

International Forum: *Mediterranean Women's Rights in the Aftermath of the 'Arab Uprisings'*

Organized by Prof. Dr. Fatima Sadiqi, founder and director of the ISIS Center for Women and Development, and Dr. Ellinor Zeino-Mahmalat of the Konrad Adenauer Stiftung, Rabat Office

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The conference brought together women and men from across the Arab world, the Mediterranean region, and beyond to discuss the Arab uprisings, the role of women within them, and the challenges facing the women's rights agenda given the predominance of Islamist governments and attempts to roll back some of the gains made in recent decades. The keynote address was given by Valentine M. Moghadam (Northeastern University), on the topic "Revolutions, Democratic Transitions, and Women's Rights: The Arab Spring in Comparative Perspective". She began by posing the question: What are the prospects for successful democratic transitions in Tunisia, Egypt, and Morocco that are inclusive of women's rights? She then situated the Arab uprisings in a historical-comparative perspective with other social and political revolutions and with third-wave democratic transitions, and she compared Egypt, Tunisia, and Morocco and prospects for either patriarchal or egalitarian outcomes in terms of pre-existing conditions and the course of the revolutions and transitions thus far.

This was followed by a panel discussion on sex equality in the new constitutions, with presentations by Aïcha Belarbi of Morocco (former ambassador to Brussels and minister in the Yousefi government); Moushira Khattab of Egypt (former ambassador to South Africa and Czech Republic and former minister for family and population); Lilia Labidi of Tunisia (minister of women's affairs in the post-revolutionary transitional government, February – November 2011); and Ramziyah Elaryani of Yemen (president of the Yemeni Women's Union). All spoke of the threats to women's rights in the new constitutions and by salafist groups seeking the installation of sharia law. There is a sense of pessimism among many women, the speakers noted, with regression in Yemen and a religiously-based constitution in Egypt that fails to mention rights when addressing women as a group. In another session, Islah Jad (Birzeit University, Ramallah) attributed the assaults on women in Egypt to the perception of feminism as a foreign import; coalition-building with other rights-based groups could attenuate this misperception. Lilia Labidi noted that Islamists inside and outside of government posed a threat to women's rights, but she also spoke of "des nouvelles formes des actions collectives" such as dissident women's cultural and political creativity as producers of caricatures and satirical posters.

Two young men – one from Yemen and another from Egypt – provided interesting male perspectives on the changes in their countries. Sayf-a-Islam al-Hangary, a university student and human rights activist, described the many challenges that Libyan women faced after the political revolution, from security to political marginalization. Despite a 10% parliamentary quota, al-Hangary said, women

were held in contempt after the revolution, especially in the local municipalities. He cited a woman media figure, a Libyan communist, who expressed her concerns that social conservatism and religious dogmatism would be formidable barriers to women's advancement. Yahia Muhammad Zaed, a human rights activist from an Egyptian socialist coalition, spoke of the antecedents of the January 2011 political revolution, including the 2005 Kefaya movement, the 2008 protests, and the series of labor actions, along with police brutality, especially against women in 2005 and 2008.

Mr. Zaed described how the 2010 quota law, ostensibly to increase female representation in parliament, was meant to benefit the NDP at the expense of the opposition; thus in the fall 2010 elections, the NDP was able to fill the women's seats with its own candidates. After the revolution, and despite the unity on display in January, assaults on women took place, most notoriously on 9 March, when women's rights activists at Tahrir Square were assaulted, arrested, and then subjected to virginity tests. The virginity tests were said to ensure that the women did not falsely claim rape, but – Mr. Zaed asserted – they were a form of rape. Zaed went on to state that following the “democratic elections”, the party leaders once again did not support the women candidates, putting them at the bottom of their lists, so only 2% of parliamentary seats were gained by women. Mr. Zaed added the uncomfortable fact that “women do not vote for women; men do not trust women and fear them in decision-making positions. ... It is up to us men who support women's rights to help change this situation.” He ended on a hopeful note: “It was an Egyptian spring and now we are in autumn, but we will have a spring again.”

In another session, Moha Ennaji (president, International Institute for Languages and Cultures/INLAC, Fès), echoed some of the points raised in the keynote address and referred to the relatively modest demands of the Arab uprisings compared to the great social revolutions of the past. What is also different, he noted, was the lack of a revolutionary program or clearly expressed idea of what the new society would look like. The real issues – socio-economic ones – were sidelined by identity issues of religion and public morality. In addition, the global economic conditions are not the most conducive to a successful outcome/consolidation of the Arab awakening. He noted the presence of just one woman in Morocco's PJD government. Although the Amina Filali case was discussed in parliament – she had been forced to marry her rapist and later killed herself after enduring further abuse – the reform did not go far enough and activists protested before the Ministry of the Interior. The penal code reform – to remove legal loopholes on rape and sexual assault and to permit abortions for victims of rape and incest – is a major demand of feminist groups and their civil society partners.

Two presentations on women's economic empowerment drew on experiences in Jordan and in Morocco. Amal el-Kharouf (director, division of research and training, University of Amman) spoke of obstacles to women's female labor force participation in Jordan, including the traditional sexual division of labor and gender bias. Positive new measures are a new law that prohibits the firing of pregnant women workers, and a new association that trains low-income women to work in restaurant kitchens and shops. She also noted that fewer families are now hiring fulltime, live-in maids and nannies from the Philippines and Sri Lanka, partly due to rising costs and partly due to changing attitudes and practices. Manal Elattir (founder and CEO, Anarouz social enterprise) and Yamina el Kirat el Allam (Mohamed V University, Rabat), discussed the women's cooperative Anarouz, which was founded to provide low-income Moroccan women with training and marketing

opportunities for the production of handicrafts and other income-generating activities. Efforts to make the project sustainable and self-financing, however, will take time.

Other presentations on Morocco were by Soumia Boutkhil (director, MA degree program *Gender, Society and Human Development* at Mohamed I University, Oujda), Jonathan Wyrzten (Yale University and al-Akhawayne University, Ifrane), and Fatima Sadiqi. Dr. Boutkhil argued that Moroccan women's quest for equality had thus far resulted in a state of limbo, or "liminal citizenship", drawing attention to constitutional articles 3, 6, and 19. The 2003-04 family law reform was a major achievement, and Dr. Soumia referred to the government agenda for equality 2011-15, but there remain gaps in the legislation, such as men's legal guardianship over children, even after a divorce that can give the mother custody rights. The contradictory legal and religious discourses of the state undermined women's full and equal citizenship, she argued. Dr. Wyrzten provided an historical overview of legal systems since the colonial period and noted the two divergent tracks of the independent Moroccan state: "traditionalization" of women's roles in the 1957 Moudawana, and modernization and advancement of women's status through education. The 20 février movement compelled constitutional changes that inscribed multiculturalism in the new constitution (July 2012), although Islam still undergirds the plurality.

This latter point was elaborated by Dr. Sadiqi, who referred to the new social movements involving feminist, Islamist, and Amazigh/Berber identities. Defending the record of the Moroccan women's rights movement that was so crucial to the family law reform, Dr. Sadiqi pointed out that feminists never attacked Islam; rather, their target was patriarchy. The more recent Amazigh women's demands for recognition and rights are a challenge to the feminist movement and to the state. The revival of pre-Islamic cultural icons such as Isis and Kahina, now used as names of centers and websites – indicates a new cultural assertion. If post-colonial Arabization – accompanied by the retention of French language instruction for the children of the elites – had marginalized the Amazigh/Berber community and especially the women, the new constitutional reforms would serve to re-integrate them in the national community, albeit through recognition of their language and cultural practices. Cultural diversity and women's cultural empowerment were also emphasized in a presentation by Rachida Kerkesh (Ecole Normale Supérieure, Rabat), who showed images of Moroccan women in varying styles of dress, from tribal to western to hejab. Although women are presumed to be carriers of national cultures and identities, their right to take part in and shape cultural expressions is restricted by male authority figures who define what is culturally appropriate. Dr. Kerkesh also questioned the authority that male kin have retained even after the sweeping reform of the Moudawana, Morocco's family law.

A quite audacious presentation was by Abdellatif Zaki (Agronomy and Veterinary Institute, Rabat) who called for full freedom of conscience, including the right to leave Islam, and full and equal rights for women. Inveighing against both politicians and the media, he argued that al-Jazeera Arabic and similar media fabricate or distort events; he also asserted that politicians cynically use the discourse of women's rights for their own gain but will not support women in their own party or vote for women candidates. Asma El-Mehdi (president, Initiatives for the Protection of Women's Rights/IPDF, Fès), wondered whether the Arab Spring represented a step forward for women or presented a set of risks and threats. She then discussed the Springtime of Dignity campaign for the penal code

reform – criminalizing rape, decriminalizing abortion, ending virginity tests – and pointed out that the women’s movement was as important politically as it was culturally.

In another outstanding presentation, Ayse Gunes-Ayata of Turkey (professor of politics, Middle East Technical University, Ankara), gave a presentation entitled “All That Glitters is not Gold: Two Decades of Gender Politics in Turkey.” She pointed out that just before the AKP were voted into power, the Civil Code was amended under the social-democratic government in 2001, and changes to the penal code banned honor crimes, domestic violence, and rape. The reforms were the result of feminist campaigns as well as international pressure (especially from the EU); the latter is the main reason why the AKP delegates went along with the reform, even though they had raised objections. Dr. Ayata argued that with the AK since 2002, it has been two steps forward, one step back. Putting the reins on the military and reaching out to the Kurdish opposition were good measures; economically, the country has been doing very well and became the 17<sup>th</sup> largest economy in the world. On the other hand, Turkey ranks 124<sup>th</sup> in the World Economic Forum’s Global Gender Gap index; there has been a sharp decline in FLFP and in decision-making (except in parliament), and violence against women has increased despite the laws. Dr. Gunes-Ayata asked: what explains the disparity of progressive laws on the one hand and the social reality on the other?

Her response is that the official gender policy is a formality, a form of compliance with the EU, while in reality a conservative gender order is being reinforced, and a patriarchal gender climate – shaped by Islam and tradition – has been generated, especially after 2009. The gender climate has been carefully created and reinforced through images of the Prime Minister with his veiled wife and daughters, none of whom is formally employed. When PM Erdogan attends weddings he exclaims that the couple should have at least three children, and preferably five. His public pronouncements on religion, culture, and public morality, as well as attempts to ban adultery, abortion, and alcohol advertising also contribute to the conservative gender climate.

Civil marriage has been mandated in Turkey since the early years of the Republic, but not in other MENA countries, where all marriages must be registered with the religious authorities. (This is true of Israel, too, although secularists have been known to obtain a civil marriage in Cyprus and then return to live together in Israel.) In Lebanon – a “confessional” state where political power is dispersed in a complex arrangement among the different Christian and Muslim communities – 16 family laws govern the personal affairs, including marriages, of the members of its 18 religious groups. Christians are not permitted to divorce, while Muslim men may divorce fairly easily and also have more than one wife (though polygamy is actually rare). The year 2005 saw the defeat of a proposed uniform Civil Code that was supported by women’s rights groups and the then President. Myriam Sfeir (Al-Raida magazine, IWSAW, Lebanese American University, Beirut) described how one Lebanese Muslim couple, Sunni and Shia, used a legal loophole from the French colonial era to obtain a civil marriage in Lebanon. The marriage was denounced by the Muslim religious authorities, but it was technically legal. This pioneering couple may have set a legal precedent as well as a model for others to follow.

Three presentations from a reformist Muslim perspective constituted another highlight of the conference. Soroush Dabbagh (University of Toronto) discussed the “permissibility of unveiling” from a philosophical and ethical perspective. Forced to leave Iran because of his unorthodox views (and as the son of the famous “new religious intellectual” Abdelkarim Soroush, who was earlier

forced to leave Iran), Dr. Dabbagh offered a “neo-Mu’tazalite” argument. He drew on both philosophy (specifically, the ethical theory of W. D. Ross) and Islamic history (notably, the argument between the Asha’rites and the Mu’tazalites) to argue that moral reasoning is ontologically outside of religion and may be used to, for example, justify unveiling. Asma Lamrabet (Ph.D. biology and coordinator of a Rabat-based research group on Muslim women and intercultural dialogue), argued that the emphasis on law had eclipsed Islam’s spiritual message of emancipation, equality, and closeness to God. The jurists of the 10<sup>th</sup> century may have declared that the days of interpretation of the holy text were over, but she reiterated the “Islamic feminist” insistence on the right to *ijtihad* in light of new conditions. Her presentation was followed by a more secular discourse by Nouzha Guessous (professor of medicine, Hassan II University, Casablanca, and former member of the Consultative Commission on the Moudawana Reform), to the effect that women were now insisting on shaping understandings of culture and religion, but that the real frame of reference should be *la citoyennité* based on natural rights and innate human rights.

The conference took place at a time of upheaval and transition in the Middle East and North Africa: Tunisia and Egypt had relatively peaceful social uprisings that led quickly to regime change in January 2011, quick elections, and new constitutions that remain contested (and in Egypt’s case, led to renewed protests and military intervention in early July 2013); Morocco’s peaceful movement of February 2011 produced constitutional amendments in July of that year and limits to the King’s powers; Libya and Yemen in 2011 experienced violent political revolutions and regime change, with turbulent outcomes that include weak central governments and strong militia; protests by the Shia majority in Bahrain were put down by the government with the assistance of Saudi Arabia; Syria continues to be in the throes of a violent civil conflict, exacerbated by international intervention, which has produced at least a million refugees and displaced persons; protests took place in Turkey in early June 2013 against the authoritarianism of prime minister Erdogan and his government’s domestic and foreign policies; the presidential election in the Islamic Republic of Iran brought a reformist to the presidency, though his willingness and capacity for change remain to be seen. In the midst of all this turbulence, transition, and change, women – and women’s rights – are at the center or the forefront. Women certainly are participants in these change processes, but they are also the victims of violence, discriminatory laws, and economic exclusion.

Gains made by women are nonetheless impressive. In Algeria, a parliamentary quota resulted in a 31.6% share of seats by women in the most recent elections; this is an unprecedented proportion in the MENA region and significant by international standards. In Tunisia, feminist groups are well mobilized and work in coalition with other rights-based groups. Women’s demands for the right to define and shape cultural and religious identities – a topic emphasized by a number of speakers – continues apace, whether in the form of literary and artistic productions, Islamic feminist *ijtihad*, research in the social sciences and humanities, or the kind of intellectual engagement represented by the conference itself. Such “modernizing women” are part of the legacy of pioneers such as Doria Shafik, Huda Sharawi, Nawal Saadawi, and Fatima Mernissi, who launched the ongoing cultural revolution in the region. But change is always contested, never finalized, even in the most developed countries. In the Netherlands, for example, Hester Tjalama (Christian Democratic Party) described the ongoing struggle to encourage Dutch women’s political participation and representation at the local level. Simone Susskind (Belgium) rightly emphasized the importance of international networking to advance the rights of women in the North and South alike. A number of Islamist women in the audience used the Q&A period to voice their criticism of some of the presentations and to defend the record and objectives of Islamists in power. Miriam Cooke discussed a Syrian

woman journalist and dissident whose writings showed that she was torn between support for the “revolution” and unease with the more extremist elements within the Syrian opposition.

Recently, I have posed the following question: Can there be genuine democratic transitions in the twenty-first century without the participation of women? Can the region thrive when so many women are outside the formal labor force and lack economic citizenship? My answer to both questions is a resounding “No.”<sup>1</sup> In the meantime, advocates of progressive and pro-feminist social change could heed the conference’s wise closing recommendations:

- Defend the gains of the past
- Rights should be regarded as holistic – economic, political, civil, cultural
- Work for constitutional equality and parity
- Educational and media institutions should be harnessed to sensitize men and women
- Include civil society in the development and implementation of public policies
- Encourage dialogues among feminist movements in the region

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<sup>1</sup> Valentine M. Moghadam, *Modernizing Women: Gender and Social Change in the Middle East* (Boulder and London: Lynne Rienner Publishers, 2013, 3<sup>rd</sup> edn.), from the Preface.