was hindered for one reason or another. Many Western women talk about their feeling of being "second-class citizens" in their home countries or about not belonging. Many seem to have been in disarray, suffering from solitude with a feeling of a purposeless life and a lack of prospects. Joining IS is their way to turn their life into something valuable, to have a meaning and to fight for it:

> [...] when the subcultural atmosphere of aimlessness combines with the feeling of having no future, the desire for

> a radical alternative arises from a feeling of senselessness and disorientation. Politicization thus becomes a value itself. (Wasmund, 1986: 207)

Joining IS allows them to obtain a status as they become the female face of the organization, the mothers of jihadists-to-be and the wives of well-established jihadists, potential martyrs. IS gives them a positive image of themselves and what they perceived as a purposeless life, a "life of impiety" is transformed into a life of devotion for God and his prophet. Because of these feelings, combined with a lack of perspective, of a lack of trust in the institutions, and a sense of injustice, women become more vulnerable to jihadist ideology that offers them hope for the future and a "positive identity" (Spekhard and Ahkmedova, 2006: 429). The *kunya* is interesting in that regard for both men and women. The kunya is a symbolic death, a disavowal of oneself, of a previous life: by adopting a new name, the female stops being who she used to be to become someone else, a new person. She is born again. She is an IS sister, wife, and mother.

The idea of the Ummah, of that organic fusion between the Muslims of the entire world, is very attractive to many men and women. For many westerners, joining the Islamic state organization is a chance for them to break from the boredom of their daily life in modern democracies (I. Berlin 1990). Being part of that organization that is so feared by the world also provides a chance to live a unique adventure that is literally changing the face of the world as the conflict in Syria and Iraq had and continues to have impacts on countries all over the world. Joining IS and what is perceived as the "sacred lands of the Caliphate" brings "marvel[s]" to a life perceived as purposeless and tedious. Joining IS and living a "romantic adventure" with a mujahid for instance is a way out from a perceived or a real insipid life. There is no social infringement; on the contrary, the engagement with the group is seen as epic, a moral obligation for a divine

cause and a heavenly conquest. The organization does not only give the new recruits an emotional comfort, a strong sense of belonging and security, but it also gives both men and women a *raison de vivre*, as no one is living for him/herself but rather for the sake of the Ummah. Women are also expected to be brave and to encourage their husbands in the fight against the "impious" and "unbelievers". Hayat Boumedienne, called Umm Basir Al-Muhajirah (the French widow of Amedy Coulibaly who was responsible for the January 7th, 2015 attacks on a Jewish supermarket in France), indicated in an interview in the official magazine of IS, *Dabiq*:

> My sisters, be bases of support and safety for your husbands, brothers, fathers, and sons. Be advisors to them. They should find comfort and peace with you. Do not make things difficult for them. Facilitate all matters for them. Be strong and brave. It is essential that you make [sic] all your deeds sincerely for Allah's face and hope for His reward (*Dabiq* issue 7).

Even if IS propaganda emphasized the need for women and their obligation to participate in state-building activities and in the war against the "unbelievers", and even if the group created a female academy to train women for fighting and bomb operations, it continues to have a gender-specific narrative that validates social norms. After all, these women are in a male-dominated organization. Men have leadership positions and hence orders are given by men. Women are expected to assume traditional roles such as cooking, nursing, cleaning … etc. Above all, women are expected to be the wives and mothers of "today's cubs, tomorrow's lions". Their primary role is to raise the new generation of IS fighters and educate them in the Salafi-jihadi ideology, "in pure Islam", its legitimization and transmission.

Mothers are supposed to glorify martyrdom and encourage their husbands and children towards it. Salafi-jihadist ideology counts on women to convince male-recruits that not only will they be reunited with their loved ones once in the *Firdaws* [the higher level of Paradise] but the martyr is also the one to grant them passage to it. In the eighth issue of *Dabiq*, Umm Sumayyah Al Muhajirah recalls several "sisters" who supported their sons in their martyrdom and she takes them as an example to follow:

> I saw sisters on a night enflamed by battle send their fifteen year old sons outside the home saying, "Allah is the greatest! Go to Jannah whose width is that of the Heavens and the Earth!" O Lord, it is their sons! Their own flesh and blood! But they are not more valuable than the religion nor this Ummah! Yes, they are muhājirāt who came to the Islamic State! I say it without pride.

The study of the social media accounts of dozens of IS females showed a romanticized idea of "jihad" and a cult of martyrdom. The mujahidin are portrayed by IS females as "brave", "courageous", "fearless" and "committed to the cause". They are those valiant and selfless Muslims who

decided to fight against the oppression of the "impious" and raise the banner of Islam. Martyrdom is the ultimate gift. It is through this that the Ummah will recover its lands and dignity and spread its religion. War is glamorized and violence is legitimized and normalized.

There is an idealization of the "Shaheed" [martyr], also referred to as "green bird" who "seek[s] the gardens of eternity" (E. Hall 2014). Umm El Baraa whose best friend lost her husband after seven years of marriage and two daughters explains the joy and happiness of the sisters, especially that of her best friend, on the day of his death:

> We entered the house, I saw there was almost 20 sisters. No body [sic] cried. Everyone was smiling. The house smells good. The kids seemed happy, and there were foods on the floor. I was astonished, puzzled. […] I heard Umm Habiba approached me joyfully. She looked pretty as always, she wore a nice cloth, with make-up on her face, jewelries and she smelled good. "Umm Habiba." I hugged her. The tears began to flow on my cheeks. I cried like a baby. She took her hand and wiped my tears and hold my cheeks. She said something that amazed me. "Umm al Baraa ya Habibty. My husband is a shaheed. He is In sha Allāh in the garden of Jannah, married to Hoor-al Ayn. Today is the day of celebration. Today is the day of joy. No one shall cry! […]". I never thought someone can be this strong. I looked at her kids, two beautiful girls. I don't know if they understand that their father is no more alive. I pulled Habiba closer to me and asked her how she's doing. She said she's happy because her mother told her that the father has bought a house in paradise and waiting for them (E. Hall 2014).

## Vicarious traumatization or trauma as an "emotional push"

As shown by Speckhard and Akhmedova (2000: 67), trauma was one of the deepest and most central motivational

factors in the case of female suicide bombers in Chechnya. As they explain:

> […] the "soon to become" terrorist underwent a psychological crisis in which feelings of unresolved grief, anger, depression, psychological trauma, and guilt for not having done more to save the family member became obvious.

One can draw a parallel to the Syrian case: beating, torture, rape and other human rights violations are legion since the beginning of the conflict in 2011. Lately civilians have suffered the extreme violence of the air raids of the Syrian President Bachar al-Assad, his troops, and his Russian allies. Many Syrian women and men were direct witnesses to such violations. These traumas played and continue to play an important role in their decision to join the organization and this will continue to fuel the Islamic state with recruits. For all these women but also men who have lost any sense of belonging and integrity with the death of loved ones, belonging to a new group that is like a surrogate family and the dedication to a great cause for which one has to commit is their answer to the trauma. The group and its ideology become the new commitment to which one devotes his or her life. The Salafi ideology is comforting with its binary polarization, its simplification of problems, its othering process and its reassuring views of the afterlife. As explained by Speckhard and Akhmedova (2000: 69):

> […] turning to any religious rituals often calms states of bodily arousal and can build upon dissociative phenomena in a manner that makes the psychic numbing common in trauma victims seem like a useful measure versus an obstacle to rebuilding one's life.

It is the same dynamic that one can find today in the engagement of women in the Islamic state organization. As for Western women, the trauma is more likely to be indirect

or secondary. Many of the western females who joined IS seem to have become increasingly angry at what they saw in Syria, Iraq and even Palestine as being the result of Western powers' foreign policy. The perception is that westerners are killing fellow Muslims in the Middle East and the resultant anger and frustration offers fertile ground for Salafi-jihadist ideology. In other words, their "adherence to terrorist ideology is a form of psychological first aid" (Speckhard, Akhmedova, 2000: 71). This direct or indirect trauma (in the case of the Westerners) is an "emotional push" (Wasmund, 1986) to engage in the organization.

The trauma of others in the Muslim world in Palestine, Syria, Iraq and other regions of the world is used to indoctrinate young men and women who will eventually identify themselves with the victims. This is what is called vicarious traumatization (McCann and Pearlman 1990), which is the "psychological process of becoming traumatized as a consequence of empathetic engagement with survivors and their traumatic stories" (Pross, 2006: 86). Making the Hijrah to the Caliphate, or even perpetrating an act of terror for those who are not able to perform the Hijrah, is their way to correct injustices and help Muslims. The Salafi ideology offers them a chance to be proactive, to avenge their pain, to act, to stop being the victims, to channel their trauma. The threat that they perceive and internalize against the Ummah is very powerful because it justifies the use of violence against the "other".

Convinced that the Ummah is under threat and that inaction is not acceptable, many women (both Arabs and Westerners) join IS to help ensure the survival of the community and the defense of Islam. As explained by Shannon Conley, a 19-year-old American girl who was caught attempting to fly from Colorado to join IS: "Even though I was committed to the idea of jihad, I didn't want to hurt anyone […] It was all about defending Muslims" (CBS News 2015).

The imagery of revenge is often used by IS propaganda and the narrative is that "if we do not kill them first, they will kill us all". This helps in creating cohesion in the group as it is seen as "the protection of the 'we' against the 'them'". Umm Layth explained in a tweet: "This is a war against Islam and it shall be known that you're with them or with us. So pick a side" (R. Styles 2015). Khansā writes: "Under guise of 'fighting terror' this bastard goes into our countries to kill more Muslims. Ya Allah! Send your wrath upon him & those with him" (E. Hall 2014).

## Social ties as sponsor integrator

History is full of examples of siblings and friends operating together and joining terrorist cells together. The same dynamics work for the Islamic State organization. Being related in one way or another to a person who is involved in the group or even with its ideology can be a "boost" and encourage action. The radicalization as well as the recruitment of many women happened on several occasions through friendship and family ties.

In his work, Marc Sageman (2004) showed that out of 174 terrorists, 75 percent of them had pre-existing relationships with individuals already enrolled in jihadist groups. It is also the case for Palestinian militants in Hamas, as Pavlowsky explains, that family ties had a great impact in the recruitment of young people. She refers to that process as "conviction by impregnation" where the elder sibling convinces the rest of his siblings, sometimes the whole family, to join the cause. Pavlowsky (2000) explained that the influence can be ascendant coming from a mentor to a student, a teacher to his pupil, an imam to his follower and so on.

My fieldwork in Algeria on female and male jihadists validated this view. Personal connections played an important role in the recruitment process of thousands of

Algerians. Brothers, sisters, cousins, classmates and neighbors all joined together the armed Islamist group (GIA) among others. In some villages and neighborhoods, entire groups of siblings or cliques of friends joined the armed struggle. This process is called "block recruitment" (Della Porta, 1995).

Today, the same dynamics operate in Syria and Iraq in the case of locals as well as foreign fighters. Recruitment in IS happens on several occasions through friendship and family ties. As explicitly explained by a former Syrian IS female working for the Al-Khansa brigade: "Since my relatives had all joined, it didn't change a great deal to join" (A. Moaveni 2015). There is overwhelming evidence corroborating the notion of social networks as sponsor integrators. The identical twins Salma and Zahra Halane were introduced to IS ideology and influenced by their older brother Ahmed Ibrahim Mohammed, a 21-year old who left the UK in 2013 to join IS in Syria. The Saudi woman Nada Mouid Al Kahtani was also influenced by her brother whom she decided to follow to Syria (Assawsana 2013). There is also the case of the friends Amira Abase, Shamima Begum and Khadiza Sultana who decided to travel together to IS-held territories (L. Smith-Spark 2015) or the case of "Jihadi Jane" who traveled to Syria with her friend Umm Layth. Khaled Sharrouf traveled from southwest Sydney to the capital of the Islamic State organization, Raqqa (Syria), with his wife, his two daughters and three young sons. A close friend of the family, Zehra Duman, a 21-year-old, followed the steps of the Sharrouf family whom she joined in Raqqa in December 2014 (E. Saltman & M. Smith 2015).

Forced or consensual marriage additionally helps in consolidating alliances, ensuring allegiances and making defection more difficult. Women, sisters and daughters are a good way to extend and solidify relationships within the organization and with others. Alliances are created and

built up through women. A well-known case for IS is that of Khaled Sharrouf who gave one of his daughters, a 14 year-old, in marriage to one of his friends, an IS fighter named Mohammed Elomar.

These social networks act as both facilitator and booster. Joining with a brother, a sister, or any other sibling makes it easier to confront the difficulties of life underground. Social networks are also counter-measures to defection (Della Porta and Diani, 2006: 115). Indeed, it is more difficult for a woman who joined IS to leave the organization in which her brother, sister, father, husband, friend or cousin (and sometimes children) are engaged. The fears of retaliation as well as of being seen as a "coward" are strong and can play an important role in making people chose loyalty to the organization over leaving it.

## Additional motivations for local women

As stated above, Western and local women share commonalities, yet Arabs are subject to additional drivers because of the local context.

### 1. The "converted of poverty" (Moussaoui, 2006: 234)

It is important not to have a mono-causal approach when analyzing reasons for female jihadi engagement, thus, an economist's reading would be incomplete as one cannot dismiss ideology, cultural practices, and psychology. Yet, one should also recognize the importance of the economic dimension in the engagement of so many youth, both men and women, in a group such as IS. It is the desire and thirst for material ease that drives some local women to engage in IS.

After five years of war in Syria, the situation is catastrophic. There are an estimated 3.1 million Syrians who became poor in 2012, 1.5 million of whom have become

extremely poor (R. Nasser et al. 2013). Poverty is due to several factors among them the high price of goods and services, a reduction in incomes, unemployment, lack of professional opportunities, and damage of physical assets. People in Syria, especially displaced individuals and rural populations, suffer from several forms of deprivation such as lack of housing and basic services (fuel, electricity, water and even food). Working for a group such as IS and being under its umbrella becomes a source of income, a way to secure a livelihood and to live in better conditions. These are the "converted of poverty" (Moussaoui, 2006: 234). The same economic dynamics were noted in the engagement of people in armed violence such as in the Pakistani and Kashmiri cases (Blom, 2003) or in the case of the Bassidje in Iran after the fall of the Shah (Khosrokhavar, 1995).

According to a local Syrian NGO, "Raqqa is Being Slaughtered Silently" (RBSS), an IS female jihadist was until recently (before the setbacks experienced in late 2015 by the jihadist organization) earning between $700 and $1500 per month, depending on her status, her nationality, and how many children she had (A. Al-Raqawi 2015). Other sources cite this figure as $200 to $300 (TRAC), which, despite this discrepancy, remains a substantial sum under the current conditions in Syria.

A former member of Al-Khansa Brigade, the all-female IS morality enforcement apparatus in Raqqa, Dua explained that her primary motive to join the group was economic. As she was from a very modest family and her father — a farmer — was heavily taxed, she joined the organization in order to improve her lifestyle and because her parents were in need of the money. Dua married a wealthy Saudi IS fighter called Abu Soheil Jizrawi who offered Dua's family $2,500 for her dowry. In addition to the monthly income and the facilities that the organization provides its followers and fighters, joining IS allowed Dua as well as many others to live in

a spacious apartment with a servant who would leave bags of meat and food every morning at her door (A. Moaveni 2015). According to RBSS, there are 278 cases of local women who got married to IS fighters because their families were in need of the dowry money that, in some cases, would reach up to $4,000 (A. Al-Raqawi 2015). The IS provides financial support as a way to attract fighters and maintain their loyalty. A local woman who fled IS-held territories explains: "If you are a member of IS they give you gas, petrol and bread [...] Better to take the things they offer than die of hunger, this is how they force people to support them" (L. Waterlow 2015).

2. Engagement by involvement

The current difficult economic conditions and high rates of poverty are factors that lead locals, both men and women, to engage with the Islamic State Organization, essentially becoming a part of it, without actively seeking to do so. They join the IS gradually, and without being aware that their level of engagement deepens within the organization. Usually, this process starts with small favors that IS asks from these individuals, who would carry them out as a way to earn some money. These favors do not usually involve big risks (the danger lies in the illegality of the act). It begins with several small "tests" that eventually lead to a more important mission. These steps are usually nonviolent. For instance, the women are asked to cook food for the fighters, to sew their clothes, to nurse them, to keep an eye on the security forces' activities, to spy on the non-Islamic behavior of other women and neighbors, to deliver a package, and so on. Gradually, these small favors turn the women into accomplices of the jihadist group. The more the person performs deeds for the group, the more she is involved, compromised, and cannot refuse to perform larger tasks. Eventually, the pressure to join mounts, defection becomes too risky and too costly (death or retaliation

against her family), and the circle is complete. There is no possibility for withdrawing and women are only left with a singular choice, which is explicitly joining the organization. Radicalization is gradual and involves several small steps (McCauley and Moskalenko, 2008: 415). In his study about the freedom summer, Doug McAdam (1986: 69-70) explained that it is those small steps performed during the period of "low risk activism" that eventually lead to "high risk activism". This is what Becker (1960: 38) called the "commitment by default":

> [That] arises through a series of acts no one of which is crucial but which, taken together, constitute for the actor a series of side bets of such magnitude that he finds himself unwilling to lose them. Each of the trivial acts in such a series is, so to speak, a small brick in a wall which eventually grows to such a height the person can no longer climb it.

The following example of a Syrian woman who joined IS after several stages is enlightening. Aws, a defector from the Al Khansa Brigade in Raqqa, explains that the first concession that she made was to think about the marriage proposal that she received from an IS fighter. She then accepted to marry him and support him in his cause. She married him for several reasons among them protecting her family and avoiding retaliation against them for not accepting the proposal. After her marriage, she was very supportive and started thinking about being more "committed" to the cause. She then decided to join the female brigades responsible for morality enforcement. She soon punished women, even former neighbors and friends, for not respecting the dress code that IS declared in the streets of Raqqa. She then participated in recruitment of foreign women through social media and she would eventually be the one to pick them up from the borders and take care of their transition (S. Abed Sherad 2015).

### 3. Indiscriminate violence and thirst for protection and revenge

When the Islamic State takes control of a region, their tactics of indiscriminate violence against anyone who opposes them do not leave many options to the locals. They leave if they have the chance to do so, but many join as a passive response when they see that other people have also joined, because they believe that joining is the right thing to do. Others join as a survival tactic out of fear for their lives. As explained by two women defectors of Al Khansa Brigade in Raqqa Dua and Aws, when the Islamic State took full control of Raqqa, the Organization incarcerated the recalcitrant, tortured them, or killed them. For people to survive, they had to either flee or to support the organization and get involved (A. Moaveni 2015). The case of Hanan is a salient example. Hanan had to marry the head of the IS Sharia police, a so-called Abu Mohammed Al-Iraqi, in exchange for her father's life. She describes her visit to the headquarters:

> After a bit my mother came and said to me, they will release him if you marry the head of the Sharia police. His name is Abu Mohammed al-Iraqi. My father's life for his hand in marriage. We have no one but him; I had to accept. (A. Damon and G. Tuysuz, 2015)

In addition, the fact that the local authorities and international actors consider Raqqa and its population as a terrorist zone does not allow the population to distance itself from IS, especially when these actors resort to indiscriminate aerial bombardment of the city, killing many civilians and dismissing them as collateral damage in the larger fight against IS. This mechanical inscription and dismissal of the population will lead to a self-reinforcing mechanism. The indiscriminate violence against entire villages by the Syrian regime is counter-productive because it

removes any allegiances to, or trust in, the authorities, and instead creates an aspiration for protection and a thirst for revenge (Kalyvas, 2006: 152).

Many women joined the Islamic State or other jihadist groups because they considered these organizations to be their protectors or as a remedy for the injustice and humiliation they faced from the government and security forces. These are known as the four Rs: "revenge, redemption, respect, and relationship", which are strong personal motivations for their commitment to jihadist groups (Bloom, 2010: 95). Even if these women do not agree with the ideology of the group, they align themselves with the group to rectify a grievance in which either they (or a sibling or another loved one) has been a victim. Carrying weapons enables them to act, get revenge, and most importantly, to protect themselves and their families and avoid being subject to potential or proven aggressions such as rape. In a society such as the Syrian or Iraqi societies with strong gender norms and where virginity is sanctified, rape is the ultimate disgrace. It is not only a trauma for the victim but also for her entire family, since the honor of the family is strongly connected to a woman's chastity.

In her study about female suicide bombers, Ali (2005) showed how the desire for revenge is a strong motivational factor. She noted that the Al Qaeda female bombers all had siblings or acquaintances who were part of the organization or perished in the Iraq war, all originating from regions that were badly damaged by the war. It is the same dynamic for several Palestinian suicide bombers, as explained by Schweitzer (2008: 137). The ongoing violence and stagnant socioeconomic and political situation in their lives, coupled with a deep sense of injustice, anger, despair, and revenge, lead many women to engage with the local militia in order to channel their resentment, to become agents of change and to assuage their trauma.

## Conclusion

The radicalization and the commitment of young women to jihadist groups is a complex and multifaceted phenomenon that involves a combination of individual processes, interpersonal relationships, and sociopolitical and economic circumstances.

More women will be mobilized in jihadist groups such as IS not only as a survival strategy, but also because they are cognizant that their strategy is working as women have been eager to join them and have shown availability and willingness to doing so. Women can easily access targets because they are less suspect than their male counterparts. In short, they can blend more easily with the targeted population. In addition, mobilizing women offers several advantages for the organization: it has a larger emotional impact on the targeted audience and provides the group with a free PR campaign. Indeed, “attacks by women receive eight times the media coverage as attacks by men” (Bloom, 2007: 100). In addition to achieving propaganda objectives, the group sends a strong message to followers and enemies. To its followers the message is that “our cause if so great that even women are joining and we will use whatever it takes (including our women) to destroy you”. To the male population, the message is a way to shame them by implying “you are not even capable of doing the job, so we are sending women to do it for you”. This is a way to galvanize the male population by toying with their manhood and sense of virility. For all these reasons, we are likely to see more women and even more children mobilized in jihadist groups.

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# CONCLUSION

When the dust clouds of the popular protests beginning at the end of 2010 subsided, the task turned to forming the new Arab world. Some countries are better off compared with the political conditions prior to the protests. The situation has turned to the worse in others. Today, the general characteristics for several Arab countries include civil wars, proxy wars, continual conflicts, terrorism, political instability, and restrictions on civil liberties and political freedoms.

Concerning gender equality or parity: as it was before the uprisings, the situation remains extremely complicated. The gap between the genders remains vast, despite the intense efforts of feminist activists in the region before, during, and after intifadas to bridge the gap of injustice and to achieve equality for women. The Global Gender Gap Report of 2016 placed the Arab world in the bottom rung globally, with a percentage gap between the sexes of 39 percent — the next highest gaps were found in South Asia with 33 percent and Africa with 32 percent, even with the enormous differences

between these regions and the Arab world in terms of economic development. Despite the abstraction of this percentage, which is a generalization of vastly different countries, it is an important problem to consider. The figure illustrates the long road ahead for achieving gender equality in the Arab world.

One of the contributions of this volume is to affirm that the struggle for gender parity has not and will not stop at making Arab political systems open and democratic. Openness of politics is a basic step toward women's liberation. The struggle for gender equality, according to the analyses presented in this book, also requires deeper corresponding social, cultural, and economic transformations — nationally, regionally, and globally.

The challenges facing the goal of women's liberation are overwhelming and compounding. We still must confront the traditional authoritarian neopatriarchal system concentrated in the institutions of family and of religion. Likewise, we still must confront the more modern forms of patriarchal domination and systematic discrimination on the basis of sex, which take various institutional, legal, and political forms.

In addition to discrimination on the basis of sex and patriarchy in the family and in public spaces, the challenges facing Arab women also encompass instability and insecurity in the region. Today, for example, Syrian women, Iraqi women, and Yemeni women join Palestinian women in terms of needing both liberation as a gender and national political liberation as members of nations undergoing war and/ or occupation. The women of Syria, Iraq, Yemen, and Palestine also share horrifying living conditions: living in refugee camps, lacking basic necessities and legal, social, and financial protections. They also face violence and discrimination on the basis of gender. Testimonies and international reports document the struggle of these women on a daily basis (Global Women Fund, 2016).

Economic insecurity and economic crises form another front in the struggle. Women's economic participation in the Arab world remains low compared with other regions in the world. According to a report of the International Labour Organization published in 2017, the percentage of women participating in the work force in the Middle East and North Africa is estimated at 21.2 percent, compared with about 40 percent in other parts of the world (ILO, 2017). Despite this, the level of education among young women has risen. The World Bank has dubbed this situation "the gender paradox": the rising numbers of educated women have not translated into greater economic participation for women. The World Bank attributes this paradox to traditional gendered culture, which blocks the progress of the women's movement, restricts freedom of labor, and compounds the problems of traditionally defined roles for women within the family. However, this understanding does not reflect the truth concerning Arab women's labor. The fact of the matter is that the limited economic participation of women in the Arab world is not a result only of cultural obstacles as is commonly believed. In Jordan, for example, there is no efficient transit network, and the country lacks services for childcare, which are two of the principal factors preventing women from effective participation in the labor market. In addition, the economies in most Arab countries are not growing in such a way that would offer work opportunities corresponding to the increasing numbers of skilled women graduating from universities every year.

Violence against women, in all its forms, is another side of the struggle. Domestic violence remains underreported and widespread. UN Women estimates that 37 percent of Arab women have been subjected to some form of violence in their lives; however, the percentage is likely higher considering the extent of non-reporting (Status of Arab Women Report

2017). The case of a Sudanese women accused of killing her husband after he physically forced her into nonconsensual sex [marital rape] says volumes about the commonality of unreported cases of violence against women and of marital rape that occur in the Arab world. Additionally, Arab women constitute 14 percent of the 700 million women currently alive who were forced to marry under the age of 18 (Status of Arab Women Report 2017). Murder as a form of "honor-defending killing" and marriage of victims to their rapists (who are thereby legally protected from rape charges) are two horrifying problems that persist despite the important campaigns that have emerged in Morocco, Jordan, and Lebanon, particularly in demanding the end of legal protections for rapists. Such legislative protections have until very recently been legally applied in multiple countries of the region: Morocco closed the legislative loophole of marriage absolving rape in 2014; likewise Jordan in 2017. The marriage of girls remains one of the chief problems facing female refugees. In Jordan, in 2011, 12 percent of recorded marriages of female Syrian refugees were under the age of 18. This percentage rose to 18 percent in 2012, 25 percent in 2013, and 32 percent in early 2014 (UNICEF, 2014).

During the period in which this book came together, a number of important and positive changes occurred in several countries, including the Arab Gulf states, wherein women obtained significant rights — even if the process of granting these rights was questionable. At the same time that Saudi women were granted the right to drive by royal decree, the female activists who had demanded this right for decades were thrown in jail. The most important lesson of this change was that the authoritarian state still has the final word when it comes to granting women their rights. Signs of hope in any case appear to be coming in Tunisia, the country that lit the spark of the popular protests that swept across the Arab world, where the latest changes

eliminated discrimination in inheritance — beginning to close the gender gap and ease the bridging of that yawning chasm. Perhaps an even more significant accomplishment can be found in the true decriminalization of homosexuality in Tunisia. For liberation of sexuality from the grip of law springing from "custom" remains a forbidden front, wherein rights-based organizations in the Arab world are generally afraid to proceed.

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