

THE LONG STRUGGLE FOR WOMEN'S RIGHTS

Following the Arab Spring, the Fight for Women's Sexual and Social Rights
Will Be Won Through Progressive Evolution, not Revolution

By Odharnait Ansbro

In March last year, among the throngs of young people and families that gather on the wide seafront promenade of Lebanon's capital city, Beirut, thirty-one white dresses hung suspended in the air. Activists had placed them there as a stark visual reminder of each day of the month that a woman could be compelled to marry her rapist under Article 522 of the Lebanese penal code. It was just one of the tactics used by Abaad MENA, a women's rights group in Lebanon, in their campaign against the law, which absolved a rapist of his crime if he married his victim. Billboard ads, flash mobs, street performances, and a powerful social media campaign using the slogan "A White Dress Doesn't Cover Rape" and hashtag #Undress522 drew public attention to the law and helped to bring about its end: it was repealed by the Lebanese government last August.

Last year's controversy in Lebanon is just one example of the intense conflict over women's bodies and sexuality that's unfolding in the Middle East and North Africa (MENA) in the wake of the Arab Spring. In the protest movements that exploded across the region, women marched alongside men, demanding greater personal freedoms and claiming their rights as citizens. Chief among these was a demand for greater sexual rights and an end to the discriminatory laws that curtailed them. The democratic reforms that have taken hold in some parts of the region, along with the rise of social media, have opened up greater space for women to express their views and build movements for change that challenge laws regulating sexuality and the patriarchal systems of power that they buttress. But the gains like those made in Lebanon last year are a victory in the long-running battle—not a symbol of sweeping change.

▷ "A White Dress Doesn't Cover Rape" campaign action to abolish the Lebanese "marry your rapist" law, Beirut, April 22, 2017. *Hussein Malla/Associated Press*

State Actions and Women's Rights Post-Arab Spring
Despite the fall of regimes across the region, the laws and underlying attitudes that restrict women's freedoms



have continued to hold sway. Some argue that this is due to the continued and perhaps increasing influence of Salafist Islam across the region, but they ignore the fact that the control of women's bodies and sexuality has been as much a tool for secular governments as religious ones and that deeply ingrained sexist attitudes predate the rise of Islamic conservatives in the region. While there are definite signs of progress, the persistence of these attitudes means that advancements in women's sexual rights will happen through evolution, not revolution; slow and steady gains will be made through the persistent and vocal efforts of women as they educate their populations and pressure their governments for change.

In the early days of the Arab Spring, the great upheaval in the political order across the region and the unprecedented popular demand for personal freedoms seemed to herald a similar revolution in women's rights and gender equality. Women were active participants, organizers, and even leaders in many of the uprisings throughout the region and demanded that gender equality be enshrined in any new political order that emerged. The protests themselves were an opportunity for men and women to challenge restrictive social norms around sex and gender, often through the simple act of mixing freely in public.

In Egypt, during the initial protests against the authoritarian Hosni Mubarak regime in Tahrir Square, women protested alongside men, defying their curfews and sleeping in shared tents, without any reported instances of violence or harassment. Similar stories played out across the protest movements in Yemen, Tunisia, and Syria as women's rights groups rallied to ensure they would be represented, and women's issues would be addressed in the national transitions that took place after the fall of various regimes. After the toppling of Ali Abdullah Saleh in Yemen in 2012, women took up 30 percent of the seats in the National Dialogue Conference, which shepherded the political transition to democracy. The new constitution reserved 30 percent of the seats in the government for women and the minimum age of marriage was set at 18.

Yet, these initial gains for women have not led to the women's rights revolution some hoped for, particularly when it comes to women's sexual rights—their right to choose a sexual partner, when and how they want to have sex, and exercise control over their own bodies. In fact, in some countries the reverse has happened with women living under more oppressive regimes. Across the region, laws and cultural practices continue to restrict women's freedom to express their sexuality, while seeming to condone sexual harassment and assault. The Middle East and North Africa still ranks as one of the worst regions in the world on measures of gender empowerment and equality, and the laws that govern women's sexual rights reflect this. Regulations around premarital sex, sexual violence, and marital rights still fail to protect women from abuse and violations.

In Saudi Arabia, whose Salafist government was largely immune to the political upheaval that swept across the rest of the region, premarital sex can be punished by death, gender segregation in public is strictly enforced, and decisions on the choice of a husband are made by a woman's legal male guardian. In nominally secular states like Lebanon, Syria, Tunisia, and Egypt, the rights of women within marriage are still governed by religious "personal status laws" that fail to adequately protect them against child marriage, marital rape, and domestic violence. These laws also give privilege to the rights of men in matters of divorce and child custody, and marital rape is still not recognized as a crime under Lebanese, Palestinian, or Saudi law.

Outside the bounds of marriage, a woman's virginity must be preserved to safeguard her and her family's reputation, and families, society, and the government take an active role in policing it. In the theocracies of Iran and Saudi Arabia, laws force women to cover their heads and restrict their movement in order to prevent them from becoming, in the words of Ayatollah Ali Khamenei, Iran's supreme leader, "a tool of male sexual arousal." Even in countries with secular governments women are subjected to humiliating virginity tests either in state-sanctioned medical facilities or within their immediate families. In 2011, female activists in Cairo were rounded up by the government as they protested the slow pace of political change and given virginity tests while held in prison. After one woman took the unprecedented step of suing for sexual assault, an Egyptian court ruled that conducting virginity tests on women in detention was "an illegal act and a violation of women's rights and an assault on their dignity." However, in March 2012, the only military doctor charged in the "virginity tests" trial was acquitted and, according to Human Rights Watch, the illegal practice is still used in Egyptian detention facilities. There have also been documented cases of virginity tests being carried out by governments in Iraq, Iran, Libya, and Jordan. In parts of the region families still practice *dukhlā*, where a bloodstained sheet is displayed as proof of a woman's virginity after her wedding night.

Despite the apparent drive to preserve women's virginity and "protect" them from male advances, legally they are often left unprotected from sexual harassment and violence. The abolition of the "marry your rapist" law in Lebanon last year followed similar steps taken by Jordan, Tunisia, Egypt (1999), and Morocco (2014). However, this law is still in place in Algeria, Bahrain, Iraq, Kuwait, Libya, Syria, and Palestine. A UN Women study carried out in Egypt in 2013 found that 99 percent of women said they had experienced unwelcome physical contact and, according to the Safe Streets Foundation, almost 99 percent of Yemeni women have experienced the same. Even in countries like Tunisia, where sexual harassment was criminalized in 2004, the Ministry of Women, Family, and Childhood reported in 2016 that 50 percent of women had experienced aggression in a public space.

The Slow Pace of Change

Commentators like Mona Eltahawy have argued that the slow pace of change in women's rights is due to the persistent influence of an "Islamist hatred of women" which "burns brightly across the region—now more than ever." It's true that the rise of Islamist parties has often been accompanied by efforts to roll back women's rights. In post-revolutionary Egypt and Tunisia, both the Muslim Brotherhood and Ennahda parties, in the name of Islam, threatened the rights of women that were enshrined in their largely secular constitutions. The Ennahda party in Tunisia initially tried to amend the constitution to allow for polygamy; abolish a law allowing children born outside of marriage to be registered under their mother's last name; and add a provision stating that women play a complementary role to men in family life rather than being their equals. Many Islamist politicians claimed that they were pushing such legal changes in order to bring the laws of the country more in line with sharia judicial norms. But experts like feminist sociologist Fatima Mernissi dispute whether this conservative, patriarchal interpretation of sharia law is truly reflective of the dictates of Islam, pointing instead to the fact that political movements in the MENA region, both secular and religious, have sought to control women's rights as a means of exercising political and social control.

Throughout the twentieth century, restraints on female sexuality have been used by those in power, or those seeking to gain it, as a way to enforce patriarchal systems of governance. At each stage in the political evolution of the MENA region, women's bodies and sexuality were pawns in the greater political struggles taking place socially. As colonial powers sought to extend their control, national and religious political movements challenged them, and post-independence authoritarian regimes took hold. Colonial penal codes contained laws that allowed for the sexual assault of women. The "marry your rapist law" that was overturned in Lebanon last year is a relic of the French imperial legal code that still forms part of Lebanese legislation. Religious anti-colonial movements like the Muslim Brotherhood advocated for strict control of women's sexuality, depicting Muslim female identity as the last sphere of control against the Western threat to their societies. Secular nationalist movements, while allowing women to participate, defined women's roles as mothers and bearers of the nation and constructed a nationalist morality for women's sexuality in which the principal virtue was chastity.

The lack of rapid progress in the fight for greater sexual rights for women in the wake of the Arab Spring stems not simply from a rise in "Islamist hatred" but from the fact these patriarchal attitudes and movements have persisted, despite the sweeping political changes that have occurred. Women's sexual rights have remained the focus of political and societal control and sexist attitudes are still prevalent across the region, regardless of country, religion or political system.

In a recent study carried out by Promundo and UN Women on the views of men and women in Egypt, Lebanon, Palestine, and Morocco on masculinities and gender, only one-quarter of men supported gender equality. Its authors stated that, “Too many men in the region continue to uphold norms that perpetuate violence against women or confine women to conventional roles.” Men act on traditional attitudes in ways that “cause harm to women, children, and themselves,” and many women in the region hold similar views. This comes alongside the findings of similar studies on attitudes to street harassment conducted in Egypt, which revealed a tendency among men and women to place the blame on women for attracting harassment.

New Opportunities, New Voices

However, even as these attitudes persist, it's clear that the Arab Spring has opened up new opportunities for a growing number of women to openly voice their dissent. Across the region, women have begun to speak more openly about sex, sexual violence, and their sexual rights. Their continuing efforts to highlight violations and call for better protections of women are not going unnoticed. The protests that led to the abolition of the “marry your rapist” law in Lebanon last year are just one example of women challenging the status quo, often using social media to get their message out. Iranian women have filmed themselves burning their headscarves; Saudi women have sat behind the wheel of a car; the #mosquetometoo and #anakaman (Arabic for “me too”) hashtags have been used by women across the region to speak openly about their experiences of sexual assault and harassment.

Though full democratic reforms have not been implemented in most of the countries that took part in the Arab Spring, both secular and Islamist governments across the region have responded to the waves of popular protest with reforms of their own. Last year the Jordanian government toughened its stance on violence against women, amending an article in its penal code that granted lesser penalties for “fits of fury,” or honor killings. This year, Saudi Arabia abolished its ban on women driving. In July 2014, Egypt passed a law criminalizing sexual harassment and assault and, that same year, sentenced seven men to life imprisonment for sexual assault.

Tunisia—where a democratic government has been established with a ruling coalition between the secular Nidaa Tounes and Ennahda party—has made significant advancements. Women make up 33 percent of the newly elected parliament and these Tunisian female parliamentarians have used their political clout to push for greater protection of women from sexual harassment and violence. In July 2017, the Tunisian parliament passed a comprehensive legislative package on violence against women. It contained tougher penalties for sexual violence against minors (including the removal of a “marry your rapist” provision), mandating compensation and follow-up support

for survivors. Last year Tunisian Minister of Women, Family and Children Naziha Obeidi launched a campaign on violence against women and launched a 24-hour hot-line for reporting incidents of violence.

A Gradual Shift toward Progress

It is clear that the political revolutions of the Arab Spring have not prompted a parallel sexual revolution in the Middle East and North Africa. Patriarchal laws and customs that limit women's sexual rights and freedoms continue to exist in countries across the region and some have even seen a deterioration in women's rights, especially when it comes to freedom from sexual violence and harassment. The persistence of these patriarchal attitudes, regardless of whether countries subscribe to an Islamist or secular form of government, means that advances in women's sexual rights will be through, as author Shereen El Feki argues, a gradual evolution.

The move toward greater democracy and the positive changes in the laws that govern women's sexual rights since the Arab Spring are a significant step forward. Yet, these changes were the result of decades of campaigning by women's rights organizations, and there are still many challenges ahead. In Tunisia, now seen as a beacon of progress in the struggle for greater sexual and marriage rights for women, personal status laws in the country still deny women equal inheritance.

Real improvements in the lives of women will hinge on changing the underlying patriarchal attitudes and beliefs that are still widespread in the region. This will, inevitably, be a slow process and the result of persistent efforts by women over time to educate and pressure their societies—from the highest levels of leadership to grassroots communities. The importance of grassroots change was revealed in the Promundo/UN Women study: one of its key findings was that men whose mothers had a higher level of education and whose fathers carried out traditionally “feminine” household tasks were more likely to hold gender-equitable attitudes. The unprecedented level of civic dialogue that came out of the Arab Spring has given rise to a climate where women can mobilize in greater numbers than before and openly challenge these attitudes through protest, advocacy, and education. Arab women have boldly stepped into the public space, speaking out against violations of their rights, running programs that educate young people on safe sex, and engaging men in discussions around masculinity. These efforts will, no doubt, help to accelerate the pace of progress, but full gender equality and sexual rights will be the sum of many small gains over time, rather than one sweeping victory.