With Mohammad Morsi’s inauguration as President of Egypt in June 2012, many Egyptians hoped that the country’s fitful political transition would finally be on a smoother path towards institutional reform and democratization (see summary of key events). But much remains in flux. The constitution drafting process that was contentious from the outset of the transition still poses difficulties for Mr. Morsi. He has promised a new constitution that would be put to a referendum within 2 weeks of completion, to be followed by new parliamentary elections 60 days after that. But resignations from the drafting committee and criticism about the lack of transparency have plagued the process and led to delays. In addition, civil rights advocates are concerned about the limited time available to consult and educate the public about the provisions of the new constitution.

Morsi himself still faces skepticism. His August reshuffle of the Supreme Council of the Armed Forces (SCAF) signaled some flexing of political muscle. But the appointment of General Medhat Ghazi, former military prosecutor and key figure in referring some 12,000 civilians to military tribunals, as the new Chief of Military Justice, does little to allay concerns. While many Egyptians support Morsi and the Muslim Brotherhood, for others his victory was a means of marginalizing any Mubarak-era figures from the arena. It is notable that in round one of the presidential elections, Morsi secured only 25 percent of the vote, while secular parties won 57 percent of the overall vote. Despite Morsi’s actions, the military is still exerting power.

So whether this chapter in Egypt’s long history will be a step towards genuine democracy or another iteration of autocracy remains unclear.

The struggle between SCAF, which presided over the transition, and other political forces, has drawn attention away from other aspects of the revolution, including issues of minority and women’s rights. From the outset of the revolution, Egyptian women from all sectors of society were central to the events. They were in the streets alongside men from the early days of the protests. They initiated their own protests. They have borne a large share of the violence dispensed primarily by state security forces, and are frequently the target of hostility and regressive measures introduced by some Islamists. They have also been a critical constituency in the elections – as voters and to a lesser extent as candidates.

Key Points
- Civil rights activists still wary of SCAF as protesters face military trials and jail time.
- Women still facing sexual intimidation at hands of security forces.
- The demand for gender equality is deeply rooted in Egyptian history and society, but it is framed as a Mubarak era issue.
- Women’s political representation is tokenistic. Salafis have pushed back against having a woman as vice president.
- Language leaked of a purported draft constitution offers little protection of women’s rights or equality, but limited public awareness of implications.
- To distance themselves from the ‘corrupt’ Mubarak era, political leaders are brandishing their traditional values and religious credentials, even though there is little public interest in a religiously conservative state.
Egyptian Revolution – key dates and events so far

2011
- January 25: Protest on “national police day” calling for Mubarak’s resignation
- January 28: “the day of rage” – clashes and casualties result in the Egyptian army’s takeover of security.
- February 11: Mubarak’s resigns. Power is transferred to the Supreme Council of the Armed Forces (“SCAF”).
- March 8: women’s rights activists march in Tahrir Square. Hostile onlookers, mostly men attack them.
- March 9: More protests and detentions, eighteen women reveal being beaten, strip searched, photographed by men, submitted to ‘virginity tests’, and threatened with prostitution charges.
- March 19: Referendum on constitutional amendments. 41% of eligible voters vote; 77% in favor of the changes.
- July 29: Islamists demonstrate in Tahrir Square for implementation of Shari’a law, clash with secular/liberal activists.
- August 3: The trial of H. Mubarak, sons Ala’a and Gamal, ex-interior minister El-Adly and six former officials begins.
- October 9-10: Security forces clash with Copts over church demolition. 28 deaths, 212 injuries among mainly Copts.
- November 18-24: security forces clash with protesters in downtown Cairo; more than 40 deaths and 100s of injuries.
- November 28: 3-phased elections for parliamentary lower house (the People’s Assembly) ending January 11, 2012.
- December 16: More clashes resulting in 9 deaths and many injuries.
- December 18-19: Images of security forces beating, revealing the torso of a woman circulate online causing uproar.
- December 20: Thousands of women march in Cairo in response to the army’s violence against female protesters.

2012
- February 1-2: 73 people killed at a football game in Port Said, security forces blamed for lax security measures.
- March 23-24: Constitutional drafting committee members announced.
- April 14: The Presidential Electoral Commission disqualifies presidential contenders including former V.P Omar Suleiman, Muslim Brotherhood’s Khairat el Shater, and the Salafi’s Hazem S. Abou Ismail.
- April 20: Protests in Tahrir Sq. call for Field Marshall Tantawi to step down and transfer power to civilian rule.
- May 23-24: Round one of presidential elections.
- June 2: Hosni Mubarak and former Minister given life sentences. Six others acquitted. The verdict leads to protests.
- June 14: Egypt’s Constitutional Court rules that ban on former regime members to run in Presidential elections is unconstitutional. The court also dissolves Parliament.
- June 16-17: Second round presidential elections voting. Both candidates claimed victory.
- June 18: SCAF constitutional addendum restricts presidential power. Protests, accusing SCAF of planning coup.
- June 24: Election results announced. Mohammad Morsi wins with 52% of the vote.
- June 30: Morsi sworn in as the Fifth President and first civilian.
- July 25: Civilians, including 3 women, are sentenced by military tribunal for their participation in peaceful protests.
- August 12: President Morsi abrogating SCAF’s June 18 Constitutional addendum, grants president full executive and legislative powers and places the constitution drafting under his own control. He also pushes Field Marshall Mohammad Tantawi and his heir apparent, Lt. Gen. Sami Anan into retirement.
- August 22: President Morsi announces new members of his vice presidential team including a woman, a Christian (Samir Marcus) and a member of the Salafi Noor party.
- August 27: Media reports indicate that ‘vice presidential team’ demoted to ‘advisory council’ due to pressure from Salafis, who allegedly claimed that in the event of an emergency, neither a woman nor a Christian could be president.
Yet few of the women who participated in the uprisings could imagine how quickly their contributions to the revolution could be overlooked and how rapidly women’s rights gains of the past could be threatened with reversal. But their experiences with the military establishment and the Islamists have put many women—both long-time and newer activists—on high alert. Despite the long and sustained history of progressive women’s movements in Egypt (see History of Women’s Movement chart), including the 2006 industrial strikes, today they face a monumental challenge and backlash. This is largely because feminism and women’s rights are viewed as Western and associated with the Mubarak regime.

Reflecting on the experiences of women in the uprising and transitional months, this brief provides a snapshot of developments in the past eighteen months including their security concerns, the constitutional process and evolving political landscape and its implication for women. It highlights key recommendations to international and domestic actors with regard to women’s rights, peace, and security.

1. No Security - Women caught between militarism and religious extremism

Civil society is under perpetual strain. Despite the presidential elections, civilian protesters and civil rights organizations are still wary of the military’s power. On July 25, 2012, three women protesters were tried, charged and sentenced in military tribunals. They were among a larger group of civilian protesters to face tribunals for their participation in peaceful demonstrations.

As local news sources point out, Morsi’s military reshuffling offers little relief to political activists. The new Chief of Military Justice, General Ghazi, was the military prosecutor responsible for referring the civilians to military tribunals. In May 2012, the Parliament, in a forward-moving step, decided not to renew the Emergency Law that gave significant leeway to state security actors. But attempts to curtail citizen’s rights to protest are still prevalent. Just days before the second round of presidential elections, the Justice ministry issued a decree allowing security forces to arrest and detain civilians, an action which was ruled illegal by the courts.

Independent civil society was effectively decimated during the Mubarak years. The 2002 law No. 84 on associations—still in force—imposes severe restrictions on Egyptians’ ability to register, receive funds, and operate NGOs. This impacted the women’s movement’s ability to form strong, independent organizations. The SCAF has neither amended nor repealed it. Indeed they invoked it to raid NGOs in 2011. As one independent EU-based foundation notes, in early 2012 the Egyptian government froze the grants of several of its women’s rights organizations, bringing some organizations to the brink of closure.

Egyptian security forces continue to use sexual humiliation to deter women from public protests. Egyptian women have also found themselves at the mercy of the state security forces. In their attempts to discourage protests, the military’s tactics against female protesters has included sexual and public humiliation meant to drive home a very specific message: honorable women do not protest in public.

3- The effect was both a suspension of basic rights and grounds for pervasive state impunity. For years peaceful demonstrators and dissidents faced excessive use of force by state security, resulting in death, torture, imprisonment and military trials, among other human rights violations.
4- See Reuters report: <http://www.reuters.com/article/2012/06/26/us-egypt-president-army-idUSTRE85P0KR20120626?feedType=RSS&feedName=topNews&rpc=71>
6- For more information about incidences of sexual assault against women see http://www.nazra.org/en/2012/06/testimonies-recent-sexual-assaults-tahrir-square-vicinity

A call from 2006 - “Where are the men? Here we are, the women!”

In 2006, 3000 women garment workers led a major industrial strike to protest lack of promised pay. Chanting, “Where are the men? Here we are, the women!” they shamed their male colleagues into action and triggered a massive labor protest in textile mills across the country. They remain active members of trade unions and student movements.
In March 2011, marking International Women’s Day (March 8th), women organized a protest to celebrate their participation in the revolution and call for equal rights in the new Egypt. But demonstrators were physically and verbally attacked by groups of angry men, shouting, “This is not the time!” and “A women’s voice is a shame!” Most appeared to be passing onlookers and their identity remains unknown. Some, however, were religious extremists wielding their power publicly and using religion to justify their aggression.

Amnesty International (AI) reported that a day later, after army officers violently cleared Tahrir Square of protesters, scores of protesters, including eighteen women, were held in military detention. Seven of the women said they had been subjected to virginity tests and described their ordeal, including being “beaten, given electric shocks, subjected to strip searches while being photographed by male soldiers, forced to submit to ‘virginity tests’, and threatened with prostitution charges.” Despite initial denials, the military eventually admitted to administering the tests to protect the army against allegations of rape. Only one of the seven women – Samira Ibrahim – filed a lawsuit against the military. In December 2011, the Court of Administrative Justice ruled that the tests were a violation of the Egyptian Constitution and other international agreements to which Egypt is party. It also issued an injunction against further tests. Despite the public outrage, in March 2012 the military court acquitted an army doctor accused of conducting virginity tests on the seven women.

An infamous incident epitomizing the security apparatus’ aggression towards women occurred during the parliamentary elections. A woman was filmed as soldiers beat and dragged her across the street, exposing her bare midriff and blue bra. The widely circulated footage also shows a soldier brutally stomping on her chest. Another woman who ran to her assistance, Azza Hilal Soliman, the daughter of a former military officer, was also beaten and hospitalized. She has since recovered and is bringing a legal case against her attackers.

In early May 2012, following protests and clashes in the neighborhood of Abbasiya, there were some reports, albeit unconfirmed, of further violations against women detainees. NGOs providing support to victims of violence say that for female victims, social taboos and family pressures combined with widespread impunity of the perpetrators prevents them from speaking out about the exact nature of their ordeals.

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The sexual humiliation of female protesters was part of the modus operandi of Mubarak’s security forces, however the public acknowledgement of “virginity tests” showed that SCAF has continued the practice. While much of the information remains anecdotal, women’s rights activists are concerned about heightened levels of sexual harassment and sexual assault and a general rise in criminality, some of which has been directed at women.

**2. Fighting for Rights and Equality for Women: A progressive past, a regressive future?**

Women’s status and rights has been a central theme in Egyptian political discourse for over a century. In the late 19th century, Egyptian women were a pioneering force of feminist ideals in the Arab world (see history box). Over the decades they formed political parties and alliances, and pressed for equality laws and measures to protect women’s physical well-being and social and economic rights. Various regimes exploited the issue of women for political gains. Nasser supported equality, while Sadat succumbed to religious forces, and Mubarak co-opted the gender equality agenda to appear moderate and progressive.

Labeled as the “Suzanne Mubarak” laws, women’s past legal gains are at risk. During the 30 years of the Mubarak regime, Suzanne Mubarak was the regime’s figurehead on women’s rights. She led the National Council for Women (NCW), as the state’s central entity to address policies on women’s rights and gender issues. Commissioning research and collecting gender-disaggregated data were among the NCW’s areas of work. Some activists credit the NCW for launching and supporting a range of initiatives to tackle women’s human rights, including the campaign to ban female genital mutilation (FGM), drawing attention to sex trafficking, issues of domestic violence and economic empowerment. Others claim that achievements - notably amending the nationality law so Egyptian women married to foreign men could pass Egyptian citizenship to their children - occurred in spite of Suzanne Mubarak and the NCW. Many activists criticize the manner in which some of the policies, such as the law banning FGM, were adopted and implemented, without the necessary outreach and education effort.

What is clear, however, is that now regardless of the merit, the benefits to Egyptians, or the hard work of independent activists that went into securing the gains, many issues are being bundled as the “Suzanne Mubarak laws”. They are at risk of being rolled back entirely.
Militarists or Islamists? Women’s pragmatic steps and political alignments. Concerned about the possibility of losing ground as the political transition evolves, women’s rights activists have forged ahead, combining their involvement with the revolution with their vigilance on issues of gender equality. But as the situation has deteriorated, some activists are taking a pragmatic approach. For example when the SCAF appointed 30 new members to the NCW, there was public furor. The council was deemed illegitimate because of its ties to the former regime and those accepting appointments were criticized for lending legitimacy to a military rule. One appointee, the novelist Radwa Ashour, stated that she had not been informed of her appointment and refused to participate. Others, however, remarked that vacating these positions would result in losses for women. The council’s spokesperson, Dorreya Sharaf, stated, “This is not a time to be worrying about whether or not the council has ‘feloul’ [remnants of old regime] members or not — defending women’s rights is in the interest of all involved.” Meanwhile, Islamist MPs were against the council on the grounds that women’s rights legislation counters Sharia and contributes to the break-up of Egyptian families.

There are also activists who have made a strategic choice to align themselves with progressive Islamists. Believing that the military represents a greater threat to women’s rights and security, they have sided with the progressive Islamists with the goal of shaping the discourse, shoring up existing rights, and moving forward. Others, including some long-time activists, are remaining above the political fray. They consider the option of military and old regime figures versus Islamists as a false choice. They refuse to compromise with either side.

Women’s independent civil society organizations are fragile. Three decades of legal and security restrictions decimated the independent CSO sector. The revolution revived civil activism and although the laws have not been lifted, activists have formed organizations to deepen their work on women. Since the January 2011 revolution, new actors have also emerged. For example the Coalition of Feminist NGOs “tahalof al-munazimat al-nisawiya” comprised of approximately seventeen NGOs (not all exclusively women’s rights NGOs) formed to mobilize and strategize on issues that will affect women’s rights. The Coalition has organized protests and issued statements in response to the political developments of the past fifteen months, including a collective statement outlining the reasons for a “no” vote against the Constitutional Amendments put to a referendum in March 2011. They issued a statement expressing concerns about the lack of transparency and the composition of the constitutional drafting committee selected by parliament in March 2012. They have also been vocal in their criticism of attacks on women protesters.

But there is concern about the long-term sustainability of such groups. These tactical moves by activists are fueled by the wider political uncertainty in the country. Within the fast paced changes they are being astute and determined to support the revolution while fighting for women’s rights. However, there is no overarching strategy or collective vision driving their actions. As a result, instead of “divide and conquer,” they are facing the possibility of simply being divided. This contributes to new tensions and conflicts within an already fragile women’s movement.

3. Women’s rights watered down in leaked text of the draft constitution.

The constitutional drafting process has consistently been criticized for its lack of transparency and lack of representation of various groups, in part because leaked texts of the draft constitution have raised concerns among women, minorities and liberal and secular groups. The general public meanwhile is eager to move toward normalcy and tired of following the ups and downs of the constitution drafting process. This leaves women’s rights activists, minority groups and liberals alone to fight problematic proposals that circumscribe and ‘qualify’ rights based on gender and religion. The concern about ‘qualified’ rights is seemingly justified. In July 2012 an independent daily paper published leaked excerpts of an alleged draft constitution that denoted the “principles of Sharia law” as the “principal source of legislation,” and called for Al-Azhar (Egypt’s highest Islamic authority) to become the main reference on Islamic laws. Further, Article 36 of the draft constitution stipulates that women would enjoy equal rights as men as long as those rights do not contradict Sharia law or family duties. Women are fearful at the prospect of quickly losing the rights they had fought hard to gain, including a reversal on the ban on FGM and the rolling back of the age of marriage (thereby allowing girls to be married at puberty) that Salafists have promoted.

Objecting to these developments and the increasingly religious nature of the state, women’s rights advocates protested outside the upper house of parliament on October 2, 2012. But without public awareness and popular support for their demands, the battle to maintain women’s rights will be an uphill one.

Given the developments in Egyptian politics over the past year the turn against women was predictable in many ways. On the legal and political front, there was a distinct lack of attention to women’s rights among the various parties in the election run-up. Having won, Mr. Morsi tried to make amends, by making inclusivity his mantra. The appointment of a Muslim woman, Pakinam El Sharkawy, a Coptic Christian man, and a representative of the Salafi political party was meant to signify this commitment. He signaled intentions to appoint a youth representative. But in late August, media reports indicated that under pressure from the Salafis (who claimed that by law neither a woman nor a Christian could be President), Mr. Morsi did not appoint them as vice presidents. Instead, he opted to form a 21-person Advisory Council that includes only three women and numerous ‘Islamic-leaning figures’.

Women’s rights activists are wary of these developments, as the token appointment of a woman does not signify much, especially if the women selected do not bring gender perspectives to the position. Professor El Sharkawy “is from the relativism school,” notes an Egyptian young women’s rights activist. As such she is perceived to believe “that human rights should be exercised within culture and traditions of each country,” rather than being supportive of a more liberal and universal approach to rights.

Also, one member of the new advisory team, Omaira Kamel, who a member of Morsi’s FJP party, was quoted in different news reports defending the practice of Female Genital Mutilation, a claim she later denied.

**Equal rights but not quite.** In a June 2012 interview with Christiane Amanpour, the devil that is often in the details became apparent momentarily. Asked about women’s rights, Mr. Morsi was quite adamant. “The role of women in Egypt is very clear,” he said through a translator. “Women’s rights are equal to men. Women have complete rights, just like men.” Yet he went on to qualify his position stating, “there shouldn’t be any distinctions between Egyptians except that [which] is based on the constitution and the law.”

A participatory process without the participation. The drafting process has also been fraught with debate and confusion. The initial committee selected to draft the constitution was dissolved after most of its “liberal” members resigned in protest over the lack of transparency in selection criteria. More recently, a group of prominent human rights organizations issued a statement objecting to the non-consultative and non-participatory nature of the drafting committee’s operations, suggesting that much of the text was already finalized and that public discussions were largely a formality. Rights activists are quick to note that the Egyptian public has no interest in being ruled by a conservative religious state. “People don’t want Egypt to be like Saudi Arabia,” says one expert, but there is a disconnect between the political process particularly with regard to the constitution and the public’s understanding of the potential implications in their lives.

The final constitution is not yet completed, and when it is, it will be put to a referendum. However, even the new committee has seen its share of troubles, as several liberal members of the committee have offered resignations recently, for instance, human rights activist Manal El-Tibi, whose public resignation letter expressed her concern about the drafting committee’s dominance by one interest group.

The lack of public dialogue, consultation, the limited time to inform and engage the public about their views, and the implications of the new constitution on the country’s future are a source of concern, among civil society and human rights organizations. Groups that are attempting to keep abreast of the constitution drafting process, and hoping to provide input, particularly on human rights issues, feel marginalized. There is growing concern that the final draft will be presented to the public at a point when it will be too late to make significant changes.

**4. The parliamentary elections serve as a barometer for women in the political arena.**

The power struggle between the new president and the military leadership continues. In June 2012, the Supreme Constitutional Court dissolved the elected parliament. The court ruled that one third of the seats (independents) were uncon-
stitional. In July, President Morsi issued a decree to reinstate the assembly but when the court struck it down, parliament opted against a showdown. Members convened for a symbolic five minutes. While these tensions ebb and flow, the results of the 2011 elections can serve as a barometer of the challenges facing women in the political sphere. There are clearly lessons to be learned about increasing women’s representation, if inclusion and diversity are valued.

Women voted in high numbers but there is no gender-disaggregated data to track participation. Between November 2011 and February 2012, despite violent clashes, Egyptians went to the polls.20 International observers found shortcomings in the legal framework, campaign violations, and weaknesses in the administration of the elections, but the results were considered to be a “broadly accurate expression of the will of the voters” (see Election in Numbers).21

There were no reports of women being denied their right to vote. Most polling centers had high numbers of women queuing. Nonetheless, the Supreme Judicial Commission for Elections (SJCE) did not provide international observers access to gender disaggregated voter data.22 Only 2.6 percent of the judges in polling centers visited by International observers were women. Their presence was more notable (but still unequal) in other roles. For example, they made up 30 percent of the domestic observers and 37 percent of political party agents. But women did not serve in any senior electoral administration positions within the SJCE.

Half-hearted quota law and flowers as parliamentary candidates. The paucity of women parliamentarians was a disappointment to many women’s rights activists. But it was not entirely surprising, particularly given the limited time provided for independent candidates and new parties to organize and mobilize support. Moreover, there were no effective measures to even out the playing field for women candidates.

Resistance to quotas is rooted largely in experiences from the Mubarak era. Under his regime, a quota system was introduced but it was contentious, politicized and tokenistic as far as women’s real inclusion was considered. Instead of reserving existing parliamentary seats for women, additional ones were added, effectively neutralizing the purpose of having women as a significant proportion of the total legislature. Moreover, the majority seats typically went to Mubarak’s National Democratic Party (NDP).23

After the revolution, partly because it was associated with this history of fraudulent elections, the quota used for women’s representation in the 2010 elections was eliminated through the Constitutional Declaration of March 30, 2011. Article 38 of that declaration stated: “the law will govern the right of candidacy for the People’s Assembly and Shura Council, according to the determined electoral system, including at a minimum the participation of women in both assemblies.” Instead of a quota, the law simply recognized that women should participate in elections. This recognition was later eliminated through an amendment to the declaration on September 25, 2011. Ultimately by law, party lists had to include at least one female candidate. But the law did not specify where women should be listed. Most female candidates found themselves in the bottom half or quarter of their party lists. The Salafi parties in particular made no effort. They presented images of flowers instead of photographs of their female candidates. In some cases women’s names were replaced with their husbands’ names.24

Of the eight seats that women won, half went to the Muslim Brotherhood’s Freedom and Justice Party (FJP), and the other half were split between three other parties. None of the women who ran as independent candidates won a seat, although 339 women ran and others have indicated interest in political life.

The female candidates were from primarily urban and white-collar areas. Those in rural areas and working class communities faced a number of obstacles including limited access to campaign resources, the vast geographical size of some rural districts, and restrictions on women’s travel due to more traditional cultures. In addition, women candidates often require more time to mobilize support (or in some cases family permission) for their candidacies. The brief period of time allowed for candidate registration and the need for financial resources also diminished the chances of many women for election.25

20- The People’s Assembly (lower house) plays a more important role in drafting legislation. Its other duties include amending the constitution, overseeing the executive branch, and approving agreements and treaties, the state plan and budget. The Shura (meaning roughly consultative)
23- In December 2010 the quota system was applied but instead of setting aside existing seats for women, new seats were created for them. Documented vote rigging ultimately led to the 64 seats going to NDP women.
24- Salafis expect women to cover their face, wear the niqab and limit their presence in the public sphere.
Muslim Brotherhood win was expected but Salafi show was a surprise. The victory of the Muslim Brotherhood was not surprising. The Muslim Brotherhood has had an eighty-year history in Egypt. It provided social services especially in poor urban neighborhoods, filling in the vacuum left by an indifferent government. It was a party with name recognition and grassroots organization. Moreover, their repression under the regimes of Mubarak and his predecessors meant they had earned their place on the political scene. If Mubarak’s regime came to be synonymous with corruption, injustice and secularism, then Islamist parties came to stand for the opposite. The surprise, however, was the emergence of Salafi political groups onto the political stage. They organized to win nearly a quarter of parliamentary seats, despite having steered clear of politics historically. Though not monolithic, Salafis are ultra-conservative Islamists, and their emergence in power politics raised profound concerns among proponents of women’s rights and minority groups.

5. Troubling proposals: Parties attempting to “out-Islamify” each other, women’s rights and status as the barometer

Egypt may be a conservative society by and large, but whether this translates into public support for conservative religious ideology as a dominant force in the country’s political and economic life is unclear. But politicians are exploiting the traditional and religious values to their advantage, and seeking to legitimize regressive measures under the banner of Islam. In the words of one women’s rights activist, it is as if the Muslim Brotherhood is competing with the Salafis to carry the mantle of morality and anti-Mubarakism. Proposals to curtail women’s rights were among the first proposals floated in the parliament, including:

❖ Cancellation of women’s rights to initiate divorce. In March 2012, independent parliamentarian Mohammed al-Omda, deputy head of the Constitutional and Legislative Affairs Committee, submitted a draft law suggesting the cancellation of Khula. Based on Islamic Jurisprudence, Khula is a woman’s right to initiate and seek a divorce from her husband, on condition that she renounces any financial claims on him. The Egyptian parliament had adopted Khula in 2000, something women’s rights groups had been pushing for years, due to the extremely cumbersome procedures for women to otherwise obtain a divorce in Egypt. Al-Omda argued that Khula was a relic of the former regime and leads to the dissolution of society. Some Salafis have also backed this proposal, while the FJP did not challenge them or speak out against it.

❖ Reducing the age of marriage and decriminalizing female genital mutilation. In 2008, the Egyptian parliament passed amendments to the 1996 Child Law, which among other things raised the marriage age in Egypt to 18 (from 16) for both girls and boys, and criminalized female genital mutilation. In the new parliament, there were calls from some parliament members, including a female member of the FJP, to reverse both of these provisions.

❖ Salafis pushing for ultra-conservative practices and Islamic courts. Salafis in general advocate for gender segregation. During the elections they proposed that working women should stay at home but still receive pay. The idea was mocked by Egyptians of all classes, many of whom said the Salafis have little understanding of the constraints and economic realities in the lives of ordinary families. Nonetheless, the fact that Salafis as lawmakers can have influence on policies that affect the lives of women so dramatically is cause for concern. In addition to backing proposals to cancel the 2000 Khula (divorce) law, they are calling for strict adherence to Sharia law (likely to be their own ultra conservative interpretation of Sharia). In July 2011, thousands of Salafis poured into Tahrir Square, calling for implementation of the law. Although Article 2 of the Egyptian Constitution already declares Islam to be the state religion and Sharia as a principal source of legislation, some Salafis want Islamic courts governing all affairs in the Egyptian state.
Conclusions

Egyptians who poured into the streets on January 25, 2011 did so out of frustration and anger with an autocratic regime that symbolized corruption, suppression of political opponents, and indifference to the indignities that millions faced in the ever widening gap between rich and poor. These Egyptians were unified in their demands for democracy, dignity, rights and social justice. The young men and women who lost their lives and those who put their lives at risk did not wish to erode women’s rights or to herald in a new era of intolerance.

The fragile women’s movement will need support as it navigates the new spaces and challenges. But the fight for gender equality should not be relegated as the issue of women only. It is integral to the broader struggle for democracy and justice. It has always been rooted in Egypt’s own history, religion and cultural norms. If a new narrative takes hold that presents women’s rights as a western or external concept only, and paints Egypt as a monolithic, socially conservative society dominated by more extreme versions of religious ideology, the prospects for real revolution and transformation will be diminished. While many factors need to be watched, the treatment and status of women will be among the best indicators of Egypt’s prospects for peace, prosperity, security and freedom.

Recommendations

To national Egyptian authorities (including the government, the military and judiciary):

1. On legal, judicial and constitutional issues:

i- End impunity for incitement of acts of violence and intimidation against minorities and women. The authorities must ensure that no group or individual can violate the basic rights and safety of others. Justification for violence or incitement to violence and intimidation couched in religious, cultural, or ideological terms must be tackled and prevented.

ii- Demonstrate commitment to equal rights and social justice by maintaining and honoring the legal as well as social and cultural gains of women over the past decades, and by integrating international human rights law, including the Convention on the Elimination of Discrimination Against Women (CEDAW), into the Egyptian Constitution and laws.

iii- Initiate and support a major civic education campaign to raise public awareness and understanding among Egyptians of their rights—including women’s rights– and ensure implementation and observance by officials under these commitments.

iv- Ensure the formation of a constitutional drafting committee that is truly reflective of the diversity of Egyptian society. There should be diversity based on gender, religion, ethnicity, and age. A key criterion for inclusion should be a commitment to equal rights for all.

v- Extend the period for public consultation and civic education for the draft constitution. A constitutional referendum just weeks after the draft is completed does not allow the public to fully engage and understand the implications of the constitution. The authorities must also adopt a transparent, inclusive, participatory consultation process to reach out, listen to and inform the Egyptian public about the constitution.

vi- Revise laws to ensure full respect for the freedom of association and assembly. Restrictions on women’s NGOs as well other civil society institutions imposed after the revolution should be lifted immediately to allow them to carry out their roles and responsibilities according to their public mandate.
vii- Amend laws that restrict freedom of expression. The right to free expression of all citizens must be respected. In particular, provisions in Egypt’s penal code and press law that allow fines and prison terms for speech that defames not only individuals, but state institutions, disturb public order, or harm Egypt’s reputation must be amended.

viii- Initiate a comprehensive and gender-sensitive transitional justice program including memorialization of victims, truth telling and reconciliation. The pain and harm done to ordinary people during the dictatorship and the transition months must be recognized and memorialized in Egypt’s history—to help victims heal and ensure that the crimes are not committed in the future. The government should initiate a comprehensive justice and reconciliation program that is specifically designed to ensure that marginalized sectors of society (including women, youth and minorities) are provided safe spaces to speak and that reparations (to communities and individuals) are available.

2. On citizens’ security issues and reforming the security sector:

i- Immediately end police and military brutality against civilian protesters, and particularly sexually charged acts against women and ensure that offenders are brought to trial. For too long, police in Egypt have used lethal force in situations that do not justify its use, and have escaped investigations or prosecutions. The law should be amended to restrict the use of such force; new codes of conduct for all police forces should be drafted in line with international guarantees for freedom of assembly and policing standards.

ii- Immediately end civilian trials in military courts. Military courts must be limited to trials of military personnel only, and for offenses of an exclusively military nature.

iii- Initiate a transformation of the security sector and enshrine human rights and protection and service to civilians as a central tenet of the reform. Keeping in mind that police brutality and impunity were catalysts for the revolution, the government must initiate a thorough, comprehensive, inclusive, and transparent reform of the security sector.

iv- Ensure that the police and security forces are informed of and comply with international human rights law instruments that guarantee privacy, human rights, dignity and due process. They must stop warrantless searches, electronic monitoring, sexual humiliation, preventing public assemblies and detaining of individuals without charge.

3. On political participation and representation:

i- Take steps to ensure gender balance in future elections and parliament – 2 percent representation of 50 percent of the population (as occurred in the last elections) should not be accepted. Assess the barriers that women faced in the parliamentary elections and drawing on the lessons adopt specific measures to ensure at least a balanced representation of women and men in future elections and parliaments. All political parties must do more to encourage the political participation of women and conduct voter education and training of female candidates. Quotas for women’s equal representation in decision-making bodies should be secured in the new constitution, to ensure that women have a real voice in the political process.

4. On economic issues and social justice – especially for women and youth:

i- Initiate a strategic economic plan to generate opportunities for rural communities, women and youth, as opposed to introducing regressive measures that adversely impact women’s rights and participation.

ii- Adopt labor laws that fully protect the rights of agricultural and domestic workers – many of whom are women - and prevent their exposure to physical or other forms of abuse.
Women’s Activism and Achievement in Egypt in Brief

- **Late 1800s**: writers like Qassim Amin, Malak Hifni Nassif, Hoda Shaarawi, emerged as pioneers of Arab feminism.

- **Early 20th Century**: Egyptian women active in nationalist movement against British colonization, protesters in 1919 uprising.

- **1920s (1923)**: Egyptian Feminist Union affiliated with International Woman Suffrage Alliance forms.

- **1942**: The Egyptian Feminist party founded as a political party calling for equality between men/women in education, employment, political representation and rights.

- **1948**: The Bint El-Nil (Daughter of the Nile) feminist association created with the purpose of claiming full rights for women, promoting literacy, improving health services for the poor.

- **1951-54**: Doria Shafik, a leading figure in the Daughter of the Nile movement led 1500 women to storm the Egyptian parliament, demanding full political rights, a reform of the Personal Status Law, and equal pay for equal work. In 1954 She led a hunger strike in protest of a constitutional committee on which women were not present and eventually was placed under house arrest by former president Gamal Abd el Nasser.

- **1956 & Nasser years**: Women gain the right to vote and run for office. They benefit from mass education programs and many entered the labor market as public sector employees.

- **1970s**: Under President Anwar Sadat, religious conservatism rises, as he gave greater leeway to the Islamists to counter the power and influence of communists and the left. The women’s movement, largely elite-led, suffered a decline.

- **1980s**: Social conservatism and regressive attitudes towards women increases as Egyptian labor migrants working in the Gulf States – notably Saudi Arabia _ returned with more conservative views.


- **1990s-2000s**: The Mubarak regime – particularly Suzanne Mubarak – champion initiatives addressing female genital mutilation, domestic violence and women in peace making. Authoritarianism impeded women’s autonomy and independent organization.

- **2005**: Parliamentary elections, 9 women got seats; 4 elected, 5 appointed by president.*

- **2006**: El Mahalla industrial strikes led by 3000 women factory workers, prompting mass textile industry strike (the workers wanted to claim the pay that the government had promised but not delivered).

- **2010**: Quota law implemented in parliamentary elections. Instead of reserving existing seats for women, an additional 64 seats were added for women. Since obtaining the right to political participation in 1956, women’s representation in elected bodies has fluctuated between 0.5 and 2.4 percent.

- **2011**: Women are prominent, peaceful and persistent in the protests in Tahrir Square and beyond, but come under increasing attack.

- **Jan 2011**: Formation of new women’s organizations, networks and movements. New activists have entered the women’s movement to ensure women’s equality and representation. For example, the Coalition of Feminist Organizations, some 17 NGOs (not just women’s organizations) mobilized with focus on attaining and maintaining equal rights.

- **2012** International Women’s Day march in Cairo: over 2000 women from across all sectors of society participate. Public response is positive.**


i- Support the demands of Egyptian women for rights, equality and dignity. These demands are integral to Egypt’s own history and culture. Women are part of this revolution. Egypt has a long history of an indigenous struggle for women’s rights. As a UN member state, Egyptians have the right to demand adherence to universal norms and international conventions and expect international support.

ii- Condemn sexual humiliation and other abuses of human rights by security actors. Encourage and provide support for police reform, prioritizing training and adherence to human rights norms, civilian protection, community service and gender sensitivity.

iii- Ensure that Egyptian women, especially those representing civil society, are present and have a voice in all international policy negotiations with Egyptian leaders and officials.

iv- Ensure that Egyptian women rights activists have access to the international community, including policymakers, international NGOs, conferences, funding and trainings. A strong civil society is key to ensuring a successful transition to democracy in Egypt and women’s groups should be included in all efforts to build and strengthen Egyptian civil society.

v- Support quick impact and long-term economic development programs. People must feel that the revolution and the nascent democracy (albeit limited at present) have brought positive change into their daily lives. If the economic impact is negative, there is high risk of political patronage and corruption becoming the norm. Support direct programs serving rural areas and targeting youth and women.

This brief is available on our website at: www.icanpeacework.org

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