



منظمة المرأة العربية  
ARAB WOMEN ORGANIZATION

# Arab Women & Democracy

Editor

Dr. Haifaa Abu Ghazala



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2013



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"IF WOMEN NEED DEMOCRACY,  
DEMOCRACY ALSO NEEDS WOMEN"

**Editor**

Dr. Haifaa Abou Ghazaleh

Arab Women Organization  
25 Ramses street, Corba, Heliopolis, Cairo, Arab Republic of Egypt  
Tel.: (+202) 24183301/101  
Fax: (+202) 24183110  
email: [info@arabwomenorg.net](mailto:info@arabwomenorg.net)  
web site: [www.arabwomenorg.org](http://www.arabwomenorg.org)

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Design and Production: Hoda Sharkawy  
Layout: Mahmoud Nour  
Cover Design: Safaa Habib  
*Based on a painting by: Ahmed Mostafa*

## Researchers:

Editor: Dr. Haifa Abu Ghazaleh

Preparation: Dr. Haifa Abu Ghazaleh  
Dr. Maya Morsy  
Dr. Dima Melhes

Case Studies:  
Prepared by: Dr. Amany Kandil - Egypt  
Dr. Delinda Al Arcache – Tunisia  
Professor Dr. Haneya Muftah Al Qamaty – Libya  
Professor Dr. Fouad Al Salahi – Yemen

## Review of the report:

Professor Dr. Fadia Kiwan

## Translated from Arabic by:

Amina Abdel Aziz  
Samiha Abou Steit  
Hoda Sharkawy

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## Foreword

The events of what was termed as the Arab Spring – which broke out in 2011 in Tunisia, Egypt then Libya , Yemen and Syria – constituted significant changes in the region with ramifications that are far from over.

These events bear in some of their aspects, the traits of revolutions in terms of cause and effect; on the other hand, they are characterized by the features of constant social uprisings in the context of an improvisational nature, that is not bound to a leadership that manages and directs its course.<sup>1</sup> In past and recent experiences, revolutions usually had organized leaderships with unified - or at least - nearly similar visions, as well as political and intellectual goals. However, this was not what characterized the events of the Arab Spring, where the movements gained a tremendous popular turnout but were without a unified leadership, which consequently made it easy for the organized political forces to reach power.

There is no doubt that the economic factor, and what it entails in terms of weak economies in the Arab Spring countries, in addition to poverty, unemployment and marginalization, played a major role in moving the events of the Arab Spring. It is therefore natural for these events and this historic transformation to have global and regional echoes and repercussions in such an important and dynamic area.

Of course, the great changes witnessed by the world in the field of communication technology, and its tremendous impact on the events of the Arab Spring cannot be disregarded. The ease of communications was a key factor that contributed to facilitating the outbreak of popular movements and protests in the Arab region.

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1 - <http://www.dpp.gov.jo/2012/15.html>

What is remarkable here is that Arab Women strongly contributed to these protest movements, whether through their participation in the mass demonstrations and sit-ins, or through the creation of blogs, Face book pages or across YouTube sites. Convinced that participation in the democratization process is the key means that can represent the interests of women, and result in a rapid and sustainable response to policies, they contributed, through the channels of modern media in enhancing the awareness about the concept of freedom and liberation, defending women's rights and the freedom of opinion and expression. If women need democracy... democracy also needs women.

In the end, it is difficult to predict how the situation in the Arab Spring countries will turn out in the future, but what happened remains a proof that the Arabs have entered a new phase in their history, under the big banner of greater freedom, dignity, an equitable distribution of wealth and of building modern nations that reflect the spirit of the time. Those were the slogans, which the revolutionaries in the streets of the Arab Spring countries raised.

Based on the goals of the Arab Women Organization (AWO) to raise the awareness on Arab women's issues from economic, social, cultural, legal and informational perspectives, and its objectives to create awareness about the important and pivotal role of Arab women as partners in the development process on an equal footing with men, the Organization's efforts should therefore include raising the awareness of women themselves as well as the Arab communities as a whole. Furthermore, the principles and fundamentals of the Strategy of Arab Women stress the importance of ensuring human dignity, justice, freedom and responsibility for both men and women, and their effective participation in formulating the present and the future. AWO has undertaken to issue a periodical report on contemporary women's issues. In the context of the current Arab Revolutions, the path to democracy and the role played by Arab women, represent the most important issues that the Organization deemed necessary to address.

The report, "Arab Women and Democracy" - which deals with the status of women, equality and justice for them in the Arab world - is the first report issued by AWO. It considers that justice is still not within the reach of women in the Arab world, despite the progress achieved in many areas, and that the participation of women, in political and social movements, aiming at achieving democracy and social justice, is not new. However, women's participation in the contemporary Arab revolutions in Tunisia, Egypt, Libya and Yemen were pivotal and qualitative surpassing all expectations.

Although the report includes a case study of some of the Arab Spring countries, yet, only two years after they erupted, it is still early to judge the future prospects of women in the post-revolutions era, especially in the midst of the re-engineering of the social and economic space in the Arab countries, where Arab women have the right to wonder whether the Arab Spring defeated them or championed their cause? What are the repercussions of the Arab Spring on the political and human rights of women following this stage? How will their participation, on equal footing with men, be in the political decision - making in order to change the situation and traditional patterns that dominate the Arab community? What will the ramifications of the Arab Spring be on the social economic and human conditions of women at the national, Arab and international levels? How can the national laws that hinder women's progress in all domains, be amended or annulled without politicizing basic human rights, for personal gain or to improve the image of the ruling regimes internationally as was previously the case in most of the Arab countries.<sup>2</sup>

As the repercussions of the Arab Spring are still in their early stage, and the future, especially for women's rights, is still unclear we hope that it will not be long before women can attain effective participation in public life on an equal footing with men. Many women are experiencing a state of undeclared apprehension from the negative repercussions of the Arab Spring on their human rights. They are also considering how to reduce the negative ramifications of these events on the level of both culture and

2 - <http://alarabiya.net/views/2012/02/04/192429.html>



civilization, internally and externally, and how to benefit as much as possible from its positive aspects for enhancing their human rights, free from discrimination, before these repercussions turn into increased fundamental rights for men only.

PART I  
DEMOCRACY - HUMAN SECURITY

**Dr. Maya Morsy**



## 1. Democracy

As a starting point, when attempting to define the concept of democracy, it is vital to recognize that the concept of democracy has historically and culturally interrelated roots, as its origins date back to ancient Greece. It has undergone some significant (semantic) transformations over time.<sup>1</sup> As has been stated in the academic circles, there is no universal understanding of the meaning of democracy. Thus, if any international consensus exists on what elements are distinctively democratic and what democracy may consequently be, it must be derived from the most important sources of internationally binding laws. The United Nations, being the largest and most comprehensive international legislative system, enables the formulation of a globally agreed-upon framework for this task. However, even in this context, the following remains true and needs to be taken into consideration regarding the methodology applied here." However, there is a methodological difficulty in the search for a commonly agreed upon definition of democracy, as only few texts explicitly define democracy. Instead, 'democracy' is often mentioned alongside other concepts, such as human rights, the rule of law, civil society or good governance, or equality, making it difficult to identify which components are essential to democracy."<sup>2</sup>

These other concepts, amongst many more, will indeed be taken into account in this chapter, as elements either constituting or 'deepening' democracy. The great advantage(s) of deducing what appears to be the widest consensus on democracy, from existing international law and agreements rather than from academic contemplations lie at hand: since either by explicit consent – which is mostly the case – or by obligations

1 - Cf. Buchstein Jorke (2007)- Redefining democracy /in Redefining (volume 11 – LITVerlag – page 200- [http://www.hubertus-buchstein.de/jorke 2007.pdf](http://www.hubertus-buchstein.de/jorke%2007.pdf)

2 - Cf. OPPD (2007)/ Democracy \_revisited.pdf– What is the understanding with regard to the EU External Relations – page 1 – footnote 5. [www.europarl.europa.eu/pdf/oppd/page 1/OPPD](http://www.europarl.europa.eu/pdf/oppd/page%201/OPPD)

under the norms of international law, all nations in the world are compelled to uphold and promote the democratic values and rights which, in the framework of the United Nations and its international agreements and conventions, which were successively ratified – they have pledged to implement and respect.<sup>3</sup> Thus, if it is possible to draw the elements that constitute democracy out of UN documents, it could be stated that this provides a definition of democracy based on “the highest international authority” and which can therefore be hardly rejected by any country in the world.<sup>4</sup>

**Democracy according to the United Nations Democracy Fund (UNDEF) defines “The Elements of Democracy” as :**

- a) Constitutional design and/or reform;
- b) Fair electoral processes on a national as well as on a sub-national level;
- c) Parliamentary practice within national parliament as well as in sub-national councils;
- d) Justice and the rule of law;
- e) Respect of human rights, including freedom of expression and of association;
- f) Civil society participation;
- g) Existence of political parties;
- h) Transparency and access to information;
- i) Accountable executive and public administration on a national and on a decentralized level.<sup>5</sup>

3 - The Preamble of the Charter states that the United Nations "insists" on including conditions that safeguard and respects the commitments stipulated in the treaties and other sources of the international law. <http://www.treaties.un.org/doc/publications/CTC/uncharter.pdf>

4 - CF.OPPD – 20009 - page 5 – This study also attempts to define democracy and its components with the aim of providing the European Union with a term to be used in their external relations" to promote democracy at universal level" – This is a valid trend for the purpose of this research and will be used in some of its parts"

5 - CF. <http://www.un.org/democracyfund/XSituatingDemocracy.htm>

Each of these definitions is followed by a brief delineation of its most crucial aspects. Another listing is offered by the **Office for Promotion of Parliamentary Democracy (OPPD)**:

1. Participation in public affairs without discrimination and the right to vote in elections;
2. Freedoms of expression and opinion, association and assembly;
3. Separation of powers; the role of parliament;
4. The rule of law;
5. The existence of a pluralistic system of political parties and organizations;
6. Transparency and accountability;
7. Free media.

The existence of civil courts and an independent and effective judiciary system was also added to the above.<sup>6</sup>

It is obvious that – though not literally, but in content – both listings are largely congruent and carry the same ideas and concepts. The only slight difference can be noticed in the fact that on the one hand, the OPPD does not explicitly mention a ‘constitutional design’, which may, however, be expected to be contained in ‘the rule of law’ and/or in the ‘separation of powers’. The latter on the other hand is not separately listed by UNDEF, although it may well be included in the ideas of a ‘constitution’, ‘parliament and political parties’ as well as ‘justice and the rule of law’. In doing so, it is worthwhile acknowledging the following before commencing: “[it] is possible to break out democracy into a number of different elements, each of which is a separate sub-culture with separate institutions and substantive capacity, but all of which, taken together, are required for a fully working democratic process. The following decomposition of the elements of democracy includes the recognition that democratic processes occur not only at the national but also at the sub-national level: state and

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6 - CF.OPPD(2009): pp 4, 17-25

provincial. Therefore it can be said that democracy may be broken down into distinctive, but wholly inter-related components.”<sup>7</sup>

Bearing the above in mind, an analysis of the complete picture of democracy with its most distinguished and clear elements may be undertaken. UNDEF was not the only institution that attempted to make a list of the elements of democracy; but also the **Economic and Social Council (ECOSOC)** made an effort at defining democracy. In its fifth session from 27 to 31 March 2006, the Committee of Experts on Public Administration finalized a document providing a “Definition of basic concepts and terminologies in governance and public administration”, among those: democracy.<sup>8</sup> These concepts and terminologies are being specified so “that there can be a common understanding of them throughout the United Nations system. It is acknowledged that often these concepts and terminologies are not applied in a uniform way.”<sup>9</sup>

Therefore, the idea is neither to determine the way they ought to be comprehended once and for all, nor to claim the listing to be complete: instead, “... the discussion of the Committee on this subject will be the beginning of a participatory process in identifying and defining the major concepts and terminologies at the core of governance and public administration.”<sup>10</sup> Interestingly, the commitment to fulfilling this task in a participatory procedure perfectly suits the aim of defining democracy, because, as will turn out below, the concept of participation is a major element of democracy. Drawing on three sources, the document at hand offers a compilation of definitions of democracy rather than a comprehensive and summarizing draft. From the first two sources, it can

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7 - <http://www.un.org/democracyfund/XSituatingDemocracy.htm>

8 - CF. The UN Economic and Social Council - Committee of Experts on Public Administration (2006): Defining the Basic Concepts and Terminologies of Governance and Public Administration. <http://unpan1.un.org/intradoc/groups/public/documents/un/pan022332.pdf>

9 - CF. The UN Economic and Social Council - Committee of Experts on Public Administration (2006):. P.1

10 - CF. The UN Economic and Social Council - Committee of Experts on Public Administration (2006):. P.1

be deduced that democracy is mainly about elections, following which, ideally a governance representing the wishes and interests of the majority of the people, is in power; the exercise of power in turn is limited by institutionalized procedures and constraints.<sup>11</sup>

According to the Committee, the third source strives for “the maximalist definition of democracy as encompassing not only a civilian, constitutional, multiparty regime, with regular, free and fair elections and universal suffrage; but organizational and informational pluralism; extensive civil liberties (freedom of expression, freedom of the press, freedom to form and join organizations); effective power for elected officials; and functional autonomy for legislative, executive and judicial organs of government.”<sup>12</sup>

The last definition adopted by the Committee is admittedly the most comprehensive out of the three, but still – after all the details discovered in the Universal Declaration of Human Rights (UDHR) and the two Covenants which were only explored in a general manner– this still remains far from an all-embracing approach to democracy.<sup>13</sup> The idea of “good governance” includes “sound public sector management (efficiency, effectiveness and economy of employment), accountability, exchange and free flow of information (transparency), and a legal framework for development (justice, respect for human rights and liberties).”<sup>14</sup>

Hence, it focuses “on the following major components namely: legitimacy ...; accountability ...; competence ...; and respect for law and protection of human rights.”<sup>15</sup> All of these concepts are mostly, if not completely, congruent with the section on “democratic governance”: “some consider

11 - CF. The UN Economic and Social Council - Committee of Experts on Public Administration (2006):. P.1

12 - CF. The UN Economic and Social Council - Committee of Experts on Public Administration (2006):. P.1

13 - To learn about the efforts of the UN Democracy Fund, please visit its website: <http://www.un.org/democracyfund/XSituatingDemocracy.htm>

14 - CF. The UN Economic and Social Council - Committee of Experts on Public Administration (2006):. P.4

15 - CF. The UN Economic and Social Council - Committee of Experts on Public Administration (2006):. P.4



*Constitutions define the terms and conditions for democratic engagement, which may periodically require modification or updating. Internal conflicts often represent an attempt to re-negotiate existing constitutional arrangements.*

democracy as a set of values and governance as a process of interaction among three sets of actors, from the state, civil society and the private sector," which implies governance based on fundamental and universally accepted principles, including: participation, accountability, transparency, rule of law, separation of powers, access to information, freedom of affiliation, equality and freedom of the press."<sup>16</sup>

It may be concluded that the concept of good governance is basically the same as the concept of democratic governance.<sup>17</sup>

At this point, another aspect contained in the above quotation on democracy needs to be taken note of. Governance, i.e., the act of governing, is described as a series of processes. This notion is also reflected in the following definition attempted by UNDEF: "...in its essence democracy is the process whereby peoples and nations exercise their right to self-determination by periodically <sup>18</sup> electing their governments." Although this definition does not represent the only trend for the practice of democracy, yet UNDEF repeatedly use this definition, as it considers democracy a 'process-oriented' approach. This is apparent in the wording of their definition of democracy where the term 'process' is employed a myriad of times. Putting it this way is to recognize that any democratic system – no matter how far developed – will always have to remain imperfect so as to be 'truly' democratic, i.e., because – as outlined above at least twice – one of the characteristics of a concept like democracy is that it is not static. It must be concluded that a democratic system totally resistant to change could only be considered as a 'dead democracy'. Otherwise said, a successful democracy will always have to remain in steady transition in order to attain perfection – admitting its imperfection is to allow for its perfectibility.

16 - CF. The UN Economic and Social Council - Committee of Experts on Public Administration (2006):. P.4

17 - In case a government is committed to provide the best services to its people and to take all measures to ensure participation and transparency, it can be questioned whether this government will always be able to politically and economically perform with the effectiveness that the concept of good governance entails? It might be preferable to place these concepts within the economic circles, as it is a known fact that democratic procedures are not necessarily the rules enforced.

18 - CF. <http://www.un.org/democracyfund/XSituatingDemocracy.htm>.

Fortunately, a stable democratic system will be able to provide the institutional means necessary to deal with this fact in an appropriate manner. For its ability to peacefully resolve intra-societal as well as extra-societal conflicts is one of the most valuable qualities of (a) democracy. “Conflict management is a major facet of democratic processes. In this context, the legal system ensures due process in the resolution of conflicts and the upholding of human rights. This is also true for constitutional, civil and criminal law.<sup>19</sup> ” Again the rule of law provides the necessary framework for this endeavor to succeed, even if delicate issues such as constitutional changes are to be addressed: “constitutions define the terms and conditions for democratic engagement, which may periodically require modification or updating. Internal conflicts often represent an attempt to re-negotiate existing constitutional arrangements.”<sup>20</sup>

Figuratively speaking, democracy must be strong as a solid layer of thick glue in order to form a consistent base, but still – at the same time – it needs to maintain its liquidity to be able to adapt to necessary changes and to reshape its internal and external form. It must not be forgotten that such adjustments will evidently often represent a great challenge. In a society where the freedoms of thought and speech are strongly realized, “there will be many conflicting views and interests at any given time. Democracy is after all concerned with providing mechanisms for the peaceful resolution of such disagreements and conflicting interests. By its very nature, this is not always a smooth or a comfortable process.”<sup>21</sup> In other words, democracy may never be comfortable in the sense of being relaxed or overly satisfied with its performance.

Democracy is an incentive for activity mobility, calling upon all citizens,<sup>22</sup> within

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19 - CF. <http://www.un.org/democracyfund/XSituatingDemocracy.htm>.

20 - CF. <http://www.un.org/democracyfund/XSituatingDemocracy.htm>.

21 - CF. <http://www.un.org/democracyfund/XSituatingDemocracy.htm>.

22 - In an ideal situation, the membership of the individuals in the society, should not be linked to their legal status: as all society members should be treated in the same manner, regardless of their legal status, in accordance with the United Nations Charter for Human Rights. However, it is known that full citizenship rights are fully linked to legal rights, meaning the nationality of the citizen. Residence in a country as an expatriate or an emigrant does not give the individual the right to vote or run for elections. This clarifies why countries more democratically advanced can progress even further with respect to the elements of democracy covered by this study.

a given state to actively participate in defining the future of their country. In this respect, participation can only be a process that goes far beyond solely ‘receiving one’s fair share’ of all the returns distributed by the state. In this case, it is a purely passive attitude and the opposite of what has just been described as a crucial pillar of democracy. This concept means being actively involved in public life, without reservation or prejudice, in practically all the issues of society.

This is the core objective of participation in the democratic process. It has already been stated that such a society must be a democratic society. In this instance, the following question can be raised: what are the processes and procedures that must be observed in a state that observes a real democratic system? First, this system should provide a ‘political’ attribute - participation. In a society where several freedoms are granted, such as freedom of thought and expression, as well as the right to peaceful assembly, people –not just the citizens<sup>23</sup>– will exchange their views and thoughts on how a certain issue should be dealt with in their community, region or country.

From this process of interaction, different groups will emerge, according to the views people share. As a result, political will and interests will aggregate within different groups in the civil society. These may be in the form of “non-governmental organizations, professional or private sector institutions, or trade unions, or within families, houses of worship, neighborhood groups, social groups or work groups”<sup>24</sup> or others. These groups will thereafter publicly express the policies they are trying to advocate.

This in turn – if various groups unite – may either lead to the formation of political parties or the adoption by some existing political parties of what is consistent with their ideologies. Ultimately, interest will grow within political parties that will strive to push their programs through the previously mentioned levels of the parliament.

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23 - CF, above footnote

24 - CF- CF. The UN Economic and Social Council - Committee of Experts on Public Administration (2006):. P.9

## 2. Democratic Transition

Although women have played a key role in the extraordinary democratic people's protests and Arab Revolutions, as political organizers and leaders of demonstrations, this high level of participation has not been sustained through the initial phase of the transition. Women have been generally excluded from the highest levels of decision-making during the institutional and reform processes following the protest movements and the revolutions. The transition to democracy is a crucial political process in which already organized groups are better positioned than others to gain power, in a context where women's organizations experience limited resources and autonomy, and women are struggling to take their due place amongst transitional decision-makers. The current democratization process has the potential to elevate their concerns and participation to unprecedented levels in the national decision-making process or, alternatively, it has the potential to see them marginalized and excluded.

In the transitional political phase, the achievement of gender equality and the respect of women's human rights is an essential component for the establishment of good governance. Women's representation is needed at the political levels for social justice: as both strategic and practical thinking are required to tackle on-the-ground issues, such as poverty and unemployment, in order to empower women. Women citizens in democratic systems should benefit in particular by opening public spaces for discussing gender equality and empowerment of women: the "deeper" the democracy, the easier it is for women to attain political, civil, economic and social rights. The gender responsiveness of democratic institutions is measured by the extent through which these provide equal opportunities for men and women to enjoy their anticipated benefits.

A necessary step towards democratic governance is the engendering of a concept of citizenship that provides women with the opportunity to become full and active citizens in all spheres. Effective political and social

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participation will benefit greatly from women as "agents of development" and change, as a pre-requisite to democratic sustainability.<sup>25</sup>

However, the risk for Arab countries is that democratization equally provides opportunities to socially active forces. Well-organized conservative religious groups may experience electoral success, and with it, the potential of a return to economic populism, social conservatism, representing a backlash to the legislative gains women have achieved. Furthermore, the benefits of democracy might be unevenly distributed according to class, race, gender, ethnicity, and regional power imbalances. Given this unequal distribution, ideals of democratic fairness and inclusion cannot be achieved without laws, policies, measures and practices that address inequalities in power relations between women and men. ***There should be a focus on the main obstacles to women's access to the benefits of democracy. These include male and elite biases in the leadership of political parties; the high costs of running for public office that exclude non-elites in general, and often women candidates in particular;*** insufficient engagement by democratic accountability institutions to advance women's rights; traditional attitudes and practices that inhibit women's participation in political, social and economic life; limited media interest in the politics of women's rights; and a weak gender constituency/civil society to demand accountability for gender equality.

Democratic transitions present new and unprecedented opportunities to strengthen women's leadership, empowerment and rights. Around the world, as countries transition to democracy, women have asserted their demands for political freedom, participation, representation, and accountability.

As universal as these goals are, they remain elusive for many women as well as other social groups, such as youth and minorities. Progress has been too slow in increasing numbers of women in representative

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25 - Hassan, Nasr and Morsy – Gender Equality creates Democracy – p97

leadership positions. Women still represent in average just one in five parliamentarians and are poorly represented in local decision-making bodies, whether as mayors or local council members. Political institutions – from political parties to electoral commissions - often lack the capacity to ensure that women's interests are articulated and addressed in public policy. Accountability institutions are not consistent in ensuring that power-holders answer to women for failures to protect women's rights or respond to their needs. When women and their interests are marginalized, the sustainability and benefits of democracies are also threatened.

In view of the considerable contributions that women make to democracy building, UN Women has outlined a set of core standard practices that will contribute to expanding women's capacities to advance their interests, and build public accountability for women's rights. As 'standard operating principles' for democracy assistance and governance reform, they will ensure that women participate in all political processes, that their rights and needs are substantively represented, and that those in power can answer to women.

**The UN Women Standard Operating Principles for Women's Participation in Democratic Transitions are the following: <sup>26</sup>**

**Principle 1:** Promote temporary special measures to enhance women's political participation:

Promote temporary special measures such as quotas, waivers of nomination fees, access to public media, access to public resources, sanctions on non-complying political parties, to increase women's participation as both elected and appointed decision-makers in public institutions. Take measures to address the factors (violence against women, lack of childcare, gender-biased media reporting and lack of campaign financing, lack of identity cards) preventing women from participating in politics.

*Progress has been too slow in increasing numbers of women in representative leadership positions. Women still represent in average just one in five parliamentarians and are poorly represented in local decision-making bodies, whether as mayors or local council members.*

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26 - Formulated and ratified in Cairo – 4 June 2011.

**Principle 2:** Encourage political parties to address gender equality.

Provide all parties with technical assistance to integrate women and gender equality issues into their policies and structures. Promote political party codes of conduct on application of gender equality standards for elections.

**Principle 3:** Support women's civil society organizations to advance women's interests.

Provide assistance to develop collective policy agendas for instance through Women's Charters or by holding National Conventions of Women, at least a year prior to national elections.

**Principle 4:** Build accountability for women's rights in public institutions.

Ensure that constitutional revision processes consider the impact of the design of political, judicial and other public institutions on women's participation and rights. Ensure harmonization with international standards on women's rights. Promote accountability mechanisms and governance reforms that address women's needs such as gender responsive service delivery, budgeting and access to information.

**Principle 5:** Enhance policy-making and oversight capacity of women in public office.

Support women's parliamentary caucuses as well as other parliamentary structures (committees and party caucuses) to address gender equality.

**Principle 6:** Promote Gender Justice.

Build gender responsive transitional justice and justice sector reform to ensure jurisprudence on women's political rights, and promote women as lawyers, judges and paralegals.

### 3. Suggested Framework for Action During Democratic Transitions

- A. Building Strong Women's movements** works on establishing united fronts, on building united coalitions and strong movements (one voice and not fragmented Voices and demands), on developing mechanisms to identify demands and conveying them to the governments like the Women's Charter or the Demand lists that feature the various State's responses to their desired policy changes, such as a Gender Equality Act or a fundamental Bill of Rights or both.
- B. The creation of an Ombudsman's Office**, responsive to Women's Complaints and with strong mechanisms for referral and action.
- C. Focus on Political Representation and Participation, and Gender Equality:**

***Women's movements should work on the following:***

1. The formation of political parties and women's inclusion and representation therein, and gender responsiveness of political parties and institutions.
2. The impact of quotas and other temporary special measures for increasing the representation of women in democracy.
3. The issues pertaining to access to finances for electoral campaigns.
4. The gender responsiveness of the electoral management bodies and processes.
5. Women candidates access to the media during election campaigns;
6. Combating violence against women during election campaigns, addressing intimidation (including domestic coercion) of women voters, and the gender responsiveness of electoral management bodies and processes, as well as related constitutional and legal reforms.



- D. **Gender-Responsive Accountability Systems and Democracy** examine the ways through which accountability systems can better reflect women's concerns: both through reforms in formal accountability systems (judicial and other national oversight mechanisms, constitutional rights for access to information) and mechanisms generated from civil society (citizen report cards, public audits). The connection between deepening democracy and the efforts to ensure that these systems advance women's rights should be explored.
- E. Economic empowerment and social budgeting work towards empowering women economically so that they can play an effective role in the democratization processes. The lack of women's economic empowerment is a loss to the wealth and wellbeing of the nation. Moreover, the vulnerability of women with regard to economic security jeopardizes the citizenship right to formulating principles, policies, and processes that are responsive to the needs of the whole society. Thus, it is crucial to address the mechanisms and schemes that empower women economically from the security and sustainability perspectives. Focus could be directed to topics that range from social gender responsive budgets, which reflect the society's goals and priorities in the budgeting process, to programs that target rescuing women from poverty.

**National Women's Machineries and Gender-sensitive legislations and constitutions:**

The women's movement has to make sure that there is a National Women Machinery at the highest level to act as a focal point between the Civil Society and the State, and it has to be well established and of strong composition. Guidance notes for the Constituent Committee Drafting reflecting women's needs should be developed so that they be included in the constitutional and legal reforms.

As previously stated, the connection between the deepening of democracy and the efforts of these systems to advance women's rights should be explored. Gender equality and respect of women's human rights are the main components for achieving sustainable and good governance in the democratic transition period. Mainstreaming gender in the concept of citizenship allows women to become active partners in all aspects of life and is considered an important step towards good governance. It is evident that women's participation should include all levels of general decision-making, as it is a pre-requisite for sustaining democracy. It is worth noting that women can benefit from the democratic system by opening the door for dialogues discussing gender equality and the empowerment of women, because the deeper the concept of democracy in society, the easier it is for women to attain their political, civil, economic and social rights. The equal opportunities offered by the democratic institutions for both men and women to enjoy the benefits of democracy, reflect the extent of the response of the institutions to the concept of gender.

#### 4- Human Security<sup>27</sup>

Human security is a concept that indicates a new model for understanding the nature of human weakness at a global level and advocates for challenging the traditional concept of national security, arguing that true security relates to the human being and not to the state. Human security has the human being at its core, as a pre-requisite for national, regional and global stability. This concept emerged after the cold war as a multi-dimensional understanding of security, involving multiple areas of research including development and strategic studies, international relations and human rights. It is virtually impossible for any country to ensure the protection of its citizens in the absence of any form of common understanding and international treaties. Human security is a fundamental

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27 - The section relating to human security is based on: Morsy Maya – General Policies and Women's Human Security – Doctoral Thesis - 2008

*The real threat to human security in the next century lies in the uncontrolled population growth, the disparity in economic opportunities, the excessive international migration, the environmental degradation, drugs production and trafficking as well as international terrorism*

and unconventional concept that imposes a new code of ethics upon all of us, through understanding the common threats that confront our lives.

Traditional measures to protect national security fail today, in all parts of the world, to prevent the severe violations of the basic elements of human security. Sovereignty on the land and military power are no longer influential factors when the areas of concern related to human security turn into areas of violent struggles. The failure of the national security theories based on national security perspectives led to the emergence of a pressing need for a new paradigm based on human security. When human security is threatened anywhere in the world, this will by necessity negatively reflect on people worldwide. The indivisibility of human security has an impact on both prosperity and poverty. The real threat to human security in the next century lies in the uncontrolled population growth, the disparity in economic opportunities, the excessive international migration, the environmental degradation, drugs production and trafficking as well as international terrorism.<sup>28</sup>

The agenda of human security addresses the range of threats facing people and their security, which revolves, in fact, around putting "People" as a priority, and improving their combined capacities to protect human rights and to ensure peace and stability which are the initial elements for attaining sustainable human development. Therefore, human security is considered as a necessary response to fundamental changes at the political, economic, social and international environment.<sup>29</sup>

***In this context, human security therefore means protecting basic freedoms through the protection of people who are exposed to threats, critical and harsh situations, building on their strengths and aspirations and determining the systems that give people the basics for earning a living, survival and dignity.*** To achieve this, human security offers two

28 - United Nations Development Programme – Human Development Report – 1994 – Center for Arab Unity Studies – 1994, p. 34

29 - Thirteenth Ordinary Meeting of the General Assembly of Organization of the American States – 4 June 2000 – Windsor, Canada AG/doc.3851/100 April 26,2000.  
<http://www.summit-americas.org/>

general strategies: protection and empowerment. Protection shields people from dangers, and requires concerted efforts to develop standards and procedures as well as institutions that systematically address insecurities; while empowerment helps people develop their potentials and become full participants in decision-making. Human security complements state security, provides for human development, and promotes human rights...<sup>30</sup>

- **Economic Security** requires guaranteeing a basic income for individuals, usually from productive and profitable work, or, as a last resort, from one of the public sector financial safety nets. In this respect, only 25% of the populations of the world are economically secure. While the problem of economic security is more serious in developing countries, yet it is also a problem in developed countries. The problems of unemployment are one of the important factors causing political problems and racial violence. Threats to economic security are restricted to the lack of production and employment for wages, in addition to random employment and the absence of public-sector funded safety nets.
- **Food security** requires that all people at all times have the economic and (physical) ability to receive basic nutrition. According to the United Nations, the problem of food does not lie in its availability, but rather in its poor distribution and in the weak purchasing power. This problem of food was often dealt with at national and international levels, but with limited impact. However, the key issue, according to the United Nations, is to solve problems related to accessing assets and resources, employment and guaranteed income. Food security threats are caused by insufficient food allocations, including the inability to access enough assets, employment and a stable income.

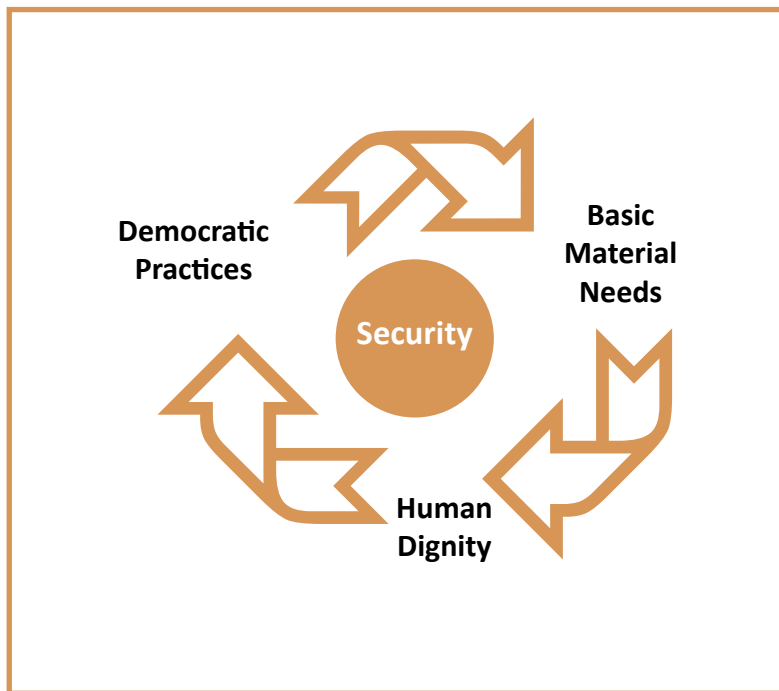
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30 - Human Security Committee – "Human Security Now – Protecting and Empowering People" – New York (Human Security Committee – 2003) p. 11

- **Health security** aims at ensuring a minimum level of protection from disease and providing ways to a healthy life. The main causes of death in developing countries are parasitic and transmissible diseases, which kill about 17 million people annually. However, diseases of the circulatory system are considered the major cause of death in industrial countries. The threats to health security, according to the United Nations, in both developing and industrialized countries, are often greater for the poor in rural areas, especially children, and the main cause for this is malnutrition and the unavailability of medicine, clean water and other necessary conditions needed for health care. Threats to health security are transmissible and parasitic diseases, diseases of the circulatory system and cancer, lack of safe water, air pollution, and inaccessibility to adequate health care.
- **Environmental security** aims to protect people from the short and long-term destruction of nature, from human threats to nature and from the degradation of the natural environment. In developing countries the lack of access to clean water sources is considered the greatest environmental threat; while in industrialized countries, the biggest of these threats are air pollution and global warming caused by greenhouse gases, both being issues of environmental security. Threats to environmental security are shortage of available water, water pollution, and loss of agricultural land, deforestation, desertification, air pollution and natural disasters.
- **Personal security** aims at protecting people from physical violence, whether inflicted by one's own state, by foreign countries, or by ruthless individuals and parties with a semi-official status. It also includes violence from family or adult perpetrators. Threats to personal security, however, consist of violent crimes, drug trafficking, violence and violation of children and women's rights.
- **Societal security** aims at protecting individuals from losing their traditional relationships and values and from sectarian and ethnic violence. Societal security threats consist of family breakdown,

the deterioration of traditional languages and cultures, racial discrimination, sufferings, genocide and ethnic cleansing.

- **Political Security** aims at preserving the basic human rights of individuals and their respect within their communities. It has been proven that human rights violations increase during periods of political unrest, also when in addition governments deliberately impose their control over ideas and information. Political security threats consist of governmental repression and organized violations of human rights, and militarization.



*Figure 1: Human Security*

Freedom from fear and freedom from want are two fundamental words that have become synonymous in the context of the Human Security Network. It is security with a human dimension. Human security asserts the complex relationships and missing links between disarmament on one hand and human rights and development on the other.<sup>31</sup>

**“Freedom is the liberation of the people from ignorance and disease.** It is the freedom of the opportunity to be able to practice a positive, aware and responsible participation.” “The loss of economic freedom nurtures the loss of social freedom, exactly as the loss of social and political freedom for both men and women can lead to and promote the loss of economic freedom.” Work and production is freedom. Access to education and literacy is freedom. Health and access to health care is freedom. Gender equality is freedom. The right and access to information and organization is freedom. The ability to build a society based upon modern infrastructure with all its institutions, policies, legislations and civil organizations, as well as communications networks, research and development and the empowerment of men and women is freedom.<sup>32</sup>

These freedoms are not only the basic and fundamental goals for democracy and development, but also among its principal tools. Political freedoms (in the form of freedoms of expression and elections) contribute to the promotion of economic security; while social opportunities (in the form of educational and health establishments) facilitate economic participation and economic facilities, which in turn (in the form of opportunities to participate in trade and production) will help promote personal opportunities as well as generating public resource for the social institutions.<sup>33</sup>

Providing a wider margin of freedom to accomplish a specific task enhances personal freedom in general, and increases the individual’s chance to earn an acceptable income; both are closely linked to the evaluation of

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31 - [http://www.unidir.org/html/en/human\\_security.html](http://www.unidir.org/html/en/human_security.html)

32 - Amartya Sen, Development is Freedom: Free Institutions and a human being free from ignorance, illness and poverty; translation by Shawki Galal (Kuwait: the Supreme Council for Culture, Arts and Literature. World of Knowledge series, issue no. 303, May 2004) pp 8 - 10

33 - Ibid – p.24

the freedom to build a society.<sup>34</sup> Freedom is not only a basic factor in the evaluation of success and failure, but actually the principal indicator to ‘the initiative and social effectiveness of the individual.’<sup>35</sup> Moreover, freedom increases people’s ability to help themselves, as well as influence the world around them.<sup>36</sup>

There is a need to formulate a new concept of human security that reflects on people's lives and not on the country’s weapons. Human security is being achieved primarily through five crucial steps to be taken to activate the new security concept:

1. A concept for human development that emphasizes justice, continuity and community participation at the grassroots level;
2. Peace to ensure a more comprehensive program of human security;
3. A new partnership between North and South, based on “justice, not charity” ;
4. Ensuring a “fair accessibility to global market opportunities” and economic restructuring;<sup>37</sup>
5. A new framework for global governance based on the reform of international institutions such as the IMF, the World Bank and the United Nations and a greater role for global civil society.

Calling for women’s liberation and empowerment is not adopted solely to help develop the society or to adhere to a set of principles that we should abide by, but because women are humans born with rights that nobody can deprive them of. Women have the right to feel the sense of belonging to their community and their ability to contribute to that community.<sup>38</sup> A given society can neither achieve peace, nor protect the environment,

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34 - Ibid – p31

35 - The effectiveness of the individual considers the individual a member of society and a participant in economic, social and political work.

36 - Amartya Sen. Previous reference – Footnote 2 p.31

37 - <http://www.nd.edu/~krocinst/ocpapers/op19.5>. Kanti Bajpai, Op.Cit.pdf

38 - Leila Takla – Why Women and Why Now – Cairo: (The National Council for Women -2005) p 17



*It is not necessary for a society to be rich to be able to establish democracy, nor for a family to be rich to respect the rights of each and every one of its members. "A nation does not need to be wealthy in order to treat its citizens of both sexes equally."*

human rights, democracy or control population increase, nor achieve social justice unless it adopts a sustainable development scheme that will lead to human security.

What are the advantages that the human security paradigm offers, whether as an analytical tool or in finding solutions to the persisting problems of conflicting and under-developed societies in the beginnings of the 21st century? This model can be regarded as a multi-task tool, the most obvious of which is the ability to shed light on the level of complexity of internal and external conflicts, and the degree of difficulty of the efforts to resolve those problems.<sup>39</sup> It is not necessary for a society to be rich to be able to establish democracy, nor for a family to be rich to respect the rights of each and every one of its members. "A nation does not need to be wealthy in order to treat its citizens of both sexes equally."<sup>40</sup> The level of income alone is not the issue; it is rather the way it is spent. A society might spend its income on weaponry or it may spend it on education.

The characteristics of accountability, particularly if coupled with transparency, can guarantee the legitimacy of the political processes, as accountability "is one of the prerequisites of democratic and good governance."<sup>41</sup> Besides holding society's leaders responsible and accountable, civil society organizations usually perform other 'democratic' tasks as well. "Empowerment" may be one of the important strategies for guaranteeing "human security which means protecting the previously identified vital freedoms", as it "enables individuals to develop their potentials and become full participants in the decision-making process."<sup>42</sup>

The complementary strategy is "protection which shields people from danger. It requires concerted effort to develop norms, processes and

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39 - Dan Henk, "Human Security: Relevance and Implications", Summer 2005, p.100; <http://www.carlisle.army/usawc/Paramaters/05/summer/henq.pdf>

40 - United Nations Development Programme, previous reference, pp. 14-15

41 - ECOSOC Committee of Experts on Public Administration (2006): page 9.

42 - ECOSOC Committee of Experts on Public Administration (2006): page 13-14

institutions that systematically address insecurities”.<sup>43</sup> Ultimately, “human security complements state security, furthers human development and enhances human rights.”<sup>44</sup> This clearly implies that efforts in promoting human security are within the realm of civil society and its organizations that “take on various roles and responsibilities, among them ... popular mobilization, recruiting and training new political leaders”<sup>45</sup>, which are obviously measures of empowerment. Protection is achieved, e.g., by lobbying, advocating and other forms of “interest articulation”, i.e., “supplementing the functions normally performed by political parties”.<sup>46</sup> This way, “civil society is that sphere of action independent of the State”, which may at times even be “capable of stimulating resistance to and change in undemocratic regimes..., generating a democratic transition by altering the balance of power between society and State.”<sup>47</sup> Fighting for democratic rights and values, could lead to seeking “to overthrow the non-democratic regimes.”<sup>48</sup>

All of these activities that strive for more participation involve “capacity development”, i.e., “the process by which individuals, organizations, institutions and societies develop abilities to perform functions, solve problems and set and achieve objectives. These activities should address three inter-related levels: individual, institutional and societal.”<sup>49</sup>

This indicates that widening the scope of participation is not just a grant, given or taken or that happens by chance. It is a learning process that encompasses all entities that, as a whole, constitute an entity, such as organizations or states. Therefore “capacity-building is a continuous long-term, process”.<sup>50</sup>

*Accountability is one of the prerequisites of democratic and good governance*

43 - ECOSOC Committee of Experts on Public Administration (2006): page 13

44 - ECOSOC Committee of Experts on Public Administration (2006): page 14. Note that the idea of human security is reflected as well, e.g., in Article 3 of the UDHR as quoted above

45 - ECOSOC Committee of Experts on Public Administration (2006): page 9.

46 - ECOSOC Committee of Experts on Public Administration (2006): page 9.

47 - ECOSOC Committee of Experts on Public Administration (2006): page 9.

48 - ECOSOC Committee of Experts on Public Administration (2006): page 9.

49 - ECOSOC Committee of Experts on Public Administration (2006): page 7.

50 - ECOSOC Committee of Experts on Public Administration (2006): page 7.

*widening the scope of participation is not just a grant, given or taken or that happens by chance. It is a learning process that encompasses all entities that, as a whole, constitute an entity, such as organizations or states. Therefore “capacity-building is a continuous long-term, process*

The matter definitely requires time to develop “best practices”,<sup>51</sup> necessary for developing means of democratic interactions, understanding how they perform, their dissemination and exchange in order that they can be assimilated by individuals, organizations and the whole society. It can be said that this is the meaning of democratic participation, through which the society’s actors can learn the methods of healthy interaction which benefits the democratic system as a whole and all members of the society and their interests. Many perceive that learning is a continuous process which corresponds with the concept that a "vibrant" democracy should always remain in transition in order to remain democratic. Hence, from an idealistic perspective, it should be a continuous ‘learning’ process; and consequently, it should remain as a continuous process of capacity-building in order to be able to depend on its" social capital."<sup>52</sup>

Of course enhancing participation is not limited to the civil society – as a truly democratic state takes measures to involve citizens in public affairs and their management. For instance (in general, the decentralization is considered a process through which powers, functions, responsibilities and resources are transferred from the central to the local governments and/or other decentralized entities. .”<sup>53</sup> In doing so, democratic participation is doubly increased. On the one hand, it means that the governing structures of the state system will be rendered more inclusive; on the other, it grants civil society the right to express its opinions with regard to public decisions. Consequently, “decentralization is a broad concept that can become both a way of improving the efficiency and effectiveness of

51 - ECOSOC Committee of Experts on Public Administration (2006): pages 12-13 – The Joint UNDP/HIV/AIDS Program which focuses on best practices.indicates that the cumulative knowledge and application of best practices and others from various contexts and situations represent a n ongoing learning , feedback, evaluation and analysis process.. ECOSOC Committee of Experts on Public Administration (2006): page 13

52 - “Social Capital means the social active communications among people; trust, mutual understanding, shared values, a behaviour that brings together members of human networks and among communities, and possible cooperative work” - ECOSOC Committee of Experts on Public Administration (2006): page 14

53 - ECOSOC Committee of Experts on Public Administration (2006): page 8

public services, as well as of promoting the broader values of pluralistic and participatory democracy.”<sup>54</sup> Another way of widening the scope of democracy vertically top-down is through budgets that are gender sensitive and responsive to the needs of the poor. Through this method, citizens are more directly included in the budget formulation, implementation, monitoring, and oversight<sup>55</sup> and consequently mainstreamed in the specific policies that are compatible with the preferred trends in budget formulation. Hence, participatory budgeting can be considered an element of decentralization that can create new methods for enhancing civil society participation in public affairs, such as holding referenda on contested projects or new legislations (international) within regional or national levels.<sup>56</sup> Additionally, democratization processes within institutions run by the state, within civil society organizations or even within the private sector may contribute to establishing and consolidating democracy in the nation at large.<sup>57</sup>

All the procedures outlined in this sub-chapter are procedures that empower and enhance societal participation in decision-making. However, as has already been indicated, there is a need to also emphasize the connection between these measures and the other group of democratic human rights, namely, the economic, social and cultural rights, as these should not be ignored when designing an ‘ideal’ democratic system.

*Another way of widening the scope of democracy vertically top-down is through budgets that are gender sensitive and responsive to the needs of the poor. Through this method, citizens are more directly included in the budget formulation, implementation, monitoring, and oversight*

54 - ECOSOC Committee of Experts on Public Administration (2006): page 8

55 - ECOSOC Committee of Experts on Public Administration (2006): page 12

56 - Germany, for instance, in the past years, carried out several surveys in different areas, with the aim of taking decisions for the protection of non-smokers in public places (in Bavaria), or for building a costly main railway station, that would radically change the internal aspect of the city (in the city of Stuttgart in the region of Bad Wurtemberg), for instance. In the second instance, a mediation by concerned and willing representatives of civil organizations society organizations, the private sector and the local government, took place. There were also referendums that took place in Ireland relating to what is called “ the European Constitution”. This procedure takes place by virtue of a text from the Irish constitution.

57 - For example, institutions, organizations or companies may conduct investigative studies among employees, or organize regular meetings with small groups to agree on strategies and review decisions.

## 5- Human Security as an Umbrella for Protection and Empowerment

The developmental concepts and policies related to women's issues, starting from social welfare to empowerment, have evolved, asserting women's ability to achieve a significant increase in the family's income through their participation in productive activities; hence, leading to "control", meaning having more options and alternatives, increasing their negotiating ability for improving their status and position, and emphasizing the necessity of securing women's access to social safety networks, and the protection of their individual and collective interests. To this end, women should enjoy their full human rights with guarantees for the protection of these rights. The security framework protects women from risk factors and requires coordinated efforts to develop standards and measures and to establish institutions that address women's concerns systematically. On the other hand, empowerment will help women promote their capabilities to fully participate in the process of decision-making.

Human security lays down a framework that comprises the concepts of protection and empowerment, asserts the principles of social justice and freedom, and promotes respect for social, economic, political and citizenship rights, to reach a holistic paradigm: the human security paradigm. In the context of protection, this paradigm necessitates that the state should protect the basic human rights of its citizens as well as their economic needs and interests, psychological, physical and cultural security, without discrimination, through rules of good governance, and enhancing humanitarian work, emphasizing the rule of law, transparency and accountability within state-run institutions. This also requires clarity and transparency regarding the expenditure mechanisms on armament vis-à-vis those of human security needs and respect for citizenship's rights as the bases for implementing the human security paradigm. On the other hand, the empowerment approach means asserting the concepts of participation, awareness, access and control of resources and the ability to influence decision-making and taking.

Respect for women's human rights can be regarded as the core of the two paradigms, protection and empowerment, as these are considered conducive to security and women's human security in general, as previously defined, they constitute the protection of the vital core of human life. This term calls for ensuring human survival, providing the means for decent living and human dignity. Human rights cover economic, political, civil, cultural and social rights, and provide the fundamental elements of human security, such as an ever-lasting feeling of patriotism, strong family and social networks, acceptance of the past and emphasis on the positive understanding of future changes. The state on one hand, and the civil society on the other, are the two key partners in the implementation of this approach that ensure the provision of basic requirements, women's human dignity and rights, expectation of leading a life without being subjected to abject poverty, protecting the fundamental human values, ensuring democratic practice and protecting the society against any social, economic and political threats.

*Respect for women's human rights can be regarded as the core of the two paradigms, protection and empowerment, as these are considered conducive to security and women's human security in general*

## 6. - The Nexus between Democracy and Transition

Reconsidering all that has been discussed in this chapter, the nexus between democracy and transition has, to a certain degree, developed on its course. It has become clear that the term 'transition', in most cases, points in the direction of the other term 'democracy'. This is especially true in most of the background documents speaking of transition – therefore, in this respect, it is evident, that transition processes are always intended to transform states' systems into democracies.

Since "the rule of law" has been found to be the overarching and dominating framework for democracy, it is evident what the term "transitional justice" means, which aims at promoting and enhancing its elements to establish a legal system that respects international human rights norms and standards in a given country. Through this course, "justice" and "peace"

are consolidated within the society , and this ultimately, fosters "human security".

Furthermore, democracy is not only what is called a state system that enhances the desired internal social peace and is better able to resolve conflicts, but it is also supposed to be more inclined towards peace outside its own realm in dealing with other countries that follow different systems. Even if the latter point may well be doubted, it remains unchallenged that the full scale of human rights can only be realized in a truly democratic system. It has become evident that human rights and democratic rights are nearly, if not perfectly congruent, which is why these are understood rather as synonymous more than contradictory. Therefore, the rights constituting democracy are referred to by using the term "democratic human rights".

***For a democracy to maintain its real essence – it must never become static. In other words, once a system – whether through a phase of transitional justice or not – reached a stage that may be considered as truly democratic by achieving an optimum level of democratic human rights, the country's system should always remain in a state of steady transition. This provides the concept of transition with a double meaning regarding the concept of democracy: it is both the way to achieve democracy as well as the way of democracy.***

PART II

MOBILIZING WOMEN  
IN THE DEMOCRATIZATION PROCESS

**Dr. Dima Melhis**





## Introduction:

Over the past years, there was a rapid increase in the number of the politically mobilized women, and this trend coincided with the wave of transformation to democracy. The question that poses itself now is what is the impact of mobilizing women in the democratization process; and how can women's movements benefit from the process of transformation to democracy?

The first argument could be that there is great homogeneity among the different regions and countries when we look at the role that women play in the transition to democracy. Yet, women's role in politics is to promote democracy. Admitting that democracy through elections does not mean democratization per se; that merely holding elections and achieving alternation of authority are not sufficient proof that a country is on its path towards democracy, nevertheless, it is important that women be at a high level of conviction and awareness of the method by which modern democratic governments deal with women's issues. Women need to organize the means through which they can exert pressure on the legislative and executive authorities to pass laws friendly to women. They should also be able to follow up through monitoring the impact of these legislations, and to ensure that the executive authorities and courts of law implement these laws.

Upholding democratic rule requires an environment of holistic and responsive political processes as well as women's empowerment, because integrating the gender concept and women's participation in political life are two basic prerequisites for democratic development, and contribute to good governance.

Ban Ki- Moon in opening the Conference on Reform and Transitions to

Democracy in Lebanon 2012, said that achieving democracy requires four prerequisites:

**First**, that reform must be real and genuine, shifting real power to the people and not a reform giving the appearance of democracy but not its essence.

**Second**, “an inclusive dialogue that involves all parties, and opposing all who try to exploit ethnic and social difference for political gains.”

**Third**, “women must be at the centre of the region's future. Women stood in the streets and squares demanding changes” on the grounds “that they now have a right to sit at the table, exercise real influence in decision-making and governance”.

**Fourth**, “we must heed the voices of the young”, drawing the attention to the fact that the Arab countries have to provide 50 million job opportunities during the next decade to accommodate the youths who will enter the work force.

### First: Democracy needs Women

The international covenants and conventions have contributed to the commitment of several Arab countries to formulate strategies and plans that ensure the support and empowerment of the women’s march. The International Covenant on Civil and Political Rights in 1966 stresses that all peoples have the right to self-determination. The International Conference on Human Rights held in Vienna in 1993 also emphasized that all forms of human rights are directly linked to the rights of citizens to development and democracy. All this contributed to linking human rights to sustainable human development and good governance.<sup>1</sup>

In addition, Article 7 of the Convention on the Elimination of all Forms of Discrimination against Women emphasizes women’s right to participation

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1 - The Second Arab Reform Conference, 13-15 March 2005, Main Working Papers. P.37

in both political and public life, and calls on governments to provide the conditions that enable women's participation. This article also stresses the rights of women to participate in NGOs, and unions concerned with the civil and political life of the country, and requiring states to guarantee this right on equal footing with men. Moreover, the Beijing Platform for Action also stressed this concept, as "it points out to the danger of isolating women and keeping them from participating." Article 181 of the Beijing Platform for Action emphasizes the importance of women's role and the importance of empowering them so that they can carry out their role, attain personal independence and improve their social, economic and political status. All of these factors are essential to the achievement of sustainable development, good governance and management, based on transparency and accountability in all aspects of life.

On the regional level, several initiatives were launched, amongst which, the International Declaration on Democracy in September 1997 which was adopted during the 161st Session of the International Parliamentary Union Council, held in the Egyptian capital, Cairo, and which emphasized the commitment of the International Parliamentary Union to peace and development and its conviction that promoting the democratic process and the parliamentary institutions would greatly contribute to achieving this goal. The International World Declaration on the Process of Reform and Modernization issued by the Arab Summit in May 2004 called for for deepening of " the foundations of democracy and dialogue (Shura) and broaden the scope of participation in political life and decision-making, alongside with the rule of law, equality between citizens and the respect for human rights and freedom of expression". The Alexandria Declaration issued in March 2004 also contributed to defining a framework for political, economic, social and cultural reform. The Sanaa ' Declaration of 11-12 January 2004 on" Democracy, Human rights and the Role of the International Criminal Court", also emphasized the promotion and protection of human rights, including the fundamental rights of peoples to exercise their right to self-determination, to express their views and positions and to adhere to their beliefs, privacy and identity.

*Women's rights should be considered human rights and this necessitates empowering women and improving their social, economic and political status to achieve good governance and sustainable human development in all areas of life; for women must participate equally with men at all levels of decision - making.*

The Algiers Declaration, issued at the conclusion of the 17th Arab Summit held in Algeria 22- 23 March 2005, also emphasized the Arab Initiative and the promotion of democracy and human rights in the Arab world, in addition to enabling women to play their role in society. The Doha Declaration on Democracy and Reform in the Arab World issued in May 2007 at the First Doha Conference stressed that democratization is an inalienable demand and a choice that cannot be delayed. It is no longer acceptable to expropriate the legal and civil rights of the Arab peoples; an expropriation that lasted for a long time under different allegations, while most peoples of the world, including some Islamic countries have accomplished major shifts to democracy. This was also stated in the Report of the UNIFEM Regional Office for the Arab countries on Arab Women's Progress relating to Arab women and human security issued in 2004.

During the last decade, the development concepts evolved from a purely economic to a social perspective which became known as human development and which places people at the core of the development process. According to UNDP, sustainable human development also calls for the protection of the life opportunities for future generations while recognizing that not much can be accomplished without progress in the status of women.

Thus, human development is based on respect and protection of human rights, as well as calling for the respect of basic freedoms, transparency, the rule of law, the independence of the judiciary, the freedom of expression, the free flow of information and the promotion of political participation. These pillars of human development are the foundation of good governance. Good governance is manifest in the administration of the state's affairs and the exercise of political, economic and administrative power. At present, several communities face this challenge through the establishment of a system of government that promotes and supports human development, - in other words - a system of good governance that efficiently manages public resources according to the needs of the community, can effectively achieve democratic rule. The state needs to rely on the public participation

of all segments of society, on accountability, transparency, strengthening civil services, promoting decentralized local government, as well as on developing and supporting the role of the civil society.<sup>2</sup>

**.."This Year can be considered as the Declaration of the Beginning of the Fourth Wave of Democracy, as witnessed by the exciting developments of the Arab Spring. Women effectively participated in this wave, calling for Freedom and Dignity....."**

*From the Statement of Ms. Michelle Bachelet, UN Under-Secretary General, and Executive Director of the UN Women Organization.*

*Roundtable on Democracy and Gender Equality, UN Headquarters, New York – 4 May 2011*

Therefore, the link between human rights, human development and good governance is unbreakable. At the same time, the practice of democracy cannot be taken out of this approach. Moreover, it is an integral part of the process of achieving sustainable human development. However, communities that do not respect human rights can guarantee neither the protection of these rights nor the application of social justice. Hence, the protection of human rights accentuates the formation of a public opinion capable of defending democracy.<sup>3</sup>

Democracy therefore, requires active citizenship, public awareness and the ability to take informed decisions. It is essential for communities that seek to practice democracy and good governance to raise the awareness of the citizens, especially women, youth and children of the rights and duties of active citizenship. A civil education that allows access to information on the legal, political and economic rights is a key element for establishing a gender sensitive community that can practice democracy at all levels,

2 - "Reconceptualizing Governance - Discussion Paper 2" United Nations Development Programme, New York, 1997; p.4

3- The Second Arab Reform Conference, 13-15 March 2005, Main Working Papers; 38-40

*For women to be able to participate in the democratic process, they would have to be active members in the political life (parties and syndicates), in power, in decision making, in the production processes, in the civil society bodies and institutions, in the cultural, media and creative space, and in the regeneration of all intellectual trends.*

and consequently advocating the concepts of human rights and good governance.<sup>4</sup> Women's rights should be considered human rights and this necessitates empowering women and improving their social, economic and political status to achieve good governance and sustainable human development in all areas of life; for women must participate equally with men at all levels of decision - making. Three factors greatly contribute towards women's equal participation with men in the democratic process. These are obtaining their legal rights, accessing sources of information as well as economic empowerment and education. Therefore, to guarantee women's participation at the decision-making level, it is not sufficient to only provide training for political participation, where civil education which provides them access to information on their legal rights, is considered to be a key element in establishing a gender sensitive community, thus advocating the concepts of human rights and good governance.

Dr. Salahi, professor of political sociology, states, in a working paper on the status of women in the Gulf, that women who call for modernization are key factors in bringing about democracy and culture change in the Arab world. Here, democratization and women's rights movements emerge almost simultaneously. These two processes are closely linked and interdependent, as the fate of democracy is tied to the fate of women's rights and vice versa. Separating one from the other would be confusing on the conceptual level and dangerous on the political level, and the consequences could be harsh for women, if the democratic process is launched without strong institutions, well established principles, and with all citizens enjoying their rights. In such cases, a party established on patriarchal principles can assume power in free elections and would then consider women as second-class citizens.

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4 - <http://www.abc.net.au/civics/teach/articles/jdickson/currentsit.htm>

power, in decision making, in the production processes, in the civil society bodies and institutions, in the cultural, media and creative space, and in the regeneration of all intellectual trends. Democracy is not confined to just the ballot. In order to strengthen and consolidate democracy, free and fair elections must be accompanied by efforts to enable all the people, especially women, to participate in all governing processes that affect their lives. Women's political participation increases attainment of tangible gains for democracy including an increased responsiveness to citizens' needs. Women around the world demand their rights to education, security and health care, as they also demand a stronger say in taking the decisions that affect their lives. Empowering women politically will help states to develop their democratic institutions so that they can start to address successfully issues related to security, job opportunities, human rights, development and human welfare. In this context, it could be said that women need democracy to advance, but the opposite is also true, for democracy needs women, if it aims to establish a governmental system that includes and represents everybody.

*Democracy needs women, if it aims to establish a governmental system that includes and represents everybody*

## **1. The Legal Framework**

Guiding Principles and Operating Procedures for Women's Rights to Political Participation.

The issues of women's political participation can be approached through various areas, among which, the protection of human rights, the right to equality and non-discrimination, the right to participation in the executive authority and the right to manage public affairs.

### **A. The right to equality and non-discrimination:**

International law has repeatedly recognized that it is the duty of states to guarantee that women fully exercise their human rights, on equal footing with men and without discrimination.

The binding principles of equality and non-discrimination are the backbone of the international system for the protection of human rights,



such as the UN Charter, CEDAW, the Universal Declaration of Human Rights, the International Humanitarian Law, the Beijing Platform for Action, as well as other regional instruments such as the Charter of the League of Arab States and the Arab Charter for Human Rights. These international and regional instruments promote and affirm women's rights to equality and non-discrimination.

### **B. The right to participation in public and political life:**

The majority of the Arab countries recognize the human rights system and the right of every citizen to participate in public affairs, as a fundamental right, in accordance with the principles of equality and social justice. Among the political rights is the right of women to run for elections and to vote. The right to vote represents women's "passport" to exercise their right to political participation, whether as voters or as candidates. Women's participation in elections constitutes an important aspect of equality as a citizen, and is one of the forms of expression of their will as voters.

General elections offer women a great opportunity to exercise their right in the democratic process. However, until now, the percentage of women holding positions in public life in the region is still very low due to several factors that limit and stand in the way of women exercising their full right to vote and to be nominated for public office.

### **C. Women's Right in public affairs management:**

All Arab countries have recognized women's rights to participate in public affairs and to equality in accessing public services, whether through the human rights international system for protecting them or the regional system for human rights which has been transcribed on the national level in the Arab countries constitutions, specifically that "every woman has the right to recognition and enjoyment of human rights and to the exercise and protection of the human rights and freedoms enshrined in the regional and international human rights instruments".

#### **D. The adoption of temporary special measures:**

The international human rights covenants call for the adoption of temporary special measures to address and offset the ramifications of the past, those ramifications that caused discrimination against certain groups, and to avoid its perpetuation, regardless of the terminology used to describe these measures on the international level (e.g. positive measures, affirmative action, positive discrimination, and "counter-discrimination").

The international organizations for monitoring conventions have reconized the necessity of these measures as a means to ensure actual equality and the enjoyment of rights by all, especially those social groups that were discriminated against in the past. These measures are objective and appropriate means for addressing de facto discrimination; however, these measures must end when objective equality is permanently achieved.

*The manner in which women participate in political parties - and how political parties encourage and foster women's participation- is a main determinant of the scope of women's political empowerment.*

### **2. Women's political empowerment is a must for democracy**

Mainstreaming gender in politics and women's participation therein is a prerequisite for democratic development and contributes to good governance. Political parties are the most important institutions that influence women's political participation, for, in most countries they are responsible for mobilizing candidates, selecting them, and determining the issues to be put on the political agenda. The manner in which women participate in political parties - and how political parties encourage and foster women's participation- is a main determinant of the scope of women's political empowerment.

Women remain marginalized worldwide in the governing structures that decide political and legislative priorities. They occupy only 19% of the elected councils' seats in the world, with an increase over the 16% they had attained in 2005.<sup>5</sup> Women in ministerial positions are less, as they

5 - Inter-Parliamentary Union, Women in Parliament: World and Regional Averages: available at <http://www.ipu.org/wmn-e/world-arc..htm>, 2011

constitute only 16%.<sup>6</sup> Women heads of state or government are even fewer, and have decreased during the past years to less than 5% in 2011.<sup>7</sup> These low figures persist, despite the calls for and the efforts exerted by the international community over three decades to eliminate discrimination and empower women.

In 2000, the UN acknowledged women's pivotal role in development by including women's empowerment as one of the MDGs. Yet, not a single region in the world sufficiently follows the right track to attain the goal of women occupying 30% of decision-making positions, despite some outstanding exceptions, and evident good practices in this area. There are obstacles that still stand in the way of full and equitable participation of women as competitors in the electoral processes. Biases and stereotyped images of the different roles of both sexes are still widely spread in all countries of the world, though, in varying degrees, reflecting on their social, economic and political life.

Studies indicate that the number of women in elected councils is an important and effective issue; for at the very least, the more women there are in elected councils, the higher the probability that this council will address women's issues and that the gender dynamics in the council will change.<sup>8</sup>

### **3. Factors that hinder women's political participation**

There are many social, cultural and political obstacles that hinder women attaining decision making positions. The first is the absence of a definition for women's participation in decision making, the inadequacy of relevant indicators, the lack of economic resources, in addition to the weakness of political life, the absence of the rule of law and the prevailing sectarian,

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6 - Inter-Parliamentary Union, Beijing Goals Still unmet: Press Release, available at: <http://www.ipu.org/press-e/gen336.htm>, 3 March 2010

7 - United Nations Protocol and Liaison Services, Heads of State and Heads of Government, Public list, 9 August 2011

8 - Ballington, Julie, Equality in Politics: A Survey of Women and Men in Parliament, Inter-Parliamentary Union, Geneva, Switzerland, 2008

tribal and clannish norms. Furthermore, the patriarchal mentality towards women is dominant and clearly evident in the educational curricula and in the regression and weakness of the role of the liberal trends.<sup>9</sup>

Moreover, the structural and functional obstacles that women face are created by the social and political systems in the society, as women's political exclusion arises from: A) the social and political discourse; B) the political structures and institutions; and C) The social and cultural constraints. The most prominent factors that affect women's political participation are the following:

#### **A. Ideological factors:**

The patriarchal system presents the domination of men over women's political participation, and classifies individuals into males and females thus creating a gender hierarchy in favor of men. This factor uses the roles of the sexes as an ideological tool in the hands of the patriarchal system, that confines women within the special roles of housewives, mothers and wives, while placing men in the public sphere. This is one of the main factors impeding women's political participation on the international level.

#### **B. Political factors:**

Men's domination over the political sphere, the political parties, as well as on the culture of the official political structures, is among the other factors that hinder women's political participation. Men often dominate political parties on the assumption that these are men's domain, and women are often ignored, unless they are needed, as was the case during the Arab Spring Revolutions where women were called upon to step up the revolution and at the ballot boxes.

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9 - Nael Aboul Fetouh – Women in the Arab World, their Rights and Roles in the Democratic Transition – 2011 – Working Paper submitted to the Regional Conference on the Arab Spring Revolutions.

*The challenge of ensuring gender equality in political participation goes beyond achieving better quantitative ratios between men and women during elections. It is important to support initiatives that aim to increase women's effectiveness in the political sphere before and after the elections, including the adoption of temporary special measures*

### **C. Cultural and Social factors:**

Women find it difficult to participate in political life due to the lack of available time in view of their dual role in the productive and reproductive life, where priority is given to their roles as mothers and wives. These responsibilities do not afford them the time needed for political participation.

### **D. Economic Factors:**

Politics is increasingly in need of the economy, as there is a growing need for money to support political participation. This has had a big impact on women due to their limited access to resources which limits the scope of their political activities

### **4- Lack of social support for women:**

Women often lack the support to assume influential social positions in the community, which could in turn contribute to providing them with social support and an effective electoral base. The lack of this support often leads to their inability to participate in politics.

The challenge of ensuring gender equality in political participation goes beyond achieving better quantitative ratios between men and women during elections. It is important to support initiatives that aim to increase women's effectiveness in the political sphere before and after the elections, including the adoption of temporary special measures, in compliance with article 4 of the CEDAW. Though several countries in the Arab Region, including Jordan, Algeria, Iraq, Morocco and others, have adopted quotas or shares for women, through constitutional amendments, election law reforms or the introduction of equality laws, the number of countries that apply these measures is still low, despite the fact that, on average, quotas lead to an increase in the percentage of women's representation, regardless of the electoral system.

Admitting that the challenge posed by securing gender equality in political participation is bigger than the achievement of better quantitative ratios

between men and women during the election years, it is important, therefore, to promote women's capacity to work as effective legislators after their election.

A number of strategies such as establishing trans- border alliances between political parties on both the parliamentary and local levels can work towards providing the necessary support to the legislation agenda pertaining to policies aiming at gender equality. This can be achieved through establishing parliamentary women blocks, and networks among women local council members as well as by building the capacities of women groups, to analyze legislations from a gender perspective and to formulate strategies for implementation.

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## **Second: Strategies in Support of Women's Political Participation:**

One can review the two most important strategies for supporting women's political participation namely, the quota system and the experience of empowering women through establishing networks for their political support:

### **1-Networks for political support to women:**

Among the most important factors for guaranteeing an effective and constructive participation of women in politics is the establishment of a department for gender equality. For this reason, support is required for initiatives aiming at drawing up plans for gender equality - agreed upon on the national level – by providing technical assistance to women's national machineries to enable them to play a leading role in the governments' efforts for gender mainstreaming. These efforts include formulation of national gender sensitive plans, mainstreaming the gender perspective in the planning and formulation processes of national development strategies, national security plans and environmental policies.

The departments for gender equality represent networks to support women entering into politics. These are to be assisted by NGOs in order to contribute to reinforcing women's interests, implementing policies concerned with gender equality and supervising their implementation, including applying the quota system to the process of selecting candidates. These networks can coordinate the activities of women candidates, acting both as liaison and mobilizer, especially in communicating with women voters during elections. In addition, they can provide support and training to recently- elected members of representative councils as well as those occupying high positions.

## **2- The Road to Real Equality: the Quota System:**

We can identify several areas of progress in women's participation and political representation, and their presence in various authorities as a result of the adoption of special temporary measures. Examples of this progress is the increase in women's representation in the three authorities (executive, legislative and judicial). This was made possible through enacting laws that stipulate either a minimum or a maximum number of women to occupy positions through elections (quota). The main idea of the quota system is to have women appointed in political positions.

There are two main types of quotas, determined according to their place in relation to the process of selecting the candidates: quotas for candidates and voluntary quotas. The first aims to influence the type of available candidates, as it can ensure a definite percentage for women in elections. This type of quota can be allocated through legislation as the law can set a minimum number of women among the candidates. The quota could also be voluntary where a political party or the national lists voluntarily choose to allocate a certain number of women to compete in the elections.<sup>10</sup>

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10 - Ballington, Julie, " Implementing Affirmative Action: Global Trends", IDS Bulletin Special Issue: Quotas: Add Women and Stir? Volume 41, Issue 5, Septembr 2010, pp.11-16.

*In other words, the quota system site indicates two types of gender quotas applied in politics:*<sup>11</sup>

1. **Voluntary:** can be adopted by political parties in a voluntary manner, and should be translated into rules for choosing nominees and/or party systems.
2. **Stipulated by legislation:** whereby the constitution or the legislations regulating elections or political parties stipulate a minimum for women participating as candidates in the elections. In some countries, a quota system for minorities is applied on the basis of regional, ethnic, lingual or religious divisions: i.e. nearly most political systems apply some type of geographical quotas to ensure a minimum representation of heavily populated regions.

**A. The aim of the quota system for women** is based on the principle of allocating a certain number, or a percentage of seats to women, whether on the candidates' lists, political parties, committees or the government. The rationale of this system is for women to reach political positions and that their representation in political life is not merely symbolic. Past concepts pertaining to allocating a certain number of seats to one or a limited number of women are no longer sufficient, as the quota system aims to ensure that women get from 20%, to 30% or 40%, and to ensure that there is real gender balance. In some countries, a quota system is applied as a temporary measure until the removal of all barriers that keep women from entering the realm of politics. The aim of allocating quotas for women is to ensure a tangible increase in women's representation in political life, because the problem that has to be addressed is the low representation of women in many decision-making positions, especially that women often make up 50% of the population of any country, in other words. half the electoral block of both sexes.

11- Drude Dahlerup, Professor of Political Science, Stockholm University, Sweden. "Increasing Women's Political Representation: New Trends in Gender Quotas", in Ballington and Karam, eds. International IDEA, 2005



**B. A general synopsis about the quota in some Arab countries:<sup>12</sup>**

The Arab Human Development Report of 2005 indicates that adopting the quota system for women in representative councils does not contravene - as some may imagine - the principle of equality before the law. Arab women have long suffered from historical injustice through their exclusion from political participation; and through laws formulated in a manner that is conducive to this exclusion. Some legislations deprived women of the right to participate; and when Arab legislators took a step forward towards achieving a seeming equality between the sexes in political participations, this ostensible equality could not save women from the socio- cultural set-up.<sup>13</sup> Therefore, the intervention of the legislator to positively support women through allocating them a quota in representative councils is a conscious undertaking aimed at helping the community repeal the historical injustice afflicting women, thus achieving the principle of equal opportunities, as stipulated in a number of Arab constitutions.<sup>14</sup>

However, while some Arab countries were eager to adopt this measure which entails that a percentage of the parliament or local councils' seats be allocated to women, and have endorsed it through various means and approaches in varying degrees; this measure was not a point of interest to other Arab countries.

*Although most Arab countries are committed to several international conventions and documents such as the CEDAW and the Beijing Documents, the two conventions that emphasize the need to allocate special seats to women on the decision-making level, yet women's presence in Arab parliaments is generally still very low, as several of these countries do not incorporate the quota system in their laws or political parties regulations.*

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12 - <http://www.quotaproject.org/country.cfm>

13 - United Nations Development Programme, Arab Fund for Economic and Social Development, Arab Gulf Programme to Support United Nations Development Organizations: Arab Human Development Report for the year 2005, Towards Empowering Women in the Arab Region, Amman, Jordan, 2006, p. 171

14 - Ibid. United Nations Development Programme, Arab Fund for Economic and Social Development, Arab Gulf Programme to Support United Nations Development Organizations: Arab Human Development Report for the year 2005, Towards Empowering Women in the Arab Region, Amman, Jordan, 2006, p. 171

Hereunder is the percentage of women's representation in the parliaments of some Arab countries and the type of quota applied, according to the statistics of the International Parliamentary Union, December 2012:

Country	Type of quota	Women seats Vs. total seats in the last elections	Percentage of women in parliament
Algeria	Voluntary Quotas adopted by political parties	145 seats of 462	31.38%
Egypt	Quota stipulated by legislation for the House of Representatives. and Shura Council	10 seats of 508	2%
Iraq	Quota prescribed by law for both the House of Representatives and the Shura Council	82 seats of 325	25.2%
Jordan	Quota stipulated by law for both the House of Representative and Senate	15 seats of 140	21%
Lebanon	Complete absence of a quota system	4 seats of 128	3.1%
Morocco	<ul style="list-style-type: none"> <li>Quota stipulated by law for both House of Representative and Shura Council.</li> <li>Voluntary quotas adopted by the political parties.</li> </ul>	34 seats of 395	8.6%
Palestine	<ul style="list-style-type: none"> <li>Quota stipulated by law for both House of Representative and Shura Council</li> <li>Quota stipulated by law on the national level</li> </ul>	17 seats of 132	12.9%
Somalia	Quota stipulated by law for both House of Representatives and Shura Council	37 seats of 546	6.8%
South Sudan	Quota stipulated by law for both the House of Representatives and the Shura Council	88 seats of 332	26.5%
Sudan	Quota stipulated by law for both House of Representatives and the Shura Council	87 seats of 346	25.1%
Tunisia	Quota stipulated by law for both the House of Representatives and the Shura Council	58 seats of 217	26.7%

### C. The Quota System: Pros and Cons:

With the increasing participation of women in political life, calls were made for attempting to establish a mechanism that can contribute to supporting women joining the political domain. The quota system is one of the most important mechanisms resorted to in many countries, which raised several questions, sometimes even strong resistance, based on the assumption that allocation of quotas in elections for the sexes violates the liberal democratic principles; while others consider that the quota system contributes to the democratization process as it ensures women's participation in political councils. Moreover, the quota system contributes to "opening the secret garden of nominations" by rendering the participation process transparent, and giving it an official nature; while noting that there are different kinds of quota systems, as the quota system applied in one country may not be identical with that applied in another. We can highlight some of the aspects of either concurrence or disagreement in the quota system by pointing out to the pros and cons that were identified by many human rights activists. The quota system is a measure of controversy to which agreements and disagreements were attributed, considering that it is used as a means to increase the presence of women in political life. Hereunder is a listing of some of the pros and cons of this system:

Pros	Cons
The quota system is resorted to as a compensation for the actual obstacles that prevent women from gaining their equitable share of political seats.	Quotas violate the equal opportunities principle as it gives women priority over men
Women have a right as citizens to equal representation.	Quotas are an undemocratic system because voters should be able to decide whom they want to elect.
There is a need for women's experience in political life,	Quotas mean electing women because of their sex and not because of their qualifications, thus pushing aside more qualified nominees.
Elections are based on women's representation and not on the basis of academic qualifications.	Many women do not wish to have a seat in parliament merely because they are women.
Women are as equally qualified as men, but in a male-dominated political system, their qualifications are disregarded.	Allocating quotas to women caused disputes within the parties' structure.
<p>The political parties often control the formulation of election's regulations by-laws, but it is the voter decides who gets the highest percentage of electoral votes. Therefore, the quota cannot be considered a violation of the voters' rights.</p> <p>The quota system can contribute to the democratization process by making the nomination process more transparent and official.</p>	Quotas violate the liberal democratic principles, because they sanction discrimination and refute the principle of complete equality between citizens.

*The International Platform for Action of the UN Fourth International Conference on Women, held in the Chinese capital, Beijing, in 1995, had great a impact, as feminist movements in several countries have benefited from this Platform insofar that it urged countries to allocate a percentage for women in all fields of the political life.*

The gender-based elections quotas deal with the principal issues of both the democratic and feminist theories, as the elections quotas have encouraged the political systems to integrate the gender approach in the elections' systems. It has also encouraged several studies and researches around the world to be undertaken, causing a debate between supporters and opponents.

Discourse on the low representation of women started to emerge, in an attempt to discern between the fast course for allocating quotas to women, as opposed to the gradual course. Several of the countries that adopted the gradual course of seats allocation are no longer considered the ideal model, despite the fact that the representation of women in these countries is historically high and out of the ordinary.

The International Platform for Action of the UN Fourth International Conference on Women, held in the Chinese capital, Beijing, in 1995, had great a impact, as feminist movements in several countries have benefited from this Platform insofar that it urged countries to allocate a percentage for women in all fields of the political life. The Beijing Platform for Action represents the new message relating the fast course, despite the cautiousness and controversy of its language. The term quota was deleted from the Beijing Platform for Action, which emphasized that it now represents the new discourse that underscores.. a " mechanism of exceptional measures, through institutional practices, establishing gender balance as a target, and requesting governments and political parties to adopt strategies of positive action." Using elections' quotas for women has spread in many countries around the world; and the number of countries that use various types of quotas for both sexes in public elections has increased. In fact, half the countries around the world use different types of quotas for their parliaments, where women make up 19% of the members of parliaments around the world. Lately, Rwanda and Sweden have become number one in the world with regard to women's representation in parliaments. In Rwanda, it reached 56.3% and in Sweden 47.3%.

Rwanda can be considered a model in applying the elections' quota between sexes as the speedy course towards achieving gender balance in political life.

### **Third: International Organizations' Agenda and Arab Women Political Empowerment**

Since the early nineties of the last century, the West, especially the US, became increasingly interested in the democratization of the Arab Region, and its attention focused on enhancing the civil society, political empowerment of women and political reform. Accordingly, several projects for reform in the Arab region emerged, as well as other projects relating to women.

Several efforts on the international level preceded the Millennium Agenda. In the nineties, the UN held several international conferences, which world leaders attended and during which major issues were debated, such as women's rights to political participation. But taking these issues from their abstract context to real life requires persistent action on the ground.

These conferences issued international declarations and resolution signed by all countries of the world; which paved the way for determining the Millennium Agenda, noting that the outcomes of these conferences are still moving and developing the international agenda, resulting in the formulation of what came to be known as the international community agenda.

Following the September 2001 events, the USA, with funding from the U.S. Congress and the support of the two parties, launched the Middle East Partnership Initiative (MEPI) and announced, through this initiative, five goals for the Region, namely: strengthening the civil society and the rule of law; empowering women and youth; improving and expanding education; encouraging economic reform, and increasing political participation. In order to achieve these goals, the Initiative provided direct

support to NGOs globally in the Middle East and the North Africa region, to educational institutions, to local government institutions and private sector institutions, for the implementation of projects designed to engage directly with and invest in the peoples of the Middle East and the North Africa Regio. According to the MEPI internet site, the Initiative distributed over \$ 50 million dollars as grants for its purposes, in the year 2009 alone.

Thus, the promotion of the rights of women occupied an important place in the U.S. and European efforts to spread democratic reforms in the Middle East. Empowering women became one of the pillars of MEPI, a program through which the Bush Administration promoted reform in the Arab World, and which was developed to link social and political reform to women's rights.<sup>15</sup>

A number of the programs that were dedicated to achieving the other objectives of MEPI, i.e. political reform, education and economic development, paid special attention to women. Furthermore, the UN organized a number of conferences devoted to women's issues, and to this end, allocated millions for women's political empowerment programs in the Arab World.

### **1 - Has the UN made a real difference to women's agenda?**

When things come to a critical stage, the UN remains a very important entity, as it provides women a platform for raising important issues. It has made major contributions to human rights; and regardless of its flaws or shortcomings, there is no other alternative for it until now.

In its endeavors to focus attention on women's rights, the UN declared 1975 the International Year of Women and proclaimed the period from 1976 to 1985 the UN Decade for Women, providing women from all over the world with a forum where they could gather to promote their rights. In 1975, the UN held the First International Conference for Women in Mexico City, which was followed by other international conferences in Copenhagen (1980), Nairobi (1985) and Beijing (1995). In addition, it established a specialized agency solely for women's issues, the UN Women.

15 - A brief Review of the Status of Women in the Gulf 2007 – Dr. Fouad Al Salahi, Associate Professor of Socio-Political Science

More than 15 years have elapsed since the fourth International Conference for Women held in the Chinese capital, Beijing, where the Arab countries adopted new perceptions in development planning for women, signed and approved a number of international instruments that aim at empowering women and eliminating all forms of violence against them, in addition to holding several important conferences and strategies for their advancement, as well as issuing declarations and providing platforms for action that created a new standard for development goals.

The Arab countries adopted development strategies and established timeframes for their implementation. Arab policy-makers formulated and adopted development strategies that call on the civil society to join governments in shouldering the responsibility of implementing the regional, national and local development initiatives. An international consensus followed, that emphasized the need to achieve gender parity and women's empowerment which were agreed upon by most Arab countries by adopting CEDAW, the Cairo Plan for Action, the Beijing Declaration and Platform for Action, the Millennium Declaration, the Millennium Development Goals and others.

The first UN "Arab Human Development Report in 2002" which ranked the Arab Region at a rather low position among the rest of the world in view of the severe deficiency in freedoms and in policies for women's empowerment and knowledge, contributed to attracting the interest of the West in the issue of the legal, political, economic and social rights of women in the Arab World. This Report puts forward the viewpoint that the deficiency in the empowerment of women in the Arab world is not merely a problem of equality or justice; rather it is a principal cause for the under-development of these communities. The Report concluded that investment in women's capacities through their political and economic participation in the Arab societies remains statistically the lowest in the world. This is demonstrated by the low number of women participating in parliaments, governments and in labor markets. Furthermore, the trends towards the "feminization of unemployment" is yet another evidence.



*Arab women's economic participation is the lowest in the world, as it does not exceed 33.3% whereas the international ratio reaches up to 55.6%.*

A report on the Progress of Arab Women - issued in 2004 by UNIFEM on three different levels to promote women's political status, in relation to the achievements and the challenges that face women – refers in particular to the progress achieved in the political field, where women have become active partners in adopting development strategies from a gender perspective. The Report calls for disseminating knowledge based on a gender perspective, and on developing indicators that respond to various objective characteristics resulting from the efforts undertaken to achieve social security for women. The Report emphasizes that despite the progress achieved with regard to the status of Arab women, yet the marginalization of their role on the political level persists because the political field in the Arab countries does not encourage women's participation in political initiatives and dialogue. The Report also calls on the Arab countries to create an enabling environment for policies that safeguard women's security, and to formulate policies from a gender perspective so that Arab women are given the opportunity to participate in the advocacy for applying political reform strategies.

On the other hand, the Arab Human Development Report of 2005 "Towards the Advancement of Women in the Arab World" carried out a scientific comparison of women's participation in political, legislative, economic and educational and other activities through their performance in work and production locations and services in all the Arab communities. The issue was raised from the angle of women's right to education, work, equal pay, taking office in the public and private sectors, and political representation in parliaments, ministries and in state institutions. The authors of the Report saw that the majority of the existing Arab regimes treat women unfairly, clinging to a traditional backward portrayal of women, not believing in their ability to address their issues on their own or in coordinating among themselves.

The statements of the Report fall within the context of the global debate, on-going since the mid-twentieth-century around women's rights and the need for their equality with men, and for opening the way for their

participation in building modern societies founded on equality for all citizens and rejecting discrimination. The research carried out in connection with the Report demonstrated the existence of ideological systems and statutory laws that protect this discrimination in the Arab countries, representing a violation of the established constitutional systems that guarantee, in principle, equality between all people as free citizens, and not as individuals belonging to sects, groups, races or social classes.

On the economic level, the Report notes that Arab women's economic participation is the lowest in the world, as it does not exceed 33.3% whereas the international ratio reaches up to 55.6%. Arab women's participation in relation to men's participation does not exceed 42%, and again this is the lowest in the world as the international ratio is 69%. Women's political participation in the Arab world is still inadequate and limited. The positions occupied by women are marginal, whether in representative councils, government or in political parties. Their role in political decision-making is nearly non-existent. The first UN Women Report "Progress of the Women of the World: Seeking Justice" issued on 6 July 2011 about the status of women, equality and justice, indicates that justice, despite progress, is beyond the reach of millions of women. The Report also notes that millions of women around the world still encounter injustice, violence and inequality at home, at work and in public life, and calls on governments to take speedy measures to ensure real gender equality. It also notes that the last century represented a turning point in the area of women's legal rights, with all countries of the world expanding the volume of women's entitlements. However, these written laws are not reflected in real life for most women. The Report indicates that the constitutions of 139 countries and regions stipulate gender equality; yet, women still face injustice, violence and inequality at home and in practical life.

The various UN reports highlight the role played by international organizations for the advancement of women's rights. Most reports emphasize their role in improving the status of women by leading the process of change and raising the awareness on women's rights around

*The positions occupied by women are marginal, whether in representative councils, government or in political parties. Their role in political decision-making is nearly non-existent.*

*Focusing on women's rights as a means to promote democracy - whether on the part of international, regional or national organizations - in the Arab Region - poses a problem relating to the extent of the influence of these programs on women's empowerment and progress and on advancing the democratic process in the region.*

the world through advocating the equal rights of women enshrined in the Preamble of the UN Charter and in the Universal Declaration of Human Rights which make equality between men and women one of the legal human rights. ***The UN established international criteria for women's rights, and drafted conventions to monitor compliance therewith around the world. In 1979, the Convention on the Elimination of all Forms of Discrimination against Women was adopted. It is an international Convention for women's rights as well as a plan of action for the countries to guarantee these rights, and it was ratified by several countries around the world, of which 20 are Arab countries.***

The UN Reports indicate that the UN Commission on the Status of Women founded in 1946, meets annually to debate issues related to women's rights, and issues recommendations concerning problems that require immediate attention. The Commission promotes international legislation supporting women's rights. The UN has assisted in mobilizing women around the world.

Focusing on women's rights as a means for enhancing democracy in the Arab world, whether on the part of international, regional or national organizations, poses a problem relating to the impact of these programs on the empowerment and advancement of women and on enhancing the democratic process in the region. It also poses another problem relating to the mechanisms that formulate these programs – as these, in most cases - are remote from the needs of women in the region –as it seems that planning for these programs emanate from the priorities of these organizations and not from the priorities of the women in the region. This issue requires that the international organizations should revisit the mechanisms adopted for planning for the priorities of women in the region, which should be formulated based on their needs and not on those of the organizations. This necessitates opening the door wide for an evaluation of the strategies and work plans of these organizations in the future. The question posed now is what was the impact of these international conferences and the hundreds of regional and national meetings organized by the UN on the

status of women in the Arab region? .. Have the economic, political and social rights of women been promoted?

## **2- The Agenda of the Civil Society Organizations:**

### ***A - Civil Society Organizations and the Political Empowerment of Women:***

In the 19th century and the beginnings of the 20th century, feminists movements in the Arab Region focused their demands on the national struggle and liberation from foreign occupation. Then, they participated in the achievement and consolidation of independence, while emphasizing the rights of women to education and work, as well as on issues related to marriage and divorce, and highlighting the importance of women's role, on equal footing with men, in the liberation of the whole society. National planning policies, and the state assuming socio-economic responsibilities, contributed to women attaining their rights to equality in education, work, health care and social security in several Arab countries. Women also gained the same political rights as men in the Arab countries, in compliance with the UN General Assembly Convention on Women's Political Rights adopted in the Fifties.<sup>16</sup>

The impact of the feminist movements varied from one country to the other. Most of them have succeeded in raising awareness on women's issues and on the need to amend the legislations unfair to women. Personal status laws were "among the most important demands, followed by calls for enacting laws that ensure equality between women and men in political and economic life".

In light of the rapid developments in the Arab Region, these organizations have to rearrange their priorities and develop their strategies and work plans accordingly. The present stage requires restructuring strategies and work plans to be in step with the fast moving changes on the ground. The role played by several NGOs during the Arab Revolutions will have an impact when reconsidering the policies and programs of these organizations.

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<sup>16</sup> -Source: Status of Arab Women Report, 2005: Feminist Movements in the Arab World, ESCWA.

Several of the NGOs which followed the agendas of the international funding organizations will review the mechanism for receiving this funding, in order that they, as national organizations, may impose their own agenda, rather than the conditional agendas of the different funding organizations.

NGO's face many challenges, of which the following are among the most important:

- The absence of a comprehensive empowerment strategy and the predominance of strategies that meet pressing needs.
- The weak awareness of these organizations and their executive machineries of the importance of empowerment and its true interpretation; as well as their ability to address all segments of women and grassroots levels, especially rural women.
- The process of building the capacities of women's organizations and transforming them to effective institutions with qualified and trained leaderships.
- The absence of interaction, communication and exchange of experience among various parties with expertise and capabilities that could be beneficial.
- Dealing with the laws that restrict the activities of the organizations; as Arab legislations constrain the work of the organizations in varying degrees.

### ***B. Political Organizations and Parties:***

The social norms that glorified the role of women in the private sphere are still important in the Arab societies, and still create barriers and difficulties that hinder their participation in the public sphere. The World Bank believes that the gender roles and dynamics within the family are shaped by the traditional gender models which often assume that the best contribution of women is within the family and society as housewives and mothers. The World Bank used this model, socially created, to explain the low rate of women's participation in the work force, and in political life or public life in general.

It is observed that in most Arab countries, women have gained their constitutional rights, as well as several other legal rights, especially political rights. However, several social rights and benefits are still beyond the reach of women, except through only one approach, the family.

Despite all the promises carried through the Arab Spring Revolutions, women's share in Arab parliaments in 2011 did not exceed 10.7%, as stated in UN Women's Report. The Report which was published on the International Parliamentary Union website states "that in spite of the beginning of a promising year, the Arab Region was the only one in the world in which not a single parliament attained the minimum of 30% for women". If we compare women's participation between 2011 and 2012, we find a noticeable decline in the percentage of women's participation in several Arab parliaments, including Egypt and Tunisia.

However, the Report notes the fact that some countries established a quota for women, among the "encouraging factors", such as Morocco where women constitute 16.7% of the members of the House of Representatives.

On the other hand, women lost 2 seats in the Tunisian parliament after the October 2011 elections. In Egypt, the parliamentary elections in January 2012 resulted in the decrease of the percentage of women's representation from 12% to 2%.

On the international level, women's share in parliament recorded a slight increase to reach 19.5% on average in 2011, as compared to 19% in 2010, with the Nordic countries leading with an average of 42% .

The Report also notes a "promising start" for Southern Sudan, which came into being in 2011, with a 26.5% women's representation in the Constituent Assembly.

In Jordan, in 2013, women obtained, through the quota system, 15 seats from a total of 150 in the Council of Representatives, in addition to 2 additional seats outside the quota system.

*The Arab Region was the only one in the world in which not a single parliament attained the minimum of 30% for women". If we compare women's participation between 2011 and 2012, we find a noticeable decline in the percentage of women's participation in several Arab parliaments, including Egypt and Tunisia.*

Women's weight as members of political organizations and their presence in decision-making positions varies from one country to another. One can emphatically state that the extent and location of women's presence in the leadership positions in these institutions falls short of the desired level and the representation that women should have .

### **C -The National Women Mechanizms:**

The UN literature defines the institutional machinery for women as "a single institution or a combined system of machineries, usually under different authorities, with governments dealing with them as the institution responsible for the advancement of women". The Beijing Platform for Action gives a more precise definition of the national institutions responsible for the advancement of women's status. It expands the range of responsibilities assigned to them, being the central unit for coordination of policies, indicating that " each country must have a machinery responsible for the advancement of women representing the central unit for policy coordination; its main task being to assist the government to mainstream the perspective of gender equality in all aspects of policy making".

## The National Women Mechanizms in the Arab World

No	Country	The Responsible Mechanizms for Women in the Arab Countries
1	Jordan	The National Committee for Women's Affairs
2	Bahrain	The Supreme Council for Women
3	United Arab Emirates	The Women's Emirate Union
4	Lebanon	The Lebanese Organization for Lebanese women's affairs
5	Palestine	The Ministry for Women's Affairs
6	Tunisia	The Ministry for Women's and Family Affairs
7	Syria	The Syrian Authority for Family Affairs
8	Saudi Arabia	The Ministry of Social Affairs
9	Morocco	The Ministry of Solidarity, Women, Family and Social Development
10	Sudan	The Ministry of Care and Social Security
11	Iraq	The Ministry for Women
12	Egypt	The National Council for Women
13	Kuwait	The National Committee for Women
14	Qatar	The Supreme Council for Family Affairs
15	Oman	The Ministry of Social Development
16	Algeria	The Ministry for Women and Family
17	Yemen	The National Committee for Women
18	Mauritania	The Ministry for Social Affairs Childhood and Family
19	Djibouti	The Ministry for the Advancement of Women and Social Affairs
20	Libya	The Ministry of Social Affairs
21	Somalia	The Ministry of Development and Social Affairs



The Fourth International Conference on Women and its Plan of Action recommended the establishment of national organizations and machineries for women and giving them competency at the level of policies, strategies and planning for their advancement; in addition to working at translating the constitutional gender equality into the institutional, sectoral and legislative policies.

Hence, most Arab countries either established new ministries in charge of women and childhood, or ministries where women's issues were part of their duties, such as the ministry in charge of human rights, or that in charge of political and social development, or established councils or committees for women. In addition to this, a group of countries established units for women in several ministries with the aim of implementing the principle of non-discrimination on the basis of sex, formulating public policies relating to women, reviewing all the laws in force concerning women and proposing alternatives in case they contain gender based discrimination. They can also identify what needs to be further undertaken to implement the Twelve Critical Areas of Concern of the Beijing Platform for Action. Among the most prominent achievements of the machineries for the advancement of women was raising awareness about the CEDAW, and exerting pressures on governments for its adoption, while emphasizing on lifting the reservations that do not contradict with the provisions of the Islamic Sharia'.

Several machineries were established on the regional level that contributed to the exchange of experiences and information among the Arab countries, in addition to the coordination of the different efforts to achieve social justice for women in the Arab countries. The Women's Committee of the League of Arab States which was established in 1971, and the Arab Women's Organization established in 2000 were among the most prominent machineries on the regional level.<sup>17</sup>

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17 - CEDAW + 30 Report: Dr. Haifa Abu Ghazaleh, Unpublished Study - 2011

***D - Proposed mechanisms for women's empowerment institutions:***

To achieve a quantum leap in the effectiveness of women's organizations in their orientation towards the political empowerment of women, these institutions can adopt different mechanisms such as:

- Developing policies and strategies for the advancement of women.
- Supporting vocational capacities and providing various training programs.
- Preparing the national and international CEDAW reports.
- Implementing the plans for gender mainstreaming at different levels and ensuring their continuous implementation.
- Raising women's awareness of their rights and the importance of their effective political participation and encouraging them to participate.
- Conducting intensive contacts with members of parliament and political parties to promote the political participation of women.
- Coordinating, facilitating and following up on the formulation of policies and their implementation to ensure that the perspective of social justice and equality is observed in all the processes of the planning of the national policies and their various programs.
- Adopting sustainable developmental and comprehensive strategies targeting the political capacity building of women.
- Strengthening the presence, effectiveness and the building of partnerships and cooperation with various civilian and governmental parties, and with regional and global institutions concerned with women's issues to activate the political role of women
- Raising the awareness of society of the importance of women's political participation and working towards changing the intellectual patterns based on traditions and customs that restrain and marginalize women.<sup>18</sup>

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18 - Political Empowerment of Arab Women and the Role of Civil Society Organizations –  
Preparation: Sho'ala Shakeeb/Bahrain

*The media is the main platform for marketing and spreading democracy. It is the institution that watches over enlightening the public opinion, which represents the real power in the community.*

**The following are functions that the national machineries for women can work on:**

1. Developing a national strategy for the advancement of women, in cooperation with the different ministries, regularly updating it, and monitoring its implementation.
2. Providing technical support to all government ministries to mainstream the needs of women in their plans and programs.
3. Providing technical support to the ministries in the drawing up of gender-sensitive budgets.
4. Conducting research and studies on the special needs of women, required for gender mainstreaming, and which may be needed by the different ministries.
5. Preparing the international reports on women required by the committees of the international conventions which the country has ratified.
6. Submitting proposals for draft laws and decrees that would ensure equality between men and women and equal opportunities for both sexes.
7. Cooperating with civil society organizations and the media to reflect a positive image of women.
8. Developing a strategy, in coordination with government, civil society and women's organization to eradicate women's illiteracy.
9. Coordinating between the different institutions that work towards the advancement of women on the regional and international levels.<sup>19</sup>

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19 - Dr. Haifa Abu Ghazaleh, Presentation on the Machineries for the Empowerment of Women in the Arab Region, 2013

#### Fourth: Women and their Portrayal in the media:

The media is the main platform for marketing and spreading democracy. It is the institution that watches over enlightening the public opinion, which represents the real power in the community. Effective media produces democracy, influences it and is influenced by it. It is this kind of media that stands on a firm base within the community, to generate a democratic culture and a political mobility, monitor and reveal the truth, stand against corruption, irregularities and the abuse of power and authority, and to rationalize/guide decisions.

The Arab Spring not only surprised the world, it surprised the Arabs themselves including the media and all its channels, as the Arab revolutions and the information and communications technologies came together. The media, especially the social media, played an important and pivotal role in delivering the messages of the youth and women.

Never before, could anyone realize that all this revolutionary accumulation existed on the Arab streets, ready to explode as it did. This Spring became a phenomenon worthy of strategic analysis, and of receiving the attention of the media, through analyses and interpretations relating to the changes that occurred to strongly established social concepts. The local media and the satellite TV channels highlighted the outstanding role of women and their glowing image in making the history of peoples. Thousands of women participated in the Revolutions lately witnessed by the different Arab countries, and which were led by the youth in Tunisia, Egypt, Libya and Yemen, demanding reform and change, and struggling against tyranny and dictatorship. Women were active through the electronic sites and blogs in an attempt to play an effective and positive role in changing and building a new society. Names of women, previously subdued by repression and lack of media freedom, emerged, while others who had struggled over the past years to uphold freedom and democracy in their home countries became more famous.

*Women were active through the electronic sites and blogs in an attempt to play an effective and positive role in changing and building a new society.*

*The social media tools can be part of the instruments of socio-political change in societies.*

## 1. Women as Bloggers:

During the past decade, the Arab media witnessed dramatic transformations, the most prominent of which was the emergence of the internet as a means of interactive communication, allowing individuals, groups and institutions to access and disseminate information in an unprecedented manner. As a result of the great opportunities for communication which the internet availed, its use for media purposes became one of the most prominent contemporary applications, as media institutions, individuals and different groups competed to invest in this important communication resource for disseminating and exchanging information in all its various forms. This created new types of media, the most prominent of which being the so-called electronic journalism or on-line journalism.

The main question posed by researchers, media people and advocates of women's rights is the position of Arab women with regard to all these transformations that are witnessed now by the electronic press in the Arab world. The internet is always considered a tool for empowerment through which women can interact with the information within its media framework, in a simpler and more effective manner than what the present traditional journalism environment offers. Among the means used by women and youths to reach their goals were the social networks, and electronic websites. These were the communications tools they used to express their views. Social sites like Facebook and Twitter succeeded in what the traditional media could not achieve. The recent events in some Arab countries confirm, once more, that the social media tools can be part of the instruments of socio-political change in societies.

Several experiences, that can be categorized under the term of "women as bloggers", emerged: these are networks for monitoring news which recorded and highlighted the experiences of women and men in the Arab Spring countries. Through these experiences, field news were documented, and political news disseminated. These networks, could therefore, in addition to posting pictures, reach the numerous seekers of various news,.

## 2. Women and Social Networks:

Translating women's demands into the policies that protect their rights and grant them real political representation needs time. Furthermore, women's participation in the Arab Spring made Arab women proud, not mentioning its impact on other feminist movements. This is a phenomenon worthy of follow-up, documentation and future analyses, where outstanding and pioneering models of young women and men emerged in the media: female students, activists, media, ordinary housewives, rights' activists, women from syndicates, consultants, legislators of all ages, participated in a dialogue with groups of youths and others from various age groups. They stood out during the numerous debates, and showed a remarkable level of understanding, perception and legal knowledge of the issues of everyday life, and respect for democratic dialogue within a context of differing opinions, attitudes and nationalities.

It can be said that the new media succeeded, in an unprecedented manner, in bringing about a communications revolution owing to the astounding technical development on all levels. The internet World Wide Web opened up unlimited horizons that enable users to be in direct contact with events anywhere in the world. Now social networking sites and blogs, or what has come to be known as the "new media", have become among the most important tools which offer the opportunity to directly experience the events.

Yas Khodeir El Bayati, in his article "The Arab Spring Tsunami and the Facebook Republic" published in February 2012, says that the Arab Youth have found an outlet in blogs, so they wrote; others found it in videos and they all discovered that their concerns were the same. Thus, they met digitally in their new "Virtual Republic", the Facebook Republic. The media language in the social media networking is the normal language of the masses, who on their own, determine and choose the symbols and signals that are identical with those stored by the recipient in the indicative framework (Reservoir of Knowledge). This language was born from and grew within the womb of the tools of mass communication and resulted in

*Outstanding and pioneering models of young women and men of all ages, emerged in the media, showing a remarkable level of understanding, perception and legal knowledge of the issues of everyday life*

a special discourse and language that are inseparable from the social and human time and place. Therefore, it had a broad impact on the streets that receive the message through these means and that were quick to adopt this language and this short and clear message.

### 3. Women and the New Media Register

It can be said that Arab women have succeeded in inscribing their names in the new media register as the Revolution bloggers, and in going along with the change process of the media and its tools, benefitting from the following :<sup>20</sup>

- **The media changed its tools:** the Arab streets were dealing with official media - but in the Arab Spring, it was the masses that spoke.
- **No going back:** it is not easy to go back, but we are going to witness a wave of media extremism. The biggest and main bet is on the alternative media which can be called the new media, which attracted millions, and through which citizens can express themselves without being subjected to the scissors of censorship, and which will play a decisive role, away from the domination of the power of money. However, the question remains, what are the political agendas that could manipulate and dominate this media?
- **Liberation of the Arab Media:** The Arab Revolutions will play a decisive role in liberating the Arab media from the constraints that it endured for decades, but the influence of the revolutions will gradually grow. The freedom of the media is not realized just by removing the imposed constraints. Revolutions can liberate the media but cannot guarantee a truly free media.
- **Removing the constraints:** the revolutions have opened the doors for removing the restrictions, but exercising political freedom requires certain prerequisites, and the same is true for the media. The competition between the traditional media and the new media tends to favor the social media and the citizen journalists.

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20 - The Arab Spring Tsunami and the "Facebook Republic" – Yas Al Bayati – The Gulf Emirates – 27 February 2012

- **Freedom of the Press:** The social media has become the strong means for defending the freedom of the press and public freedoms; and has also become the fifth authority as the traditional media was not able to play its role. Others see that the role of traditional media cannot be cancelled because it still exists in a traditional environment strongly linked to the past and to government control.

### Proposed Measures:

To support and strengthen the role of women in the development of practices and institutional work towards achieving democracy in the society, it is necessary to work on the exchange of experience and best practices. Furthermore, it is important to develop advocacy campaigns to build and support democracy, to forge solidarity among the organizations active in the field of democratic activity, and to increase interaction and communication among the various networks working in the field of democracy on the national level, including those in the area of women's rights and human rights.

#### Among the proposed measures are:

1. The adoption of the necessary legislative, political measures and regulations that can remove the structural obstacles that women face in attaining, on an equal footing with men, decision-making positions, and in achieving an objective participation in the political life of their countries. It is proposed that these measures be implemented on the executive, legislative and judicial levels, locally and nationally, in addition to preparing the required mechanisms, including the monitoring mechanisms needed to ensure full implementation by governmental and non-governmental agencies. The training programs should include the effective governmental and non-governmental agencies responsible for the implementation of these measures.



2. Encourage the legislative, executive and judicial agencies to conduct a comprehensive analysis of all legislations, regulations, practices and public policies that determine the preferential treatment on the basis of sex or which may have a discriminatory impact.
3. Adopt public policies aimed at refuting the concepts of the stereotyped roles of women in society and encourage the elimination of discriminatory social and cultural attitudes that hinder women's access to public life. These public policies should include comprehensive preventive training programs and policies.
4. Analyze the effectiveness of the temporary special measures, and adopt the reforms necessary thereof, whether on the policies or on the implementation levels to ensure their effectiveness. Develop training programs for the agencies in charge of the implementation of these measures.
5. Promote women's participation in the democratic process and enhance their participation in democratic governance and in the design and implementation of policies and programs that promote gender equality and political participation, among political parties, or among social and feminist movements.
6. Initiate incentives for political parties to ensure women's participation on equal basis, such as amending legislations and promoting new public policies in order to remove the barriers that hinder women's participation on the various levels.
7. Identify alternative methods to overcome the economic obstacles that women face, strengthen and expand public financing mechanisms to enhance women's political participation.
8. Take the necessary measure to ensure ending violence against women and for the punishment of the perpetrators in order to completely eliminate it, because violence undermines women's rights to political representation and participation.

9. Promote and support the vocational development of women and provide them with training on basic skills and vocational capacity building activities in order to promote their political participation.
10. Provide incentives to help women reconcile between the demands of their professional and family lives. The incentives should include nurseries and day-care centers for children to enable more women to participate in public life.
11. Adopt positive measures to ensure that women can exercise their right to political participation, voting and running for elected office. Among these measures is improving women's access to polling stations, simplification of the procedures required for participation in the democratic process and conducting campaigns to encourage women's participation in these.
12. Upgrade the capacity of women's organization to carry out awareness raising campaigns, and for the effective mobilization in their electoral constituencies and to draw a clearly defined agenda for women to be implemented by NGOs and women's organizations for enhancing their ability to influence national political dialogues.
13. Train all civil servants on analysis skills for gender equality so that they can design and implement programs that promote equality instead of consolidating the existing differences. That is a very important matter, especially for those working on monitoring and evaluation programs.

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## PART III

# WOMEN AND THE ARAB SPRING

Dr. Haifa Abu Ghazala



## Introduction

Whether it was the American President Barak Obama who first gave the Arab Revolution the name “Arab Spring” or not, is not important; but what is worth noting is that it became the expression or description circulating on the Arab and international scene, especially in the Arab Media when referring to the Arab Revolutions.

Using the term Arab Spring aims no doubt to bar the words revolution or revolutions from spreading and to replace them with the word spring. But, on the other hand, this expression has unintentional positive connotations when using the word Arab because it indicates the existence of an Arab nation.

Despite the multiplicity of terms used to describe the events and developments in the Arab world, whether they be described as revolutions, protest movements, demonstrations demanding democracy, Arab Spring, rebellion or movements, one of these names does not accurately apply - to the same degree- to all of the Arab uprisings as they are different and their nature varies from one country to another. Hence, emerged the difficulty of putting them all under one label; in spite of the undeniable fact that the Arab Revolutions share profound reasons which led to their outbreak, namely the frustration of the people due to the absence of democracy and their deprivation from their fundamental and individual rights, in addition to the deterioration of the living conditions, the growing corruption and the lack of social justice. The expression Arab Spring, despite its seeming neutrality in describing the developments on the Arab scene, entails meanings and connotations that must be noted.

First, the word spring denotes youth and regeneration, which apply to the Arab Revolutions that were stirred more by the youth than any other



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segment; in addition to the optimism and hope that spring symbolizes, which applies to the Arab Revolutions and their expectations as the Arab peoples aspire to turning a new page in their political history, away from the dictatorial regimes which failed to achieve development.

The question that arises now is: does the term “Arab Spring” need to be re-defined? Can the spring turn into a hot summer, then to autumn and winter before it becomes spring again in some of the countries in the region?

Returning to the Arab Spring and the challenges of democratization, we see that the 2002 Arab Human Development Report mentions that the Arab Region, in comparison with other regions in the world, suffers from lack of freedom. The Report states “Though the Arab countries’ constitutions emphasize the political and civil rights of their citizens, those rights are often neglected in practice.

Popular participation in the Arab countries is still weak, because in most cases, real representative democracy is still absent, and freedoms are restricted in other cases. In general, the standards of freedom and the indicators of representation and accountability in the Arab Region rank low in comparison to other regions in the world.

The Report notes that in spite of the differences along the region there are still three basic shortcomings that all Arab States face: lack of freedom, lack of women’s empowerment and lack of knowledge. In discussing the measures of the lack of freedom, the same report states that in the nineties of the last century. the people in the Arab Region were the least in the world to enjoy freedom. A set of indicators for representation and accountability derived from another international data base emphasize this low level of freedom in the Arab Region. This set includes a number of indicators for measuring various aspects of the political process, civil freedoms, political rights and independence of the media. The Arab Region falls at the bottom of the list in the ranking of all regions of the world where freedom of representation and accountability are concerned.<sup>1</sup>

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1 - The Arab Human Development Report – United Nations Development Programme, 2002

The following question poses itself : *has the Report now within the context of Arab Spring proved some of the assumptions that it posed in 2002, amongst which is the lack of freedom in the Arab World, which led to the Arab street Revolutions demanding freedom?*

Issuing the first report on Arab Human Development in 2002 was a decisive event in the attempt to stress and disseminate the previous assumption, not only on the Arab level but also on the international level, to the extent that G. W. Bush junior, following the invasion of Iraq, used this assumption as a major excuse in arguing about the relatively low ranking of the Arab Region on the international level, probably to justify this invasion. Things went as far as that this assumption spread so widely among the Arab intellectuals, that it began to appear as an actual fact indicating a deep-rooted incapability in the Arab community that chronically resisted democracy.<sup>2</sup>

Considering that this stage in several Arab Countries is transitional, several of the issues at hand require constitutional, legal, political, economic and social reforms. This is an opportunity that must be invested by the political will of the peoples in the region to bring about the desired democratic change.

Despite the lack of clarity and complications that came over many of the Arab countries experiencing the Arab Spring, the Arab women endured the labor pains of these changes. They participated in the Revolution and played an important role in all the popular protests. Yet, it seems that women's effective roles are threatened by the risks of marginalization and exclusion during the phase of Arab democratization. Democracy cannot be achieved without equality in all rights and justice for all. Women's role in building the new democratic edifice in the Arab world, which is beginning to take shape, is not because of their struggle for equality and social justice, but also for consolidating the concept of citizenship based on equality and social justice.

2 - Hypothetical Assumptions on the Recent Revolutionary Experience in Tunis and Egypt, Dr. Mohamed Abdel Shafie' Eissa, Professor of International Economic Law – National Institute of Planning.

Through supporting women in many countries in the world, the UN Women was able to identify four key principles to define the presence of women in the process of building a democracy, founded on equality.

***These principles are:***

1. Ensuring fair and true elections for women and also men.
2. Supporting civil society and popular organizations that seek to promote women's priorities and achieve their interests.
3. Establishing methods for accountability as regards respect for women's rights in newly established public institutions.
4. Promoting a number of exceptional measures to enhance women's political participation.

It is only fair that the end result for Arab Women be in line with the great and important role they played in this Spring. The least they deserve is equality, dignity, democracy and justice, the same demands for which the Arab Spring peoples revolted.

**The Arab Spring was not an uprising for “women's rights”, but rather was and still is for defending the rights of all, for democracy, freedom and human dignity, and for creating a healthy political and competitive environment encompassing all components.**

## First: The Arab Spring and the Democratization Challenges:

The issues of “democratic transition” or democratization has been a main issue in political science since the second half of the seventies of the twentieth century and over the past three decades.<sup>3</sup>

The concept of “transition or democratization” indicates in its broadest sense the process or the interaction associated with the transition or change from a non-democratic regime to a democratic form of governing.<sup>4</sup>

The year 2011 represents an important landmark in the modern Arab political history. Since the start of the third wave of democratization in the world in 1989, the Arab Region was the least to undergo changes towards democratic transformation. But the year 2011 was the end of this exception.

Since December 2010 and up to now, several Arab countries witnessed an unprecedented popular turnout demanding political reforms, transparency and the rule of law. One can say that the Arab World is about to write a new page in its history, a page whereby it can transit to what could be named as a democratic threshold; a threshold which represents the first strides towards achieving democracy.

The political and economic challenges are probably the most outstanding challenges that face the transition towards democracy. The political challenges are the promotion of democracy during the transitional period and the accompanying crises and chaos, in establishing democratic institutions that enjoy popular support, and in drawing up a roadmap accepted by the

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3 - For additional information on a number of proposed related concepts and theoretical suggestions, please refer to: Sujun Guo, "Democratic Transition: A Critical Overview", *Issues Studies*, Vol. No. 35, No. 4, (1999), pp 133 – 148; David Collier and Steven Levitsky, "Democracy with Adjectives: Conceptual Innovation in Comparative Research", *World Politics*, Vol.49, No. 3 (April 1997) pp 430-451; Doh Chull Shin, "On the Third Wave of Democratization: A Synthesis and Evaluation of Recent Theory and Research," *World Politics*, Vol. 47, No. 1 (October 1994), pp. 135-170.

4 - Democratic Transition: A Conceptual Framework – Dr. Hassanein Tawfik Ibrahim – 24 January 2013.

*Some consider that achieving democracy means the destruction and the dismantling of the old state's institutions and then to work on restructuring them according to a “new revolutionary” basis, starting with the judiciary, the security apparatus and ending with the military. This process has negative aspects that exceed its positive sides.*

people. The economic challenges are represented in the achievement of economic stability and an economic growth that is characterized by social justice and fairness for all segments of the society.

Countries can adopt a number of measures to address these challenges, the most important being the rewriting of the constitution in compliance with the nature of the new phase. Consequently, it is important that the judicial apparatus undertake the responsibility of reviewing the constitution prior to its submission to a popular referendum, prepare for the electoral process, including allocation of seats for women in parliament, in addition to re-examining the relationship between the different forces such as the security, the military and the new civil authority, for which there is no ready formula. Countries that have gone through this process of change have adopted different methods and mechanisms to absorb these forces within their new democratic systems.

The UNDP Report summarizes the measures to be undertaken by countries in the democratization stage in eleven measures whereby emphasis should be laid on providing institutional structures, achieving national reconciliation between all segments of the society, with the need to involve the youth in the democratization process.<sup>5</sup> It can be said that the democratization process should be based on the inclusion of all the political and social components of the society. The process of drafting the constitution should be participatory with all political, economic, religious and ethnic segments taking part, so that it would be an expression of all. Additionally, there is a need for establishing an independent body to supervise the elections, a constitutional court and other measures which pave the way towards democracy.

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5 - Paths of Democratic Transitions – A Brief Report on International Experiences and Lessons Learned, 5-6 June 2011, United Nations Development Programme.

has negative aspects that exceed its positive sides. Dismantling institutions leads to the destruction of their infrastructure and ultimately to falling into chaos. It is, therefore, essential to take into account the necessity of maintaining the cohesion of the institutional system, and to gradually begin restructuring these institutions and upgrading the qualifications of its cadres in compliance with the democratization process. Establishing a democratic state needs a safe social environment and the mobilization of the efforts and capabilities of all, in addition to being aware and committed to the principles and reconciliations that were absent during the state of turmoil that prevailed following the falling of the regime.

Toppling autocratic regimes does not mean achieving democracy. Many countries around the world brought down autocratic regimes but fell into civil war, joining the category of failed states, or replaced a dictatorship by another. Several of the Latin American, European and African countries, and even the Arab World passed through the early phases of democratization but many of their governments failed to achieve democracy.<sup>6</sup>

The current problems facing most of the Arab countries that changed their ruling regimes are not just a set of problems that need to be addressed and require efforts to be overcome, so that further progress can be achieved and the bases of democracy in society established. Instead, greater efforts have to be jointly carried out by all components of the society so that they can adapt to the nature and quality of the new phase; which itself needs a change of the components of this process. The real test lies in the ability of the political parties and the civil society organizations in these countries to move from the phase of the revolutionary legitimacy to the constitutional and parliamentary legitimacy, in order to be able to face the task of directly representing the people.

In a comment on the events of Tuesday 15 November 2010, Paul Salem says that in the field of political science, a good deal of literature emerged, specialized in examining the different experiences in democratic transi-

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6 - The Revolution and the Complexities of the Democratic Transition – Radwa Ammar – Al Ahram Newspapers – October 2010

tions in North and South America, in Eastern and Southern Europe, in Asia and in Africa, which attempted to find out the points of similarity and to draw lessons therefrom. However, this literature reconfirmed that no two experiences were identical in the democratization process, and that there were no ready-made models to be exported from one country to another. Each society must find its own way to face the political challenges and to devise compromises and institutions that best suit its special circumstances. He goes on to say that it is no doubt beneficial to explore and examine the broad field of the democratization processes; and that probably in the folds of political science, there is what could be offered to the world of realpolitik.

***The issue of transition to democracy has been dealt with by several thinkers from which the following thoughts and remarks can be drawn:***<sup>7</sup>

**First:** defeating an autocratic regime does not mean attaining democracy. Several countries around the world brought down autocratic regimes but fell into civil war, joined the list of failed countries or replaced a dictatorship by another. Such danger now threatens several of the Arab Spring countries; for democracy is not achieved by the mere absence of autocratic regimes. Rather, it lies in establishing a set of political institutions, enhanced by an open pluralistic society, a vibrant civil society, a strong judicial power, a free media as well as other fundamental elements.

**Second:** by reviewing international experiences, we find that even if democracy is established, it does not mean having the power to safeguard this democracy and ensure its stability. The conditions that lead to democracy are not the same as those that guarantee its survival in the long term. Democracy needs at least one full generation to stabilize. Moreover it requires continuous attention and development to guarantee that it will remain lively and dynamic; because democracy is not an end in itself, but it is continuous persistent work. Thus, we can not say that a society can shift to democracy by taking the democracy pill from the revolution pharmacy;

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7 - Paul Salem – Arab Spring and Experiences in Democratic Transitions around the World – Londoner Life - 2011

it requires much more than this. The strengthening of the institutions of democracy and the enlightenment of the community are the beginning of the road to achieve it; and this needs the awareness and efforts of all members of society.

## Second: Paving the Way to Democracy:

This transitional stage in the Arab Countries gains more importance in this crucial time, in view of its importance for paving the way to democracy, away from the culture of revenge and retaliation, and in view of its ability to protect communities against repeated major human rights violations and the cruel experiences of tyranny. This transitional period is connected to the transition from one phase to another, whether it relates to transition from war to peace, or from a totalitarian and despotic environment to democratic practice. It is a way of overcoming all past grudges, in all their political, economic and social dimensions from which the state and the community had suffered. This transitional period is also considered an important landmark for getting rid of the negative accumulations which the country had endured in a manner that contributes to a gradual transition towards democracy, on strong bases of tolerance, reconciliation, legality, plurality and stability within the society. It is also important that it contributes to moving on from an environment of oppression, totalitarianism and despotism to a democratic environment, whereby the institutionalization of state, the respect for human rights and freedoms of individual and groups are consolidated.

King Abdullah the Second of Jordan, in a lecture delivered in the Arab British Chamber of Commerce in 2011, affirms that the Middle East is witnessing historic changes, and that each country in the Region has its own special distinctive path; but what best describes these paths falls under one name the Arab Spring: a season of transformation, growth, turmoil and hope. There are four gateways to the Arab future: the gateway of dignity, the gateway of availability of opportunities, the gateway of democracy,

*"There are four gateways to the Arab future: the gateway of dignity, the gateway of availability of opportunities, the gateway of democracy, and lastly, the gateway of peace and justice; all of which cannot be separated from one another. Our Region cannot achieve its full potential unless all these elements are, without exception, attained."*  
King Abdallah the Second of Jordan.



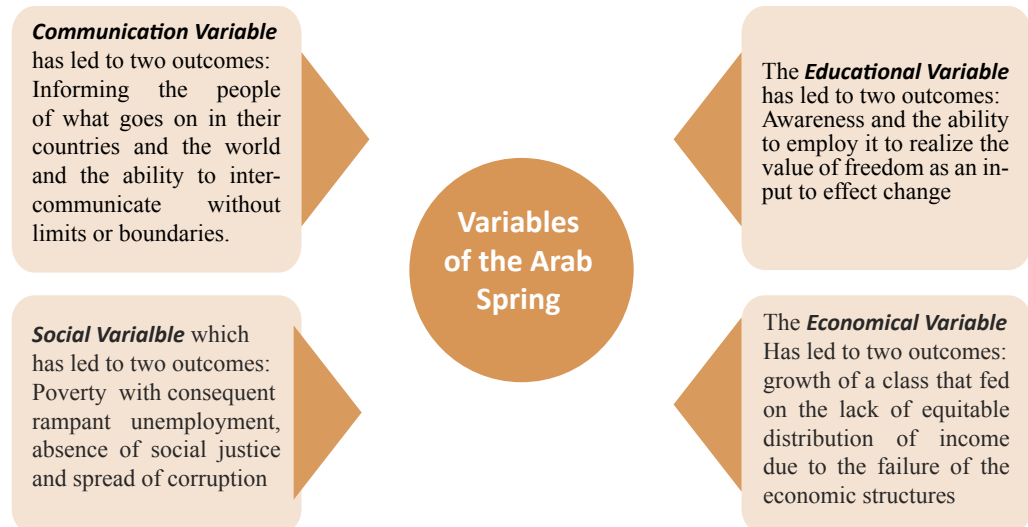
*On the World International Day for Democracy: "Allow us to multiply our efforts to support everyone, particularly youth. This year witnessed several important events that made democracy a tangible reality. This day belongs to them. Let us honour our commitments to them during the long journey towards democracy."*

*"UN Secretary-General Ban-Ki Moon"*

and lastly, the gateway of peace and justice; all of which cannot be separated from one another. Our Region cannot achieve its full potential unless all these elements are, without exception, attained.<sup>8</sup>

The Arab Spring had no doubt its various causes which were dealt with in many articles and studies, whether on the Arab or the international levels. It is no secret that this event, which was classified as what became known as the Arab Revolution, the Arab Spring or the Region's Tsunami, had similar justifications, as the articles and studies that dealt with this subject all agreed that the reasons in most, if not all, Arab countries, are similar. These are a mixture of injustice, despotism, disrespect for human dignity, absence of freedom, poverty, rampant unemployment and the absence of social justice.

The following represent the different variables that contributed to the outbreak of the Arab Spring:



8 - King Abdullah The Second – Lecture in the Arab-British Chamber of Commerce, 2011

The Arab Spring, which struck as a hurricane without warning, surprised not only the Arab countries but the whole world as well. It is true that when the people started to rebel they did not have a clear agenda, but just some economic demands related to social justice. None of the youth who spread themselves on the ground for days and months ever dreamt that they would have the power to change regimes that had ruled for ages.

The Arab youth who rose up in many countries had many dreams, the biggest of which was to build a modern democratic state based on new foundations and checks, the most important of which are social justice and equal opportunities. When the Arab youths demolished the wall of fear from their hearts, they removed with it a wall of despotic and oppressive practices which had prevailed for decades. Yet, despite the great enthusiasm and optimism that the Arab Spring brought to the countries that it reached, dark shadows of doubt are still hovering around the projects of the victorious revolutions; for bringing down a president does not necessarily mean a definitive break with his regime and institutions. Bringing down institutions, whether, security, administrative or civil, means bringing down the pillars that support the state; as toppling a regime completely does not necessarily lead to the birth of a fully complete new regime.

Democracy is a means and not an end in itself. It is a means to attain social justice, and to realize a clearly defined socio-economic political program that can achieve development and progress. A democracy that does not translate into effective programs and strategic developmental policies is merely meaningless ideologies and slogans.<sup>9</sup>

It is no secret that the Islamists and their nationalist and leftist peers had been waiting for years, rather for decades, for the moment of change in the Arab World; and although the Islamists were the more widespread, organized and influential in the Arab streets; yet, the Arab Revolutions and the resulting transformation were not the product of the movement of a single orientation, neither were they under the compelling influence of a single

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9 - Democracy After the Arab Spring – The Concept and its Assimilation – Madar Riad Al Dibs  
–Arab International Network- 2013

*Some consider that the elections mechanisms and party pluralism are the ideal means to achieve democracy. These views are very foggy, as democracy cannot be reduced to just elections mechanisms that allow access to power.*

power. Rather, they were the outcome of countless forces and were liable to be influenced by several political and popular forces which cannot be controlled by one single power.

**The present indicators associated with the Arab Spring transformations, so far, confirm that the democratic project faces many obstacles that can influence the realization of the required political, social and economic stability.** For, behind the democratic demands, lies a serious struggle, the features of which are looming in the horizon and are linked to the issues of institutional terms of reference of the expected and promised democratic practice.

There is a dangerous struggle that can void the democratic practice of its content, as there are many parties who see democracy only as a means of achieving their own ends, and who do not believe in the true values which democracy symbolizes; for who believe in democracy cannot defend a social project that is at odds with it.

Some consider that the elections mechanisms and party pluralism are the ideal means to achieve democracy. These views are very foggy, as democracy cannot be reduced to just elections mechanisms that allow access to power. People with special agendas can reproduce domination and exclusion mechanisms at the level of power. Partnership in running the state and the community is one of the great benefits of the democratic project, without which, democracy completely becomes just a bridge, the validity of which expires once power has been attained. It is, therefore, incumbent on the political and intellectual elite who lead of the new democratization process to exercise great caution and alertness so that the people in the Arab Spring countries do not find themselves facing serious relapses that could undermine the democratic project in its entirety.

Moreover, it is important to know how to move towards the transition process. At times, change appears to be due to a decision from within the system, and the process of change may be smoother and more sustainable, as it is the system itself that offers the change and guarantees that the process moves forward instead of resisting it. This was when some Arab leaders resorted to the adoption of a reform movement and its implementation because they listened to the voice of their people, and embarked on a reform program. An example of this is the special case of Mohammed the Sixth, King of Morocco, who realized that proceeding towards a constitutional monarchy is the direction of history's movements and took important steps. First, he established six years ago the Justice and Reconciliation Committee that was mandated to examine the files of the grave human rights violations during the reign of his father, the late El Hassan the Second.

The second step was when he introduced new constitutional amendments that took away some of his powers to change the country from an absolute to a constitutional monarchy. Prior to this he had announced on the 60th anniversary of the Universal Declaration on Human Rights, the lifting of Morocco's reservations on CEDAW. He also established a national committee to draft a new family code that consecrates equality in rights and duties between spouses. Another example is that of King Abdullah the Second of Jordan who introduced constitutional amendments to bring about a quantum leap in the political life of the country. In these amendments, he stressed the flexible separation of powers, the avoidance of one power overpowering the other, and the expansion of the public freedoms and citizens' rights issues. He also established the constitutional court and an independent body to supervise the parliamentary elections. With these voluntary changes, both King Abdullah the Second and King Mohamed the Sixth gave a new meaning to the Arab Spring, away from violence and radical changes to the regimes.

*Mohammed VI, King of Morocco, introduced new constitutional amendments that took away some of his powers to change the country from an absolute to a constitutional monarchy.*

10 - "They Discovered that the –Arab Spring – is not – a Revolution "– Jawwad Al Bisheeny – 2011 – The Jordanian Dostoor (Constitution) Newspapers.

The list of tasks that the new democratic regimes have to accomplish depends to a great extent on the circumstances that prevailed during the past regimes. If the state institutions and social establishments are strong, developed and with a high institutional capacity, the tasks are fewer. But, if the society and the state are weak, backward or even dilapidated as a result of the management of the previous regimes, the tasks become broader and more difficult. Naturally, in the latter case the stability of democracy is uncertain, the chances for the failure of the democratic experiment become bigger, and the return of despotism under a completely different leadership very probable.

### Third: The Democratization Process

The experiences of different countries in the world can offer lessons learned to the Arab Spring countries, relating to either the nature of the authority that manages this process or to its type. The nature and identity of the transitional authority are also of great importance. It is not a matter of it being civil or military (although the military authority possesses the means to preserve authoritative practices more than the new civil figures). It rather depends on the decisions and choices made by those in the new power.

The principal task of the transitional authority is to manage the process from the moment the old regime comes to an end until the rise of the newly elected officials, in the case where the state and the community remain cohesive. In such case, all that is needed is the removal of the old president, the amendment of the constitution and the election of a new president and a new parliament. These tasks seem relatively easy. But, in the cases where the state collapses and the society institutions and the economy are destroyed (or if those institutions were initially not really developed) then the task becomes immeasurably more difficult.

At any rate, the key elements in the transition process are still to agree on a new constitution and to establish new elected authorities. In other words, there is neither a single defined prescription for transition to democracy nor a set time limit to reach this stage, as it is not an experiment that ends when you reach the shore of a democratic society; for understanding the transitional stage represents an important step on the road that leads to it. One could say that the transition period to a democratic regime is one of the most delicate stages that a society faces. All forms of the different organizations and entities should start by reviewing their agendas and priorities during the transitional period; as, during this period, new types of relationships shall emerge, relations dominated by deliberations and discussions between the citizens, the officials and the transitional government, in addition to the emergence of many political parties and various formations. We, therefore, find it difficult to come up with a democratic mechanism for the democratization process of the transition phase, as this process needs time to mature.

There is much debate around when does "transition" begin, and when does it end? Does it begin when the old regime is overthrown and does it end when the first free and fair elections are held? Or does transition begin with the fall of the ruling regime and end when democracy is stabilized? It is important to note that the transitional period includes major events such as writing a new constitution, holding free and fair elections, enhancing the capacity of the elected councils and officials, as well as for the society to reach a new balance and to become integrated with its new democratic institutions.

The transition process is but a flash in history, but building a strong and sustainable democracy is the task of generations. The success of the transition process can determine the success or the failure of the new born democracy; for the decisions made at that stage will cast long shadows on the future generations.

The bottom line is that there are no ready models that can be exported from one country to another. Each society must find its own way to face the

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challenges and to improvise conciliations and establish institutions that best suit its specific conditions.

***The question now is: does the overthrow of the regimes in some Arab countries mean that democracy has been ensured?*** No, it does not mean that. The Arab Spring has provided the new leadership with great potentials to build institutions and to offer to their citizens real opportunities to build a productive economy; however, any failure will probably bring radical regimes to take over power. The outcomes of the Arab Spring are still unclear. The governments, civil society and donor countries still need new strategies to bridge the gap between the existing authorities and the required development.

#### **Fourth: Democratic Waves and the Arab World**

In the past decades, democracy broke out in different parts of the world but not in the Arab World. Of course, no country is similar to another, and each stage of transition to democracy has its unique circumstances. There are no “models” to be exported or courses to be “emulated”. But, isn't there something to be learned by reviewing the international experiences of the democratic transitions? And by examining where countries succeeded and where they failed and which circumstances eased the process of democratization and which hindered it. **Democracy has spread around the modern world in waves, but the Arab World remained beyond its reach.**<sup>11</sup>

Huntington sees that the world has passed through three waves of democracy. The first lasted from 1828-1926; the second from 1943 -1964. Each wave followed by a democratic relapse that shrunk the number of countries which had actually joined the democratic camp. However, on the whole, the number of democracies that resulted from each wave exceeded the number of democracies that existed before its beginning.

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11 - The Arab Spring from a Scientific Perspective: Deductions on Democratic Transformations in other Parts of the World – Paul Salem, commenting on the events of Tuesday 15 November 2011.

**The first wave** broke out following the American and French Revolutions. This wave launched a stage of democratization in Europe and the Americas in the nineteenth century, especially after “the European Spring” in 1848. This wave brought down centuries of monarchies that were armed with a conservative religious and social ideology. Prior to 1922, there were 29 democratic countries in the world, but this wave receded due to the rise of communism and the fascist movements which argued that there was a need for parties of the elite or the military leadership to transform the society to a better future. Prior to 1942, only 12 democratic countries remained.

**The second wave** of democracy emerged following World War II and witnessed once again the outspread of democracy in Western Europe, and democracy reaching Japan, India and some of the countries newly independent from foreign occupation. And so, once again the number of democratic countries rose to reach 36.

**The third wave** of democratization started in the early seventies with the process of democracy spreading to Southern Europe (Spain, Portugal and Greece); and on to Brazil, and thereafter to other countries in Central and South America; thus, the number of democratic countries jumped to sixty countries.<sup>12</sup>

This was followed by a **fourth** and wider spread **wave**, with its impact shaking the Soviet Union, and bringing down the Berlin Wall 1989. And thus, within a few years, almost all of Eastern and Central Europe had converted to democracy, including, not only Russia, but also China itself was shaken by widely spread democratic protests in Tiananmen Square. In addition, several of the Sub-Sahara African countries brought down their despotic rulers and turned towards democracy.

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12 - Huntington, Samuel P. (1991): *The third Wave of Democratization in the Late Twentieth Century*, Oklahoma, P. 17.



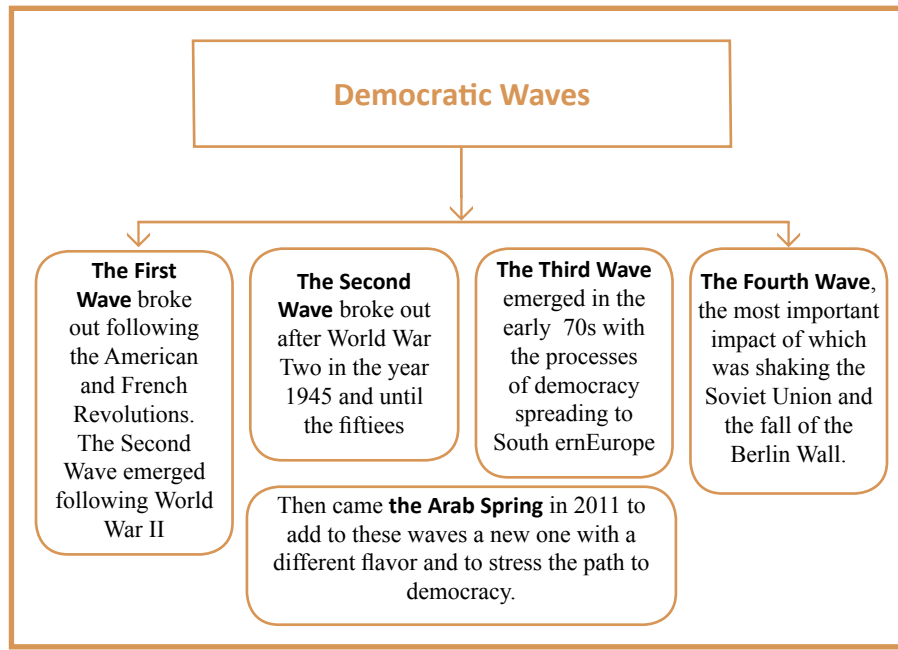
At the outset of the twenty-first century, the fourth wave seemed to waver when Russia started to reverse back to despotism; and when China demonstrated that the one-party rule can continue and even build a strong economy. Moreover, several of the democratic governments in Africa and other parts of the world proved to be corrupt and unable to realize social justice. In addition, the September 11 events pushed the world and the Arab Region into the turmoil of an extremist armed conflict.<sup>13</sup>

**The Wave of Arab Uprising:** In 2011, came the Arab Spring to add to these waves a new wave with a different flavour, underscoring the path to democracy, and demonstrating that the struggle for political and social rights is not a new invention; rather, it is part of a normal behavior in human history. Furthermore, the Arab Spring placed the Arab World anew in the steering cabin of the civil development of humanity, after decades of marginalization. Thus, 2011 can be considered the declaration of the beginning of the “Fifth Wave” of democracy.<sup>14</sup>

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13 - Paul Salem – Arab Spring and Experiences of Democratic Transitions in the World – London Life -2011

14 - Dr. Haifa Abu Ghazaleh – Democracy and the Arab Spring – An Article published in the Al Ghad (Tomorrow) Jordanian Newspapers, 2013



Ekmeleddin İhsanoğlu, Secretary-General of the Islamic Conference Organization, said in an interview published in the Turkish Paper Hurreyat in July 2011 that the hopes arising from the Arab Spring may be at odds with the youths' aspirations sweeping the Region towards change. The present uprisings -termed the Arab Spring - cannot be considered as only spring, because spring is connected to one season only, whereas the present changes will witness seasons of summer and winter. What is happening indicates that this Region will be very different in the future as it is impossible to live outside the context of history. He added that the transformations will take a long time and will be painful; and considers that what happened in Eastern Europe, the Balkans, Central and South Asia which moved to democracy confirms that the wave now has landed in the Middle East. He went on to say there are now 6 African countries including Senegal and the Niger which were dictatorships and are now moving on to a democratic environment.

*The attempt to found a Palestinian State by submitting a request to the UN on 23 September 2011 was inspired by the Arab Spring, following years and years of failed negotiations with Israel., which succeeded at the end of 2012 with Palestine gaining the status of Observer Member at the UN.*

### **Fifth: The Impact of the Arab Spring on the International Level.**

The Regional disruptions were not confined to the Arab countries only. The success of these uprisings motivated several peoples around the world to take to the streets and push for reform. These emerged in the Caucasus, neighboring Armenia, Azerbaijan and Georgia, in addition to some European countries including Albania, Croatia, Spain, Rome, the greater Sub-Sahara African countries including Burkina Faso, Djibouti, Uganda, to other parts of Asia including the Maldives and the People's Republic of China. The Arab Spring Countries inspired the demonstrators and the opposing figures to organize popular protests.

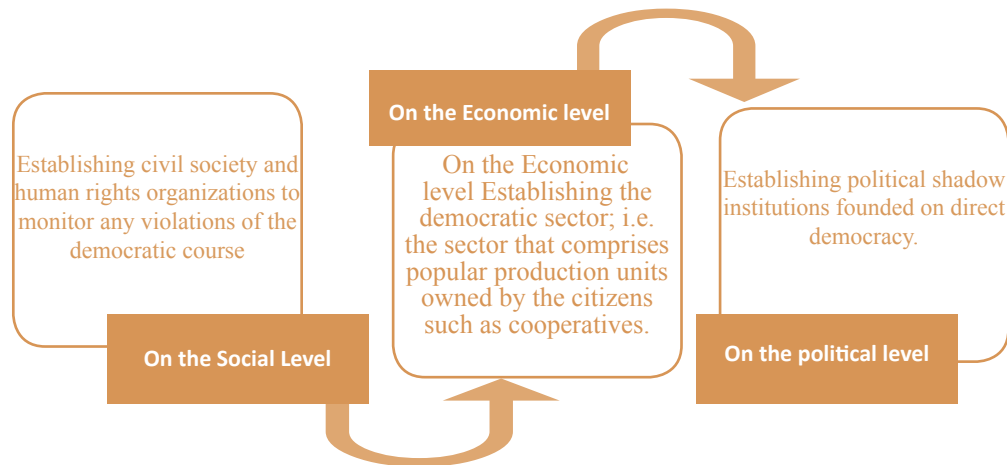
*The attempt to found a Palestinian State by submitting a request to the UN on 23 September 2011 was inspired by the Arab Spring, following years and years of failed negotiations with Israel.* In the West Bank, schools and government were shut to allow the demonstrations, in solidarity with the initiative for Palestine's membership in the UN, which succeeded at the end of 2012 with Palestine gaining the status of Observer Member at the UN. Wall Street witnessed on 15 October 2011 international protests. This movement which started in the United States and spread since to Asia and Europe was directly inspired by the Arab Spring. The protestors pledged to use the tactics of the Arab Spring revolutionaries to achieve their goals namely to curb the power of companies and the control of western governments.

### **Sixth: Working Towards Achieving Democracy**

We are in need of models of political structures which can contribute to building local comprehensive democracies; i.e. creating a new public space that can allow citizens to participate in decision-making on political, economic and social matters within the institutional framework of democratic councils. Working on allowing the participation of citizens in employment in taking different decisions is one of the practical steps necessary for

transformation to democracy, through their participation in decision-making related to the management of establishments within an institutional framework. It is also necessary to work on allowing students to participate in taking decisions related to the working mechanisms of faculties and schools; as well as to work on allowing women and civil society organizations to participate in dialogues related to legislations and different policies. New politics requires a new type of political organization which will play the role of motivating factor for its emergence. Therefore any citizen who wishes to see democracy succeed must continuously collect information on the various issues, whether they relate to policies, regulations or laws, and endeavor to contribute to the democratic process.

It is obvious that new types of political organizational models, reflecting the desired society structure have to be established on the national levels. These models can take one of the forms of “working towards achieving democracy” which carry out the different forms of interventions on the local level in such a manner so as to become a part of a large scale comprehensive social transformation program that extends to all areas of knowledge. Action could be carried through the following frameworks:



*The increasing participation by women on all the levels of democratic rule from the local to the national and regional levels- diversifies the nature of the democratic councils, and enables the decision-making process to comply with the needs of the citizens*

**On the political level:** “Establishing political shadow institutions founded on direct democracy” (such as district councils, virtual parliaments, shadow parliaments etc.) in addition to various forms of direct measures that can be resorted to when needed ( such as rallies and sit ins) parallel to the existing political institutions and their activities, as well as resorting to holding dialogues and continuous meetings with them.

**On the economic level:** Establishing the “democratic” sector (i.e. the sector that comprises popular production units owned and run by the citizens such as agricultural cooperatives) in addition to various direct measures that can be resorted to when needed ( such as holding meetings and dialogues with the existing economic institutions etc.) Promoting labor unions activities, and establishing socio-economic councils to initiate a socio economic dialogue alongside the political dialogue.

**On the social level:** Establishing civil society and human rights organizations to monitor any violations of the democratic course, in addition to participating in the struggle of different groups of workers and others demanding democracy .

## **Seventh: the Arab Spring and the Democratic Robe:**

### **1 - Major Landmarks in the course of women's rights**

Women have always had a vested interest in democracy, beginning with their struggle to gain their rights to elections, and the continuous efforts exerted by countries to introduce shares and quotas to increase the number of elected women representatives. Women have realized that democratic participation is an important means for presenting their interests and for their acceptance in the field of politics.<sup>15</sup>

From the phase of the struggle of women to gain the right to vote, to the phase of the concerted efforts now exerted across the world to introduce the necessary quotas and undertake action related to reserving a definite percentage of seats to increase the number of women elected as representatives, it should be taken into account that women have a large stake in the

<sup>15</sup> - <http://www.un.org/ar/globalissues/democracy/women.shtml>

field of democracy. They have realized that democratic participation is the key means by which their interests can be represented - while at the same, responding to their interests in a legitimate manner from the social perspective and sustainability from the political viewpoint. If women need democracy, democracy also needs women.

The increasing participation by women on all the levels of democratic rule from the local to the national and regional levels- diversifies the nature of the democratic councils, and enables the decision-making process to comply with the needs of the citizens which were probably disregarded in the past.<sup>16</sup>

The percentage of women's participation in the legislative councils in the Arab World is among the lowest compared to other regions in the world.

***Following is a classification of the different regions in the world in descending order of the percentage of women in one council :***

Region	House of Representatives	Senate or Shura	Both Houses
Eastern European Countries	42.3%		
The Two Americas	22.6%	23.4%	22.7%
Europe- Countries member of the Organization for Security and Cooperation including North European Countries	22.3%	20.5%	22%
Europe, countries member of the Organization for Security and Cooperation excluding North European Countries	20.5%	20.5%	20.5%
African Sub Saharan Countries	20.4%	19.1%	20.3%
Asia	18.3%	15.2%	18%
Arab Countries	13.5%	7.3%	12.2%
The Pacific	12.9%	32.6%	15.2%

Source: International Parliamentary Union – 30 November 2011

16 - <http://www.un.org/arabic/events/democracyday/2008/demowomen.shtml>

*This may be the right time to evaluate the status of women in the Arab Region in light of the emergence of the new democracies and their impact on Arab Women's march*

*“Without the active participation of women and the integration of the gender perspective at all levels of decision making, the development, equality and peace goals cannot be achieved.”*

This may be the right time to evaluate the status of women in the Arab Region in light of the emergence of the new democracies and their impact on Arab Women's march, as well as the important landmarks on women's path on the international level, in addition to the regional and national levels in the Arab Countries. More than 15 years have elapsed since the convening of the Fourth UN International Conference on Women which was held in Beijing, and its Platform for Action was adopted by about 188 countries in the world. Its ambitious plan for the advancement of women in the world in accordance with the Beijing Platform for Action was an invitation to work on several fronts, including women attaining decision-making positions, promoting education and health services, the right to freedom from violence, and the opportunity to fully participate in the economic and political life. “Without the active participation of women and the integration of the gender perspective at all levels of decision making, the development, equality and peace goals cannot be achieved.”

The UN Security Council adopted several resolutions on women, peace and security, and protecting women in times of war and conflicts, with a mention of the important role women should play in resolving conflicts, peace negotiations and peace building. Moreover, more than ten years have passed since the adoption of the Millennium Development Goals for promoting gender equality and the establishment of a Global Partnership for Development, the goals that emphasize that gender equality is an integral part of achieving all the MDGs, and that women's political participation is a decisive indicator in achieving equality for women. In addition, more than 15 years have passed since the adoption of the International Convention on Eliminating Violence against Women, and five years since the passing of UN General Assembly Resolution on the Promotion and Consolidation of Democracies in the World, and over a year since the eruption of revolutions in several Arab Countries, in short, these landmarks provide additional impetus to measuring the progress achieved for women in several areas including participation in the democratic process.

The Millennium Declaration in 2000, approved by all UN member states, defined the Millennium Development Goals (MDGs) as a group of development goals to be achieved by the Development group by the year 2015. A quick review of the third goal and of some relevant international documents reveals that all of them put a stress on democracy and respect for the human rights of women.<sup>17</sup>

### The Third Millennium Goal & Other Related International Documents:

The Millennium Development Goals	The Millennium Development Goals Gender Equality Targets	Beijing Platform for Action	CEDAW	General Assembly Resolution to enhance and Promote Democratization No. A/Res./62/7 of 13 December 2007
#3 Promoting Gender Equality and Empowering Women	<ul style="list-style-type: none"> <li>➔ Eradicating the illiteracy of women.</li> <li>➔ Increasing the participation of women in decision-making positions.</li> <li>➔ Addressing gender-based violence.</li> <li>➔ Respecting the human rights of women and women security.</li> </ul>	<ul style="list-style-type: none"> <li>➔ Increasing the number of women in parliament, elected bodies and decision-making positions.</li> <li>➔ Changing the stereotypical portrayal of both sexes.</li> <li>➔ Addressing gender-based discrimination in legislations</li> </ul>	<ul style="list-style-type: none"> <li>➔ All articles of the Convention.</li> <li>➔ All the general recommendations</li> </ul>	<ul style="list-style-type: none"> <li>➔ Democracy and development and respecting the human rights of women.</li> <li>➔ The role of enlightened women parliamentarians.</li> <li>➔ Participatory democracy.</li> <li>➔ Effective participation of the civil society in promoting democracy, freedom and equality.</li> </ul>

17 - Dr. Haifa Abu Ghazaleh – Millennium Development Goals and Women Empowerment - 2004



Women have entered the field of politics and government in growing numbers all around the world; but their gains were neither equal nor visible in most cases. According to the International Parliamentary Union, women occupy about 20% of the seats in parliament around the world, and positions of heads of government in more than 20 countries. However, with all these positive developments, women are still under-represented to a great extent on the international level; and although they are half the population of this earth, they have less than one fifth of the national government positions, and their representation in Parliament Offices and in municipal councils is still limited. Most often they are not present in negotiation teams through stages of conflict, or negotiations; nor are they present when important decisions that affect women, their families and their own communities are taken.

Women are subject to discrimination in the political field as their viewpoints are not taken into consideration in decisions related to politics, although they have the necessary experience and qualifications. A World Bank report indicates that the more women participate in the political processes the lower the levels of corruption.

The full participation of women in the national and local political life, in the economy, in the academia, and in the media is essential for democracy. It is also essential for achieving sustainable development and peace in all areas of life - through peace, during and after a conflict and through political transformations. The MDGs and the UN decisions pointed out the need to promote women's participation in development as one of the necessities of establishing democratization and human rights.

Source: Dr. Haifa Abu Ghazaleh - Millennium Development Goals & Women's Empowerment-2004

The Millennium Development Goals	The Millennium Development Goals Gender responsive Targets	Beijing Platform for Action	CEDAW	General Assembly Resolution to enhance and Promote Democratization No. A/Res./62/7 of 13 December 2007
Establishing Global partnerships for development	<ul style="list-style-type: none"> <li>➔ Empowering women in the use of information technology,</li> <li>➔ Ensuring the participation of women civil society organizations in the discussions relating to development programs.</li> <li>➔ Implementing the Security Council Resolutions relating to the protection of women during conflicts and disputes.</li> </ul>	<ul style="list-style-type: none"> <li>➔ Ensuring the availability of financial and qualified human resources for gender mainstreaming.</li> <li>➔ Enhancing women's skills in the use of ITC.</li> <li>➔ Ensuring the participation of women in disputes and conflicts' resolution.</li> </ul>	<ul style="list-style-type: none"> <li>➔ All articles of the Convention and all the general recommendations.</li> </ul>	<ul style="list-style-type: none"> <li>➔ The necessity to pay due respect to the sovereignty and right of people of both sexes to self-determination.</li> <li>➔ There is no single model of democracy. Democracy does not belong to a single country or region.</li> <li>➔ Encourage and promote democratization, development and respect for human rights and freedoms from a gender perspective.</li> </ul>

If women's participation is neglected by any political regime, it is like evading its accountability towards women's rights and ignoring the rights of half the population. True democracy is based on respect for human rights and gender equality; when one falls, so does the other. Frail democracy still remains a major hurdle to the enjoyment of human rights. Likewise, disrespect for human rights represents an obstacle to effective democracy.

*Though acknowledging the rights that women acquired at the level of public life in several Arab countries; yet, there still are several cultural and social obstacles that contribute to the continuing state of dependency and inequality.*

## 2. Women's Journey towards Democracy:

True democracy is founded on checks and balances and accountability in the institutions that enable women to claim compensation when their rights are violated. Therefore, the judicial authority and the parliamentary monitoring oversight operations and other institutions should be the guarantors of the rule of law and women's enjoyment of their own human rights, in addition to ensuring the means for providing mechanisms to ensure fairness to women's needs and the protection of their rights. This would be a major step towards achieving equality.

Gender equality and women's empowerment are issues of justice and human rights; but they are also necessary for achieving all human rights for everybody to realize development for all communities, and to be able to address the various challenges such as poverty, hunger, disease in addition to environmental deterioration and violence.

At present the Arab Region, its peoples and Arab women are passing through a decisive phase in which the features of the future are being defined. Women must participate in the heart of the debate on the construction of the new edifices of democracy, not only because of their role in the struggle for freedom and democracy, but also to consolidate a new concept based on equality and social justice, as the only guarantor to achieving democracy.<sup>18</sup>

Although the issue of women in the Arab Region underwent several complications, some related to the question of identity, and others to traditions and modernity, yet the image of the Arab women is still hazy. There is the image of women as victims, and passive recipients, versus the image of women struggling for their rights.

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18 - The Role of Women in Democratic Transition. Lakshmi Puri, Deputy Executive Director of UN Women - November 2011

Though acknowledging the rights that women acquired at the level of public life in several Arab countries; yet, there still are several cultural and social obstacles that contribute to the continuing state of dependency and inequality. It is important to invest in the historic moments which countries in the Arab Region and their peoples, who have revolted against political dictatorships and corruption, are going through. This should be carried out in order to build modern civil democratic states that guarantee equality and full citizenship and the practice of public freedoms that ensure human dignity, social justice and equality.

Among the most important obstacles mentioned in the UNDP Human Development Report of 2002 is the dependence of women. Considering that the path to democracy started in the Arab Region in its new form, it is therefore a must that women fully participate in public life as citizens with equal rights. This would be the beginning of a community where justice and equality prevail.

Despite the pivotal role women played in the political mobilization during the Arab Spring, shadows of doubt began to loom over women in the post revolution era with regard to their political social, and economic rights that the revolution was supposed to provide. Will some of the rights they gained under the previous regimes be revoked, especially after radical parties ascended the throne in several Arab Spring Countries?

Following the downfall of the regimes in some Arab countries and the endeavors of the revolting people to seek a democratic course in these countries, women are trying to gain their rights. But it is obvious that the path for women is not paved or strewn with flowers. It is a long and tough journey. Whereas women participated with all their might to eradicate the injustice inflicted on the people by the previous regimes, they were excluded from the results and were not invited to participate in any democratization process. It is feared that addressing their demands will be postponed until after the political stabilization and the return to the pre-revolution condition.

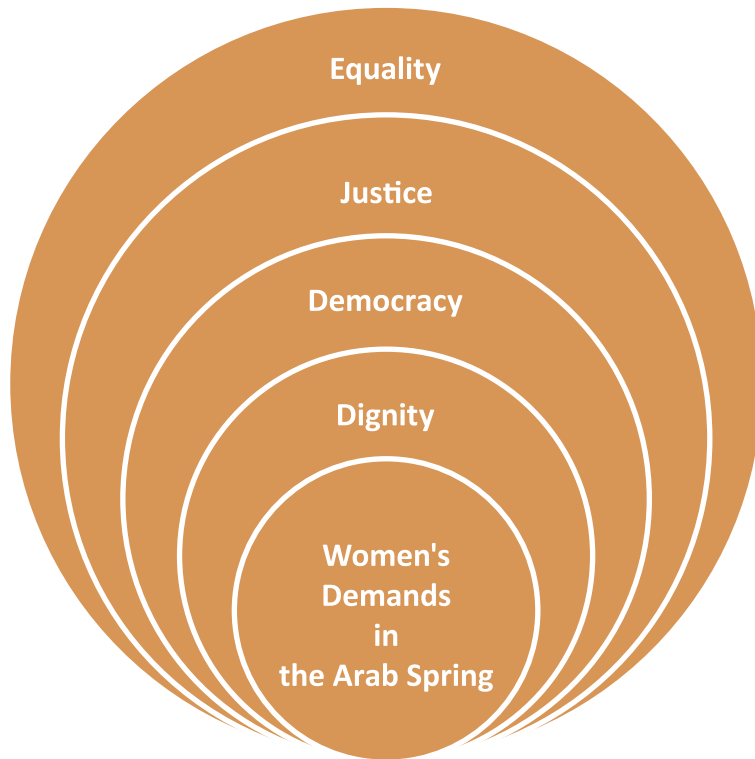
Some say that Arab women are anxious that the Arab Spring dream could change, some time in the future, to an "Arab nightmare" in case the carpet is pulled from under their feet by revoking the many rights they had gained after long years of struggle.

The question that arises is: ***Does the taking over by radical regimes make women feel more worried and suspicious about, for instance, the confiscation of all that had been achieved after their struggle for long years demanding social justice and equality?*** Having attained the right to education and work, and succeeding in competing with men in most domains, they feel threatened by returning to the home disappointed and disenchanted.

In fact, it is still too early to pass a judgement on this issue. The new regimes that have taken over the reigns in some Arab countries have numerous issues to address, and women's issues are going to be among the file they have to deal with. It is expected, in light of the actual realities, that several previously approved matters concerning women's issues will be reconsidered while establishing several social regulations. The political, social and economic circumstances have changed and cannot be reversed now.

### **3. Women in the Transitional Phase:**

Women were encouraged, and their participation in the uprisal to eliminate injustice inflicted on all was accepted. When their role was completed and the regimes fell, men wanted them to return to their homes when their task was done. This reaction that followed the revolution did not surprise women because they knew that they would pay the price if they wanted to remain in the public sphere and refused to return to the private space. It is important that women realize the dimensions of their responsibilities during the transitional period their country is going through, especially with regard to the restructuring of the constitution and the laws. Women have to stand up and demand that their rights be adopted in the coming constitutions so that they would no longer be ignored, after the efforts and long struggle on their part during and before the revolutions.



The year 2011 can be considered the Arab women's year. During the early days of the revolution that broke out in Tunisia in December 2010, women were at the forefront of demonstrations leading, enthusiastically blogging, covering the revolution as journalists, waging campaigns on the social network and caring for the wounded.

Tawakol Karman from Yemen became the first Arab woman to be awarded the Nobel Prize for Peace, which instilled ardor into many Arab women like her who endured "to gain their rights in a society dominated by men".

*The role that Arab women played during these different revolutions in several Arab countries including Tunisia, Egypt, Iraq, Libya and Yemen, emphasized that feminist movements are an integral part of the Arab popular movement and of the democratic forces propelling the revolutions and demanding democratic countries where full equality and socio-economic justice are achieved.*

The year 2011 was not only the year of the Arab Spring, but women's year par excellence. The end result for women should be commensurate with the great and important role they played in this Spring. The least that they deserve is: equality, dignity, democracy and justice. The role that Arab women played during these different revolutions in several Arab countries including Tunisia, Egypt, Iraq, Libya and Yemen, emphasized that feminist movements are an integral part of the Arab popular movement and of the democratic forces propelling the revolutions and demanding democratic countries where full equality and socio-economic justice are achieved.

Women went through the labor pains of these changes by participating in the revolutions, playing an important role, and still participate in all the popular protests. However, it seems that women's effective role is threatened with marginalization and exclusion during the Arab transformation to the democracy phase. Considering that the present stage in several Arab countries is transitional, several of the issues raised require constitutional, legal, political, economic and social reforms including the following:

- Working on an effective participation in the committees charged with drawing up and amending constitutions, and raising public awareness of the constitution and its importance for all.
- Developing a clear democratic and/or civil feminist discourse and clarifying some concepts.
- Developing new mechanisms targeting the youth, both women and men, rebuilding confidence with this generation, and developing a relationship with the women who emerged as leaders in these revolutions.
- Activating networking and coordination mechanisms on the national and regional levels.
- Documenting, codifying and disseminating women's experiences in all stages of the revolutions.
- Documenting the violations from which women suffered as a step towards taking the proper legal action on the national and regional levels.

- Developing mechanisms for women's solidarity in the different Arab countries.<sup>19</sup>

### **Eighth: Youth, the Force of Regeneration in the Democratic Process**

Was it the reaction of the Tunisian street to avenge the death of the martyr Abu Azizi that ignited the Tunisian Revolution? Or, was it an expression of the maturity of the objective factors that led to the Revolution and to a live manifestation of the history's rationale that indicates that people revolt as a result of portents that surface and lead to a revolutionary state that is reflected in the activities of the masses? Revolutions do not occur in a vacuum; nor are they temporary action determined by rebellious crowds. Rather, they are the inevitable result of a fire lurking under the ashes among the masses of the people and leads to feelings of injustice and exploitation, and to the emergence of a "revolutionary" situation embodied in the broad political activity of the masses; which is expressed through its rebellion against the actual situation, taking multiple forms and manifestation such as unrests, demonstrations, meetings and sit-ins. A revolutionary situation is an expression of the contradictions in the political, social and economic life and represents the peak of its exacerbation.

Based on the fact that the revolution, as defined by political and history scholars is a comprehensive process of changing the conditions of a society for the better, the youths have become the key element in this process of change. It is the nature of the youth to work to change towards what they consider to be better, to reject inertia and hesitancy in taking decisions, and to defend the values they believe in, or those imported which may, at an advanced stage, contradict with existing social remnants.

19 - Dr. Haifa Abu Ghazaleh "Resolution No. 1325 and the Extent of its Effectiveness in Protecting the Human Rights of Arab Women in the Context of the Arab Movement" . Working paper submitted to the Palestinian Women Conference – Ramallah – 2012.



The question that poses itself now is: ***who ignited the first spark? Are they individuals who cannot be spotted easily, or are they ordinary people whom we meet on our way every day and who are the subject of tens of research and studies and the center of the discussions of senior officials meetings?*** The truth is that the instigators of the revolution are those educated young men and women, university graduates, members of all segments of society using the internet as their platform. They countered the regimes with a new informatics revolution which was able to circumvent all barriers and destroy the traditional censorships barricades.

One of the important features of the Arab Spring is the emergence of the Youth as a key dynamic force and main advocate for change in the democratic process. The Youth who led the revolutions have become an important equation that cannot be ignored in the democratic process. They are the main, fundamental element in any political, economic or social developmental democratic transformation. They are the more vibrant and effective segment of any strong society where political participation is its essence.

### **1 - How did the Youth lead the change?**

The joint mobility, of the youths between the Arab countries is an expression of what is known as “Youths mobility theory”, as the success of the Tunisian youth in the reform and democracy revolution tempted and inspired the youth in Egypt and other Arab countries to move in the same direction in their countries, where their confidence in their ability to lead this movement was consolidated. The theory of contagion explains to a great extent the spread of the youth reform revolutions among the Arab countries with similar political economic and social conditions and provides an environment suitable for the spread of the phenomenon of the youth-led reform movements. It is clear that the youth activity is but a launching pad for the youth to have a say in their societies and for bringing about change.<sup>20</sup>

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20 - Youth and Democratic Transition after the Arab Spring – Ramzy Odeh – This paper was submitted among the proceedings of the Palestinian Youth Conference – Representation, Participation and Change – Bethlehem – 13-15 October 2011

Among the elements that brought out the youth as advocates for change in the Arab world resulting in the eruption of the Arab Revolutions demanding democracy, which were led by the Arab youths in Egypt, Tunisia, Libya and Yemen and others, are the following:

- A. The rise in the rate of unemployment among those able to work, especially among the youth, in addition to the increase in the rate of poverty in these countries.
- B. The spread of corruption in the various political and economic fields provided an environment appropriate for the maturity of the societal demands to resist corruption and to mitigate its impact; and consequently to change a system in which corruption is considered one of its main traits.
- C. The low wages and the rise in the rates of unemployment, and the increase in the price of food commodities led to the aggravation of anger prevailing among the youth.

Despite all the reasons mentioned, the youth played a major role in instigating protest movements in several Arab countries through using the non-violence strategy for change. Past events have revealed that youths can be a force for change - and not necessarily a source of violence only. The social media, arts and comedy all played a role in the advocacy for changing the regimes. What happened can be considered one of the lessons learned by the political and diplomatic traditional institutions around the world, which greatly ignored the participation of the youths and took their demands lightly. They are now seeking proper mechanisms and tools for their participation and for dealing with the coming change.

The Arab youth gave some basic traits to the Arab Democratic Revolutions , represented as follows:

- A. Revolutions of the youths in nature and essence;** planned and led by the youth in spite of the participation by large segments of the society at a later stage. However, the backbone of these revolutions was mainly youth from both sexes.
- B. Revolutions without leading figures or famous names.** These revolutions had neither leaders nor famous names. None of the youths of the Arab Revolutions claimed to be the leaders. They succeeded in a way that astounded everybody.
- C. Revolutions demanding justice and the rule of law.** They demanded a civil state founded on justice, equality and the rule of law. Thus, the best and most ideal model for the Arab Spring for which the youths called is this democratic system.
- D. Gradual Revolutions** which started with the demand of issues such as work and human dignity, and ended with a radical change of the regime.
- E. Non-partisan revolutions** which contained in its folds several ideological youth currents. This trait reflected the declining state of the Arab parties and the weak confidence of people in them. But on the other hand, this does not mean conceding that the Muslim Brother Movement had no impact on the revolution, but this was a secondary and not a leading role.

## **2 - How Did the Arab Youths Find their Voice?**

It is clear that the youth active mobility in the Arab Region is just a launching pad for the youth to have a say in their societies, and that there be change, especially that the percentage of the Arab youth under 25 represents 70% of the total population of the region as was stated in the Regional Report

on the Status of the Population 2011. They are also the more educated, and have the expertise and skills not available to previous generations especially in the areas of information and communication technology. They are more interactive with the cultures of the world, more capable of innovation and creativity, and more ambitious and forward- looking.

The Arab world population reached 367,4 million of a total of 7 billion - the world population now - according to the same Report. It also emphasizes that ensuring the rights of the youths and complying with their basic needs contribute to achieving several present and future developmental strategic goals. This is especially the case in the southern countries with a high youth density, where approximately 85% of the world population between 14 to 25 years live in the developing countries.

As the Report points out, the youths face several complex challenges which greatly hinder the achievement of their aspirations and ambitions, and the optimization of their capabilities and lead to their high desire for immigration. The most important of these challenges is the high rate of unemployment among them which has reached an average of 26%, the highest in the world. Others are the low rate of economic, social and political participation, the deterioration of the quality of education and health services, the spread of poverty, in addition to the weak policies and programs and youth's institutions both governmental and non governmental.

The Report addresses a number of population and developmental issues on both the international and regional Arab levels, among which is the role of the youth in reshaping the world, and how to launch their creative capabilities through the available opportunities in view of their increasing numbers across the world, which have reached its highest rate across history. The Report addresses some of the issues and challenges that face the youth such as early marriage and protection from deadly diseases such as AIDS.

*The youths face several complex challenges which greatly hinder the achievement of their aspirations and ambitions, and the optimization of their capabilities and lead to their high desire for immigration.*

*If we consider that approximately 70% of the population of the Arab Region are in the youth category, this means that over 70% of the population contemplate changing the Arab world, and that more than seventy percent of them have solutions to today's anticipated problems in their minds.*

A report issued by ILO under the title “Global Employment Trends 2012” revealed that the rate of unemployment among the youth in the Arab World reached 26.2% last year and increased among the adults in the Arab World to 6.6% during 2011, which is higher than the international rate.

The Report indicates that in the Middle East unemployment among adults has risen to 4%, meaning that more than one out of four economically active youth in the Middle East is unemployed. The Report also reviewed a number of political considerations in the light of the new challenges which decision-makers during the coming year will face.

The Report indicates that in spite of the high levels of education, business owners often point out to the lack of employment skills among the youth in the region, that stands as a barrier in the way of their employment. While at the same time, a large proportion of employment opportunities in the Region continues to be allocated to foreign labor, due to its wages and conditions that are not compatible with the expectations of the national labor force.

If we consider that approximately 70% of the population of the Arab Region are in the youth category, this means that over 70% of the population contemplate changing the Arab world, and that more than seventy percent of them have solutions to today's anticipated problems in their minds. It also means that millions of the youth are hoping for a better future, where they can abolish the restrictions on access to education and health care, eradicate unemployment and poverty, restructure the social culture, communicate with each other, and fully participate in shaping the future.

The current popular movement in the Arab region, which is almost totally youth-oriented, is directly related to the above-mentioned situation of the young generation. It is necessary to have youth mechanisms that continue to transmit the voice of the youth and contribute to addressing core issues, such as problems of unemployment and equal opportunities.

These mechanisms can also work towards the integration of the youth's agenda in the government strategies and policies, and to support their ambitions by giving them the right to access the resources of education, sciences, culture and information and technology.

### 3 - Youth and the Democratic Experience

The youth, both men and women, in the Arab Spring countries were the cornerstone of the outbreak of the Arab Revolutions which called for social change. The young generation ignited the first spark of the Arab Spring away from any internal or external influence. They fearlessly played a central role in these movements through calling for the establishment of democratic societies founded on freedom, dignity, justice, fighting corruption, citizenship and the respect for human rights.

It is essential to enhance a “culture of democratic participation” among the youth to create a climate that will contribute to promoting their participation in decision making, as well as their engagement in actions and activities necessary for building a better society, and promoting their active participation in the democratic life. The “culture of democratic participation” contributes to creating and ensuring the participation of young citizens in the political agenda, in the preparation of the democratic decision-making processes, in their implementation and evaluation. Over and above, it encourages the exercising of the civil and political rights and duties acknowledged by the democratic community.

The Arab States must side with democracy, respect and protection of human rights and the rule of law. ***Democracy cannot survive without the cooperation of all the concerned parties*** and the active actors in the society to promote and safeguard the democratic values. Moreover, democratic participation requires integrating the democratic concepts in the early learning process to enable the youth to commit to these principles and to take responsible decisions.

*The Arab States must side with democracy, respect and protection of human rights and the rule of law.*

*Democratic participation requires integrating the democratic concepts in the early learning process to enable the youth to commit to these principles and to take responsible decisions.*

Civil society, non-governmental, youth and feminist organizations, and women's national machineries must work to promote the concepts of democracy which depend on the culture of citizens' democratic participation, beginning with the young generation. Youth organizations need to actively participate in promoting and protecting the values of both democracy and free civil participation, either inside those organizations themselves or in the society at large, as there is a need for the following:

- Granting the youth the right to access resources and encouraging them to exercise civil and political rights.
- Continuing to develop the mechanisms concerned with the participation of the youth of both sexes in the democratic process.
- Developing effective citizenship through providing sufficient financial resources and structural frameworks as well as ensuring the development of a legal framework to support youth organizations participating in the democratic process.
- Protecting the media and ensuring its crucial role in covering the political process.
- Promoting the participation of the citizens, especially the youth in policy making.

*Women make up less than 10 percent of world leaders. Globally less than one out of five members of parliament is a woman.*

### **Ninth: Women and the Issues of Democracy**

Women make up less than 10 percent of world leaders. Globally less than one out of five members of parliament is a woman. The 30 percent critical mass mark for women's representation in parliament has been reached or exceeded in only 28 countries.

At a high-level event during the 66th session of the UN General Assembly in 2011, some women political leaders made a strong global call focusing the light on the pivotal role of women in political participation in the democratic process. They stressed the importance of increasing women's political participation and in decision-making across the world. They

also emphasized that women's participation is fundamental to democracy and essential to the achievement of sustainable development and peace in all contexts – in times of peace, during conflict and post-conflict, and during political transitions. These women leaders signed a joint statement with concrete recommendations on ways to advance women's political participation.

A call was launched by Heads of State and Government, Foreign Ministers, High Representatives, and senior UN officials affirmed that women's political participation is fundamental to democracy and essential to the achievement of sustainable development and peace. The call reaffirmed the human right of women to take part in the governments of their countries, directly or through freely chosen representatives, on an equal basis with men, and that all States should take affirmative steps to respect and promote women's equal right to participate in all areas and at all levels of political life. It also stressed the critical importance of women's political participation in all contexts, including in times of peace, conflict and in all stages of political transition.

The Call emphasized the essential contributions of women, around the world, to achieve and maintain international peace and security and the full realization of human rights. It also recognized their contribution for enhancing sustainable development; and the eradication of poverty, hunger and disease. Even so, women in every part of the world continue to be largely marginalized in the process of decision-making, often as a result of discriminatory laws, practices, and attitudes.

The participating women leaders reaffirmed their commitment to the equal rights and inherent human dignity of women enshrined in the United Nations Charter, Universal Declaration of Human Rights, and other relevant international human rights instruments. They called upon all States to ratify and fulfill their obligations under the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and to implement fully Security Council resolution 1325 (2000) on women and peace and security and other relevant UN resolutions.

*Women make up less than 10 percent of world leaders. The 30 percent critical mass mark for women's representation in parliament has been reached or exceeded in only 28 countries.*



*Women are capable of adding new dimensions to the meaning of democracy simply because they lack it whether in private or public life; therefore it is in their prime interest to participate in making the democratic endeavor succeed.*

The Statement called upon all countries, including those emerging from conflict or undergoing political transitions, to eliminate all discriminatory barriers faced by women, particularly marginalized women, and encouraged all States to take proactive measures to address the factors preventing women from participating in politics, such as violence, poverty, lack of access to quality education and health care, the double burden of paid and unpaid work, and to actively promote women's political participation, including through affirmative measures, as appropriate. The statement, also, expressed full support for the important role of the United Nations system for achieving gender equality and women's empowerment.

Based on the Women Political Leaders Call across the world, it must be stressed that women's issues are inseparable from the society's issues. They are, rather, one of the political manifestations resulting from the existence or the absence of democracy. But these issues need an independent approach due to their special nature.

In his study on "Women and the Issue of Democracy", Dr. Yosry Mostafa points out the danger of limiting democracy to political democracy, and confining the struggle for achieving democracy to changing the ruling political authorities, while disregarding the danger of the patriarchal domination in the social and cultural structures, in varying degrees, consequently not endeavoring to achieve democracy in these structures, as he considers these structures to be more important in eradicating discrimination against women. The prevailing political patriarchal authority in these structures exploit these social and cultural structures to obtain popular support which is achieved by obstructing the way for changing the unfair situation of women, and the elimination of forms of discrimination against them. Dr. Mostafa points out here, to the necessity of submitting all the meanings and definitions of democracy for discussion, as limiting it to a democracy that only calls for changing the political power, may lead to more resistance by other more powerful and dangerous authorities that infiltrated

all social and cultural structures for women to achieve their social and cultural rights.<sup>21</sup>

Nawla Darwish, in her paper "Reflections on Democracy from a Woman's Perspective", stresses that the challenges that face women are of economic, legal, social and cultural dimensions. Still, the challenges remain intermingled and affecting each other, which indicates the importance of holistic and integrated approaches. No society can advance without the advancement of its members; i.e. men, women, young, old, all races and religions that it comprises, its various social strata, its very healthy and fit individuals and these who do not enjoy full health; yet, and at any rate, they are an integral part of this society.

One can say that women are capable of adding new dimensions to the meaning of democracy simply because they lack it whether in private or public life; therefore it is in their prime interest to participate in making the democratic endeavor succeed. Despite the importance of the laws and accompanying legislative framework, the major responsibility, where women are concerned, is tied to the cultural and social framework. Here we note the extreme importance of the intervention of the agents responsible for formulating the culture of the society, in the first place, these are education and work.

Democracy is not only concepts, but it is primarily a practice that needs to be developed within us, within our homes, on the streets, in public and private institutions and in confronting all forms of oppression. In this sense, democracy alone will not suffice to change women's conditions, because it is still a democracy with a male feature and requires considerable fine-tuning and development in the direction of a comprehensive democracy with the participation of both parties. While stressing the importance of

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21 - No Bargaining regarding the Rights of Women – The New Women – Eleventh Issue – The Women and Democracy Institution.

men's contribution in this area, it is the party enjoying more authority who bears the greater responsibility in effecting change. However, women can enrich the concepts of democracy with all their human experiences.

One can say that it is in women's interest to establish democracy, not in the traditional sense of the word, but a democracy that depends on a human cultural dimension based on the inclusion of all segments of the society.

People in a democratic society enjoy having effective mechanisms for participating in decision making in all the institutions where decisions that affect people are taken. Those responsible for these institutions or organizations bear full responsibility if fundamental human rights are violated due to decisions or measures that they have taken, especially if these measures are characterized by lack of justice. To be able to hold all these institutions accountable for any contraventions or violations that may occur, each institution, whether governmental or private, must take the following measures or actions to achieve democracy: <sup>22</sup>

1. Complying with the constitution which sets the fundamental rules that organize the affairs of the state and all its institutions, including the protection of the fundamental human rights and the separation between the executive and legislative institutions.
2. Establishing a modern elections system to select representatives in the legislative authority who represent the citizen's voice.
3. Providing mechanisms for the direct decision-making process, such as initiating and broadening the framework of local and decentralized government which allows the people to start making the decisions and taking the measures concerning the issues that their representatives refuse to deal with.
4. Providing effective mechanisms that ensure the oversight and accountability not only of governments but also of the citizens, as voters, tax payers, companies, laborers, shareholders, syndicates and media institutions in an effective manner.

<sup>22</sup> - <http://www.dwatcg.ca/democracy.html>

5. Highlighting the principle of gender equality in the constitution, and eliminating all forms of discrimination against women.
6. Establishing monitoring organizations completely independent (from any political influence - biased or otherwise) with complete competencies to oversee and hold accountable any offender committing any violation during the exercise of the democratic process, in addition to consulting with the public and to have access to information.
7. The independence of the judiciary and the courts of law (from any political or biased influence or other). The enjoyment of full competences (for investigation and punishment) and providing them with all the necessary resources to ensure justice and to address disputes pertaining to rights and responsibilities in all sectors of the society (including the protection of the fundamental human rights.)

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## PART IV

### THE ARAB SPRING : DOES IT BRING SPRING FOR ARAB WOMEN?

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CASE STUDIES ON THE ARAB SPRING COUNTRIES

“TUNISIA, EGYPT, LIBYA & YEMEN”





There is no doubt that Arab women were partners in initiating the Revolutions; and there are fears that their spring may turn into autumn. The revolutions that rose against despotism and injustice cannot replace a dictatorship by another, and nor should they be limited just to the political gains. In fact, equality between men and women should become a reality. As women were key partners in the Revolutions, therefore, they should also be partners in the gains.

In the course of the major transformations witnessed and are still being witnessed in several Arab countries in what has become known as the Arab Spring Revolutions, women's presence was evidently noted and was essential in the landscape of these transformations. They participated in all the stages of the revolutions and the subsequent transformations in order to build the modern state founded on democratic basis where law, justice, freedom and equality prevail.

The role played by Arab women in participating in the democratic path in the Arab countries is important and influential, especially in those countries that suffered from injustice, tyranny, corruption and a low ceiling of freedom. They were part of sit-ins, demonstrations and in channels of information, especially on the social networks through which they were able to expose the repressive practices of the corrupt regimes, communicating the news of the revolution and advocating it.

The Arab Revolutions broke out demanding civil rights and not only political rights. Women effectively participated in them. However, when it was time to reap the fruits of victory, they were greatly marginalized in their representation in both the legislative or in the executive authority under feeble pretexts. There are no doubt attempts by some to deprive women

of the rights they gained and to go back on all that was achieved by the revolutions, as we also witness other trials to undermine all the positive accomplishments of women on the pretext that they were realized during previous regimes in order to demolish the positive gains and rights that women acquired. These rights can in no way be attributed to individuals or to a regime, as they were earned as part of women's human rights.

The Arab Women Organization found it necessary to shed light on the path of women in the Arab Spring countries through case studies. A group of experts from the Arab countries concerned was commissioned by the members of the Executive Council in each of these countries (Tunisia, Egypt, Libya and Yemen) to carry out a case study on the status of women especially after the Arab Revolutions.

In this respect we would like to point out that the studies and the information, statistics, indicators and analyses therein are the responsibility of the researchers and express their own views, and do not necessarily reflect the views of the Arab Women Organization.

The studies were reviewed and scrutinized by an expert in political participation and human rights, and modified according to the observations of the expert.

A CASE STUDY

T U N I S I A

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Dr. Dalinda Al Arkash



## Introduction:

The Revolution in Tunisia opened up new horizons for the whole society. Elite groups and social classes rushed into escalating movements that demolished the old system, debilitated by its corruption and authoritarian suppression of free voices. They were sparked by the renewed energy of the youth, exemplified in the immortal images of their outpouring demonstrations in most cities, squares and streets.

Since the beginning of the Revolution, Tunisian women demonstrated their qualitative presence, giving the political and social scene its specific character and its individuality. Women were at the heart of the Revolution, either in the front rows, side by side with men, or in the rear, raising banners and slogans that aimed at undermining the system of oppression and domination, with neither fear nor hesitation.

It was the Tunisian Spring that put an end to fear, blooming the flower of liberty and sparking the energies aspiring for democracy, justice and equality.

The slogans of “equality” and “full citizenship for women” were not absent from the promising drive that was experienced in the streets of Tunisia. It was a slogan based on a long history with its own symbols, gains and spirit of renovation. This rising wave was fueled by the dreams and aspirations of Tunisian women, after they broke the shackles of the past and became a force for emancipation and mobility in the society. The path of revolutions represent historical moments when the pace of events intensified and The Tunisian Revolution, as well, erupted with massive mobility bringing with it, its inconsistencies.



In the context of the first elections, while women within elite and society groups were raising slogans of equality and freedom, manifestations of reversal and repudiation of modernism began to unfold through the return of an old discourse and the emergence of tendencies for closure and backing out. Such manifestations threaten freedom itself and constitute a bilateral polarization centered on the conflict between issues of identity and modernism.

Despite the declared discourse of all political parties and elite groups which adopted the defense of the gains achieved, particularly women's gains, the conflict was covering confusion, if not the intent of some factions to back up.

Today the slogan of full equality has become one of the main features of modernism, while the issue of women's rights and freedoms was viewed as secondary, if not flawed, by the conservative trend. Moreover, the discourse advocating radicalism, the veil and the issue of identity is instituting a decline in women's role, limiting it to minor issues, in a community that preceded other Arab societies in recognizing the civil, political and economic rights of women.

Are Tunisian women paying today, the price of the policy of the old regime, which used the official feminist discourse to cover up for its unjust and authoritarian policies? On the other hand, did the conservative trend return to impose the patriarchal tendencies over the principles of freedom and equality? Alternatively, does the conflict suggest that the leading groups renew their discourse and their approach societal issues in a way that deals with women's rights as part of the issues of vulnerable and marginalized groups?

It is a paradox that imposes itself despite the apparent unanimity on the gains of women and the civic nature of the society and the state. How did we get to this paradox, after more than half a century of reform under modernization laws?

***Is it the price of the revolution that women that have to pay? Is it the Revolution that did not complete its course?***

**These are questions posed by the Tunisian Revolution from the perspective of women, who no longer hide their concern that the the spring of the Revolution might turn to be an” Autumn of Fury”.**





## Chapter I

### **The status of Tunisian women in the context of legislations and reform policies during the decade from 2000 -2010:**

#### **1 – Legislative gains and women’s rights within the family circle:**

Over the past twenty years, Tunisian women benefited from the legal gains legislated by the Independent state since its early days, for emancipating women and for initiating promising prospects for gender equality. This course was based on the Personal Status Code, issued on 13 August 1956 as a legal framework that paved the way, through its leading legislations, for the emergence of the new Tunisian women. It restored their status within the family, ensured their rights, and accorded them the rightful place they deserve in the community.

The Code acknowledged the basic rights of Tunisian women and restructured marriage and family relations, by banning polygamy, putting an end to repudiation, creating a judicial procedure for divorce, setting a minimum age for marriage, and putting an end to the constraints imposed on women. Those audacious measures laid down the basis for cooperation and partnership between spouses.

As a result, the Personal Status Code was instrumental in revolutionizing the status of women, and was one of the main pillars on which the Independent State built its modernization project, which was defined as a social option for advancing the Tunisian social order to reach the ranks of developed societies.<sup>1</sup>

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<sup>1</sup> - Personal Status Code, Authenticity and Openness, , Center for Research, Studies, Documentation and Information on Women, Tunis 2006.

The 1959 Constitution stated the principle of equality of all citizens without discrimination before the law, thus opening the way for issuing laws that consecrate the fundamental rights of women in all domains, such as: the right to vote and run for election, the right to free education, social protection, and the right to work , ... in addition to other rights.

The successive amendments to the Personal Status Code, enhanced its liberal approach, added more worth to the role of women, and improved the quality of family life. However, these legislations did not achieve the full equality between men and women, keeping pace and complying with the social transformations or the spirit of the time.<sup>2</sup> Some of these amendments were: the re-shaping of the status of women within the marital relationship by abolishing the obligation of obedience to the husband, as well as consolidating the partnership and cooperation between spouses in managing family affairs and providing care for the children.<sup>3</sup> The legislator also expressed full concern about divorced women, by approving the establishment of a Fund for guaranteeing the payment of alimony and divorce allowance. This fund replaced the indebted father or the husband, who divorced his wife, in paying the alimony or divorce annuity. Furthermore, the legislator added an amendment obliging this Fund to continue the payment of the entitlements adjudicated in this respect, indicating the state's concern about divorced women.<sup>4</sup>

The legislator also intervened to put an end to the disturbances that befall minor children in cases of the parents' divorce, by automatically granting the guardianship to the custodial mother, after it was the sole right of the father, even in cases of divorce.<sup>5</sup> Consequently, the mother became entitled to the same right of following up on matters concerning her children. Once more the legislator intervened to confirm the total obligation of the divorcing father to provide housing for the custodial mother in the marital home even if it were his own property.<sup>6</sup>

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2 - Women's Legal Gains, Center for Research, Studies, Documentation and Information on Women – Tunis -2012

3 - Amendment, 1993

4 - Amendment 16 March 1998

5 - Amendment 12 June 1993.

6 - Law 2008

The system of co-ownership of property between spouses (optional) opened the way for women to confirm their right to properties acquired after the marriage.<sup>7</sup>

With regard to the injustice and discrimination endured by Tunisian women married to non-Tunisians, which prevented them from passing on their nationality to their children, the Tunisian legislator avoided this gender-based discrimination by issuing a new Citizenship law in 2010, stating: "a child born to a Tunisian father or mother has the right to the Tunisian nationality."<sup>8</sup>

## **2 - Women's Share in Education and Health care :**

Owing to the collaborative political and social reforms and the issuance of new legislative codes (The Civil and Property Rights Code, The Criminal Code, The Labor Code as well as other laws) women were able to engage effectively in the dynamics of the country, and were able to contribute, like men, in all areas of specializations and in the economic and social development of the country, whether in urban or rural areas, or even in countries of immigration. Moreover women were able, in the past decade, to assume a number of senior positions in the state.

### **► Educational policies and the growing rates and levels of educated women:**

These profound changes witnessed by the Tunisian society, since the Independence until today, were mainly an outcome of both a bold and modern educational policy, as well as a wise population (demographic) policy aiming at advancing the developmental paradigm of the country. Education has since, the dawn of the independence, been one of the main priorities of Tunisia. Putting the stakes on the human capital was the challenge, and education was the key to women's emancipation.

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7 - Law 1998

8 - Recorded in December 2010 in the Nationality Magazine, Part 6 (new)

*Statistics also indicate the consistent rise in the percentage of female graduates to the total number of graduates; as it grew from about one third in the eighties with a rate up to 34 percent in 1985, to almost two-thirds in recent years, reaching 61.3% in 2008, specifically.*

Since 1958, education became free and this right was guaranteed for every child, male or female, reaching the age of enrolment in school. Parents were urged to enrol their daughters in schools, which were built in the communities and the methods required to teach and train the educational and pedagogical cadres were provided. In an effort to increase the number of school enrollees, a plan allocating more than one fifth of the state's budget to the educational sector was adopted.

Thanks to the 1991 law concerning the Educational system, the compulsory nature of education was reinforced, as it specified a penalty against guardians who do not register their children in school, or who pull them out of it, for no reason.<sup>9</sup> The law also determined that the mandatory education begins at the age of 6 to the age of 16 (basic education). This measure promoted the educational process; as it contributed in reducing the number of female drop-outs in rural areas through adopting a more flexible timeframe. On the other hand, the General Education Act of the year 2002 on the general principles underlying education emphasized the principle of free mandatory basic education as "an absolute priority and a fundamental right, guaranteed to all Tunisians, with no discrimination on the basis of gender, social background, color or religion."<sup>10</sup>

Despite some remaining variances, these policies gradually succeeded in reducing the gap between men and women, the disparities between regions and the discrepancies between rural and urban areas. The recorded remarkable rise in the rates of girls' enrolment in schools, from 13.3 percent in 1956 to about 100 percent in 2012 is an indicator of the development witnessed by Tunisian girls. This rise began in the scholastic year 1997 – 1998 until gender equality in the rate of enrolment was achieved in Tunisia, for the age group 6-11 years, to reach 98 percent for girls and 97.4 percent for boys in the year 2008 – 2009.<sup>11</sup> The high percentage of girls who suc-

9 - Law No. 65 dated 29 July 1991

10 - The General Education Act No. 80 dated 23 July 2002

11 - National Statistical Institute - Center for Research, Studies, Documentation and Information on Women, Women and Men in Tunisia, Numbers and Indicators, p. 59, Tunis 2010.

ceeded in passing the Baccalaureate (about 60 percent girls) compared to that of boys shows the standard of distinction that Tunisian women have reached on the educational level. The high percentage of women university graduates, which surpassed the percentage of male graduates in most specialities, also confirms this level of distinction. Technical studies, as well as sophisticated sciences and mass communication are no longer a male monopoly as in the past.

Statistics clearly reveal the advancement in women's educational level. The percentage of women who acquired high education levels during the period from 1984 -2008 grew from 1.1 to 9.5 percent. At the same time, the percentage of women who finished the second stage of basic and secondary education rose from 11.8 to 31.8 percent, for the same period; whereas the rates of those who did not go beyond primary, or the first stage of basic education, remained within the range of approximately one third.<sup>12</sup> The percentage of female students to the total number of students in the second phase of basic and secondary education is constantly on the rise, reaching 53.6 percent in 2009, compared to 46.4 percent for males.<sup>13</sup> With regard to higher education, statistics also indicate the consistent rise in the percentage of female graduates to the total number of graduates; as it grew from about one third in the eighties with a rate up to 34 percent in 1985, to almost two-thirds in recent years, reaching 61.3% in 2008, specifically.<sup>14</sup>

The Tunisian experience in the field of education was outstanding and effective in eliminating gender-based discrimination in the various scholastic stages and provided the opportunity for both women and men to join the knowledge society on a large scale. Despite some recorded relapses and limitations throughout the educational course, the Tunisian educational experience opened the way for girls and boys in all directions to take advantage of the scientific and technological progress and to participate actively in the process of development and modernization.

12 - Ibid. pp.50

13 - Ibid. pp.60

14 - Ibid. pp. 68

*The high percentage of girls who succeeded in passing the Baccalaureate (about 60 percent girls) compared to that of boys shows the standard of distinction that Tunisian women have reached on the educational level. The high percentage of women university graduates, which surpassed the percentage of male graduates in most specialities, also confirms this level of distinction.*

*Once more the recurring phenomenon of illiteracy emerged as a result of the high rates of early school drop-outs, especially in rural areas*

*Despite the remarkable decline in illiteracy rates, the difference in illiteracy rates between men and women still exists.*

To complement the efforts for promoting educational policies, to involve the wider segments of society in the development process and to free them from illiteracy, national programs for combating illiteracy were adopted since the sixties, the latest of which was launched in 2000, which was able – according to statistics – to liberate 552 thousand people from illiteracy, of whom 74 percent were women.<sup>15</sup>

This policy resulted in a speedy reduction of the illiteracy rate among both men and women. Since 1984, the rate of illiteracy among women shifted from 58.1 percent to 27.9 percent in 2008, to reach 26.4 percent in 2010. As for men the percentage moved from 34.6 to 12.3 to 11.5 percent for the same period. Yet the gap between the rates of illiteracy among women in rural and urban areas is still high, as the percentage of illiteracy among rural women reached 41% in 2010, compared to 22.2% among urban women.

Despite the remarkable decline in illiteracy rates, a gender gap still exists, even though it decreased to reach 23.5 percent in 1984. Still the difference in illiteracy rates between men and women reached 15.6 percent in 2008, and reached 14.9% in 2010.<sup>16</sup>

However, all these efforts did not eliminate illiteracy. Once more the recurring phenomenon of illiteracy emerged as a result of the high rates of early school drop-outs, especially in rural areas. Some studies show that this phenomenon includes more females than males particularly in rural areas and the inner regions.

One of the possible solutions for combating this phenomenon, is the activation of the law for compulsory education till the age of sixteen, while offering incentive measures and enforcing penalties. At the same time, equal opportunities in access to education for both men and women, as well as between regions should be enhanced, to guarantee non-discriminatory development and real gender equality.

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15 - The National Statistical Institute, 2000

16 - Ibid. pp.52-53

### ► Vocational Development:

The benefits that vocational development achieved for the Tunisian girls at the social and economic levels were no less important than those achieved in the field of public education, for opening new avenues in the labor market for large segments of women. There are no less than 600 centers throughout the country that offer training for girls in various disciplines from sewing, to electronics, to the art of printing, information technology and other specializations.

Education, one of the main priorities since the Independence, remains, despite some shortcomings, one of the most important factors that helped liberate women and integrate them into the development process. Betting on the human capital was actually the real challenge that put Tunisia on the path of development and to launch it among the ranks of developed countries.

### ► Women and the labor market:

Spreading compulsory education made it possible to open the doors of the labor market, and gave new impetus to the country's social and economic drive. This was due to the existing legislations that confirm the principle of equal opportunity and partnership between men and women which was followed by special procedures concerning women. The labor market in Tunisia witnessed important quantitative and qualitative changes that specifically revealed the constant growth in the percentages of active and working women.<sup>17</sup> Women gradually ensured their presence in the various sectors and in the economic and administrative institutions. Their presence in different professions grew, in recent years. In 2008, the National Institute for Statistics indicated that women constitute more than a quarter of the active population.

*In 2008, the National Institute for Statistics indicated that women constitute more than a quarter of the active population.*

*The benefits that vocational development achieved for the Tunisian girls at the social and economic levels were no less important than those achieved in the field of public education, for opening new avenues in the labor market for large segments of women.*

17 - Ibid. p. 75 The number of women activists is witnessing a continuous increase within a rapid paradigm, surpassing men, as their numbers doubled since 1996 – more than 15 times – while the numbers of men increased by about two and a half time during the same period.



.Consequently, the percentage of women to the total number of active population increased nearly five times between the years 1966 and 2008; as the percentage grew from 6.2 percent in 1966 to 25.9 per cent in 2008, while the percentage of men during the same period decreased from 93.8 to 74.1 percent.<sup>18</sup> Women working in the textile, apparel and footwear sectors represent nearly three-quarters of the working force and constitute one-third of the workers in mechanical and electrical industries, while their percentage does not exceed 5 percent in the transportation sector, and 1.5 percent in the construction industry and public works. As for the services sector, it absorbed nearly 47.8 percent of working women in 2008.<sup>19</sup> Some sectors, such as education and health, are characterized by a massive presence of women; as their percentage in the sectors of education, health and administrative services reached 24.4 percent.<sup>20</sup> They also progressively contribute in the sector of agriculture and fishing; in which their estimated percentage reached 18.3 percent in 2008, despite that their participation in this sector is continuously overlooked. At the same time some sectors, which were previously exclusively the domain of men, recorded a few years ago, signs of integrating women in their ranks including national security and the army.

The distinctive feature today is the structural formation of the active population according to their educational level, where the percentage of women is the double of the registered number of men: 24.8 percent versus 12.9 percent, which confirms the continuity and persistence of this trend.

#### ► Unemployment among women:

The continuous engagement of women in the labor market highlights another facet of their actual daily reality, represented in the high rate of unemployment among them, compared to men. As the rate of unemployment among women, during the period from 1966 to 2008, rose from 5.3 to 35.7 percent, it decreased among men from 94.7 to 64.3 percent in the same

18 - The National Statistical Institute - 2008

19 - Women and Men in Tunisia Numbers and Indicators, Credif, 2010, pp.93-95

20 - Ibid.

period. Since 1990 the rate of unemployment among women exceeded the registered rate for men, reaching about 18.6% in 2008. Today, this rate is constantly on the rise; due to women's increasing demand for work, as a result of the high rates of female higher education graduates which exceeds the rates of their male peers.<sup>21</sup>

It is worth mentioning here in particular, the many procedures taken in the framework of the social welfare and national solidarity policies and micro-credit programs, which contributed in raising the share of socio-economic integration, especially with regard to rural women.

Large numbers of women who own small businesses, either working from their homes or in the framework of micro-enterprises contribute in the economic development of the country. Their production, whether agricultural or vocational, is of particular importance on more than one level, in providing work and sources of livelihood, in addition to the development of their skills. Today, women control a significant share of the traditional industries (traditional attire, ornaments, embroidery, ceramics, etc.).

These efforts, despite their importance, did not lead to curbing unemployment among women, and though not mentioned in many of statistics, it has become a reality that cannot be concealed. The increasing cohorts of women who resorted to illegal immigration in recent years might be, despite its tragedies and dangers, an unmistakable indication of the rising of this phenomenon among women and the feminization of poverty.

This actual situation with its positive and negative aspects. What was an inevitable result of girls' education and their entering the public domain, has become today a notable feature in the life of Tunisian women. It clearly confirms that women's work is a steady and sustained course, and that it has become an economic necessity and a vital developmental choice for Tunisia; as any developmental process cannot succeed unless it is based on the principle of equal opportunities between men and women.

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21 - Ibid. pp. 98-99

### ► Women and the demographic status and health conditions:

With the beginning of the sixties, Tunisia realized that the demographic growth constitutes an obstacle and an impediment to economic and social development. A deliberate policy for providing optional methods, was soon adopted to control birth rates, which found favorable conditions for implementation as a result of the procedures that preceded it, such as issuing the Personal Status Code, raising the age for marriage, and expanding compulsory education. Moreover, a special program for health education and family planning was initiated in all parts of the country.

In 1964, the pilot phase of the National Program for Family Planning was launched, and in 1973 the National Bureau for Household Planning and Habitation was established, which later became known as the National Bureau for Family and Habitation in 2001. This Bureau sought to adopt a national program for reproductive health founded on four principles, mainly: birth control, education and raising awareness about the importance of birth spacing, family health and finally reproductive health.

The 2001 law relating to reproductive medicine <sup>22</sup> completed the legal framework of reproductive health; as it regulated internal medical interventions in the context of providing medical assistance for fertility and birth control, representing, in the first place, an advantage for women.

This approach, with its mechanisms that reached the core of the Tunisian society, allowed the introduction of structural changes in the society, whether in the lifestyle of the family, or its composition and health. The birth control policy played an important role in women's control over their bodies and helped them ignore some cultural and social traditions. These factors had a deep impact on the development of social structures in all locales, including rural areas, albeit with some inconsistencies, yet women were the first to benefit from such policies.

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22 - Law No. 93 of the year 2001, dated 7 August 2001

Owing to the applied population policy, remarkable results were achieved that were conducive to the reduction of the population pressure. Women's life expectancy rose from 47 years in 1960 by 76.3 percent in 2008.<sup>23</sup> Currently, women get married and have children at a later stage in their lives regardless of their cultural level or social background. In parallel with this population policy, significant improvements were introduced on women's pattern of living, in spite of the differences that still exist between women in urban and rural areas. These improvements included housing conditions, social settings and rights, in addition to a leave with pay for two months after delivery, and a leave with half pay after maternity leave, hours for breast feeding, and part-time work, leave without full pay, early retirement, as well as other facilities.

Thanks to the Family Planning and Reproductive Health Program, Tunisia was able to reduce the level of fertility rate to a percentage close to that of developed countries; as the total index of fertility of the year 2008 reached around 2.06 child per woman.

### 3- Women participation in political and public life

Within the framework of its reform orientation towards the emancipation of women, the Tunisian state was keen, since the early stages after independence, to endorse the participation of women in public and political life through the issuance of laws and legislation that promote their place at the core of the society. The presence of women in public life, though slow, witnessed remarkable developments since the early stages of building the modern state, starting by the Republic Constitution of 1959, which acknowledged women's right to vote and run for elections, along with the other civil and social rights.

Betting on the involvement of women in public life was one of the pillars of the Society Modernization Project in Tunisia, noting that the path of women's political participation is determined by the development of their

*Significant improvements were introduced on women's pattern of living, in spite of the differences that still exist between women in urban and rural areas.*

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23 - Women and Men in Tunisia Numbers and Indicators.

*The path of women's political participation is determined by the development of their presence in the social and economic life, as well as in public institutions.*

*The path of women's political participation is determined by the development of their presence in the social and economic life, as well as in public institutions.*

presence in the social and economic life, as well as in public institutions. Women's movement played a mobilization and advocacy role in raising public awareness in support of this approach, although the existing authorities assigned that task to the Tunisian National Federation of Women.<sup>24</sup> Yet, the initial results of this approach did not become substantially perceptible until after two decades, during which social and political conditions were available for the emergence of leading groups of women, within the context of a new political movement that incorporated both the authority and society's political and civil institutions. Independent women's associations, particularly the Association of Democratic Women played a prominent role in the formation of a motivating feminist awareness for supporting women's rights.

#### ► Representation in elected councils:

The first indicators about the political presence of women that can be taken into account are their representation in elected councils, whether parliamentary or municipal. Their presence followed a quota system adopted by the political power, which enabled a relatively advanced representation of Tunisian women. The percentage of women representation in the House of Representatives evolved from 11.5% in 1999 to 27.5% in 2009, as well as their representation in the House of Councilors, where the percentage rose to 19% in 2009 as opposed to 15% in 2004. In the municipal councils, the percentage of women representation evolved from 20.6% in 2000 to 32.8% in 2010. In general, these percentages in general, are the highest in the Arab countries, exceeding to a great extent, the world average, estimated to be 14 percent for parliamentary representation.

However, this representation, though advanced on the percentage level does not necessarily reflect a qualitative development of women's special role in heading these institutions; though a significant presence of women

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24 - Up till 1989, the year the Women's Democratic Association was registered, the Women Feminist Union – purported to be associated to the ruling party – was the only feminist organization: refer to Ilham Marzouki, *Feminist Movement in Tunis*, Ciras Publishing House, Tunis, 1993

is recorded in the chairmanship of the committees of municipal work (33 percent), they are almost completely absent in heading municipal councils (1.9 percent).

► **Women representation in high political positions:**

On the level of ministerial responsibilities, the presence of women is almost limited to the Ministries of Women and Family Affairs, Health, and in some cases, the Ministry of Equipment, Housing and Territorial Development. However, the state ministries remained unavailable for women despite the growing presence of Tunisian women in the judiciary and in the diplomatic corps; this also applied to the ministry of Education, despite the extensive presence of women recorded in these sectors.

According to the 2009 statistics, the presence of women grew in certain professions and locations; as they represented 72 percent of the pharmaceutical sector, 47 percent of the researchers, 45 percent of the media people, 42.5 percent of the lawyers, and about 32 percent of the judges. In the teaching profession, women represent the majority of the working force in the primary and secondary stages of education, as well as as for higher education where the rate reaches 44.3 percent, as well as 42 percent in the medical professions. Nevertheless, the percentage of women in decision-making positions in public office, despite its growth, remained below the desired level.

. The situation reflects a general condition relating to the discrepancy, which became evident, during the past decade, between the actual presence of women at the level of grassroots field mobility in the civil and political communities, and their actual weak representation in leadership positions, whether state-run, or independent associations and organizations. For instance, the percentage of women involved in organizations or associations reached 42% in 2009, while 21 % only reached leading positions in these organizations in the same year.

*On the ministerial responsibilities, the presence of women is almost limited to the Ministries of Women and Family Affairs, Health, and in some cases, the Ministry of Equipment, Housing and Territorial Development. However, the state ministries remained unavailable for women.*

*Tunisian women, who have been heavily engaged in the economic, social and political fields as well as in forms of knowledge, also practically shouldered the main share of family responsibilities and child raising, in a way that preserved the main responsibilities within household space. At the same time, this represented a real obstacle to women's commitment to engage in public life,*

With regard to political parties, -with the exception of the former ruling Constitutional Democratic Rally, where the representation of women on the level of its Central Committee in 2009 constituted more than one third- there are no more than one or two women within their leadership structures. Whilst there are no women on the executive board of the Tunisian General Labor Union, the largest syndicate in the country. This meager representation of women was not subject for concern to most political leading groups in the country, including the Democratic elites.

► **The inconsistency between women's competencies and their actual status:**

The main feature of women's status in public and political life highlights an evident inconsistency between their competencies and their status. While an upward trend in the presence of women at base and sectorial levels and in field locations is observed - a presence that allows them to compete with men and often surpass them - we see, on the contrary, a steady if not regressive trend, in women's civic, administrative and political responsibilities.

Perhaps the low percentages of women who assume high responsibilities in central departments (general managers ...) or even institutions (governor, regional director or heads of tribunal) is an indicator of the cause for this discrepancy, which may reflect, to some extent, the tense relationships between men and women with regard to the actual application of the principle of equality. This discrepancy is evident in the contradictory and incoherent intellectual and ideological rhetoric which is often centered around women.

This situation is explained by social and cultural constraints. Tunisian women, who have been heavily engaged in the economic, social and political fields as well as in forms of knowledge, also practically shouldered the main share of family responsibilities and child raising, in a way that preserved the main responsibilities within household space. At the same time, this represented a real obstacle to women's commitment to

engage in public life, especially as the state did not provide the necessary mechanisms to ease the pressure on them in a society, where the public domain remained a male privilege par excellence.

The cultural environment is still dominated by the patriarchal customs and traditions that give power and precedence to men, at the expense of women. Other barriers, mainly social, expose women, more than anyone else, to instability and economic marginalization such as the phenomenon of feminization of poverty, or more meager wages than those earned by men.

Despite the advancement of the legislative system in its entirety, the social mobility is still inconsistent, due to the remnants and impact of the cultural concept, and negative repercussions of the development system on the socio-economic conditions of women, especially in rural areas. We note that the agricultural work carried by men is gradually being compensated by female agricultural labor, a matter that is often ignored by official statistics. We also note a significant increase in women's activities in the marginal economic sector, around city belts which attracts internal migration, despite the fact that these activities are completely absent from official figures and statistics.

This raises a new predicament or challenge for women themselves. For at the time when the political power, despite its authoritarian and monopolistic approach, was trying to envisage mechanisms to push the representation and presence of women in most structures, social and cultural constraints were limiting more and more the capacity of women in assuming leadership roles. In this respect, we cannot fail to note, that these restrictions exist in the various political parties, organizations and institutions, regardless of their different stance from power and society.

Since the nineties, women's participation in civil society institutions is being gradually enhanced, as several associations emerged upon initiatives from some women groups, and also upon moves undertaken by the authorities to control and encompass the course of action of the civil society. These associations, though different in their approach, reinforced

*Agricultural work carried by men is gradually being compensated by female agricultural labor, which is often ignored by official statistics.*

*A significant increase in women's activities in the marginal economic sector, around city belts which attracts internal migration. These activities are also completely absent from the official figures and statistics.*



*The presence of women in the political arena, does not reflect the strides they made in all fields of economic, social and administrative pursuits. The patriarchal mentality that dominates, party and trade union structures constitutes still forms an obstacle to the widespread involvement of women in political parties and in naturally assuming leadership positions.*

the leading role played by Tunisian women, especially the Association of Tunisian Women for Research and Development, the Tunisian Association for Democratic Women, the Association of Women for Development, the Association of Women and Science, the National Chamber for Women Heads of National Associations and the National University for Rural Women; despite what these independent women's associations endured from the ruling authorities in terms of restrictions and domination that reached the level of suppression.

#### ► **Women's Presence in National Organizations and Institutions:**

Tunisian women were not absent from all structures and organizations that were established since the late seventies of the last century to defend human rights, such as the Tunisian League for Defending Human Rights, and the Tunisian Branch of Amnesty International. Despite its relative weakness, women's presence was real in these organizations on grassroots levels and leadership positions. Their presence was also enhanced in trade unions and professional syndicates, such as the General Union of Tunisian Workers, and the historic Syndicate Organization where the ratio of women at its base level reached 47%.

But this important presence was not reflected within the leadership structures, particularly on the administration board or in the executive office<sup>25</sup>.

Women were not also absent from the advisory structures such as the Economic and Social Council and the Supreme Council of the Judiciary, though their presence was at a much lower rate than men.

Nevertheless, the presence of women in the political arena, important as it is, does not reflect the strides they made in all fields of economic, social

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25 - The Outcome of the 22nd Conference of the General Tunisian Union for Work, which convened on 25 December 2011, witnessed the candidacy of 7 women among 80 candidates, with a total absence of women in the Executive Office of the Union,

and administrative pursuits. The patriarchal mentality that dominates, to a great extent, party and trade union structures constitutes still an obstacle to the widespread involvement of women in political parties and in naturally assuming leadership positions.

► **Institutional structures concerned with women:**

It is necessary to point out here to the importance of the institutional structures which were created in the framework for an improved integration of women in political and public life, such as :

- The Ministry for Women ,Family and Childhood Affairs, which was established in August 1993, to replace the State Secretariat for Women and the Family which was created in August 1992, to put a vision for the state's policy in the area of women and family and to coordinate the efforts of various stakeholders in this respect. The ministry mandate also includes the files of childhood and the elderly.
- The Center for Research, Studies, Documentation and Information (CREDIF) on Women was established in 1990 to contribute to propagating the culture of gender equality and enhancing women's rights, and strengthening their role in political, economic, social and cultural fields. The Center endeavors to achieve its objectives through its multiple scientific undertakings and its various mechanisms, which were reinforced by the establishment of an observatory for monitoring the progress in the status of women as well as the equality of opportunities between men and women.
- The National Commission for Women and Development tasked with the formulation of the comprehensive strategy and multi-sectoral programs for the advancement of women with the help of all governmental structures, representatives of political parties, national organizations and associations, within the context of the national plans for socio-economic development.

*Barriers, mainly social, expose women, more than anyone else, to instability and economic marginalization such as the phenomenon of feminization of poverty, or more meager wages than those earned by men.*

- Finally, the National Council for Women and Family, and the National Committee for Rural Women, which work for the advancement of rural women and families.
- Despite the fact that these different institutional structures played a significant role, that cannot be taken lightly, for the advancement of women and for supporting their rights, yet their close association with the ruling authority turned them into a political mobilization tool for advocating the official discourse, and accordingly deviating from the mission they were tasked with, concerning Tunisian women and their issues.

#### ► **Joining International Conventions Related to Women and their Application:**

Tunisia- like many Arab countries as well as other states –ratified a significant number of International Conventions and Treaties, consequently affirming its adherence to international legal frameworks. Women's rights were one of the main issues of those treaties and international conventions, ratified by Tunisia since the end of the fifties and the early sixties and which became part of its legal system, thus becoming mandatory to the government and the people. The international legal framework represents one of the most important supporting legal mechanisms for overcoming the limitations of domestic legislations in the area of women's rights and gender equality. **Among the most important international texts that were ratified by the Tunisian state are the following:**

- The International Covenant on Civil and Political Rights adopted by the UN General Assembly in 1966.
- The International Covenant on Economic, Social and Cultural Rights, adopted by the UN General Assembly in 1966.

In 1969 Tunisia ratified both without reservation. Thus, the Tunisian State legally recognized all rights and fundamental freedoms for both women and men without discrimination.

- The International Convention on the employment of women at night, 1957.
- The International ILO Convention to work on Equal Treatment (Social Security) in 1967.
- The International labor Convention to work on assignment policy.
- The International Labor Organization (ILO) Convention on equality between women and men in pay for the same work ratified in 1968.

Even though those agreements played an important role in raising awareness about women's rights and in emphasizing the need to recognize and protect them, the actual reality highlights the limited implementation of these laws. The transgression on laws registered by trade unions and monitoring institutions as well as the undermining of women's work and discriminatory repression against them, are a glaring proof of the limited application by the authority of what it had pledged internationally to respect. It is worth mentioning, that in the year 1993 the Tunisian legislator amended chapter 135 of the Labor Code, which contained discriminatory provisions concerning women's wages in the agricultural sector.<sup>26</sup>

■ **The International Convention on the Elimination of All Forms of Discrimination against Women "CEDAW" ratified in 1985, together with a general declaration and reservations on some of its articles.**

With regard to the General Declaration, though it did not mention explicitly Islamic Sharia, it asserted the State's pledge to avoid taking any procedural, regulatory or legislative decision according to the terms of this Convention, that is contrary to the principles of Chapter I of the Tunisian Constitution, which states that: "Tunisia is a free and independent state, and that Arabic is its official language and Islam is its religion". The deliberate usage of this precise verbatim, by the Tunisian legislator confirms that any provision of this Convention that is not in line with the principles of Islamic Sharia is unacceptable.

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26 - Law No. 66 dated 5 July 1993 pertaining to the Amendment of the Labour Code

With regard to the reservations, these included Article IX, concerning women's right to pass on their nationality to their children, Article XV concerning equality in legal capacity and civil rights, and Article XVI concerning equality in marital and family relations, including equality in inheritance and giving the name of the family. The same applies to the first paragraph of Chapter Twenty-nine that is concerned with resolving disputes related to the implementation of the Convention between countries. With such reservations that are not compatible with the spirit of the Convention, and which are founded on alleged respect for cultural and religious values specific to the country, Tunisia will have maintained laws that consecrate discrimination against women; while the fact is that the state had joined an international legal framework aiming at eliminating gender discrimination and achieving gender equality. The Tunisian state took important steps for enhancing the protection of women's rights in 2006 when it withdrew its reservation on Article IX concerning nationality and when it ratified in June 2008 the CEDAW Optional Protocol, adopted by the UN General Assembly in October 1999.

The last step taken by the Tunisian state, in the post-revolution period, with reference to this Convention was on 16 August 2011 when the Council of Ministers ratified a draft decree concerning the approval to withdraw the reservations relating to the ratification of the Convention while maintaining the general declaration.

But the fact that the present government did not deposit the document for withdrawing the reservations to the UN Secretary-General, on one hand, and the persistence in maintaining the general reservation, on the other, raises a question about the limits of the process of withdrawing the reservations, and about the extent of the Tunisian state's support for the elimination of discrimination against women.

#### 4 - The actual status of violence against women and the necessary legislations to address the phenomenon:

Since the World Conference on Human Rights held in Vienna in 1993 and the issuing of the UN Declaration on the Elimination of Violence against Women the same year, all forms of violence against women became a violation of human rights, according to all international standards and a punishable crime. The issue of violence against women gained great attention; successive international resolutions followed. Legislation and conventions were enacted for protection from this phenomenon and for addressing it.

In this context, Tunisia, like other Maghreb or Arab countries, adopted legislative measures and preventive mechanisms. Women in Tunisia preceded other women in the rest of the Arab world, in enacting legislations protective of their rights within the framework of a broad legislative system. ***The question raised now is : to what extent, can we talk about the protection of women from the various forms of violence inflicted on them? And to what extent is there a harmony between the varied legislative texts and societal awareness and social culture?***

##### ► Legislative and legal measures to address violence against women:

With respect to legislations, the legal texts relating to a number of areas seem fair to women, as they reflect the rejection of violence against them, whether physical, mental or domestic, committed by the spouse or anyone else.

*With regard to family and marital life, amendments were introduced on the penalty level aiming at enhancing the principle of gender equality and the protection of the victims of domestic violence through:*

- ✓ Annulling the chapter on Crimes of Honor in the Criminal Code, which states that a husband accused of killing his wife and her partner should not be penalized with more than 5 years' imprisonment, regarding the crime of premeditated murder in this case an offense.<sup>27</sup>

<sup>27</sup> - The Penal Code, part 207 (old)

*Although legislative texts, may apparently seem as a deterrent against women's exposure to violence, yet the findings of field researches have revealed the limitations of such protection, in addition to the limited implementation of the law itself.*

The lenience on the part of the legislator is confined to the husband, being a male, while the wife does not enjoy the same mitigating circumstances in a similar case, like the laws in some Arab countries which allow "crimes of honor". But Law no. 12 of July 1993 revoked this chapter; which made it possible to filter the Criminal Code from a law that conflicts with the principle of equality and dignity.

- ✓ Law No. 72 of the year 1993 dated 12 July 1993, amended the Penal Code by regarding the marital tie as a harshening circumstance in cases of domestic violence, whether slight or grave, by intensifying the severity of the penalty if the aggressor is the husband of the victim: "Any individual who willfully injures, strikes or commits any other form of violence... shall be punished by a term of one year imprisonment and a fine of 1,000 dinars. If the attacker is a relative or the spouse of the victim, the punishment shall be a term of imprisonment of two years in addition to a fine."<sup>28</sup>

Although these modifications represented a development in the legislation by making domestic violence a harshening circumstance, yet it does not address violence against women per se, but only violence between spouses in general, and violence against family members. This limits the effectiveness of this text as a mechanism addressing this phenomenon, within the family with its various members.<sup>29</sup>

A recently conducted study in 2010 by the National Bureau for the Family and Human Habilitation, on domestic violence against women within the family revealed alarming figures: as 47.6 percent of the interviewed women stated that they were exposed to violence at least once in their lifetime, of whom 49.5 per cent were illiterate, and 41.6 percent carry high degrees; 47 percent were employed and 48.9 percent housewives; 47.1 percent were rural women versus 48.7 percent in

28 - The Legal Gains of Tunisian Women, Centre for Research, Studies, Documentation and Information on Women, 2012

29 - The National Survey on Violence Against Women in Tunisia, National Bureau for the Family Habilitation, Tunis, 2010

urban areas. These figures indicate that violence is widespread within all segments of the society. Although the study showed that the husband ranked first in committing violence against women, yet the violence committed by the father or the brother was not to be overlooked.<sup>30</sup>

- ✓ **Criminalizing sexual harassment:** Since 2004 sexual harassment has become a crime punishable by law: “it penalizes offenders with imprisonment of one year and a fine of 3,000 dinars. The provision relating to sexual harassment defines the offence as persistent harassment of another person through humiliating or offensive, words, gestures and actions that infringe on the dignity or decency of the other, or are intended to cause the victim to submit to one's own sexual overtures or to those of a third party or to weaken the victim's efforts to resist those overtures.”<sup>31</sup>

Although legislative texts, may apparently seem as a deterrent against women's exposure to violence, yet the findings of field researches have revealed the limitations of such protection, in addition to the limited implementation of the law itself.

#### ► Preventive measures:

On the other hand, the previous Authority had taken a decision in November 1995 to establish registries in the emergency units in hospitals and in security stations to identify women victims of violence. The Ministry of Interior and the Ministry of Public Health issued a circular in this respect, demanding that the competent authorities be informed of all identified cases of violence.<sup>32</sup>

The legislator established the Family Mediator plan to prevent the escalation of disagreements, and to stop the disputes that fuel domestic violence against women. The Ministry of Women and Family Affairs, as well, tried to adopt a communication and media strategy that institutes dialogue within the family through television and radio spots to sensitize

30 - Ibid.

31 - Law number (73) for the year 2004, dated 3rd of August 2004, chapter 266

32 - Circular of 11 November 1995



the Tunisian family on the risks of violence, and on how to avoid and prevent it.

In cooperation with international parties the National Bureau of Family and Human Habilitation also contributed in a policy for combating violence against women, through multiple activities that included training, studies and communication.

However, these protective legislations along with these measures were not adequate enough to address the phenomenon of violence against women, which is getting worse, as confirmed by numerous indicators, in addition to the intensifying crises that are unsettling the society. In this context, the Tunisian Association of Democratic Women established a center to receive the complaints of abused women and to provide them with psychological and legal assistance.

As a result of the international concern about the phenomenon of violence against women, and the pressure exerted by the civil society, the Authority, through the Ministry of Women and Family Affairs, took steps in 2008 towards the formulation of a strategy to combat gender-based violence, and established a hot line for battered women to call for help. Yet, this strategy did not materialize in reality and remained more at the level of intentions and political rhetoric, than actual action on the ground. Hence, the manifestations of violence, which the legislative texts sought to address, did not necessarily cover the various prevailing forms of violence, which witness a continuous change and evolution that are not matched by legal texts. And if we were to adopt a sociological definition for the meaning of violence, we could add to the prevailing forms of violence what Pierre Bourdieu termed as "Symbolic violence", being "that form of a soft violence, that is imperceptible and invisible even to its victims and that is in its essence, mostly exerted through purely symbolic channels of communication, cognition or even feelings".

In this context, it can be affirmed that male dominance lies within this form of violence. Consequently, such forms of violence, that fall under the

term of Symbolic Violence, are not generally dealt with in legislative texts, as violence is usually associated with psychological and physical scars; whereas, women exposed to symbolic violence accept it “ i.e. with no negative psychological reactions, as in the case in other forms of violence.

On the other hand, the existence of legislative texts does not in itself represent the sole guarantee for standing up and addressing violence against women. The impact of the social upbringing in many instances finds the victim of invasive actions and abuse, (such as sexual harassment or family abuse) guilty. This in turn compels the victim to remain silent and not seeking to take the offender to court.

## Chapter I I:

### **The Revolution and the threats to the gains of Tunisian women:**

The Revolution opened the door for the dream and aspirations of a society founded on freedom, justice and equality. Women, especially those who were in the heart of the revolutionary mobility, dreamed of gender equality in order to achieve the course of the liberation established by the Code and its complementary laws. Today, months after the Revolution, it became apparent to any observer, that large sectors of women and constituents of civil society are reluctant to positively assess the repercussions of the Revolution on the actual status of women, and express in different ways the new reality that women experience now, in light of a growing attitudinal wave targeting the rights and gains of women.

### **The role of women during the Revolution:**

Since the first spark of the revolution on 17 December, in the areas of Thala, Kasserine and Alregab, and the subsequent events after its flames spread throughout the country on 14 January 2011, women, regardless of their different affiliations and age groups, were at the forefront of the battleground, unmindful of despotism or oppression, calling for freedom,

*The flowing torrents of demonstrations through the streets of Tunis, and in other Tunisian cities did not distinguish between men and women, nor did the "Symphony" of the Revolution differentiate between the voices of men and women.*

dignity and justice until the repressive regime, that had dominated the country and the people for twenty-three years, collapsed. This remarkable presence of women which was evident at every stage and phase of the Revolution, gained the praise of everyone. Tunisian women were strongly and bravely involved in all the battles and struggles, through their voice and action, in demonstrations and sit-ins, in advocacy and mobilization, and on the virtual pages of the social networks of Facebook and Twitter.

Women, educated and illiterate, young and old, employees, artists, farmers or homemakers, all took to the streets shouting in a unanimous voice, "No more fear after today". For days and nights, they joined men in the strongest protests witnessed by the Kasbah Square in Tunis, firmly leaving their fingerprints on the historical records of Tunisia, which abound with the struggle of Tunisian women. The flowing torrents of demonstrations through the streets of Tunis, and in other Tunisian cities did not distinguish between men and women, nor did the "Symphony" of the Revolution differentiate between the voices of men and women. Together they achieved the impossible and sacrificed their lives in order for Tunisia to live free and enjoy justice and democracy. The oppression of the tyrant, his violence and the horror of his crimes, during the events of the Revolution did not spare women, especially in Kasserine and Sidi Bouzid and Thala, where they were subjected to the worst violations of human rights of violence, murder and rape.<sup>33</sup>

Tunisian women, like men, sacrificed all that is dear and precious for the sake of the Revolution, and they were together in their predicament. They shared the same hopes and dreams of freedom and justice. Each and every one witnessed what women offered this Revolution both materially and morally. But as far as it opened the gates of hope for freedom, dignity and full citizenship for women, concerns about their gains have become equally legitimate. This is especially in view of the sudden collapse

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33 - Please refer to the report of the Tunisian Democratic Women Association " Fact Finding through Women's Testimonials on the Events of the Tunisian Revolution" , Tunis, September 2011

of the political regime which opened the public space for political and ideological expressions that were hitherto unfamiliar to the Tunisian society and which did not take long to reveal contexts that spread doubt and concern among women. The society revolted and its disagreements blew out, uncovering what was “concealed”, and suppressed voices loudly expressing the uncommon. The question is will this affect what was believed to be established gains?

### **The Revolution and women's gains:**

From the early days that followed 14 January 2011, leading female demonstrations, which raised slogans that became familiar in Tunisia, like “equality,” and “full citizenship” were surprised to encounter “bearded” groups known as “Salafis” going against the natural and anticipated course of events on the Tunisian daily scene by raising slogans that call for pushing Tunisian women back to their previous status in the past decades, not only regarding their general appearance or their status in the family and society (giving up fundamental rights such as employment and education), but also regarding their role in legislation and political life .

The religious political trend, represented in (the Al Nahda Party) declared that it will maintain women’s gains as stipulated in the recent Tunisian legislation, and that it intended to leave the mixed society that characterize the lifestyle of the Tunisian people untouched. Yet, its conciliation with the hardline advocacy groups, despite their marginal status on the Tunisian scene, has been a source of confusion and concern about the reality of the political legislative project that this movement is preparing for the society in general and for women in particular.

In parallel to the rapidly moving political scene, a politico-ideological grouping began to take shape since the early months of the Revolution. Women are the core of its socio- cultural background, and individual and public freedoms are its issue. On one hand, there were feminist expressions calling for the defense of the gains, and for linking them to the principles of freedom and modernism, as a new heading for the post- revolution

*Consequently, any demonstration by women in the public sphere, be it a collective or an individual exercise, whether political, cultural, educational or intellectual, becomes an occasion for charged reactions by the advocates of rejection of the customary Tunisian pattern.*

societal project. These calls are engaged in a path for mobilization, struggle and for a political, socio-civil, and even cultural framework with women at the core of this axis (known as the modern trend). On the other hand, expressions with religious backgrounds emerged, representing a discourse hostile to all social and cultural feminist expressions, and on which violent practices are founded. Though unpredictable, yet these expressions overpowered the content of the discourse and the electoral publicity slogans of the opposing parties, to the detriment of the different political programs of the contending parties.

Since 8 March 2011, demonstrations and counter-demonstrations became a recurring scene bringing in each time a congested situation that threatens social peace and security. These factions developed mainly in the fragile social environments in the popular neighborhoods of cities. Most of their elements had a low level of education and were engaged in associations and committees under different names, mostly inspired by radical and Salafi formations and groups, with which the fundamental Eastern communities are familiar such as (the Call, the Supporters of the Sharia', the Prevention of Vice and Promotion of Virtue..)

These factions took advantage of the post-revolution space of freedom to focus its rhetoric and its advocacy discourse on women, especially those described as "modern women. These radical groups used modern communication technology, especially the pages of "Facebook" to propagate their offensive publicity slogans in the name of identity and religion. It was noted that this publicity involved simultaneously three themes: women, modernization and the "sacred". If, based on the first revolutionary legislations, the emancipation of women in Tunisia is considered to be the launching pad for liberating and driving the entire society into modernization, the benefits of the project of the opposing society- that these movements dream of - could never be propagated, unless they use the "holy" and its subsequent issues of identity, as weapons to undermine the pillars of the Tunisian modernization framework.

Consequently, any demonstration by women in the public sphere, be it a collective or an individual exercise, whether political, cultural, educational or intellectual, becomes an occasion for charged reactions by the advocates of rejection of the customary Tunisian pattern. There were manifestations of daily attacks on the activities of many Tunisian women, especially the intellectuals, media people or creative women during the performance of their work. For instance, the The Society for the Promotion of Virtue and Prevention of Vice fired a university professor (Iqbal Algharbi) from her post as Director of the “Zitouna” broadcasting service, on the pretext that she is not eligible to work in a " sacred broadcasting station ". In the same context, the Commission forced two other professors in the School of Fine Arts in the City of Quirawan to publicly declare their " Religious Testification "(Shihada); then they threatened to fire them if they did not abide by changing their attire. These campaigns took distinct political manifestations by targeting the Association of Democratic Women itself, through the defamation and slander of its most prominent figures, with the purpose of isolating these feminist and progressive expressions from their social environment within conditions that provided a margin of freedom, after the collapse of the old regime.

The widespread daily violence against women, in all its forms, in the public sphere, during this delicate phase indicates the spread of a new phenomenon, namely the harassment of women in the name of religion. The last "scandal" in this file, the like of which Tunisia had never before witnessed, was the blatant attack using obscene words on the pages of “Facebook” against the Tunisian Olympic Champion Habiba AlGharibi who honored Arab women in the London Olympics of 2012.

These groups persistently call for diminishing the rights of women, basing their rhetoric on bigoted doctrinal backgrounds that adopt violent deterrent methods to reach their goal. They aim at establishing a pattern consistent with their perception of a fundamentalist paradigm, on the pretext that it is an “Islamic awakening" which entails “Bringing back the Tunisian society to its authenticity ". These calls target women in particular, as well as the Personal Status Code.

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It is, therefore, no exaggeration to say that many Tunisian women now believe that the dream, which the Revolution made possible, is fading against the physical or moral violence they are facing in the street, at the workplace, on the bus, or on the beach.

In recent months, cases of violation of women's rights have increased: the situation reveals cases of systematic violence against women in the streets, the workplace, universities and schools, while some families resorted to forcing girls under age or even adult women to wear the veil against their will, in addition to cases of practicing persecution and harassment against unveiled women. The "reassuring" discourses expressed by the leaders of the Al Nahda Movement, along with the promises to keep the status quo, and not to compromise the gains of Tunisian women were worthless, with the escalating pace of attacks against women.

The elections of 23 October 2011 created a situation characterized by an enormous distortion in the political and social scene of the post-revolution period. After the victory of the Al Nahda Movement, which has an Islamic background, and the formation of a government by the winning majority, the radical advocacy groups were invigorated, their activities became widely spread and their dynamism greatly intensified. It turned out that there was a systematic plan targeting the legal system and the societal pattern on which it was founded. And once more, women and their rights were the prime target of this plan, whether in the intellectual, informational, cultural and creative fields, or whether in other various aspects of social life. This paradigm expanded qualitatively in the area of advocacy as Salafist advocates were brought from the Orient under strange and provoking claims which aggravated the feelings of Tunisians, both men and women. Advocacy lectures often witnessed clashes with the media and on the ground, as well as a division within the Tunisian society, and a consecration of fabricated dualism. Among the most famous advocacy sessions, was a lecture given by the advocate Wagdy Ghoneim in which he explicitly justified, in the name of Islamic Sunna, some practices strange to the Tunisian society.

Though Al Nahda Movement, which became the main political faction represented in the National Constituent Assembly, and which held the executive power in its hands, tried to maintain some sort of balance in its discourse, which is relatively singled out among the majority of other advocacy expressions and which was against openly targeting liberal Tunisian women. However, the confusion persisted, through the conflicting statements and positions of its members and prominent figures, or through the flexibility, or even “tolerant understanding” that characterized the handling of the violent actions of militant groups by the authority, . which sometimes, intermingled with some of the militant grassroots factions of Al Nahda Movement party itself. This confusion increased with the beginning of the on-going debate around the sections and chapters of the new Constitution, especially regarding two issues: the status of Islamic Sharia' (Islamic Rules) in the new Constitution and the constitutionalizing of women's rights.

However, though the passionate societal debate on the principle of adopting the Sharia' as the main source of legislation, led to the withdrawal of the first proposal presented by Al Nahda Movement and to the acceptance of maintaining the first chapter of the 1959 Constitution, yet, the question of the compatibility of the laws with the Islamic Sharia' became the determining factor in the orientation of the ongoing debate relating to its various, especially those concerned with women's rights and gender equality in civil and political rights. The last phase of the public discussions centered around the draft article presented by Al Nahda Movement that defined women as human beings “complementing the role of men in family life” thus retracting the principle of equality between men and women, which had been stipulated by the 1959 Constitution and previously by the Personal Status Code.

One of the characteristic of the new post-revolution situation is that discussions around controversial issues usually exit from the institutional legislative space to become a public dialogue in the society, the media and on the pages of social networks. They take the dimensions of a field

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*The battle for defending women's gains in legislations and in the society have become the sole and direct responsibility of leading women's groups, against the backdrop of an unbalanced political scene where the impact of the forces threatening these gains predominantly prevails.*

struggle in the form of protests demonstrations in front of the Constituent Assembly, led by women of the civil society which now experience an independent autonomous mobility, away from both the parties and the ruling power. The battle for defending women's gains in legislations and in the society have become the sole and direct responsibility of leading women's groups, against the backdrop of an unbalanced political scene where the impact of the forces threatening these gains predominantly prevails.

In this contradictory course of events, with its complexities, the positions attained by Tunisian women in the society's structures, institutions and organizations, both old and new, provide sufficient and objective conditions that can push for improving or even implementing additional gains. It is obvious that this level of women's presence on the ground, in civil society organizations has grown significantly after the Revolution, as the number of women's associations increased as well as their substantial participation in their management and reactivation. Furthermore, the percentage of women's representation in the National Constituent Assembly increased due to the adoption of the principle of parity in electoral lists.

These objective conditions represent an incentive for the advancement of the society towards an actual consecration of the principle of equality. Yet, party and ideological groupings - that split women's elites themselves - especially within the representative institutions, the components of the civil society, or among parties, represent an obstacle for all these effective elite of women groups in reaching a minimum common ground among them, in order for women to move forward with their full weight and conclusively neutralize the influence of those advocating that they relinquish their rights and gains

## Chapter 111:

### **Priorities for future work for the advancement of women:**

In the current stage of institutionalization, there are several self-imposed political requirements to stabilize the liberating course that characterized the progress of the Tunisian society since the Independence. First of all, the new constitution must be fair to Tunisian women and should explicitly guarantee all their acquired rights and their full equality with men.

This initial condition is not contingent only upon the ongoing discussions and deliberations in the Constituent Assembly, it also depends on the ability of the political and civil society to reach a conciliatory formula that safeguards those rights and recognizes the need to develop them, as any other fundamental constitutional issues related to the civil nature of the state and the rights and public freedoms.

This necessary reconciliation needs to be based on an objective diagnosis related to the special issue of defining the present and legal status of women as a launching pad for developing future proposals. In this respect, it is necessary to examine the present Tunisian situation and the resulting discrepancy created between the legislative level and the actual living conditions of women. This will lead to important conclusions that can enlighten the vision for an effective formulation of future actions to support and permanently consolidate the gains of Tunisian women.

Today, after the vast accumulation of legal and social gains for women achieved in Tunisia, despite the on-going controversy around them, the legislative system is now on the verge of facing complex and diverse social and cultural dynamics, that reflect on the relationship between legislation and the social status of women and their ambitions in both areas. Whereas this system fell short of the aspired for level among the circles of urban educated women engaged in the mobility of society, the legal system appeared to be relatively advanced in other circles, especially in rural and popular areas, where there are mounting pressures on women. This dis-

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crepancy may, to some extent, explain, the contradictory and sometimes conflicting interpretations of the Personal Status Code that differ from one social environment or segment of society to another, as perceptions, ideological and political attitudes feed on these apparent discrepancies dividing them between critics and advocates..

The question of societal gender equality is no longer a matter of figures and statistics, as much as being a matter of a conscious and organized approach the women themselves to the development of a social and legal movement. Furthermore, the advancement of society unquestionably requires reducing disparities and differences between groups, classes and sectors. Our own experiences and those of other people indicate that the wider the circle of deprivation and marginalization, the narrower the circle of freedom, rights and citizenship becomes, and at the same time , tendencies of extremism, isolationism and regression grow. More often than not, voices are raised calling for limiting the employment of women, affecting, in particular, fragile and deprived social circles, though these circles suffer more than others from the phenomenon of the feminization of poverty.

In view of the comprehensive nature of women's rights, and the necessity to include them within a holistic social structural perspective, the gradual systematic process requires starting with their socio-economic and cultural rights, as being fundamental rights, then proceed to women's political rights as full citizens, taking into account the existing de jure and de facto situations in order to be able to define precisely what is desired and what is possible:

**- In the social field:** Although labor laws explicitly guarantee equal opportunities for both men and women in employment and equal pay for equal qualifications, yet the social situation shows great discrepancy and inequality in the field of employment; as the latest statistics for the year 2010 indicate that the rate of unemployment among females is more than double that of males (32.9% versus 15.8%). The same level of disparity is even more evident when comparing illiteracy among females and males: 26.5 % versus 11.5 % respectively.

A discrepancy to the disadvantage of girls in benefiting from the educational system is also noted, as the drop-out phenomenon still basically affects females more than males, especially in rural areas (9.5 % for females compared to 5.7 percent for males).

In a society that aspires for justice, the disparity in social opportunities reveals that females rank better than males especially in public certificates, when opportunities are equally accessible for both sexes. This question brings forward an urgent need to fight, with precise mechanisms, the social fragility which produces such discrepancies.

The orientation towards guaranteeing conditions for the stability and development of women's work is essential through providing specialized infrastructures, such as nurseries for children in the work place, or through pressing for the redistribution of responsibilities within the family in order to achieve equal partnership between men and women in all responsibilities, on equal footing.

This approach rejects "amputated" solutions such as the system of work on part-time basis for women to alleviate their family chores. as it gradually undermines their opportunities for promotion and advancement towards assuming responsibilities, and perpetuates their inferior professional status in comparison to men.

With regard to violence against women, researches and figures underscored its widespread incidence in all the social strata, as well as the efforts undertaken to address it. This issue is still awaiting additional endeavors to push and activate the necessary mechanisms to eliminate this phenomenon by applying a clear preventive policy that raises the issue of violence against women as a societal problem that requires suitable legal instruments as well as deterrent measures.

*The wider the circle of deprivation and marginalization, the narrower the circle of freedom, rights and citizenship becomes, and at the same time, tendencies of extremism, isolationism and regression grow.*

***In the area of political rights:*** even though laws guarantee, till today, the electoral rights of women and their right to run for elections – including running for presidency, since the Revolution confirmed those rights by the adoption of the principle of parity and vertical alternation between men and women on electoral lists, in the first free and transparent elections in Tunisia on 23 October 2011, yet the results of women's representation in the National Constituent Assembly were neither up to the level of their aspirations nor to that of their outstanding participation in the Revolution. Despite the principle of parity and alternation between men and women on electoral lists for the Constituent Assembly, that was adopted during the Revolution on 10 May 2011, which is in itself a revolutionary principle, the number of women parliamentarians was 63 out of a total of 217 that is nearly 29%. In the government, formed by this Assembly and which comprised 42 members, women's share was three cabinet portfolios, two ministers and one secretary of state. This confirms that the significant discrepancy between progressive legal texts and practices fraught with strong preemptive attitudes towards women attaining decision-making positions still exists.

This law was specifically designed for electing the members of the National Constituent Assembly.<sup>34</sup> As a result, everyone was expecting that the Constituent Assembly would incorporate the principle of parity in the Constitution, when submitting the nomination of candidates to the representative institutions, or adopt the quota system. Experiences in many countries, including long-established western democracies proved that such a system would open the way for women to play a full role in political life, thus achieving protection against reducing their role in assuming the political responsibility of managing public affairs.

The broad engagement of Tunisian women in the political arena today and their ongoing dynamism after the Revolution is an indicator of the competency and capability of Tunisian women to shoulder responsibilities. It has now become a fact that the enhancement of any democratic course and

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34 - Chapter 16 of Circular No. 35 dated 10 May 2011.

the building of an advanced and just society must inevitably go through enhancing the concept of real partnership between men and women in the management of political affairs, whether at the membership level or in assuming responsibilities. This is an important cornerstone of citizenship.

However, all this remains dependent on the extent of the actual Tunisian engagement in a system for addressing all forms of discrimination against women. Such involvement is considered one of the most important requirements for the success of this course of action. The mechanism of the international treaties and conventions plays a prominent role in guaranteeing the consecration of such conditions. It should be noted that neither the outbreak of the Revolution nor the suspension of the 1959 Constitution had an effect on the commitment to the international conventions ratified by Tunisia, which became part of its legal system and accordingly binding to the government and the people. In June 2011, the post-revolution government lifted the reservations of the Tunisian government on the international Convention on the Elimination of All forms of Discrimination Against Women, ratified in 1985. But despite all these efforts, the matter is still incomplete, as the reservations are still valid on the ground.

## Chapter IV:

### **No democracy without women's full citizenship:**

The emancipation of women has been always an ongoing issue in the contemporary history of Tunisia, to the extent that it was in the forefront of its priorities. Since the emergence of the Reform Movement at the end of the nineteenth century, till the full completion of the National Movement and the establishment of the modern National State with Independence, the issue of the liberalization and advancement of society was closely linked to the issue of women's emancipation. This matter was the backbone of the society's pattern that was established by the state's policy since its first strides, founded on the principle of equal citizenship that was clearly embodied in the 1959 Constitution.

Proceeding from these institutional reforms, the Tunisian society witnessed structural transformations in its construction and in its basic fabric; as the "family nucleus" was established, free from the patriarchal extended family. The pattern of life radically changed as women became active partners, especially in urban societies, where they had the skills, the knowledge and the control over their bodies and reproductive abilities, as well as their inviolability, their future and the future of their family and children.

Today, women stand with men at the forefront of the social and political mobility to defend the principles of dignity and freedom. Those were the main slogans of the 14 January Revolution. Women today are aware that the goals of the Revolution reside in completing the establishment of full citizenship in a civil society based on a progressive heritage that consecrates the principle of full equality under the law, in order that it can be further achieved within the society.

The outcomes of the post-revolution period have shown a state of a bi-lateral political polarization between trends which believe that the Revolution is a break with the past with its modernizing heritage, and that

the alternative must be built on the basis of the “stolen Islamic identity”. Hence, they took it upon themselves to question the various modernizing components, on top of which were women’s rights, and chose to retract them . On the other hand, there are other reformist progressive trends that place the rights and empowerment of women, as well as gender equality

The Tunisian Revolution, with its consequences and contradictions, and despite the absence of an ideological or doctrinal character, did not deviate, in its the course, from the rule that says that women always remain the target group during the most difficult periods that people pass through. For how long will women remain confined within the framework of this difficult equation, even in Tunisia, the country that was at the forefront of all Arab countries in defense of women's rights?

among their main areas of concern, in order to achieve the benefits of the Revolution. From this perspective, these trends start with renewing the heritage of modernization and reform and with the necessity of completing it by establishing the democracy that was delayed for decades. The fact is that advanced experiences reveal that the essence of democracy is a citizenship founded on freedom and equality for all, without discrimination. The on-going open debates around the chapters relating to women in the Constitution, between those who advocate the adoption of the principle of full equality without reservation, and those who support conservatism and the misinterpretation of this principle, while searching for alternative terms for equality, such as women complement men, represent another episode in the controversy between the two poles of the political equation.

The most important response to this question was expressed by Tunisian women themselves, through their voices and movements. It consisted in their demand for their right to equality with men, in rights and duties, in order that they may exercise their full citizenship. The civil society was the prime custodian of these feminist movements which attracted wide segments of women, to the extent that it became a driving and a pressure



force that can neither be ignored nor impaired, especially during this institutionalization period.

Accordingly, Tunisian men and women expect from the National Constituent Assembly to draw a republican constitution that will be fair to women and institutes their rights by adopting the principle of full equality between men and women without any discrimination; a constitution that will elevate women to the rank of full citizenship, especially as the society has said its word through the enormous mobility of the masses who tenaciously held on to those principles, which are a natural manifestation of the actual reality of everyday life.<sup>35</sup> This is the anticipated Constitution that reflects the rights and values which the Revolution called for, namely: the principles of freedom, dignity, justice and equality between men and women, which are the principal concepts incorporated in the International Covenants on Human Rights.

Most political movements and their elite, especially women leading groups, unanimously agreed, on a set of specific objectives and demands regarding the accomplishment of this task to ensure the success of the democratic process. These are:

- The New Constitution shall confirm that there will be no revoking of the principles and provisions of the Personal Status Code.
- Criminalizing violence against women in all its form.
- Confirming the role of the state in guaranteeing all necessary measures that consecrate, on the ground, the principle of equality between men and women; so that women can benefit from all social , economic and political opportunities.
- Expanding the scope of women's rights and gains to include civil, political and cultural rights, in order that women's rights do not remain

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35 - The massive manifestations of 13 August, organized in most cities, and particularly in the capital Tunis, to commemorate the Personal Status Code, were the best popular reaction to the Chapter stating that women complement men in the family space, which was endorsed by the Committee on Rights and Freedoms of the National Constituent Assembly, as this statement represents a regression from the principle of equality, stipulated in the 1959 Constitution.

confined to the Family law and the Personal Status Code.

- Acknowledging the International Conventions as main references for guaranteeing human rights in general and women's rights in particular.

These are the conditions that will allow us to cross this transitional period towards the achievement true and full citizenship. True democracy is not just a mechanism for the transference of power; it is rather, what it comprises of social, economic, political and cultural contexts. The principle of gender equality, today, following the profound structural changes that took place in the status of women, concerns the whole society with its various segments and components. Establishing equality between men and women means building a real democracy, as there is no democracy when half the society is paralyzed.



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A CASE STUDY

L I B Y A

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Professor Dr. Haniyeh Moftah El Qamaty



## Chapter One: The contextual Framework

### Introduction:

Libyan Women have achieved significant strides as an active force in society, especially after the 17 February revolution: they started to enjoy some of their rights, such as the right to vote and to run for elections. But despite these rights, women still face many obstacles, represented in the traditions, customs and male domination. Yet the emergence of women's role in many scientific, cultural and political fields allowed them to assume important positions in their communities. However, their role cannot be completely carried out unless it is activated and unless they are encouraged and supported in their path.

Although Libyan women won some of their rights, yet there are still some rights to be fought for. The existing anti-women trends have played a negative role in this domain. Women's participation in the political, economic and social life must also be activated for developing democracy.

### Subject of the Research:

Based on the preliminary deduction of the marginalization of the political, social and economic role of women in Libya, a role stipulated in the Human Rights Convention, the subject of the research can be summarized in the following question: ***"What is the current political, economic and social status of women in the Libyan society from the perspective of their rights and the variables of the time?"***





From this principal question emerge the following sub-questions:

1. ***What is the political, economic and social status of women in the Libyan society from the perspective of their rights and the variables of the time during the period of the study?***
2. ***Are there statistically significant differences due to “age, social status, educational level, or current job” in the political, economic or social status of women in the Libyan society from their own point of view?***

### **Objectives:**

1. To identify the political, economic and social status of women in the Libyan society from the perspective of their rights and the variables of the time during the period of study.
2. To identify whether there are statistically significant differences in the political, economic and social status of women in the Libyan society due to the variables of the study, namely: " age, social status, qualifications and current employment" .

### **Research Significance:**

1. The study will present statistical data of the number of women participating in political, economic and social fields in Libya.
2. The study will present a general background on the political, social and economic status of women in Libya from the perspective of their rights and the variables of the time.
3. Explaining the importance of linking the variables of the time with the role of Libyan women in the society.

## Chapter Two: Libyan Women: “Actual Situation and Challenges”.

***The status of Libyan women from 2000 to 2010 and at present , since the break out of the 17 February Revolution.***

### **First: Women’s Human Rights**

Women's participation in public life is no longer the main concern regarding women’s and human rights in general, but the focus is now on enabling them to take part in administrative and leadership positions, as they have human rights just like men. With this in mind, we may examine the actual situation of Libyan women before and after the 17 February Revolution which overthrew the Mu’amar Kaddafi regime.

To start with, it should be noted that statistics, prior to the 17 February Revolution, had virtually no real credibility. We say credibility rather than accuracy because there were really no statistics in the first place. This did not only apply to statistics about women, but to all other sectors and circles as well; all databases were hastily fabricate in closed offices in order to be submitted to one authority or another.

By examining the literature of the so called “Green Book” and the “The Great Green Charter of Human Rights”, one finds that Libyan women have theoretically acquired all their rights, making them fully equal with men with regards to rights and duties. It also appears that all job opportunities are open to women, and that they have the right to assume any role compatible with their scientific and intellectual qualifications. We may therefore consider these gains as human rights gains for women. But in fact, there is no actual general policy allowing women to enjoy these

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gains, as these policies have remained mostly abstract and remote from practical application. Perhaps, this has been due to the lack of civil society organizations through which "women prove their efficiency, capacity and talent as socially conscious citizens working with good people for the enrichment of the society with transparent and orderly civil work, defending women's rights in order to achieve justice and equality".<sup>1</sup>

One of the manifestations of women's political rights claimed by the former Libyan regime is that women assumed leadership positions, and had the right to join trade unions, professional syndicates and women federations. In reality, however, no women union existed in Libya before the 17 February Revolution, although the Libyan Women's Union, which existed before 1969 played a significant role in the path of Libyan women. However, after the coup in 1969, the Women's Union was gradually eliminated to be replaced by several feminist revolutionary formations, with a certain ideology that contributed to the unwillingness of women to participate in most areas of public life. Likewise, the claim that Libyan women have the right to represent their country diplomatically had absolutely no existence on the ground, except in some cases, as a mere formality.

The increase in the number of educated women was associated with the awareness of the society of the need to educate women due to the changes that took place in social relations and the relative development of values. But despite the rising number of educated women, yet they did not participate in the development process as required, not because of weakness or lack of capability and efficiency, but because women were only used to fill voids. " Education policies which made education a right for all, and adopted gender equality in the regulations for admission to universities, and directed students with secondary school certificates to enroll in the different colleges based solely on their passing grades, have resulted in the rapid increase in the numbers of females enrolled in universities." Thus, despite the slogans raised by the former regime and despite legislations and enacted laws, we find that men are the actual beneficiaries. Training workshops, financial rewards, and participation in administrative, legal, or

1 - Almanara (website), "Libyan Women Seeking to Enshrine their Rights in the Post-revolution Era", 4th February, 2012.

technical high-level committees were limited most often to men, without taking into consideration competence or experience, but rather gender. The reason behind that was the absence of policies that practically translate laws and regulations into reality and implement them on the ground.

Although women were the supporters and backers of the Revolution, encouraging their sons, husbands, and brothers, and thrusting them into the battlefield, and were the true model of free women. They preceded men and pledged to ensure the success of the revolution. However, after the success of the 17 February Revolution, and the collapse of the former regime, several blocks and organized currents emerged and completely dominated the scene, to begin once more, the attempt to exclude and marginalize the role of women. So despite the various significant political, social, and economic roles assumed by women, they found themselves once more struggling to seize their rights after they felt that there was an attempt to exclude them again. For instance, the elections law, issued by the National Transitional Council abolished the 10% quota defined in the draft law. The amendments to the law canceled the quota, despite the call for increasing the representation of women, not for cancelling it. Nevertheless, Article IV of the elections law was passed stating "...ranking candidates on electoral lists on the principle of alternation of candidates, male and female, both vertically and horizontally". Political parties and blocks, were thus obliged to implement the principle of alternation on their electoral lists, and conservative parties were obliged to do the same. Many of these parties especially the conservative ones began to seek out women and encourage their nomination on their lists; often tempting them by putting their names on top of the lists to ensure their winning; this occurred in a party known for its extreme conservatism. What was striking about this party was that an unveiled woman headed its publicity campaigns, and her picture was displayed in public squares and areas, in the same way women are used in the advertisements for perfumes and cosmetics. It is obvious to everyone that some conservative political parties openly declare and still do, that women's place is at home; as they are not fit to be involved in either political or public affairs, and that their role is to be confined to

the private domain. Many parties took advantage of women's participation, not out of conviction of their effective role, but merely for meeting the condition of the alternation principle.

The media, most of which were recently established and directed by certain individuals or trends, did not contribute in providing an unbiased space to show women's successes in the various aspects of life, falling short of professionally performing its proper professional functions, in its true meaning.

## **Second: Constitutional and Legislative Reforms**

Legislations governing women affairs in Libya were enacted based on equal rights between men and women, given that they are essential and inalienable human rights for both males and females.

Law No. 6 of the year 1959 regarding the protection of women's right to inheritance stipulates that the defining of their shares therein be in accordance with the provisions of the Islamic Sharia, thus abstaining from giving them their proper share is impermissible. The law also stipulated that violating these provisions, is punishable by imprisonment, together with a court order to carry into effect giving them their lawful share of the inheritance .

The Libyan civil and commercial laws equated between men and women in all legal actions of buying, selling, donating or otherwise, and stipulated that women are financially independent of men. The Labor Act stipulated that occupying jobs and professions in all areas of work and production positions should be based on the principles of efficiency, competence, ability, and qualifications. Choosing from among candidates should depend on integrity, fairness, transparency and merit.

It also prohibited favoritism and discrimination based on union affiliation, social status or any other discriminatory ties. It stipulated that it is forbidden to discriminate in the remuneration for equal work on the basis of sex, tradition, religion or color. The law also states that it is not permissible to employ women in a work that does not befit their nature, and that women's working hours in certain professions and businesses may be reduced, at the same time, work requirements must be taken into account and the ratio of working men and women must be proportionate. The law also stipulated that women are entitled to a paid 14-week maternity leave, including a mandatory six weeks post-delivery leave, to be extended to sixteen weeks if the woman gives birth to more than one child. It also stated that women's employment may not be terminated during their leave except for justifiable reasons unrelated to pregnancy, childbirth, or its complications or to breastfeeding. During the eighteen months following the delivery date, working women are entitled to a paid period or periods of time, not less than one hour daily during working hours to breastfeed their children. The law also obliges the employer who hires women with children to provide day-care centers for their children, and to treat women equally with regards to annual and irregular leaves, and to grant widowed women a special leave with full pay for a period of four months and ten days. The law also equated between women and men in health and social care. The Social Security Act treated men and women equally regarding social security pension, and various bonuses and granted women pregnancy and maternity allowances.

**The personal status law** guaranteed the rights of women in marriage, divorce, alimony and custody. The law made the right of a married man to take a second wife conditional on the consent of his current wife, which is to be given either before the competent District Court, or through a verdict approval of the competent District Court in a lawsuit against the wife. The law also stipulated that a second marriage should have serious justifications, and that in all cases, divorce cannot be confirmed except by a ruling from the competent court in the presence of the wife or her legal representative.

*Many parties took advantage of women's participation, not out of conviction of their effective role, but merely for meeting the condition of the alternation principle*

The law protects the right of the wife to get divorced on the grounds of harm, if subjected to physical or mental violence, while retaining all her legitimate rights. It also states the wife's right to demand divorce on grounds of a defect that prevents the fulfillment of the aims of marriage or other grave defect. She also has the right to ask for divorce on the grounds of *hajr*, defined as the husband sexual abstinence, and the right to divorce herself (*Khul'*). The law also safeguarded women's rights to child custody, and was keen that the previous marital residence be the home for custody.

**The Penal Code** stipulated penalties related to assault on a female infringing on women's dignity and decency, to fornication and sexual harassment. It also toughened the penalty for appropriation of the wife's financial property if the offender is the husband. It hardened the penalty by an additional half. The Citizenship Law granted Libyan women married to non-Libyans the right to pass on the Libyan citizenship to their children to protect and alleviate the sufferings of both mothers and children. (The law has not yet been enforced to date, despite its issuance in 2010).

Finally, Law No. 8 of the year 1989 gave women the right to assume judicial office, namely, the judiciary, public prosecution, and the management of court cases under the same conditions prescribed for men. By examining the extent of the benefit or the actual implementation of these laws, it can be said that the Libyan legislations are diversified, and removed – hypothetically - the obstacles that impeded Libyan women from being treated as first-class citizens. We can easily verify that if we refer to Law No. 10 of the year 1984, we will find – according to experts – that it is full of flaws in its application. For example, the first paragraph stipulates the following: "divorce by the will of both spouses, through using the word *Khul'* or divorce, against a compensation to be paid by the wife to the husband. Nevertheless, divorce in courts requires the approval of the husband, and the law also stipulates that "compensation" can be in the form of the right to custody, the alimony, the dowry or others", even though the right to custody is established in the interest of the child. This

inevitably puts pressure on women to either waive the custody which is guaranteed to them by Islamic law (Sharia') or to stay with their husbands, against their will, so as not to be deprived of their children.

Article No. 39 relating to divorce on grounds of harm, which was amended by Law No. 22 of the year 1991, states the following: "If the cause of the physical or mental harm is the wife, the Court rules for the loss of her right to dowry, alimony or residence, and to compensate the other party for the harm inflicted". This represents an injustice to women, as the husband's misbehavior may have pushed the wife in this direction.

In general, despite the issuance of these laws, follow up and practical implementations that take into account real life situations are necessary. Following the 17 February Revolution, the Interim Constitutional Declaration was issued on 3 August 2011 stipulating the right of women, like men, to political participation, running for elections, and voting. Article 6 of this declaration stipulates the following: "All Libyans are equal before the law and shall enjoy all civil and political rights and equal opportunities, and are equal with regards to public duties and responsibilities. No discrimination shall exist based on religion, affiliation, language, sex, family, political opinions, social status, or tribal, regional or family affiliation." Libyan women have actually experienced voting and running for elections for the first time in the history of Libya, and had a prominent role in a number of constituencies, amounting to thirteen throughout Libya. One woman from the city of Bani Walid won the elections as an independent candidate at the level of the National General Conference as well as 30 women from the various political blocks.

In the local council elections of the city of Benghazi, one woman won the membership of the council. Despite the fact that women's chances of winning were low compared to men, yet this, in itself, is considered a victory and a gain achieved by women in a relatively short period in the lifetime of the Revolution.



### **Third: Women's Participation in Political and Social Life**

The 17 February Revolution has undoubtedly offered women a space of freedom that they have never witnessed before. The entire community, including women, is now capable of freely expressing their ideas, opinions and inclinations. However, the authorities in charge (The National Transitional Council and the transitional government) still discriminate between men and women, which is quite obvious in most of the laws and decrees issued by the National Transitional Council. For example, the main cabinet portfolios went to men: from 15 ministers in the executive bureau formed during the Revolution, only one female minister was chosen and assigned to the Ministry of Social Affairs. In addition, The National Transitional Council consisted of 150 members among which there were only two women.

Moreover, the interim government which was formed after declaring liberation incorporated 25 ministries, included two women who were assigned the Ministry of Health and the Ministry of Social Affairs. Some women were also assigned the position of deputy or assistant deputy in some ministries. There were three assistants to the Prime Minister, none of them were women; at a time, when women were aspiring for more political representation considering the role they played during the revolution, not as a reward, but due to a sincere belief in their role and the necessity of their participation in the political and public life, in order to build the new Libya.

The democratic experience in Libya is still young, as no constitution has been approved yet, and the state is still in its transitional phase. However, a noticeable improvement is obvious in recognizing women's right to attain senior political and leadership positions, but it did not reach the stage of actual implementation on the ground, except partially as manifested in granting women the right to vote and the right to run for elections in local councils and in the General National Congress, either independently or within a political entity.

On the level of women's effective participation in all election stages, despite the novelty of the experience, their participation was exceptionally effective as voters, candidates, monitors and observers, in all these stages. According to data and statistics of the Electoral Supreme Commission, the number of registered women voters on the voters lists reached (1,294,357) out of a total of (2,865,937), i.e. (45%), of this total; and the number of candidates on the individual level reached 2501 of whom 84 were women with a percentage of 3.35%; the number of candidates on proportional lists was (1207) of whom (445) were women with a percentage of (37%). This confirmed their role and awareness of the importance of their participation in building the state and shaping the future. Nevertheless, Libyan women's fears are increasing due to the emergence of some conservative radical trends which consider that the primary job of women lies in the performance of their role and duties within the family; as politics – in their view – is a men's domain and not for women.

Local civil society institutions, despite being new, contributed along with international organizations and specialized centers in organizing awareness campaigns and civic training to explain women's rights to vote, run for elections, as well as the polling process. Debates between men and women candidates were organized and aired on most Libyan satellite channels. The Women's Union also contributed by arranging meetings between women candidates and women voters, and by organizing a solidarity manifestation in support of women candidates.

Although Libyan women before the Revolution had reached the position of judge and counselor in the Supreme Court, yet this participation was extremely low, as cited in the Human Development Report .. "Women's right to participate in decision-making is a right ensured by legislations, and their participation in assuming positions including high positions is also a right ensured by legislations, but on the ground, it is noted that the participation of women in decision-making is not commensurate with their proportional share in the community, and their ratio in leadership positions as well, is not commensurate with their numerical size in the society."

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Women consider this contribution as meager, and are waiting for measures aiming at increasing their representation in judicial bodies in a manner proportionate to the size of their sacrifices, thereby endorsing the principle of equality and preventing discrimination. Libyan women fear a relapse, especially in the judiciary and senior leadership positions, and limiting them to men only, especially after some radically conservative trends have explicitly declared it. In a precedent, first of its kind in the Libyan history ever, (529) women ran for elections (both independently, and within party lists), which is deemed a victory and a true gain for Libyan women, despite the fact that the social heritage still plays a role, and not a minor one through its perception of women; and the fact that though about (18) women were nominated for the Benghazi Local Council membership, only one woman won the elections is an evidence of that. Likewise, out of (84) women candidates for the General National Congress, only one woman won a seat. Women's share in party lists was much more fortunate, scoring (30) seats in the National Congress, thanks to the election law that stipulated the principle of alternation between candidates on party lists. Libyan women( aspire that the coming constitution of the country includes women's right to make their actual presence at the level of syndicates and professional association's leaderships a necessity, being a matter from which they were deprived throughout the past years.

#### **Fourth: Violence against women:**

Legislation and laws that criminalize all forms of violence against women, including domestic and sexual violence as well as sexual harassment exist, as the Penal Code stipulates the criminalization of all forms of violence against women. However, the inherited social concepts stood against the enforcement of the law, in addition to the almost inexistent psychological and medical support facilities, which are supposed to offer their services to women victims of violence. There are no shelters for women victims of

domestic violence, except for the so-called “Home for Protecting Women” in the capital city, under the supervision of the Ministry of Justice. It shelters women who did time in prison and completed the term of the sentence, but were unable to return to their homes because they were rejected by their families. This shelter lacks the provision of social and psychological care, as the attention is focused on monitoring the probation period; making this home more like a penal institution. There is also, what is known as the Social House, which is established within social institutions, and accepts through the prosecution department a very limited number of cases, as it is designated for girls under social welfare who encounter social problems after marriage

One of the advantages of the Libyan Penal Code is that it ensures the judicial prosecution of perpetrators of violence against women. In most cases, social norms and traditions stand as a barrier against allowing the opportunity for judicial prosecution, under the pretext of honor. With the expansion in opening up the public sector, cases of sexual harassment increased, as well as cases of domestic violence without being counterbalanced by the establishment of shelters or homes for protecting women, in addition to a clear absence of official and civil social work. This absence created an enormous void that compelled the parties concerned to resort either to the criminal course of imprisonment and punishment, or to complete silence while enduring abuse and harm, rather than providing a third solution, namely the social solution, to contain the crises and the outbursts that may do harm and in which women are the victims. Consequently, the solutions based on criminalization overpowered the social solutions; yet, in all cases, women remained the victims, and even when court rulings were in their advantage, they would still, have lost their reputation or their families. Very often women forego the harm they are exposed to, and do not resort to legal procedures, out of fear of the social scandal, as the society does not encourage women to take such steps. On the contrary, resorting to the judiciary, or to the police is considered socially shameful. Most Libyans of both sexes still consider that women's mere entry into a police station, even for reporting a theft represents a social flaw.

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*One of the manifestations of violence against women is the inappropriate treatment they receive as victims of violence. This is due to the fact that no specialized training was provided to the apparatuses of the judicial system*

One of the evidence of the violence that women were exposed to before 17 February, was the fact that they were the first to suffer from the trend to reduce inflation in the administrative workforce, as the exclusion and marginalization were applied mainly in the education sector, which comprises a major percentage of women, without providing them with any serious programs or real alternatives.

The 17 February Revolution realized the extent of this ordeal, and the competent authorities actually began taking decisions for the return of all the employees that were laid off in the different sectors, while focusing in general on the educational sector which included the largest number of them and in which the percentage of women reached 90%.

One of the manifestations of violence against women is the inappropriate treatment they receive as victims of violence. This is due to the fact that no specialized training was provided to the apparatuses of the judicial system (the police, the judiciary and the lawyers), which led to unfair dealings with this group of women. Over and above, there were no measures, before the Revolution, for communication with victims of violence except through the hotline, under the supervision of the "Ei'tasimo" (Hold On) Association. This hotline did not accomplish its assigned role, as it was established on wrong grounds and devoid of the culture of anti-violence.

The special law pertaining to the Department of the Preliminary Legal Representative of the Libyan people granted citizens the opportunity of having a lawyer to defend them; as Article No.(1) of this law stipulates that a citizen has the right to be represented before the judicial court by a pro bono lawyer, regardless of being a plaintiff or a defendant. This law is still valid till today, but the courts did not activate it -until the moment of preparing this study- due to the prevailing state of insecurity in the country at present, and which is increasing day by day. Furthermore, Libyan women during the 17 February Revolution were subjected to violence (war violence), with many of them exposed to systematic rape by elements of the collapsed regime in their attempts to suppress the

Revolution. Yet, the new Libyan authorities have neglected this issue, and focused on the young male revolutionaries by providing them with courses, offering them bonuses and lavishing upon them grants, donations and gifts, regardless of whether they were at the internal or external fronts. The authorities neglected and overlooked the role of women during the Revolution, especially those women who have been raped by the Kaddafi platoons. Once again, women were oppressed by the violence of customs and traditions as the competent authorities did not allocate a budget to support women psychologically, socially or health-wise. No programs were designed to help women overcome their ordeal or to reintegrate them into the society. They were left to face their destiny, submitting to the clout of the social heritage, in the evident absence of the official state institutions, though a number of raped women appeared on the screens of the Libyan and Arab TV channels, imploring officials in the new state of Libya to be more concerned with their plight and to relieve their agony.

Despite the sit-ins carried out by civil society organizations, in solidarity with this group of women, yet, till the end of the transitional period and till the elected National Conference began to assume the responsibility of running the country, no concrete programs were actually designed to take care of this segment of the society.

Civil society organizations and the associations concerned with women's issues played a prominent role after the 17 February Revolution. Albeit being recently established, they started helping Arab and international organizations by organizing training, educational sessions and workshops for the Elimination of Violence against Women and its repercussions. Such issues began to resonate extensively in the social and legal circles, and became the focus of interest of specialists, as rights organizations, as well as others concerned with social issues, emerged to defend and protect women's rights. Although the civil society in Libya is still at the beginning of the road, yet it took big strides to raise awareness about the culture of women's rights and to inspire women's confidence in themselves for demanding their rights and defending their status.

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However, what cannot be ignored is that every human being has the right of not being subjected to violence, and to be treated equally along with other fellow human beings, as the fundamental human rights represent the essence of the human existence, while violence cultivates fear, kills creativity and creates a terror that haunts women wherever they go.

### **Fifth: Education, employment and health**

The 1951 Constitution included three articles which constituted the base, from which the first Education law in Libya was later launched. This Law, known as law No.(5) for the year 1952 stipulated in its articles 28, 29, and 30, free and compulsory education for both boys and girls, with no tuition fees for the basic and primary levels; thus Libyan women were able to receive high and diverse education, and to prove their capabilities and their distinction over men in the fields of medicine, engineering, social sciences, economics and others.

The drive and desire of Libyan women to pursue education and attain higher degrees in various disciplines which led to narrowing the numerical gap between men and women in this respect, is noted; as the percentage of educated women reached 50% in 2003. It should be noted here also, that the girls' enrolment rate in higher education does not apply to Libyan girls in all regions, as there is a high illiteracy rate among women in rural areas while it declines among women in urban areas. The 1995 census recorded a high illiteracy rate among women in rural areas compared to men, reaching 27% among women, and 10% among men. While the census

of 2003, according to the economic and social survey, showed a decline in the rates of illiteracy among women in urban and rural areas compared to those of 1995.

Indicators (despite the absence of a database) reveal, especially over the last five years, a rise in the percentage of women graduates from various scientific or literary disciplines.

**In the area of labour,** women proved their efficiency and capability. Though there was no discrimination between men and women in terms of pay, there was a clear gender-based discrimination in terms of granting them training and qualifying courses, especially those held abroad, as these were mostly restricted to men with the exclusion of women. Appointments to leadership positions in state institutions were also confined to men, despite the presence of women with high qualifications and distinguished competencies in terms of expertise and work position. Libyan legislations confirm equality between men and women in rights and duties, and the legislations on women's right to work contributed to raising the percentage of working women, as the 2003 Statistics recorded what accounted for 23% of the country's workforce, estimated as the quarter of the Libyan labor force.

The current situation reflects a greater presence of women in most departments in public and private institutions, accounting, in most cases, for the vast majority of the work force; however, their presence in employment was limited mostly to low-grade and marginal departments, despite having the required competencies, capacities and capabilities for assuming senior management and leadership positions. This situation still prevails, even after the 17 February Revolution, as the role of women in the development process and in boosting the wheel of economy was not appreciated.

In the past two decades, Libya witnessed a rise in unemployment rates among both men and women, but the new Libyan authorities started finding solutions for unemployment problems, though hasty and not

*There was a clear gender-based discrimination in terms of granting them training and qualifying courses*



studied, yet they raised hopes towards overcoming and dealing with these problems. The flaws of these solutions were that they focused only on the young males and not the young females, as they were offered internal and external courses, scholarships, and the opportunity to join the national army and the national security forces, whereas the young women were not offered equal opportunities, compatible with their nature.

In the area of health services, the 1999 statistics indicated that the coverage of medical services reached 100%, and the immunization coverage against targeted diseases reached 100% as well. The 1998 statistics also indicated that the percentage of mothers who received health care and prenatal follow-up reached 80.8%, and the percentage of those who received general health care services reached 92.5 %.

Studying these figures in relation to the health services that actually exist, we will find that they are inaccurate and exaggerated. Indicators on the ground point to a clear decline and deficiency in the level of medical services before the Revolution, and which remained low after the Revolution; the situation may have even become worse as there is hardly any interest in women's reproductive health. For example, the level of health services provided by the only maternity hospital in Benghazi is very low, and in some cases, even primitive. Furthermore the services provided by the motherhood and childhood units in the health complexes are very modest. We look forward to the Ministry of Health in the new Libya to reinforce the processes for enabling women to get better health services in general and reproductive health in particular.

## Sixth: The Implementation of the International Instruments for the Protection of Women's Rights:

Libya has ratified the Convention on the Elimination of All Forms of Discrimination against Women, but made a reservation on article. (2 ) which prohibits discrimination in constitutions and national legislations, and made a reservation also on Article (16), which prohibits discrimination in marriage and family relations because it contradicts with the Islamic Sharia (Islamic law) and the personal status code of Libya.

Despite the contradiction of many articles of the international agreements and conventions with the religions and beliefs of some peoples, in the sense that these documents deal with women as human beings, without considering their specificity and characteristics. Muslim peoples, for instance, believe that equality between men and women is possible, but in accordance with what the Islamic legislator indicated, i.e. after taking into account the natural differences between the two, "equality with difference" as stated in the Human Development Report of Libya in 2006. Hence, the new authorities in Libya have to reconsider these reservations, taking into account the non-violation of Islamic laws. It is worth mentioning that the Libyan Personal Status Code No. (10) of 1984 granted women many advantages which made it - according to specialists - one of the best Personal Status Laws in the Arab region, with some flaws in article (Forty-eight) of Chapter VI, which require modification and amendment. These flaws are:

1. Paragraph (a) "Almukhalah": Divorce by redemption “both the husband and wife are given the right to dissolve their marriage by uttering the word khul' or divorce’ - the right to divorce is given to the wife, against a redemption paid to the husband”. The flaw in this kind of divorce lies in the fact that applying it before a court necessitate the consent of the husband.

*Though Libya signed the Convention on the Elimination of All Forms of Discrimination against Women, the de facto equality between the sexes has not been realized due to political, economic, and social considerations.*

2. Paragraph (c) indicates that the redemption might be in the form of the right to custody, alimony or dowry, or otherwise, despite that the right to custody is legally stipulated to be in the interest of the child, and in this respect it imposes pressure on the woman.
3. A "Human Rights Watch" report called upon the interim government of Libya to withdraw all reservations on the International Convention on the Elimination of All Forms of Discrimination against Women, and to amend some articles of the Personal Status Code, which discriminate against women, including the laws of inheritance, marriage, divorce, and child custody.

In fact, before the Revolution, Libya raised slogans, and enacted legislations to prevent discrimination against women, but they were mostly hypothetical and not translated into practice, either because of the directed policy which aimed at protecting the existing regime, or due to the social heritage.

Though Libya signed the Convention on the Elimination of All Forms of Discrimination against Women, the de facto equality between the sexes has not been realized due to political, economic, and social considerations. According to the 2009 UNDP Arab Human Development Report, Libya ratified this agreement on 16 May 1989, and made reservations on articles (2, and 16) and ratified the Optional Protocol on 18 May 2009

Owing to the absence of the role of civil society institutions, before the 17 February Revolution, discrimination against women persisted. Conceivably, customs and inherited social traditions may have contributed to instituting a form of discrimination. From this standpoint, the civil society contributed, after the Revolution, in seeking to change the prevailing culture that was entrenched and deeply rooted in the society, due to the social heritage and to a number of policies associated with the former regime.

Despite the decades of dictatorship that Libya lived through during the Kaddafi regime, yet the status of Libyan women is considered the best when compared with the situation of women in some Arab countries.

According to the UNDP reports, they are the most educated in the Arab world, as more than half of the university graduates of Libya are women,

However, on the other hand, these statistics record, that only a quarter of women in Libya found their way to the labor market.

► **Study: Are the gains of Libyan women in danger?"**

During the war of liberation against the former regime, Libyan women demonstrated their greatness and their ability to bring a change for the better, yet their almost total absence from elected local councils means an attempt to exclude and marginalize them under the pretext that women have no leadership capabilities. All the fear now is that women may lose the major sacrifices they offered to achieve democracy and justice during the course of the 17 February Revolution. An example of that is the local council elections in the city of " Benghazi " , the cradle of the Revolution, in which women played a prominent role in its success: only one woman won in these elections obtaining the highest percentage of votes (reaching more than 80%) among the candidates. The number of candidates running for the local council elections in Benghazi reached 407 (389 men and 18 women), but only one woman won a seat in the membership of the city local council out of a total of ( 41) seats, bringing the percentage of women's representation to 0.02% . This result may be attributed to the lack of confidence in women's capabilities, or to the social heritage which seeks to keep women in the domestic domain and men in the public sphere.

On the other hand, if we look at the results of the National Congress elections, we would find that the percentage of women reached almost 15%, as the number of women members in the Congress reached 31 out of a total of 200 members. In fact, this ratio is considered fair for women. If we examine the method through which women reached the membership of the Congress, we will find that it was due to the principle of alternation between men and women which was mandatory on party lists by the election law, noting that they were closed lists. This means that if the

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electoral list system was opened, the results might have been different, and perhaps, the number of women members in the Congress might have been much less than it is now. The proof of this is the fact that the number of women who ran for elections for the Congress membership on individual lists reached 84 candidates, but only one woman won the elections, from the city of Bani Walid, in Western Libya.

As a result, the concerns of women began to grow, because of the fact that the election law through which they reached the membership of the Congress is temporary. Consequently, women should become aware of their role, and seek, through civil society institutions, to find a mechanism that can work on developing their participation at the time when a permanent law for the upcoming elections will be enacted, especially, that Libya is now in the process of building the state, and there is neither a constitution nor real institutions. Libya has, for the past forty- two years, suffered from the constant change of state institutions, their designation, and affiliation.. This caused instability in the various political, economic, social, educational, as well as other fields. Libyans are now facing the challenges of building a state and writing the country's constitution. However, this is no excuse for ignoring women and their effective role in building the state.

By examining the present situation in Libya, it can be concluded that until this moment, women still suffer and even feel bitter because despite all the sacrifices they offered, the public policies and the strategies of women human rights and equality with men are still unclear; but, until the adoption of a constitution for the country, the general scene of the Libyan women as is. The present scene is witnessing the emergence of radical conservative trends that aim at excluding women from most fields. As previously mentioned, the Veterans Affairs Commission for instance, focused only on the segment of young men, providing them with all the opportunities, such as courses, scholarships, bonuses, and employment opportunities, without paying attention to their women counterparts. This resulted in a feeling of frustration among women, and the fear of going back to the situation before the 17 February 2011.

At the same time, most of the decisions of the competent authorities, and at their top, the interim National Transitional Council ( NTC) , reflected a policy of gender discrimination, and granted very limited opportunities for women's participation in political and public life. A clear evidence is the following:

1. Law No.(4) of the year 2012 issued by the National Transitional Council pertaining to the election of the National General Congress, abolished the quota of 10% for women designated in the draft law.
2. The National Transitional Council's decree No. (42) of the year 2012, on the appointment of the chair and members of the Supreme Commission for the Elections of the National General Congress, nominating the chairman and ten members, included one woman only.
3. The National Transitional Council's decree No. (44) for the year 2012 on the establishment of the Higher Media Council nominating the chairman , his deputy and fourteen members, included only one woman.
4. The National Transitional Council' decree No. (37) for the year 2012, set up a radio and television establishment, that groups five satellite channels (Al-Shababiyah, Al-Riyadiyah, Al-Hidayah, Libya Alwatanya TV, and Libya channel) as well as a Media Center. However, women were absent from the management of all these channels and the Media Center, with the exception of the Youth channel, which is managed by three persons: one man and two women.
5. The National Transitional Council's decree No. (43) for the year 2012 establishing the National Institution for the Press, nominating the Chairman and twelve members, including only two women.
6. The Resolution of the Local Steering Council of the city of Benghazi concerning the establishment of the Supreme Committee for the city's Local Council elections, nominating the Committee Chairman and its ten members, all were men.

The analysis of the previous decrees, shows that women's representation in the newly formed committees is very low, let alone the fact that they did not even obtain, within this low representation, the position of a committee chairman, or even a deputy chairman, despite the outstanding roles of women during the course of the 17 February Revolution.

All these indications increased the fears of women of being brought back to their pre-February 17 situation and of losing the gains they achieved and which they endeavored to maintain; even seeking to develop and add to them. What increased the gravity of women's concerns was the actions taken by the chairman of the National Transitional Council on several occasions, notably the following:

1. In his Liberation Day speech, the Chairman did not address some issues of importance to the Libyan people, which were expected to be mentioned. However, out of the context, he announced that he will revoke a law that previously prohibited polygamy, noting that he will approve another law that permits it. This is an indication that, on the one hand, we are still under the domination of the one-man decision and on the other hand, the Chairman of the Council chose to forget that the law prohibiting polygamy, was formulated through the struggle, strive and awareness of Libyan women and was not the making of Kaddafi.
2. On another historic day for the Libyan people, when the National Congress received the power from the National Transitional Council and just a few minutes before the start of the handover ceremony, the Chairman of the Transitional Council asked the woman announcer, who was getting ready to present the handing over program, to cover her head or leave. She preferred to leave, and was replaced by a man who was assigned by the chairman of the Transitional Council. This all happened before a large crowd of guests: international, Arab and local news agencies; the former members of the National Council which had completed its term and the elected members of the National Congress who were getting ready to take over. Once again, this

behavior demonstrates despotism and the confiscation of the freedoms of others, and also indicates that there are indeed intentions to push women backward and to curb their leading role.

Fears grew even more as a result of a declaration by the Libyan Mufti (Libya's top religious authority) confirming that Dar Al Eftaa (the institution for religious interpretation and advice) is seeking the issuance of a resolution for separating females from males in schools and universities. If such a law is passed, women will lose the principle of equality in education, and of enjoying the same opportunities like men. They may possibly be deprived from studying a number of specializations under the pretext that they are not compatible with the nature of women. In fact, talks have already begun about the unsuitability for women to study geology. This ban will probably extend to other disciplines, and may even lead to depriving women from assuming jobs and positions they previously occupied, such as the judiciary, and from studying whatever they wanted, after having attained the highest academic degrees in all disciplines, without exception-. At present, there are no policies or actual measures undertaken for the advantage of women's human rights or for equality between men and women. No concrete measures or decisions were carried out, and if existing, they were only theoretical, and often just for media consumption. Yet, despite this, Libyan women are looking forward to achieving the objectives of 17 February, and that the National Conference succeeds in selecting the Institutional Committee, that includes women with different specializations, and that the committee succeeds in drafting a constitution that can realize the aspirations of the Libyan people in general and of women in particular.

#### ► Study: Looking forward to the future "Women, the Critical Equation":

Despite the significant role played by women as partners and key players in the democratic process, which is not a complementary factor as perceived by some; and regardless of the fact that the just and fair



*Though conservative trends raise seemingly democratic slogans, in fact they are exclusionists aiming at marginalizing women.*

Islamic religion regards women's rights as part of the universal human rights; the rights of women in the Libyan society are still less than those ordained by Islam. In addition to the Islamic legislation ( Sharia' ) , there are international conventions that emphasize the gender equality in political and public life, and stress the need to eliminate all forms of violence against women. Nevertheless, women's political participation, as well as their participation in public life, though better than it was before 17 February, is still very limited due to gender-based violence. Despite the existence of clear religious legislations derived from the spirit of Islam "away from politics " and despite the fact that all international conventions and covenants acknowledge the principles of equality and justice between men and women , the status of women is still critical. The policy of excluding them from assuming leadership and managerial positions and the attempt to shove them into marginal jobs, indicates the persistence of a policy of gender discrimination (similarly, the laws and decrees issued by the National Transitional Council, previously mentioned in Chapter III, confirm this discrimination ). The representation of women in the interim National Transitional Council which comprised, after the liberation, more than 150 members, did not exceed two women. This is also the case regarding women's representation in the Executive Office which was formed during the Revolution and which included, among its fifteen members, only one woman. Likewise, the transitional government included among its twenty-eight members only two women ministers, in addition to the appointment of about five women as under-secretaries or assistant under-secretaries, often with no portfolios. Women were mostly assigned marginal roles, while most of the powers were granted to their male counterparts.

Reform and development processes cannot be carried out without improving the status of women, at the same time no democratic process can be achieved without the participation of women. Recognizing the role of women in building the state is one of the most important keys to reform, as well as a main indicator of sustainable development. Development experts emphasize that development programs cannot succeed unless with the

participation of the people, with all their segments and components, both men and women. But, the Authorities in the new Libya are still ignoring the necessity for establishing an institution or a council for women and family issues.

Thus, the critical equation becomes obvious: on the one hand, everyone in Libya - including the conservative religious trends - is calling for democracy and the need to achieve its objectives which were laid down as the foundation of 17 February Revolution, both in words and in practice. At the same time, the Libyan society is highly aware of the role of women and the importance of their participation in political and public life, based on what they offered during the Revolution, where they were on its front lines, advancing ahead of men and supported by men: the husband, the father, the son and the brother. But on the other hand, they are still facing obstacles imposed on them to prevent their effective participation.

Though conservative trends raise slogans seemingly democratic, in fact, they are exclusionist aiming at marginalizing women. These currents have permeated the state apparatus, including the elected National General Congress.

Democracy cannot be achieved without equality, or without the effective participation of women; at the same time, there is no equality without democracy. In this context the role of the civil society and the media emerges in the following up on the international conventions implementation mechanisms, and in putting pressure for enhancing women's political participation, and in spreading a culture that respects political and civil rights as well as public freedoms, to eliminate all forms of violence against women, and to raise the awareness about the importance of their role and their significant participation in all aspects of life. Such advocacy should not be the responsibility of women alone. It is incumbent on both men and women to contribute to its propagation; because the participation of women is a societal issue that concerns the whole society..

*Reform and development processes cannot be carried out without improving the status of women, at the same time no democratic process can be achieved without the participation of women.*

One can say that the 17 February Revolution helped in creating new concepts that led to a change in social relations and values. Henceforth, Libyan women took it upon themselves to become key partners in the building and development process. They will no longer be satisfied, after the role they assumed during the Revolution which changed the course of life in Libya, to live on the margin and be satisfied with the role of spectator. There is no democracy without women's political participation and inequality is an obstacle towards achieving democracy. Therefore, the mere recognition of women's political rights does not mean the achievement of democracy. This recognition must be translated into mechanisms as well as practical and concrete programs; otherwise women will continue to suffer injustice and inequality and will have to pursue their struggle to achieve their rights, as ordained by Islam and emphasized by the international conventions and agreements.

## Chapter III: The Application Framework:

### **Methodological procedures of the study:**

Due to the importance of understanding the reality of Libyan women in the current period, and the lack of any previous scientific studies that demonstrate this reality; a field study was added to the theoretical research, to identify the reality of women from the rights perspective. The methodological procedures used in the study, will be demonstrated, the modus operandi, the study population, the study sample, as well as the tool used in data collection and the applied statistical methods, as follows:

#### **I: Modus Operandi :**

As this research seeks to apprehend the reality of women in the Libyan society, during the period 2000 - 2012, from the perspective of their rights, as well as to understand the variables of the time through a forward-looking vision, a questionnaire was prepared for this purpose, in which a descriptive analytical method was followed, being the most appropriate method for such a study; because such a method is concerned with the description of the actual phenomenon, subsequently analyzing, interpreting and linking it to other phenomena.

#### **II: The population of the study:**

The population of the study was comprised of women from all civil society organizations in Libya, covering the period from 8 January 2012 to 4 September 2012. Their number reached (11295), according to the final results of the general population census of 2006, in which the age groups from (10 - 14) and from (60 - 64) were defined.

III: The Sample of the study:

Due to the large size of the study population, I took, with the help of women researchers, a sample from he population of the study, the size of which reached (150) women, representing approximately 10% percent of the study population. But when the questionnaire forms were distributed to the respondents, the invalid forms represented a loss (18); thus reducing the size of the sample to (132) instead of (150) women.

IV: Characteristics of the sample:

The characteristics of the study sample can be expounded, through the variables used in the study such as: age, social status, academic level and current job as follows:

► **Age:** the age was divided into three groups (less than 20 years old, from 20 - 40 years and over 40 years), as demonstrated in Table 1.

Table 1\* - Distribution of the sample according to age

Age	Number	Percentage
Under 20 years	23	17%
From 20-40 years	59	45%
Over 40 years	50	38%
Total	132	100%

\*Source: the distributed questionnaire

Table 1 shows the distribution of the study sample according to the age group of women in civil society institutions. It was noted that according

to age, the majority of the sample fell in the category of 20 - 40 years old, representing a rate of (0.45%) of the study sample.

► **Social status:** was divided into (married, single, divorced, widowed), as demonstrated in Table 2

**Table 2\*Distribution of the Sample according to the Social Status**

Marital status	Number	Percentage
Married	47	36%
Single	58	44%
Divorced	19	14%
Widow	8	06.%
Total	132	100%

\*Source: the distributed questionnaire

Table 2 demonstrates the distribution of the sample according to the social status of women in civil society organizations. It is noted that the majority of women in the study sample fell in the category of (single) with a rate of (0.44%) of the total study sample.

► **Educational level:** was divided into four categories (basic, intermediate, university or its equivalent, post-graduate), as shown in Table 3.

**Table 3\***Distribution of the Study Sample according to the Educational Level

Educational level	Number	Percentage
Basic	13	10%
Intermediate	45	34%
University or its equivalent	70	53%
Post graduate	4	0.3%
TOTAL	132	100%

\*Source: the distributed questionnaire.

Table 3 demonstrates the distribution of the sample according to the educational level of women in the institutions of civil society. It is noted that the majority of the sample fell in the category of university level or its equivalent, at a rate of (53%) of the study sample.

► **Current job:** was divided into four categories (housewife, administrative, professional work “medical doctor, school teacher.., other areas of production), as demonstrated in Table 4

**Table 4\* The Distribution of the Study Sample according to the Current Job :**

Current Job	Number	Percentage
Housewife	20	15%
Administrative	76	58%
Professional work	14	10%
Other areas of produc- tion	22	17 %
Total	132	100%

\* Source: the distributed questionnaire.

Table 4 demonstrates the distribution of the sample according to women’s current occupation in civil society institutions. It is noted that the majority of the study sample fell in the category of administrative work, with a rate of (0.58%) of the study sample.



**V: The Study tool:**

The Questionnaire was the tool used by this study. The choice of the tool was based on literature related to the actual status of women in the Libyan society, from the perspective of their rights and the variables of the time, as well as the tools used in data collection in previous studies. It was developed to appraise the real status of women in the Libyan society and included (47 ) items. Each item was classified according to a pentagram ladder of the card, to estimate the level of approval, as follows: (strongly agree, agree, neutral, disagree, and strongly disagree). These alternatives were given weights from (5-1) if it were positive, and from (1-5) if it were negative.

**VI: The Accuracy of the Tool:**

There are several methods to ascertain the accuracy of the tool used in the study and that it appraises what it was designed for. The method of virtual accuracy was adopted to check the precision of the tool. This method includes explaining the tool to a number of experts and specialist\* in the field under assessment, and soliciting their views and remarks on the items used, and making the necessary adjustments. Based on the views and remarks of the arbitrators about the study tool, the structure of some items was modified.

**VII: Reliability of the study tool:**

There are several methods to measure the reliability of the tool. The method of internal consistency was used, for measuring the reliability of the study tool, as the value of Alpha (a) Cronbach of the tool reached (0.95), which has a high statistical significance, which is considered sufficient to achieve the objectives of the study at the significance level of (0.05).

### VIII: Statistical methods:

To analyze the collected data of the study; the Statistical Group (SPSS), was recruited, and the following statistical methods were used:

1. Alpha (a) Cronbach equation to find the value of the reliability of the study tool.
2. Mathematical means and standard deviations to find out the status of women in the Libyan society during the term of the study from the perspective of their rights and the time variables.
3. One way analysis of variance (One-Way ANOVA) to find out whether there are statistically significant differences in the actual situation of women in the Libyan society during the period under study from the perspective of their rights and the time variables attributable to the variables of the study.

#### ► **Study: *Presentation and discussion of the Study results:***

This section includes a presentation and discussions of the study results, based on the statistically analyzed data, as follows :

#### ► **First: Presentation of the Results:**

The results of the Study could be presented according to the sequence of its questions, as follows:

#### ◆ ***First question: What is the actual situation of women in the Libyan society, during the term of the study, from the perspective of their rights, the variables of the time and their own point of view?***

To answer this question, the mathematical means and the standard deviations of the response of the study sample to the measuring tool were calculated. The response is demonstrated in Table (5).

**Table (5) demonstrates the mathematical means and the standard deviations of the responses of the study sample:**

Variance	Sample size	Mathemati- cal mean	Standard deviation	Theoretical Mean*
Actual Status of Women	132	75,58335	7,465605	141

\* Theoretical means are calculated by multiplying the number of the items of the scale x (Total alternatives ÷ their number).

Table (5) demonstrates that the mathematical mean of the responses of the study sample to the tool measuring the status of women in the Libyan society from the perspective of their rights and variables of the time, and from their own point of view, reached (75, 58335) with a standard deviation of ( 7, 465605,) while the average theoretical mean reached (141).

**♦ Second question: Are there statistically significant differences at the level of the  $\alpha = 0.05$  between the means of the study sample estimations as a dependent variable attributable to the study variables (age, social status, educational level, Current job) as independent variables?**

To answer this question, the mathematical means and the standard deviations of the responses of the study sample to the measuring tool, were calculated according to the following variables: age ( less than 20, from 20 - 40 years , over 40 years ), social status (married, single, divorced, widowed ), educational level ( basic, intermediate ,graduate or equivalent, postgraduate ) current job (housewife, administrative , professional “medical doctor ,teacher , in other production fields). The one way analysis of variance (One- Way ANOVA) was used to determine the significance of the difference in the status of women in the Libyan society in the study sample, from the perspective of their rights and

variables of the time, which can be attributed to the variables of age, social status, educational level and current job . The results of the study can be explained according to these variables, as follows:

**The status of women in the Libyan society by age (under 20, from 20 - 40, over 40 years)-**

To determine the significance of the differences in the status of women in the Libyan society in the study sample, which can be attributed to the variable of the age, the method of the one- way analysis of variance was used, as the sources of variance and the sum of the squares and the mean sum of squares and the F value were calculated , as demonstrated in Table 6.

**Table (6) demonstrates the one- way analysis of variance to examine the difference between the responses of the study sample according to age variable:**

Age variable	Sum of squares	Level of freedom	Mean sum of squares	F value	Level of significance*
Between groups	17.43	79	0.446	0.972	1.958
Within groups	23.00	52	0.920	-	-
Total	40.43	131	-	-	-

Statistically insignificant value at the significant level of  $\alpha = 0.05$  \*

Table No. (6) shows that the sum of the squares between the groups reached (17.43), while the mean sum of squares (0.446); as with to regard the variance within groups, the sum of squares reached (23.00), while the

mean sum of squares reached (0.920), and the F value amounted to (0.972), which is statistically an insignificant value at the level of significance  $\alpha = 0.05$ .

The actual situation of women in the Libyan society and the social status (married, single, divorced, widowed):

To determine the significant differences in the status of women in the Libyan society in the study sample, which can be attributed to the variable of social status, the one way analysis of variance was used, as shown in Table.(7).

**Table (7) - the one way analysis of variance shows the differences between the responses of the study sample according to the variable of social status:**

Social Status Variable	Sum of squares	Level of freedom	Mean sum of squares	F value	Level of significance*
Between groups	43.41	79	1.114	2.65	0.454
Within groups	21.834	52	0.84	-	-
Total	65.244	131	-	-	-

\*Statistically insignificant value at the significant level of  $\alpha = 0.05$

Table (7): Shows that the sum of the squares between groups reached (43.41), while the sum of squares (1.114); as with regard to the variance within groups, the sum of the squares reached (21.834), while the mean sum of squares reached (0.84) and the (F) value reached (2.65), a value that is statistically insignificant at the level of significance  $\alpha = 0.05$ .

**The actual situation of women in the Libyan society and the educational level (basic, intermediate; university or equivalent; post- graduate).**

To determine the significant differences in the status of women in the Libyan society in the study sample, which can be attributed to the variable educational level, the one way analysis of variance was used, as shown in Table No. (8).

**Table (8): the one -way analysis of variance shows the differences between the responses of the Study sample according to the variable of the educational level**

Level of educational variable	Sum of squares	Level of freedom	Mean sum of squares	F value	Level of significance*
Between groups	34.736	79	0.89	1.545	1.54
Within groups	28.834	52	1.154	-	-
Total	63.57	131	-	-	-

\*Statistically insignificant value at the significant level of  $\alpha = 0.05$

Table (8) Shows that the sum of the squares between groups has reached (34.736), while the sum of squares amounted to (0.89); as with regard to the variance within groups, the sum of squares reached ( 28. 834), while the mean sum of squares reached (1.154) and the (F) value reached (1.545), a value that is statistically insignificant at the level of significance  $\alpha = 0.05$ .

**The current situation of women in the Libyan society and the current job (housewife, administrator, professional work, " medical doctor, teacher," in other areas of production).**

To determine the significant differences in the status of women in the Libyan society in the study sample, which can be attributed to the variable of current job, the one -way analysis of variance was used, as shown in Table (9).

**Table (9) shows the one- way analysis of variance to examine the differences between the responses of the Study sample according to the variable of the current job.**

Variable of current job	Sum of squares	Level of freedom	Mean sum of squares	F value	Level of significance*
Between groups	90.374	79	2,318	1.898	1.136
Within groups	56166.5	52	2.442	-	-
Total	146.54	131	-	-	-

\*Statistically insignificant value at the significant level of  $\alpha = 0.05$

Table 9: Shows that the sum of the squares between groups reached (90.374), while the sum of squares reached (2.318); as with regard to the variance within groups, the sum of squares reached ( 56.166), while the mean sum of squares reached (2.442) and the (F) value reached (1.898), a value that is statistically insignificant at the level of significance  $\alpha = 0.05$ .

## ► Second: Interpretation of Results:

After analyzing the data and presenting the results that were obtained through the responses to the study questionnaire, the study results can be summarized, as follows:

1. The participation of women in the state's political, social, economic and cultural life, as well as in assuming leadership positions was very low. The degree of fairness of the laws applied to women in the society was also very low. This could be attributed to the societal perception of women as subordinate to men, in addition to the persecution and harassment to which they are exposed in public places. The role of the media was weak in demonstrating the importance of women's role in society, and in educating them about their rights. Moreover, women's participation in civil society institutions was very limited. All these manifestations are due to male dominance over women.
2. Regarding the situation of women in the Libyan society, the difference in women's age brackets did not result in a difference in their views, which may be attributed to the Libyan society's perspective of women in general.
3. The difference in the social status of Libyan women in the civil society institutions did not result in differences in their status as women. Once more, this is due to the perspective of the members of the community with regard to women, irrespective of whether they are married, single, divorced or widowed. Consequently, the social status of women in the Libyan society did not lead to a distinction in their situation.
4. The variance in the educational qualifications of women did not result either, in a difference in their status; as women holding high degrees are not more appreciated by the members of the Libyan society than those who have no qualifications. Actually, it led to no difference in the status of women between graduates and those with no educational qualifications.



5. The difference in the current job according to the study sample did not result in a difference in the status of women. This is due to the fact that the Libyan society's perspective of women is the same, whether women are not employed (i.e. housewives), or perform administrative work, or have a professional career, "medical doctor, teacher..," or work in any other areas of production. Consequently, there is no difference in the status of women, whether they are working or not.

## Annex

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### Questionnaire Form

**Dear Madam:** .....

Greetings;

A field study is being conducted under the title "The status of women in the Libyan society during the period 2000 - 2012 from the perspective of their rights and variables of the time: a futuristic vision". As you have been chosen as a sample for this study; we hope you can respond to all items of the Questionnaire according to the alternatives put forward with each item, by ticking (√) inside the box indicating your personal opinion.

Thanking you in advance for your cooperation.

Peace be upon you and God's mercy and blessings

The Research Group:

Professor Haneya Muftah Al Qamaty, Ph.D.

Dr. Khadiga Ahmed Abhie.

Mrs. Fayza Mohamed Gaber

First: Personal information

Age:			
<input type="checkbox"/> under 20	<input type="checkbox"/> from 20 to 40	<input type="checkbox"/> over 40	
Social status:			
<input type="checkbox"/> married	<input type="checkbox"/> single	<input type="checkbox"/> divorced	<input type="checkbox"/> widow
Educational level:			
<input type="checkbox"/> Basic	<input type="checkbox"/> intermediate	<input type="checkbox"/> undergraduate	<input type="checkbox"/> post- graduate
Present Occupation:			
<input type="checkbox"/> Housewife	<input type="checkbox"/> Administrative	<input type="checkbox"/> Professional work (medical doctor- teacher)	<input type="checkbox"/> Other areas of production

## Second: The Status of Women

No	Items	Strongly agree	agree	neutral	disagree	Strongly disagree
1	Women will have a role in writing the new constitution					
2	The coming constitution will guarantee the full rights of women.					
3	The new constitution will be more fair to women than before.					
4	Is the percentage of women in the National Congress satisfactory to you as a woman.					
5	Do you believe that women should be equal to men in all rights and duties?					
6	Is there social support for Libyan women's rights in the new Constitution					
7	There are some restrictions that prevent women from assuming leadership positions in the state.					
8	Is there progress in the institutions headed by women					
9	Women's participation in political institutions contributes to changing the perception of the society towards them.					

No	Items	Strongly agree	agree	neutral	disagree	Strongly disagree
10	Women have an effective role in the advancement of society.					
11	Whatever leadership positions women assume in the society they remain subordinate to men					
12	There is a clear absence of the role of women in leading public institutions					
13	Many Libyan women are successful in heading private institutions.					
14	Women are always subordinate to men in public institutions.					
15	Women's participation in the leadership of public institutions is weak.					
16	The current Laws guarantee women's civil rights					
17	Legislations that criminalize all forms of violence against women in the society are in force.					
18	Libyan women enjoy all their rights like men					
19	Libyan laws guarantee women's rights after retirement.					

No	Items	Strongly agree	agree	neutral	disagree	Strongly disagree
20	Libyan women have an effective role in formulating laws related to their future status in society.					
21	There is a gender-based discrimination in laws against women.					
22	Personal Status Code laws do not guarantee women's rights after divorce					
23	Personal Status Code laws do not guarantee women's rights to inheritance					
24	Women's rights are marginalized despite the existence of laws stipulating these rights					
25	Laws ensure women's rights to education					
26	The media is fair in presenting women's issues					
27	The local media raises women's awareness of their rights					
28	The media plays a significant role in demonstrating the importance of women's role in society.					
29	Libyan women play an effective role in the media.					

No	Items	Strongly agree	agree	neutral	disagree	Strongly disagree
30	Women's participation in media debates promotes the status of women and enhances their self-confidence					
31	Libyan women have a significant role in the directed media in the society.					
32	Civil society institutions' role in promoting women's issues is marginal					
33	Women participation in civil society institutions is large					
34	Civil society institutions provide free services to women.					
35	Women's weak role in unions and professional syndicates is a result of their marginalization.					
36	Civil society institutions strongly support women in public life.					
37	Women have a prominent role in establishing several civil society institutions					
38	Civil society institutions' political support. for women is weak					

No	Items	Strongly agree	agree	neutral	disagree	Strongly disagree
39	Libyan women strong sense of belonging and loyalty to their country motivated them to participate greatly in volunteer work					
40	Women are often exposed to bodily harm.					
41	Many women are exposed to sexual harassment in public places.					
42	Many women are treated with sarcasm and disdain by males in society.					
43	Women are rarely exposed to emotional abuse by males					
44	Women are continuously terrorized such by the throwing of food and the smashing of things and others					
45	Libyan women are often exposed to bodily harm such as beating and others					
46	There is gender-based discrimination by parents to the advantage of males					
47	Women work with no objection on the part of men.					



## Sources:

1. The Interim Constitutional Declaration dated 3 August 2012
2. Law No. 12 pertaining to the Elections of the General National Congress of 2012
3. The Human Development Report – General Organization for Information, Libya, 2006
4. Law No. 6 of the year 1989 pertaining to the right of women to assume positions in the judiciary
5. Law No. 10 of the year 1984
6. Law No. 4 of 1981 pertaining to Popular Legal Protection
7. Decrees Nos. 37, 42, 43, 44 of the year 2012 issued in the year 2012 by the Interim National Committee pertaining to the composition of committees.
8. Decree of the Local Committee of Benghazi pertaining to the composition of the Supreme Committee for Elections of the Local Council of the city of Benghazi.
9. Al Hadi Mohamed Al Assouad, the Importance of the Role of Women in Participation in Public Life, Kotouf Al Maarefa (Knowledge Selections) magazine, third issue, 2010.
10. Al Manara on the Information Network, Article by the author of the site "no names mentioned" under the title: " Libyan Women seek to enshrine their rights in the post-revolution of February 2012.

A CASE STUDY

E G Y P T

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Dr. Amany Kandil



## Introduction:

### ***"Any Egyptian matter must take the Egyptian Women into consideration ..."***

From this perspective, the thinker, the late Dr. Anwar Abdel Malek, in his important work : " the Egyptian Renaissance" in 1983 wrote about the constant "presence of women" in all phases of social and political transformation. In his study, he confirmed the necessity to examine the status of Egyptian women within a political, social, economic and cultural context, characterized by comprehensiveness and "dynamism " during important historical moments that witness or carry with them beginnings of opportunities and possibilities for improving the status of women.

Since the nineteenth century, the "issue of women" has constantly interacted with the state, religion and politics,<sup>1</sup> i.e. with the social and political forces, the intellectual and political trends, the nation and the whole society. Since the last two decades of the nineteenth century up to the present time (2012), " women have expressed themselves within the context of voluntary organizations (civil society organizations), to demand their rights and freedoms".

How can we understand what is meant by "women within the Egyptian matter? " It is an ongoing process for searching for an identity and for asserting it, of persevering efforts through the phases of history, in its important and decisive moments, to be able to acquire the elements of economic, social and political strength. It is a search for tools to participate and influence, and a struggle to achieve equality and justice.

The study of the social and political history of Egyptian women shows us that they were and still are a main component and partner in the "critical equation" which created what we define as the " Egyptian Matter".... Over one hundred years or more, the titles of the major issues are still on "the

1- Please refer to Source 1.



*In the twenty-first century, the issue of the right to education still aims to achieve equality in education, bridge the gap between males and females, the big disparities between urban and rural areas and between Upper and Lower Egypt.*

agenda" of the Egyptian women, despite the gains achieved.....These issues were and still are determining the framework of the political and cultural debate on women's issues in Egypt, represented in the following:

**A- The Right to Education.** This issue had a priority since the nineteenth century, and was achieved through constitutional texts in the twentieth century. Yet, in the twenty-first century, the issue still aims to achieve equality in education, bridge the gap between males and females, the big disparities between urban and rural areas and between Upper and Lower Egypt.

**B- The Right to work** is one of the main headers that determined women's issues in Egypt. This right was acknowledged in the early twentieth century. Over the following decades, tremendous progress was achieved and women's contribution to the economic activity grew. Yet, after the first decade of the twenty-first century – and according to the statistical indicators – we still witness an increase in the rate of unemployment among women, with concerns that this rate can further increase after the January 2011 Revolution, as well as the deterioration of economic conditions. At the same, there are raised voices of cultural, religious and political trends calling for the "confinement of women in their homes", or demanding their return to care for the husband and the children, or depriving them from the right to assume important influential positions on the pretext of "incompatibility", based on the Islamic Sharia' – as some claim. These trends confiscate the rights of women to citizenship and equality (here we are talking about both Muslim and Christian women).

**What is new in this respect, in the twenty-first century, following the 25 January Revolution, which amazed the world and in which women and girls participated, is that these calls and radical demands are no longer "male"-driven, but also include voices of feminist groups and organizations representing the hard-line political and religious powers to which they are affiliated, and that seek to tinge the society with a traditional "rigid" vision that takes the issue of women back to square one.**

**C- The Third Issue:** since the early twentieth century to the present day, one of the topics that raised major debates around the issues of women during the course of addressing the "Egyptian matter", is related to the personal status law. Despite some progress and gains achieved pertaining to the custody of children, the Khul' law (the right of a woman in Islam to divorce her husband, against a compensation), the right of Egyptian women, (like Egyptian men) married to a non-Egyptian, to pass their nationality to their children. But one of the concerns of what was termed as the "Parliament of the Revolution" was towards "withdrawing" the limited gains attained by women, despite their legitimacy and conformity with the Shari'a, sometimes under the pretext of their non-compliance, or for being allegedly linked to former political figures "branded by corruption", as claimed by the proponents of such views.

*Over one hundred years or more have passed and the titles of the major issues of the Egyptian women, are still on "the agenda" of political and cultural debates.*

**D- The fourth Issue** on the agenda of interest of Egyptian women, since the beginning of the twentieth century and for which the struggle and debate are still ongoing, is the issue of the right to political participation ..... Historically, the organized women's activities started since 1919 – in particular, with the establishment of the Women's Union in 1923 – were geared towards demanding the acknowledgement of the political rights of women and their participation in the political work .... This demand was achieved when the right of women to run for elections and to vote was adopted in 1956. Decades elapsed after the recognition of this right, but the gap was always wide, between the constitutional and legal endorsement of this right and the political, economic and social reality, as the majority of women remained absent from the electoral lists. This was coupled with a severe decrease in the percentage of women in the Egyptian parliament (except in the elections of 1979 and 1987 in the framework of the quota system and the allocation of seats for women, and with the exception of the elections of 2010 – prior to the Revolution – in which 64 seats were allocated for women; mostly from the ruling party.)

It is important to note here that the concept of political participation transcends the rights to vote and run for elections, but extends to the activation of the participation in political parties and in local councils,

to influence decision-making, general policy formulation, the entire democratization process as well as the political culture. These dimensions constituted the main areas of interest of civil society and rights organizations in particular. These organizations, in the final assessment, represented one of the two main actors in the field of rights, in addition to the National Council for Women.<sup>2</sup>

**The last two decades of the nineteenth century until the end of the first decade of the twenty-first century witnessed achievements, as well as failures and setbacks. The progress and decline were linked to the political, economic, social and cultural framework, which has been associated with "significant historical moments"...**

**Thus, the major topics through which the "Issue of Women" was presented remained unchanged: (Education, Employment, Personal Status, Political Participation, and the impact on the democratic process). These, in addition to other topics, represent new concerns resulting from opening the Black Box, and include: violence against women, reproductive health, poverty, women heads of household....**

This study aims at monitoring and analyzing the opportunities and the potentials for enhancing the role of women in the process of democratization in Egypt, following a change in the entire political scene after the 25 January 2011 Revolution, in which women participated, alongside with men, demanding freedom, equality, justice and democracy.... Many questions are posed... which we shall endeavor, within the available data and information, to find answers to. Among the most significant of these questions: ***Are there real gains achieved for women? What are the dangers that women face? What are the aspects of the Egyptian women status in the present political, economic, social and cultural scene? Is it possible in the light of the features of the present moment – which seem uncertain – to propose future scenarios for Egyptian women and democracy?***

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2- The budget of the National Council for Women and its regulatory framework is a main part of the government's institutions, but the members of its board and its branches in the governorates do not work for pay, but represent the civil society and community leaders.

### First: Indicators on the Status of Egyptian Women (2000 - 2010):

Our attention in the first part of this study focuses on the indicators that define the status of women in Egypt before the 25 January 2011 Revolution, through a comparative analytical approach, which brings us to the threshold of the second decade of the third millennium – and immediately before the Revolution, to be acquainted through a comprehensive perspective, with the gains and failures on the one hand, and to identify the "hazards" that threaten women, on the other.

#### It is imported here to note the following:

- The " Encyclopedia of Social Indicators" defines indicators as various " quantitative and qualitative tools able to present a clear visual image of what happens on the ground, allowing us to evaluate what was targeted at the end.<sup>3</sup> " Simply stated the indicator is the conversion of a basic parameter ( such as education, labour, social care, and other policies) to a procedure to be used in the evaluation process.
- The second important issue referred to is that measuring from the angle of the pivotal issue being addressed – Women and Democracy - should based on a set of quantitative and qualitative indicators, that have to be consistent, complementary and comprehensive, in order to be able to translate the interactions between the subject at hand, and the cultural, economic, social and political environment on the one side, and the management structures and operations on the other.

#### ***What does this mean when we study women and democracy?***

It means that we shall not be interested only in the indicators related to the political participation of women, nor in the assessment of the opportunities and possibilities of these indicators in influencing democracy, but our interest shall extend to several other sets of indicators related to legislations, women's economic participation, labor/unemployment, and indicators relating to population, reproductive health and education...and others.

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3- Please refer to Source 2.



We are interested in the economic, social and political environment as a whole, in order to distinguish the interactions between the subject at hand (Women and Democracy) and the environmental variables and the mutual impact among all of them.

Based on the above, there is a need to give attention to the existing mechanisms or the regulatory frameworks that have women among their priorities, whether governmental or quasi-governmental machineries (The National Council for Women) , or voluntary non-profit organizations, defined as the civil society.

Furthermore, when we give attention to the issue of women and democracy, we seek to monitor the weight of the importance of women's issues in the educational, health, political work and social care policies, and in the national economy as a whole... Society, both men and women, may be affected, negatively or positively, by the social and economic policies (for instance, rising unemployment rates among men and women). It has become therefore essential - based on the indicators – to understand that women are the most affected sector.

**Hereunder, we are going to address the most important indicators that determine the status of women in the first decade of the third millennium:**

#### **A - Labor and Economic Activity:**

1. The statistics of the Central Agency for Public Mobilization and Statistics (CAPMAS) indicate that the rate of women's contribution to the total labor force in 2000, represents approximately (22%) only (i.e. less than a fourth of the labor force). It rose slightly in 2010 to reach (23.1%), in comparison to 78% for men, and 67.9% for the years 2000 and 2010 respectively. Though at national level, women's participation in the labor force is (23.1%), there is a disparity in their actual distribution at governorate level, reaching its highest level in the New Valley Governorate (40%), Port Said (37.3%), Beni Suef (36.6%). It decreases in the Red Sea to reach (18.3%), South Sinai

(12.5%) and finally in Sohag (11.4%). According to the statistics of CAPMAS, the proportion of women in the labor force in Cairo in the year 2010, reached 23.3% and in Alexandria 19.3%.<sup>4</sup>

2. The other striking fact in the statistics of CAPMAS are the rates of unemployment (between the ages of 15-64) by governorate and by gender nationwide, indicating that the rate among women reached 22.6% in 2010, rising in the governorates of Port Said, Giza, Alexandria and Cairo to reach (51.7%, 35.6%, 28% and 25% respectively). In order to identify the unemployment trends in Egypt and their variances with regard to gender, over a specified period of time, and the disparities between urban and rural areas, CAPMAS – the officially accredited agency -describes important features, as detailed hereunder.<sup>5</sup>
  - The trend of the indicator of women unemployment shows a rise from 11% in 1984, as compared with 5% for men, to 24% for women, as compared with 7% for men in 1995.
  - These rates tend to fluctuate and show a slight regression whereby the unemployment rate for women reached 22.6% in 2010, reaching 5% for men in the same year, according to the official data.
  - The other important fact that the data indicates is that the unemployment rate for women was always higher than that of men and this applied to both urban and rural areas during the period 1984 until 2010.
  - The CAPMAS Research on Labor Force for the years 1995 and 2010 indicates from the perspective of our interest in this study, that the rate of contribution to the labor force tended to decrease between the period 1995 to 2010, with regard to women in the various age groups. (It is important to understand that some women, particularly in the past years, have voluntarily chosen to remain at home and care for the family).

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4- Please refer to Source 3.

5-Please refer to Source 4.

- The features of the Status of Egyptian women in the labor market and economic activity are completed with the statistics of the year 2010 indicating that the highest level of concentration of women's employment is in agriculture and fisheries (42.8%), in public administration, education, health and personal services (41.2%), while the remaining proportion is divided among wholesale and retail trade, manufacturing industries, as well as other industrial activities.
- A proportion of 40.3% women in Egypt work for wages, while 14.5% are self-employed (either by employing others – and this is the lesser proportion – or without employing others).
- In addition to the above indicators, the private sector was the biggest employer of both men and women in 2010 (74.7% men and 59.3% women), followed by the government sector, where the proportion of women reached 28% and that of men 72%.

**Among the most important statistical indicators that reflect the status of Egyptian women, is the increasing proportion of women in the informal sector, particularly those working without pay and their participation in family and productive activities (60.3%), and as a matter of fact, the rate rises in rural areas more than in urban areas. In general, the number of women working in the informal sector in the years 1995 and 2010 – based on the statistics of CAPMAS – remained with the same proportions of 47.8% and 46.7% respectively.**

**B - The Second Set of Indicators that determine the Status of Egyptian Women relates to Education. The most important features that can be noted are the following:**

- The increased rate of female illiteracy is 37.3% as compared to 22.3% for males, according to the 2006 General Population Census (the total illiteracy rate being 30% approximately).
- Another factor that needs to be mentioned is the disparity in the female illiteracy rates by governorate. In general, it increased in the Upper

Egypt governorates (especially in Fayoum, Beni Suef, Minia, Assiut, Sohag and Qena), to fluctuate between 35 to 41% among women, while they decreased in Cairo, Alexandria, Port Said and Suez to fluctuate between 19.3% and 17%, meaning that illiteracy rates are less in Lower Egypt than those in Upper Egypt.

- The 2010 statistics of the General Authority for Literacy Education of Adults (GALEA) referred to a limited percentage of women whose illiteracy was eradicated, fluctuating to less than 1% (in North and South Sinai and Matrouh) and to about a maximum of 7% in other governorates. Regretfully, the number of persons whose illiteracy was eradicated, according to the 2010 statistics of GALEA amounted to only 639,513 (males and females).<sup>6</sup>
- It is true that the review of data and statistics on illiteracy rates in Egypt show a decrease since the year 1986 until 2010, based on the population censuses and CAPMAS. It is also true that there is still a high disparity between the illiteracy of men and women.
- Consistent with the above-mentioned, are the enrolment and drop-out rates in the basic and secondary education stages and the indicators of enrolment in higher education and its types. The last General Population Census carried out by CAPMAS in 2006 indicates an increase in the rate of females in the age bracket (6 to 18) not enrolled in education, as compared to the number of males in the same age bracket. Also the rate of girl drop outs among enrollees in the basic education reached 2.4%, as compared to 2.67% among their male counterparts. There are also disparities between enrolment and drop-out rates of females by governorate (increasing in South Sinai : 4.35% ; Matrouh : 6.12%; in Beni Suef and Assiut; and slightly decreasing in the other governorates).
- The gender-based indicators for higher education graduates according to the Statistical Yearbook of CAPMAS reveal that the general trend is that girl students in theoretical faculties outnumber their male

6- Please refer to Source 5.

counterparts. The gap between females and males seems wide in some of these faculties (Education, Economics and Political Sciences, Information, Arts, Humanities...) during the years from 2000 to 2010. The ratio of girls graduates from science faculties reached 42.6%, as compared to that of male graduates 57.4% in 2010, and as previously indicated this is a general trend of the female education indicators.<sup>7</sup>

### **C -Women in the Upper Managerial Positions**

The statistics of CAPMAS indicate that the rate of women appointed to upper managerial position in the government doubled during the period 1988 – 2005, as it reached 7.3% and 16.2% successively. Despite this, women's share in positions that influence decision-making is still less than one-fifth of this positions (these positions are: minister, deputy minister, high ranking official, senior director, and general director).

### **D - Women Heads of Households and the Phenomenon of Feminization of Poverty**

The official data indicates a relative increase in the rate of women heading households in Egypt, which fluctuated between 20% and 23% during the period 2000 and 2010, reaching approximately one fourth of the Egyptian families. The National Council for Women during the mentioned period - and till the date of writing this study – shed light on the phenomenon of the feminization of poverty, drawing attention to it and to the need of providing mechanisms to support women. The vast majority of women heads of households are poor<sup>8</sup> and their distribution varies from the capital to Upper and Lower Egypt. In-depth studies of this phenomenon in the various governorates - have revealed the social, cultural and economic characteristics of this segment of women, indicating high illiteracy and weak capacity to qualify for work. They have also shown that most of these women were either widows, divorcees, abandoned by their spouses, or caring for their families because of the husband's illness and inability to work. These studies also indicated that the priorities of these poor women heading households centered around the provision of an income, either through employment, or the social security pension, followed by health

7- Please refer to Source 6.

8- Please refer to Source 7.

care services. In other words their demands focused on their basic needs. Education came at the bottom of the list.

### **E - Women in Legislations and Laws**

In this section of the study, we aim to examine some of the gains attained by women in legislations and laws, and identify indicators of what was achieved before the 25 January Revolution 2011 to arrive at the same time at other indicators that emerged after the Revolution- in which women participated alongside with men- and which revealed that these gains were threatened to be withdrawn or retracted, despite our recognition that these gains were necessary steps, which we were seeking to build up in order to enhance women's participation.

Serious steps were achieved with regard to women's issues in the first decade of the third millennium. No doubt the universal context and the socio-political environment contributed to paving the way for these steps...manifested in the successive international conferences starting with the World Conference on Human Rights (Vienna, 1993) that considered women's human rights as an indivisible part of the human rights system. It was followed by the International Conference on Population and Development (1994) in Cairo ; and the Fourth International Conference on Women (Beijing 1995) which focused on the integration of women's human rights, addressing the feminization of poverty, and on "empowering women to fully participate in all aspects of public life, including decision-making and access to power.." (Article 13 of the Beijing Declaration).

All this was accompanied by urging states to ratify the "Convention on the Elimination of All Forms of Discrimination Against Women" (which Egypt ratified with reservations). The beginning of the third millennium brought with it the Declaration of the Third Millennium Development Goals, in which the issue of women's empowerment was incorporated as a major challenge, as well as bridging the gender gap and achieving equality. The universal context pushed the issue of women to the forefront, in all countries across the world, and established international, regional

and national mechanisms for monitoring and follow up, representing a general framework to support the efforts of women at the country level.

The 1971 Constitution (and its amendments in the year 1980) which remained in force until the Revolution of January 2011 endorsed constitutional guarantees for women's rights. Article (40 ) stipulated that "...citizens are equal before the law and in rights and duties, without any discrimination based on sex, race, language, religion or creed.." This means upholding the rights of women to education, health care, work, social care and political participation.

Therefore, at the theoretical level - constitutional and legislative- the rights of women are safeguarded without discrimination between them and men, in all political, social, cultural and economic aspects of life, without prejudice to the stipulations of the Islamic Sharia'. But in the actual reality, there were discriminatory practices and a gap between the official and the actual discourse. ..The first decade of the millennium witnessed enormous efforts exerted by the civil society in general, and rights organizations in particular. The establishment of a specific machinery (the National Council for Women in 2000) had an important role as an entity aiming at the social, cultural, economic and political empowerment of women, as well as in proposing legislations and policies that support the rights of women. Thus, all these efforts in the first decade of the twenty-first century resulted in important achievements, the most prominent of which are the following:

- Law No. 1 of the year 2000 regarding the conditions and procedures of litigation in personal status matters, concerning divorce and alimony.
- The Khul' Law (the right of women to ask to divorce herself against compensation)
- The issuance of Law No. 10 of the year 2004 establishing the Family Courts.
- The issuance of Law No. 11 of the year 2004 pertaining to the establishment of the Family Security Fund, under the supervision of

Bank Nasser, to guarantee the implementation of court rulings setting alimony for the wife or the divorcee and children support.

- In 2005, the custody law was amended to raise the age of custody of male and female children to fifteen, after the approval of the Islamic Research Complex of Al Azhar.
- Issuance of Law 154 of the year 2004 to amend some of the stipulations of Law No. 26 of the year 1975 on the nationality, to resolve the problems facing children born to an Egyptian mother married to a non-Egyptian.
- The appointment of the first woman judge in the Supreme Constitutional Court, followed ( in the year 2007) by a presidential decree appointing 30 women judges, who took the legal oath in front of the Supreme Judicial Council, in addition to appointing the first woman "Ma'zouna"(marriage clerk)and the first woman village mayor.

**Despite these steps and gains, several positions remained beyond women's reach, and the access of women to important political and managerial positions- even if they had the required qualifications- did not materialize. On the contrary, the presence of women in some positions (for instance, such as judges or marriage officers) was subject to immense debate and polarization among cultural and religious currents.**

The successive steps to write a new constitution and form a new parliament, etc. revealed a tendency to retract the limited gains achieved by Egyptian women. This appeared to be among the most important goals on top of the priorities of the dominating political powers and the radical religious trends, whose main interest was to " deliver a deadly blow to the gains achieved by women", and pulling women once again backwards, based on their explanations and interpretations of the Islamic Sharia' (as expressed in Parliament or on the satellite channels) and on the ground that these gains were linked to corrupt political figures.



**The contradiction here is the return of the old-new debate, this historical debate on the roles of women, their attire and appearance, to the heart of the cultural, political and social life, after the elapse of more than a century. More importantly is that these debates took place after a revolution in which women, young and old, participated, on an equal footing with men, to demand freedom, democracy and social justice....**

Once again after the 25 January 2011 Revolution, we go back to speak, demand and debate on the rights of citizenship and fairness to women; and while we are going through deep political transformations, and an unprecedented state of socio-political movement, we face at the same time " a deep cultural reversal " that could pull women backwards...The new dimension is that women themselves are taking part in this "cultural coup", through speeches , opinions and actions emanating from scores of new civil society organizations, which were officially registered after the Revolution, and from within the parliament , now dissolved, or through religious channels, as well as through the policies of " mobilization" of voices, and what is termed as "knocking on doors" in order to reach out to the depth of the poor and illiterate popular grassroots.

## **Second: Women and Political Participation in the first decade of the third millennium:**

The common definition of political participation is defined as any leadership position of decision-making or policy formulation, governmental or parliamentary, or any " activity aiming at, or resulting in influencing the work of the government, whether directly by influencing decision and policy making, or indirectly by influencing those who formulate these policies.<sup>9</sup>

**Formerly, the focus on political participation was through voting and running for elections. This was the general understanding prevailing in the Arab Region.** However, the concept has widely expanded to include participation in electoral campaigns, participation at the level

9- Please refer to Source 8.

of local councils, communication, lobbying and exerting pressure, targeting executive officials and members of the legislative authority for the advantage of a particular issue or a particular sector, as well as the participation through groups, organizations, professional syndicates or others. Furthermore, the dimensions of political participation based on legal grounds developed to consider demonstrations and sit-ins as political participation - though these might not be permitted by law.

**It is important to mention that there are disparities in the patterns and levels of political participation, based on several factors.** The first relates to the political and legislative environment, freedoms of expression and assembly (with regard to parties, political groups and civil society organizations), freedoms and legislations of professional and labor syndicates.) The second relates to the economic, cultural and social characteristics of the various and differing parties in a given society (education, social status, economic situation and the nature of the work positions of the parties involved..) The third is linked to the potential of individuals and groups, the nature of their understanding of the ability to influence decisions and policies (non participation in politics may be a wise decision by some when they feel that they are unable to have an impact).....added to that, is the particular nature of the political moment or circumstance, as political participation tends to increase during crises, turmoil or revolutions.

**All of the above factors lead us to confirm that the general context - political, legal, social, economic and cultural- impacts political participation as a whole, whether by men or women. It is difficult to firmly assert that gender is a major factor for interpreting the gap between men and women in political participation in Egypt – even at the level of voting and running for elections. Even in the context of the constitutional and legal recognition of the right of all to political participation, the actual reality which contradicts this may be linked to the culture, education, economic situation and the perceived roles of women.**

We are faced with a set of various indicators that highlight the status of women with regard to political participation, and their ability to influence policies and democracy during the period 2000 – 2010 that can be summarized as follows:

### **A - Women in Parliament**

Women in Egypt gained their right to political representation in parliament in 1956. The electoral system has since that time witnessed a change from individual to electoral lists; followed by a return to the first system (individual), then the second and the first together (as in the first parliament after the Revolution that was dissolved). During all these periods, the rate of representation of women in parliament fluctuated between 1% to 2.8%, except during the period when Law No. 38 for the year 1972 was amended in 1979, whereby 30 seats were allocated to women, which raised their representation to 9%. This rate dropped to 8.25% in the subsequent period.

With the expiration of this exceptional period – which adopted the quota system – the representation of women tended to diminish again, even with the President of the Republic using his prerogative to appoint ten members to the People's Assembly (which included predominantly women and Copts).

The following table summarizes the status of women in the Egyptian Parliament from the seventies of the past century to 2010.

Number of Women Members in the Legislative Council	Legislative Cycle
9 women (only one by appointment)	First Cycle: 1971 – 1976
6 women ( 3 by appointment)	Second Cycle
33 by election (2 by appointment ) (Quota/ allocation)	Third Cycle (June 1979 – March 1984)
36 women (1 by appointment)	Fourth Cycle (June – November 1987)
18 women (abolition of quota and adoption of individual with electoral list )	Fifth Cycle (1987 – 1990)
10 women (3 by appointment) 2.2% (by individual system)	Sixth Cycle (1990 – 1995)
9 women (4 by appointment) 2% only	Seventh Cycle (1995 – 2000)
11 women (4 by appointment)	Eighth Cycle (2000 – 2005)
9 women ( 5 elected) 1.8%	Ninth Cycle (2005 – 2010)
The 2010 parliament, prior to the Revolution, (64) seats allocated for women the majority of them belonged to the ruling National Party.	

Thus, over forty years (1970 -2010), there were successive parliaments with several electoral systems. Seats were allocated for women, then annulled (by a constitutional court ruling), then reinstated. The rate of women's representation in the People's Assembly – with the exception of the periods of applying the quota system – fluctuated between less than 3% to 1.8%. It is important to refer here to the efforts exerted during the first decade of the third millennium by the National Council for Women and some civil society organizations concerned with women, in several directions to activate women's political participation, as follows:

- Communicating with political parties concerning the representation of women among their parliamentary candidates and in their political bureaus.
- Carrying out capacity building, education and political awareness programs to prepare and coach new women leaderships.
- Communicating with the public opinion to advocate and make an impact for accepting and electing women as candidates.
- Exerting efforts to influence policies, legislations and public opinion to accept the allocation of seats to women, and to adopt an electoral system that enables women to run for elections.
- Helping issue nearly three million identification cards to women in rural and slum areas. **But unfortunately, the end result of women's political participation was limited, due to socio-cultural reasons, as well as to the increasing violence during elections and the increasing use of finances,** "with no respect" for the defined legal ceiling... The allocation of seats in the pre-revolution parliament was also linked to several negative factors, the most important of which being the unprecedented expansion of electoral constituencies for women, the dominance of the ruling National Party, the success of most of the women candidates which it supported, the use of force and the power of money.

## B - Women in Local Councils

Local councils have a specific importance when we discuss the status of the political participation of women and their ability to have an impact. This importance is due to the fact that local councils are the channels through which women in governorates, cities, villages and districts enter the circles of public work and acquire important experiences in the course of their direct interaction with the public, which contribute to their advancement towards assuming senior political positions. In the eighties, women's representation in local councils increased (by virtue of Law No. 43 of 1979) allocating seats for women in local councils, the rate of women's participation rose to between 10% to 20%...and when this law was cancelled, this rate dropped to 9.2% in 1983, and to 1.5% in 1988, then to 1.2% in the years 1992 and 1997 and reached approximately 1.8% In 2002.<sup>10</sup>

It may be important to define the local councils as the frameworks through which women (and men of course) participate in the management and supervision of their local communities. These councils abide by the local administration laws, whereby Law (No. 52 of the year 1975) empowered the local popular councils to supervise the local units at the lower levels (local village councils fall under the supervision of the Popular Council of the Governorate). The Constitution and its amendments (which was annulled after the January Revolution) incorporated three articles pertaining to the local administrative system, of which article (162) which defines the composition of the local popular councils, at the administrative units level, through direct election.

Despite some negative aspects about these local councils, the most important of which being the imbalance between the central and the local government, the poor local participation in these councils and the limited effectiveness of their supervision; yet, it provided a good opportunity, specially for women, to become acquainted with the problems of the citizens and to interact with the popular base.

<sup>10</sup>- Please refer to Source 9.

*Local councils are the channels through which women in governorates, cities, villages and districts enter the circles of public work and acquire important experiences in the course of their direct interaction with the public, which contribute to their advancement towards assuming senior political positions.*

*Despite some negative aspects about these public councils, it provided a good opportunity, specially for women, to become acquainted with the problems of the citizens and to interact with the popular base.*

*Civil society organizations represent "parallel " or " compensatory channels" in the absence or low participation of women in political parties and in parliament.*

The study issued by the National Council for Women in 2008 <sup>11</sup> on a sample from members of local councils, revealed that 42% of women in these councils held university degrees, about 29% held above intermediate-level diplomas, and others had lower levels of education. The majority of these women fell within the age group of over 40 years (with young women representing only 1%)... The same study highlighted and confirmed the desire of women to participate in political work, as 97% were nominated earlier either in local councils, parties, syndicates or parliament (7.1 %). The study indicated as well the desire of an important and varied sector of women for political participation, who found in the popular councils an opportunity or a channel for entering into political work and for attaining higher positions. (66% of the field survey sample confirmed the previous factors).

### **C - Women in Civil Society Organizations**

It is important to pay special attention to the status of women in the system of civil society organizations. In this context, the literatures concerned with women direct part of their attentions to the historical dimension of this issue, considering that it "records and monitors women's self-expression, and their rights and demands."... Thus we find ourselves in front of feminists frameworks that voluntarily met, not seeking profit, reflecting self-awareness, the roles they aspire to perform, as well as their vision about their issues within a specific cultural and social paradigm. An in-depth study of the social and political history of civil society organizations is an important chain in the development of feminist movements, as it also represents a "test" to their ability in penetrating public work and in having an impact. Furthermore, the status of women in the civil society organizations reflects their interaction with society, the state, religion and politics.

In this context, there are several assumptions which the literature presented and sought to verify through a historical analytical approach,<sup>12</sup>- the most important of which being: that historically, women's activities in the public sphere were geared towards these voluntary frameworks (non-

11- Please refer to Source 10.

12- Please refer to Source 11.

governmental organizations or what we agree on referring to as the civil society), with the purpose of entering the political sphere, influencing and effecting change. Second: The assumptions which have been substantiated are that civil society organizations represent "parallel " or " compensatory channels" in the absence or low participation of women in political parties and in parliament. Third: the traditional orientation of women is towards welfare organizations, a number of which have acquired a religious character; and where the majority of the activities are centered in “safe” and traditional areas, such as maternal and child care.

**Among the most important issues in the context of studying women in civil society organizations, is that one of the key results of the studies on women , volunteerism and politics, is that feminist organizations which represented women during the last two decades of the twentieth century and up to the end of the first decade of the third millennium, did not form, in the case of Egypt specifically, a homogeneous entity, as some were characterized by having a free liberal trend, while others were integrated in the state, consequently losing their independence. On the other hand, some had religious orientations and were characterized by ideological tendencies.**

**Hereunder is a brief account of the historical roots of the status of women in voluntary/civil society organizations up to the period 2000 to 2010:**

- The feminist awareness phase, which paved the way for the feminist movement in the 19th century and coincided with political, social and economic changes that occurred during and following the rule of Mohamed Ali, when a huge modernization process took place in trade ,economy, industry, labor force, education and foreign missions. In the context of this modernization and interaction with the western world, women turned to present their thoughts and issues through poetry, literature and women journalism. The registration of the first feminist organizations took place at the beginning of the last two decades of the 19th century.



- With the beginning of the 20th century, tens of feminist organizations were shaped taking various directions: some were interested in health services “Mobarret Mohamed Ali” (1904), others in sports in (1906) (traditions did not accept women's clubs), while others were concerned with children “The Charitable Society of Compassion for Children” (1907), and “the New Woman” (1909). What was noted in this respect was that women did not focus on the capital city only, but scores of associations reached out to various governorates. Associations for young women were also founded such as “The Advancement of Young Women Society”. The creation of faith-oriented associations (Islamic and Christian) followed. At the end of the first quarter of the 20th Century and after the large participation of Egyptian women in the 1919 Revolution, the Women Federation was established adopting specific political, social and economic demands and promoted women's rights (work, education and personal status laws).

**The Feminist movement in Egypt developed after the issuing of the 1923 Constitution that did not grant women " justice and fairness", despite the awareness of the women pioneers of the strength of the conservative/regressive forces and the trend to sacrifice the demands of women....And this is exactly what happened after the 25 January 2011 Revolution in Egypt**

- The second quarter of the 20th century (1923-1952) witnessed the manifestations of a competitive discourse from the leaderships of the feminist movements, which in turn reflected on the civil society organizations concerned with women. During this period, the Muslim Sisterhood and the Muslim Women's Association represented the Islamic trend. The other trend was liberal (the National Women's party, the National Women Association and Bint El Nil – Daughter of the Nile), the third trend that emerged was leftist, which demonstrated that the historical depth/background of women's civil work did not represent a single homogeneous entity. (This was also again evident after the 25 January Revolution).

- During the period between the 1952 Revolution until 1970, the government of Egypt was geared towards achieving gains for women in education, labor, health and social care. But at the same time, this same period witnessed the "nationalization of civil work" the siege and restrictions imposed on some associations and the liquidation of others, especially those that reflected Islamic or leftist orientations.
- In the seventies and eighties – the decades of the open economy and the controlled pluralistic politics – a gradual revival of the voluntary civil society organizations as a whole, took place, particularly the organizations concerned with women. Scores of rights' organizations were founded and new generations of women and young women engaged in defending women's issues and their demands. A new map of the civil society developed on the threshold of the third millennium, and was characterized by features compatible with the international transformations that promoted women's empowerment. It opened the door for fighting women's poverty, for freedoms issues and for women's political participation. It also opened the "black Box" of the phenomenon of violence against women.

► **What does the map of civil society organizations concerned with women reveal during the period 2000 – 2010.?**

Women's organizations can be defined as "voluntary, non-profit organizations" that concur on specific goals that can have an impact on the cultural, social, economic and political status of women. They are autonomous, independent from the government, non-profit organizations, which seek the common interest or the common good, in accordance with the law. They may focus either on marginalized segments of society, or on sectors suffering from exclusion and isolation for various purposes."

From this perspective, the areas of the activities of the civil societies concerned with women (CSOs) can be classified into two main categories: **The First:** the traditional category, which reflects the historical continuation of the work of welfare organizations, the majority of which have a religious

*In the seventies and eighties, a new map of the civil society developed on the threshold of the third millennium, and was compatible with the international transformations that promoted women's empowerment. It opened the door for fighting women's poverty, for freedoms issues and for women's political participation. It also opened the "black Box" of the phenomenon of violence against women.*

characteristic (Muslim or Christian), together with other services and care organizations (organizations concerned with maternal and child care), representing the vast majority on the Egyptian scene.

**The Second:** a category engaged in new activities, some aiming at women's empowerment (i.e. providing them with elements of economic, social and political empowerment) and with the possibility of providing them with services. Others are rights (non-service delivery) organizations that aim to educate women, raise their awareness, defend their demands, provide them with legal assistance, protect them from violence and building a knowledge base on women's status, as well as having an impact on policies and legislations.

► ***What is the weight of Women's Organizations in the Civil Society Associations' system, during the first decade of the twenty-first century?***

The quantitative indicators based on the data of the Ministry of Social Affairs and the General Federation of Civil Society Organizations reveal that there are 124 civil society organizations working solely on women's issues (in 2008), in addition to another 10 civil institutions concerned

- only with women, registered in accordance with law No. 84 for the year 2002 for non-governmental organizations... Furthermore, the official administrative institution – i.e. the Ministry of Social Affairs – registered 10 other organizations concerned with one area only: - i.e. supporting women heads of household. Alongside these, 150 Associations (in villages, districts and governorates) are listed under " Local Social Development Organizations" and are concerned with women's issues.

While the total official number of NGOs in the same year (2008) was 24,600 organizations, the percentage of associations/organizations concerned with women amounted to only 1%, unevenly distributed across the governorates, but mainly in Cairo. Yet, many developmental

- organizations, according to the official data, are active in women's issues as a target group, besides other target groups (2,000 NGOs according to the database of the Arab Non-Governmental Organizations Network.<sup>13</sup>

The main priorities of the NGOs concerned with women during 2000 – 2010 are: supporting women heads of households, women's reproductive health, the environment, educating and raising awareness, protecting women's rights and demands, legal assistance, combating violence, illiteracy eradication, education and training, undertaking research and study to serve women's issues.

The official data of a survey conducted in 2007 by the General Federation of Civil Society Organizations <sup>14</sup> revealed that the participation of women as members of the organizations did not exceed 20% of their total number. This is undoubtedly a "modest participation (men 80%) and their participation at the level of the boards of directors, makes up only 10% of the members (men 90%).

#### **D - Egyptian Women and the younger generation in Protest Movements:**

**The general trends of the above results on the status of women in civil society organizations reveal an important reality; one of its aspects represents a historical perpetuation clearly demonstrated after the 25 January Revolution on the one hand; while on the other hand, we will monitor other aspects that emerged with the third millennium:**

- ✓ With regard to the perpetuation, its features were evident in the preference of the traditional welfare work, basing it on religious motivations and focusing on “child and maternal care”.
- ✓ The participation of women in the public work through NGOS and their leaderships, (or in position of governance) is very limited. The vast majority of the members and of the board memberships are men.
- ✓ Rights (or defence) activities in support of women and the developmental activities that focus on the dimensions of the concept of empowerment are gradually on the rise on the agendas of NGOs in the third millennium.
- ✓ A number of issues on which “silence was kept”, are becoming a main concern of a sector of active rights organizations concerned with women's issues. The most important of which are sexual harassment of girls and women, forms of violence against women, early marriage of girls and human trafficking in women.

14- Please refer to Source 13.

*The period from 2000 – 2010 witnessed multiple and varied political and social movements (protests) which paved the way for the 25 January Revolution, in which women and young women participated in an unprecedented manner.*

As mentioned earlier, political participation transcends ballots boxes, percentages of candidates and voters, to reach other multiple channels and areas to influence public policies on the one hand, and to put women's and socio-political issues among the government's priorities. In this context, the status of women in parliament, in local councils and in civil society organizations was addressed.

On the other hand, the period from 2000 – 2010 witnessed multiple and varied political and social movements (protests) which paved the way for the 25 January Revolution, in which women and young women participated in an unprecedented manner. There is no doubt that the virtual space (the internet) and the use of technology for social communication, contributed to a large extent in expanding the scope of participation, especially of young men and women, and confirmed the "strong desire" to have an impact, participate and promote democracy, away from the traditional organizational frameworks.

In this context, I will mention some of these movements in which women strongly participated. Their aims varied, between refusing the inheritance of power as the "Kefaya movement" in 2004, exposing corruption as "the Shayfenkom – we see you – movement", and combating violation of human rights as "We are all Khaled Said movement", which tens of thousands of young men and women in Egypt joined. These movements led, at first, to an angry uprising over the internet, then to going down to Tahrir Square and igniting the Revolution everywhere. Here, we also mention the "6 of April movement" that incorporated thousands of young women and men, prior to the 25 January Revolution and which supported workers' protests and sit-ins in Mehalla El Kobra as well as in other locations in Egypt.<sup>15</sup>

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<sup>15</sup>- Please refer to Source 14.

**A quantum leap was achieved in Egypt prior to the 25 January 2011 Revolution, in the protest movements, from the perspective of this study on women, democracy and political participation, the most prominent of which were:**

- The wide and "pressure exerting" participation on the part of Egyptian women from all age brackets, the majority of whom were breaking into the political arena for the first time.
- The widespread use of the social media channels.
- In the majority of these protest movements and in the "new groups" that organized themselves (outside the legal organizational frameworks), women from all age brackets were not separated from men, they were integrated and rallying around definite objectives.
- New groups of both young men and women emerged together, adopting innovative targets and means for combating the phenomenon of girls and women harassment.
- Such groups and protest movements did not just adopt political demands (freedoms, rejection of the inheritance of power...and others). They extended their activities to include monitoring elections (in 2005 and in 2010), fighting all forms of corruption, calling for the freedom of creativity and culture (the movement of young journalists and artists), protecting the rights of the sick (the right to health), the rights of slum dwellers (the right to lodging), as well as other demands and socio-political rights. This meant the beginning of the infiltration of the popular grassroots by elites, individuals and groups.
- The protest manifestations spread from the capital city Cairo to most governorates of Upper and Lower Egypt, after they were concentrated in the capital and the big cities.
- The unprecedented participation of women in sit-ins and strikes for factional demands. Thousands of working women participated, alongside their male colleagues in the strikes and during several days, whether in the workplace in factories, companies or on the streets. Thousands of workers – women and men – took part in the sit-ins

before the Cabinet of Ministers in defence of their rights. The presence of women, over several days, captured the attention of the public opinion.

- -The blending of young men and women from political movements (6 April and Kefaya) with the workers in several demonstrations and factional strikes indicated a full awareness of the entire rights system.

**Therefore the important dimension in this context is the state of awareness and determination of the Egyptian women of all age groups to participate, express their views and support rights and demands, indicating the fall of the wall of fear in addition to transcending their own demands and issues to blend with the mainstream.**

**It may be important to refer in this context to two other issues that determine the status of Egyptian women in political parties, professional syndicates and trade unions:**

1. The difficulty of monitoring serious activities relating to women's issues in political parties. The bureaus/the management boards of political parties include only a limited number of women, whether in the ruling National Party (prior to 25 January Revolution) or in other opposition parties described as "paper parties" even though some of them have women's secretariats and units. However, it is very difficult to assess their real impact on public work and women, or perceive their actual weight.
2. The professional syndicates (the number of which amounted to 24 comprising approximately 5 million members), the vast majority of which do not have women on their boards of directors. Some of the elected boards (the most important of which were dominated by members of the Muslim Brotherhood, such as the Medical doctors and Pharmacists Syndicates) justified this state of affairs by claiming that women "were not suited for these positions." This situation deepened in a more evident way after the 25 January Revolution.

As for the Labor Unions, they comprise a reasonable ratio of women workers, but their large majority were politically affiliated to the National Party was their passport for joining the unions.

**Thus, the first decade of the 3rd millennium (2000 – 2010) witnessed partial gains for Egyptian women, that were gradually achieved. Yet, on the other hand, the Egyptian society witnessed several waves of interrelated demands and pressures. Women's large participation in the political and “demands” protest movements was a major turning point that led to the 25 January 2011 Revolution, in which young men and women played the principal role. However, the success in “toppling the regime” eighteen days after the outbreak of the Revolution, by no means indicated that the demands of the revolutionaries for freedom, liberty and social justice were met, nor did it mean or lead to the enhancement of the role of Egyptian women.**

### **Third: Egyptian Women, Democracy and Political Participation after the 25 January Revolution:**

In this instance, let us go back to the introduction of this study, when we indicated that women were and still are a main part of the "Egyptian Matter". During difficult historical and decisive moments, women react – positively or negatively- with the socio-economic and political changes and struggle for a better status and a fairer life.

**" Bread, freedom, Social Justice"** ... were the key words of the 25 January Revolution, where youth rose up and were joined by the whole spectrum of the Egyptian people. When they took to the streets and squares chanting " Our people ,,,,Join us.." A call to which, men, women, youth, children and the elderly responded. A call that broke the barriers of fear among them/ everybody, despite the harsh encounters with the security force. Women endured these bloody clashes (15 were martyred during January and February 2011) , volunteered in field hospitals and participated in ensuring the safety of the popular groups.



*women broke away from the stereotyped image of the Arab women, as submissive, frightened and defeated. They also broke away from the traditional image of women leaders from among the elite, whether with regard to their age group, or social, religious or educational affiliations.*

Through their participation, women broke away from the stereotyped image of the Arab women, as submissive, frightened and defeated. They also broke away from the traditional image of women leaders from among the elite, whether with regard to their age group, or social, religious or educational affiliations. And for the first time new and varied types of women emerged on the scene of the Revolution and afterwards,.

The symbols of the regime were brought down after 18 days of the Revolution and the history of Egyptian women moved to a new phase in the context of a difficult transitional period. Political alliances between conservative and hardliner powers (Muslim Brothers, Salafis, and other powers) were formed, and between these powers and the Supreme Council of the Armed Forces, that assumed the responsibility of running the country in the transitional period. With the passage of time, "the policy of socio-political exclusion of women" became evident, whether in leadership positions (the cabinet of Dr. Esam Sharaf included only one woman in each reshuffle, the National Salvage Cabinet, headed by Dr. Kamal El Ganzoury included three women and finally the Cabinet of Dr. Hisham Kandil only two women). On the other hand, women were excluded from important positions, such as governor, as it was clearly announced - quoting the Minister of Local Administration that "women are not suitable for such a post", with the traditional subsequent explanation that "in the event of a security void, it would be difficult for women to assume these positions."

When Dr. Mohamed Morsy – President of the Republic – formed the Political Office of the Presidency, it included three women only, one of whom, (a university professor) was keen to point out that there were no civil society organizations in Egypt participating in the women's rights movements. She added in a published speech what indicated that there were no women's issues, as compared with Tunisia which <sup>16</sup> confirmed her total unawareness of the issues of Egyptian women.

A published speech by another woman member of the Presidential Consultative Bureau – a medical doctor and a university professor

(affiliated to the Horreya and Adala – Freedom and Justice - Party, representing the Muslim Brotherhood) stated<sup>17</sup> that "women who did not undergo circumcision "were lacking in faith". Consequently, after several decades of struggle, Egyptian women found themselves in a state where " deeds of faith" were granted, according to personal views or ideological affiliations, by women presumed to be professionals in effective leadership positions, without understanding the long historical struggle of Egyptian women over decades nor the issues they were fighting for.

This was followed by the first Committee for Constitutional Amendments with the complete absence of women in its membership. The Quota Law that stipulated the allocation of 64 seats for women in parliament was abolished, while maintaining the quota for workers and farmers. On the other hand, the decree pertaining to the amendments of the articles of Laws No (38) and No. (120) relating to the Peoples' and Shura Assemblies, stipulated that every party list should include at least one woman candidate ....but without indicating their rank on those lists. This allowed the parties to place women at the bottom of their lists, ultimately resulting in feeble chances of winning.

Another indicator of the policy of exclusion and discrimination against women was evident in the composition of the Consultative Council which was established to assist the Supreme Council of the Armed Forces in crisis management, which included only 3 women from among its 30 members.

The above indicators, confirm, even without going into further details, that there is a systematic exclusion of women from the start, except for those affiliated to the Horreya and Adala party, which is the arm of the Muslim Brotherhood (this is, to a great extent, a practice similar to that of the dissolved National Party). The previous indicators and others also revealed new roles for the "Muslim Sisterhood" for presenting their visions that define the roles of women, based on appalling religious interpretations of Islam and the Islamic Sharia' (such as linking female circumcision to Islam as previously mentioned). In truth, these interpretations pull us backward towards retrogression. At the same time, satellite channels hosted tens of

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17- Please refer to Source 16.

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preachers and aired various "fatwas" – religious opinions – that confine the minds of women, rather than liberate them.

***Hereunder, are additional details on the status of women in the context of democracy and political participation after the 25 January Revolution:***

#### **A- Egyptian Women in the first post-revolution parliamentary elections**

Women faced several challenges, the most prominent of which was the lack of enthusiasm of parties to nominate them as candidates - especially religious parties; as well as ranking them- when present - at the bottom of candidates' lists. These factors, the widespread electoral constituencies, in addition to the cancellation of the quota system, led, to a great extent - to the poor results of women's participation in parliament.

Over the three phases of parliamentary elections in Egypt, 984 women candidates ran for elections, versus 8113 male candidates, representing a proportion of 12.1%, the majority of whom - 7.2% - were individual candidates - while the remainder ran for elections on party lists (633 women).<sup>18</sup>

***Seven women – the majority of whom from the Horeya and Adala party, won in the parliamentary elections, representing around 1% of the total number of the People's Assembly (498 members)***

- The parliament, which lasted a few months, and that was later dissolved by a ruling from the Supreme Constitutional Court, was almost totally dominated by the Horeya and Adala Party (the political arm of the Muslim Brotherhood, and the Salafi- El Nour party, and a few representatives from other parties – Al Wafd and other new parties).
- This low representation of women in the first post- January Revolution parliament which was preceded and accompanied by directives, practices, as well as a religious and political discourse confining women to a traditional role, limiting it to " child care and consecrating the Islamic values and concepts". This was stated by Mohamed Badie', the

18- Please refer to Source 17.

General "Morshid"—the Mentor – of the Muslim Brotherhood Group during the first Conference of the Muslim Sisterhood.

- The presence of few women on the lists of religious parties as well as other parties which declared their religious affiliation was "pour la forme"<sup>19</sup> or according to one of the prominent advocates of Salafism was "a compelled nomination" (as the Election law obligates the parties which have electoral lists, to include the name of one woman candidate on their list.)
- Moreover, the partisan propaganda of some of these parties did not use pictures of women candidates. One of them represented a woman candidate by using the picture of a "flower", which stirred the attention and bewilderment of the public opinion.
- Another important aspect relating to the participation of women as voters in the parliamentary elections, that were carried out through the use of ID cards, was the unprecedented rates of women's participation that reached its maximum (especially in the first phase of the elections). The elections process was actually completed within a level of "fairness and order" that was commended by all, with the exception of few incidents of violence. At the same time, mobilizing the votes of the poor and people at grassroots level depended on an unsophisticated religious discourse that linked voting for the representatives of religious trends to "loving God and gaining His blessings". This was in addition to providing different forms of in-kind and financial assistance, which were a subject of interest and criticism by the media.
- In fact the general trend in presenting discussions and issues in parliament revealed a general orientation and "an unfavorable climate" for the support and empowerment of women. It further revealed "the inclination of the powers" to withdraw the gains of women and rescind the factors for their progress.

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19- For sake of appearance.

There are several indicators that highlight this orientation, starting with the campaign to change the personal status law, the attack on the Khul' law, the law on visitation rights and custody, as well as considering that the changes which took place under the "previous regime" were the cause of increased divorce rates and family break-up. The second indicator was the organized media campaigns by these trends for withholding these gains, along with demonstrations and organized protest groups by fathers to pressure in the direction of their cancellation (protests in front of Al Azhar, the Islamic Research Complex and the Prime Minister's Office). The third indicator proposed to transform the National Council for Women to a National Council for the Family (integrating motherhood and childhood within its mandate), in addition to addressing subjective criticism to the National Council for Women, and ignoring or tending to ignore the important role played by the Council for a whole decade.

#### **B- Women in the Political parties established after the Revolution:**

The number of new political parties established after the Revolution reached 56. What interests us in the context of this study on women, democracy and political participation is the answer to the following questions: ***What is the weight of women inside these parties' frameworks? Did these parties reflect women's issues and aspirations in their programs?***

#### **The following remarks respond to the previous important questions:**

1. There are no declared or documented quantitative indicators, to determine the total number of members of each of these parties as a whole, or the number of women and their percentage in their leadership positions.
2. There are no indications that there are women's secretariats that adopt specific objectives.
3. A number of women activists announced the founding of new parties representing women (The Freedom and Affiliation Party – The New Woman Party – The Egyptian Right – The Republican Egyptian Youth Party), but there are no documented data indicating the number of

their members, nor their social or demographic structures. Nor do we have in our hands programs or assessment of their activities, because they were recently established.

4. The areas of interest in women's issues in the programs of political parties vary between the focus of parties with Islamic background on the status of women in the family, the differentiation between men and women in social roles (without precision or accurate definition), and the importance given by other parties to the integration of women in society and political life , without details or specific mechanisms.

It is important to note here that there are new feminist civil society organizations that were registered according to Law No. 84 of the year 2002, that follow and represent an extension of the parties with religious background, particularly the Horeya and Adala Party (the political arm of the Muslim Brotherhood), the El Nour Party (which represents the Salafi groups). The specific goals of these are educating and raising religious awareness and linking with popular women grassroots. Furthermore, the Al Adl party, which is led by a number of the Revolution youth, announced the creation of a women organization within the activities of the Party itself to stimulate the political role of young women. However, there is no information that provides details on such activities, which in all probability have not been initiated yet.

### **C- Women in the Programs of Presidential Candidates**

The important report on the Status of Egyptian Women in 2011 (issued by the Egyptian Center for Women's Rights) devoted a part of its focus to study the status of Egyptian women in the programs of the presidential candidates. In this respect one candidate only was concerned with women's issues in his program (Dr. Ayman Nour), stating that there is "No future without them". Another (Counselor Hisham El Bastawisi) confirmed women's right to full participation. One of the islamist candidates (Mr. Hazem Abou Ismail) views that the work of women is the cause of deviation and demanded that they return to their homes. The programs of

*Women, and female activists from the civil society were subjected to assault and sexual harassment on the International Women Day (8 March) with mounting outcries demanding the return of women to their homes.*

other candidates showed no interest in women's issues and referred to the subject in general terms.<sup>20</sup>

From another angle, the National Council for Women issued a "Preliminary Reading of Women's Issues and Concerns in the Programs of the Presidential Candidates". The above-mentioned work presented important remarks, the first of which being that most programs were characterized by generalities and were mostly oratory. The second was that women's rights were incorporated in the article pertaining to the protection of general freedoms and the rights of citizenship. The third was that the diminished rights of Egyptian women were not dealt with through executive and legislative mechanisms. The fourth was the absence of the developmental dimension for women, without proposing possibilities or opportunities for their participation in human development. The fifth was that programs ignored most issues of concern of women, especially those subject to debates and controversy, such as equality in laws, legislations and legal protection of women's rights.<sup>21</sup>

#### **D. Violence Against Women after the Revolution:**

After the participation of women, young and old, in the Egyptian Revolution and what they endured during the bloody confrontations with the security forces for bringing change and freedom, another wave of physical and psychological violence emerged in the following months, by the security forces and armed forces on one hand, and the Egyptian street on the other. Women, and female activists from the civil society were subjected to assault and sexual harassment on the International Women Day (8 March) with mounting outcries demanding the return of women to their homes. Women and young girls were exposed to verbal and bodily harassment (sometimes group harassment) on the Egyptian street and in the means of transportation which was captured by media channels and social networks, through short videos, and was also monitored by rights and feminist organizations. Nevertheless, there are two positive indicators:

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20- Please refer to Source 18.

21- Please refer to Source 19.

**First:** the determination of some young women to report incidents to police stations and on the enforcement of the law. **Second:** Scores of voluntary youth groups were formed to protect women from harassment (in the context of a persistent lack of security), and continuous efforts to raise awareness and educate the youth, verbally or through virtual communication (internet), or through “human chains”. Among the most important initiatives were the movements of "Girls of Egypt are a Red Line"; "Fingerprint" for raising social awareness and "What you do to others will be done to you", as well as other initiatives in which young men and women participated. Strong pressures were also exerted in which civil society organizations and alliances participated (The Women Feminist Alliance) to force the government to pass a toughened law to criminalize this phenomenon.<sup>22</sup> The National Council for Women was recently tasked to prepare the draft of the above-mentioned law.

Furthermore, violence against women activists continued after the Revolution, either by beatings or arresting some of them, violating their rights during peaceful demonstrations, or during the attempts of women doctors to treat the wounded. Here also, are some positive indicators, the first being the extensive interest of the media to reveal the manifestations of this violence and in presenting it to the public for discussion. The second is transparency and the pronouncements by women activists of such violations in documented testimonies and declaring it to the public opinion. This has now become a common occurrence.

Finally, it is important to note that in the context of the lack of security, the protest movements and the factional demands by the state institutions, the activities of the Equal Opportunity Units in all ministries were frozen. These units were responsible for investigating incidents of discrimination against women in assuming positions in the workplace (This was one of the important achievements of the National Council for Women).

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22- Please refer to Source 20.



## **E - Civil Society and Women's Participation after the Revolution**

During the first year following the 25 January 2011 Revolution, important changes occurred on the map of the civil society in Egypt, among which are the organizations concerned with women's issues,<sup>23</sup> as the map of the political, social and cultural forces - and the social paradigm as a whole - witnessed new variables during this historical revolutionary moment. It was natural, therefore, for the landscape of the civil society and the NGOs to also become somewhat different and confused due to the prevailing post-revolution uncertainty. This can be summarized as follows:<sup>24</sup>

With the change of actors on the political scene and the increased space of freedom, approximately four thousand NGOs were registered in accordance with Law No. 84 of the year 2002 pertaining civil society organizations. Hence the law was not changed, despite the proposal of several new draft laws, consequently we are now dealing with over 36,000 civil society associations and institutions (2012).

The focus of interest of these new organizations reflects the new actors; as more than half of these organizations can be categorized as faith-based organizations, both Islamic and Christian. Furthermore, these organizations also reflected the major dynamic role played by the young men and women. Some of these organizations carry the name of Alliances of the Revolution Youth. There are other new organizations that registered the focus of their activities on women's issues; some were keen to adopt the issues of Muslim women or Christian women. Other organizations have liberal characteristics and are active in the field of rights.

Civil society rights (or defence) organizations that were present on the eve of the Revolution (approximately 200 NGOs) played important roles in uncovering and revealing violations against women, and in monitoring the three phases of the elections, as well as the presidential elections, offering legal assistance to women victims of violence and violations of rights. They monitored legislations, observed the Institutional Committee for Drafting the Constitution, and dealt with victims of violence.

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23-Please refer to Source 21.

24- Please refer to Source22.

Several alliances were formed among feminist and rights organizations after the January Revolution, the most prominent of which was the Egyptian Alliance for Women's Participation (comprising 454 women's societies and organizations) to support women's participation in public life, to counteract the conservative trends and demand the restructuring of the National Council for Women. Among these alliances also, is the Egyptian Alliance of Feminist Organizations (comprising 11 organizations that raise the demands of the Revolution: freedom, dignity and social justice).

There are other alliances seeking to become an effective pressure group and a framework for feminist work, such as "The Free Egyptian Women Movement" (that includes young women activists during and after the Revolution); the "SAWA"(Together) movement which includes young educated women volunteers, who formed a group against harassment to counter the "Antagonistic Wave against Women". There is also the "Egyptian Women Alliance" that aims at enhancing the participation of women in decision making inside and outside the capital city, forming a pressure group for women's rights and the rights of marginalized women (which gives it a special importance).

In this context, it might be important to speculate about the multiple frameworks reflected by the multiple movements, alliances and feminist federations that adopt the rights and demands of women, in addition to being concerned with fairness and non-discrimination. Why did they multiply, while all seeking to achieve the same goals? Is the collective ongoing work of such "liberal" organizations difficult, as they adopt the same approach of educated Egyptian elites, that demand a civil state and oppose mixing religion with politics? At the opposing end, why did the Islamist trends succeed in organizing and mobilizing their proponents, and in making use of the massive voting and electoral block of women which enabled them to reach power and decision-making positions? (The women force has been estimated at approximately 23.5 million women).

In fact, the scene is still in turmoil, amidst which women are torn between the intellectual and moral siege of the issues they defend, and the absence of women's rights on the agenda of the new ruling regime, especially when the weapon of "religious fatwas" –(opinions) and the accusation of heresy enter into play. Egyptian women are still searching for a "safe-exit" from being caught between "politics and religion" - more precisely, between conflicting political powers and trends, and a culture of rigid religious interpretations.

## The Final Prospect:

In the previous pages, we have tackled the characteristics and indicators that define the status of Egyptian women from the social, economic and political perspective, during the period 2000 -2010. These indicators showed that this decade witnessed “some development” towards women's advancement from the perspectives of education, legislation and labor. The first decade of the third millennium also witnessed the establishment of a national machinery – The National Council for Women – to contribute to the promotion of the social, economic and political development of women. There was also a major concern about poor women heads of households, the personal status code (Khul', the age of child custody, the nationality law granting equality between men and women in passing on their nationality to their children, the family courts, the Equal Opportunity Units in the State's institutions to look into cases of discrimination in assuming positions in the workplace). Furthermore, scores of rights and defence organizations were established to express the demands and present women's issues, as well as to try influencing public policies and decisions. At the same time, the representation of women in parliament fell to less than 2%, and their participation in political parties diminished during the period 2000 – 2010, with the change of the electoral laws and the absence of the quota system (until the year 2010). The implementation of the quota system in the elections of 2010, through 64 seats allocated for women, increased the percentage of their representation, while the National Party continued to dominate and to support its women members with the persistence of the phenomenon of "buying" women's votes.

When the January 2011 Revolution erupted women participated, alongside with men, from the very first moment, all aspiring for freedom, democracy and social justice. The hopes of women revolved around a better and more dignified life, increased social and political participation, in a country where there no discrimination exists and where true citizenship prevails. However, the transition period which started in Egypt after the regime was toppled, and which was led by the Supreme Council of the Armed

Forces until 24 June 2012 (the day , the elected president, Dr. Mohamed Morsy took office) was characterized by a lack of security and confused visions. A state of political polarization revolved on whether to start by the constitution, or the parliament. The political powers became dispersed and started to fight, even within the same camp (the revolutionary and the liberal forces). On the other side, stood another group, organized and steadfast, from among the hardline factions and their various arms. In this context of wide debates and recurrent shocks, between forging and breaking of alliances, women's voices became gradually fainter. Their issues and demands went astray, as as they seemed to become “the victims” of the government 's very busy agenda on the one hand, and of radical religious political powers on the other.

Today, Egyptian women are in the midst of a very difficult and complex political equation. What we mentioned in the beginning of this study that "women are historically at the core of the Egyptian Matter", represents the perpetuation of a trend that started since the 1919 Revolution, to the Constitution of 1923, which did not fulfill their aspirations and hopes, to the 1952 Revolution which achieved gains for women in education and labor, but "nationalized" the freedoms and the work of the civil society. Then came the 25 January 2011 Revolution, and the map of the effective political forces changed, threatening the legislative gains of women – despite their limitedness – subjecting women to moral assassination when religion is used to infringe on their political rights, exposing them to discrimination, exclusion, and a relapse of the principles of equality and citizenship.

In order to move the democratic path ahead towards success and to deepen the participation of Egyptian women –difficult and complex as it may be at the moment – some pre-requisites and conditions have to be adhered to. Following are the most important:

1. **A comprehensive political environment that respects the rights and freedoms for all.**
2. **A constitution that reflects the entitlements of women in a revolution in which they participated, and that recognizes the principles of freedom, dignity, justice and equal opportunities for both women and men (this was not achieved).**
3. **Criminalizing all forms of violence, controlling the failing security and moving to a state of respect of legal rules.**
4. **Expanding the scope of women's rights, not only within the personal status law, but also their political and civic rights, the right to reach high level positions, based on their competency, as well as their economic and social rights that allow them to lead a decent life.**
5. **Recognizing the international treaties as a principal reference for guaranteeing human rights and women's rights.**
6. **The official commitment of the State to a "Code of Honor" that recognizes the rights of women and works towards achieving them, and maximizing their opportunities for participation, under the heading "no exclusion and no marginalization". This may build bridges of trust between Egyptian women and the political power.**
7. **Strengthening the national initiatives to expand the solidarity of women, from all segments, and to enhance their participation in the political process.**
8. **Focusing on a set of measures in the public policies to advance and empower women, while adopting organized collective work that allows the participation of all.**

9. **The adoption of a rights' strategy by civil society, feminist organizations and national initiatives as a whole, and in cooperation with the National Council for Women, to draw a new comprehensive map, agreed upon by all parties, to determine the following:**
  - i. **The procedures in public policies for the protection of women's rights.**
  - ii. **The legislations and laws that bridge the existing gaps that reflect discrimination between men and women.**
  - iii. **The possible mechanisms and opportunities available for increasing participation and influencing democracy.**
  - iv. **The creation of a dialogue among all active parties and those with differing views, for reaching a consensus on freedoms and other issues.**

**Contemplating the past, while looking forward to the future at the same time, we can confirm that women have always been and will always remain, a part in a critical equation between politics and the state on one side, and culture and religion (with its interpretation by some) on the other. Therefore, we can hereby emphasize that there is no democracy without the participation of women.**

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A CASE STUDY

Y E M E N

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**Professor Dr. Fouad Al Salahi**



## Introduction:

There is no doubt that examining the role of women in the course of the Arab revolutions highlights the important reality that was manifested in their increasing role and effective contributions which surprised observers at home and abroad. Women's participation and its effectiveness surpassed every conceivable expectation. The Arab Spring Revolutions revealed that women's voices were clearly heard and their presence was strong, alongside men in the fields of freedom and change, as well as in their sacrifices towards the achievement of justice, freedom, dignity and equal citizenship. Their role and effectiveness emerged, not only through their mobilization, through feminist groupings and through their participation in demonstrations and marches, but through their awareness of the importance of both national and feminist demands, at the same time.

Women realized the importance of this political happening with all its implications, linking the national and public demands with their own individual factional demands, prompted by the unity of purpose and issue, since freedoms and public rights are integral, indivisible and cannot be interfered with. It is an integrated structure that includes men, women, children and the elderly, and that is founded on the principle of citizenship on which a civic state and its legitimacy are based.

If women had a large and active presence in all the countries of the Arab Spring, in Yemen, there was an added qualitative characteristic which reflected the special nature of its society and the course of its political and social evolution, where the traditional perspective diminished and dwarfed the possibility of women's presence and their effectiveness on the general political scene. But the break out of the Revolution revealed a remarkable effectiveness and presence that surprised the national community just as it amazed observers abroad.



In a society, which was portrayed as tribal with a traditional conservative culture, women took to the squares and participated with men in marches and protests. They were among the first martyrs shot by the bullets of the government. Yet, they had and still have a strong voice and presence that demonstrate a desire to change the stereotyped image and role in which they have been confined for a long time.

In this context, this report will analyze the situation of women in the pre-revolution phase, as well as during and after the Revolution, by presenting the entire set of rights which they seek to attain. It also addresses the priorities for women's future action, in light of the political changes that followed the popular Youth Revolution from the perspective of women's gains and future goals.

### First: the Status of Women in Yemen:

Yemeni society is defined as a traditional society, characterized by a weak social, economic and political development, low cultural and educational levels, and high rates of illiteracy, especially among women. The Yemeni society belongs to the pre-capitalism phase: this entails depicting it as a traditional agricultural society, still in its first strides towards modernization where the sectarian (tribe/clan) institutions represent the influential social structure and the principal social agents that determine the loyalties of individuals and their affiliations. The family and the tribe institutions are considered the most important social agents that determine the upbringing of individuals. In fact, a large part of an individual's personality is formed within these two institutions.<sup>1</sup>

The Yemeni women's issues agenda for entitlements to rights equal to those of men, did not start until the political change that followed the Revolutions of September and October and the subsequent general social modernization which can be considered as the main pathway through which women emerged having renewed their roles and areas of activity. Hence,

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1 - Fouad Al Salahi- The Political Role of Women from a Gender Perspective – Friedrieck Ebert, Sanaa'. 2005

it can be said that women going out to the public sphere became possible through education and access to the new labor market. The social, economic and political variables played an important role in creating a limited acceptance by the society of women and their activities in the public domain. Education helped Yemeni women change their functions and roles. Education, training and culture are all vital requirements of paramount importance for enhancing women's presence in the public sphere. Education is the main gateway for women to enter the public sphere and participate in its various activities, including political activity. In this context, the researcher finds that the most important mechanism for empowering women with the aim of renewing their roles, both political and social, requires in the first place (in addition to the legal update) education and training to enable them to exercise their changing roles.

Since Yemen entered the realm of innovation and modernization late (1962), the state-led process towards progress included a call for women's involvement in the public sphere. At that time, women began moving towards education, employment and renewing their activities and roles. However, this took place very slowly, within the context of a social culture that was neither accustomed to nor entirely accepting the role of women in the public sphere.<sup>2</sup>

It is worth mentioning that the political role of Yemeni women was mainly linked to the process of building a national state, which depended primarily in its modernization practices on legal and legislative mechanisms, as being of great importance in creating new conditions and practices. Based on this, women's political, social and economic rights (that is women's activities in the public sphere) were linked to the State, which granted, through legislation and laws, new rights to women, leading them to the various disciplines of education and the modern labor market. Thus, these laws constituted an enabling official support. However, the issuance and discussion of these laws took place in male-dominated circles, in the absence of women. This demonstrated men's ability to influence the substance of the laws supporting women. Therefore, these laws were

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2 - For additional reading, please refer to our previous study on the Political Role of Yemeni Women

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formulated in a manner characterized by the vagueness of its content and by shortcomings. This provided an opportunity for their interpretation based on their traditional culture; thus limiting women's scope of choices, and reducing the principles of equity and equality. Legislative support for women had and still has strong clashes with social and cultural inherited traditions and their ability to stereotype the role of women, and resulting in what is called the "feminization of education" and the "feminization of employment". This means that the social reality, as historically formed, had a specific approach in shaping the activities and roles of women and in determining their scope.

In this regard, it can be said that the injustice endured by women is generally not only related to the absence of legal texts, but also to the social and economic conditions and the prevailing culture of the society. In this respect, we believe that the political empowerment of women in Yemen will not succeed and will not bear fruit except through the development of the society as a whole, i.e., through the achievement of sustainable development that aims at improving the quality of life of all individuals. The status of women will thus improve within an integrated developmental modernizing context that perceives them as productive human beings and as a creative energy.

Generally speaking, it can be said that there is a concrete development in the area of empowering Yemeni women in the public sphere, as well as the emergence of their role in the political field, as voters and candidates in parliamentary and local elections, and as members of various political parties and organizations (and a limited acceptance by the community of the participation of women in the public sphere). This was associated with the development of national legislations and laws granting various rights to Yemeni women, in line with the overall political development in the Union State. Yet, despite all this, women's rights in modern areas remain the subject of controversy and debate among the different social and political forces that either support or reject them. This is due to the nature of the current phase and the overall variables that occur in the fields of economy,

politics, culture and social reconstruction that are associated with the integration of Yemen in the global capitalist system, and the infiltration of a number of capitalistic commodities, values and ideas into Yemen.

It should be noted that the participation of Yemeni women in activities in the public sphere was dependent on a political and legal legitimacy endorsed by the State, and with which the society interacted, in a gradual and limited way, accepting that women go out for education and into the labor market, specially that the issue of women's employment was incorporated into the State's administrative and economic institutions. It is noted that the pre-Independence and Revolution phases witnessed a presence of Yemeni women that cannot be disregarded, especially in the city of Aden.

.During the Union period, women gained greater support from the political community and the civil society. Democracy became a modern mechanism that worked on empowering women to access the public sphere and a number of decision-making circles, such as the Parliament, the Shura (Consultative) Council and the local councils. Their presence in party memberships and also in their leaderships -albeit weak - is an indicator that cannot be ignored. Furthermore, at this stage, modern civil society organizations emerged, in turn giving support to women, creating mechanisms for women's activities and for renewing their roles.

It can be said here that the period from 1990- 2008 represented a quantum leap with regard to the emergence of the political role of women, especially as voters and as members of the various political parties and organizations present on the scene. Their presence was perceptible in international and regional conferences and in a large number of conferences and seminars at the local level. The State often sponsored this feminist presence, directly or indirectly supporting it. However, the social reality was not completely devoid of strong political and social opposition to the political role of women and what it implies in terms of equality with men in rights, and in going beyond their traditional roles and the related cultural determinants. These forces expressed their opposing position through multiple and vari-

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*Despite the positive political discourse of the State regarding women, and despite the emphasis stipulated in all constitutions issued since 1962 on equality between men and women in rights and duties, the political discourse, the constitutional and legal support for the status of women were - and still are- strongly hampered by inherited social and cultural traditions, their ability to stereotype both women and men, and to impose a patriarchal culture that institutes the inferiority of women.*

ous means, including newspapers, speeches, mosques, exerting pressure on the government, in addition to other indirect means that had several negative impacts, the most important of which being a diminished interest and support for the role of women in the political sphere (by both men and women). This was manifested in the parliamentary and local elections which showed a significant weakness in the nomination and support for women by the State and civil society organizations.<sup>3</sup>

Despite the positive political discourse of the State regarding women, and despite the emphasis stipulated in all constitutions issued since 1962 on equality between men and women in rights and duties, the political discourse, the constitutional and legal support for the status of women were - and still are- strongly hampered by inherited social and cultural traditions, their ability to stereotype both women and men, and to impose a patriarchal culture that institutes the inferiority of women. Yemeni women live in two opposing social contexts, the first, a traditional context that endorses the social and cultural heritage, the second, a modern, or in the process of transformation to modernism, that calls for gender equality in the political sphere. In the framework of a traditional social structure that denies the presence of women in the public sphere, the marginalization of women's political roles takes place, and the value of their economic and social roles is under-valued.<sup>4</sup>

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3 - Fouad Al Salahi – Towards a Civil Marriage Document in Yemen – An Analytical Study presented to the University of Leyden – The Netherlands – 2007. The purpose of the study was to change the marriage document in Yemen through its approval by the Parliament. The document was discussed with governmental and parliamentary figures. However, the discussions were not completed and was not finally approved. The matter was deferred and remained neglected until today.

4 - For additional reading, refer to our study titled "The Political Participation of the Yemeni Women" – (Study presented to the National Women's Committee that includes an analysis of the status of women's participation in parties and an analysis of the content of their political programs) – 2012

## 1- The Political situation in Yemen in the transitional period (2011 – 2012)

The general political scene in Yemen during this period, reflects the numerous arguments and complexities of the conflict between the centers of power and within the context of the Revolutionary course, from which there were deviations towards bargainings and the allocation of quotas for parties that were demonstrated by the changes to the political variables of the system structure. The actual situation does not lead to comprehensive changes, but rather to superficial manifestations for promotional ends such as completing a comprehensive change of course; although Yemen is in dire need for comprehensive transformations in all the domains of the State and the society, as well as in the behavior of individuals and within the family. Hence, there was a call for increased political participation of all segments and groups of the society, as well as organizations, political parties and civil society institutions. In all of these, the presence of women was tangible, albeit unsettled, not backed by a strong support for endorsing their right to political participation, in accordance with convictions, political, cultural and ethical beliefs where women's participation is essential and vital, without circumventing this right.

For this reason, many of the demands of women for political and societal participation in managing the affairs of the State are linked to the general situation of the society, to the nature of the ongoing conflict and to the results it will produce, which until now, do not appear to be positive, because the traditional power centers exert strong pressure on the course of change, and even divert it towards side tracks.

The actual situation of the state and society in Yemen reflects a serious structural crisis in the nature of the political policies and political conduct, in the weakness of the state's institutions and the absenting of its foundations and legal mechanisms, in favor of the factional plans that consistently controlled the decision-making centers, expressing their partial views and interests as though they are identical to those of the state and the nation. Therefore, it is essential to reinstate the respect for the concept of the state and the government, and to activate its institutions and legal

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mechanisms so that it becomes a state for all. In this respect, emerges the concept of citizenship, based on a complete code of constitutional and legal texts. Only then, can women have an effective presence in the context of their citizenship through their rights to expression, choice and protest. The past year witnessed an unprecedented presence of women in various areas of change and freedom, and their voices became heard. It was an unprecedented event in the modern and current history of Yemen.

A brief evaluating look indicates that women had an effective presence through political parties and independent civil blocks or organizations that worked on mobilizing large numbers of women, who were present in demonstrations, protests and the various social, voluntary, cultural and media activities. It was a surprise for all, and amazed both the Arab and foreign observers who had believed that Yemen was a traditional society, dominated by tribes who determine the boundaries of the family and women, isolating them from the general scene. Women's presence in the squares, their activity in various fields and the falling of women martyrs in the revolutionary actions and their raised voice in demanding change, all of that demonstrated an unprecedented effectiveness of women and confirmed that their rights to participate can neither be bypassed nor ignored.

In general, it can be said that the actual situation of the state and the society in Yemen reflects the need for comprehensive political change. There is no room, after the Youth Revolution, except for changing the structures of the official institutions and the way they are managed, the political orientation and the legal mechanisms, as well as the individuals entrusted with the management of the change process. The change in question is the only entry point through which the state and the government can maintain their image and the determinants of their existence, as the actual reality reveals economic, political, social and cultural crises. For this reason, a comprehensive political transformation is the true response to all the problems of the state and society; but on condition that the change is directed towards establishing a civil and democratic state and activating its institutions and legal mechanisms, on the basis of the principle of citizen-

ship that governs the rights of men and women. In this case, the process of participation in bringing about change expands, and the presence of women becomes effective and not just a semblance.

The society needs women's efforts in the political process just as it needs the efforts of every citizen who supports the democratization course, as well as their combined efforts in the production process, particularly in the rural economy and in the other labor institutions. This role is no less important than their roles as voters and candidates in various electoral operations, and also their active presence in partisan structures and group formations to which they are affiliated. On the contrary, their linkages and memberships in the various parties, associations and civil youth groups increase.

The participation of women in the public administration on all possible levels reflects a developmental manifestation where women's capabilities are enhanced, and they are trained to adopt a new track in their societal activities. Women's personalities develop as active individuals and not just as voting numbers in elections, as parties habitually treated them since the first competitive parliamentary elections in 1993. To this day, some parties are not only unconvinced of women's capabilities and effectiveness, but also cut back on their political rights. The absence of women in a number of decision-making circles and their low representation in parliament and the Shura are attributed, not just to their weak performance and inability to rally and mobilize for their case, but also to the parties' reluctance and weak political support for them. Therefore, it can be said that the parties' weak support for women is reflected in their low representation in elected institutions, especially that a number of parties, due to their special cultural convictions, are still not convinced of the usefulness of nominating women for parliament.

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## **2- Women's Human Rights and Equality**

The issue of the human rights of women has been expressed from two angles: The first is through an official discourse by the Government on numerous occasions and through its programs by emphasizing the importance of social equality based on the principle of citizenship that was proclaimed among the goals of the Revolution. The rights of women were mentioned therein without details, but though stating that they and men are siblings, that the Constitution reveres and safeguards motherhood, and that women have the right to education, work and political participation, yet these rights were not directly mentioned, and in many instances, the rights of women were referred to laws. It is worth mentioning that the successive Yemeni governments signed and ratified most of the international conventions and treaties relating to rights and freedoms, including those concerning women (Annex 1).

However, as we are in a traditional society dominated by a tribal culture ingrained in the conscience of its individuals and groups, in addition to the spread of a "salafi" message, the rights discourse is still neither widely exchanged nor widespread and still faces several challenges; yet, it is present, through the activists of the civil society, including the feminist associations. Also, in several instances, the state clearly proclaims its support for the rights of women (Annex 2), and that it does not discriminate between men and women in rights and duties. Though this is a positive stance, yet the discourse remains incomplete because it is not backed by a political will for its practical implementation on the ground.

It can be said that the discourse on rights in Yemen, despite the weakness of the voice of the civil and feminist movements advocating it and the official seasonal interest, revealed in fact that, there is in reality a struggle between its proponents, opponents and hardliners. There are those who consider women's rights as a western and colonial perspective that targets the Arab Muslim family (women); and those who consider it a natural matter in the context of the political changes, and a cultural and rights discourse that consolidates the principle of equal citizenship. There is also

a third party that does not reject it, but raises a number of questions that reveal its doubts about the intentions of the west in general in spreading these concepts and laws. In fact, this is a normal occurrence as a result of the the shock of modernity and the political change in a society that lived for thousands of years within a narrow paradigm of limited culture and values, among social structures that inherit the traditions and customs.

### **3- Women's participation in political and public life:**

Women are a subject of great attention in the political domain. In fact, it is the area in which women's issues are largely present in terms of the political and media address, not mentioning the increasing activities of women in civil society organizations. There is not a single law that hinders women's right to work in the political field, as candidates, voters or members in parties or organizations, or that prevents them from expressing their views in the press. However, the reality and traditional culture of the society still restrain the equal political participation of women, as shown by the low percentage of women voters in elections and the low percentage of their nomination as candidates by parties, in power, or in the opposition.

It can, therefore, be said that the poor political participation of women (in addition to their low educational level, and their poor presence in modern economic activities) is considered among the most important human development deficiencies in Yemen. The poor political participation can be attributed to several factors, among which are the weak political will of the executive power towards women's issues; especially that the government is aware of the social and cultural dimensions concerning women. It also realizes, that according to the international conventions and particularly the Convention on the Elimination of All forms of Discrimination Against Women, it is obligated to promote and support women's issues and to empower them to participate in all decision-making circles.

Furthermore, the general mentality of those dominating the leadership bureaus of parties and in the government's political institutions is reflected in their adverse attitudes towards women, reducing their political presence,

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as demonstrated for example, by the low number of women on party lists, both in the ruling and in the opposition parties.

The initiative of President Saleh, during 2009, allocated 15% of the seats to women in local and parliamentary elections to achieve a tangible quantum leap in the area of women's participation in politics, in order to eventually reach the prescribed percentage of 30% determined by CEDAW.

It is worth mentioning that the obstacles to women's political participation are not linked to a number of Yemeni political laws and practices only, but also to the tribal and Salafi culture that belittle the value of women's political presence, and call for making politics a purely male concern. To deepen the Salafi and tribal vision, the importance of early marriage and polygamy is emphasized, the social value of women's education is thus disparaged. All of this falls within the context of hindering the advancement of women, in their own right, as social and political actors.<sup>5</sup>

Furthermore, the National Commission for Women submitted a draft amendment to the elections law with the aim of obtaining temporary positive discrimination in favor of women, so that special closed constituencies be allocated for women's exclusive competition, ranging between 15 - 30% of the parliamentary elections.

The President presented an initiative to the political parties to activate the political participation of women so that they can obtain at least 15% of the seats in the parliament. However, the dialogue and discussion have not come to an end yet.

Indicators show a decline in the representation of women in Parliament, where, in 2003, only one woman won the elections. With the golden opportunity for improving women's presence in parliament in the vacant constituencies which were opened for re-nominations in 2009, the National Women's Committee addressed letters to the Secretary of the Congressional Party, the Cabinet of Ministers<sup>6</sup> and the Shura Council, soliciting their

5- G.Y. The National Women's Committee – Report on the Status of Women in Yemen for the year 2009.

6- Source: G.Y. The Supreme Committee for Elections – Final Results of the Parliamentary and Local Elections, 2006



support for women's participation in these constituencies and their access to parliament. This demand was repeated to confirm the credibility of the directives of the ruling party to allocate a percentage of 15% quota for women in parliament, but to no avail, despite the seriousness of women in their desire to run for elections, especially in the vacant constituencies in the city of Aden, where the woman candidate encountered great difficulties.<sup>7</sup>

The general political scene reflects the constant presence of women in decision-making circles according to set criteria that do not change until after the electoral processes. Therefore, the scene did not change since

*Indicators show a decline in the representation of women in Parliament,*

**Table 1 : Women's Representation in Parliament, in the Shura Council and in Local Councils**

Political Area	Women	Men	Total	Percentage of women to Men
<b><i>Members of Parliament</i></b>	1	300	301	0.03%
<b><i>Members of the Shura Council</i></b>	2	109	111	1.8%
<b><i>Members of the Local Councils</i></b>	38	6741	6779	0.56%

Source: Government of Yemen (GY)- National Women's Committee- 2009 Report on Yemeni Women

7 - Ibid



*The National Commission for Women, in partnership with the parties' formations must, in the coming period, in anticipation of the forthcoming parliamentary and local elections, work on activating the President's initiative, and on preparing a proposal for a draft law that comes close to the ratio established by CEDAW*

the parliamentary and local elections in 2009, where women's position in Parliament was represented by a single deputy, two members in the Shura Council and 38 members in the local councils. These figures reflect the weak participation of women in local and parliamentary elected institutions, and also in councils where members are appointed. This indicates that both the political community and civil society failed to support and empower women to access decision-making circles, noting that the civil society organizations that tried to support candidates through training and raising funds for their election campaigns, also failed to achieve any success worth mentioning. Therefore the bet is now on convincing the political leadership to adopt the quota system for two parliamentary election cycles, to create a general acceptance by society and among the political elite, in addition to an amendment of the electoral law by endorsing the proportional system instead of the individual constituencies. This would promote women's access to Parliament and local councils in acceptable numbers.

According to the variables related to the Youth Revolution and the presence of women therein, the Technical Committee for National Dialogue was formed by presidential decree on 14 July 2012, comprising 25 members, including five women, representing the political forces, civil society organizations and the youth.

Table (3) shows the presence of women in parliament and local councils, in addition to their presence in the leadership bodies of the official political parties in Yemen.

The solution for increasing the presence of women in decision-making circles in the parties' leadership bodies lies in the adoption of the quota system (positive discrimination) for a specific period of time so that society gets accustomed to it and women become qualified in this domain. In this respect, the National Commission for Women, in partnership with the parties' formations must, in the coming period, in anticipation of the forthcoming parliamentary and local elections, work on activating the President's initiative, and on preparing a proposal for a draft law that comes

close to the ratio established by CEDAW. Consequently, the position of women in the diplomatic corps, the Shura Council, the judiciary and the various state institutions, has to be reconsidered.

On the other hand, and according to a number of statistics, the total number of women working in the upper power echelons is about 241 from a total of 6463 (i.e. 4 women versus every 100 men), indicating the persistence of unequal representation of women and men in the administrative structure of the state and in various decision-making circles.<sup>8</sup>

*The political community and civil society failed to support and empower women to access decision-making circles*

**Table 2 : Prime Ministerial Decrees of 2009 for Appointment and Promotion**

Appointment		Extension of Service	
Women	Men	Women	Men
38	157	4	47

**Table 3 Showing the 2009 Presidential Decrees for appointments, promotions and retirement**

	Decrees for Retirement		Decrees for Promotion		Decrees for Appointments		Issued by laws
	Women	Men	Women	Men	Women	Men	
Deputy	4	113	-	473	-	534	5
As-sistant Deputy	2	-	-	-	-	-	

8 - Feminist movements in Yemen, through governmental organizations (The National Women Committee) and scores of civil society organizations, Yemeni women leaders and militants call for approving a 30% allocation of seats in parliament for women, as stipulated in the CEDAW Convention that was signed and ratified by the Government of Yemen.

- The number of women enrolled in the police is 2685 officers and privates
- In the Ministry of Interior, women reached the following ranks: 16 women officers with the rank of Akid (colonel), 16 with the rank of Mokadem (lieutenant colonel), 28 with the rank of ra'ed (major), 3 with the rank of Naqeeb (captain) and 2 with the rank of Molazem Awwal (first lieutenant)

#### 4- Women in the diplomatic corps

There is a wide gap between men and women in the diplomatic corps, especially on the senior positions level, where inequality increases sharply, as male diplomats represent the majority of the total number of employees in the ministry, with a percentage of (93%), whereas that of women diplomats does not exceed (7%). This is also reflected in the qualitative and quantitative gender gap in the ranking of diplomats. At the same time, the number of male administrators reaches a percentage of (86%), while the proportion of women administrators reaches only a percentage of (14%).

It is also noted that male diplomats reach higher positions, while the number of women diplomats are confined to the lower ranks, where there is only one serving woman ambassador and four women ministers plenipotentiary, as women are outnumbered by male ambassadors (88), and 61 Ministers Plenipotentiary. According to the information received from the ministry, the percentage of male leaderships in the ministry amounts to (99.9%), while women in diplomacy do not have leading roles in the ministry, despite the fact that they meet the required eligibility criteria for these positions. There is only one woman holding the position of deputy chairman of a department.<sup>9</sup>

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9 - In the context of the partisan conflict between the Opposition and the Ruling Party in 2009, the Ruling Party announced during an expanded meeting attended by the Head of the Party (who is also the President of the Republic), a Decree which was more of outbidding other parties by proposing the allocation of 15% of parliament seats to women, and invited political parties and organizations to follow suit in realizing this proposal by favourably voting for it in the parliament.

The number of women who won memberships in the local councils in 2006 was 38, as compared to 6741 men. It is noted from the above table that the percentage of women members is (0.56%) compared to the large percentage of men (99.3%); and that most of the women winners belong to the Popular Congress Party (79%). Here we can contest the credibility of the parties regarding their support for women in elections, and note that these parties fall under the influence of the tribal mentality and the traditional culture, and remain under their influence reflecting on the decisions concerning women. On the other hand, the elections revealed a serious weakness in the role of the civil society through their media and logistic support to women candidates in local councils.

**The following are the major obstacles hindering the political development of Yemeni women:**

1. The poor commitment of the ruling party and the Yemeni government to women's issues.
2. Neither the compliance of the government with the international conventions, nor their integration into the national legislation and laws, especially CEDAW.
3. The double standards of the political parties both in power and in the opposition in dealing with women's issues.
4. The ineffectiveness of Yemeni women as a political force, due to the absence of an organized feminist movement.
5. The opposition of the traditional powers (tribal and fundamentalist) to women's political participation.
6. The ineffectiveness of civil society organizations in support of women's rights.
7. The persistence of the traditional culture as a point of reference in determining how to address women's issues rather than a civic culture that socially and culturally consecrates women's right to public work.

*Political parties are among the most important civil society institutions, with the most effectiveness and largest presence on the general political scene. When they are convinced of the role of women, their political participation, and their right to representation in the various decision-making circles, they can adopt mechanisms that support women's political rights.*

A number of proposals to promote the political participation of women and their empowerment - through the adoption of a quota system in order to consecrate and expand opportunities for women in the various political institutions, include the following:

- Expand societal coalitions supporting women, especially in the forthcoming pre-election stage for parliamentary and local councils.
- Support women's access to senior management positions in various governmental institutions, and provide them with the necessary resources to perform their work, including logistical facilities.
- Acknowledge that women's participation in politics is essential to achieve sustainable development and that their political participation is an important entry point to the process of women's advancement in general.
- Approve a code of honor between the parties to increase the number of women in the parties' leadership bureaus.
- Demand amending the electoral law to change from individual lists to proportional party lists which provides wider opportunities for women to enter as candidates in various constituencies, without monopolization by men, especially in the absence of the adoption of a quota system.
- Demand amending the electoral law to increase the number of women candidates on the various party lists, i.e. to legally impose on each party wishing to participate in the elections that their lists include a number of women to be agreed upon.

## **Second: Women in political parties:**

It is not possible to speak about women's political participation without linking it to the concept of gender and its related corollaries such as equality, non-discrimination, exclusion or marginalization on the intellectual level, and to party programs and their actual implementation. There is a relatively growing interest in the concept of gender among women's non governmental and official organizations in the context of the search for var-

ious mechanisms and methods to qualitatively and quantitatively enhance the presence of women in the general political scene. With the Union in 1990, and the accompanying political opening up and the endorsement of the parliamentary, local and presidential elections, the effectiveness of the electoral voice was demonstrated. In this context, the interest of political parties, both in power and opposition, in women as voters and numbers in elections, became evident. This was coupled with a progressive and better understanding of women's participation through a renewed perception by some parties of women as human beings and citizens; while at the same time, the traditional viewpoint persisted, considering women as a reproductive tool, to be brought up to become wives and mothers, in a social context that denies them a presence in political and societal roles.

We can identify and focus on the extent of women's presence in party organizations and the level of their commitment to the concept of gender mainstreaming, through the adoption of this concept in their programs and internal working mechanisms; and how far they are compatible with their public discourse on women. Political parties are among the most important civil society institutions, with the most effectiveness and largest presence on the general political scene. When they are convinced of the role of women, their political participation, and their right to representation in the various decision-making circles, they can adopt mechanisms that support women's political rights. This can take place in the context of a changing reality in which women register their presence, though unable to convert this presence into an effective and decisive voice towards their empowerment in political participation, in accordance with the international convention that was approved and ratified by Yemen, allocating a 30% representation for women. In this case, the expected support from parties, as advocates of the political modernization of Yemen, starts by understanding women's demands and pushing towards achieving them.<sup>10</sup>

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10 - Lucine Taminan – Portrayal of Yemen in Western Studies – Translated by Ahmed Jaradat – The US Institute for Yemeni Studies – Sana'a – 1997

*The concept of gender is a distinctive and important factor in monitoring the extent through which the concept of citizenship is rooted and entrenched, through which lie the legitimacy of the demands for women's political empowerment, and the setting in motion of their activities and roles in the public domain.*

The emphasis on the effectiveness of women in the public sphere and their political empowerment is but a response to their effectiveness and positive presence during the course of the popular Youth Revolution, which amazed observers both at home and abroad. Now there are no longer any justifications for parties or for the government to continue downplaying the political effectiveness and presence of women. On the contrary, it is the right time to empower them and increase their presence within the various political decision-making circles.

### **1- The roles of Women in the Yemeni society:**

The traditional culture of the society still prevails. It is a culture that segregates men from women, divides society into two areas of activities and roles, namely the public and the private domains. The first concerns men and their different roles which take place outside the home. The second is for women and their established multiple roles inside the home. Not only is the dividing line between public and private domains based on a social, legal and political structure, but the definitions that determine what is private and what is public are significantly affected by gender, customs and social class. In this context, the following question arises: How does the social meaning of gender roles reflect on the conditions of a society and the level of its economic, social and political development. This means that women's roles, authority and status are structurally determined through the following several levels:

- The State ideology - orientations of the ruling political system.
- The legislative and legal frameworks.
- The level of socio-economic development pattern.
- The cultural and intellectual structures of society.
- The social category or social structure.<sup>11</sup>

In general, it can be said that the concept of gender is a distinctive and important factor in monitoring the extent through which the concept of

11 - Ibid . Lucine Taminan – Portrayal of Yemen in Western Studies – Translated by Ahmed Jaradat – The US Institute for Yemeni Studies – Sana'a – 1997

citizenship is rooted and entrenched, through which lie the legitimacy of the demands for women's political empowerment, and the setting in motion of their activities and roles in the public domain. This means that the concept of gender addresses the issue of citizenship, and highlights the existing disparity between men and women. Hence, we can take advantage of this to highlight the existing inequalities in the relationships between both sexes, the inferiority of the status of women and the male dominance as a universal historical phenomenon – and not only in the Yemeni society – , and to reveal the manifestations of cultural and historical basis for gender relationships that carry within its context the elements of discrimination against women.

Gender measures the extent of progress or regression of the status of women within their society through the examination of their roles in public life and the impact of socio-economic changes on these roles, as well as the cultural and ideological constraints that prevent women from undertaking their roles in public life. In Yemen, as part of the transition from a traditional to a modern society, and on the assumption that this shift indicates an improvement in the status of women - according to the theory of modernization - severe criticism may be directed to qualitative studies which assume that modernization automatically leads to women entering the public sphere and to the improvement of their social and economic status. The traditional and patriarchal social structure does not allow women to conform with the variables of change and modernization. Rather, they hinder the modernization of both the family and women's domains, due to a cultural system that derives from a tribal and Bedouin structure.

## **2 - Women in Party Programs:**

What is interesting is the noticeable development in the substantial presence of women in the public political activities, as was their partisan affiliation and in the parties' support for women, especially within their organizational structure. This development is limited and does not rise to the level of the comprehensive support that women deserve and demand, nor to the level of its political utilization as stated in the parties' discourse.



*While parties fall into contradiction and double standards, as their media messages repeatedly emphasize the importance of women's participation in political work, the importance of their presence in the various decision-making circles, as well as their role as voters and candidates in all electoral processes, the actual situation reflects the weakness of the parties' support for women*

While parties fall into contradiction and double standards, as their media messages repeatedly emphasize the importance of women's participation in political work, the importance of their presence in the various decision-making circles, as well as their role as voters and candidates in all electoral processes, the actual situation reflects the weakness of the parties' support for women. Women get less attention, evidenced by their numbers in electoral party lists and their memberships in parties' leadership bureaus and in the various elected official bodies.

Here we are not very much concerned with numbers- women's numbers- in party and government bodies except as a quantitative indicator. More important, rather, is the level of awareness of the concepts of equality, empowerment and support for women, which we define as the concept of gender; i.e. we are interested more in the development of the awareness of parties and their political ideologies - and how these are reflected in their political programs and regulating by-laws. The inclusion of this concept, as well as its indications, in the parties' awareness of their public, especially women, shows a significant development in the political culture and thought of parties.

For reference, the monitoring of party programs and regulations reveals a limited development in the political programs, especially those that were approved in recent party conferences, such as the programs of the Socialist Party, the Reform Party, the Congress party, and the adoption of a positive discourse in the programs of other parties, as well as emphasizing that women's participation in the political sphere falls within the framework of strengthening their roles within the family.

These parties refer to the necessity of the presence of women in their various leadership and organizational bodies, starting from grassroots structures (the small units), through the administrative bodies on the city level, up to the senior leadership levels. In reality, the presence of women in the various parties levels is still very limited, based on the number of women in each party. Here, we record a positive development in women's access to the Shura Reform Council, assuming leadership positions in

the Socialist Party, the Nasserite Party, the Unionist Party, the Association Party, and the Baa'th Party, as well as their continued presence in the intermediate-level bodies or within the feminist sector, which was recently endorsed by the majority of the parties, as a special sector for women.

**The Yemeni Congregation for Reform Party "Islah" (*the largest religious party in Yemen, which represents the Muslim Brotherhood*):**

**The Islah (Reform) Party calls for:**

1. Family care is the prime responsibility of women, and the society has a right and share in their remaining time and effort.
2. The physical and psychological specificities of women do not justify denying their role in life and their place in society, nor diminishing their rights or doing them injustice. Women as well will find neither happiness nor satisfaction if they are forced to forego these specificities.
3. No society can prosper unless it soars with two wings: men and women. It is therefore necessary to enhance the status of women in society, and to grant them all the rights guaranteed by Islam and confirmed by the international conventions.
4. Safeguarding women's rights guaranteed by the Islamic Sharia', such as their right to education, expressing their views, honest earnings, choice of spouse and the right to be provided for and to alimony or financial support as daughters, sisters or wives.
5. Providing extensive opportunities for women's education and training to enable them to play their role in society and to fulfill the duties assigned to them by religion.
6. Enabling women to exercise all their political rights and to participate in all public activities, popular or official and providing them with the opportunity to assume leadership responsibilities in various state institutions and organs, in accordance with the guiding principles and directives of Islam.

7. Providing opportunities for women to work in various production sectors and sites according to their nature and abilities, and upgrading the work environment to befit their worth.
8. Enacting legislations to protect women workers, safeguarding and ensuring their rights to training and promotion, and granting them the rights and privileges to help them reconcile their work with their duties at home. This entails the right of selecting suitable work for them , reducing working hours, ensuring adequate maternity and breast feeding leaves and providing nurseries in the workplace, and other, without jeopardizing their right to rewarding wages.
9. Giving priority in providing training and employment opportunities for women in areas which are more appropriate and suitable for women than men and granting them motivating incentives. Encouraging women to engage in trade unions and professional federations, in a manner befitting their dignity.
10. Assimilating women in federations, associations and societies to raise their awareness on their legal rights and duties granted them by Sharia' and unleashing their potentials.

### **The Yemeni Socialist Party (YSP):**

The party believes in the struggle for women gaining their freedom, rights and the elimination of all forms of discrimination against them. It calls for and even seeks to:

1. Guaranteeing women as active partners in society full equal citizenship rights and safeguarding their effective participation in the formulation and implementation of socio-economic development programs; to strengthen the democratic process and social development.
2. Empowering women to access leadership positions in the various state and social authorities and institutions, opposing the flawed perception regarding women, and establishing the principle of equal opportunities between men and women to ensure their access to decision-making positions.

3. Changing the traditional perception of women, especially those disseminated in the educational curricula and the methods that perpetuate the negative stereotyping of women's traditional roles, and enforcing the compulsory basic education in the Education Act for girls.
4. Revising and developing laws and legislations relating to women and working on narrowing the gap between the legal text and the practical application, especially with regard to the family law so as to enhance women's productive roles in public life, and to ensure women's rights and freedoms in accordance with the prevailing requirements and necessities of the time.

**The General Popular Congress Party (GPC) calls for:**

1. Addressing the social conditions and inherited traditions that hinder women from reconciling between their role within the family and their role in public life within the context of the Sharia'.
2. Building the capacity and training women to carry out their educational and familial duties and their active contribution to public, political, social and economic life.
3. Raising women's awareness of their rights, working on the issuance of legislations needed for their protection, and encouraging them to uphold their rights and their familial obligations and for exercising their rights and public duties.

*Gender is not only determined by the election of a limited number of women in parties or in public official bodies, as much as it involves changing the overall societal context in which women live,*

### **The Nasserite Popular Unionist Party (NPUP):**

Devotes attention to women's issues with a view to improving their social status through pressing for granting them their human rights, guaranteed by Islam, as being men's siblings and half of the society.

### **The National Arab Socialist Baath Party (NASP):**

Giving special care to women to transfer them to a new status, as this is an essential component of the goals of the social transformation process and for paving the way for them to work in various fields, suitable to their human nature, status and capabilities. This is of utmost importance to free them from all restrictions and constraints and represents the right starting point for bringing up a generation qualified to bear the burden of social progress, and for creating the new society with all aspects of progressive experience.

### **The Socialist Arab Baath Party (SAP):**

Arab women enjoy all citizens' rights. The party struggled to enhance the role of women. The Party's League program includes expressions that confirm support for women and for their work in the political sphere. Women occupy top leadership positions in the party. Other parties' programs include general statements about women.

It can be said that the concept of gender with all its connotations and meanings is still not absorbed by the various parties and is still ambiguous in parties programs and by-laws. Interest in women's issues is still limited, and is neither commensurate with their numbers in the society, nor with the roles they perform.

Most parties focus on the participation of women in various leadership bodies, and consider it a great achievement, though what is really required is a 30% representation of women in the senior leadership structures of the party, in addition to equality, non-discrimination and non-exclusion. It is also important to focus on changing the traditional societal culture

that places unacceptable dividers between male and female circles, thus putting women in a lower social status. Therefore, gender is not only determined by the election of a limited number of women in parties or in public official bodies, as much as it involves changing the overall societal context in which women live, and fighting obstacles that diminish their participation in the public sphere and in decision-making circles.

This sociological definition of the concept of gender is still not grasped in all the parties programs. We may perhaps find minor indicative signs of it in the Socialist Party, which evolved relatively in the Reform Party, while we find expressions relating to women outside the societal context that create discrimination against their presence and effectiveness in the political scene. It should be noted that the Reform Party is still rigid in its vision of the election of women and their participation as candidates in the parliamentary elections, representing more of an intellectual and cultural barrier rather than a regulatory feature. The time has come for the party to overcome this obstacle and to update its judicial and cultural system to come up with a broader support for women in political participation.

**It can be said that the political parties in Yemen must bring about positive changes in their political agenda to absorb the concept of gender, so that women are granted more presence and effectiveness in parties structures and in society in general, specially that the role of women in the Popular Youth Revolution was strong and effective. Women have shown great capacity in public work whether organizational, cultural or articulation, and were up to the level of the revolutionary course of events. Therefore parties must rise to that level, and not be less supportive of women and their legitimate right to political participation.**

**Measures proposed to be adopted to enhance the participation of women in parties and in political life:**

*To achieve greater effectiveness for women in the political field and in the political parties, parties must comprehend the concept of gender and reflect it in their political programs through the following:*

1. Spelling out the danger of excluding women from political participation and marginalizing them.
2. Articulating the concept of the elimination of discrimination against women in the context of the societal culture.
3. The need to increase women's share in the various levels of the parties leadership bodies.
4. Confirming parties support for women and their political empowerment through the adoption of modifications to the political programs of each party and its by-laws.
5. Supporting the formation of an active feminist movement that seeks to coordinate with both the government and the opposition, and that puts women's issues on the agenda of the national dialogue and on the priorities of the parties and the state.
6. Demanding the introduction of constitutional amendments that include clear provisions for the adoption of a 30% quota, as a mechanism to increase women's political participation.
7. Demanding amendments to the electoral law so that parties include on their lists in all elections a certain percentage of women to be defined by the law.
8. Demanding amendments to the election law to change from the individual list to proportional list; which would entail in its indications the expansion of opportunities for women to run in various constituencies without the monopoly of men.
9. Establishing a civilian body for the Social Register in each constituency on which to build the electoral register. It shall operate all

- year round so that women can register without hindrance. The electoral registers shall be clear and made public throughout the year.
10. Endorsing a Code of Ethics among parties to increase the number of women in the party leadership bodies.
  11. Building supportive societal alliances to support and advocate the approval of the quota as a measure to promote women's political participation and quantitatively increase their presence in the various official institutions and parties.
  12. Increasing the awareness of women's legal entitlements, as contained in the international legal sources of reference, ratified by the Yemeni government.
  13. Implementing ongoing awareness programs aimed at educating women politically to increase their knowledge of the electoral processes and raise their awareness of the importance of political participation.
  14. Considering a comprehensive perspective of the rights of women to be the right and best approach to expand women's options and to enable their political and developmental participation, as well as considering their development and advancement as the main foundation for raising the standard of the society and for its renaissance in general.

No development or change in women's roles and their social, economic and political status can occur without being linked at the same time to a similar development in legislation and regulations and to the creation of special institutional frameworks for women. Guaranteeing women's participation in economic and social development strengthens the presence and participation of women in political work, as voters, candidates and members of various political parties and formations.



The gist of the matter is that, the political empowerment of women will not succeed and bear fruit except through the development of the society as a whole, i.e., through the achievement of a sustainable development aimed at improving the quality of life for all individuals. Thus the status of women will consequently improve, in the context of an integrated developmental modernization that perceives them as productive human beings and a creative force. Women therefore need education, training and skills acquisition. They need self-awareness and to develop their social status, in terms of standard of living, health and public freedoms, before political participation. The empowerment of women can only be achieved through mainstreaming their issues in development, based on a national policy that provides equal opportunities for women in education, training and employment, safeguards their rights and ensures their promotion and access to decision-making positions, and that considers women's rights an integral part of human rights. Education is thus one of the principal goals that must be ensured for the Yemeni girls in order to empower them; as education is the key to improving the status of women and increasing their presence in the various sectors of the public domain (education, culture, training and care for women are the elements of human development).

### Third: Women in the Judiciary

The Islamic Sharia' incorporates ( in its general texts) equality between men and women in rights and duties. The Constitution also includes such rights and duties. Yet, the presence of women in the judiciary is still very low, in comparison to men, who dominate the judiciary and the higher leadership positions. This discrimination may be attributed to erroneous conceptions, traditions, social and cultural practices.

### Level of Representation of Women in the Judiciary, according to Position and Gender, 2009

Serial No.	Leadership, Position	Men	Women
1	Head of the Supreme Court	2	-
2	Judge in the Supreme Court	88	1
3	Head of a Court of Appeal	67	1
4	Deputy of a Court of Appeal	114	4
5	Judge in a Court of Appeal	135	4
6	Head of a Primary Court	83	7
7	Head of a Juvenile Court	3	4
8	Judge in a Primary Court	104	-
9	Judge in a District Court	201	18
10	General Prosecutor	1	-
11	Public Attorney	4	-
12	District Attorney	1	-
13	Assistant District Attorney	93	1
14	Associate District Attorney	12	-
15	TOTAL	908	40

Source: Government of Yemen- National Women's Commission - Report on the Status of Women during 2009

The above table shows that the gap between men and women remains wide in the Judiciary, as shown hereunder:

- A poor representation of women in the judiciary. Their number for this year was 40 women versus 908 men.
- There is only one woman judge in the Supreme Court versus 100 male judges.
- There is only one woman in the General Prosecution versus 111 men.
- The largest number of women judges is among judges in District courts.
- According to the records of the Lawyers' Syndicate, the number of women lawyers is 214 versus 2888 men.

### **1 - Efforts exerted during 2009 to approve the legislative amendments:**

Numerous and various efforts were exerted for the purpose of amending the national legislative system to support women's rights, including the efforts of the National Women's Commission that presented the proposed legislative amendments, relating to women, to the Cabinet of Ministers two years ago. The proposal was referred to the Cabinet and to the Ministry of Legal Affairs to prepare draft laws to be submitted to the Cabinet of Ministers for endorsement then to be referred to the Parliament for approving the amendments. These included political, economic, social and cultural laws, for which amendments were issued in the year 2009.

### **2- Efforts to Combat Violence against Women**

Several governmental institutions in Yemen, in cooperation with non-governmental organizations, undertook various efforts to alleviate the violence against women; among these institutions and organizations is the Ministry of Justice which added an article to the by-laws of the courts of appeal and the primary courts relating to the establishment of an office called the Office for Litigants' Services which has a special unit for providing services to women litigants.

The Yemeni Women's Union, through its various programs, offers legal assistance in all the governorates of Yemen. Furthermore, several civil society organizations implement programs and projects aiming at combating sexual harassment against women. Among these projects, the Safe Streets Campaign to combat sexual harassment on the streets which was launched in 2011. It was organized by a group of young men and women volunteers with the purpose of shedding light on the issue of sexual harassment on the streets, from which a great percentage of Yemeni women suffer, specially in the capital Sana'a. In 2009, the Kefaya initiative, with support from the "Mounting Voices" organization, was launched to empower "Yemeni women in the field of media technology". The project is mainly concerned with the issue of sexual harassment on the streets. In addition, the House of Development was founded as an initiative led by youth - with experience in responding to the needs of the community - to offer consultations and training to organizations and individuals.

***Following are some of the measures proposed to combat violence against women in Yemen:***

- Eliminating all the legal texts that include discrimination against women.
- The necessity of including violence against women as an annual statistical field in the various official and national sources.
- Enhancing societal awareness to condemn the practice of violence against women.
- Increasing the appointment of women in police stations.
- Activating the role of civil society organizations in dealing with the phenomenon of violence and protecting abused women.
- Increasing girls' admission to the judicial institute.
- Increasing women's participation in the judiciary.
- Providing data on crimes perpetrated by men and women
- Enhancing the necessary directives for backing and treating women fairly.
- Speeding up the approval of the amendments to laws that were proposed by the National Committee.

Fourth: the Status of Women in the area of Education and Health

Despite the governmental efforts to integrate women in education and emphasizing that in the government’s development programs and plans; yet the actual situation in the society reveals a number of challenges hindering the increase of opportunities for girl's enrolment in the various stages of education. Furthermore, the existing gender-based gap in education, the absence of equal opportunities between the sexes and the increasing illiteracy rates among women require a political and a social will to provide a better opportunity for girls' education and women's empowerment in general, and to build their skills, cultural and professional capacities. Illiteracy and poor educational opportunities for girls hinder development and weaken the productive capacity of the society.

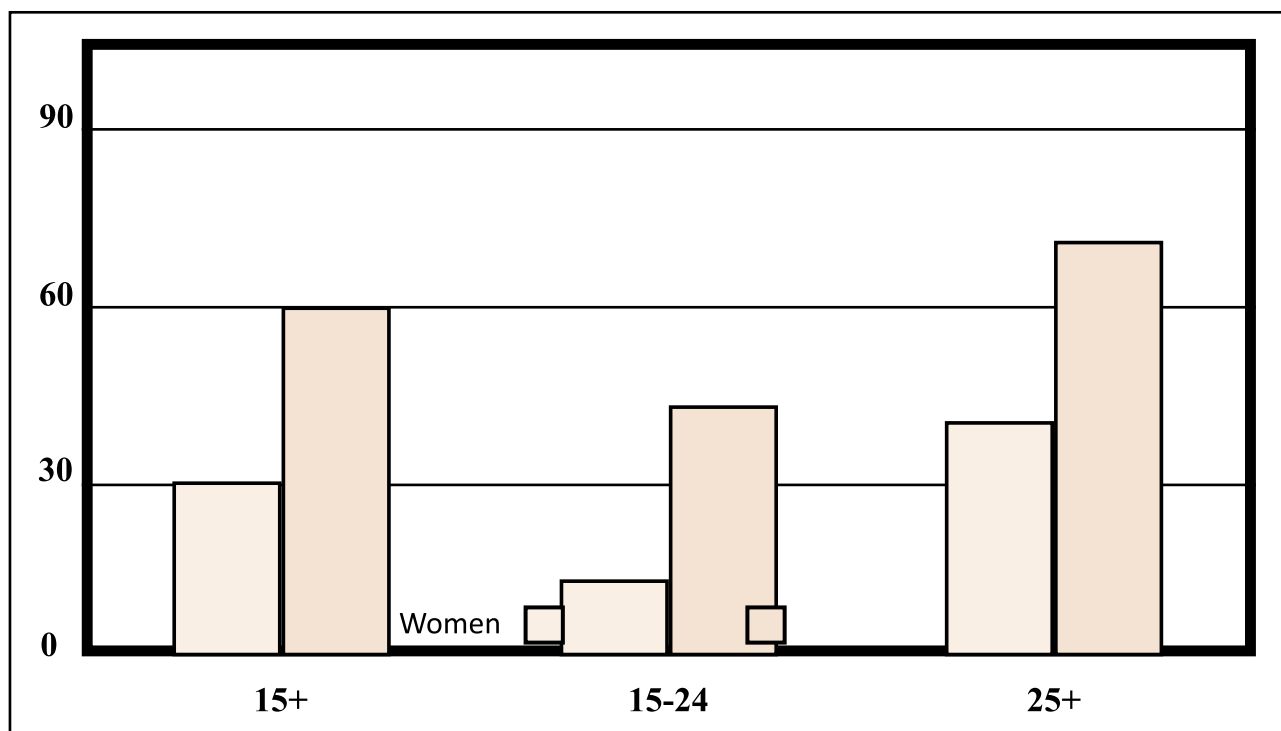
Illiteracy Rates and Gender Gap

Source/Year	Illiteracy Rates		% Gender gap
	Women	Men	
Census 1994	76.3	36.7	39.6
Census 2004	62.1	29.8	32.3
2005/2006 Household Survey	60.0	21.3	38.7

Source : Government of Yemen (GY) National Committee for Women-2009 Report on Women

It is worth mentioning that in order to address illiteracy rates in general, especially among women, a time-bound program, not exceeding a five-year plan is required. However, in Yemen, women's illiteracy is not viewed as a problem, based on the societal perception that diminishes their presence and their social, political and economic participation in the public sphere. This view is in conformity with the tribal perception, but not at all with the perspective of a modern state.

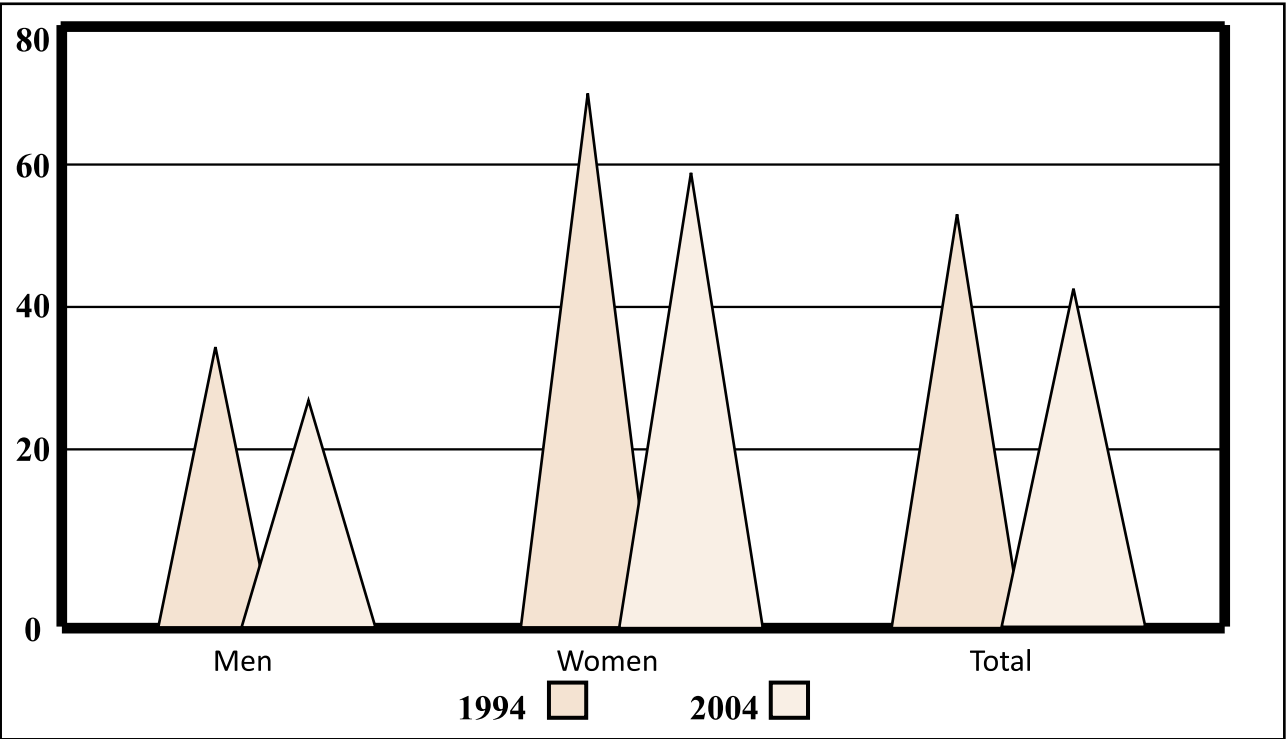
**Figure 1: Illiteracy rates by gender and age group in the Republic based on the 2004 General Housing and Population Census.**



The follow up on the role of the Yemeni Government with regard to illiteracy reveals a lack of seriousness in the performance of the government, and an insufficient interest in this problem, the manifestations of which are reflected in all areas. As we are now living in the framework of a modern state, we must not rely on traditional or salafi perceptions with regard to women and their issues. From the two graphs and from the previous table, the perpetuation of illiteracy is noted during the past twenty years, without any real change in its rates.

What is more serious is the increase of illiteracy rates among children under 10 years of age, despite the fact that education is mandatory, according to the Constitution that stipulates free and compulsory basic education.

**Figure 2: Illiteracy rates in the Republic for individuals of 10 years of age or more, based on the 2004 General Population and Housing Census.**



In general, it can be said that the perpetuation of illiteracy in high rates among women and children poses a great challenge to development in Yemen; and should be viewed as a national and moral responsibility, starting from the fact that the human being is the true wealth in Yemen. Therefore, there can be no development without an optimal investment in the education of human beings, male or female, starting with compulsory education for children, all children.

The perpetuation of female illiteracy is linked to several social factors that reflect the culture of the society and its perception of women, and of the importance of their education and roles in society, as these roles are confined to their reproductive role and limit their activity to the domestic domain. This reveals the weakness of the political and legal factors that support women's education. Girls' education still faces enormous challenges, amongst which, the weak structure of their educational institutions, the frail societal support for them, in addition to early marriage which deprives girls from education. Furthermore, dropping out of school adds to the problem and represents another challenge to the process of education in general.

**Girls and Boys in the Basic Education Age (6-14) for the years 2008-2009**  
( in thousands)

Age Group	2008.		2009	
	Girls	Boys	Girls	Boys
years 6-14	2792786	2965520	2880641	3058452
years 6	306904	328521	316542	338875



The relatively increasing enrolment rates in basic education reflect the desire of the Yemeni families to educate their children. This is a positive tradition, despite other manifestations that reduce the importance of education, especially among the poor, who withdraw their children from schools due to their inability to meet the necessary expenses for the requirements of education. This needs rapid intervention from the state to financially support poor families through the multiple social funds.

**Students enrolled in Technical and Vocational Education Institutions by Type of Institution and Sex 2007- 2008**

Type of Educational Institution	Students Enrolled						Gender Equality Indicator
	Females		Males		Total		
	Nº.s	%	Nº.s	%	Nº.s	%	
Community Faculties	845	19	3585	81	4430	100	24%
Technical Diploma	1337	14	8193	86	9530	100	16%
Professional							
Secondary schools	374	13	2818	87	3192	100	13%
Professional Training Diploma	100	2	6249	98	6349	100	2%
Total	2656	11	20845	87	23501	100	13%

Source: Women's Report – 2010

If we look at the diversity of the educational fields, the presence of girls in general education is almost high in comparison to their enrolment in the professional and technical educational levels. The data shows that the rate of enrolment of girls in this type of education is in the range of 11% of the total number of enrolled students. Though the community faculties absorb a larger proportion of girls in comparison with the total enrollment, yet the girls make only 19 percent of the total of students; notwithstanding, these are among the best educational institutions where gender equality is concerned. For every 100 males, 24 females are accepted; whereas the ratio is much lower in vocational training, as for every 100 males there are only 2 female trainees.

This type of education highlights the paucity of opportunities available to women, which may be due to the limited fields that meet women's wishes, the lack of geographical coverage and the difficulty of attaining this service. Furthermore, vocational and technical training is not favored for women, as Yemeni families do not wish their girls to receive this type of education. This may be attributed to the laxity of the government in raising the standard of awareness of this type of education among the general public and in encouraging the Yemeni families to give priority to vocational education for girls.

In short, girls' education and illiteracy eradication remain among the challenges that have to be addressed through a political and social will, where official and civil efforts join to achieve better results. The gender gap in education must be bridged, particularly in the stage of basic education, as it is large, because the number of girls is minimal in comparison to boys.

In addition to the gap between male and female in the various stages and types of education, external scholarships for higher studies (master's or doctoral degrees) also experience a gender gap. This confirms the perpetuation of the traditional mentality of the staff in the Ministry of Education and of the public at large. The previous table reflects the wide gap between the scholarships granted to women and those granted to men.

This may be related to the society and the prevailing culture, where the Yemeni families dread sending their daughters on educational scholarships outside the country. Yet, we find a great change in the awareness of the Yemeni families, as some of them started to encourage their girls to enroll for studies abroad.

There is an increase in the number of scholarships for higher studies, offered to females, especially to Arab countries. Despite admitting the gender gap, the approval of grants for studies in foreign countries reflects a large decrease in the numbers of females who travel to study in foreign countries, as there are only 24 females versus 220 males, out of a total of 244 students from both sexes sent abroad. Though this data is limited, yet it is available. In general, the field of education is witnessing a relative increase in the rate of enrolment of females, as compared to males. This is a positive sign that reflects an improvement in the status of women. It is hoped that the government will assist through several programs to support women's education.

As illiteracy is high among women, it is important to pay attention to the women's education sector. The following are among the measures proposed to enhance women's participation in the various fields of education:

- Endorsing a new vision for illiteracy eradication programs and creating incentives to support the enrolment in these programs.
- Enforcing compulsory basic education and establishing new mechanisms that contribute, through the local community, to address the phenomenon of girls' dropouts and their poor enrolment rate in basic education.
- Establishing practical mechanisms to address the enforcement of mandatory education, whether through financial support to poor families, or exemption from tuition fees or make financial support conditional upon educating girls.
- Changing the societal perception of vocational education, the enrolment of girls in science faculties, and creating an enlightened awareness for the acceptance of integrating girls in all the various levels and types of education.

## Women and Health:

Despite the slight improvement in the health indicators with regard to the increased numbers of health projects and services, the challenges in this field are still sizeable, most important of which are infant mortality ( infants, children under 5 years of age and maternal mortality due to hazards during pregnancy). Despite the success of the vaccination campaigns and their outreach to all Yemen, the health sector suffers, not only from the limited number of health centers , but also from the numbers of health workers as well as the quality of the performance and services offered to patients.

It is important to mention that there is a large gap between the health services in rural and urban areas. Rural areas still suffer from a severe lack in all health services, especially primary health care for mothers, children and reproductive health.

### **The following are among the proposed measures to be adopted to expand health services in general and those targeting women in particular:**

- Continuous expansion in building health centers and spreading them out to the various urban and rural communities, with a specific interest in the rural areas, which still suffer from the paucity of health services, in comparison with urban areas.
- Targeting women in vaccination campaigns (mothers), in reproductive health and maternal and child care.
- Targeting women for employment in the health field, as doctors, nurses, midwives (in rural areas), and providing incentives for those working in rural areas.
- Targeting the system of comprehensive health surveys and updating their indicators annually.
- Intensifying the awareness and health campaigns in the area of reproductive health and activating the decision for free medical child delivery.

**Fifth: Proposed Fields for Projects to Empower Women:**

In general, one can point to the most important proposed areas to set up social projects aiming at empowering women (i.e. field studies). These proposed projects, as demonstrated in the table hereunder, include educating rural women, soft loans to poor men and women, political and social empowerment of women, training on traditional crafts, awareness of the concept of gender and women's rights, focusing on issues of violence against women, domestic violence and discrimination against women. All these issues are important for Yemeni women's empowerment. Among the proposed areas are the following: \*

**Proposed Fields for Projects to Empower Women:**

- Achieving Political Empowerment and expanding the areas of Participation.
- Girls' Education in rural and remote areas and illiteracy eradication.
- Amending laws and developing them to achieve women's demands in society.
- Offering soft loans for income-generating projects.
- Economic empowerment of women through loans in accordance with the market demands.
- Training women on handicrafts.
- Supporting programs that address violence against women and raise awareness of its dangers.
- Implementing programs targeting domestic violence, sexual harassment and early marriage.
- Awareness and education in the legal field and in gender issues.
- Undertaking religious campaigns on women's role and their importance in society.

- Training and civic education of women.
- Supporting political awareness programs for women.
- Implementing a project for the legal protection of women, through accreditation of specialized firms.
- Support and empower women to participate in local development programs.

\* Source: Fouad Al Salahi : Survey Study on the Social Needs of Women in Yemen, 2009

The need for protecting women from domestic and societal violence lies in the customs and traditions that prevent women from submitting complaints. However, the limited number of civil society organizations working in this field have started acquiring detailed information of cases of many women victims of violence who were able to recount the violence to which they were exposed.

Rural women also need projects for loans and training on their management in order to cross the line of poverty and want; consequently empowering rural families to be able to meet their basic needs. In this respect, it is possible to make use of the traditional skills of women in sewing and embroidery on the one hand, their agricultural activities on the other, in addition to pursuing illiteracy eradication programs for women, especially in rural areas; and the need for raising legal awareness projects and the importance of men's awareness of women's rights.

The reality of the society in Yemen requires specific programs for educated women and women in urban areas. Many of the university students can be assimilated in professional and capacity building training. They can be integrated in legal awareness programs in the area of gender. In addition, training projects can qualify them to assume leadership positions in local communities, and support them in local elections.

## Sixth: Priorities for Future Work with regard to Women:

The status of Yemeni women reflects positive aspects that cannot be ignored which can achieve progress in legal and political gains. These are multiple and varied. Yet, the reality in general still reflects big challenges and sometimes even retrogression in this respect, especially with regard to the personal status and political participation laws. This is due to the emergence of fundamentalist and salafi trends and groups that oppose women's rights. Despite the fact that the Arab Spring Revolutions created an innovative and transformative path, there is an existing fear from the emergence of political Islamism as an influential force dominating the State and the government's institutions, which resulted from the first post-Arab Spring elections.

There are, therefore, challenges that must constitute a priority when setting solutions that aim at promoting women's rights, which differ in their priorities and type from one Arab country to the other. The renaissance path in Tunisia is much more advanced than in Yemen, and different from that in Egypt. But the challenges and priorities in the Arab Region in general are nearly the same, with regard to the demands to expand the areas of political participation of women, and granting them opportunities to participate, in accordance with a quota system of 30%, in compliance with the international CEDAW Convention.

The current state of affairs requires the promotion of women's socio-economic role. Women represent an effective human resource, if trained, and if their energy is harnessed within the context of a general developmental project. In Yemen for instance, the situation of development, based on the logic of need and necessity, requires the political, economic and social participation of women, not only for promoting the course of progress and development of the country, but also for empowering women themselves, training them, building their capacity and enhancing their positive presence in society. Participation here has two paths: the first is training women, empowering them and building their capacity, and the second is

putting this training and empowerment into practice by integrating women in all areas of developmental projects.

Among the most important priority areas relating to future activities concerning women's issues are: the first is related to the general political, social and economic context, as there can be no advancement for women except in an advanced social and political environment. The second is related to issues pertaining to specific categorical or sectoral issues related to women themselves; such as increasing their political participation, supporting their access to decision-making centers through the adoption of the concept of the quota system as an affirmative action for women and their support in developmental programs targeting the local communities, in addition to training and empowering them to attain income-generating work opportunities.

### **1 - In the Constitutional, Legal and Institutional Domain:**

Several of the mechanisms for democratic practice and for women's empowerment require constitutional and legal amendments as a special priority. Women were effective in the Spring Revolutions and were enthusiastically aspiring to reach their goals and enhance the democratic practice.

There is a pressing need to amend and develop the personal status laws, the labor and insurance laws, the local administration and immigration laws, the civil law and penal code, so that they conform to the international conventions relating to the elimination of discrimination against women, as was approved by the Government when it signed and ratified the international agreements and conventions, especially that these call upon member states to work on bringing their national laws in line with the international conventions and treaties. This issue is conditional upon the awareness of the political elite and the parties represented in parliament, in addition to the awareness of the civil society organizations and women's movements in Yemen through their persevering work to achieve their goal. These issues cannot be achieved without the support and backing of the parties, the civil society and the liberal elite in parliament vis-à-vis women's issues.



## 2- In the Media Domain

The Yemeni media still uses stereotypical expressions and discourse with regard to women, especially in the local televised and audio work and programs. The press and the visual media are still not able to positively deal with women's issues, nor give more space for their writings and issues, through feminist writings or field investigative reports on women and problems of discrimination against them, nor conduct opinion polls on their roles and the extent of their political and social participation. Despite the existence of a limited number of magazines and newspapers headed by women, some of which are affiliated to the Yemeni Women Union or to civil society or independent organizations, still these represent a small part compared to the volume and numbers of the daily, weekly and monthly press, which exceed two hundred newspapers, magazines and publications, all of which do not give women the attention they deserve by covering their political and social issues, or even women's participation in economic activities.

With the Spring Revolutions, the astounding and remarkable participation of women was noted in terms of numbers and effective presence in the squares and arenas calling for change, during which they were exposed to various transgressions and even killings (5 women were martyred in these squares in the city of Taiz). The Arab and foreign media highlighted these events and covered what was termed by observers as astounding in this society that has been categorized as traditional and conservative. Yet, the Revolution effectively integrated women in the revolutionary path, in demonstrations and protests and in all the squares and their voices were heard.

### 3- Women in the Civil Society

There is a tangible and effective presence of Yemeni women in the various civil society institutions, especially in the general collective and feminist organizations. There are 250 organizations and institutions managed by women. These are closed organizations in terms of management (the Head of the institution and all its employees). There is a joint presence with men in all the other organizations. Their presence varies in terms of quantity, quality and effectiveness, from one organization to the other, depending on their activities, the training and skills of women. Over the past two years, starting 2011, the year of the Revolution, the number of feminist organizations active in the political and rights fields for women, in economic training, political education and training or in illiteracy eradication and in reproductive health, increased, whereby the total number of civil society organizations in Yemen reached approximately 11,000 organizations or associations. Yet, civil society organizations are still in the phase of creation, experience and acquiring knowledge on the culture of civil society work. These organizations are diverse in their interests and activities in either benevolent, developmental, cultural or rights work. Some of these organizations and associations are directly concerned with women's issues, however, there is a tangible presence of the civil society activities. It is hoped that in the future and along with all the changes resulting from the Youth Revolution, the civil society will have a larger presence and activity.

The political scene in Yemen played a part in convincing the political parties and the government of the importance of partnering with the civil society, and of securing the support and assistance the donors. As a result, the government included in its present programs, the importance of partnerships with civil society organizations in general and their mainstreaming in the developmental course in the five-year socio-economic development plans.

Accordingly, 20 organizations and associations were selected to participate in the National Dialogue Congress for the state's political plans in the post-revolution phase. Additionally, 5 women were members in the

Political Dialogue Committee. But most important was the continuous confirmation of the partnership approach between the government and the civil society, which ensured the permanent presence of the civil society in the official political events.

#### **4. The Yemeni Women and the 11 February Revolution:**

The presence of Yemeni women in the Youth Revolution of 11 February 2011 was remarkable. In fact it amazed observers from Yemen and from abroad. No one expected that women would be present in such numbers and showing so much effectiveness, activity and sacrifice. They were at the front lines of protests and marches. They bravely faced the bullets of the police forces, exactly like their male peers. It should be noted that 5 women were martyred during the course of the revolution, not counting tens of wounded. Yemeni women were present in all the components of the Revolution and its formations and participated in all its activities, which was appreciated locally and internationally. Thus the Nobel Prize was awarded, to honour Yemeni women in particular, and Arab women in general through granting it to Ms. Tawakol Karman in recognition and appreciation of the effective and courageous role of both Yemeni and Arab women.

### **SEVENTH: WOMEN'S GAINS**

There are important gains achieved by women in the political participation field, which must be not only to safeguarded and promoted, but also enhanced. Women are voters or candidates in parliamentary, local or presidential elections, active members in the various parties, present in the parties' leaderships bodies, though with a lesser participation than men. They are present in the various economic activities, whether traditional or modern and in the various educational institutions, basic and universities. But these gains require more support, endorsement and expansion of participation.

Promoting the increased political participation requires enacting a quota law for two parliamentary cycles (10 years) to contribute to increasing women's participation in parliament. Women's education still needs supportive legislations, especially in the area of basic education and preventing girls from dropping out from schools. The official authorities can bear the burden of educating girls from families with low or limited incomes. It is also necessary to amend the law setting the minimum age of marriage, with the aim of raising it to 18 or maybe 21 years in order to allow girls to complete their basic education. The traditional culture withdraws girls from schools before completion of basic education under the pretext of early marriage, and this is a common phenomenon in Yemen. It is also necessary to approve additional training, empowerment and capacity building programs for women in the various economic and income-generating fields, including rural women, in accordance with new professions that attract women, qualified to join the modern labour market, or through integrating women in local development programs.

One cannot look forward to the future based on the prevailing changes following the Spring Revolutions and confirm their reality and exactitude until the transformation course is completed, especially that the Islamists have grabbed the lion's share of the decision-making circles and have an evident domination. As Yemen has not yet completed its transformation course, the political future is still confined to messages and slogans. Perhaps, a new future will emerge for the Yemeni women, following the conferences of the National Dialogue which include all segments of the society, and after its outcome resolutions relating to political affairs, the type of the State and the system of the Government and what resolutions will be passed regarding the economic affairs and the participation and share of women in this area.

The National Dialogue may result in the adoption of a parliamentary system and a federal base from where local governments with wide authorities may emerge through the endorsement of three regions in Yemen, in which women can play a significant role (as the Northern State is the tribal conservative region).

In general, women's issues are, with their political and socio-economic aspects, on the agenda of the National Dialogue. The Gulf Initiative, that was endorsed in order to come out of the impasse at the beginning of the Civil War, stipulates in one of its articles the importance of supporting childhood and women.

However, such issues do not just happen automatically, but there must be an organized feminist activity through a feminist movement, in which women's organizations join hands with their backers and supporters to enforce real change by consolidating the gains of women and enabling them to achieve new gains, as dictated by the prevailing political variables.

The emergence of salafi and brotherhood groups opposed to women represent the most important future challenge. These groups have organized into parties that have a voice that is heard. In this instance the struggle between the groups and parties becomes public, and women's issues become one of the areas of the conflict.

**The following are among the measures proposed to contribute to the empowerment of Yemeni women and to the achievement of their aspirations in the various fields:**

- Endorsement of the necessary constitutional and legal amendments for the political empowerment of women.
- Implementation by the political parties of their commitment to empower women by expanding their proportion in the upper leadership bodies of their organizations.
- Government support so that women can gain access to decision-making positions.
- Parties support and backing of women's issues.
- Civil society organizations support and adoption of women's issues.
- Creation of broad alliances of various liberal groups to support women within the society.
- Benefiting from the support of international organizations to Yemen, which calls for the socio-economic empowerment of women.

Annex One:

Level of Women's Participation in Political Parties and Organizations Leadership Bodies

Year	Name of Party	Leadership body	Men	Women	Percentage of Women
2008 - 2009	<b>The General People's Congress</b> <i>The Ruling Party Until the February 2011 Revolution</i>	The General Committee	34	5	12.8%
		The Permanent Committee	886	95	11%
	<b>The Yemeni Congregation for Reform Party</b>	The Secretariat General	15	1	6.3%
		The Shura Council	160	11	4.19%
	<b>The Yemeni Socialist Party</b>	The Political Bureau	27	3	14%
		The Central Committee	270	43	4.59%
	<b>The Nasserite Popular Unionist Party</b>	The General Secretariat	14	1	6.7%
		The Central Committee	74	8	9.8%

Source: The Political Participation of Women (Analytical Study on the Role of Parties in Support of the Political Participation of Yemeni Women) – Study submitted to the National Committee for Women, 2010

## Annex Two:

### Women in the Diplomatic Corps

#### *Level of Women's Representation in Diplomatic positions in the year 2009*

Position	Men	Women	percentage of Women
Ambassador	88	1	1.14%
Minister Plenipotentiary	61	4	6.56%
Counselor	134	11	8.21%
First Secretary	74	3	4.05%
Second Secretary	48	6	12.5%
Third Secretary	60	6	10%
Diplomatic Attaché	19	9	47.4%
Attaché	23	7	30.43%
Administrative Attaché	235	32	13.91%
Technical Attaché	7	-	-
TOTAL	749	79	10.55%

Source: Government of Yemen: G.Y. – The National Supreme Committee for Women – The Report on Women 2009-2010



Annex Three:

Political Affiliation of the Winners in the Local Council Elections (men and women) – 2006:<sup>12</sup>

Party	Men	Women	TOTAL
The General People's Congress	5112	34	5146
The Yemeni Socialist Party	176	1	177
The Yemeni Congregation for Reform Party	824	-	824
The Nasserite Popular Unionist Party	27	-	27
The Socialist Arab Baa'th Party	1	-	1
The National Arab Socialist Baa'th Party	2	-	2
The Haq Party	1	-	1
The Popular Forces Union	8	-	8
The Democratic Union of Popular Forces	1		1
independent Members	589	3	592
TOTAL	6741	38	6779

12 - Feminist movements in Yemen, through governmental organizations (The National Women Committee) and scores of civil society organizations, Yemeni women leaders and militants call for approving a 30% allocation of seats in parliament for women, as stipulated in the CEDAW Convention that was signed and ratified by the Government of Yemen.

Source: The Record of Presidential and Local Elections, 2006, issued by the Supreme Committee for Elections

## Annex Four:

### A Statistical Glimpse at Women's Representation in some Areas of General Political Work:

- The official recognition of women's right in political work following the 1963 Revolution in Northern Yemen and the 1963 Revolution and Independence in 1967 in Southern Yemen noting the presence of women in the areas education and political work in Aden before the revolution; they were also present in the National Front.
- 1993: One woman out of 17 members is represented in the Supreme Elections Committee.
- 1997 and 2001: Women were absent from the Supreme Elections Committee.
- Establishing a new General Directorate for Women, directly under the Chairman of the Committee.
- The number of women candidates in 1993 was around 42, in 1997 was 21, and in 2003 there were only 11 women.
- Women candidates to the local elections - governorates councils - in 2001 were around 120, and around 108 in municipal elections.
- The number of women winners of memberships in the local councils elections in general: 36 women in 2001, and around 38 women in 2006.
- Women winners in parliamentary elections in 1993/1997: only two women in each parliament, and one woman only in 2003, with a percentage of 0.3%.
- The total number of women registered in voter's lists is (4,360,382) of a total number of more than 10 million voters, with a percentage of 42.2%.

- The presence of women in the Shura Assembly is still by appointment and with no women at all.
- There are three women ministers in the Reconciliation government.
- There are five women out of 26 members in the National Dialogue Committee.
- The National Dialogue Conference, which started its work on 18 March 2013, is comprised of 556 members of which 150 are women. Its mandate is to draft a new constitution and formulate a vision for building the future political system.

## Sources:

1. Fouad Al Salahi – The Political Role of Women from a Gender Perspective – Friedrich Ebert – Sana'a – 2005.
2. Fouad Al Salahi - The Private and the Public in Women's Rights (An Analytical Study of the Status of Women's Rights in Yemen) – Yemeni Studies Journal – Sana'a – Issue No. (77) for the year 2007.
3. For Additional Reading: our previous study on the Political Role of Yemeni Women.
4. Fouad Al Salahi – Towards a Civil Marriage Document in Yemen – An Analytical Study presented to the University of Leyden – The Netherlands – 2007. The purpose of the study was to change the marriage document in Yemen through its approval by the Parliament. The document was discussed with governmental and parliamentary figures. However, the discussions were not completed and was not finally approved. The matter was deferred and remained neglected until today.
5. For additional reading , refer to our study titled " The Political Participation of the Yemeni Women" – (Study presented to the National Women's Committee that includes an analysis of the status of women's participation in parties and an analysis of the content of their political programs) – 2012
6. G.Y. The National Women's Committee – Report on the Status of Women in Yemen for the year 2009.
7. Ibid.
8. In the context of the partisan conflict between the Opposition and the Ruling Party in 2009, the Ruling Party announced during an expanded meeting attended by the Head of the Party (who is also the President of the Republic), a Decree which was more of outbidding other parties by proposing the allocation of 15% of parliament seats to women, and invited political parties and organizations to follow suit in realizing this proposal by favourably voting for it in the parliament.
9. The Feminist Movement of Yemen, through governmental institutions (The National Women's Committee) and through scores of civil society organizations which group Yemeni pioneers and militants, called for the endorsement of 30% representation of women in parliament, according to the CEDAW Convention, which the Government of Yemen signed and ratified. According to this, the researcher participated with the women's rallies in calling for changing the electoral law and amending the country's constitution to comply with this demand.
10. Lucine Taminan – Portrayal of Yemen in Western Studies – Translated by Ahmed Jaradat – The US Institute for Yemeni Studies – Sana'a – 1997



## PART V

CONCLUDING OBSERVATIONS:

OUTLOOK FOR THE FUTURE

WOMEN: A CRITICAL EQUATION



## Concluding Observations:

### Outlook For the Future, Women - A critical Equation:

The Outline of the First Report of the Arab Women Organization comprises an introduction and three chapters, in addition to situation analyses of a number of Arab Spring countries, namely, Tunisia, Egypt, Libya and Yemen.

**In the first chapter**, the report addresses the conceptual framework of democracy, as warranted by the new concerns that emerged in the liberation movements in the Arab Nation, the most important of which are the institutional capacity of the institutions that are able to go along with the democratization process, the ability of the legislative and executive powers to establish a culture of democracy, in addition to building trust between the citizens and the political institutions.

**The second chapter** on "the mobilization of women in the democratization process" focuses on the role of women in the democratic transition and how to enhance that role. It emphasizes the importance that women should have a high level of awareness and alertness with regard to the way the modern democratic governments deal with their issues. Women need to create avenues through which they can exert pressure on the parties and the executive power in order to pass laws that are supportive of women. Women have to be able to follow up and monitor the results of these legislations and to ensure that the executive power and the courts enforce the laws that have been enacted.

The report highlights the role of youth as one of the important features of the Arab Spring, and describes them as principal and major forces and advocates of change in the democratization process. The youth who have led the revolutions represented an important equation that cannot be over-



looked in the democratic process. They are the main element in any developmental, democratic, political, economic or social transformation, and the most vibrant and effective segment of any strong society, with political participation at its core.

The report also describes the pivotal role of media in conveying the messages of youth and women, particularly the social media. No one was previously aware of the existence of such a revolutionary reservoir in the Arab street, and its readiness to explode. This Arab Spring is a phenomenon that is subject to strategic analyses and to the attention of the media that analyses and interprets the changing social norms that were until now deeply entrenched.

**The Third Chapter**, titled "The Arab Spring - A new Page in the Book of Democracy" confirms that despite the pivotal role that women played in political mobilization during the Arab Spring, shadows of doubt loom over the heads of women in the post revolution state with regard to the political, social and economic rights that the revolution will provide them with. Will some of the rights gained under previous regimes be annulled? particularly with the fact that extremist parties now hold the reins of most Arab Spring countries.

**The report concludes** with a situation analysis of a number of Arab Spring countries as it considers the present phase a decisive opportunity for women and girls in the Arab Region, but it is also a phase fraught with real threats to women's rights. "There is a real possibility that women may not only face marginalization, they also face the risk of losing their gains." The scope of the issues that face women in the Arab Spring countries includes a large portion of their rights, amongst which, ownership and familial rights, as well as educational and economic opportunities. Despite the fact that the pressure for democratic transformation and mainstreaming women are important steps, there is an immediate fear that the fight for women's rights may be pushed back and this will have detrimental effects on the long run.

It is evident from the report, that in the midst of the movements that the Arab Region is witnessing following the success of the revolutions in Tunisia, Egypt, Libya and Yemen, proponents of human and women's rights are questioning the future of the status of Arab women, particularly in light of the rise of radical trends that may revoke the gains of the Arab and despite the opportunities offered by these transformation to the Arab feminist movements, it also confronted them with serious challenges. The new developments witnessed by the transition to democracy raised concerns and fear among feminist circles of the exclusion of women and the marginalization of their rights. Hence, the importance of rapidly exploring the means to make women's participation in the democratic process a sustainable participation.

There are now those who put the legitimacy of speaking about the issue of women in doubt and women themselves are now convinced that the priority now is for consolidating democracy, despite the fact that democracy is linked to a great extent to the participation of women, especially in light of the fear that the new authorities may renege on a number of conventions and commitments relating to human rights. In Egypt, some went so far as to demand that the implementation of a number of laws, despite their importance to women, be frozen under the pretext that they were enacted in the previous regime. Furthermore, despite the eloquence of the democratic message that pushed forward the reform movement in Egypt, the huge numbers of women who played pivotal roles in the Tahrir Square protests and the civil society organizations' networks that existed in the country for a long time past, there was not a single woman in the Constituent Assembly for drafting the Constitution".

In Tunisia, women's rights are being questioned. The problem does not only reside with the political islamist trends, but also in the reactions of the streets in general. Paradoxically, in this context, a number of Tunisian women activists cannot now claim what they could more boldly demand under the previous regime and the active feminists fear that the case of women will become a secondary issue. It is so in fact in the minds of most

politicians, who demand that this issue awaits the achievement of democracy and the goals of the revolution. The Tunisian activists also fear that the problems of security and employment may in future evolve towards a regressive trend that attributes the cause of unemployment to the presence of women in the work space, in the absence of effective guarantees.\*

The Tunisian Democratic Women formulate their strategies by creating a consensus for not exposing the personal status code to questioning or to regression. This way the following two battles on the part of the women's rights proponents will focus on ensuring the largest possible number of women in the National Constituent Assembly, and on demanding that the next Constitution includes an article on equality between the sexes. In other terms, women want their voices to be heard and want to exercise their rights. They want seats at the decision-making table and want to be responsible for shaping the future of their communities, their families and their country. True democracy, without the full and equal participation of women, is impossible. Respect for human rights that stipulates equality between the sexes provides the necessary foundation for a comprehensive democracy.

The relationship between women's rights and democracy is not a simple one. Working towards achieving women's rights is part and parcel of the struggle for democracy. In other terms, democracy requires equality between all citizens, therefore, enhancing women's rights means enhancing democracy. Democracy needs the creation of institutions that are accountable to citizens. It is not just a concept. It is in the first place a practice that we need to develop within ourselves, within our homes, in the streets, and in the public and private institutions. Taken in this sense, democracy alone will not change the status of women. It needs to be fine-tuned, developed and geared towards a comprehensive democracy with participation from both sides.

It is impossible to achieve true democracy without the full and equal participation of women. Respect of human rights that stipulates gender equality provides the necessary foundation for a comprehensive democ-

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\* Please refer to source 7

racy. There are three basic decisive pre-requisites for the participation of women in the democratic process. The first is to remove all the obstacles that hinder women's participation in the electoral processes. The second is that women should have a real voice to express their rights, needs, aspirations and expectations and the third is that all democratic institutions assume full responsibility for women.

The stormy transformations in the Arab societies following what was termed as the Arab Spring Revolutions will change these communities in different degrees, and will either negatively or positively impact the various segments, amongst whom are women. Though women have shattered long decades of western myths that consolidated erroneous perceptions relating to their incapacity and exclusion, by assuming leadership roles in the popular uprisings in the Arab Spring countries, yet there remains two questions that need answers. First and foremost is the following: What is the share of women in these uprisings? Will they return again to square one? Will they demand, through a new Qassem Amin, to be freed from the "hijab" (veil) of backwardness and subjugation. All of these questions arise against a backdrop of fear confirmed by the practices and opinions of the rising powers in most of the countries where revolutions brought them to the forefront of the scene.

There is no doubt that there is speedy work undertaken to solve the huge amount of problems that face the Arab countries following the Arab Spring which can cause considerable damage if all segments of society are not mainstreamed in this work: the speed of undertaking the reform process will affect women, minorities and other politically marginalized groups in a way that will result in their exclusion from participating in decision-making.

Since the revolutions took over the Arab world. Not only were the hopes raised for political changes, but also for increased equality between the sexes. Yet, despite the formidable role played by women in these uprisings, many activists are worried about the exclusion of women from political work and women fear that their fundamental rights may be threatened after

the conservatists gained power following the fall of the old regimes, and started trying to formulate new constitutions that embody their ideologies.\*

The robe of Democracy will not blossom unless the role of women is taken into consideration, as they assume the greater role in producing and reproducing social life. Democracy is not just the ballot, it is an integrated way of life, which the human being practices through all its aspects. It is essential, therefore, that women have a pivotal role in the transition to democracy.

Enhancing the political role of women requires the endorsement of empowerment as an entry point. It includes a set of supporting economic, social, cultural and rights factors and mechanisms at both the official and civil levels. Education is the cornerstone of women's empowerment as it enables them to respond to and benefit from the available options and opportunities, and to challenge their traditional roles. Women should not consider the mere presence of two women and a few numbers of them in the local councils as suggestive that their status is adequate and acceptable. Women's participation in political life is still weak, whether through parties and political organizations, or through their presence in decision-making circles. Women are totally absent from the formulation of the general civic domain.

It can therefore be stated that women are a political minority according to all objective standards and indicators, despite the fact that they represent half the population in society.

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\* <http://www.aswatmasriya.com/analysis/view.aspx?id=61849e9e-947a-4339-9784-578d3ccefd2d>

As a result of several factors, including the recognition of the importance of women's political rights, and the unwillingness of some parties to take controversial positions on women's issues, in addition to considering women as "a Critical Equation" in the newly-formed democracies, it is important to examine the following issues:

- I. The inequality between men and women in decision-making still represents a big obstacle to democracy.
- II. Political participation of women works at improving democracy, the opposite is also true: democracy fosters gender equality
- III. Gender equality is a clear goal for building democracy. It is essential and not "additional".
- IV. There is a real possibility that women will be exposed not only to marginalization, but also to the loss of their gains.
- V. Women's education and building their various capacities.
- VI. Access of women to economic resources.
- VII. The involvement of men leaderships in promoting gender equality.

**It is possible to state that democracy cannot be achieved without accountability, comprehensiveness and transparency nor without legislation, measures, policies and practices that address inequality.**









### **Arab Women Organization**

25 Ramses St., Korba, Heliopolis, Cairo, Egypt.

**Tel:** (+202) 24183301/101

**Fax:** (+202) 24183110

**Email:** [info@arabwomenorg.net](mailto:info@arabwomenorg.net)

**Web site:** [www.arabwomenorg.org](http://www.arabwomenorg.org)

