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Political Revolutions and Women's Progress: Why the Egyptian Arab Spring Failed to Deliver on the Promises of Women's Rights

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Political Revolutions and Women's Progress: Why the Egyptian Arab Spring Failed to Deliver
on the Promises of Women's Rights.

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Los Angeles, California

May 2018

Master of Arts in International Studies

**Political Revolutions and Women's Progress: Why the Egyptian Arab Spring Failed to
Deliver on the Promises of Women's Rights.**

In Partial Fulfillment of the Requirements for the Degree

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Abstract

The mass participation of women in the 2011 Egyptian Arab Spring began what many thought would be a new feminist movement. As news cycles started showing the central role of women in the Arab Spring, many people including the women who demonstrated believed women's rights were on the horizon. This study shows why the 2011 Arab Spring did not deliver on the promises of women's rights in Egypt. Explaining the historical, religious, and societal influences on women's rights in Egypt, and using data from the Arab Barometer and reports from the World Bank and UN, this study shows that the demands Egyptian women made during the Arab Spring were left largely unmet and, in some cases, gender discrimination increased. This study will explain why women's rights cannot only be measured by legislative changes but requires a comprehensive understanding of why certain barriers to gender equality persist.

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Chapter 1 – Introduction

During January 2011, a political revolution in Egypt also known as the Arab Spring began immediately following the events in December 2010 when a 26-year-old Tunisian street vendor named Mohamed Bouazizi set himself on fire as a sign of protest against years of police harassment and corruption. Bouazizi's story resonated with thousands of men and women across the Middle East and North Africa (MENA) region, particularly women and youth.¹ In Egypt, a few months prior to the Arab Spring a young man named Khaled Saeed was beaten to death by the police which provoked angered Egyptians to take to social media to express their outrage. So, the events in Tunisia led to demonstrations in the streets of Egypt demanding democracy and liberty and publicly show their opposition to authoritarian rule, political corruption, and economic insecurity. Egyptians of different religious and political backgrounds were unified in the uprising under the slogan, "bread, freedom, and dignity."² Women played a critical role in organizing the Arab Spring in Egypt both in public and virtual spaces. As Egyptian women began mobilizing to protest political corruption, the demand for women's rights grew into a parallel movement with the Arab Spring. 20-50% of the protesters in Tahrir Square were women³, signaling a consensus on the status of women in their nation, and as Alvi says, many who observed the events thought a feminist movement would develop after the revolutions, creating policies that would improve their status.⁴

¹ Ahmed Ali, Fatuma and Muthoni Macharia, Hannah (2013). "Women, Youth, and the Egyptian Arab Spring." *Peace Review* no. 3: 359-399.

² *Ibid.*, 360.

³ Hafez, Sherine (2012). No Longer a Bargain: Women, Masculinity, and the Egyptian Uprising. *American Ethnologist*. Vol. 39, No 1, pp. 37-42.

⁴ Alvi, Hayat (2015). Women's Rights Movements in the 'Arab Spring': Major Victories or Failures for Human Rights? *Journal of International Women's Studies*, 16(3),294-318.

Asma Mahfouz, a female Egyptian activist became known as the ‘leader of the revolution’ when her online video called for people to join mass demonstrations which helped ignite the protest. Famous Egyptian feminist Nawal Al Saadawi went to Tahrir Square to gain attention for gender equality as an equally important priority, although her efforts were not as popularly received as Mahfouz but instead criticized for being inappropriate and ill-timed. A journalist named Samia Sade said of the failed march, “This march, which was supposed to attract a million women to rally for women’s rights, only managed to get five hundred women out to the square. They were shouted at by some men who told them to ‘go back to the kitchen’”⁵ (362). Nonetheless, the overwhelming presence of women and their role in the revolution was undeniable. The many injustices and structural violence that women suffered under the Mubarak regime prompted Egyptian women to protest strongly and visibly. Some of the injustices women were subjected include sexual harassment and abuse through “virginity tests,” and unequitable marriage, divorce, and custody laws compared to their male counterparts. Ali & Macharia state that,

Sexual violations of women in Egypt are made worse by the fact that the state security apparatus, which is protected by law, abuse women in the name of protecting them. Overwhelming challenges confront women in Egypt and interfere with their family, personal social status, and livelihood. ⁶ (362)

The large presence of women during the revolution may have indicated political and social progress and some observers and participants expected an emergence of a feminist

⁵ Khamis, Sahar (2011). The Arab “Feminist” Spring?” *Feminist Studies Inc.* Fall 2011, Vol. 37. Issue 3, p. 692, 4p.

⁶ Ali, Fatuma Ahmed and Macharia, Hannah Muthoni (2013). Women, Youth, and the Egyptian Arab Spring. *Peace Review: A Journal of Social Justice*, 25:359-366.

revolution leading to more women's rights, freedoms, and political participation. However, the large attendance of women during the demonstrations were not welcomed by all male protestors and violence against women increased. Hafez tells us, "Repeated harassment and gang rapes take place in Tahrir Square targeting women and threatening their participation in protests. In general, there was a concerted effort on behalf of pro-Islamist groups in Egypt to curtail women's participation in politics"⁷ (173). This paper will examine how women's participation in the Arab Spring were often met with violence, and many women not only became victims of sexual violence but victims of unfair laws and trials following the events.⁸

After 18 days of protests causing the deaths, arrests, and injuries of hundreds of Egyptians, Hosni Mubarak who had ruled the country for nearly 30 years was forced to step down on February 11, 2011. Most saw this as an achievement of the mass protests but for women's rights activists, the events during of the revolution were disappointing and a reminder that ideological and cultural sexism persists.

Major concepts and data

In this thesis I will unpack women's rights in Egypt in light of the 2011 Arab Spring by explaining why *de jure* protections for women in Egypt do not produce more rights for Egyptian women due to *de facto* gender discrimination and violence prevalent in Egyptian society. I will attempt to define 'women's rights' in Egypt, which requires analyzing competing feminist ideologies: Islamic feminism and secular feminism (associated with Western feminism).

Although Islamic feminists are a minority in the women's rights movement, it is vital to

⁷ Hafez, Sherine (2014). The revolution shall not pass through women's bodies: Egypt, uprising, and gender politics. *The Journal of North African Studies*, Vol. 19, No. 2, 172-185.

⁸ Rashwan, Eman Muhammad (2015). Egyptian Women in Transitional Justice After Revolution. *Women's Rights Law Reporter* no. Issue ¾ (2014):424.

understand Islamic feminism to understand the issues that Muslim women face in Egypt, but also the possible solutions through bridging these competing ideologies to help women's rights in Egypt. Next, I will discuss women's rights in the larger MENA region and will specifically look at personal status laws and women in public spaces. Finally, I will look at the history of women's rights in the context of political revolutions and post-revolution in Egypt and larger MENA region, and their participation and marginalization in political transition.

Secondary data will be examined through a review of the literature on Egyptian women's experiences who participated in the street protests and their thoughts on the state of Egyptian affairs pertaining to women. The paper will also use statistics from the Arab Barometer, UN reports, Amnesty International, and the World Bank to determine the economic progress, overall sense of well-being, and conditions of Egyptian women's lives since the Arab Spring.

Women in Post-Revolution Egypt

For Egyptian women after the January 25th Arab Spring, many argue that women did not gain more rights, but rather experienced more setbacks, particularly in the public sphere. After Hosni Mubarak was overthrown, the number of sexual assaults and incidents of violence against women increased.⁹ The Supreme Council of the Armed Forces (SCAF) that was formed to govern the country's affairs after the ousting of Mubarak became a perpetrator of human rights violations through forced "virginity testing" and sexual humiliation against female detainees, who were subsequently charged with prostitution.¹⁰ Johansson-Nogues tells us, "Women who protested were sexualized and had their respectability wiped out: not just by innuendo and accusation, but literally, by sexually assaulting them in public and by arresting them as

⁹ Alvi, Hayat, 295.

¹⁰ Ibid.

prostitutes, registering them in court records and press accounts as sex criminals and then raping and sexually torturing them in jail”¹¹ (400).

The occurrence of sexual harassment of women on the streets has reportedly increased since the revolution. ¹² Al-Ali explains that historically this outcome is common, “Yet, history also teaches us that during political transitions, women are regularly marginalized and tend to lose many of the gains they might have acquired, or have been promised, at the height of a revolutionary struggle” (28).¹³ Although women play a major role in political revolutions, women’s rights are often ignored or even regress. Esfandiari uses the example of the women of Iran after the 1979 Islamic Revolution who have still not won back their pre-revolutionary rights. ¹⁴ “During Mubarak’s regime, women experienced severe oppression and sexual harassment, which unfortunately, has continued even after the fall of Mubarak” (362).¹⁵

Even though political participation as voters increased for women in the elections following the Arab Spring, the vote delivered very low levels of representation of women in government. In 2013, the percentage of women in parliament in Tunisia was 27%, in Morocco 17%, and only 2% in Egypt.¹⁶ Not only has the struggle for women’s rights largely come to a political halt since the revolution, women are losing previously won rights (295).¹⁷ After the Arab Spring, Islamist parliament members announced lowering the marriageable age of girls

¹¹ Johansson-Nogues, Elisabeth (2013). Gendering the Arab Spring? Rights and (in)security of Tunisian, Egyptian and Libyan Women. *Security Dialogue*, 44(5-6) 393-409.

¹² El Baradei, Laila and Wafa, Dina (2013). Women in the Second Egyptian Parliament Post the Arab Spring: Do They Think They Stand a Chance?. *Journal of International Women’s Studies*, 14(3), 42-63.

¹³ Al-Ali, Nadjé (2012). Gendering the Arab Spring. *Middle East Journal of Culture and Communication* 5(2012) 26-31.

¹⁴ Esfandiari, Haleh (2012). For Women of the Arab Spring, Iranian Women Provide a Warning and a Model. *Turkish Policy Quarterly* 11, no. 4:81-89.

¹⁵ Ali, Fatuma Ahmed and Macharia, Hannah Muthoni (2013). Women, Youth, and the Egyptian Arab Spring. *Peace Review: A Journal of Social Justice*, 25:359-366.

¹⁶ Moghadam, Valentine M (2014). Modernising Women and Democratisation after the Arab Spring. *The Journal of North African Studies*. Vol. 19, 2, 137-142.

¹⁷ Alvi, Hayat, 295

from the current age of 16, allowing female genital mutilation citing Islamic tradition, and advocated to abolish a woman's right to file for divorce.¹⁸

El Baradei tells us another reason why women's rights have been under attack post-revolution: Suzanne Mubarak, the former First Lady, had helped to promote women's equality legislation but this came under attack amid "the desire to get rid of everything associated with her name" (44).¹⁹

Despite these setbacks, some positive outcomes came from young women in particular who were empowered to mobilize and make their voices heard. An interview with a young female filmmaker reported by Sherine Hafez said,

Before January 25 I didn't have faith that my voice could be heard. I didn't feel like I was in control of my future. The metaphor used by Mubarak that he was our father and we were his children made us feel as though we lacked any motivation.

The revolution woke us up – a collective consciousness has been awoken.²⁰

Young women began creating anti-harassment campaigns and grassroots movements even before the Arab Spring, however after the events, similar groups emerged and pushed harder for anti-harassment policies. Satellite TV programs began airing coverage of sexual violence in public spaces and challenged government officials for their failure to protect and deliver justice to victims.²¹

¹⁸ El Baradei.

¹⁹ El Baradei, 44.

²⁰ Hafez, Sherine (2012). No Longer a Bargain: Women, Masculinity, and the Egyptian uprising. *American Ethnologist*, Vol. 39. No. 1, pp37-42.

²¹ Langohr, Vickie (2015). Women's Rights Movements during Political Transitions: Activism against Public Sexual Violence in Egypt. *Int. J. Middle East Stud.* 47, 131-135.

The young Egyptian women who have organized to educate the public on sexual harassment and the mass participation of women in the Arab Spring demonstrates the seminal role women have played in major socio-political events in Egypt.

Women's Rights in Egyptian History

Egypt has been on the forefront of the feminist movement in the Arab world for a century as the women's movement gained visibility with the rise of nationalism and nation building efforts of the 1919 nationalist movement against British Colonialism. Although Egyptian women have been active in political life and working towards the emancipation of women before the nationalist movement in the late 1800s, women's liberation in Egypt has largely been framed within the larger discussion of national liberation.²² Although historians credit the participation of Egyptian feminist struggles as part of the successful movement that overthrew British colonial rule, Al-Ali quotes Margot Badran, "it became clear to many feminists that during the nationalist struggle, and certainly afterwards, that men's nationalism had a patriarchal character"²³ (61).

After World War I, the nationalist movement against the British and self-determination of Egypt intensified and those who promoted women's rights took advantage of the political opportunities the national movement brought. The independence efforts were spurred by national economic programs that encouraged education, particularly for girls. In 1923, Huda Sha'rawi founded the Egyptian Feminist Union (EFU) to call for women's suffrage and women's rights. Sha'rawi came from an upper-class family and was inspired by the French whose feminism was "politically nationalistic" and strongly opposed British rule.²⁴ Sha'rawi was famously known for

²² Al-Ali, Nadje (2000). *Secularism, Gender and the State in the Middle East: The Egyptian Women's Movement*. Cambridge University Press.

²³ Ibid.

²⁴ Ahmed, Leila (1992). *Women and Gender in Islam*.

her public act of unveiling which she saw as a symbolic act of liberation, although Ahmed tells us, “by the time she unveiled, the custom was apparently rapidly vanishing among women of her class – and by her close connections with Western women and Western feminism, her perspective was informed by a Western affiliation and a westernizing outlook and apparently by a valorization of Western ways as more advanced and more ‘civilized’ than native ways” (178).²⁵ Sha’rawi’s westernized outlook and approaches were met with criticism from other Egyptian feminists and countered by the rise of Arab feminism, which become the two conflicting voices in the fight for women’s liberation and feminist discourse in Egypt.²⁶

This tension brings to light the role of religion in women’s oppression and the Muslim feminist resistance to Western idealism. Malak Hifni Nassef, known for promoting a feminism not influenced by Westernization who also opposed unveiling, becomes a prominent voice in the rise of Islamic feminism. Islamic feminism takes a complex position as the effects of colonization and modernization begins to shift cultural norms, with progress and modernity associated with westernization while Islam became associated with heritage and tradition.²⁷

During this period of growing nationalism, Egyptian reformers were pushing for girls’ education and tried to show that religion itself did not subordinate women, but rather the misinterpretation of that religion on the rights of women in Islam.²⁸ This binary that exists within feminist discourse among Egyptian feminists will have other implications in the fight for rights and different struggles across class lines, which this paper will unpack in the coming chapters.

²⁵ Ahmed, 178.

²⁶ Ahmed, 179.

²⁷ Hafez, Sherine, 179.

²⁸ Kumari Jayawardena. *Feminism and Nationalism in the Third World*. United Kingdom: Zed Books Ltd, 1986.

Sha'rawi later worked to bridge the gap between western and Arab feminism and was elected president of the Arab Feminist Union.²⁹ The EFU was crucial in the women's movement in the early 1920s. Ahmed tells us, "The EFU drafted a constitution and elected a board of directors and an executive committee to pursue its aims: to raise Egyptian women's 'intellectual and moral' level and enable them to attain political, social, and legal equality. Specific goals included obtaining access to education at all levels for women, reforming marriage laws, particularly relating to polygyny and divorce, and setting a minimum marriage age of sixteen for girls."³⁰ In the late 1920s, women were allowed admittance into universities for the first time from the pressures of Sha'rawi and the EFU. Consequently, after the 1919 revolutions, women's rights were included in the 1923 constitution as part of the national liberation and modernization project.³¹ Dawoud explains that during Mubarak's reign, opposition to women's rights were prevalent within society and the Egyptian media, however it was the post-revolutionary backlash against Mubarak that began dismantling the women's rights policies that were established under his rule.

Women's Rights under the Mubarak Regime

The Mubarak regime implemented many progressive policies for Egyptian women. Although women lived under an authoritarian regime, many key players in the Mubarak administration shaped the progressive trajectory of women's rights, particularly through the

²⁹ Ahmed, Leila (1992). *Women and Gender in Islam*. London: Yale University Press, 1992.

³⁰ Ahmed, 176.

³¹ Kamal, Hala (2014). Inserting women's rights in the Egyptian constitution: personal reflections. *Journal for Cultural Research*, 2015. Vol. 19, No. 2, 150-161.

influence of the former First Lady Suzanne Mubarak.³² Under the Mubarak presidency, the National Council for Women (NCW) was formed and led by Suzanne Mubarak. Under her leadership, the first female judge was appointed and in 2000 a new law called *khul'a*, an Arabic term meaning “to get rid of,” granted women divorce rights on the condition that she return her dowry and give up financial rights. In addition, laws on Egyptian nationality were revised in a way that favored women. Previously, in a marriage between an Egyptian man and non-Egyptian woman, citizenship was extended to only the child, but in 2003, citizenship was granted to the woman after two years of marriage. However, a marriage between an Egyptian woman and non-Egyptian man did not grant the husband citizenship. Legislation to criminalize Female Genital Mutilation (FGM) practices went into effect in 2008. In 2009 a quota on women in parliament was adopted, along with other laws including that a man who does not pay his ex-wife alimony could be sentenced to prison and eliminating the law that required permission from a woman’s husband in order to travel.³³ However, there still remains the issue of how and if the law is even applied. For instance, according to the Egyptian constitution, women have the right to vote and run for parliament but because of patriarchal practices and gender stereotypes, women still face discrimination in the political arena.

Although many of these policies reflect a progressive society, an organization created by an authoritarian regime was problematic for several reasons: Many Egyptian feminists argue this was ‘state feminism’ and a political strategy on the part of the Mubarak regime to gain favor with the West. Even though feminist and human rights organizations increased in size and visibility, societal dissent against women’s rights was prevalent during this time, particularly in

³² Dawoud, Aliaa (2012). Why Women are Losing Rights in Post-Revolutionary Egypt. *Journal of International Women’s Studies*, 13(5),160-169.

³³ Dawoud, Aliaa, 161.

the media. Dawoud says regarding the law *khul'a*, "Its usage in this context connotes that a woman can easily get rid of her husband, and this term was rather offensive to Egyptian men" (161).³⁴ Many of the progressive policies created under the Mubarak regime also caused many to resist the cultural shift as well as resist the regime who put such policies into place. Aliaa Dawoud quotes an excerpt from an Egyptian newspaper, *Al Ahrām*:

For more than 30 years personal status laws have been subjected to futile changes by Suzanne Mubarak that disregard religious and cultural principles...these changes have culminated in distorted and unacceptable reckless laws that run against religious principles and the holy books of non-Muslims. This dealt a blow to the stability of Egyptian families and men's status in their households...and gave women [rights] that are not lawfully theirs according to Shari'a, such as obtaining unilateral divorce through khula without reaching an agreement with her husband...This may be one of the reasons behind the psychological problems of a large segment of the Egypt[ian population] and it may be one of the indirect causes of the revolution against the former regime which ruined the Egyptian people's social life and their psyche.³⁵

Johansson-Nogues says, "Mubarak would also off and on champion women's rights as a way to divide and rule the Islamist and secular opposition, as well as to secure good will from foreign donors. Independent women's organizations were allowed to operate in the country, but their activity was under constant scrutiny by the regime" (398).³⁶ This helps explain why the feminist and human rights organizations increased in size but were criticized as being state feminism.

³⁴ Dawoud.

³⁵ Imam, Mostafa, quoted in Dawoud, 167.

³⁶ Johansson-Nogues.

Despite the growing number of women's rights organizations, during the Mubarak regime, illiteracy rates among Egyptian women were at 36.5% compared to men's illiteracy rates at 19.7%. And women in parliament held only 2% of the seats.³⁷ Despite these contradictions, Sherine Hafez tells us, "Over the three-decade period of Mubarak's rule (1981-2011), the regime was committed to economic liberalization that brought with it new consumer trends and a systematic social dismantling of extended family life and patriarchal structures that have long sustained the more economically disenfranchised layers of the population."³⁸

I will seek to find out why the outcome of the Egyptian Arab Spring was less advantageous for women's rights than hoped for through understanding the history of women's rights in the MENA, competing feminist ideologies in Egypt, the effect of political transitions on women's rights, and political Islam to better understand the current state of Egyptian women's rights post-revolution. I will also show measuring women's rights in Egypt requires looking beyond laws to the historical, religious, and political influence and de facto measures on women's lives in the country. And examining how the Egyptian Arab Spring failed to bring liberation to women as many had hoped, this thesis will show that a fuller understanding of the state of women's rights requires a more nuanced examination of gaps that exist between laws and the application of those laws, situated within a historical, cultural, and politico-religious analysis of why those gaps persist.

³⁷ Alvi, Hayat, 309.

³⁸ Hafez, Sherine, 38.

Chapter 2 - Literature Review

Women's Rights in the MENA

Gender inequality exists all over the world, and the Middle East and North Africa (MENA) region is no exception. Strongly patriarchal societies in the region result in forms of gender inequality that are highly visible and in which women face gender discrimination through both laws and cultural customs. Resistance to institutionalizing women's rights has also been quite forceful from certain influential social sectors and groups. Yet it is important to note that there is no singular experience for Middle Eastern and North African women or the experiences of women in the Arab Spring. This literature review will help to provide a better understanding of the status of women in the MENA and its effects on women in the Arab Spring. Vance tells us,

Deeply entrenched societal norms, combined with conservative interpretations of Shari'a (Islamic law), continue to relegate women to a subordinate status. Women in the region are significantly underrepresented in senior positions in politics and the private sector, and in some countries they are completely absent from the judiciary. Perhaps most visibly, women face gender-based discrimination in personal-status laws, which regulate marriage, divorce, child guardianship, inheritance, and other aspects of family life.³⁹ (2)

Many of the laws in the region also give the husband authority over his wife, and a father authority over his daughter. Male guardianship is part of the conservative interpretation of family

³⁹ Vance, J.Q. "Women's rights in the Middle East and North Africa: progress amid resistance." *CHOICE: Current Reviews for Academic Libraries*, 2011., 876.

law that requires permission from the father or husband to travel, open a bank account, or seek employment.⁴⁰ These patriarchal traditions limit women's economic freedom, physical mobility, and restrict their independent decision-making. Women are underrepresented in political and executive positions, and political participation among women is also the lowest in the MENA compared to the rest of the world.⁴¹ Additionally, the challenges women face in the MENA is affected by national and regional political developments.

Another problem for women in the MENA, as around the world, is violence against women both in the private and public sphere. According to a survey from the National Council of Women, 63% of women in Egypt have experienced physical, sexual, and/or psychological violence.⁴² Violence against women is categorized as either “family violence” or “community violence,” and women are more likely to experience “family violence” particularly from husbands or intimate partners. Nazir and Tomppert tell us regarding domestic violence, “Although women's rights organizations have repeatedly raised the issue, not one country in the region has a law that clearly makes domestic violence a criminal offense” (10).⁴³ In Egypt in particular, 64% of Egyptian men have admitted to engaging in sexual harassment (UNFPA).⁴⁴ Amnesty International says of gender-based violence in Egypt,

The inadequate and discriminatory legal and policy framework, coupled with the Egyptian authorities' failure to punish or address the underlying causes of

⁴⁰ Moghadam, Valentine M. (2009). *Feminism, Legal Reform, and Women's Empowerment in the Middle East and North Africa*. UNESCO.

⁴¹ Nazir, Sameena and Tomppert, Leigh (2005). *Women's Rights in the Middle East and North Africa: Citizenship and Justice*.

⁴² National Council for Women and USAID (2009). *Egypt: Violence Against Women Survey*.

⁴³ Nazir and Leigh, 10.

⁴⁴ UNFPA. “Your Voice is Your Weapon.” Unfpa.org. October 30, 2017.

<https://www.unfpa.org/news/your-voice-your-weapon-taking-sexual-harassment-egypt>.

violence against women and girls, has resulted in a culture of impunity in which sexual and gender-based violence against women and girls is pervasive. Such violence affects all aspects of their lives, in the family and the public sphere.⁴⁵ (7)

Unequal access to justice is not just a barrier to ameliorating gender-based violence, but this lack of justice also perpetuates it since perpetrators are not often criminalized and victims may not feel able to advocate for themselves or may even be blamed for their experiences. Nazir and Tomppert state: “The absence of democratic institutions and processes, an independent judiciary, and a lack of good governance in many countries in the region also presents some major roadblocks to women’s access to justice.”⁴⁶ Women lack the resources and pathways to seek justice and their lack of rights and freedoms is shown in every societal establishment – the law, the economy, health care, media, and the criminal justice system.⁴⁷

Gender based violence is not just perpetrated by family or the public, but also by the state. Amnesty International reported stories from women activists who were sexually assaulted, who believed that attackers were state actors hired to silence women protesters and to exclude them from public spaces and political events.⁴⁸ Similar sentiments and findings about violence initiated by the state comes from a *New York Times* article by Mona Eltahawy where she reported on the “pro-regime thugs” hired by the Mubarak regime to target and sexually assault

⁴⁵ Amnesty International (2015). *Circles of Hell: Domestic, Public, and State Violence Against Women in Egypt*. Amnestyinternational.org. https://www.amnestyusa.org/files/mde_120042015.pdf

⁴⁶ Nazir and Leigh, 10.

⁴⁷ Nazir and Leigh, 9.

⁴⁸ Amnesty International (2013). *Egypt: Gender Based Violence Against Women Around Tahrir Square*.

women activists in Egypt. She argues, “When the state violates women with such impunity, it should not come as a shock when the street does as well.”⁴⁹

What much of the literature reveals about women’s rights and gender-based violence is women’s association with the public and private spheres, and this concept of private versus public in Islamic discourse. In Egypt, rape is against the law, but marital rape is not, a legal concept stemming from a particular interpretation of Islamic law. Crimes related to honor carry more lenient sentences, and societal attitudes reveal that up to 39% of ever married women justify wife beatings (UNICEF).⁵⁰ Domestic violence, marital rape and other forms of intimate partner violence are difficult charges to file because of conservative interpretations of Islam written into laws that discriminate against women’s rights and autonomy.

Violence against women in the public sphere is largely related to the status of women in the public sphere more generally. Women in the public sphere in Islamic societies were considered indicators of modernism and contemporary Islam, one which many traditionalists resisted. Gole argues that

Women’s participation in public life as citizens and civil servants, their visibility in urban spaces, and their socialization with men all defined the modern secular way of life and indicated a radical shift from the social organization and gender roles framed by Islamic religion. In other words, in a Muslim context, secularism

⁴⁹ Eltahawy, Mona, “Egypt Has a Sexual Violence Problem.” New York Times. June 20, 2014. <https://www.nytimes.com/2014/06/21/opinion/mona-eltahawy-egypts-sexual-violence.html>.

⁵⁰ UNICEF (2011). *Egypt: MENA Gender Equality Profile: Status of Girls and Women in the Middle East and North Africa*.

denotes a modern way of life, calling for the “emancipation” of women from religion signified by veiling and segregation of the sexes.⁵¹ (67)

A woman’s presence and social engagement with the public is thus seen as a political act. And in times of political upheaval and tension, women’s demand for agency and change was a threat to the political order. Johansson-Nogues tells us, “The presence of the emphasized female among the protesters in Tunisia and Egypt therefore represented an important challenge to the legitimacy of the authoritarian regimes in those countries and triggered the state-instigated gendered violence that ensued.”⁵² (401)

The literature expresses that political Islam, conservative interpretations of the Quran and Islamic law, and growing Islamic extremism in the region are major reasons why it has been a struggle to institutionalize women’s rights in the region. However, some argue that Islam is neither the cause nor the solution to gender inequality.⁵³ But given that Muslim societies, family structures, and personal status laws are heavily influenced by Islam and Quranic texts, it is vital to look at the role Islamic discourse plays in shaping women’s rights in this region.

Islamic law

Western perspectives of women in the Arab world are often seen as subjugated and dispossessed of education and civil liberties. This commonly held view usually determines that Islam is the oppressor and reason for its persistence. Therefore, examination of women’s rights in the MENA region cannot be divorced from Islam’s influence in the Arab world. Wurth

⁵¹ Gole, Nilufer (1997). *The Gendered Nature of the Public Sphere*. Duke University Press.

⁵² Johansson-Nogues, Elisabeth (2013). Gender the Arab Spring? Rights and (in)security of Tunisian, Egyptian and Libyan Women. *Security Dialogue* 44(5-6) 393-409.

⁵³ Levine, James P., Raghavan, Chitra (2012). *Self-Determination and Women’s Rights in Muslim Societies*. Waltham, Mass: Brandeis University Press, 2012.

explains how Shari'a has come to be understood today, how it has become politicized, and its effect on women:

The Arabic term shari'a (literally, the way) describes the body of all the rulings and provisions that are binding on legal and religious grounds. Scholars, hitherto mainly men, have derived these rulings from the sources of Islam. In contemporary western discourse, shari'a is usually equated with Islamic law (in fact, often only with Islamic criminal law). This has distorted and truncated the meaning of shari'a in modern debates where the focus is not only on the origin and validity of legal norms, but also on the shaping of social relations, the political systems and orientation of the individual lifestyle to religious and ethnic concepts.⁵⁴ (8)

Family law in the region tends to legitimize discrimination against women and, through its codification, patriarchal customs and gender hierarchies often prevail. What is troubling for activists in and outside the MENA region who seek to reform such family laws is the belief that family laws are perceived as "divinely inspired" therefore many resist any type of change.⁵⁵

Islamic law is founded on the texts of the Quran but also inspired by the Islamist worldview, in which women's role is clearly defined in the home and in the public. This role outlined by the Quran denies a woman's right to her own agency and life choices.⁵⁶ However, many women's rights activists in the region try to bridge the gap between Islam and women's

⁵⁴ Wurth, Anna (2004). Women's Rights in the Arab World: Overview of the Status of Women in Family Law with Special Reference to the Influence of Islamic Factors. Eschborn: *Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ)*.

⁵⁵ Moghadam, Valentine M., 11.

⁵⁶ Ispahani, Farahnaz (2016). Women and Islamist Extremism: Gender Rights Under the Shadow of the Hijab. *The Review of Faith and International Affairs*. Vol. 14, No. 2 101-104.

rights. As women's rights movements gained momentum and influence, a rise in Islamic feminism also grew. Muslim feminists began to resist the notion that Islam was to blame for the subordinate status of women but prioritized a different set of demands, particularly a reform in Islamic and Quranic interpretations that promote gender equality.

Islamic Feminism / Secular Feminism

It is important to look at both Islamic and secular feminism in order to understand the fight for women's rights in the Arab world. Both may share the broad goal of women's rights and gender equality, but their priorities and definition of women's rights often differ. The Islamic and secular divide has been part of the history of women's movements in Egypt, but this divide intensified after the Egyptian Arab Spring and as the Islamic party won the election.

Muslim feminists have rejected the notion that Islam and feminism are contradictory, and that Islam is the perpetrator of gender discrimination. Muslim feminists argue that an Islamic political party is not necessarily a step back for women's rights and emphasizes the need for reform in religious discourse and to challenge religious dogma.⁵⁷ Islamic feminism is based on the belief that Islam is, at its core, egalitarian and Shari'a law that influences family laws were interpreted by men who ascribed to patriarchal traditions, calling instead for reform on the male dominated authoritative interpretation of Quranic texts which men benefited from.⁵⁸ Muslim feminists also argue that universal human rights is not inherently a western concept or western export. Ahmad and Rae state that "Increasingly, women are using Islam as a tool to fight against

⁵⁷ Ahmad, Maryam and Rae, James Deshaw (2015). Women, Islam, and Peacemaking in the Arab Spring. *Peace Review: Journal of Social Justice*, 27:312-3129.

⁵⁸ Moghadam, Valentine M. (2009). Feminism, Legal Reform, and Women's Empowerment in the Middle East and North Africa. UNESCO.

gender injustice, helping to carve out a greater role for women in the public sphere and positions of leadership” (315).⁵⁹ Muslim feminist scholars like Leila Ahmed, Asma Barlas, and Amina Wadud reiterate the belief that Islam and the message of the Quran is fundamentally egalitarian and that all humans are equal under God and no one is in submission to another. Therefore, they argue, the subjugation of women is contradictory to Islam.

Secular feminism’s association with western feminism has always been problematic for Muslim feminists. Secular feminists have argued that the aim of gender equality conflicts with Islam because secular feminists see religion, not just Islam, as inherently patriarchal.⁶⁰ Secular feminism also focuses primarily on individual rights. Sara Salem says about western feminism’s obsession with choice, “Framing the debate around religion in terms of ‘choices’ made by women or forced on women already reveals a liberal ontology where agency – the free exercise of behavior – becomes the signifier of female emancipation.”⁶¹ (5). This draws to attention the critiques of secular feminism in its exclusive nature regarding religion and religious women and rather essentializes pious women. The belief that religion is inherently patriarchal does not recognize choice in religious women and different expressions of womanhood. Secular feminists, however, call on the separation of state and religious institutions and argue that Islamist political parties pose a step backward for women’s rights. Secular feminists also argue that the issue is not whether Quranic interpretations are correct or not, because not all women are Muslim or subscribe to the Quran, and that women should be recognized as citizens rather than Muslims.⁶²

⁵⁹ Ahmad, Maryam and Rae, James Deshaw, 315.

⁶⁰ Salem, Sara (2013). Feminist Critique and Islamic Feminism: The Question of Intersectionality. *The Postcolonialist*. November 2013, Vol. 1, Number 1.

⁶¹ Salem, Sara, 5.

⁶² Ghaddar, Hanin. “Women and the Arab Spring” Youtube Video. Posted by *Woodrow Wilson Center*. April 22, 2013. <https://www.youtube.com/watch?v=0Nv0t-81KKg&t=99s>.

Despite the arguments that an Islamist majority party is not inherently harmful to women's rights, after the Arab Spring in Egypt, the Islamist party began to revisit previously won rights for women. For instance, lowering the age of marriage for girls from the current required age of sixteen, decriminalizing female genital mutilation on the basis of Islam, and abolishing a woman's right to a no-fault divorce.⁶³ This issue of Islamist parties reversing women's rights after political transitions is also widely discussed in the literature.

This does not suggest that secular states guarantee gender equality. Turkey, which is considered a secular state still has hegemonic roots in their nation building efforts and used women and gender as popular topics for political agendas.⁶⁴ The MENA region and Muslim majority countries have often been viewed as politically polarized as Islamist vs. secular but the meaning of secularism is debated in Egypt and does not necessarily mean anti-religion. A 'secular-oriented' woman activist may still consider religion to be a major part of her identity.⁶⁵ Lastly, Heidi Moksnes and Mia Melin explain that family law is not specific to Islam but also exists in secular Arab states, "There is a striking similarity across both Islamic and secular Arab states as regards to the system of family law; a system which was supported by colonial rulers and later reinforced by autocratic regimes. All Arab states are ruled by religiously anchored family laws (both Christian and Muslim), which follow the same pattern of inequality between

⁶³ El Baradei, Laila and Wafa, Dina (2013). Women in the Second Egyptian Parliament Post the Arab Spring: Do They Think They Stand a Chance?. *Journal of International Women's Studies*, 14(3),42-63.

⁶⁴ Yildirim, Seval (2015). "Gender and Resistance in Turkey: On Myths of Liberty and Salvation." *Transnational Law and Contemporary Problems* 24, no. 2. (Fall 2015) 353-377.

⁶⁵ Nadjé Al-Ali. *Secularism, Gender and the State in the Middle East: The Egyptian Women's Movement*. (Cambridge UK: Cambridge University Press), p. 129.

men and women.”⁶⁶ (106). Therefore, the role of Islam on women’s rights may be debated but women’s rights cannot be understood without reference to religion in general.

Women’s Rights in Political Transitions

Much of the literature on women’s rights post-Arab Spring covered the role of women in political transitions and their effects on women’s rights. The literature used examples from the 1979 Iranian revolution as a cautionary tale and a lesson that revolutions centered around male hegemonic power have predictable outcomes. The literature also explains that the start of political revolutions uses the support of women’s liberation from their traditional and religious roles to gain public visibility for its nation building efforts but shows that old authoritarian regimes are replaced by another hegemonic power and women often return to their lesser status.⁶⁷ Ispahani tells us,

In recent years, a few political Islamic groups (such as the Muslim Brotherhood in the Arab world, Iran’s revolutionary regime, and the Jamaat-e-Islami in Bangladesh and Pakistan) have embraced the idea of “democracy” at least as a means of acquiring power through mobilization of popular support. The objective of acquiring such power for them, however, remains to establish an Islamic state. These groups seek women’s votes in elections but remain committed to rolling back women’s rights upon seizing power.⁶⁸

(101-102)

⁶⁶ 2013. *Faith in civil society: religious actors as drivers of change* / ed. by Heidi Moksnes and Mia Melin. Uppsala: Uppsala Centre for Sustainable Development, 2013. *World Affairs Online WAO*, EBSCOhost (accessed April 28, 2018).

⁶⁷ Gole, Nilufer, 67.

⁶⁸ Ispahani, (2016). Women and Islamist Extremism: Gender Rights Under the Shadow of Jihad. *The Review of Faith and International Affairs*. Vol. 14, No. 2. 101-104.

Iranian women pre-revolution held many high positions in parliament, had equal access to education, employment, and women's attire was not policed.⁶⁹ Similar to the Egyptian Arab Spring, Iranian women from all backgrounds demonstrated and protested in the streets for a year leading to the overthrow of the Iranian monarchy in 1979. Iranian women turned out to vote in massive numbers, but what resulted was the establishment of an Islamic Republic, similar to the aftermath of the Egyptian Arab Spring in which the Islamist party was elected.

In Iran, the end of a monarchy did not ensure the birth of democracy, but rather the opposite. Esfandiari says of the Iranian revolution, "After the victory of the revolution, women discovered that the revolution they thought they loved did not love them back, or value the advances women had made"⁷⁰ (84). Similar sentiments have been shared in the aftermath of the 2011 Egyptian Arab Spring as an Islamic majority took office and began regressing on previously won women's rights on the basis of Islam. Leila quoted in Morsey's article for Al-Ahram Weekly on the debates on women's rights that ensued after the end of Mubarak's regime says, "Certain members of parliament affiliated with political Islam openly suggested the need to revise the laws that promoted women's rights, under the pretext that these laws 'aimed to destroy families' and that they were passed to please the former first lady Suzanne Mubarak (Leila 2011)"⁷¹(217).

The historical, cultural, and religious complexities for the fight for women's rights are apparent in the bodies of literature that address it. Women's rights in the MENA are not determined by a singular issue like religion, and larger institutions do not singularly define the

⁶⁹ Esfandiari, Haleh (2013). For Women of the Arab Spring, Iranian Women Provide a Warning and a Model. *Turkish Policy Quarterly*. Winter 2012 Vol. 11 Issue 4, p81-89. 9p.

⁷⁰ Esfandiari, Haleh, 84.

⁷¹ Leila, quoted in Morsy, Maya (2014). Egyptian women and the 25th of January Revolution: Presence and Absence. *The Journal of North African Studies*. Vol. 19, No. 2, 211-229.

role of women. But within the movement and among activists and scholars, as well as within religious communities, the agency of women is contested. Women have constitutional rights in the MENA written into the laws and national legislation that should ensure their equal rights, however these are often not enforced.⁷² Therefore, much of what women's rights activists in the region fight for are challenges to tradition, social customs, and perceptions of gender that are entrenched in social customs and history.

We learned about the societal and religious customs that restrict women's autonomy in the public and private sphere and how such ideologies make women more vulnerable to violence and lack the legal rights and protections enjoyed by men. We learned about the Islamic and secular divide in the women's liberation movement and the different priorities and stances on the separation of mosque and state, and whether women could or should have full citizenship in a new state. With this background, we now look at the methods used to collect data on women's place in Egyptian society after the Arab Spring.

⁷² Nazir and Leigh, 9.

Chapter 3 - Methodology & Data

In this chapter I will present data on women's rights in Egypt after the 2011 Arab Spring gathered through a review of secondary sources. I will present interviews conducted with women about the state of women's rights post-revolution, data on gender equality indexes for Egyptian women after the Arab Spring, explain the demands made by the Egyptian Women's Charter following the Arab Spring, and examine changes in the new Egyptian constitution to see in what ways women's demands were met, if at all. I will also present data on public attitudes on women's issues. Finally, I will conclude with an analysis and an examination of the limitations of my findings.

Defining Women's Rights

'Rights' in this study will be framed by the Convention on the Elimination Against All Forms of Discrimination Against Women (CEDAW). The reason for this is CEDAW is the international bill of rights for women and speaks specifically to discrimination on the basis of gender. CEDAW requires states to take appropriate legislative measures to eliminate gender-based prejudices and discrimination in the right to work, education, participation in government, and health.⁷³ Lastly, compliance with CEDAW is part of the demands made by the Egyptian Women's Charter, which will be explained later in this chapter. CEDAW has been ratified by Egypt with reservations on articles that pertain to family, marriage, children, and divorce.

The Status of Egyptian Women after the 2011 Arab Spring

⁷³ United Nations General Assembly Resolution 34/180. *Convention on the Elimination of All Forms of Discrimination Against Women*. December 18, 1979.
<http://www.ohchr.org/Documents/ProfessionalInterest/cedaw.pdf>.

According to USAID, The Global Gender Gap Index reported that Egypt ranked 136 out of 145 in 2015. The World Bank reports that in 1990 women made up 23.2% of the labor force compared to 2017 where women made up 23.1%.⁷⁴ The lack of increase in women's employment is startling in spite of the increase in women's education. 92% of women in Egypt have undergone FGM.⁷⁵ The women's literacy rate is at 65% while men's stands at 82%.⁷⁶ A 2013 poll among 22 Arab countries listed Egypt as the worst for women's rights.⁷⁷

Egyptian Women and the New Constitution

The fall of Hosni Mubarak resulted in the establishment of a new parliament and with it the drafting of a new constitution. The Egyptian Women's Charter listed their demands for the new constitution which will help us understand women's rights specific to the needs of Egyptian women and speaks to many of the reasons why women protested in the Arab Spring. I will examine whether the post-revolution constitution satisfied their demands.

After the end of authoritarian rule, women demanded their equal participation in building a new democratic Egypt which expected a new drafting of the Egyptian Constitution. In June 2011, an Egyptian Women's Charter was created to articulate the needs of Egyptian women with the support of UN Women, prominent women's rights organizations, and 27 grassroots organizations.⁷⁸ This collaboration of representatives organized a convention to discuss the

⁷⁴ World Bank. "Labor Force, Female (% of Total Labor Force)." Worldbank.org. <https://data.worldbank.org/indicator/SL.TLF.TOTL.FE.ZS?locations=EG>. Accessed March 10, 2018.

⁷⁵ USAID. "Gender Equality and Women's Empowerment." Usaid.org. <https://www.usaid.gov/egypt/gender-equality-and-womens-empowerment>. Accessed March 10, 2018.

⁷⁶ Ibid.

⁷⁷ Boros, Crina. "POLL-Egypt is Worst Arab State for Women, Comoros Best." *Thomson Reuters Foundation*. November 12, 2013. <http://news.trust.org/item/20131108170910-qacvu/?source=spotlight-writaw>.

⁷⁸ UN Women (2011). "Egypt: Women's Charter Calls for a Democratic Transition." <http://www.unwomen.org/en/news/stories/2011/6/egypt-women-s-charter-calls-for-a-democratic-transition>. Accessed March 11, 2018.

priorities of women in the constitutional draft. The following were agreed upon in the Egyptian Women's Charter⁷⁹:

1. Representation of women: There should be no exclusion of women or discrimination against them; women's representation in the various fields is a right.
2. International conventions: Government should hold its commitment to all international human rights conventions including the convention on the elimination of all forms of discrimination against women (CEDAW).
3. Social and economic rights: Women have the right to equal opportunities, fair and just laws, human security, education and healthcare.
4. Legislations: All discriminatory legislation against women should be reviewed and redressed on the basis of equality and justice.
5. National Women Machinery: The establishment of a National Women's Machinery linked to all ministries and governorates to support and activate the role of women.
6. Media and women: Media should support women's role by representing a true and positive image through raising awareness, changing stereotypes and opening up opportunities for discussion.

The demands of the women's charter and CEDAW calls for states to, "allow for equitable inclusion of women in drafting government policy"⁸⁰ However, the percentage of women in the Constituent Assembly was a mere 6%.⁸¹ Egypt's 2012 constitution stated that Shari'a "would serve as the guide for the country's legislation"⁸² (55), which is problematic because "it may violate its obligations under the CEDAW and ICCPR (International Covenant on Civil and

⁷⁹ UN Women (2011). "Egyptian Women's Charter Partners in The Revolution and In Building Democratic Egypt." Unwomen.org. Accessed March 10, 2018. <http://www.unwomen.org/-/media/headquarters/media/stories/en/charteregyptianwomenenpdf.pdf?la=en&vs=1030>.

⁸⁰ Toliver, James (2014). Women's Rights Fail to Bloom in Egypt's Democratic Spring. *Human Rights Brief*. Vol. 21. Issue 1, p 55-56, 2p.

⁸¹ Al Agati, Mohamed (2012). "Women and Equal Citizenship: Analysis of the New Constitution of Egypt." *Arab Forum for Citizenship in Transition*. <https://www.ipinst.org/images/pdfs/women-and-constitution-egypt-english3.pdf>.

⁸² Toliver, James, 55.

Political Rights).”⁸³ (55). Many women’s rights activists take issue with Egypt’s reservations on CEDAW with articles related to family laws and equal status of spouses.⁸⁴

Egypt’s constitution proved to be disappointing to women and failed to meet the demands of the charter. A report that analyzed the 2012 constitution concluded, “The study also shows that the formulation of the Egyptian Constitution does not satisfy the minimum standards of a gender-sensitive formulation”⁸⁵ (2). Amnesty International reported on the 2012 constitution,

Provisions that purport to protect rights mask new restrictions, including on criticisms of religion. Women, who were barely represented in the assembly, have the most to lose from a constitution which ignores their aspirations, and blocks the path to equality between men and women. It is appalling that virtually the only references to women relate to the home and the family.⁸⁶

The Amnesty International report sheds light on how the constitution not only fails women, but fails to emphasize economic, social, and cultural rights and ignores the demands of the revolution.⁸⁷

Following the 2012 Constitution, a revised Constitution was released in 2014 that highlighted gender equality in Article 11.⁸⁸ However, many say these changes to women’s rights

⁸³ Ibid.

⁸⁴ Shash, Farah Gamal and Forden Carrie L. (2016). Gender Equality in a Time of Change: Gender Mainstreaming after Egypt’s Arab Spring. *Women’s Studies International Forum*. 56(2016) 74-82.

⁸⁵ Al Agati, Mohamed, 2.

⁸⁶ Amnesty International (2012). “Egypt’s New Constitution Limits Fundamental Freedoms and Ignores the Rights of Women.” Accessed March 18, 2018.

<https://www.amnesty.org/en/latest/news/2012/11/egypt-s-new-constitution-limits-fundamental-freedoms-and-ignores-rights-women/>.

⁸⁷ Ibid.

⁸⁸ Polimeno, M. (2015). The 2014 Egyptian Constitution: Balancing Leadership with Civil Rights (al-madaniyya). *Electronic Journal of Islamic and Middle Eastern Law*, 3, pp.1-67.

need to be implemented through legislation to guarantee such rights.⁸⁹ A 2017 report by Human Rights Watch says, “Women continued to face discrimination under Egypt’s personal status laws on equal access to divorce, child custody, and inheritance.”⁹⁰ This shows constitutional change should be a precondition to advancing women’s rights and not the end goal.

The following criteria for analysis were selected based on the issues that were raised by women in the Arab Spring and CEDAW: violence against women, political participation, personal status law, and public opinion. These issues are examined in turn below.

Violence Against Women

During the 2011 protests women were subjected to street harassment and sexual violence, with some incidents initiated by the state. State-initiated violence and the military crackdown on protesters were not only criminal, but also violated women’s rights to peaceful assembly and association. The military crackdown on sit-in protests outside the Egyptian Cabinet building led to a woman being physically and verbally abused and a woman was dragged half-naked in the streets.⁹¹

After the January 2011 revolution, a demonstration in March 2011 on International Women’s Day proved to be dangerous for women yet again. Women who demonstrated were harassed and blamed for taking the spotlight from the larger issues pertaining to the Arab Spring and accused of destroying family values. The Egyptian secret police, the *mukhabarat*, subjected

⁸⁹ Omar, Menna. “Women’s Gains in the Egyptian Constitution of 2014”. February 3, 2014. *The Legal Agenda*. http://legal-agenda.com/en/article.php?id=583&folder=articles&lang=en#.Uu-8Z_vJXgl.

⁹⁰ Human Rights Watch. “World Report Egypt Events of 2016.” 2016. Accessed March 10, 2018. <https://www.hrw.org/world-report/2017/country-chapters/egypt>.

⁹¹ Morsy, Maya (2014). Egyptian Women and the 25th of January Revolution: presence and absence. *The Journal of North African Studies*, Vol. 19, No. 2, 211-229.

women demonstrators to strip-searches, virginity tests, nude photographs, and accused them of prostitution.⁹² This violation was not only a sign of violating women's right to association and peaceful assembly, but the use of violence was indicative of what women faced when they challenged the status quo.

Violence against women encompasses many types of violence. This includes beatings, sexual harassment, rape, sexual assault, Female Genital Mutilation (FGM), and in 2010 trafficking was added to the list of crimes.⁹³ Several months after the January 2011 revolutions, the body of an unidentified woman, simply known as "woman in the blue bra" became a symbol of ongoing violence against women in Egypt. Hafez describes the SCAF's use of violent force against the woman:

She was wearing a blue bra. Cameras clicked as the girl's naked body in the blue bra received blow after blow from the soldiers who seemed bent on breaking her limp pale body. As they kicked her stomach and stomped on her chest, there was no sign of struggle from the girl. She seemed to be unconscious.⁹⁴ (174-175)

Another report by Amnesty International revealed that a woman who had failed a virginity test was punished with beatings and electric shocks.⁹⁵

⁹² Al-Ali, Nadjie. (2012). Gendering the Arab Spring. *Middle East Journal of Culture and Communications*. 5(2012) 26-31.

⁹³ Sadek, George (2016). Egypt: Sexual Violence Against Women. *The Law Library of Congress, Global Legal Research Center*. Accessed March 11, 2018. <https://www.loc.gov/law/help/sexual-violence-against-women/egypt-sexual-violence-against-women.pdf>.

⁹⁴ Hafez, Sherine. (2014). The Revolution Shall Not Pass Through Women's Bodies: Egypt, Uprising and Gender Politics. *The Journal of North African Studies*. Vol. 19, No. 2, 172-185.

⁹⁵ Amnesty International. (2011). *Virginity Tests for Egyptian Women Protestors*. <https://www.amnestyusa.org/virginity-tests-for-egyptian-women-protesters/>.

In addition to the violence women suffered during the 2011 demonstrations, the lack of justice for female assault victims was further evidence that women did not have equal protection from the law. Human Rights Watch (HRW) reported that the Egyptian military who was responsible for the state violence was neither investigated or prosecuted for their crimes.⁹⁶ HRW reported that one woman, Samira Ibrahim who protested in the demonstrations filed a formal complaint against the military for sexual assault but suffered retaliation and was threatened via anonymous phone calls.⁹⁷ When Ibrahim's lawyer filed a complaint to the military prosecutor's office they denied virginity tests⁹⁸, yet, after this complaint, a SCAF senior general admitted to CNN that the virginity tests did indeed take place.⁹⁹ The general told CNN,

The girls who were detained were not like your daughter or mine, these girls who had camped out in tents with male protesters in Tahrir Square, and we found in tents Molotov cocktails and (drugs). We didn't want them to say we had sexually assaulted or raped them, so we wanted to prove that they weren't virgins in the first place. None of them were (virgins).¹⁰⁰

The way the media reported on the case was an example of the way the media has treated Egyptian women long before the Arab Spring. For that reason, the Egyptian Women's Charter included a demand for fair and equitable representation of women in media.

⁹⁶ Human Rights Watch (2011). Egypt: Military "Virginity Test" Investigation a Sham. November 9, 2011. <https://www.hrw.org/news/2011/11/09/egypt-military-virginity-test-investigation-sham>.

⁹⁷ Ibid.

⁹⁸ Ibid.

⁹⁹ CNN. (2011). *Egyptian General Admits 'Virginity Checks' Conducted on Protestors*. May 31, 2011. <http://edition.cnn.com/2011/WORLD/meast/05/30/egypt.virginity.tests/index.html>.

¹⁰⁰ CNN. (2011). Parentheses in original.

Hayat Alvi explains that violence against women exists across socioeconomic lines and educated upper/upper-middle class women are still subjected to violence. Hayat's interview with a woman expresses the reality of many Egyptian women and helps us understand the pervasiveness of violence, "One Coptic Christian woman admitted to me that her husband hits her, and, to my astonishment, she approves of his authority to do so. *'If I do something wrong, he has the right to correct me.'*"¹⁰¹ (313). Hayat also described an incident involving one of her students in which a similar sentiment was shared,

One of my former students at the university showed up with awful black and blue bruises on her face. She related to me in tears how her ex-boyfriend stalked her, and then in a very busy public Cairo street, he ambushed her and beat her in broad daylight while everyone watched. "No one helped me," she said, "They all just watched." When I asked her why, she explained that in Egypt if a man is seen beating a woman, it is viewed as "his woman being corrected because she did something wrong."¹⁰² (313)

These cultural attitudes help us understand why legal reform only solves part of the problem.

Another example of violence against women is female genital mutilation (FGM) which, although criminalized in 2008, is still widely practiced and only one person has been convicted for performing the procedure.¹⁰³ A 2015 survey conducted by the

¹⁰¹ Alvi, Hayat. (2015). Women's Rights Movements in the 'Arab Spring': Major Victories or Failures for Human Rights?. *Journal of International Women's Studies*, 16(3), 294-318.

¹⁰² Alvi, Hayat, 313.

¹⁰³ Human Rights Watch. "Egypt: New Penalties for Female Genital Mutilation." September 9, 2016. <https://www.hrw.org/news/2016/09/09/egypt-new-penalties-female-genital-mutilation>.

Egyptian Ministry of Health and Population reported that on average, 9 out of 10 women between the ages 15 and 49 have undergone FGM, and although they expect the practice to decline, in a survey of parents who have not yet had the procedure performed on their daughters, over half of parents responded that they intend for their daughter to undergo FGM.¹⁰⁴ Since its criminalization in 2008, there has only been one conviction against a doctor after the death of a 13-year old girl (Human Rights Watch).¹⁰⁵

Political Participation

Before the revolution, Mubarak's quota system increased women in parliament from 1.8% in the 2005 elections to 12% in 2010. With the fall of Mubarak, the quota system was abolished, and women's political representation fell to a mere 2% in the 2012 elections. However, the parliament was eventually dissolved in six months.¹⁰⁶ By 2015, 89 of 596 (14.9%) seats of parliament were held by women¹⁰⁷, and by 2016 Maya Morsy, the president of the National Council for Women (an organization affiliated with the Egyptian government) said although reinstating quotas are undecided, she plans a concerted effort to increase women in local council seats to increase to 35%.¹⁰⁸ As previously mentioned, women's lack of participation in the drafting of the constitution was also a setback for gains made in women's political participation.

¹⁰⁴ Egypt Health Issues Survey (2015). Ministry of Health and Population Cairo, Egypt. October 2015. <https://dhsprogram.com/pubs/pdf/FR313/FR313.pdf>.

¹⁰⁵ Human Rights Watch (2016). *Egypt: Events of 2016*. Retrieved from <https://www.hrw.org/world-report/2017/country-chapters/egypt#6e1aab>.

¹⁰⁶ Morsy, 217.

¹⁰⁷ Institute for Democracy and Electoral Assistance. "Gender Quotas Database." Last updated March 21, 2018. <https://www.idea.int/data-tools/data/gender-quotas/country-view/100/35>.

¹⁰⁸ Fracoli, Erin. "Women and Quotas in Egypt's Parliament." January 1, 2017. The Tahrir Institute for Middle East Policy. <https://timep.org/commentary/women-and-quotas-in-egypts-parliament/>.

A 2018 article by Al-Monitor reported on people's mixed attitudes on women in parliament.

The radical religious current has established within society a derisory image of women, which explains the voters' rejection of female presidential candidates. Some religious teachings wrongfully claim that there are texts in Islam banning women from acceding to the presidency.¹⁰⁹

However, there were some who were more optimistic, as one woman responded, Abo El Komsan, head of the Egyptian Center for Women's Rights was cited in Mikhail saying,

Egyptian society has recently evolved, and people would be ready to endorse a female [presidential] candidate who meets their ambitions and demands. [Yet] the political scene in Egypt isn't prepared for a female presidential candidate. This is because parties don't support women in the elections.¹¹⁰

A television anchor named Bothaina Kamel attempted to run for election but failed to get the 30,000 endorsements she needed to get on the ballot. Kamel said, "I fought a war against the backward mentalities. A woman participating in the electoral run is a new phenomenon, which is why society rejected it, as it prefers stability [and rejects change]." ¹¹¹ The elimination of the quota system and its aftereffects shows that it is difficult for women to run purely based on the support of the public.

¹⁰⁹ Mikhail, George. "Egyptian Women Say Their Time is Coming in Presidential Races." February 21, 2018. Al-Monitor. <https://www.al-monitor.com/pulse/originals/2018/02/egypt-presidential-elections-women.html>.

¹¹⁰ Ibid.

¹¹¹ Ibid.

Personal Status Law

The intersection of law and women's status is shown most visibly in personal status laws, and also a contentious battleground for conservatives and progressives. Personal status laws in Egypt are one of the best metrics to understand women's legal status. The principles used to determine legislation are based on the Shari'a, which focuses on marriage, divorce, child custody, and inheritance.¹¹² According to a 2015 UN Women study on Egypt, the legal marriage age for men and women is 18 but research suggests that nearly 17% of 10 to 29-year-old women were married before the age of 18.¹¹³ Shari'a law gives the father guardianship of children but not the mother, although since 2008, men and women can equally pass on citizenship to their children.¹¹⁴ Regarding termination of marriage, "Muslim men have the right to initiate divorce without consent. Women are only able to do so under certain conditions such as domestic violence or illness, and risk forfeiting financial entitlements in doing so."¹¹⁵ Religious minority women who marry Muslim men are in even more problematic positions regarding divorce and custody rights.¹¹⁶

Inheritance rights are based on Shari'a and apply to all Egyptians, Muslim or not. Women do not have equal inheritance rights and property inheritance is distributed through a complicated system¹¹⁷ but, "women may inherit only half the share of men when both have the same

¹¹² Gomez-Rivas, Camilo (2011). Women, Shari'a, and Personal Status Law Reform in Egypt after the Revolution. *Middle East Institute*. <http://www.mei.edu/content/women-shari%E2%80%98and-personal-status-law-reform-egypt-after-revolution>.

¹¹³ UN Women. (2015). Spring Forward for Women Programme: Egypt. 2015. <http://spring-forward.unwomen.org/en/countries/egypt>.

¹¹⁴ Ibid.

¹¹⁵ Ibid.

¹¹⁶ Ibid.

¹¹⁷ Ibid.

relationship to the deceased.”¹¹⁸ Rights to property inheritance also applies to land rights. What is problematic about this is according to Egyptian Civil Code, women have equal access to land, but the Food and Agricultural Organization (FAO) report that only 5.2% of land in Egypt is owned by women. This shows that due to traditional practices, women are de facto restricted from owning property.¹¹⁹

Public Opinion

In addition to looking at changes in the constitution, it is important to look at public attitudes on these topics. As discussed, even changes in the law are not a guarantee of women’s rights. To look at public attitudes on topics related to Personal Status Laws, the Arab Barometer conducted two surveys, one in June 2011 five months after the Arab Spring, and another five years after the Arab Spring.

The first survey reported that 87% of women and 58% of men agree that women have a right to work outside the house. On women’s right to choose a spouse, 94% of women agree while 87% of men agree. On women in politics, 35% of women and 20% of men are comfortable with a woman political leader. And on women judges, 63% of women agree while 35% of men agree. Overall 78% agreed that the law should be based on Shari’a.¹²⁰ Five years later, the second survey reported that 61% of citizens agree or strongly agree that a woman can become president. However, 79% still believe that a man is better at political leadership and 72% believe that the husband should have the final say in all family matters. Nearly all, 96%, agree that women and men should have equal inheritance rights, but the authors added the qualification that

¹¹⁸ Ibid.

¹¹⁹ Ibid.

¹²⁰ Arab Barometer. (2011). “The Arab Barometer Project: Arab Republic of Egypt.” Accessed March 13, 2018. <http://www.arabbarometer.org/country/egypt>.

“respondents may have interpreted this question to mean equal access to the inheritance rights afforded to them under traditional interpretations of Islamic law, where men inherit twice as much as women”¹²¹ (14). A high proportion, 86%, agree that married women can work outside the home. Regarding legislation, 50% agree that the law should be equally based on Shari’a and the will of the people.¹²²

A 2017 UN Women survey revealed that 60% of Egyptian men ages 18-59 reported ever having sexually harassed a girl or women, and 43% of men believe that women enjoy the attention of being sexually harassed. However, women were more likely to blame the victim for harassment. In the same study, on FGM, 70% of men approved and a little over 50% of women approved.¹²³

The survey conducted by the Arab Barometer on public attitudes on women should have stayed consistent with their first survey in terms of the questions asked and separating the data sets by gender. However, because the second survey did not specify the data by gender, it is unclear whether public attitudes have changed or stayed much the same on women’s rights since their first data set in 2011.

Analysis

The data reveals the prevalence of violence against women after the Arab Spring. The personal stories shared by women show the cultural and religious customs that continue to

¹²¹ Arab Barometer. “Egypt Five Years after the Uprising.” 2017. Accessed March 13, 2018. <http://www.arabbarometer.org/country/egypt>.

¹²² Ibid.

¹²³ El Feki, S., Heilman, B. and Barker, G., Eds. (2017) *Understanding Masculinities: Results from the International Men and Gender Equality Survey (IMAGES) – Middle East and North Africa*. Cairo and Washington, D.C.: UN Women and Promundo-US.

marginalize the victim and protect the abuser. This is evident in the criminalization of FGM but its continued practice. Although the 2014 constitution is more equitable for women than the previous constitution, the elimination of a quota system for women in parliament results in fewer women running for elections and even fewer being elected.

Despite the demands made by the Egyptian Women's Charter, there have been no changes in Egypt's ratification of CEDAW. The fact that the state ratified CEDAW with reservations pertaining to equality of spouses and all family matters, and its compliance with the treaty only where it does not conflict with Shari'a indicates that the state did not honor the demands of the women's charter or the Egyptian women who protested in the Arab Spring.

The findings revealed that it was not just men who held discriminatory attitudes towards women, but women themselves held conservative beliefs about the role of women and justified violence against themselves and other women. The 2011 Arab Spring shined a light on the discrimination Egyptian women faced in the public and private sphere, but the regime change, political mobilization, and public visibility of women did not stop the young man who previously abused his girlfriend to stop abusing her after the Arab Spring, in the case of the young woman interviewed by Hayat earlier in the chapter. And a woman who believed that the violence she suffered was justified did not necessarily change her mind after the Arab Spring. This indicates that women's rights are not dependent on a singular political moment but require long term initiatives.

What Shari'a says about women in the private sphere and their rights in marriage, divorce, children, and inheritance combined with the percentage of people who support laws based on Shari'a helps us understand generally where citizens stand on women's rights in the private sphere. The UN survey that revealed 60% of men that reported ever having sexually

harassed a girl or women combined with the 43% of men who believe that women enjoy sexual harassment is not necessarily a sign that sexual harassment increased. According to HarassMap, an online based interactive platform for reporting sexual harassment in Egypt shows that incidents of sexual harassment have decreased since the 2011 Arab Spring.¹²⁴ HarassMap has certainly helped in raising awareness about gender-based violence ranging from cat-calling to rape, but the crowd-sourced data also has its limitations. Because HarassMap is dependent on volunteers to verify false reporting, it is largely dependent on the judgments of the volunteers questioning the integrity of the crowd-sourced data.¹²⁵ The research on crowd-sourced technology and security in ongoing and its efficacy will largely depend on how they address their limitations.¹²⁶

The data on political representation of women and violence against women echoed the issues discussed in the literature review, and public opinions on women's rights show that legal changes cannot be the definitive signifier to measure gender equality. After criminalization of gender discrimination and violence against women, women's rights activists face additional barriers in Egypt which include, a population that believes gender hierarchies are divinely inspired, and social structures both arise from and reinforce patriarchy. Therefore, both Muslim feminists and secular feminists are needed to change the dominant patriarchal interpretation of Islamic texts and reforming traditionally held beliefs of hierarchy and subjugation to one of equity and empowerment.

¹²⁴ HarassMap. "Reports over Time." 2018. Accessed May 17, 2018. <https://harassmap.org/en/charts>. Accessed May 17, 2018.

¹²⁵ Young, Chelsea (2014). "HarassMap: Using Crowdsourced Data to Map Sexual Harassment in Egypt." *Technology Innovation Management Information Review*: March 2014: 7-13.

¹²⁶ Ibid.

Chapter 4 – Conclusion

What did we learn?

In this study we learned why the 2011 Egyptian Arab Spring failed to deliver on the promises of women's rights by looking at the historical, regional, and religious factors that influence women's agency and empowerment. We learned women's rights in Egypt under authoritarian regimes can be curated for the interest of those in power and be jeopardized during political transitions. In the case of the Mubarak regime, many of the progressive legislation for women like changes in personal status laws were led by the first lady Suzanne Mubarak. And as mass demonstrations successfully toppled the Mubarak regime, new powers worked to renounce all things affiliated with the former regime, including Suzanne Mubarak's work for women's rights. This teaches us that culture alone does not influence women's rights; political transitions can put women's rights at risk as well.

We learned the historical importance of British colonial rule in Egypt and the 1919 nationalist movement and saw these events influenced the birth of the women's rights movement in Egypt. We learned how the legacies of these events continue to shape polarizing ideologies in the fight for women's rights, leading to ideological contention between Islamic feminists and secular feminists. As secular feminism was often seen as being affiliated with Westernism, a historical reminder of colonial rule, and seen by some as rejecting tradition and religious values. On the other hand, Islamic feminists were viewed as holding contradictory values, that religion by nature is patriarchal and contradicts with women's rights. Secular feminists scrutinize the role of Islam on matters of the public and private sphere that limit women's economic freedom, physical mobility, and limit their decision making.

Unpacking the public and private divide in Egyptian women's lives was important to understand why the crimes against women like rape or harassment are treated differently by the criminal justice system depending on the context of the crime and the criminal's affiliation with the victim.

Yet this study reveals the importance of Islamic feminism for Egyptian politics and women's rights. We learned that Islamic feminists seek to change the conservative religious discourse that places women in subjugated roles in home and society. Islamic feminists point out that Quranic interpretations have always been male-dominated, serving patriarchal interests, and call for gender equality among authoritative voices on Quranic interpretations. Many Muslim feminist scholars believe that the Quran is fundamentally egalitarian and promotes equity, and subjugation of women is contradictory to Islam. So although different ideologies may not necessarily mean contradicting ideologies, the challenge is in bridging the two groups to work towards women's rights.

Unpacking these ideological differences is important in knowing the barriers to gender parity in Egyptian society. Women's rights as human rights should not be viewed as a secular or Western principle but a universal principle. And religious dogma that subjugates women or justifies violence should be open for criticism by religious and non-religious citizens. Another significance of understanding these ideological differences helps us identify how women's agency is defined by those in power, activists, and citizens. This helps us understand why the Egyptian state chooses to ratify CEDAW with reservations pertaining to family, marriage, children, and divorce.

Based on public surveys on gender equality, both men and women held discriminatory attitudes toward women. In addition, many women's rights activists felt that post-revolutionary

changes did not satisfy the demands made by the women of the demonstrations or the demands made by the Egyptian Women's Charter. This revealed that 2011 revolution failed women not only because the demands were unmet, but the opportunities to participate in state-building were also stifled for women.

We learned that women are underrepresented in parliament and executive positions and that political participation of women are among the lowest in the MENA compared to the rest of the world. Knowing about gender inequality in the MENA region and Egypt helps us understand the conditions women lived in that inspired mass participation.

Although we learned political revolutions could be successful in toppling authoritarian regimes, the literature showed that revolutions use the support of women by appealing to their political interests, but in the end, women return to their lower status as the previous power is often replaced with another male hegemonic power. In many ways the Egyptian Arab Spring compares with the 1979 Iranian revolution and its effect of Iranian women's rights.

This study revealed that despite the large participation of women during the 2011 Egyptian Arab Spring and hopes of a new feminist movement, the results were disappointing to many women's rights activists. And based on the interviews of Egyptian women, they felt that sexual harassment and assault had actually increased since the Arab Spring. It showed the pervasive cultural and ideological sexism in the lack of justice for women sexual assault victims and many women who suffered violence during the protests were also victims of unfair trials.

This research showed that although the Arab Spring was a political opening for Egyptian women to voice their perceived injustices and demand change, many were faced with threat and/or violence. It helped us understand why *de jure* protections for women in Egypt did not produce

more rights for Egyptian women because of *de facto* gender discrimination and violence entrenched in Egyptian society. This study attempted to demonstrate a comprehensive understanding of why the Arab Spring failed to deliver on the promises of women's rights by looking at the historical, religious, and social customs of Egyptian society that perpetuate gender discrimination even in the light of political revolutions and women's rights movements.

Limitations in the study

The limitations of the study were my inability to interview Egyptian citizens directly on their opinions on women's status in Egypt before and after the Arab Spring and general questions on women in society. My lack of Arabic language skills is also a deterrent on better understanding the context. Public opinion is a key indicator on social attitudes and customs and had I been able to compare and confirm my findings with the data from the Arab Barometer, it would have given us a better understanding on public attitudes on women's role and women's rights.

Another challenge in the research is since the 2011 revolution and fall of the Mubarak regime there has been ongoing political change. After the ousting of Mubarak, the political transition was overseen by the military council, followed by the election of Mohamed Morsi in 2012 only to be removed from office during a 2013 coup and replaced with Abdel Fattah el-Sisi, and during these political transitions, there were continued protests. So while attempting to understand public opinions on women's rights in light of the revolution, opinions could be influenced by the ongoing political turbulence, and some may not give gender equality a high priority compared to financial instability or physical threat.

Despite these limitations, the testimonies from women of the Arab Spring showcase the structural gender inequalities that deny women justice, and cultural gender biases and discrimination that perpetuate and justify violence against women.

What are future prospects for women in Egypt?

As legislative or constitutional changes are not the sole indicator of gender equality, neither can a single political event be expected to end gender discrimination. Measuring women's rights in the light of political revolutions should be examined comprehensively and not just through constitutional changes.

The events of 2011 however did spark a conversation about women's status in private and public life, gender-based violence, access to justice, and discriminatory laws. Women have become more politically active than before the Arab Spring. The birth of the Egyptian Women's Charter is one example of women inserting themselves into state-building activities. So although the barriers to gender equality are certainly there, many women are challenging the status quo. Though there is a tendency for public debates to end once the dust settles after the spirited uprising, the conversation needs to continue, and a sense of empowerment is important among women who want to continue to fight for visibility and receive the same protections as men. The Arab Spring was a catalyst for women's rights activists to be empowered and begin the slow journey of achieving gender equality in Egypt.

This means that women's rights activists, both Islamic and secular need to be allies rather than be opposed by ideology in order to advance women's rights in Egypt. We learned that women's rights cannot be advanced in Egypt without engaging in the religious sphere, particularly in reforming the conservative interpretations of Islam's stance on women's place in

the private and public sphere. Therefore, Islamic feminists' objective to reform Islamic and Quranic interpretations that promote gender equality is essential in the fight for women's rights in Egypt. Secular and Islamic feminists' objective should be collaborative efforts to create long-term solutions to advance women's rights in the private and public sphere by using their expertise to close the gaps between the *de facto* gender-based discrimination and *de jure* women's rights. Both parties are needed to engage and find solutions to the deeply entrenched patriarchal norms in Egypt and the conservative interpretations of Shari'a that shape Egyptian women's lives.

In order to continue the work women's rights activists started after the 2011 Arab Spring, both Islamic and secular feminists' need to continue to achieve the objectives of the Egyptian Women's Charter because it encompasses the demands made by Egyptian women. The patriarchal dominance in the public and private sphere in Egypt cannot be dismantled through the momentum of a singular event, but needs to be addressed through education, women in parliament, rights for religious minorities, women being represented in various fields, and pressures on the government to commit to international conventions.

Avenues for future work

Based on what we know about women's rights being in jeopardy during political revolutions and transitions, the question of women's rights in Egypt after the Arab Spring should be re-examined in the coming years. I think research on changes in public opinion on women's rights, changes in women's participation in parliament, and data on sexual harassment and assault should be gathered, particularly during a more politically stable time. In addition, research on the advancements of women's rights in Egypt needs to be more exhaustive in order to identify barriers and which type of gender advancement initiatives are working and which are

aligned to certain political agendas. The Arab Spring in Egypt may have failed women in many ways, but it has opened the eyes of the women's rights activists and the public on what is achievable through collaboration of Islamic and secular feminists. Though there is a long way to go to achieve women's rights in Egypt, the steps taken by women's rights activists during the revolution are small steps towards gender equality.

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