Women Leading Change: Rabat Roundtable Papers

This compilation of papers was presented at the historic Rabat Roundtable convened May 17–18, 2011 by the Ministry of the Interior, Kingdom of Morocco, and the Wellesley Centers for Women, Wellesley College.

Chairperson: Dr. Moushira Khattab
Former Minister for Family and Population, Egypt
Moderator: Dr. Najat Zarrouk
Ministry of the Interior, Kingdom of Morocco
Co-moderator: Dr. Rangita de Silva–de Alwis
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Introduction by:
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**Rabat Roundtables:**

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- Moderator: Dr. Najat Zarrouk, Ministry of the Interior, Kingdom of Morocco
- Co-moderator: Dr. Rangita de Silva-de Alwis, Wellesley Centers for Women

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RABAT ROUNDTABLE AND PLATFORM OF ACTION

Introduction

Rangita de Silva de Alwis

The Arab Spring altered the history of our times. In the aftermath of the Egyptian Revolution, the Wellesley Centers for Women at Wellesley College partnered with the Ministry of the Interior of the Kingdom of Morocco to convene a Strategic Roundtable on Women Leading Change in the Arab and Muslim World. At this seminar, leading women’s rights advocates from the Arab and Muslim World came together to sustain the spirit of the Arab Awakening through women’s active engagement at every level of decision making in this period of political transition in the region. While celebrating the transformation to more democratic processes of government, women advocates were deeply concerned about the paucity of women in transitional processes. Another concern was the absence of women in the Committees drafting the Egyptian Constitution and attacks on Egyptian women on International Women’s Day on Tahrir Square, the very square that nourished a historic emancipatory project. As troubling were the efforts to roll back the anti- Female Genital Mutilation and child marriage laws. Our Strategic Roundtable offered a critical space at a critical time to reflect on the role of women in political transformation and to identify challenges and impediments to women’s role in the vanguard of political reform in the Arab World and in general the Muslim World.

The Arab Spring was a powerful reminder that we live today in a global community and the importance of transnational idea sharing. The coming together of transnational actors at the Rabat Roundtable and the Rabat papers published in this Volume Two of *Women Leading Change* is a significant contribution to the global movement of ideas that sustain, strengthen and advance the empowerment of women. Today, in an era when the Arab Spring has fostered more collaboration across borders, transnational networks such as the *Women’s Leadership Network: Women’s Political, Public, and Economic Participation in the Muslim World* convened by the Wellesley Centers for Women gains even more relevance and bolsters the cross-fertilization of ideas and the cross-pollination of comparative perspectives. This flagship collection of Rabat Roundtable papers marks the historic role of women in the Arab Spring and seeks to locate young women in peace building and conflict resolution. No narrative on the Arab Spring will be complete without an examination of the urgent role of young women in leading the way ahead. This flagship compilation of papers is dedicated to the new generation of women leaders as the custodians of the new social movements across the world.

One of the most unique features of the Roundtable was its local to global component. Very few forums are able to achieve the congruence of a local and global partnership. The leading regional and international women’s rights experts were joined by 15 Moroccan local government

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officials. This confluence enriched the debate and achieved the goal of the convergence of a bottom up and top down interaction by linking the important transnational sharing of ideas and strategies with national and local realities.

The Strategic Roundtable and pivotal partnership with the Ministry of the Interior of the Kingdom of Morocco was born out of the Women’s Leadership Network convened by the Wellesley Centers for Women in 2009. This Network was conceived by partners around the world in predominantly Muslim communities who sought a transnational network to advance their common goals. In response to these requests, a transnational network drawing women change agents in more than 12 countries was created to share information, strategies and scholarship as a way to weave together a common platform of action to give voice to women’s leadership in public, political and economic development in countries across the Muslim World. Despite an increase in the number of women in decision making positions, there is still a persistent and glaring disparity between the numbers of women who hold decision-making positions in various levels worldwide. A pervasive patriarchal system, including customs and traditions which stereotypically confine women’s roles in the private sphere and male-dominated traditional political systems, has been largely responsible for women’s under-representation in political processes. Without women’s presence at the negotiating table, urgent concerns that impact half of the world often remains silenced. This Roundtable brought to the forefront leaders in communities across the Arab and Muslim World to strategize, collaborate and impact urgent reformist movements and decision making that will affect women’s lives across the world.

Some of the most important calls centered around the need to preserve prior gains on behalf of women and to ensure that women are at the forefront of transitional justice in this period of historic transformation in the region.

Mobilizing Positive Change

The Arab Spring has been a lightning rod for some important reforms on behalf of women. Political and social transitions offer unique opportunities for recasting and transforming social, economic and political structures, especially for the benefit of those denied human rights and access to decision making processes. Importantly, the Arab Spring offers an opportunity to consolidate some of the positive changes that occurred as a result of the recent revolutions. In Morocco, the successful Constitutional referendum to strengthen democratic institutions on July 1st, has been described by His Majesty King Mohammed VI and others as a “decisive historic transition” and is a positive roadmap for the region. Under the reforms, among other positive elements, Morocco will have an independent judiciary and provide equal rights for women. On March 9th, in his address to the nation, the King offered the following forward looking initiative: “Promote the participation of women in the management of regional affairs in particular, and the exercise of political rights in general; in this respect, the law should favor equal access by women and men to elected office.”

Tunisia’s High Commission for the Realisation of Revolutionary Goals, Political Reforms and Democratic Transition has placed the principle of gender parity at the heart of all ongoing political reforms and thus become a beacon of innovation for the region and beyond. Tunisia’s parity principle calls for an equal number of men and women as candidates in upcoming
elections in October. Tunisia has also named a 16 member independent commission to oversee the polls and is on course to emerge as the first multiparty Arab democracy. This augurs well for a strong equal protection clause in the new Constitution.

In Egypt, there is some support for granting the children of Egyptian mothers and Palestinian fathers citizenship. The gains made for women’s rights have been the result of the efforts of grassroots activists and therefore the onus is on them to retain those successes. Although the likely outcome of talks may result in the State being defined as civil rather than secular, this is a more progressive outcome for women than a theocratic state.

On the 4th of August, 2011, the Lebanese parliament voted to revoke Article 562 from the Penal Code. This Article allowed for the mitigation of a crime of honor. While this is a critical step forward in the region in acknowledging honor crimes as femicide, while patriarchal norms that place women under the guardianship of male members of the family are still in place, this revision is not sufficient.

Preserving Prior Gains

In Egypt, Tunisia, and elsewhere, in seeking to build on women’s participation in the revolution and to mine the possibilities of the revolution, women’s groups must join forces to demand greater representation for women in parliament and on national councils and committees. The main concerns articulated are the need to expand women’s roles in a new, democratic region and to safeguard hard-earned gains in women’s rights achieved over the past few decades.

The marginalization of women from key decision-making positions during the political transition must be addressed immediately. The absence of women on the Egyptian constitutional committee, with only one woman in the interim cabinet in Egypt, has led to the fear that women are being side stepped.

At the Rabat Roundtable, convened during this historic time, most speakers spoke of the paradox of women’s extensive engagement in the revolutions and in pro-democracy struggles and their subsequent marginalization from democratic negotiations and newly formed governance structures, institutions and democratic and political processes.

Participants stressed that achieving gender justice in transitions calls for close examination of the causes and consequences of women’s marginalization in high-level political decision-making. This is pivotal to the negotiations of Constitutions and other legal system reforms. Speakers reaffirmed that transitions represented an important space, or window of opportunity, because they open up possibilities for the reform of legal and political frameworks. Gender justice in transitional periods call for the greater acknowledgment of the pivotal role played by women in informal and formal conflict resolution activities.

Sustainable transitions reject a hegemonic male notion of power and demand an examination of security both in the home and in the public sphere. This necessitates an investigation of economic, social and political transformations from a gender perspective. This involves an understanding of the inequities women faced pre-revolution, and reforming legal systems and
practices so as to safeguard gains made before the revolution and propel advances that were not possible before the political transformations.

The full and equal participation of women in all transitional and other processes demands positive measures to counteract gender discrimination, like the use of quotas to secure, at a minimum, 30 percent representation of women in national democratic bodies, and strategies to address discrimination in family law, inheritance laws, violence against women must be linked to the realization of women’s equal participation in transitional justice and peace processes.

Internal discourse and cross-cultural dialogue are critical to resolving conflicts within Islam as well as to building on the congruence of Islam and human rights. Women’s struggle for equality and basic rights has been intensified by the rise of a male dominated Islam that too often defines women’s empowerment as anti-Islamic or even as Western cultural imperialism. In fact, the recent Family Violence Bill in the lower houses of Parliament in Lebanon was recently denounced as a western project although it was an organic effort to affirm the equality of women. Women leaders present at the roundtable are working both within the tenets of Islam and the human rights framework to make changes for women and to broaden the frontiers of social, economic, political, and educational participation for women.

Transitions provide powerful windows of opportunity to address deep-seated gender inequalities and reevaluate the status of women in political economic and social life within an indivisible and interrelated framework of human rights.

The participants at the Rabat Roundtable pledged to collaborate and to continue to exchange ideas and regional experiences. The hope is that this forum will amplify the call for gender equality in the democratic and political transformations sweeping the region and the world.

**New Awakenings and Women’s Critical Role in Democratic Transformations**

The presentations on *New Awakenings and Women’s Critical Role in the Democratic Transformation* set the theme for the roundtable. Moushira Khattab, the Chair of the roundtable and the former Minister for Family and population, Egypt asked: “What should we do so that Spring does not turn into Autumn? What measures should we take to make sure women continue to make gains, build on achievements, to make sure we have laws and that they are enforced?” She emphasized that this was an opportunity to exchange women’s experiences through networking, consolidation and capacity building. Khattab stressed that restoring the Rule of Law was integral to the revolutions. The law can be an engine for development and is constitutive of social change.

Morocco has embraced equality as one of the fundamental components of democracy and has launched several initiatives since 2003 to turn back the tide of radical Islamist contestation and violence. King Mohammed VI established a royal commission to reform the shari’a-based family code, granting women more civil rights than they had hitherto been accorded. Another royal initiative was the establishment of a special graduate program to train women as spiritual guides. King Mohammed VI, in his speech to the nation on March 9th, 2011, promised to “promote the participation of women in the management of regional affairs by political rights in laws that favor equal access by women and men to elected office.”
Rachida Tahiri of the Ministry of Social Development, Morocco, speaking of the status of women in Morocco noted that the dynamism of the ‘Arab Spring’ was characterized by more than just a claim for freedom. It was a call for human dignity, and at its heart was a clarion call for equality. Equality cannot be isolated from freedom, justice and dignity: basic human values at the foundation of human rights. Gender equality impacts not just women but the community as a whole.

She stressed that the presence of women in decision-making was critical in different ways: it can help change mentalities, deconstruct stereotypes that reinforce the subordination of women, and create new images of women based on equality and partnerships. Women leaders are pivotal role models for future generations of women. The marginalization and exclusion of women results in negative economic and social consequences. The Millennium Development Goals (MDGs), the 2010 Summit on development objectives of the MDGs, and the 15th anniversary of Beijing; all of these reports and evaluations have shown that inequality is a hindrance for development, whereas the promotion of human rights leads to better development models.

Judge Monia Ammar, the General Coordinator of Human Rights in Tunisia speaking on Political Transformations and Women in Decision Making in a New Tunisia, argued that the political revolutions that have taken place will likely be followed by economic and cultural revolutions. Women, who are integral part of such transformations, often find themselves marginalized after the revolutions and men feel entitled to write the history of the revolution in the male image. In processes that would determine the destiny of the ‘New Tunisia,’ women must have equal representation in political, legal and social reform.

In Tunisia, the Revolution was also an opportunity to connect as equals. After the revolution, the Tunisian people expected the transitional government to take gender equality into account; unfortunately only two female ministers and one deputy minister were appointed. On a positive note, the Tunisian government has agreed to a proportional party–list voting system in which half the candidates must be women for elections in July to choose a 260-person body to draw up a new Constitution.

The rise of conservative currents in the region is a threat to women’s rights. The question remains as to how to deal with currents of Islamic fundamentalism that prevent women from exercising their rights.

**Reforming Family Law**

Family law reform has an intimate and powerful impact on women’s lives. It is also a statement of principles that weave together the rights of women in the private sphere and has the power to shape culture and ideology.

In almost all countries in the Arab and Muslim World, women face gender-based discrimination in the family codes. Family laws in these countries declare that the husband is the head of the family, require the wife to obey her husband, and give the husband power over his wife’s right to work and travel, among other rights. Family law reform is one of the most critical areas of law reform for women.
Among the countries with the most liberal family codes are Tunisia, which has had a relatively liberal family code for many years, and Morocco, which enacted a family code that substantially expanded women's rights in 2004. Reform of the family code has been a high-priority objective of women's rights advocates, as well as liberal-minded lawyers, judges, and Islamic scholars. The Morocco reform has had an important regional impact, as it has strengthened the argument of those who say that equal status within marriage is compatible with Shari'a law. The reforms adopted in Morocco are also seen as small but important victories for civil society movements in their ongoing struggle against patriarchal and extremist Islamic forces, for whom the subservient position of women in marriage has been a key political issue. However, while progressive steps have been taken, women are still treated unequally even under the more liberal family codes. Reform of the family code has been a high-priority objective of women's rights advocates. The Morocco reform has had an important regional impact, as it has strengthened the argument of those who say that equal status within marriage is compatible with shari'a law. The reforms adopted in Morocco are important victories for civil society movements in their ongoing struggle against patriarchal and extremist Islamic forces.

Dr. Siti Musdah Mulia was the only female advisor to the Ministry of Religion in Indonesia, the country with the largest Muslim population. As an adviser, she drafted the Counter Legal Draft or an alternative civil code setting out the Koranic injunctions on family law within a feminist and humanist framework. Siti Mulia’s landmark Counter Legal Draft shows that one of the greatest advances in recent times is a progressive reading of the Koran that creates a nexus between Islamic injunctions and human rights. The counter-legal draft soon became a blueprint for reform throughout Islamic world but also caused a firestorm of protest among patriarchal elements.

Siti Mulia discussed a collective effort she led in Indonesia to draft the model family law that constituted a gender sensitive interpretation of the Koranic injunctions within an Islamic and human rights framework. The Counter Legal Draft addressed a range of issues surrounding marriage and family, from establishing marriage as a union between a man and a woman and raising the age of marriage to nineteen and above, to redefining recipients of the dowry and mandating marriage registration. Taken as a whole, the CLD advocates for an egalitarian interpretation of cultural and Islamic principles on marriage and family relations based on human rights and pluralism.

Article 2 of the CLD defined marriage as a powerful bond between a man and a woman entered into with understanding for the purpose of creating a family and based on the consent of the parties. “Thus marriage was defined as a civil union founded on the assent of both parties to the marriage rather than an agreement between two guardians.

The principle of gender equality is the overarching thread that weaves through the CLD. Article 47 provides:

The status rights and responsibilities of husband and wife are equal (setara), both in family life and in their life together in society.

Siti Mulia commented that although 87 percent of the population is Muslim, Indonesia is not an Islamic state. Indonesia has two schools of law and two court systems: the national law and the
Islamic law, and a national court and an Islamic court for issues dealing with the marriage, waqf (property) and inheritance.

Siti Mulia argued for a move away from the patriarchal interpretation of culture to a more egalitarian interpretation of culture through education. The urgent need of the day, she argued, was to reform all laws in accordance to international norms and make them compatible with the CEDAW and the CRC.

Despite the revolutionary nature of this law, in a triumphant victory of modernist forces against sectarian forces, today the Counter Legal Draft is informing Family Law reform in Indonesia.

Haleh Esfandiari, author of My Prison, My Home and the founding Director of the Middle East program at the Woodrow Wilson International Center for Scholars argues that in Iran, the 1960s and 70s were a golden age for women’s rights, for women from all classes. It was then that family courts were set up to look into disputes, women could petition for divorce on a number of grounds including abandonment or incompatibility and could petition for custody of children. Women could serve as judges and men could not divorce by repudiation. The Family Protection Law was revised in 1975 and the marriage age raised to 18. These legal guarantees liberated women from the fear of being unilaterally divorced or stuck in an unhappy marriage.

Men needed permission both from wife and court in order to take a new wife. Women’s organizations found that a husband would harass his first wife in order to get a second, so the decision was left to court. In February 1979, only weeks after Khomeini’s triumphant return from fifteen years of exile, his office made known his belief that the 1967 Family Protection Law (FPL), which governed marriage, divorce, and child custody, was non Islamic. Khomeini reinstated Shari’a law in that area, in courts presided over by religious judges. The FPL had made divorce easier for women to obtain, giving them the possibility of getting custody of children upon divorce, and made family courts civil rather than religious, but Khomeini declared that all divorces granted under the FPL were to be considered void. Further, the marriage age was lowered to nine, men could unilaterally divorce their wives, polygamy was made the law of the land, child custody given to father or male members of the family, women were barred from serving as judges, and even barred from certain areas of education.

These regressions unified women from different cross sections of society who came together to protest the law. The government reinstated the marriage contract with 12 clauses, including child custody to mother unless she remarries. However, polygamy and temporary marriage still remained men’s prerogative. Man is head of the family. As we speak, the Iranian parliament is considering a new version of the ‘family act’ that includes the right of a woman to pass citizenship to her child. A number of Iranian women married Afghani refugee men, and they could not pass on their citizenship, which meant their children could not have access to schooling.

In 2006 women in Iran campaigned to collect 1,000,000 signatures to end discriminatory laws. The success of the campaign in Morocco was an impetus for Iranian women’s activists. If they get a million signatures, the Iranian parliament will have to debate these issues. Five years later, with a number of the campaign activists in Iranian jail, serving long sentences, the campaign has not come to a standstill but moving in incremental steps.
Selen Yilmaz, Consultant to the European Union and well known women’s rights activist in Turkey discussed the recent changes on behalf of women and the upcoming Constitutional reforms. Beginning in the 1980s, the feminist movement gained pace, forged networks and coalitions and used the media to its advantage. The women’s groups were adept at mining every window of opportunity including Turkey’s EU membership process. Reforms included the 1990 annulment of Article 159, which had said women need their husbands’ consent to work, and Article 483, which reduced rape sentences if the victim was a sex worker.

In 2001, extensive reform of the civil code was undertaken. Reforms of civil law have taken place in other countries too. The 2002 reforms to the Turkish Civil Law raised the age of marriage to 17 and equalized it to both women and men. Neither party needs the permission of the other to engage in a profession or trade. Moreover, it created a joint system of property at marriage and equalized women’s and men’s marriage rights in relation to custody, property ownership, registration of marriage and births, etc.

Changing the Civil Code involved a broad campaign, not only of upper class elite women, but NGOs from all over Turkey. At the time of divorce women were able to get equal property gains, marriage age was raised to 17, and any form of violence constitutes ground for divorce. The major challenge in this law is that the parliament, mostly men, refused to apply equal property regime to marriages before 2002.

In 2004, the Turkish women’s movement focused its energies on extensive reform of the penal code. The law allowed women or third party witnesses to apply directly to police for protective orders. Domestic violence survivors could be protected up to six months without having to leave their home. An amendment made in 2007 expanded the protection to include not only married people, but all family members or partners living under the same roof. One of the persisting challenges is that the law omits unmarried and divorced women who are threatened by domestic violence.

What was unique was the fact that the women’s movement engaged in the Turkey penal code reform. The penal code has enormous impact on women’s right to life and personal security. As a result of very intensive campaigning and lobbying, the penal code was reformed in 2004, and the new code includes more than 30 amendments. Now women are individuals as women rather than being part of a family or society and patriarchal concepts such as chastity, morality, and honor are totally eliminated. Marital rape is criminalized, a new measure was introduced to prevent sentence reductions for perpetrators of honor killings, and there is no discrimination between virgin, non-virgin, married, and unmarried women. It was a real reform as far as gender equality is concerned.

A women’s constitutional platform was initiated immediately after constitutional reform was announced. Within two days, over 200 women’s groups had come together to work word by word on the draft and then began lobbying and street action. “Every day we follow up: as women, what are we doing and how are we going to deal with this,” said Yilmaz. The revisions to the Equality clause call for equal representation in all elected bodies.
The Reform of the Child’s Law in Egypt

Moushira Khattab, the intrepid reformer of Egypt’s Children’s Code. As the architect of 2007 revisions to the Children’s Law, she brought the law in compliance with international human rights guarantees. This examination of the critical reformist movement is particularly salient at a time when religious fundamentalists are threatening hard won gains. The disruption of family stability is often used as a defense to roll back such achievements. Women and men at the grassroots level who helped to develop the law need to exercise their rights as watchdogs of these achievements.

The fundamental premise and legal imperative of the overhaul of children’s law was to harmonize it with the CEDAW and to ensure its compliance with the letter and spirit of the standard-setting instruments of the CEDAW and CRC. The making of the Child’s Law in Egypt was a model case study of the way in which women’s and children’s rights are interlinked in a holistic framework of rights and how one right cannot exist in isolation from the other.

Another cornerstone of the law was the bottom up approach to lawmaking in order to win the community ownership of the law. In order for laws to lead to transformation, change must be organic. In Khattab’s words, “changing deep-rooted culture requires social movements that exclude no one, everybody is a crucial stakeholder.” Khattab argues that men must be at the forefront, leading change to ensure women’s rights. In order to reverse the traditional polarization between men and women, men were brought on board as allies and partnerships were built with powerful patriarchal and religious forces.

This all-inclusive strategy helped to galvanize men around equal rights for children. This ownership built support for an endogenous law reform agenda that would otherwise have been considered a western agenda. This carefully thought out process took over five years of awareness raising and foundation setting whereby nearly 100 articles of the law were revised in compliance with human rights norms.

In order to ensure that the reform of the child right’s law would harmonize with other intersecting provisions of the legal system, the civil law and penal code were revised as well. The Criminalization of Female Genital Mutilation (FGM) crowned over ten years of advocacy and proved that FGM was not embedded in Islam. The child’s law provides punitive elements and criminalizes such behavior. That is a very important part of strong, vibrant lawmaking: providing teeth for those laws.

The core concept of the entire law is based on non-discrimination, not only against the girl, but also against children born out of wedlock. A girl can take her father to court because he did not send her to school. Children who were once considered private property of the family are now heralded as rights bearers.

In a huge victory, women were granted the right to pass nationality to children, and the right to educational custody of children. Outlawing child marriage and raising the minimum age of marriage to 18, equal to boys, proved to be the most difficult task as it entailed transforming the idea of the girl as the property of her father.
The transformation of laws into action was imperative. Education was an important tool to advance the universal guarantees of human rights, and to teach that human rights are not superimposed or prerogatives of the West.

In order to transform de jure into de facto law reform, cases of violations must be documented and linkages to international conventions must be made. School curricula should be revised to include human rights education and to dismantle stereotypes of women. The implementation of laws and law enforcement is critical. Law reform must be complemented by gender sensitivity training for judges and law enforcement officials. Khattab’s recommendations are important calls to action and provide concrete strategies for law and social reform.

Strong adjudicatory institutions, penalties for rights violations, monitoring and evaluation, legal aid and services, etc. must be put into place as well as securing critical resources and budgets to enforce laws.

Fundamentalism can be combated only through the translation of human rights into national idiom through media and education. Rights remain futile unless they can be claimed and defended in court: accountability is a central pillar of the Rule of Law.

**Advancing Women’s Political Participation**

The presence of women in politics is critical to ensuring not just the advancement of women, but the prevention of roll back of equality for women. Despite the unprecedented reform of gender discriminatory laws in the Arab world, the region has one of the lowest rates of women’s political and economic participation. Greater representation of women in politics is a determinant of gender equality in society and drives positive change on behalf of women. For example, in Morocco, a new quota system opened the doors for 35 women to enter the Moroccan parliament in 2002.

Dr. Eman Al Hussein, a well-known politician and trainer in Jordan argues that women’s social, economic and political participation cannot be separated. Women’s participation in political positions is a reflection of the progress that has occurred in social and political awareness in general. Despite the fact that Jordanian society has experienced social, political and educational transformation responding to the recommendations of international conferences, there still are many obstacles to women’s political participation. One of the greatest challenges is Jordan’s reservations on Articles 9, 15, and 16 of the CEDAW. Women’s groups are struggling now to withdraw reservations. One of them is citizenship, that a woman cannot give citizenship to her children.

Jordan’s women’s movement has started lobbying for a quota, at least 20 percent of the seats. However, the percentage of women in municipal councils is currently 24, which means many women were elected without the quota. The hope is to increase the number of seats so women are not less than 30 percent of elected bodies. In order to reach this target, the women’s movement hopes to request a 50 percent quota so that least a target of 25 percent will be met.

Hayat Arslan of Lebanon has an inside knowledge of the patriarchal forces in political dynasty. A member by marriage of one of Lebanon’s political families, the Arslan family, who arrived
Lebanon 1,200 years ago with Islamic conquest, Hayat Arslan discusses her journey as a woman political candidate. Although she withdrew her candidacy in favor of her brother in law, she blazed a trail and opened doors for women in politics.

She argues passionately that patriarchal forces are born in the family, and reinforced by social concepts and the law. Challenging patriarchal forces is not an end in itself, but a means to achieving equality. Women often have the platform to instill values of equality in their families and children. In Lebanon, activists in the women’s rights movement have been bringing women’s issues to the forefront since 1950.

Most of the political leading families are originally feudal ones. Elections are used as shield to cover tribal, familial struggles and these struggles are defined in the narrative terms of the male hero. In Lebanon, family overshadows merit, thus trumping political development. This practice is a major hindrance to women’s political power. Families in general give power to males over females; hence women are marginalized and endure social and political discrimination. Arslan’s challenge at a personal level, when she ran as candidate for 2005 elections, was her family. Along her social-political march, she worked on awareness programs for both men and women to show that national roles compliment rather than conflict.

Arslan’s own political campaign was a breakthrough in taboos and social norms but her family imposed its rules and Hayat had to make room for her brother in law. She advises women to seize the moment, and break new ground. There is a necessity for global cooperation if women are to succeed in gaining equal political power.

The most serious challenge lies in attracting new blood and in risking being disconnected with the aspirations of youth. Regional and international connections could provide the link to reaching out to young people.

Mada Arslan represents the younger generation of women in Lebanon. As a progeny of the politically prominent Arslan family she understands the feminist norm that the personal is often political. Her inspiration in political activism came from watching her mother campaign. Growing up she helped in a committee for women in politics and later on she would help in organizing sit-ins. Youth alienation from politics can be addressed through political role models and by forging an alliance between men and women in political participation.

Although youth tend to discriminate less based on gender, Mada is forever fighting stereotypes and patriarchal challenges including assumptions that her family’s role in politics will be preserved by her brother. She argued that international conferences and roundtables like this are instrumental because they provide us with knowledge, exposure, backing and support.

Mutlu Alkan Kutukluoglu is one of the handful of women members of the executive board of the ruling party in Turkey, the AKP, and one of 16 women working with the Prime Minister. The AKP party has three levels of organization: the main board, a board for women, and board for youth. On the main board there is a minimum 25 percent quota for women.

Kutukluoglu asserts that a secular political system is more amenable to human rights than a theocratic state. In the upcoming election in June 2011, the AKP party is hoping to double the
number of women in the party lists. She concedes that it is easy to talk about the numbers, but in reality, it’s of course quite a difficult struggle. The obstacles are often not men, but women themselves.

It’s not so easy to attract women in politics. Kutukluoglu has helped place more than 1,000 women in different local positions but often women pull out at the last minute due to social pressures. She argues that women should not wait for offers but seize every opening and opportunity to serve in public life equally with men. Strong women role models over time will help transform the face of politics to include both men and women.

Despite the considerable gains made by the Turkish government to give women more rights, where rape inside marriage is now a criminal offense and penalties for honor crimes have been stiffened; women’s groups continue to face various threats in Turkey and days before the June 12th election it was announced that the Ministry of Women will be scrapped.

Zahira Kamal has many firsts in her illustrious career. She is the first minister for Women’s Affairs in Palestine and the first woman secretary of a political party. She reminded us that women in the political field must challenge the glass ceiling. Though quotas for women have traditionally been a highly contested topic, the quota can result in gender equilibrium. This positive measure would bridge the gap between de jure and de facto gender equality. The media is a powerful tool to showcase positive role models of women, and is particularly important considering that a majority of the Arab World is below the age of 35.

Women, Peace and Security

On October 31, 2000, the landmark Security Council Resolution 1325 was adopted by the United Nations. The resolution reaffirms the important role of women in the prevention and resolution of conflicts and in peace building. Security Council resolution 1325 places women at the center of the international agenda for peacemaking, peace-keeping, and peace-building. It reaffirms gender balance in negotiation processes for societal reconstruction and gender mainstreaming in the terms of the agreements reached and their implementation.

Security Council Resolution 1325 is a powerful example of the creative use of international law in order to advance women’s participation in transitional contexts. Historically women were only considered as subjects or victims of conflict. The resolution is significant because it raised the role of women in prevention of conflict and peace building in the post-conflict era. Given its legally binding nature, Resolution 1325 has the potential to mobilize women and engage them in peace building. There is an ongoing struggle to realize the concrete potential of Resolution 1325. Women are still excluded from peace negotiations in the MENA region. Women's political participation is of central importance to building peace. Resolution 1325 urged as its starting point the need for states to ensure the increased representation of women in formal and informal processes related to the prevention, management and resolution of armed conflict. This involves women being represented in all democratic processes including Constitutional reform commissions, elections, judiciary and administrative bodies.

Resolution 1325 marks the first time the Security Council addressed the disproportionate and unique impact of armed conflict on women, recognized the under-valued and under-utilized
contributions women make to conflict prevention, peacekeeping, conflict resolution and peace-building, and stressed the importance of their equal and full participation as active agents in peace and security.” The Resolution urges “Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict.” Peace agreements and reconstruction are more effective when women are at the peace table. A critical mass of women, and not merely a token representation, however, is needed for this to work.

Both Yilmaz and Kamal reaffirmed UN Security Council Resolution 1325 as an important instrument to transform the marginalization of women in conflict resolution. In Palestine, despite the activism of women, very few women are present at the signing of peace accords. Women’s presence at the negotiating table is pivotal to fight discrimination, enhance egalitarian representation, and emphasize rights to equal citizenship, and rights of women in conflict situations. A focus on the gender dimensions of peace processes and conflict resolution, as well as reconstruction and rehabilitation processes is the critical need of the day.

The Role of Women in the Egyptian Revolution

Dr. Khattab’s keynote on the role of women in the Egyptian Revolution had renewed urgency in identifying the pivotal strengths of the revolution and in challenging post-revolution extremisms that threaten women’s human rights not just in Egypt, but all over. Khattab reinforced the fact that the January 25th revolution owed its success to both women and men. As in Tunisia, women and men stood side by side in their demands for democracy and freedom. This revolution was organized by youth from the upper-middle class. Social media played an enormously powerful role with Facebook users increasing from 4.5 to 5.5 million and Tweets from 360,000 to 450,000 in one month. The power of technology is that it is contagious and spreads across borders. The Tunisian revolution went viral and Egyptians were swept up by the power of a people’s revolution. Many women were at the heart of what is still an unfinished revolution. It is a very shaky transitional period and women who fought for the revolution are left out in the cold. As the nation lurches forward, women’s issues are not on the radar. This shows the fragility of women’s issues and the importance of protecting these rights that can be eroded quickly.

The struggle of Egyptian women over the past few decades was hampered by the rise of Islamic fundamentalism with a narrow interpretation of Islam. Although youth led the revolution, Islamic conservatives have taken over and they are now in the front lines. Women’s rights are pivotal to the democratic transition and must seen to be an integral part of strengthening the rule of law in Egypt.

In a country that has a huge reservoir of female legal experts, women are excluded from the committee that was established to draft the Constitution. Although the Prime Minister announced the establishment of a council on women, three months later, he has done nothing.

Anti-women sentiments have stirred up heated discussion of the laws on behalf of women and children. These misogynist forces want to abolish family courts, custody laws, and reinstate child marriage. They say: ‘change the corrupt laws of Suzanne Mubarak’ and sweep aside the hard work that was done by civil society. Under the guise of repealing the initiatives of the former First Lady, extremist forces want to reverse the gains that were made. Women’s organizations
need to be vigilant about this backlash.

Women’s civil society groups are under severe pressure to unite against these forces. The revolution’s important focus on freedom of speech has given more space for conservative groups. However, these forces threaten to relapse into more traditional ways of thinking and call for an Islamic State. Recently, the current Minister of Justice has called Egypt ‘a nation in danger,’ commenting on the repeated clashes between Muslims and Christians.

Throughout the history of Islam, religion and the state have been separate. The very idea of an Islamic state is based on European ideas of state, not shari’a or Islamic relations. Dr. Khattab stressed the need for a civil state built on the equal protection guarantees of the Constitution and a strong rule of law. What happens to Egypt will have a ripple effect on the entire region.

** Violence Against Women **

Zahira Kamal discussed violence against women in the context of the occupation of Palestine, which amplifies the persecution of women by the male members of their family. Political violence is another form of violence against women. Violence against women in the home and the public sphere go hand in hand. The CEDAW definitions of violence encompass physical, sexual, and psychological violence including early marriage, deprivation of education and virginity exams. Sexual violence remains a taboo subject.

With sexual violence, often the focus is on community honor rather than the violation of the woman’s bodily integrity. These crimes are settled by the murder of the girl at the altar of family honor. Given the light punishments and the exculpatory nature of the offense, these crimes are shrouded in a veil of impunity. Kamal discussed the recent case of a student at a university who had a suitor who came to the family asking for her hand in marriage. The family rejected him and the uncle of the girl sprayed her with gas and put her in the trunk of the car and then he lowered her in a well in a remote area.

The West Bank and Gaza are plagued by a lack of a unified legal system. The family law is based on the wife’s subordination to her husband, including the husband’s ability to bar her from education and work, or even traveling. He can also impose hijab or veil or ask her to remove it.

At the head of the Bangladesh National Women’s Lawyers Association, Salma Ali has been in the vanguard of the women’s movement in Bangladesh, and her name has been marked in every piece of recent legislation on behalf of women. Bangladesh has a number of laws pertaining to the rights of women, but these are still not sufficient. Advocacy in Bangladesh is both national and regional, spanning South Asia and the Middle East. The domestic violence law which came into force recently articulates important new provisions in the jurisprudence of domestic violence lawmaking in that it covers physical, verbal, psychological and economic violence but it suffers from a severe lack of resource allocation and rights awareness among women.

The Bangladesh government should take urgent measures to make sure that religious fatwas or traditional dispute resolution methods do not result in extrajudicial punishments. These extrajudicial punishments imposed by shalishes - traditional dispute resolution methods - in the name of fatwas, opinions that are supposed to be issued by Islamic scholars.
The issue came to the fore when a *shalish* in Shariatpur district in the Dhaka division ordered 100 lashes in January 2011 for Hena Akhter, a young girl, for an alleged affair, though by most accounts she had reported being sexually abused instead. She collapsed during the lashing and ultimately died.

Dr. Eman Al Hussein was concerned that honor killings occur at a higher rate in Jordan than in any other Middle Eastern country. An examination of Jordan is extremely important to a discussion of honor killings.

Jordanian law regulates honor killings under Article 340 of the Jordanian Penal Code. Article 340(i) states, "[h]e who catches his wife, or one of his female ascendants or descendants in an unlawful bed committing adultery with another, and . . . kills, wounds, or injures one or both of them, is exempt from any penalty." Article 340(ii) further states, "[h]e who catches his wife, or one of his female ascendants or descendants or sisters with another in an unlawful bed, and he kills or wounds or injures one or both of them, benefits from a reduction of penalty." Currently, Jordan has one of the most lenient penal codes in the Middle East, as its scope is greater than most other Middle Eastern laws that regulate honor killings. Although Jordan's executive branch has introduced legislation to amend Article 340, conservative members of Parliament continuously block amendments to change. For the last two decades, the Court of Cassation has greatly expanded the scope of Article 340 by applying Article 98 of Jordan's Penal Code to honor killings. Article 98 is a general provocation rule that allows courts to provide lenient sentences for killings of passion. Unless the courts are prohibited from applying Article 98 to honor killings, or the use of Article 98 is restricted to extreme cases, the discriminatory treatment of female victims of honor crimes will not cease.

Dr. Eman asserts that domestic violence relies on the silence and protection of culture. The law is often times complicit with the perpetrator and the wife will withdraw the case. Even when you can to raise a legal case it is difficult because the law does not describe the problem. A male-dominated interpretation of Islamic law sustains the practice of honor crimes. Therefore there is an urgent need to train enforcers in the rehabilitation of victims as well as abusers, whose need for rehabilitation is often overlooked. We have to continuously review laws, and educate children, women and society in order to construct a culture conducive to the prevention of domestic violence, and harmonize national laws with human rights conventions. Only then can we eliminate discriminatory laws and guarantee equal protection for all citizens.

**Constitutional Reform**

The 21st century is the century for the implementation of human rights. The last century saw the formulation of basic human rights principles in national laws, but not the implementation of these laws. Dr. Khattab reaffirmed the historic moment in Egypt but forewarned of imminent threats to hard won gains.

Women should be adequately represented in the constitutional drafting process in Egypt. If women are not at the table, issues concerning child mortality, health, nutrition, education, etc. will be disregarded.
Egypt boasts a vast reservoir of female legal experts. There are 42 female judges where there were none before 2003 and these jurists have built an impressive body of jurisprudence in civil, criminal, family and economic cases across Egypt. Thus there was no excuse for women to be excluded from constitutional reform.

Article 2 of the Egyptian Constitution states that shari’a principles are the main source of legislation. There is a very heated debate over whether Egypt should be an Islamic state or not. In Khattab’s opinion, it would be a betrayal to the ethics of Islamic law to create a theocracy. It is more in line with shari’a to have civil laws and legal accountability. A spokesperson for the transitional government has stated, ‘Egypt will work towards a civil, democratic state which assures equal rights for everybody.’ There is fear that if you apply shari’a and there is ambiguity as to what exactly shari’a says, it will lead to ambiguous interpretation and inconsistent enforcement.

Article 11 of the Constitution states: “A women can harmonize between her duties at home and in the workplace as long as it does not contradict shari’a.” In a Constitution of so many Articles that speaks about different rights and different issues, the only Article that speaks about shari’a is the one that is about women. Such a caveat of shari’a on the rights of women could abolish all codes that protect women such as the abolition of child marriage, criminalization of FGM, custody, and divorce rights.

Dr. Eman Al Hussein stated that, following demands for constitutional reform, His Majesty King Abdullah II set up a committee to study the provisions that could be amended. Although the first woman judge was appointed in 1995, and now there are over 50 judges and one President of a Court, women are not present during constitutional reform. This means that women participate in the interpretation of the law but not in law reform.

Judge Monia Ammar reaffirmed that Tunisia has a long and illustrious Constitutional history and was one of the first countries to draft a Constitution. Although the Constitution enshrines equal protection of the law, many laws still discriminate against women. The head of household is still a man and the custody of children is awarded to men. Women are subject to medical examination to determine their virginity. The prevalence of moral policing also denigrates women’s autonomy. For the first time in 2002, thirty-five women were actually elected to the parliament where in the past there were only two women.

Dr. Najat Zarrouk, the co-moderator of the Roundtable and the Governor of the Ministry of the Interior, Kingdom of Morocco asserted that “Women are not just mothers, but also the builders of civilization.” The Beijing conference and the Millennium Summit on the MDGs to be achieved by 2015 show the interrelatedness of women’s rights and development, the way in which poverty and starvation, reduction of child death, maternal reducing AIDS, etc. are all related. The issue of women is always present in national cultural conventions. In the 1960s there were no women elected officials but today Morocco has been able to ensure that about 12 percent of all elected officials are women. 33 percent of the local government councilors are less than 35 years old. Consolidating democracy at the local level while also integrating a gendered approach is one of the critical functions of strengthening democracy.
Rangita de Silva de Alwis, co-moderator and the Director of International Human Rights Policy at Wellesley Centers for Women discussed salient recommendations from Khawar Mumtaz’s paper as a way to frame and reinforce some overarching themes that were discussed during the round table. First, what are the strategies that a woman’s movement can use as an organizing tool? One is to galvanize around a particularly important issue such as Pakistan’s Hudood Ordinance. The first conviction under this law galvanized urban women’s organizations to form the Women’s Action Forum. The Women’s Action Forum became a powerful platform that publicly challenged the laws, defended autonomy, distanced itself from political parties, unions, etc. and united women’s rights with the struggle for democracy.

Second, given the diversity and plurality among women, how do we build unity in the women’s movement? Women’s movement in Pakistan has centered round the urban middle class identity of women. Some of these women are labeled as Westernized and as pawns of western culture. Such stereotyping is done by media, religious groups, and even the government itself. In reality the grassroots women do not seem to have a problem working with urban women activists. The reality is that urban middle class women can take risks and they are protected by their class and access to systems. Poorer women desire similar changes but cannot always spare the time from their burden of daily life or risk the fallout of action.

Thirdly, how do we use the establishment to our advantage, without being co-opted by, the established system or government? Although there are certain political actors with whom the women’s movement disagrees with, in some context it may seem to be a lesser evil to engage than to refuse. How can we achieve a widespread impact of women’s groups and networks? How do we maintain the energy on women’s rights in Pakistan, bearing in mind that we have not been able to attract younger women? That is the challenge we will face going forward. Building local to global networks is an important challenge. There is much debate in Pakistan among activists, whether we can afford to remain out of the international arena, though much time and energy has been spent around United Nations processes. Given time and money there is debate over whether that investment is worth it. However, the women’s movement has found that we cannot delink ourselves from global processes. In an increasingly globalized world, global processes have far reaching effects. In this context we have a responsibility, as women, to share experience, link learning with in-country realities and actors just as much as we are doing today with this local to global initiative. Shirin Ebadi, the Iranian Nobel Laureate has stated that: “there is a feminist in every Iranian home, and probably in every home around the world.” We need to invoke that spirit and that is why we are here today.

A Progressive Interpretation of the Koran: Giving Voice to Women

Ferdous Ara Begum is a renowned champion of women’s rights both in her country, Bangladesh and internationally. As a former CEDAW Committee member she was the architect of the CEDAW General Recommendation on the Rights of Elder Women. She called for a cross-cultural dialogue between the Islamic community and the international human rights community is important for a shared basis for human rights and towards advancing the connection between universal human rights norms and Islamic tenets of justice and equality.

Begum reaffirmed the danger of imposing reservations on international conventions, and noted that a majority of Muslim countries hold reservations on the CEDAW on the basis of Islamic
shari’a law, usually on Articles 2, 9 and 16. Article 16 raises the most debated legal positions, dealing with equal rights in marriage and guardianship that often conflict with patriarchal interpretations of the shari’a. She also outlined some of the major reforms being undertaken in the Muslim world in order to withdraw such reservations and bring national legislation, particularly family law, in line with international norms.

These efforts are critical to bridging the conflict between those championing reform and those seeking to oppress women in the name of religious tradition. The members of our network are on the frontlines leading reform in their countries and are among the most influential feminist thinkers in the Islamic world.

Despite some ideological differences between Islamic feminists and secular feminists in Islamic countries, both groups agree on the need to reclaim Islam from chauvinist interpretations. Although secular feminists urge a reinterpretation of women’s rights in their countries in line with international human rights norms and Islamic feminists want to bring their laws in harmony with a progressive interpretation of the shari’a, most often both schools agree on the need for a gender friendly interpretation of the shari’a law that embodies the spirit of the international human rights framework.

One of the overarching themes has been the transformative power of the human rights agenda and how it can be translated into action in our countries, as well as the compatibility between the nexus of Islamic injunction and human rights framework.

Divine laws are unchangeable in character but the interpretation of Islam that has pushed Muslim countries to maintain reservations on CEDAW on the basis of Shari’a law is a patriarchal one. The philosophy of Islamic law is that it should reflect equality and mutual respect, consistent with universal human rights.

Mudah Mulia insists that the rights of women are not confrontational to the values of Islam. Islam has accorded women civil and property rights and she has been granted complete control over what she earns. A Muslim husband is required to pay his wife a sum of money and she receives property from three different sources including from the father, husband and son. At a particular time in history it made sense that women inherited less than men, but in modern times, women often make more than men and control family budgets.

Inequalities and gender discrimination exist in family matters and can be manifested by polygamy, unequal marriage relations, the consideration of the husband as natural guardian, FGM, early marriage, or the fact that men’s testimony is worth two of women’s. These texts must be read in a non-literal manner.

A more dynamic interpretation of the Quran gives space for egalitarian women’s rights, respecting CEDAW and Islam. The Quran states men and women are equal, created from a single self. Interpretation of the Quran must be guided by social and political realities of the age.

In Mulia’s clarion call to action she stated: “For me the Quran is truth, but interpretation of this truth is variable. We cannot make conclusions from one verse; we have to dare to propose new interpretations. Some may paint me as an infidel, and agent of the West, but in this new era, we
have to struggle to create an interpretation compatible with the principles of human rights, our society, and the modernity of this age.”

The Rabat Roundtable closed with the adoption of the Rabat Declaration (Appendix Two), a statement of principles adopted to advance the spirit of the Rabat Roundtable at the turning point of the political transformations in the Arab World. The Rabat Platform of Action (Appendix Two) maps the core recommendations and the way forward in each area of discussion. This platform will help inform legal, policy and programmatic reforms in the critical process of gender equality in transitional justice.
We meet at a transformative moment in the history of our era. Never has a meeting like this been as pivotal as at this defining point in time. Now more than ever, there must be a clarion call for women to be at the forefront of law, policy, political and economic change to ensure that past gains are preserved and new frontiers are reached. We hope that this forum will help women seize this historic moment to mobilize action on urgent reforms while protecting and sustaining the advances already made. Three months after the Egyptian Revolution and at the cusp of elections in Turkey and Constitutional reform in Morocco, this forum provides you with the space and platform for reflection, analysis and to share experiences and build partnerships so that ideas can travel across borders and be transformed into urgent policies and concrete practices.

This forum is also a powerful catalyst for networking. It is a model example of bridge building between local, national, regional and global partners, and a transformative space where the local meets the global; where 30 local leaders from Morocco engage with global leaders.

In the next two days we will deliberate on some of the most urgent challenges of our times including new constitutional law and civil law reform, innovations in anti-violence against women lawmaking, strategies to combat barriers to women’s political participation, and operationalizing UN Resolution 1325 on women in peace building. Both internal discourse and cross cultural dialogue are critical to resolving tensions and realizing the nexus between Islam and human rights and to unearthing the tradition of plurality and tolerance so embedded in the nobility of spirit of Islam.

The Rabat Roundtable is the fulfillment of a long journey made possible by a group of women leaders who form the nucleus of a network convened by us at the WCW. It is in that powerful spirit of the global women’s movement that connects across borders that we are thrilled to have this forum chaired by Dr. Khattab and moderated by Dr. Zarrouk in partnership with all of you.

We are honored to be here at this forum, and privileged to be in this timeless city of Rabat at the intersection of civilizations and cultures. We all agree that Morocco is an important crucible for women’s leadership. The Moroccan civil code reform movement in 2004 inspired the world because it was mobilized and galvanized by the women of Morocco. The Million Signature campaign was a spark that ignited change not just in Morocco, it was a call that was heard around the world and showcased a powerful force unleashed by women coming together. Reform of family law is often highly contested and is a site of many battles worldwide. It is the litmus test for gender equality and your effort in Morocco had powerful global resonance.

The 2005 Arab Human Development Report has called women’s empowerment the prerequisite for an Arab Renaissance. Women’s empowerment is the moral imperative of our times. We live in an age where women face unparalleled threats to their freedoms, their security and their
equality. It is also an age like never before, which allows us to reach out and connect with women across the world. This transnational network embodies the hope that such partnerships offer.

This is also a celebration of all of you who have left an indelible mark on the history of your communities and countries. It is you who have ensured that when history is written, women will matter. This journey to Morocco was made possible by Dr. Najat Zarrouk, Governor at the Ministry of the Interior. This forum is embraced by her warmth and exquisite grace. In recognition of her leadership, Secretary Ban Ki Moon appointed Dr. Zarrouk to the UN Committee of Global Experts on Public Administration. She is one of the few women leaders in the Department of the Interior, traditionally a bastion of male power. It is of great symbolic power that this meeting is held in these soaring spaces of the Ministry of the Interior. Thanks to Dr. Najat, our agenda today is being recognized as a critical element of the plan of action of the Ministry of the Interior and your recommendations will inform the reform processes in Morocco.

I am delighted to introduce to you our much honored and beloved Chairperson. Dr. Khattab’s life and career is the stuff of legend where each chapter sparks inspiration. On International Women’s Day, Secretary Clinton paid tribute to the women who sustained Egypt’s transformations but also bemoaned the fact that some of the gains that women had made were rapidly eroding. She reminded the world that Egypt had made strides in criminalizing Female Genital Mutilation and had raised the age of marriage. These were the only two advances she mentioned. Today we are proud to celebrate the life and work of Dr. Khattab, who, as Minister for Family Population, spearheaded these watershed reforms. Her own struggle to promulgate these laws is a blue print for strategic thinking and action. She pioneered a national movement that forged relations with fathers to mount a grassroots campaign to outlaw Female Genital Mutilation. As the Vice Chair of the CRC Committee she brought, for the first time, a rights-based approach to bear on her work in her country. She abolished child marriage and mobilized attention around street children and trafficked children through accessible and inclusive schooling.

When the history of Egypt is written, she will be noted as one of Egypt’s greatest champions of child rights. I had the privilege of seeing her in action as Minister and I witnessed first-hand the transformative and inclusive politics that she brought to decision-making and leadership. Not a single e-mail went unanswered; every young staffer was given voice and every voice augmented. “She helps us to find our voice by giving us a place at the negotiating table,” her young staff told me. So today we want to pay tribute to you for being the voice of courage on behalf of women’s and children’s rights. We pledge to stand with you as you continue to be a beacon of hope in the new Egypt and beyond.
I’m very happy to take the floor today at this very important conference. I’d like to welcome our guests to the Kingdom of Morocco and wish you a happy stay in our country. I extend my congratulations to the organizers, especially Dr. Najat, for this initiative, and for the topic, this topic which is particularly important today in the light of the movements taking place in our countries. This is a historic moment; the dynamism of Arab Spring is characterized by greater claims for freedom and human dignity, and of course the claim for equality is at the heart of the demands of such movements. Equality cannot be separated from freedom, justice, and dignity; they are all human values at the basis of human rights. This conference is an opportunity to exchange women’s experiences through networking, consolidation and capacity building.

Many studies show that improving the status of women does not concern only women, but all of society, at all levels. Women can have an impact through their experiences, and by guiding public policy to reflect the values to which we all aspire to. Women have a different knowledge from the reality in which men live, and their contributions constitute an important voice in implementing human rights and changing social and cultural attitudes. The presence of women in decision-making can change mentalities, deconstruct stereotypes that cause degradation of women, and create new images of women based on equality and partnership. Of course women’s partnerships can also provide models for future generations of women.

The marginalization and exclusion of women constitutes social and economic conditions that are adverse to progress. These are issues that must be addressed by many different countries and leaders; we consider equality a very important challenge for the future. All indications, all studies show that women’s rights have a very great social, political impact in all our countries. On the occasion of the 15th anniversary of the Fourth World Conference of Women in Beijing and the 2010 UN summit on the Millennium Development Goals, many evaluations regarding the status of women were conducted. All of these reports have shown that inequality is a hindrance for development, whereas the promotion of human rights leads to the building of a society that seeks justice and dignity for all.

Equality is one of the main components of democracy and in advancing this as a strategy, Morocco has made many gains in women’s rights. In 2003, the family law underwent a landmark reform. The citizenship laws were also reformed to give women the right to give their own citizenship to their children. In 2005, gender conditions were issued to accompany the budget in line with the concept of Gender Budgeting. We also set up a national line to receive calls for women victims of violence that link ministries of health, justice, national security, social development, and also set up a system for information concerning violence against women. 2008 saw another leap with the initiation of a new program in the field of good governance that

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1 Translated by Rebecca Turkington, Rapporteur to the Rabat Conference.
2 Dr. Tahiri is a Gender Expert and Representative of the Ministry of Social Development, Family and Solidarity, Kingdom of Morocco.
partnered with all government committees, as well as agencies from the UN. All parts of the ministry and civil society organizations join together in this program, the main objective of which is to fight violence through the empowerment of women. The two most significant initiatives in fighting violence against women are the inclusion of the local approach, and the creation of many disciplinary centers to listen to women victims, and the establishment of the Association of Research into Violence Against Women, the first of its kind.

I want to remind you that these gains are the outcome of the conjunction of political will at every level in the country, from the speeches of His Majesty the King and the work of other government ministers, to all other stakeholders that have come together in the management of public sphere matters. It required participation both of local governance and also at the level of Parliament. The gains are quite large in many fields, but we still face obstacles.

To conclude, the challenges: we need to deepen legislative reforms, share power and governance among men and women, protect women from violence, establish economic and social rights of women, and ensure a new generation of reforms in the context of the upcoming constitutional reforms. The institutionalization of the participation of women in this process is essential. The constitution must be founded on principles of justice, and in accordance with international human rights frameworks like the Convention on the Elimination of Discrimination against Women (CEDAW). In this context of reform, the Government of Morocco with the Ministry of Social Development and Family has made many gains in reforms for equality. These reforms have been achieved through the interaction of all government sectors. Women’s rights cannot be achieved in one sector and not the other: economic, political, social and cultural spheres all impact the status of women and must all be reformed together. We need to work on positive discrimination procedures in many spheres, in which 25 government sectors are included, to guarantee the conjunction of all sectors to gauge progress towards equality for meeting the deadline of the Millennium Development Goals. An integrated approach is paramount to achieving a gendered approach in all development policies.

The collaboration of all programs and procedures are important, and we must not work in isolation and outside of context. This requires more effort in establishing our vision and orientation, and more solidarity and networking in order to ensure that equality is one of the components of reforms considered in Arab Spring. There is no one single prescription for one country rather than another, but a strong will for progress towards equality is a fundamental component of democratic reform.
Political Changes and the Role of Women in Decision-Making

Monia Ammar

Abstract

Women have been present alongside men in revolutions throughout the modern history of Tunisia, beginning with the Tunisian National Liberation Movement of 1956. Though women were excluded from the Constituent Assembly formed soon after independence, their protests succeeded in cementing women's right to vote and run for office in the first Tunisian Constitution in 1959. Tunisian leader Habib Bourguiba continued to accelerate women's political and social rights, liberating women from the narrow constraints of the home. The year 1987 also saw political changes in Tunisia, including attempts to further women's rights, but reactionary currents threatened to reverse the many gains won by women over 31 years of independence. In 1988, due to pressure from progressive forces, the Tunisian government defended these gains as core principles of the republic. However, before the revolution women's place in political life was characterized by oppression and exclusion. Tunisian women like Maya Jribi, Radhia Nasraoui and others have been subjected to harassment, prison and threats to their families and reputation in order to discourage their struggle against tyranny.

The uprising of January 14th in Tunisia, the first of the Arab Spring, was an extension of a revolution in family relations and the radical shift in the relationship between spouses and between parents and children. The new role of women both within and outside the family has led to a reconciling of new realities, exchanging old customs and traditions for the reality of the new family in which women are equal partners and children are active participants. The younger generation raised in these conditions has armed itself with principles of freedom, justice and dignity in the face of authoritarian figures. The connectivity of Tunisian youth through social networks like Facebook has led young men and women to the streets calling for an end to injustice and violence and the adoption of the principles of freedom and equality with which they were raised. Women have appeared side by side with men in these demonstrations on-and offline, blogging, singing songs of freedom, encouraging their children to participate and even risking their lives to achieve victory. History will remember the role women played in this revolution; risking arrest and even death to bury their dead after curfew, participating in People's Committees, bringing food and supplies to those in the streets and joining men on the front lines. Perhaps it is too early to draw conclusions about women's position after the revolution, but the four months that have passed since the uprising indicate that women will benefit from the political changes. Despite the many qualified women in the country, only a

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handful are present in the transitional government, mostly relegated to social and cultural matters. The greatest gain for women to have come out of the revolution is the principle of parity in election law. The adoption of this principle for the first time in an Arab country is an important step towards a legitimate and fair representation of women, but it requires the support of political parties to be truly effective. In order to succeed, the Constituent Assembly, and Tunisia's new constitution, must fulfill the expectations of the Tunisian people: sovereignty, freedom, democracy and respect for universal human rights without discrimination or exclusion.
التحولات السياسية ودور المرأة في صنع القرار

تعبر التحولات السياسية عن رغبة الشعوب في التغيير وفي التطلع والتوقع نحو أفضل وإلى مزيد من الحرية والعدالة والمساواة باعتبارها حقوقاً إنسانية لصيغة بطبيعية الإنسان وتبني من جوهر الإنسان في حدّ ذاته.

وискشف استمرار حركات التحولات السياسية عبر التاريخ أنّ المرأة كانت تشل دائماً دافعاً قوياً نحو حركات التحرر. فقد كانت حاضرة في جميع الثورات دون أن تتمكن من جنّ ثمارها التي غالباً ما يستأثر بها الرجل بمفرده.

وبالرجوع إلى تاريخ تونس الحديث نلاحظ أنّ المرأة التونسية كانت حاضرة وفاعلة في حركة التحرر الوطنية رغم محاولة المستعمّر آنذاك إقصاؤها من جميع المفاوضات لما عرفت به من قوة شخصية ومن تمسك بالنوابض.

وبعيد الاستقلال سنة 1956 لم يسمح للمرأة بالمشاركة في انتخاب المجلس التأسيسي آنذاك مما دفعها إلى الخروج والظاهر ضدّ هذا الإقصاء. وقد كان لهذه الحركة الاحتجاجية صدى فعالاً حيث سارع المجلس التأسيسي بإقرار حق المرأة في الانتخاب والترشح صلب أول دستور تونسي بداية من سنة 1959. وتحديداً أنّ انتفاح القيادة السياسية في البلاد آنذاك والتي كان يترحمها الزعيم الراحل الحبيب بورقيبة هي التي ساهمت في الإسراع بالاعتراف للمرأة بحقوقها السياسية فضلاً عن حقها الاجتماعي خارج وداخل الأسرة والتي جسمتها كأحسن ما يكون محلة الأحوال الشخصية الصادرة منذ سنة 1956 والتي حرّرت المرأة من الدور البيولوجي الذي انحصرت فيه ومن القيود الاجتماعية التي تكبلها وتقصيها عن ممارسة أي نشاط خارج البيت.

وحتى يبقى في سياق التغيّرات السياسية التي عرفتها البلاد، يمكن الإشارة إلى ما عرفته تونس خلال سنة 1987 حيث شهدت تغيرات سلمياً على مستوى القيادة السياسية العليا للبلاد رافقته محاولات ارتداد على مكاسب المرأة. محاولات قدّمتها تيارات رجعية تندى بالتخلي والتراجع عن المكاسب التي حققتها المرأة على مدى 31 سنة من الاستقلال.
إزاى هذه المحاولات تحركت القوى التقدمية النسائية بمساندة من جهات يسارية برعاية طالب فيها
رئيس الجمهورية الجديد بضرورة الحسم في هذه المسألة وتأكيد على أن مكاسب المرأة التونسية هي من
صيام مبادئ الجمهورية وأنه لا مجال للتراجع عن هذه المكاسب وهو ما تم الإعلان عنه بصفة واضحة
وصريحة خلال سنة 1988 بمناسبة الاحتفال بعيد المرأة.
وفي سواع عن علاقة الثورة التونسية بداية من 14 جانفي 2011 والتي كانت الشعاع الأول لثربع
الثورات العربية، بما حققته المرأة التونسية من مكاسب حقوقية، يمكن الجزم بأن الثورة التونسية بدأت أولا في
البيوت التونسية وكانت امتدادا طبيعيا للانتفاضة الحقيقية التي تشهدها الحياة الأسرية منذ عقود، أساسها
تحوَّل جذري في العلاقات بين الزوجين وبينهما وبين الأبناء، فالتجاذبات والصراعات العلاقيات والفكرية التي
أصبحت تعيش على وقعها جل الأسر التونسية والتي تسببت فيها الدور الجديد الذي أصبحت تضطغ بها
المرأة والمكانة التي أصبحت تحظى بها داخل وخارج الأسرة والحقوق التي اكتسبتها فضلا عن محاولة إعادة
توزيع الأدوار بين مكونات الأسرة، كل هذا لدود وفاقعا جديدا تتصارع فيه الأفكار من أجل محاولة التأقلم مع
الواقع الجديد من كلا الطرفين وتحت رقابة ومشاهدة الأبناء الذين يجدون أنفسهم شريكا فاعلا في هذا الحوار
والصراع الفكري الذي يلعب عليه الطابع الحقوقي الإنساني في مقابل عادات وتقاليد وموروثات فكرية قديمة
لم تعد تنسجم مع واقع الأسرة الجديدة. ومن هنا نشا أبناء الجيل الجديد على وقع مبادئ الحرية والحقوق
والمساواة والعدل والكرامة ليتمكنوا منها ويتسلحوا بها لاحقا ويدفعوا بها في إطار علاقاتهم بالأولويا وفي
مواجهة كل رموز السلطة الأبوية والتربوية. كما كان لتواجد المرأة في الحياة السياسية والاجتماعية أثر فعل
على الواقع السياسي في البلاد. فالجميع يذكر أسماء النساء تونسيات على غرار ممّة الجريبي وراضية
النصراوي وسهام بن سدرين وأم زياد وبشيرة بلحاج حميدة وغيرهن ممن تمّ قمعهم واضطهادهن وإقصاءهن
قبل الثورة. نساء ممنون من ممارسة أنشطتهن في الحياة العامة من أجل الكلمة الحرّة والفكر التقدمي الحر.
وفي هذا الإطار سيذكر التاريخ ما تعرض له العديد منهن من سجن وتبنيات عدليّة ومحاصرة طالب موارد
رؤقهن و أبناءهن وحتى حياتهن الشخصية وسمعتهن دون أن يبينن كل ذلك عن مواصلة النضال ضد قوى
الظلم والاستبداد داخل البلاد.
ولما كان واقع البلاد يمر خلال السنوات الأخيرة خاصة بغزة توترات اجتماعية واقتصادية وخاصة
سياسية كان لها وقع جلي داخل الأسرة التونسية، وفِضّل الشبكات الاجتماعية الحديثة وسيما منها الشبكة
الاجتماعية "الفايس بوك"، اندفع الشباب التونسي ذكراً وفاتاناً في الشوارع منديين بنذ الظلم والعنف، وبإقرار احترام حقوق الإنسان ومبادئ الحرية والكرامة والمساواة التي تشعياً بها ونشروا عليها داخل أسرهم. ولقد شاهد جميع من تابع تطور الثورة التونسية وجود المرأة جنباً إلى جنب مع الرجل وعلى الأعناق في المظاهرات والاعتصامات التي شهدتها البلاد في تلك الفترة. وساهمت المرأة مساهمة فعلية في تشيث الشبكة الاجتماعية من خلال العديد من المدونات الشابات النابلي أصبح لهن سبيت في الأوساط الشابية. وظهرت المرأة لتغني وتنشد على وقع الحرية ونهاية الاستبداد وأطلت المرأة من مختلف المواقع مشجعة أبناءها للخروج للتظاهر ضد الظلم والهون مضحية بفلذات أكبادها وأرواحها وأحلامها وبيناتها من أجل تحقيق نصر الثورة التونسية. ومنما سيذكره التاريخ أيضاً خروج المرأة لأول مرة لتنتل دني الرجل الذي أصبح مهدداً في حياته، دفن موتها مزودرة لشهدائها ومتحدية بذلك كل قرارات منج التيجول التي تم إقرارها ومعارضة خطر الموت في كلّ حين. وسينذكر التاريخ لا محالة الدور الذي لعبته المرأة في اللجان الشعبية التي تشكلت إبان سقوط النظام في مواجهة عصابات VXVY التخريب والتهريب التي واجهها الشعب. حيث خرجت المرأة لمشاركة الرجل في هذا الدور وتشجيعه ومؤانسته وتوفر الطعام وكافة المستلزمات له...صور رائعة شيكى خالدة في أذهان الجميع وتشهد على الدور الذي لعبته المرأة التونسية قبل وبعد ثورة 14 جاني الفجيدة.

ماذا عن تواجد المرأة وموقعها بعد الثورة؟ لعله من السابق لأولئك استخلاص الدروس والقيام باستنتاجات موضوعية ومطلقة في هذا المجال خاصة وأنّ المرأة التونسية لم تتحت بعد رجالها ولم تنتبه معالمها النهائية. غير أنّ استقراء الواقع والمؤشرات أربع أشهر فقط بعد قيمث الثورة، يدفعنا بالقول أنّ الثورة التونسية لم تنتهي مع غيرها من الثورات التي وإن شاركت المرأة في قيمها بصورة فعلية إلا أنها تقضي من عملية جنّ تمازها على الأقلّ في مرحلة أولية. استنتاج تؤسس معطيات واقعية وتستثنيه أخرى أقلّ عددًا ووضحاً من الأولى.

أما عن المعطيات التي تؤكد استبعاد المرأة في فترة ما بعد الثورة فيكي الإشارة أن تركيبة الحكومات المؤقتة الثلاث لم تشمل عددًا هاماً من النساء ولم يبتعد عددهن الثلاث في أقصى الحالات. هذا فضلاً عن طبيعة الحقائب الوزارية الحكومية التي أسندت لهنّ حيث بقيت محصورة في حقبات اجتماعية وثقافية ذات علاقة بشؤون المرأة والصحة والثقافة. ولم تشهد التحسنتات ومختلف التحسينات الأخرى عن هذه القاعدة متجاهلة بصفة نكّد تكون كاملة كلّ الكفاءات النسائية التي تعيش بها البلاد، وكامتداد للحضور الباهر في
 مختلف هذه المواقع، عرفت مختلف اللجان التي تم إحداثها مشاركة ضعيفة للمرأة التونسية حيث بلغت نسبة تواجدها بالهيئة العليا لتحقيق أهداف الثورة 20.2% مقابل وجود 3 نساء فقط في لجنة تقصي الحقائق في التجاوزات والانتهاكات الأخيرة وواحدة فقط في لجنة تقصي الحقائق في الفساد والرشوة.

وفي محاولة منا لاستقراء الجوانب الإيجابية للثورة على المرأة في هذه الفترة الانتقالية، يبدو أن إقرار مبدأ التناسف في الترشيح لانتخابات المجلس التأسيسي هو من أهم المكاسب التي خرجت بها المرأة التونسية من هذه الثورة. هذا المبدأ الذي أثار جدلا كبيرا داخل الهيئة العليا لتحقيق أهداف الثورة وأسال حربا كثيرا خارجها حيث اعتبرته البعض نقلة نوعية وخطوة ثورية في هذا المجال في حين اعتبرها كثيرون أيضا غير كافية لضمان تواجد المرأة المتناصف مع الرجل. والرأي عدنا أن إقرار هذا المبدأ لأول مرة في دولة عربية خطوة تاريخية هامة نحو تمثيل شرعي وعادل للمرأة التي تمثل نصف هذا المجتمع أو أكثر منه. خطوة تبقى بحاجة ماسة إلى الدعم من خلال التعبير عن وعي سياسي عال من قبل الأحزاب المدعومة إلى ترشيح المرأة على رأس القوائم حتى تضمن تواجدها بصفة محترمة ضمن هذا المجلس التأسيسي.

ولعل أهمية المهمة المنوطية بعهدة المجلس التأسيسي والمتمثلة في وضع دستور جديد للبلاد هو الذي يفسر أهمية الروح المطروحة على جميع القوى التقدمية في البلاد لضمان تمثيلية ملائمة للجميع داخل هذا المجلس حتى ينجح في التعبير كأحسن ما يكون على تطلعات الشعب التونسي كغيره من الشعوب المتقدمة الأخرى إلى ممارسة سيادته وإلى الحرية والديمقراطية واحترام حقوق الإنسان الكونية دون تمييز أو إقصاء.

والسؤال الذي قد يثير في سياق الحديث عن المرأة والدستور الجديد، ما هي الموازات والنقوش التي يمكن تسجيلها في نص الدستور الحالي وإلى أي حد ستستنتج المرأة التونسية في فرض تجاوزها عند إقرار الدستور الجديد للبلاد؟

أسألة سيتم الإجابة عنها من خلال المداخلة الثانية حول الدساتير العربية وحقوق المرأة.

منية عمار
قاضية
رتبة تعقيم
منسقة عامة لحقوق الإنسان بالنيابة
بوزارة العدل التونسية
Iran's Troublesome Women

Haleh Esfandiari

I chose the title “Iran’s Troublesome Women” because for the last thirty years women in Iran have been a power to reckon with. The question now is how to control and limit the activities of women and not whether they can succeed. Just an example, there are more women entering the universities than men in Iran, and the government and parliament were toying with the idea of introducing quotas in favor of men or even barring women from studying at some universities.

When I was in prison in Iran in 2007, I was told time and again by my interrogators, who were agents of the Intelligence Ministry, that while they believe they can stop the student movement, the workers associations, and the civil society groups, they could not reign in the women activists. While they could use force against those groups, they would argue they could not resort to violence against women.

For over thirty years the Islamic Republic has been trying to resolve the women’s problem. Women have been the only group alongside the younger generation—basically the children of the revolution—who have been standing up to the regime. The regime has been unable to silence them: neither by force nor by making concessions to them.

The clerics who came to power in Iran and established the Islamic Republic in 1979 planned a traditional role for women under the new order. They saw women primarily as housewives and mothers, committed to raising children and ministering to the needs of the family. Little did they imagine that three decades later the “women’s question” and women’s rights would continue to be a central public policy issue in the Islamic Republic. Nor did they foresee that they would be confronted with a new generation of women, both from the middle classes and their own ‘traditional’ constituency, who would prove forceful, imaginative and vociferous in demanding and pursuing education, jobs, legal reform, expanded rights, and participation in almost all areas of public life. Under immense pressure from women, they have had to reverse their policy of excluding women from the public sphere and are today resigned to allow women a significant role in society.

This dramatic turnaround came about for a number of reasons. The revolution politicized the mass of Iranian women. Ironically, the clerics themselves played a role in this politicization. During the last year of the monarchy, when they helped mobilize society against the old order, the clergy urged women to come out into the streets and to march, demonstrate and take part in

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strikes alongside the men. After the revolution, the clerical leaders continued to rely on mass rallies and marches of both men and women. During the seven-year war (1980-1987), women left their homes to stand in queues for ration cards and rations. Difficult economic conditions forced many women into the work force; the two-income family became quite common.

Once women came out into the streets, it proved difficult to send them back to their homes. Under the monarchy, girls and women had already joined the student population and entered the work force in large numbers. Legal reform before the revolution strengthened women’s rights in marriage, divorce and child custody. Both before and after the revolution, clerical rhetoric regarding what the clergy described as the honored status and rights women enjoyed under Islamic law sharpened an expectation among women of expanded rights. The regime also inadvertently reinforced these expectations by some of its policies. For example, as a gesture of appreciation to war veterans Ayatollah Khomeini the founder of the Islamic Republic intervened to allow war widows to gain custody of their children, no matter what Islamic law said on this matter.

In addition, it turned out that girls and women from traditional families aspired to education, professional and civil service careers, and participation in public and social affairs. It was largely women from working class and traditional backgrounds who protested the suspension of the Family Protection Law and the Family Courts established under the old regime, which had strengthened women’s rights in divorce and child custody cases.

Moreover, “regime women,” the wives and daughters of powerful clerics, much like their royal counterparts under the monarchy, also aspired to office, senior bureaucratic posts, well-paying jobs, and power. It was the wives and daughters of clerics and powerful officials who became the first women deputies in parliament, and joined the faculties at various universities.

Women from all classes resisted segregation in university classrooms, job and education discrimination, the harsh enforcement of the dress code, regulations against the intermixing of young men and women, and barriers against female participation in certain sports. By voting in large numbers in the 1997 presidential elections and backing the candidate they believed supportive of issues important to women, they proved they have electoral clout and cannot be ignored by clerical leaders and politicians. In the last parliamentary elections of 2008, women did not vote for the candidates who followed an obstructionist policy regarding women’s rights, regardless of the gender of the candidates.

To understand the situation of women in Iran today, we need to understand a bit about the recent past. In my remarks today, I will very briefly examine the gains made by women under the previous regime. I will then discuss the legal, political and social status of women under the Islamic Republic: the harsh restrictions placed on women in the early years following the revolution, the successful struggle women waged for their rights, and the setbacks this campaign suffered during the tenure of the current president, Mahmud Ahmadinejad. Finally, I will say a word about the ramifications for women of the events since the contested 2009 presidential elections that shook Iran to its core, and conclude with my own experience of incarceration, interrogation in an Iranian prison in 2007.
THE PAHLAVI ERA

On the eve of the Islamic revolution in Iran, Iranian women had made considerable progress during the five decades of Pahlavi rule. In 1978, women were working as lawyers, judges, and attorneys. They taught in schools and universities. They worked in government offices and the private sector.

The number of women in decision-making positions was gradually expanding. Women had the right to vote and were elected to the lower house of parliament and to the senate. Women served on local councils and as mayors. The rate of adult literacy among women was improving. Women had the right to petition the courts for divorce and gain child custody. Family Protection Courts were set up to settle family disputes. A husband could no longer unilaterally divorce his wife or automatically gain custody of the children. Women judges served on Family Courts, and women lawyers represented both male and female clients. The marriage age was raised from 13 to 15 and then to 18 for girls. Polygamy was made very difficult, and the court had the ultimate say as to whether a man could take a second wife.

The veil was officially banned in 1936, but the ban was eased after 1941. In the decades before the revolution, women were free to observe the kind of attire they desired. On the eve of the Islamic revolution in 1979, on the streets of Iranian cities, one saw both veiled and unveiled women. Despite these advances, activist women were not fully satisfied. The inheritance law, based on Islamic law, was not touched. The passport law, which gave the husband the right to stop his wife from traveling abroad, was not changed.

The changes in the status of women that took place under the monarchy were not limited to large cities and major provincial centers. Thus when the anti-government protests began in the late 1970s women from all classes took an active part in demonstrations, strikes and sit-ins. The revolutionary fever affected urban areas more than rural areas, and women’s participation was greatest in Tehran and major urban centers.

Women, like men, believed the revolution would result in an expansion, and not a contraction, of their rights. Women aspired to equality under the law. They did not expect to become second class citizens.

UNDER THE ISLAMIC REPUBLIC

It did not take long for women to discover that, when it came to women’s issues, the Islamic Republic had a different agenda, one not in keeping with the expectations and promises made to women as the revolutionary movement gathered momentum.

Without consulting women, the state claimed for itself the prerogative of dictating to women the role they could assume in public and even in the privacy of their homes, the jobs they could hold, the education they could receive, the dress they must wear in public, and the manner in which they may interact with men. The state encouraged the traditional role of mother, spouse and homemaker, discouraged family planning, and told women to bear more children. It emphasized the role of the man as provider, decision-maker and master of the household; women were expected to be docile and subservient. The government talked about the sanctity of women in an
Islamic society, but it did not hesitate to violate a woman’s privacy by entering homes or by setting up checkpoints on street corners to ensure that women were accompanied only by close male relatives. The revolutionary government introduced changes that affected women’s lives in three areas: legal, political, and social.

One of the first acts of the Revolutionary government was the suspension of the Family Protection Law and the Family Courts. Once again a man was free to divorce his wife by declaration and gain the exclusive custody of the children. A woman could not file for divorce unless such a right was stipulated in her marriage contract. A woman could not petition for the custody of her children. Restrictions on polygamy were removed. A woman was faced with the choice of putting up with a second wife or, if she insisted on divorce, being abandoned with no alimony. This threatened the economic well-being of all women, regardless of social class. The age of marriage was reduced to puberty for girls—nine under Islamic law. Although marriage at age nine is rare, it was permitted under the law for two decades and was raised to 13 only ten years ago.

In 1981, parliament approved the Islamic Law of Retribution, thus introducing punishment by flogging, stoning and payment of blood money for a series of crimes, including violation of the Islamic headdress, adultery, and murder. Women were barred from becoming judges, in keeping with Islamic law and the Constitution of the Islamic Republic.

Women were harassed in the workplace in a variety of ways. Women in decision-making positions were either dismissed, given early retirement, or demoted. Some government offices toyed with the idea of imposing segregation in the place of work, but abandoned the project given its impracticality. Government–run day care centers were closed, making it difficult for women to go to work. Women were slowly pushed into such traditional female fields as teaching and nursing.

At the universities the idea of segregating women and men was quickly set aside because of lack of facilities. But women were barred from a number of educational fields deemed unsuitable for females, including agriculture, veterinary science, and some branches of engineering. Girls were gradually excluded from technical and business concentrations in high schools. It also became more difficult for girls to major in the sciences. The sciences were generally taught by men, and male teachers were not permitted to teach young girls, creating an educational system not equally accessible to men and women.

In the political sphere women held on to the right to vote and to be elected to parliament, but in other areas they fared less well. Despite the opposition of the more conservative clerics four women were elected to the first parliament of the Islamic Republic in 1980. It took over a decade for a prime minister to name a first woman as deputy minister, and 17 years to appoint a woman vice president, and 30 years to appoint a woman as minister.

The government’s initial social policy towards women was harsh. The hijab, or Islamic dress, was forcibly imposed. It first became mandatory in government offices in 1979 and was then rapidly applied in all spheres of public life and regulated by heavy punishments. Showing a bit of hair became punishable by seventy lashes. In the last few years, lashings have become less
common—though they still take place—and have been replaced by heavy monetary fines. The attempt to segregate men and women in public places produced some strange sights. Buses were segregated, but taxis, which are shared in most Iranian cities, were not.

During the last three decades Women fought back and managed to keep the question of women’s rights at the forefront of the government’s business. Women have fared comparatively better in the political than in the legal or social sphere. The constitution bars women from the position of spiritual leader—the highest post in the country. But it is silent on the sex of the president, and cabinet members. This has allowed women in recent years to press claims to these positions. Women have served as deputies since the first parliament. Currently there are 7 women in parliament down from 13 under the reformist President Khatami.

Women have also scored some victories in the legal field. Because of women’s criticism and pressure, the government was forced to reintroduce some parts of the suspended Family Protection Law, but in a modified version. The government set up Special Family Courts to look into family disputes. Clerics preside over these courts. Over the years, the number of complaints regarding the tendency of these courts to rule in favor of men led the government to assign women lawyers as special advisors to the presiding judges.

Under the modified version of the Family Law a husband can divorce his wife, but he has to abide by the court’s ruling. Child custody is decided by the presiding judge, and unless the husband proves to be totally unfit he still gains the custody of the children. In 1994 parliament enacted a law giving a divorced wife the right to monetary compensation, in instances where the husband initiates the divorce proceedings and the wife is not at fault. Compensation is based on the length of the marriage. Polygamy and temporary marriage are still permitted but the unfairness to women of these traditions is discussed constantly by women activists. Women have still a long way to go to achieve equality under the civil and criminal codes.

On social issues, as on all issues related to women, the first three decades of the Islamic Republic have been full of contrasts and contradictions. The government has not succeeded in imposing the Islamic dress universally. On the streets of Iranian cities one sees a variety of headdresses and clothing. The black veil, the black maghnae, a kind of hood that fits tightly under the chin and covers a woman is head and hair, making an oval around her face, is required in government offices and universities both for female students and the teaching staff. Finally colorful loose scarves and robes are worn by women of all ages on the streets and public spaces. Such clothing is becoming a symbol of defiance against the government, especially among younger women, who do not hesitate to show more than a whiff of hair from under their scarves or to wear make-up, violations punishable under the law.

A major turnabout came in 1997 when women from all strata of the society voted for Mohammad Khatami, the reformist candidate. They did so because they expected Khatami to end harassment of women by the morals police, give women more protection under the law, revise those parts of the Family and Civil Codes hostile to women, and facilitate access for women to senior and decision-making positions.

Khatami did some things for women but not all that was expected from him. Probably in deference to conservative opinion, he did not appoint a woman to his Cabinet. But politicians
across the spectrum understood that they could no longer ignore women's issues or take the women’s vote for granted. Khatami, however, appointed a woman as vice president and another woman as his special advisor for women’s affairs and the head of the Center for Women's Participation. Zahra Rahnavard, a writer and activist, was appointed by the president as the chancellor of a women’s university—the first woman to achieve such a post.

Under Khatami, some greater role was permitted women in the judiciary. Women had already begun to serve as consultants to the clerical judges presiding over the Special Courts that hear family cases. The ban against women serving as judges was not lifted, but in 1997 four women were appointed as a special kind of 'judge.' These 'judges' cannot issue any rulings but serve as investigative magistrates in the family courts. Khatami also instructed all ministries and provincial governments to set up offices for women’s affairs; and the number of women’s NGOs grew rapidly during his two terms in office.

Khatami’s tenure also provided Iranians with a sense of liberation in the social sphere. Men and women felt freer to move about, to mix and mingle; university students of both sexes dared to address one another on campus without fearing the wrath of the Islamic committees set up at universities to control them. The streets became more colorful. Women wore makeup even under their long veil and did not hesitate to expose a bare wrist, ankle, painted toe, or even a bit of bare neck.

AHMADINEJAD AND AFTER

Five years ago, it might have appeared that these gains were irreversible. But reactionary sentiment remains powerful in Iran; and the conservatives remain obsessed with the women’s issue. Under President Ahmadinejad, we have witnessed an attempt to turn the clock back on women's rights and freedoms and, indeed, to crush the whole reform movement. For example, Ahmadinejad removed Zahra Rahnavard, the female university president, from her post. Under Ahmadinejad, the morals police once again started to enforce strict adherence by women to what is considered proper Islamic dress. It would appear that, once again, the government is responding to general political, economic and social malaise by trying to blame and repress women.

Not every Iranian woman is an activist, in the sense of joining street protests or working in NGOs. Yet tens of thousands have had a powerful impact simply by 'being there,' in schools, in universities, in the workplace, in the arts and on the streets. Women have become a constituency that can influence Iranian politics and policies. They might differ among themselves on the methods to reach their goals, but they agree on the principle that discrimination against women must end.

It was in this spirit that tens of thousands of women campaigned for the reformist candidate Mir Hossein Mousavi, in the 2009 presidential elections. Significantly, he was joined at all his campaign appearances by his wife Zahra Rahnavard. This marked the first time that a husband and wife campaigned jointly. She gave media interviews and was outspoken not only on women’s issues but also on freedom of speech and assembly, the need for government transparency, and the need for an end to the government’s interference in peoples’ lives.
She argued for placing gender equality on the platform of what became her husband’s green, or reformist, movement. She criticized the gender inequalities that she said were exacerbated during Ahmadinejad’s presidency. She also called for an end to laws that discriminating against women in matters of divorce and polygamy, broader employment opportunities for women, including in managerial positions, and more appointments of women to political and cabinet positions.

When massive post-election protests were brutally crushed and until she was put under house arrest in 2011, she continued to denounce the brutality of the security forces and the arrests that were taking place in Tehran and other Iranian cities. It is the high profile of women like Zahra Rahnavard and Shirin Ebadi, the Iranian Nobel Peace Prize winner of 2003, that tells us a great deal about the revolution that is taking among women in Iran.

In 2011, the Iranian parliament started considering a new version of the Family Act which includes the right of a woman married to a foreigner to pass on the citizenship to her children. People who enter temporary marriages must register their marriage in a notary office. The problem is that by allowing the temporary marriage, the concept of polygamy for men is accepted. A man has the right to grant his wife the permission to seek a divorce if she is against her husband taking a second wife.

Parliament lifted the ceiling on the money the husband gives to his wife when they get married. In the past there was a ceiling on how much money the husband allocated for his wife when the marriage contract was signed.

Finally, the law stipulates setting up consultation centers adjacent to Family courts to educate women of their rights. These changes are possible because of the relentless efforts of Iranian women.

Over the last three decades, Iranian women have developed effective techniques of organization, resistance, lobbying and steadfastness in pursuit of their goals. Some activist Iranian women have learned to use the language and teachings of Islam, and others language and vocabulary of international human rights and women's rights to advance their agenda.

One interesting recent development is the Iranian women’s One Million Signatures Campaign Demanding Changes to Discriminatory Laws. The campaign, launched in 2006 by a small group of men and women, aims at bringing about fundamental legal changes and demands full equality for women under the law. It is modeled on the petition drive launched by Moroccan women a decade ago which collected one million signatures and succeeded in bringing about major changes in the Moroccan personal status law. In Iran, the organizers drafted a manifesto, recruited members, and started a door-to-door campaign to collect signatures for their more ambitious petition, which they intend to present to parliament.

Since the campaign began, several of the organizers have been arrested, tried, and sentenced. A number are in prison now. But since the campaign intentionally avoided a centralized leadership, these arrests have not brought the campaign to an end. Arrested activists are quickly replaced and the signature drive continues.
The authorities fear this campaign, as they fear any organized political activity. How much they fear it I was made to realize during my own incarceration in Evin Prison and lengthy interrogation by agents of the Intelligence Ministry in 2007. Although I was not personally involved in the campaign, my interrogators returned to the subject again and again. I had been accused of seeking to bring about a velvet revolution in Iran, of the kind that had overthrown regimes in places like Ukraine and Georgia in the post-Soviet period. And, repeatedly, my interrogators referred to the One Million Signatures Campaign as part of this broader attempt to promote a velvet revolution in Iran. I describe the Intelligence Ministry, their mindset, their sensitivity to the women’s movement, and the paranoia of the regime regarding a soft revolution in my book, *My Prison My Home: One Woman’s Story of Captivity in Iran.*
The Landmark Revisions to the Children’s Law in Egypt, 2008: Grassroots Mobilizing and Building Alliances with Men

Moushira Khattab¹

While laws should lead societies towards progress and assurance of human rights, their development and effectiveness is constrained by the prevalent culture and value system, and as such, laws only reflect what society is willing to approve. The undeniable paradox is that though laws are designed to regulate society, a society's culture and value system can constitute a major determinant of legislation. To solve this paradox, the law formulation process should emerge from a national dialogue and awareness raising of the returns at stake. Ideally the legislation will be the outcome of societal dialogue. Community members' participation creates a sense of ownership and vested interest, and ensures that laws are embraced by members of the society upon their enactment. Laws targeting any segment of the society, men, women or children, can only be implemented if embraced by each and every member of the society. By the same token, laws addressing women’s rights will only see the light if men are engaged as stake holders who stand to gain among the beneficiaries.

Countries of the Middle East and North Africa still live under a patriarchal value system that discriminates against certain segments of society, including women and children. By ratifying UN conventions such as the Convention on the Elimination of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC), States Parties have committed themselves, inter alia, to harmonizing their national legislation with such Conventions whose backbone is non-discrimination. Harmonization of national laws necessitates that it is reviewed in its entirety, continuously and in full compliance with the letter and spirit of human rights conventions. Naturally, this process will be limited by customs and traditions. Changing deep-rooted value systems requires all-inclusive societal movement that exclude no group. Men and women are crucial stakeholders in this exercise. Entrusting women’s or children’s rights solely to women is responsible for the narrow progress achieved so far. It is like preaching to the converted: it widens the gap, creates a wedge, derails and delays reform and polarizes society. Men must be at the forefront, leading change to ensure women’s rights. In a society where women’s’ rights are perceived to be in zero sum relation with men’s rights, everybody is a loser. Some defenders of women’s rights have instigated polarization that harms the attainment by women of their basic rights. They portray the inter-gender relationship as a zero sum game, implying that women regaining their rights comes at the expense of men’s rights.

¹ Her Excellency, Dr. Moushira Khattab was the Minister for Family and Population, and the Special Representative of the President of Egypt on children’s issues. She served as Vice Chair of the U.N. Committee on the Convention on the Rights of the Child. Minister Khattab was the architect of the highly acclaimed Law No.126 in 2008, a landmark rights - based legal reform for children. She has served as an Assistant Minister for Foreign Affairs in Egypt as well as Egypt’s Ambassador to Czech and Slovak Republic and to South Africa where she received the Order of Good Hope from President Nelson Mandela. Recently she received the Order of Merit by the President of Italy in recognition of her groundbreaking work on behalf of children and women.
To amend Egypt’s child law no. 12/1996; we sought to reverse such polarization. To present the review of Egypt’s child law, one cannot overlook the process when reviewing the content of the amendments.

**The process** was exemplary: all-inclusive, participatory, involving men and women from civil society at both the national and local levels, and creating a space for a wide range of stakeholders. The amendments process focused on bringing men on board among a wide range of stakeholders. A number of workshops were held in different parts of Lower and Upper Egypt empowering the grassroots to make their voices heard. They actively participated in the making of the amendments and in rallying support of their parliamentarians for such amendments. Men and women at the local community rallied around the right of the girl child to protection from early marriage, Female Genital Mutilation (FGM) or deprivation of education. From day one we solicited the support of men and women of the media as our allies in the quest to explain the rationale behind the amendments. Their support of the legal reform created a sense of ownership among many sectors of society.

This all-inclusive strategy helped us galvanize men behind equal rights for children. This meant equal rights for the girl child and women. Over five years of advocacy around children as subjects of rights, with women’s rights at the forefront, culminated in June 2008, with the adoption of law number 126, amending nearly 100 out of the 140 articles of the child law number 12/1996 as well as the penal code and the personal status law in one of the most comprehensive and visionary pieces of human rights legislation.

**The Content**

1. **Umbrella clauses of the law ensure:**
   
   A. **As a minimum, the rights provided for by** international human rights treaties ratified by Egypt.
   
   B. **The core rights to Non Discrimination (Article 2), Best Interest of the Child (Article 3), Right to Life, Survival and Development and Protection (Article 6) and the Right to be Heard (Article 12).**

2. **Certain specific forms of violence against girls and women were prohibited including:**
   
   A. Raising the minimum age of marriage from 16 to 18 years old, equal to that of boys. This proved to be the most difficult task (added to the Civil Code). Our opponents lobbied that Islam doesn’t require a minimum age for marriage and that maturity varied among girls. Enlightened religious men proved the opposite.
   
   B. Female Genital Mutilation is criminalized by both a fine and imprisonment, crowning our five years of grass roots advocacy to eradicate the practice.
   
   C. Women are granted the right to pass their nationality to their children and to register their children at birth in the case of paternal dispute.
   
   D. Imprisoned women are assured the right to their children through the establishment of a nursery in every female prison; the child can accompany a mother until he/she reaches four years of age and cannot be separated until the child turns one year old.
   
   E. Education is instrumental to women’s empowerment. Under the new law, education is a legal right. In another giant leap, educational guardianship is granted to the custodian of the child, in most cases the mother.
The success of our efforts has proved that all monolithic religions are vehemently opposed to discrimination or violence against females. Enlightened men became ardent supporters in all our activities, ranging from advocacy and capacity building to law enforcement. Together we achieved a paradigm shift in the perception that women’s unequal access to citizenship rights affects children’s access to rights. What shocked some people at first turned into a societal movement engaging many stakeholders.

**But huge challenges still lie ahead**

Legal reform is still nascent and isn’t complete. The Child Law is not yet fully harmonized with CRC. It still needs further review. It also needs to be supported by educational reform, consistent advocacy, enforcement and monitoring. The 25th January revolution provides a historical opportunity to speed up the reform. Yet the rise in religious fundamentalism carries a threat to women’s rights. Some voices are calling now for the reversal of some of these amendments, such as criminalization of FGM and age of marriage. The constitutionality of mother’s right to educational custody is currently being contested as a disruption to family stability and male authority, and a biased interpretation of Shari’a is used as an alibi. Men and women at the grassroots level who fought to make the amendments a reality will be the watchdogs that protect their achievements.
Women's Participation in Political Life
(Municipal Councils and the Parliament – the Quota)

Eman Al Hussein

Introduction
The effective participation of women in political and public life, including women's inclusion in associations, non-governmental organisations and political parties, is considered an essential part of the process of democratization. Women's participation in senior positions reflects the progress that has occurred in general social and political awareness.

In the past few decades, Jordanian society has experienced important economic, social, political and educational transformations that have prompted it to respond to the recommendations of international conferences and world trends with regard to women's role in society. As a result, women's participation in public, economic, social and political life has increased. Jordan has ratified many international conventions, the most important of which was the Convention on the Elimination of All Forms of Discrimination against Women in 1992 (UNIFEM and UNICEF 1992). However, Jordan expressed reservations on the articles in the Convention that conflicted with the Islamic Shari'a and the Jordanian Constitution.

The role of women in Jordan developed quickly, helped by Jordanian legislation that confirmed the achievement of the principle of equality for all regardless of gender, race or religion. Both the Jordanian Constitution and the National Charter declared men and women equal. Article 6 of the Jordanian Constitution states that "Jordanians shall be equal before the law. There shall be no discrimination between them as regards their rights and duties on grounds of race, language or religion".

The National Charter of 1990 also includes gender equality. Paragraph 6 of Chapter Five, titled 'The Social Aspect' states that "Women are men’s partners and equals in contributing to the growth and development of Jordanian society. This requires an affirmation of women’s constitutional and legal right to equality, guidance, training and employment as a means of enabling them to play their proper role in the growth and development of society."

The development of women's participation in parliament and in municipal councils
In recent decades, Jordanian women have made many achievements and have reached senior positions. Though they obtained the right to run for parliamentary elections in 1974, because of the political situation, no parliamentary elections took place until 1984 when there were only complementary elections in which women participated solely as voters. In 1989, 12 women ran for the parliamentary elections, but none were successful. In 1993, three women ran for the

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parliamentary elections, only one of whom was successfully elected to the Circassian and Chechen seat: Tujan Faysal. In the parliamentary elections in 1997, 17 women ran for election, but none were successful despite concerted efforts made by civil society organizations to support women. This led women's organizations to call for the allocation of seats to women. The election law was amended and women were given six seats which would go to the women who got the highest percentage of votes in proportion to the percentage of voters, in addition to the right to compete freely for other seats with male candidates. In the elections that took place in 2003, non-governmental organizations exerted a huge effort to get women elected to more seats than those allocated to them. Fifty-four women ran for the elections to the 14th Parliament and only six women won the seats that were allocated to women. No women were able to win any additional seats (Al Hussein, 2004).

In 2007, women’s organizations tried to lobby the government for more seats, as six women were not enough to have an impact in parliament or to change the way society looked at women. Furthermore, the way the quota was calculated did not favor women with political experience. Although these attempts failed, women were not discouraged. One hundred and ninety-nine women ran for the elections to the 15th Parliament, seven of who won (six through the seats allocated to women and one competitively).

The 15th Parliament did not complete its full term but was dissolved for various reasons at the end of November 2010, a few days before its regular session, which was due to start on 1 December 2010, and two years into its term. The Jordanian people welcomed the dissolving of Parliament, as they were not satisfied with the level of the parliament's performance.

The temporary election law was amended to increase the number of seats in the parliament and to divide electoral districts into sub-districts. One of the most important amendments, in addition to increasing the total number of seats, was to increase the number of seats allocated to women to 12. This would mean that all 12 governorates would be represented. However, as there are three districts allocated to the Badia (the Bedouins), each Badia district was considered part of the governorate it was in and, as a result, a woman with the highest number of votes whether in the governorate or in a Badia district in that governorate would be eligible to compete in the second stage, so that the 12 women with the highest number of votes from among the 15 women with the highest number of votes in the governorates and Badia districts would be chosen. Women also kept their right to compete freely for the other 108 seats. Article 42 of the election law reads as follows:

A. After the completion of the process of vote counting and announcement of final election results in all the individual districts of electoral district and submission of the final results by the Central Committees of the elections to the Minister in accordance with the provisions of Article (40) of this law refer the Minister to the Special Committee records relating to those findings for review and audit the number of votes that awarded to female candidates who did not win any parliamentary seats allocated to the individual districts.

B. 1. Special Committee should set the names of winning seats destined for the women in the Kingdom in the governorates and in any district of Badia on the basis of the proportion of votes won by each candidate of the total votes cast in the individual district with comparing these ratios the winners of the seats to women candidates who obtained the highest rates in all individual districts. This
number may not be increased under the provisions of this law of seats reserved for women in each governorate and in any Badia districts apparent electoral closed to one winner.

2. If equal to the ratio between the candidates or more of the Special Committee is being conducted to draw attendees to choose the candidate the winner.

C. Announced by the Chairman of the Special Committee, to the audience in public the names of the winners of additional seats allocated to women.

D. Special Committee prepares a record of all actions taken and results achieved by them in accordance with the provisions of paragraphs (b) and (c) of this article and submit it to the minister.

E. If one of seats reserved for women in the Parliament is vacant then it should be filled through election in the individual district for those who had occupied that seat in accordance with the provisions of this law within a period not exceeding sixty days from the date notice of the Parliament to the Prime Minister about the vacant seat, limited to the nomination to fill the women who are available therein, conditions for nomination in that district.

The election for the 16th Parliament took place on 9 November 2010. There were 763 candidates (620 men and 143 women). Thirteen women won, 12 through the quota and 1 competitively in the strongest district in the capital, in addition to 1 from the Badia. This can be explained by the fact that the current election law played a big role in women winning in city centers where in the past the number of districts was 45. In the 2011 elections, the country was divided into 108 districts. Therefore, the chance for women in the electoral districts that were divided into sub-districts was bigger than the chance for women who ran as candidates in the districts that were not sub-divided. The winner is the woman who gets the highest percentage of votes and this percentage is calculated by dividing the number of votes a candidate gets by the total number of votes that all the candidates in that sub-district get. Therefore, women in areas outside the governorate centers had a much weaker chance compared to their chances in the elections that took place in 2003 and 2007, as the number of voters in the areas outside the governorate centers is less than those in the governorate centers. In 2011, the electoral districts in the governorate centers were divided into sub-districts (the virtual districts). The number of voters in these virtual districts is much less than the number of voters in the electoral districts that were not divided into sub-districts. Therefore, women's chances of winning were different from what they had been in the past.

As for women's participation in the Senate, the first female senator was appointed in 1989. In 1993, two female senators were appointed, in 1997, three, in 2003 and 2007, seven, and in 2011, nine female senators were appointed, three more than in the previous Senate.

It should be mentioned here that between 1978 and 1984, the National Consultative Council was formed to compensate for parliamentary life. Three women were appointed to it in 1978 and four in 1980.

As for women's participation in municipal councils, women got the right to run for and vote in municipal elections in 1982, though one woman was appointed to the capital's municipal council in 1980, before women had the right to participate. Women ran for municipal elections for the first time in 1986, but none were successful.
Real participation in municipal councils began in 1995 with the appointment of 99 women as members of the municipal councils. This encouraged women to run for the municipal elections that were held in the same year. Fifteen women ran, 10 of whom won, nine as members and one as mayor. Nineteen women were appointed as municipal council members.

In 1999, 43 women ran for municipal elections. Only 8 won, but twenty-five women were appointed. In 2003, the municipalities were merged so that there were 99 municipalities. Elections were held and around 46 women ran for election with only 5 winning. Ninety-eight women were appointed in order to ensure at least one female council member in each municipality. Furthermore, only one female mayor was appointed. Three women were appointed to the Greater Amman Municipality. In 2007, the municipal elections law was amended and women were given 20 percent of the seats in addition to their right to contest seats competitively. This encouraged more women to participate in the elections. Around 355 women ran for the municipal elections with 226 winning through the quota and 21 winning competitively. Therefore, the percentage of women in the municipal councils is around 24 percent, an increase of 4 percent over the allocated seats. Seven women ran for mayor, but only one was elected.

As for the Greater Amman Municipality, around 25 women ran for election with 7, or 20 percent, winning, which is the percentage of seats allocated to women by law. This means that no women won competitively. Seven women were appointed so the total number of women in the Great Amman Municipality Council is 14.

From the above, we find that the Hashemite Kingdom of Jordan used two types of quota systems:

1. A percentage, whereby a certain number of seats are allocated to women in addition to their right to compete for normal seats, as in the case of municipal councils, where at least 20% of the seats are allocated to women.
2. Adding a number of seats allocated to women with their right to compete for normal seats.

From the above, it is also clear that women still need the quota because they face many obstacles and challenges, the most difficult of which is the patriarchal mentality in both men and women and the social culture. Tribalism also plays a role in choosing a candidate who is usually a male. However, some tribes found that their only chance to make a name for themselves in parliament was to invest in the quota by selecting a female candidate. In addition to the barriers of election law, Jordanian women face economic and socio-cultural obstacles in their path to participation.

**Recommendations**

In view of the above, we recommend the following:

1. Increasing the number of seats allocated to women so that they are not less than 30 percent.
2. Amending the election law.
3. Activating women's roles in political parties.
4. Jordanian and international civil society organizations should empower women in an organized, scientific and continuous way, not just before the elections.
5. The media should work on changing the stereotypical image of women.
6. School programs for boys and girls should be established in order to guarantee their participation in political life in the future.
7. Youth, both boys and girls, should be empowered at universities and youth centers and in civil society organizations to guarantee their support of women.

References


Challenging Patriarchal Forces in the Family

Hayat Arslan

This title carries inherent connotations to be addressed by society, country and the world at large. Patriarchal forces are born in the family, consolidated by social concepts and sustained by the law.

“Challenging Patriarchal Forces in the Family” is not an end in itself, but rather a means to reach justice, equality and equal opportunities for female family members. Women are, and should continue to be, the champions in this endeavor. In the private sphere, in their role as mothers, women are the natural champions of women’s rights. Mothers believing in equality and equal opportunities have the platform needed to endorse those values in their families and children. Functionally, they can simply treat their daughters and sons with equality, thus stimulating the process of lifting the psychological barriers imposed by traditions on women and girls. In the public sphere, women believing in reform can play a vital role lobbying, advocating and initiating progress in the status of women. In my country, Lebanon, activists in women’s rights movements have been displaying significant progress since the nineteen fifties.

Historically, the family was and still is the dominant entity in the political scene in Lebanon. Most of the leading political families are originally feudal ones who have played their roles as lordships for centuries. The inherited prevailing traditions legitimize the leading status of those families. Moreover the feeling of belonging and the apprehension from newcomers to popular representation make people adhere to the old traditional figures of certain families. Parties, elections, associations and organizations are used as modern shields to cover the familial tribal aspects of Lebanese society. In this set-up the male is the hero. In a further glimpse, neo politicians – I mean elected members of parliament with no political heritage – try to build on the same basis, meaning on the family as a cornerstone in the politics. Heads of lists choose candidates from large families counting on unanimous family votes because families consider the success of one of its members an ascent of the family to power and a potential for an extending power. Unanimity on a male member of a family for a political position overshadows merit, thus trapping political development and abusing the law of “the right person in the right place.” Needless to say, this practice is a major hindrance for women’s political empowerment. This is to admit that families in general give priority to males over females, particularly in politics, irrespective of capability. Hence women are still marginalized and endure social and political injustice.

The Arslan family, to which I belong by marriage, is not an exception; it is a Princely family 1200 years old who came to Lebanon with the Islamic conquest. On the national level, it is a

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respectable leading family with genuine patriotism. On the sectoral level, it is a Druze leading family. Here I have to mention that Lebanon is a compound of diverse communities agreeing to live under a relatively Democratic system. The Druze sect is the most conservative among all other sects and was my personal challenge when I ran as a candidate for 2005 Parliamentary elections; an unprecedented candidacy with a huge impact.

As the wife of a member of a leading family – precisely the heir of the political leading position – I began visiting people, in particular the Arslan constituents: I would receive them, listen to their demands and help them with whatever means possible. An Arslan wife can enjoy the Princely status without exerting efforts of any type, just keeping the family in order with lines drawn strictly. That used to be the case of the female members of the family who were respected, honored and had an army of personnel at their disposal. I found myself drawn to the male role of getting involved in “the open house policy” with all its implications. This policy is an essential aspect of Lebanese political life which, to some women is a burden depriving the family of its privacy, while to others it was an acceptable responsibility and an obligation. A woman’s behavior in this regard can contribute to a family’s political loss or be an asset. I willfully chose to get involved, for the situation and the need to help left me with no choice: I received people then and I still do to this day. I managed their individual matters making favors, mediating, forwarding their concerns to the people in charge, interceding for their rights and ensuring justice. Unfortunately a Lebanese cannot get his/her rights from laws and regulations. Though the Lebanese judicial system is one of the best in the world, people would instead defer to sectoral leaders in search of justice, to break the law as a sign of power. It strengthens the political lords and weakens the judicial system, generating a situation of strong versus weak, abrogating equality and citizenship in the country.

I discovered the actual mainstreaming of the system and the extent of its individualistic features and the cult of personality. It shocked me and I found it incomprehensible and incompatible with modernity. Fundamental human rights should be preserved by the constitution and guarded by the institutions. The citizen’s relationship with the country is not a healthy one; disparity and discrimination characterized the scene. Privileged people with strong political affiliations are well preserved while weak deprived people are left behind without the least cover with violated rights. This is not to speak of the women of neglected and marginalized groups.

The question was: how can a modern country in the twentieth century progress or even survive under such conditions? The answer was a Lebanese war that extended for fifteen years followed by another fifteen years of unsettlement left the country exposed to all kinds of perils and dangers. I thought that legal reform and public awareness should be implemented simultaneously, but frankly, I didn’t know from where to begin and whom to target. Pervasive awareness is a far-fetched dream that requires many factors working together, like knowledgeable enlightened pioneers who believe in communal service and are ready to sacrifice time and efforts. Are they available? Can they be as responsive as required? I couldn’t see myself able to search for such people, consuming time and efforts to convince them of a social project and attract them to work together. I thought of harnessing media tools to channel public opinion and for a wider exposure to socio-political issues. Again it was far from being reached. I was aware of the expected hardships and was convinced that I needed time, efforts and perseverance to overcome. No surrender. The least I can do is to propagate my own ideas. I pinpointed the issues I could start working on; they were simply the negative aspects I
encountered in my daily involvements. Citizens should not be subjects; they should only be subject to a reigning law. Being communal does not mean sectoral; religious beliefs do not imply antagonism, dogmatism or extremism. Principles are to be followed, not persons or idols. Law should be the reference and the umbrella, not sectoral leaders who are more like modern tribal heads.

Solely, steadily and decidedly I began an action plan depending on my personal encounters with people either at home when receiving or during my social visits. I captured every possible chance to preach my convictions within a conversation. I made sure to choose a level of speech adequate with the level listeners could absorb. My targets varied from the highly educated to the simplest naïve ones. The response varied from agreement and enthusiasm for change to unhappiness and misunderstanding. Sometimes I had to take a step back, slow down a little, and be more cautious and patient. All in all I was gaining daily experience enabling me to better understand the social status-quo with a clearer perspective; to find out that people are not comfortable with new ideas or a prompt change. I realized that I had to be efficient in rendering services to gain their confidence and make them listen to me. No matter how eloquent or logical my discourse was, I could not preach virtue or reform without being helpful. I was helping wholeheartedly but when it came to mediation and interceding I was caught in a dilemma; I was against mediating and couldn't tolerate the need for interceding because I always believed that basic needs and human rights should be acquired innately. Instead, the reality was that authority of state cohabits with tribal spirit and all its implications of favoritism in the drafting of laws, partiality in their enforcement, leading to arbitrary and biased treatment. I had to adapt to the actual situation while trying for a breakthrough for the aspired reform. Making-up for social injustice to a patient unable to accede to free of charge medical treatment or to a student with no availability to affordable schooling, were other involvements I chose voluntarily.

As my activities grew, so did rumors about my deteriorating relations with the Arslan family and a bad relationship with my husband, which was not true. Innuedos and false stories emerged, like a family decision taken to isolate me because I was working against family customs and traditions. Or rumors like prohibiting me from communal contacts because I was criticizing the extended role of feudal families. Sometimes I had to explain a misunderstood point, other times I had to defend myself, but most of the time I chose to ignore and stick to my own plan. Contrary to such rumors, in some circles I was considered a component of positive change with enlightened ideas. This encouraged me and infused me with energy saving me from despair. Slowly I gained the confidence of our affiliates and became their reference. They would be happy to meet my husband and express their allegiance to him and to his family, but they would appeal to me to tackle any issue or solve any problem. Nevertheless they needed to justify their acceptance of my role and their adherence to me. Consequently it was usual to hear someone saying “we follow men we don’t follow a skirt” alluding to women but ‘al Sitt’,” the lady - referring to me- “has a brave heart stronger than men.” In our environment and among Druze, townspeople and villagers the political prominence of a woman was an extraordinary phenomenon. My role was disputed until recently when I proved myself and the role of women gained prominence both locally and globally.

Concerning the Arslan family, dissatisfaction began to appear in certain statements like “this is men’s role, she cannot interfere.” They criticized me in front of my husband and blamed him for
not putting limits on a plebian defying the rules of the most ancient family in Lebanon. My father in-law, who was an enlightened leader with a prestigious national history, encouraged me and silenced the angry family females. He trusted me and had no objection to the role I began to play; he was confident of my faithful allegiance to the family’s political stand. My husband’s stand was also encouraging, he was establishing a new business, which kept him away from home for long hours, and he found that I was properly making up for his absence. People began to praise me as reliable, modest and decent, and my role as helpful and indispensable.

Later, I decided to fulfill social obligations on popular level like offering congratulations on happy events and consolation on sad ones. Again I was faced with total opposition from the family. Female elderly members considered me unrepresentative of the family being a plebeian. Furthermore they considered my decision a breach of the traditional family rule: “Arslan Princesses do not pay social obligations to ordinary people.” Effectively they didn’t even mix; men only do as a male custom. Aiming to obstruct my intended move, they assumed that the Arslan constituents will not welcome me on the basis that I was not an Arslan originally. I took the initiative and began visiting anyway. In line with his earlier stand, my father in-law encouraged me, on the condition that I should deal with the wide constituency we represent. “Beware not to discriminate among people, you either fulfill each and every social obligation or don’t initiate such a move” was his advice.

With the opposing family members I argued that evolution is destined, we cannot stop time and change no matter how slow or time consuming the process is. Let us take a step forward and lead the change instead of becoming outdated. For a real representation of people it is imperative to go to them and perceive their actual life and circumstances. When people come to us to pay homage and ask favors they wear their best manners. It is true they reveal their complaints, but they conceal their suffering to preserve their dignity. We have to go to them to understand them better and to be able to respond to their needs. I was faced with criticism and mockery: “She thinks she’s a hero capable of change” or “soon she’ll be faced with a deadlock and she’ll retreat like a clever girl.” To everybody’s surprise my move was appreciated, had a positive impact, created intimacy and attracted more people to the family.

My new custom of visiting introduced me to the real extent of people’s sufferings: poor housing, miserable living conditions added to abundant poverty and unemployment. People were facing problems in their children’s schooling (the availability restricted to public schools of low standards or to private schools with high tuitions that exceeded their capacity). There were similar problems in medical care with no available options. It was remarkable that poor people were living adjacent to luxurious buildings housing rich inhabitants and had no hard feelings or hatred towards them. They would blame the government for shortage of services and offerings but at the same time they would accept their status as God’s will. Women, though helpless, had potential and dignity which gave me hope for change. The aspired change had to go step by step to be absorbed according to people’s capacity and mentality. The disparity in life conditions and the social gaps it created needed bridging.

“Instead of cursing the darkness, light a candle,” I adopted this saying and worked accordingly. In 1983, with a group of dedicated men and women believing in the social cause, we established the “Society of Lebanon the Giver” to respond to social and educational needs and to deal with humanitarian problems. Our main concern was, and still is, development in the domain of
education, culture, economic independence and social awareness. Our first project was a school with symbolic tuition for needy students, which is twenty seven years old now. The “New Generation School” was established with modern tools of education, computer literacy and a broad scope of activities. It was a giant step to cater to educational needs in the South especially since the South of Lebanon was under Israeli occupation. Being a costly institute in a poor area we had to apply to humanitarian organizations for financial aid. Getting involved and probing the reality of Non-Governmental Organizations and women’s associations, I found out that in Lebanon the women’s movement is the front from where women fight the battle for their participation in national life. It is a well rooted movement with renowned women pioneers who were able to achieve remarkable advancement in women’s status in general. The movement is credible, active and proven to be alive, dealing with women’s issues and human rights. However, it has several weaknesses, the most serious in my opinion are:

- Incapability of attracting new blood, thus NGOs and civil society are risking discontinuity.
- Lack of co-ordination among women’s movement components (Non-Governmental Organizations, civil society and activists) depriving women’s cause from being listed in national priorities.
- Lack of regional and international connections needed to ensure backing and support.
- Lack of specialization and focus to avoid ending up with a lost cause.

In 1975, there was a turning point in our personal and national life: the eruption of the Lebanese war. The intermittent war lasted thirty years the fiercest were between 1975 and 1976. All action came to a halt and all concepts got mixed up; values and principles acquired relative meanings. Extremism, sectarianism and religious hostility were the keys for political prominence and the means to reserve a place on the national arena. Thus any political endeavor for national unity or trans-communal détente was condemned. Challenging the sectoral extremism to propagate national unity and accommodate different points of view and political stands required candid courage. My husband, Faysal and I were the first to be condemned, proving that our country is a country “where courage has no reward” as Robert Fisk once said. We had to review our stand in order to loosen the tightening circle closing upon us. My husband decided upon less enthusiastic path in his political journey, to take a break and to observe.

I thought that my boundless aspirations were blocked. My dreams of change, progress and development were shattered. Saddened by the circumstances I decided to dig for a better understanding of the war and its background. By the fall of 1978, after the two exhausting years of the war and with the stressful atmosphere of my family relations, I made a critical turn. I applied to the American University of Beirut (AUB) and was admitted as a political science student. Though my husband’s family council disapproved, he supported my decision and I fulfilled my familial obligations as well, giving birth to two daughters while continuing my studies.

At AUB I had the chance to explore the ideas and opinions of fresh university students. Some discouraged war and violence, whereas others were disappointing extremists. There were young students with progressive ideas and promising personalities that could be catalysts for political and social changes. The material of the courses we studied would trigger questions about how applicable they were in our political life. For example, how to adapt to democracy as the best system to manage our diversity, instead of resorting to armed conflicts in cases of disagreements. How could we be a nation without respecting citizenship, how we can preserve pluralism without
segregating into confessionary? A real dilemma caught those educated young people looking for modern tools of development and progress, while being at the same time tightly tied to the ancient allegiance to the feudal families. They had to accept the allegiance to those families as a destiny, not as a choice.

In the country at large the social, economic and political situation was so fragile it was as if it were tied together with a cotton thread. Continuous attempts to pull the strings together for a permanent settlement never succeeded. The 1984 February revolt partitioned the country once again: the Western sector- under the control of Muslim armed militias, and the other half – the Eastern sector- under the control of the Christian militias. We had no place in either sector and the intensity of insecurity and political instability escalated so we had to leave the country for three years. Already those who stayed and adhered to our political stand were suffering and endured hard times. They were prosecuted and exposed to all kinds of oppression: kidnapped, detained, lost jobs or had their possessions, cars and households bombed. Some were dramatically assassinated.

In 1986, I returned to Beirut intending to stay for good, contrary to my husband’s warning that it’s still early and the country is not secure enough. In the middle of one night I was awaked by the guard to inform me of the presence of three men insisting on talking to me in person. I listened to their instructions/admonitions on behalf of their leadership “You better leave the country in the morning for the safety of your son”. I stayed but sent my children back to Cyprus to stay with their father. I felt I could not expose them to such a dangerous situation even if I insisted on staying abiding by my convictions and beliefs to serve our political commitments. Later on I joined my family, stayed till the children finished their school year and brought them back to Beirut. It was 1987 when the Syrian forces returned to take full control of the security of our country. So the Syrian umbrella was spacious enough to cover any leader, politician or social activist that serves their policies. That was the protection I needed. Effectively they found in me a potential player on the local communal level providing a balance of power inside the Druze community. I resumed my activities, giving priority to social development involvements minimizing the political ones.

The question of vulnerability occupied my mind with the political unruly situation. Persons in powers play the dirty political game by rendering services at certain prices. One of the prices used to be elimination of an antagonist. I was not a political player but was considered qualified and I was aware of the dangerous surroundings and security situation. I was cautious and avoided breaking the rules of the game or defying the “superpowers” of the Druze community. Nonetheless my four children and I were subject to an attempted assassination. Two militiamen hired an apartment facing ours to execute a timely plan to assassinate us. The Syrian Intelligence Service knew of the plot and one night a friend informed me that the commander and his assistants were coming for dinner. I was astonished to see tanks and patrols lining the street accompanying their arrival. Naively I thought this is how military people come to a social occasion, it never occurred to me that we were in such a dangerous situation and the social encounter was nothing more than a message that we were protected against such a plot. At that time, I was still working for my husband’s return to resume his political role with no personal ambition on my side.
My return and the resumption of my activities was not a smooth journey. The first few years I was faced with enmity and regarded as an intruder in the Druze communal affairs. It was painful but I could understand their intimidation: everybody was vulnerable. I had to overcome the stress and the disappointment to start rebuilding our status through working on social development and trying to participate in rebuilding the country ruined by destructive wars, particularly through the Society of Lebanon the Giver. It was a choice in line with my original socio-political role.

The Society’s only task was to sponsor the existing “New Generation” school. It was imperative to regain its role and resume its activities. We updated the school programs and decided to resume regular meetings.

I flew to Washington DC in 1991 where I organized the society’s first artisanal exhibition. The Lebanese embassy was keen on the idea, especially since they viewed the exhibition as a portrayal of real Lebanon and its culture and heritage. Encouraged by the outcome, I adopted the local and foreign exhibitions as a tradition in fund raising. Since then we’ve been organizing this event in capitals around the world. Those exhibitions are funding the Society activities and have become a source of income to tens of needy families.

The exhibitions opened new horizons work opportunities and a chance to ameliorate women’s status in the family. We established an atelier for machine embroidery and trained women to obtain a vocation. We encouraged hand embroidery by supervising and counseling artisans. Needy women were the main beneficiaries; becoming self-reliant and earning their living freed them from the arbitrary authority of men. Women’s deteriorated status was partly due to their wretched economic conditions. I was haunted with this status and was sure that the basic step to ameliorate it was financial independence. A healthy family should be built on adequate family relations where women are respected, self-confident and have their say in family affairs. That is why women should be given the chance or rather urged to get an education and to step from ignorance and stagnation to knowledge and action. Women’s economic empowerment is a basic factor to change the criteria in a reigning patriarchal milieu.

In year 2000 we established the “Medical Center for Women & Children” an infirmary for women and children’s health care in a remote part of Southern Lebanon where ignorance and negligence reign. We celebrated the opening by introducing a social health care agenda and public awareness of the importance of women and children’s health care.

My reputation grew as being “helpful irrespective of region or religion” which was significant in a nation that suffers of sectarian and sectoral conflicts. Local women who sought help knew where to go. I used to receive tens of women daily. The isolating wall built around us was disappearing slowly. Instead people began to value us, referring to our role as authentic, genuine and beneficial. They would defend me and my husband, announcing their support to us overtly and denouncing the way we were unfairly treated.

As our activities progressed and our good reputation spread widely, the media gave us noticeable attention. Our exhibitions became an awaited event especially in the Arab world where I was received at the palaces of Governors by princesses and Shaykhas. Most of them appreciated my mission, especially because I come from a princely family like they do, even though I tour the world to help people in an act of social obligation. I suggested networking among Arab social
institutions to promote Arab social solidarity and we began organizing social and cultural events. I became associated with women’s movements, associations and organizations and was really impressed with their useful activities. I visited women’s centers in universities and admired the focused researches and studies. I still keep those contacts and I never miss an opportunity to participate in their activities.

My presence in the media became frequent, and interviews in journals and magazines, and on TV and radio, added to my reputation on the national and Arab level. I was considered a pragmatic activist in social service and women’s empowerment. I would speak about the logistics of successful events or the useful means to attract the new generation to social service and national issues or tactics to get women involved in civil societies. Those who once criticized me and considered me throwing theories into the void found that they were wrong and had to admit that I was perceptive of the future realistic evolution. Those who alienated themselves from our projects regretted it.

In 2001, I participated in a training program on “Lebanese Women in Political Leadership” for three weeks in Ohio and Michigan with the Great Lakes Consortium whose programs are funded by the State Department. We were nine women from different regions, religions and domains. They encouraged us to run for Parliamentary elections in the context of women’s political empowerment. I found it ridiculous in my situation, and I never had such intentions though I’ve always been encouraged. I was prepared and promised to begin lobbying for women political quota without considering my own candidacy. They insisted that I should run because as they said, I have leadership potential. They couldn’t comprehend the explanations I extensively made about my personal family status, as I am supposed not to interfere in politics except for welcoming people and helping my husband when requested. Moreover my brother in-law was the Member of Parliament representing the family political line, thus I am supposed to ignore any political ambition.

At the end of the training program, in the wrap-up and recommendation process, we had extensive discussions. I suggested a follow-up policy for exchange and training programs and the suggestion was sustained. Upon our return we established the “Lebanese Women Leadership Consortium” and I was chosen to chair it. We organized a training program for Lebanese NGOs. “Strengthening NGOs in Lebanon,” and workshops in each of our regions where we lectured about the knowledge and experience we gained, thus extending the benefit to NGOs in several parts of Lebanon. The American follow-up committee that visited later that year visited some of the NGOs and gave our activities in women’s issues considerable attention. I organized a panel discussion with specialists in “Women in Decision-Making” and a workshop about “Lebanese women in public service”. I was the moderator, but I was guilty of not practicing what I preached. I was accused of not entering the political arena while I encouraged other women to do “if women like you lack the courage then who will do it?” was the comment that resonated in my ears till 2005 when I ran for elections.

As an obligation, I started lobbying for a progressive political role for women in decision-making, advocating a transitional women’s quota as a tool to give women the opportunity to participate in national political life. I was sure that with this opportunity women will be able to prove their capability because politics need intellectual capacities which women possess just as men do. This transitional quota will change the mentality to accept women in politics, which
should not be confined to men solely; since men and women are equal they should have equal opportunities and no roles should be entrusted on a gender basis. We advocated the women’s political quota as a women’s right and as an imperative to eradicate the marginalization that women endure. Our campaigning wasn’t a new one; many women organizations and civil society activists preceded us in this claim. For efficiency reasons, pressure to amend the rules on the governmental level should be coupled with awareness campaigns on the societal level. We took a step forward in 2005 when the Lebanese government appointed a Committee to draft a new electoral law and we found it a good opportunity for the inclusion of the quota in its terms. The campaign aimed to provoke public opinion to pressure the government to respond. The AMIDEAST, a subsidiary organization of USAID, funded the campaign, which was condensed, rapid and well organized. We visited the 128 members of parliament as individuals and/or as groups or parties asking them to support our demand. We organized three conferences in coordination with law and medical orders and the Lebanese Council for Women. The media campaign used billboards all over Lebanon and we attracted media- television, radio and newspapers- to our side. We met the appointed committee and suggested an electoral law draft including a quota for women with the mechanism for implementation. We succeeded, and the Committee adopted the quota system for twenty percent candidacy, though our ambition was thirty percent seats to comply with the Beijing Women’s Conference recommendations. Unfortunately, the law was not ratified.

After the elections of 2009, we resumed our activities for Quota adoption. Most of the time we were faced with the argument that the constitution safeguards the rights of all citizens with full equality and there are no obstacles hindering women role in politics. It is true that on the constitutional level there are no discriminatory terms, codes, clauses or items against women. In its introduction the constitution of 1926 states “all Lebanese are equal irrespective of sex or religion.” The National Pact of 1943 also states the equality of all Lebanese citizens. There are no statutory obstacles or discriminatory terms on women rights or women political participation. The obstacles are in the patriarchal mentality and inherited concepts. This is in addition to the fact that, while the Lebanese Constitution does promote the equality of all citizens, it does not directly guard against gender discrimination. The personal status law, which rules on matters such as divorce and custody subjects women to a “double discrimination” based on religion and sex. So the major obstacle to reach equality is the personal status law, which is subject to religious rather than civil courts. NGOs, civil associations and activists are campaigning for a united civil personal status law. While Lebanon is party to United Nations Convention on the Elimination of all Forms of Discrimination Against Women (which states Any distinction, exclusion, or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women irrespective of their marital status on the basis of equality of men & women of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field), Lebanon has consistently resisted calls to drop reservations on Articles 9, 16 and 26, that uphold personal status law, and failed to adopt the conventions various clauses into national legislation.

To frame our work we established the “Committee for Women’s Political Empowerment” and I was chosen unanimously to preside over it. Our activities accelerated; we organized many conferences, sit-ins and manifestations for lobbying and advocating for a transitional Quota for women. We visited the President, Deputy Chamber and Prime minister and appeared on talk shows, shedding light on the movement, raising awareness and encouraging women to run for
elections. The campaign mobilized public opinion and women’s participation became a lively conventional subject even though it didn’t enhance our parliamentary representation. In 2010 the outcome of the local council elections was evidence of the campaigns’ positive effect; the number of women in local councils was raised from 215 in 2004 elections to 570 in 2010.

Most of the time women’s movements demanding women’s political participation are faced with the statement “it’s not the right time”; the right time will never come if we don’t bring it. Women have to be alert, capture the moment, prepare the ground and create the favorable conditions to enhance women’s status. The example of developed countries where women status is progressed can serve women’s goals and objectives in developing and conservative countries. A successful example and its mechanism can be copied, adopted and customized according to a country’s distinct features. This necessitates global co-ordination and co-operation among women associations. For this aim wide communications are needed and nowadays fortunately it is facilitated by the modern techniques of media and the internet.

I appeared in the media and issued communiqués urging women to be part of the political game as voters and candidates. I was caught in the principle “Practice What You Preach,” so in compliance with my national campaign, and for consistency reasons, I had to run for the elections of 2005. It was an unprecedented step with big repercussions, a breakthrough in the taboos enshrined in social norms and inherited traditions and practices. The manifest I read at the press conference that I held to declare my candidacy was the subject of analysis and comments from observers and columnists, which gave momentum to women’s cause:

> It is my pleasure to declare that I am running for the Parliamentary elections to serve my country, my people and my convictions; being a candidate is a right and a duty. I wish my candidacy to be based on a reformed electoral law including women transitional quota. Women’s quota is not a humiliation to women in a country that lives on sectarian, professional and regional quotas. Herein I remind the authorities that Lebanon ratified the terms of the international Beijing conference 1995 that recommend a 30 percent quota for women. So it is not an innovation, it is a reliable system adopted in most advanced countries like France, Sweden, Finland and many others. Women’s participation is necessary for a national social, economic and political balance. I address Lebanese citizens to give their votes to women as an act of reform that promotes democracy and provides justice to all national strata. I call on women to refuse the existing status quo of 2.5 percent parliamentary representation. Change is a must and we are capable of accomplishing it. We, women, outnumber men and if we choose women in a pre-determined act then women will acquire their natural position beside men. Women should have self-confidence and comprehend that they are capable, trusted and faithful to a people to whom they constitute mothers, sisters and custodians. It is time to trust women as leaders for change and as alternatives to feudal lords who rank themselves as super humans careless of people’s suffering. Women have never been part of the dominating features of oppression, clientelism, injustice, favoritism or corruption. A political arena missing women’s participation is exposed to all kinds of dangers like wars, conflicts, bartering, transgression, negligence and disregard for life. Women cherish the value of life: because no human being could ever dispense of nine months in a woman’s womb. Women’s cause is universal, I call on each and every woman to carry the torch with courage and faith and choose women on the basis of merit. I call on men
and women to choose as citizens aspiring for a modern country to keep up with the epoch; free from the grip of a few authoritative lords. I call on women to regain a lost right between an authority that neglects reform and an unaware public opinion.

My declaration was received with shock and refusal from the majority of the Arslan adherents. Traditional people couldn’t pardon me, a female ‘Wahab’, running against or trying to replace an Arslan male. They found it unacceptable from a woman challenging men of such an ancient and prestigious family. Contrary to their opinions, my supporters defended me since I had acquired my status from my own efforts and sacrifice. I was happy to see that my candidacy was a progressive step that gave women’s status a necessary surge, even though I decided to draw back from the battle before it was too late; if I continued I would have been blamed for the loss of my brother-in-law in the elections. Again the family imposed its rules and regulations granted that I was not expected to win given the existing electoral outdated law, which needs amendment and reform.

I set the example of a confident woman abiding by three tools to break down obstacles and hindrances: no taboos, no impediments and no surrender. I and a few other courageous pioneers cleared the way and the new generation will pave it.

Along my socio-political march, which began by marriage in 1969, I comprehended the mainstreaming of the system with all its pros and cons. I started a hilly ascent with people insisting on their interests no matter the cost:

- I worked on women’s economic empowerment for women’s independence & liberty.
- I worked on awareness programs for men, women and youth to show that national roles complement rather than contradict.
- I worked on women’s political empowerment lobbying and campaigning for women participation in decision-making. The feminist groups and I advocated for a reformed electoral law including a transitional quota for women.
- I worked on institutionalization versus personification by establishing ten institutions to ensure sustainable development

The position I have occupied since 2009 in the “National Commission for Lebanese Women,” which is the highest official institution, entitles me to official and efficient work on women’s socio-political issues.

Though I challenged patriarchal forces in the family, I cling to the family institution as a sacred entity with overwhelming blessings that I enjoy in peace and warmth. Here I am with my three daughters and son practicing the principle of equality, abiding by the “right person in the right place.” We cherish the memory of Faysal, my husband and their father, who passed away two years ago, with love and gratitude for the seeds of fairness and justice that he planted in his family and in those around him.
The subject of my presentation is how to get young women involved in politics. Allow me to speak about my own example. I was born to a leading family that has been involved in politics for generations so my socio-political involvement was only natural.

You know that I come from Lebanon and in Lebanon politics is personalized. That is, it depends on personal relations and the open-house policy.

So from a very early age I was introduced to the way politics was conducted. I used to wait for my mother to help me in my studies because she would be receiving people in need of help. In the same context, we would wait for my father to join us for lunch or dinner. When I grew up, I would take on the same role in the absence of my parents; that is receive people, listen to their woes and needs and try to help as much as I can.

In 2004, I started working on women’s political empowerment through the committee for women political empowerment that was presided by my mother. The first thing I did was collect signatures for a petition demanding women’s involvement in politics. Later on, I would help in organizing manifestations and sit-ins for social and women rights.

To say the truth, youth in general and women in particular feel alienated from the political life since the voting age is 21 and men are generally preferred over women regardless of merit. I believe the solution resides in:

- Educating men and women on the importance of women’s involvement in politics
- Adopting a gender quota since it proved to be effective in many countries
- Women should be involved in political parties and advance into decision-making positions within those parties
- Reducing the voting age to 18 instead of 21
- Involving the youth in national issues of development and reform
- The governments should listen and respond to the ideas of the youth so they would know that their interests matter

Last but not least I would like to say that I was privileged to have an easy access to the realm of politics; however, even women born into a leading political family need to challenge patriarchal forces if they want the job. Still to this day I hear people praising the men in my family and assume that my family’s role in society and its legacy will be preserved by my brother.

I have great hope that the new generation will be able to achieve what the previous ones couldn’t. Luckily, youth do not discriminate on gender basis, or let’s say they tend to discriminate less, and women are aware of the role they must play in the modern world.

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1 Mada Arslan is active in young women’s political participation in Lebanon. She uses her family’s historic political platform to advance the cause of equal protection for women and youth in Lebanon.
International conferences and round tables like this one are instrumental in enhancing women political participation because they provide us with knowledge, exposure, backing and support.
The Critical Role of Women in Egypt’s Revolution and its Aftermath

Moushira Khattab

Our meeting takes place at a historical time of sweeping and drastic change engulfing the Arab world with my country at the heart of it. The Egyptian revolution, unprecedented in our modern history, owes its success to men and women equally. Women voiced their concerns, fought and slept in the streets alongside men, challenging traditional expectations of their behavior. Whereas in past protests, female presence would barely rise to 10 percent, some estimates place the number of female participants in the revolution as high as 50 percent. The central role of women in the making and success of the revolution made us all proud. It adds to their notable achievements over the past decades. It is also a continuation of the active role played by Egyptian women since the times of the Pharaohs where Queen Hatshepsut led the armies. On January 25th, women joined men in calling for justice and freedom. They did not raise banners asking for their rights. Yet the challenge now for women, as the nation lurches forward, goes beyond maintaining their achievements but rather attaining their full equal rights.

The struggle of Egyptian women over the past decades was frustrated and hampered by the rise of Islamic fundamentalism and narrow interpretation of religion. Women have legitimate expectations that the revolution organized and led by secular groups will support and enhance the cause of women. They expect the revolution’s transitional government to accelerate moving forward and building on previous achievements. Nevertheless; the transitional period is confronted with many burning economic; security and sectarian issues.

Women, who constitute 50 percent of the population, are excluded and their issues seem left behind while the country is attending to all other aspects of democracy. Women were excluded from the committee mandated to draft constitutional amendments; representation of women in the cabinet dropped from 4 to just one and the formulation of the constitutional stipulation seems to exclude women from running for presidency. The Prime Minister announced the establishment of a women’s commission, but while the announcement cast doubts on the legitimacy of the existing National Council for Women; three months down the line nothing has happened. Recently, Abulkomsan, a leading women’s activist accused the new government and the Prime Minister of being anti-women, complaining that despite several requests, civil society women’s organizations could not meet with the Prime Minister to present their case.

Extremists have manipulated this transitional period by wickedly portraying all the gains achieved by women as the “corrupt laws of the previous regime.” Nowadays, important gains are threatened, including family courts, the right of women to seek divorce, banning child marriage and criminalizing of Female Genital Mutilation (FGM).

Women civil society organizations are under severe pressure to unite to face such threats. On June 4th there will be a meeting of over 1,000 representative of such organizations to agree on the way forward. To prepare for such a meeting; very strong networking is currently taking place at the grass roots level to energize women to be the defenders of their own rights. I am confident that our civil society organizations fighting for women’s rights will emerge stronger and will not easily relinquish their gains.
What made matters more difficult is that the revolution’s quest for democracy and freedom of expression has brought banned activities of Islamic groups opposing women’s rights to the forefront. It gave them strength and greater space to present themselves. They threaten to relapse into more traditional ways of thinking and silencing advocates for women’s rights. They called for installing an Islamic state, applying Shari’a and the implementation of Islamic punishments, which alarmed Egypt’s secularists, women and minority Christians.

Egyptian liberal forces and intellectuals are very concerned over the rise of religious fundamentalism. Newspapers carry every day an unprecedented number of articles and talk shows address similar concerns over tens of interviews every night. They mostly deal with Islam and modernity: are they in conflict? A question Egyptians have raised since the sixties. Last week Egypt’s Minister of Justice said, “Egypt is a nation in danger” commenting on the repeated clashes between Muslims and Christians. Some flared because 2 or 3 Christian women converted to Islam and were allegedly held captives by the churches.

Rania El Malky of Egypt Daily News on 14 May 2011 put the crisis in the right context. She wrote that “women in Egypt, despite having made enormous leaps in access to education and jobs and through their activism in the public arena, continue to be exploited by religious extremists from both sides to further their own political agendas. The simple truth is, socially, Egyptian women are often terrorized by their families and their extended social circles into behaving along a certain strict path, often being forced to make very private decisions that would have an immense impact on their social and psychological well-being.”

Should they choose to go against the grain, the backlash, as we have often seen, can be fatal. In the case of Abeer (and before her Camilia Shehata and Wafaa Constantin, the alleged converts who were married to Christian pastors) has once again proven that the issue is not simply sectarian; it’s a question of the fundamental human and gender rights of mature women to make decisions that could upset their families.

If these incidents have proven anything, it is that we need a social revolution to put an end to the exploitation of women. Egyptian society is in complete denial of how the role of women in society has changed over the decades. Continuing to impose such flagrant social and religious restrictions can be easily abused to the detriment of the future of Egypt and its religious cohesion.¹

I must caution however, that the concerns I am raising deal with a transitional stage of a revolution still in the making. Yet it is very important to follow what happens in Egypt, as it will impact the entire region. Egypt’s situation is not unique. Mashary Al Thaidy, though in a different context, said, if Egypt, which is the oldest Nation State in the region, is suffering from sectarian strife, one expects this to afflict the entire region. Al Thaidy finds that the sectarian strife sweeping Egypt reveals a real crisis in understanding the basis of citizenship and in ensuring that the State finds its basis in neither religious, racial nor sectarian grounds. According to Al Thaidy, the only solution is the relentless application of the rule of law.²

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¹ Rania El Malky- Egypt Daily News 14th May 2011”Egyptian women and sectarian strife”
² Mashary Al Thaidy- “Egypt a nation in Danger”-Alhayat newspaper edition 10.5.2011
In a positive development, Egypt’s ruling Supreme Council for Armed Forces declared on May 13th 2011 that Egypt seeks to establish a democratic civil state that treats all citizens equally. Such a statement assures Egyptian women, at least legally, equal rights.

In conclusion, our states have ratified the UN human rights instruments such as the Convention on the elimination of Discrimination against Women (CEDAW) and the Convention on the Rights of the Child (CRC). States Parties to such Conventions are legally committed to take measures to implement and fulfill the rights enshrined in the Convention equally without any discrimination. Harmonization of domestic laws with such human rights instruments is a legal obligation that will ensure the rule of law. While good steps have been taken, they remain inadequate. Many countries, including mine, still have reservations that put a damper on this commitment. Our roundtable must urge our States to fully implement their commitments by assuring women their full citizenship rights without any discrimination.
Violence Against Women in Conflict Zones

Zahira Kamal

Abstract

Palestinian women have been at the forefront of the national struggle for self-determination throughout the past century. In addition to participating in demonstrations, conferences and sit-ins, they were active in charity work, providing social services to displaced families in the wake of the 1948 occupation. Feminist organizations established in the 1970 have provided a link between the national and social actions, advocating for women's education, equal pay, healthcare, and especially against violence.

Because aggressors are often close family members, domestic violence in Palestine is ignored in order not to 'air dirty laundry in front of the neighbors.' In 1989 we held a meeting of about a hundred women to discuss this issue. Though they began by talking in the third person, after hearing so many similar stories, women began to speak about their own suffering. As a result of this meeting, a Women's Center for Legal Aid and Counseling was established by the Federation of Women's Action Committees to offer shelter and services to battered women. Despite this and other support services, there are significant shortcomings in dealing with issues of violence against women. Crimes committed against women are still considered a matter of private reconciliation, even in cases of murder. At the request of the Ministry of Women's Affair, a National Committee for Combating Violence against Women was established and Palestinian police have begun to deal with violence against women, but they still lack the vocabulary and training to adequately prevent and respond to instances of violence.

The issue of violence against women is compounded by the violence and conflict that Palestine faces on a daily basis. Though international conventions provide a comprehensive definition of violence against women, this definition does not take into account the effects of the violence of occupation, which has left tens of thousands dead or injured and continues to impede the lives of Palestinians. This daily struggle influences the dynamic of violence in Palestinian homes, as men who face insults at roadblocks or elsewhere often take their anger out on their families. Studies show an increase in psychological and physical violence in Palestine since the second intifada, both in the community and the family, as young people face violence from Israeli soldiers and

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1 Translated by Rebecca Turkington, Rapporteur to the Rabat Conference.
2 Zahira Kamal is the General Director of Palestinian Women’s Research and Documentation Center, UNESCO. She was the first Minister of Women’s Affairs in the Palestinian Cabinet and established the first Gender Planning and Development directorate at the ministry of Planning. She is the first woman to be elected Secretary General of a political party in Palestine. She was one of the three women in the early 1990’s peace negotiations with Israel. Zahira Kamal was a founding member of the Palestinian Federation of Women’s Action and has also served on the boards of several women's organizations including Jerusalem Link and the Jerusalem Center for Women.
young girls are particularly vulnerable to such violence. Despite Security Resolutions 1325 and 1889, which call for women's participation in peace and reconstruction processes, little has been done to address these issues.

In conclusion, the issue of violence against women in Palestine is complex, involving the Israeli occupation, entrenched social customs, and the misinterpretation of religious texts to justify violence. In order to confront these challenges, a united effort is required, with the participation of both men and women.
العنف ضد المرأة في مناطق الصراع

ناضلت المرأة الفلسطينية منذ بداية القرن الماضي ضد الاستعمار وتوطين اليهود في فلسطين، بعد بلوغ عام 1917، حيث شاركت النساء في تنظيم المظاهرات والاعتصامات، وجمعات العرائض، وعقدت المؤتمرات من أجل حق الشعب الفلسطيني في تقرير مصيره وإقامة دولته المستقلة.

لم يقتصر نضالها على ذلك، وإنما انشأت الجمعيات الخيرية التي كانت تقدم خدمات التعليم العام للمرحلة الابتدائية، ومحو الأمية والتعليم المهني، كما كانت تقدم الرعاية الصحية للأمومة (الأم والطفل). وعلى أثر احتلال الأرض الفلسطينية عام 1948 وإقامة دولة إسرائيل على 78%، أنشأت العديد من الجمعيات الخيرية النسائية بهدف تأميم احتياجات المهاجرين الإنسانية من مأكل وملبس وموأوى، وتقدم بعض الخدمات الصحية ورعاية الأمومة والطفولة، ومحو الأمية والتدريب المهني كالخبطة والتطريز. وبدئاً طغى المفهوم الخيري خلال هذه الفترة وحتى منتصف السبعينات على النشاطات الأخرى، حيث كانت المرأة الفلسطينية تفخر بأنها تقدم النضال الوطني على النضال الاجتماعي. ومع انشاء الامرأة النسوية عام 1978 تمت عملية الربط ما بين النضال الاجتماعي إلى جانب النضال الوطني. حيث تم طرح حق المرأة في التعليم، والحق في العمل، والأجر المتساوي للعمل المتساوي، والحق في اجازات الأمومة والطفولة، والمبادرة ما بين الولايات، ورفع سن الزواج إلى 18 سنة.

في ذلك الوقت ومع تواصل عمل الاضطراب الشعبي النسوي مع القاعدة النسوية تم التعرف عن قريب على العديد من المشكلات التي تعاني منها المرأة، ومن بينها العنف المنزلي الممارس ضدها. ولأن قضية العنف كانت تمارس داخل المنزل ولأن المعتدي هو من أفراد الأسرة القريبين، الشركية، الزوج، العم، الأخ، الأب فقد كانت قضايا العنف تعتبر قضيا خاصة وليس من المصطلح العائلية والمجتمعية نشرها بل تلقىها إلى الآخرين تحت ما كان يعرف ب "عدم نشر العسل الوسخ أمام الجبران". وفي عام 1989 عقدنا أول لقاء نسوي ضم حوالي منا من امرأة روت النساء قصص معاناتها، حيث استعملت النساء صيغة ضمير الغائب من مثل "سعت عن امرأة ضربها زوجها، أو اخاه.. أو حُبسمت فترة في المنزل عقبا لها لأنها لم تستثر أبدا أو أخاه أو زوجها للخروج من المنزل، أو لشراء شيء ما، أو بيع قطعة ذهب تملكها لتشتري بها شيء لأولادها..."
بعد أكثر من ساعة في رواية هذه القصص والمشاعر المؤلمة والتوتر الذي شعرت به المشاركة، كان بالإحداث عن أنفسهم ورواية قصص معاناتهم. وكان نتيجة هذا اللقاء اتخاذ قرار في اتحاد لجان العمل النسائي بإقامة مركز المرأة للارشاد القانوني والاجتماعي كأول مركز نسوي يقدم الخدمات الاجتماعية والقانونية للمرأة المعنفة. تم إنشاء لاحقاً مجموعة من المراكز التي تقدم خدمة المساعدة عبر الخط الساخن وآخرى تقدم خدمات قانونية أخرى خدمات علاجية ومراكز أية.

ومع ذلك زال هناك صور كبير في التعامل مع قضايا العنف الممارس ضد المرأة حيث أن العنف ضد الرجال في الغالب ما يتم التعامل معه باعتباره جريمة، في حين أن الجرائم المرتكبة ضد النساء تعتبر مسألة عائلية خاصة يمكن إجراء مصالحة ما بين العنف والمعنفة، حتى في حالة "القتل على خلفية شرف العائلة" فإن التعويدي يمكن أن يبرأ تحت ما يعرف بأن القتل في سورة غضب! أو يمكن أن يعاقب عقوبة خفيفة مستناداً إلى القانونmel! بناء على طلب من وزارة شؤون المرأة فقد تم إنشاء "لجنة الوطنية لمناهضة العنف ضد المرأة والمرأة" والموثقة من عدد من الوزراء وممثلين عن مؤسسات المجتمع المدني المعنية، كما تم إقرار استراتيجية عمل لمناهضة العنف ضد المرأة.

ومع أن الشرطة الفلسطينية قد بدأت بالتعامل مع قضايا العنف ضد المرأة فإنها لا تمتلك حتى الآن البيانات الكافية والموضوعة حول هذه الاعتداءات الممارة ضد المرأة، ولم يتم اعتماد مصطلحات موحدة لهذه الأحداث والتعاليم لا يمكنها المعرفة الكافية للتعامل مع هذه القضايا، وتعتبر الكثير من الشرطة بأن زواج الصميم من المعتدي في حال الاغتصاب قد يكون حلاً مناسبًا للعلاقة. وبشكل عام وجود قوانين مناسبة وحيدية تمنع العنف الموجه ضد المرأة خاصة والعف المجتمعي عامة من أبرز الأسباب التي تؤدي إلى استمرارًا.

ومع أن الاتفاقيات الدولية قد عرفت العنف ضد النساء على أنه "أي عمل من أعمال العنف ضد النساء، والذي قد ينتج عنه أو يمكن أن ينتج عنه آثاراً، بما يokit إلى جسدية أو نفسية النساء، و من ضمن ذلك التهديد به أو تزويره على عمل شيء لا يرتبط به المرأة، أو الحرمان التحسسي من الحريات سواء كان ذلك في الحياة العامة أو الخاصة". ويؤكد العنف المبني على النوع الاجتماعي بأن وضعية المرأة في المجتمع تزيد من حيطة وآثار العنف الذي قد تتعرض له المرأة. ومع ذلك، فإن هذا التعريف لا يركز على العنف الانتقامي وما ينتج عنه من آثار، فإن تطبيق التعريف على ما يقوم به الاحتلال الإسرائيلي من ممارسات قمعية ضد كل فرد الشعب الفلسطيني من استخدام للرصاص الحي والمتطاقي الذي خلف في الانتفاضة الثانية وحدها 15000 شهيد وعشرات آلاف من الجرحى منهم ما يزيد على 12000 أصيبوا بإعاقة دائمة، كما وهم للبيوت، وتجريف للأراضي الزراعية، ومصادرة الأراضي وإقامة المستوطنات عليها، وما ينتج عن ذلك من حرمان من مصدر الاقتصاد الرئيسي للأسر الفلسطينية بشكل شاق في الريف الذي يعد على ذلك الزراعة وزيادة على ذلك إقامة مناطق الهواء على مداخل المدن والقرى، إضافة إلى الحوارات المؤقتة على الطرق وبحي يزيد عدد الحوارات في الضفة الغربية عن 600 حاجز دام فيما يعرقل وصول الطلاب والمعملين إلى المدارس، والعمال إلى مراكز العمل، والمزارع إلى ارضه، والطبيب والسيدة إلى المستشفيات، حيث أدى ذلك إلى وفاة عدد من الأشخاص على الحواجز وولادية 72 امرأة توفي 33 طفلة لحاجتهم إلى الرعاية حين الولادة.
ممارسات الاحتلال هذه زادت من العنف المبني على النوع الاجتماعي فالرجل الذي يواجه اهانة على حاجز يفرغ غضبه داخل الأسرة على الزوجة والأطفال كما أن اشتهد أحد أفراد الأسرة أو المعافر بسبب شعور بالقلق وبحمل المرأة إبعا إضافة اقتصادية واجتماعية وتشير الدراسات إلى النساء اللواتي يتعرضن للعنف من قبل زوجين يتقبلن هذا العنف ولا يشعرون عن المساعدة لأنهن يجدن المبرر لازواجهن.

لذا وتشير الدراسات إلى ازدياد ظاهرة العنف في المجتمع الفلسطيني سواء داخل المجتمع أو في الأسرة (والوالدين، أحد الوالدين ضد الأطفال، العنف في المدارس) حيث عزت هذه الدراسات أسباب ازدياد العنف إلى ما يشاهده القرد من عنف. وقد أشارت الدراسات أن العنف ضد الشباب من قبل الجنود الإسرائيليين هو أعلى من تعرض الشابات لمثل هذه الممارسات، في حين أن تعرض الفتيات للعنف داخل الأسرة هو أعلى من تعرض الفتيان لمثل هذا العنف. كما وتشير الدراسات إلى أن العنف بشكله المطلق النفسي والعاطفي، والجسدي ضد النساء ازداد خلال الانتفاضة الثانية وبعد الاحتجاجات المتكررة للضفة الغربية وقطاع غزة وبشكل خاص بعد عملية الرصاص المصوب.

هذا وعلى الرغم من مرور عشر سنوات على صدور قرار مجلس الأمن 1325 بشأن مشاركة النساء في تحقيق السلام والأمن، وقرار مجلس الأمن 1889 بشأن مشاركة المرأة في عملية إعادة البناء إلا أنه وحتى الآن هناك فصول واضح في التعامل مع هذه الدراسات وأخذ اجراءات القلب لتحقيق الأمن والأمان للشعب الفلسطيني على قاعدة إنهاء الاحتلال وتمكين الشعب الفلسطيني من ممارسة حقه في تقرير مصيره على أرضه وإقامة الدولة الفلسطينية المستقلة بعدد 4 حزيران 1967.

وفي الختام فإن قضية العنف ضد النساء في فلسطين هي عملية مرکبة تتفاعل فيها مجموعة من القضايا المتتداخلة: الاحتلال الإسرائيلي، النظام الذكوري، العادات الاجتماعية، التفسيرات الخاطئة للنصوص الدينية أو استخدام بعض النصوص المجزئة لتشريع بعض الممارسات الخاطئة ضد النساء. كل ذلك يتطلب توحيد الجهود لمواجهة هذه التحديات، ومشاركة الرجال في مكافحة العنف ضد المرأة لما في ذلك من مصلحة مجتمعية وعائليه.
Protection of Women: Recent Legal Initiatives of Bangladesh

Salma Ali

Women of Bangladesh are certainly not a homogenous class. They belong to rich, middle and poor classes and also to different cultural and ethnic minorities. They are also different by rural and urban setting. Although women constitute half the population, various indicators reveal that the status of women is much lower than that of men. This differs depending on their economic status. Traditional socio-cultural practices limit their opportunities in education, skill development, employment, and participation in the overall development process.

Women’s rights to equality and affirmative action in respect to equality are guaranteed by the Constitution of Bangladesh. According to the Constitution, all citizens are equal before the law and are entitled to equal protection of the law; the State shall not discriminate against any citizen on the grounds of religion, race, caste, sex or place of birth; women have equal rights with men in all spheres of State and public life; nothing shall prevent the State from making provisions in favor of women or for the advancement of any backward section of population. Exercise of political rights is also very weak in the case of women. Society in general is still conservative about women’s involvement in active politics, participation in election and exercise of her franchise.

Apart from these deprivations, women are also treated unequally regarding property. Social expectations of the stereotyped role of women still pivot around child rearing and household management. Inter-personal relationships between men and women and practices based on ideas of superiority of men and inferiority of women is deep rooted. Thus, women are often denied of the very fundamental rights guaranteed to them by the supreme law of the land.

Bangladesh has numbers of laws conductive to the rights of women, it has signed most of the significant international conventions but the State is not completely able to uphold women’s rights prescribed by these laws and convention. Women of Bangladesh are also economically disadvantaged in comparison to men. According to the Global Gender Gap Index 2010 published by the World Economic Forum, the ranking of Bangladesh is 82 among 134 countries. In 2009, 2008, 2007 and 2006 the rank was 93, 90, 100 and 91 respectively.

Women of Bangladesh are continuously facing all types of violence, their rights are frequently being violated and they are seriously being deprived from their rights. The table below shows only the published incidents of violence that women of Bangladesh are facing. But, doubtlessly, there are thousands of unpublished incidents.

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1 Salma Ali is the Executive Director of the Bangladesh National Women Lawyers Association (BNWLA). She has helped draft many gender-sensitive laws including the domestic violence law, anti-acid law, and the trafficking law in Bangladesh and has spear headed innovative litigation on sexual harassment in Bangladesh.
Vulnerability of Bangladeshi Women

The women of Bangladesh are vulnerable for different deep rooted reasons. Historically, women have faced different types of violence. Domestic violence is one form and according to our experience, this type of violence remains unreported most of the time. Sexual abuse, sexual harassment, forced prostitution, human trafficking, acid violence, fatwa, violence related to dowry, child marriage, etc. are common to Bangladeshi women. Bangladeshi women and men also are not aware of their rights. Their lack of education and legal knowledge makes women vulnerable. Bangladeshi tradition, culture, superstitious beliefs and patriarchal practices and attitudes are also making women vulnerable. Almost half of the population in Bangladesh is living under the poverty line and women are the poorest among the poor, they lack social security, these all are responsible for vulnerability of women of Bangladesh.

International and Domestic Laws to Protect Violence against Women

Bangladesh has signed and ratified a number of international conventions and treaties and there are lots of domestic laws to protect violence against women. For instance, Bangladesh is state party to CEDAW and its optional protocol, the Beijing Platform for Action, and the Convention on the Rights of Child (UNCRC). Bangladesh has signed SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution. But these provisions are not included in the domestic laws. Moreover, Bangladesh kept reservations on some articles of CEDAW and its Optional Protocol.


### Violence Table 2010

<table>
<thead>
<tr>
<th>Nature of Violence</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Domestic Violence</td>
<td>2328</td>
</tr>
<tr>
<td>2 Violence related to Dowry</td>
<td>472</td>
</tr>
<tr>
<td>3 Rape (including Gang Rape)</td>
<td>647</td>
</tr>
<tr>
<td>4 Eve Teasing</td>
<td>280</td>
</tr>
<tr>
<td>5 Trafficking</td>
<td>548</td>
</tr>
<tr>
<td>6 Acid Violence</td>
<td>93</td>
</tr>
<tr>
<td>7 Violence against Domestic Workers</td>
<td>77</td>
</tr>
<tr>
<td>8 Fatwa</td>
<td>22</td>
</tr>
</tbody>
</table>

Source: 9 National Newspapers and BWNLA workings areas.
Bangladesh has a National Women’s Advancement Policy, National Education Policy, National Health Policy, and Poverty Reduction Strategies Paper (PRSP). We also have guidelines from the Court of Bangladesh in some very serious issues. For example, we got guidelines to prevent sexual harassment in educational institutions and workplaces, guidelines to prevent Fatwa, and guidelines to prevent Stalking (Eve Teasing). But although according to Article 111 of the Constitution of Bangladesh these guidelines are mandatory for all, they are not being properly followed by the respective authorities of the government.

In that situation there are lots of issues which should be brought into discussion, but in this paper I only focus some specific issues. The issues are following:

- Domestic Violence Prevention & Protection Act
- Sexual Harassment Prevention Bill
- Anti-Trafficking Bill
- Victim & Witness Protection Bill
- Acid Violence Prevention Act

**Domestic Violence (Prevention and Protection) Act 2010**

As already discussed, the existing legal framework is not quite sufficient to protect and prevent domestic violence. There is a very hard and harsh law to prevent repression of women and children namely the Repression of Women and Children (Prevention) Act 2000 (Amended in 2003). This law was successful to protect women to some extent, but failed to prevent domestic violence. The main reason is that the law is almost exclusively related to dowry matters. Where the violence is not related to dowry then it has no power. We also have a Penal Code, but this Code is insufficient to prevent domestic violence. Under these circumstances, women activists, human rights organizations and civil society have been demanding a special law to prevent domestic violence. The CEDAW Committee in its Concluding Comments also recommended for a law for prevention of domestic violence.

The Bangladeshi government enacted the domestic violence law in 2010. In this law domestic violence is clearly defined as including physical, mental and sexual violence. For the first time economic abuse is also included in domestic violence. The main features of the laws are that the law emphasizes the dignity of women and ensures their security. Those who are victims of domestic violence or who are at risk of being violated can come to the law and law will give them protection order so that they cannot be violated again. Provisions for compensation, safe custody and shelter, camera trial are also included in the new law.

The law has both criminal and civil remedies. If someone breaks the protection order twice he will be punished with imprisonment. The duties and responsibilities of the State, Protection Officer, and Service Providers are clearly articulated in the law. We hope that the law will be able to protect the victims of domestic violence and to prevent domestic violence as well.

**Challenges for the New Domestic Violence Law**

We have already discussed that the society of Bangladesh is patriarchal. Here beating one’s wife is treated as right of a husband and the society including women do not take it as an offence. In this circumstance, changing people’s mindsets and perceptions about domestic violence is the
main challenge. Beside that lack of awareness both in public and law enforcement agencies, lack of infrastructure including shelter support and counselor, and lack of professional and institutional skill will be major challenges. And, of course, insufficient budgetary allocation is a vital challenge to implementing the law. The government has not announced the Rules of how this law will be implemented. That is a great challenge.

**Sexual Harassment Prevention Bill**

Bangladesh National Woman Lawyers’ Association (BNWLA) conducted a survey of some garments workers. About 45 per cent of garments workers said that they were sexually abused in their work place at least one time and 28 per cent did not want to reply out of fear of society. Among the abused workers 62 per cent were abused by their co-workers and 38 per cent by their senior.

The existing laws are not sufficient to prevent and protect women from sexual harassment in educational institutions and in the workplace. Bangladesh National Women Lawyers’ Association (BNWLA) filed a Public Interest Litigation (PIL) before the High Court Division of the Supreme Court of Bangladesh seeking directions to prevent sexual harassment in educational institutional and workplaces.\(^1\) On May 14, 2009, in a landmark judgment, the High Court Division has given some directions to executive and other relevant authorities to prevent sexual harassment. The High Court directed that a new law to be drafted in accordance with the guidelines presented to the Court by BNWLA. In the direction, the High Court gave a clear definition of sexual harassment and it ordered the creation of a committee in every institution to prevent sexual harassment. A year and a half has passed since the judgment was pronounced but educational institutions and workplace have no committee. The law-enforcing agencies and the concerned ministry of the Government are directed in the judgment to take sufficient steps and activities so that the public can be made aware of sexual harassment. But it is frequently reported in the newspapers that incidents of sexual harassment are not decreasing rather increasing day by day.

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\(^1\) Writ Petition No. 5916 of 2008
Under such circumstances to prevent sexual harassment a new law is necessary. Bangladesh National Women Lawyers’ Association (BNWLNA) and the Law Commission of Bangladesh jointly drafted a law to fill this need. The draft was sent to the Ministry of Law, Justice and Parliamentary Affairs in August 2010. But yet it has not seen the face of light. In the draft law, sexual harassment is clearly defined; there are provisions to set up a committee to prevent sexual harassment. In addition to preventive measures the draft law has also taken protective measures. There are some binding provisions for concerned authorities to ensure women a friendly environment in educational institutions or other workplaces. If concerned authorities fail to take necessary actions according to the law, there are provisions in the draft law to impose fines upon them.

The law is mostly protective in nature and thus calls for necessary steps for awareness and training. A victim of sexual harassment can take shelter in this law as a protection, but she can also file criminal proceedings against the perpetrator according to other existing laws.

Human Trafficking in Bangladesh

In 1947, British India divided into two parts, India and Pakistan. Bangladesh as East Pakistan was a part of Pakistan. In 1971, Bangladesh gained independence. Citizens of West Bengal (India) and Bangladesh are both Bengali, with more or less the same culture, language, colour, tradition, stigma, practices and mobility. Moreover, Bangladesh is surrounded by India in three directions. These are the main factor of migration of border people of Bangladesh.

Human trafficking is a serious inter-country offence. The basic fundamental rights of victims of trafficking including right to life, right to movement and right to employment are being violated. To prevent human trafficking and the rights of trafficked victims there are some provisions in the existing Bangladeshi laws, but they are so scattered that it is hard to find them. Penal Code 1860, Criminal Procedural Code 1898, Evidence Act 1972 etc. are those acts which are more than one
hundred years old and insufficient to meet the needs of twenty-one century. We have a recent law, namely the Repression of Women and Children (Prevention) Act 2000 (Amended in 2003). This law and has some provisions to prevent trafficking but the procedural law and evidence act is so old that this law cannot operate properly and has failed to prevent human trafficking. Repatriation of the trafficked person, their rehabilitation, etc. is not clearly provided in the existing laws. Even the definition of trafficking is also very confusing and ambiguous in the existing laws. Because of this legal weakness the incidence of trafficking is increasing day by day, reportedly. So a new law to combat trafficking is now needed.

The ministry of Home of the Government of Bangladesh and BNWLA jointly drafted a new law to combat human trafficking. Human trafficking is clearly defined in the draft law. The draft law has some special provisions including a Special Tribunal. There are provisions of camera trial and video conference in the draft law. The tribunal will grant evidence recorded in any electronic device. There will be a separate investigation team for trafficking cases and there will be arrangement for interpreters in case of linguistic problems. The remarkable feature of the draft law is that there are comprehensive provisions for rescuer, repatriation and rehabilitation. The law also mentions the importance of cooperation between the countries.

**Absence of victim and witness protection laws**

A country like Bangladesh where the perpetrators represent the most influential portion of the society, who are economically and politically and are armed and very much organized, the question of victim and witness’s protection is very pertinent. Every year thousands of cases lose merit because of victim and witnesses insecurity. Besides ensuring victim and witness’s physical safety there are some other rights whose presence is needed in the law and legal system for sake of disposal of a suit.

Victim and witness should have the right to be treated with dignity and respect, the right to be protected from intimidation and harm, the right to privacy and counseling, rights to be informed concerning the criminal justice process, the right to receive all schedule changes regarding the case, the right to be informed on sentencing, imprisonment and/or release of the offenders, the right to compensation in certain circumstances, the right to prompt and timely dispensation of the case, the right to get emergency shelter, and the right to be informed of social service agencies for addition assistances. Therefore, a new law to protect victim and witness is very much needed.

**Acid Violence Prevention Act**

Based on the Public Interest Litigation filed by BNWLA in 2000, the High Court Division of the Supreme Court of Bangladesh directed the government to control free and easy availability of acid in open market, to regulate acid’s sale and to ensure special provisions for treatment and rehabilitation of acid survivors. Following the directions ‘The Acid Control Act 2002’ and ‘The Acid Crime Prevention Act 2002’ were enacted by the government.

**Good practices**

It is essential to mention here that although situation of women’s rights is weak in Bangladesh, there are some very good practices in Bangladesh. Bangladesh has a number of legal service
delivery programs, by which women are getting legal and other support in cases of violence. We have a One Stop Crisis Center (OCC) in every medical college hospital in division level, from where survivors are getting one stop services like police support and medical treatment. We have Forensic Lab and DNA testing facilities and Trauma Centers which are also very helpful for the survivors. Police also have some facilities which give courage to victims and help to ensure rights of the victims. For instance, we have Model Police Stations, Highway Policing, Anti-Trafficking Monitoring Cell and Community Policing. These facilities help to protect victims from violence and to combat human trafficking.

**Constraints to Access to Justice**

The main constraint to ensure access to justice is lack of social justice issues. Additionally the lack of access to legal information, lack of legal aid, heavy cost of services, lack of resource and support for existing services, absence of victim and witness protection mechanisms etc. are the constraints to ensure access to justice.

**Conclusion**

Law is an essential tool of social control but law alone can never eliminate all kinds of violence against women. Change of mindset and increased awareness is most essential for this purpose. Breaking the silence and sharing good practices will help to eliminate violence against women globally.
Egypt’s Women in Post-Revolution Constitution Making

Dr. Moushira Khattab

The Constitution is “the fundamental law, written or unwritten, that establishes the character of a government by defining the basic principles to which a society must conform; by describing the organization of the government and regulation, distribution, and limitations on the functions of different government departments; and by prescribing the extent and manner of the exercise of its sovereign powers.” In a nutshell it is a legislative charter by which a government or group derives its authority to act. It is the most important document in our lives.

In my intervention I will cover the significance of the role of Egypt’s women in post-revolution constitution making by dealing with two issues: first the process of constitution making, and second, the content of the constitution in the post-revolution phase.

First, The Process:

The formulation or review of constitution making must reflect the will of the people through nation-wide, transparent and effective participation of citizens. Exclusion of any segment of the population from such a process is a denial of basic rights. Therefore, exclusion of women from such a process is undemocratic, and renders the outcome of the process unrepresentative of the will of the people.

A constitution that overlooks women’s rights is simply incomplete. While history has shown a tendency of constitution framers to overlook the ethical ramifications of excluding women’s rights from constitutions, the economic ramifications of such exclusion cannot be ignored. A significant body of research conducted over the past decade has shown that women are critical to economic development, active civil society, and good governance, especially in developing countries. Focusing on women is the only successful way to reduce birth rates and child mortality; improve health, nutrition, and education; stem the spread of HIV/AIDS; build robust and self-sustaining community organizations; and encourage grassroots democracy. Democracy without the participation of women is nothing short of denial. That said, it is unfortunate that in the year 2011, when the issue of constitutional amendments is raised, the focus is automatically on the political clauses and the rights of women remain overlooked.

To ensure their effective participation; citizens are entitled to be educated on the entire process. States Parties of the UN human rights conventions are obligated to raise the awareness of the entire population, including women and children, concerning the issues at stake. Education and awareness raising are of crucial importance for women as more women are illiterate and excluded than men due to well-known socioeconomic factors.

The timing of our roundtable coincides with a turbulent, yet exciting time for my country, Egypt. The January 25th, 2011, revolution suspended the constitution of 1971, and a decision was made to amend 10 articles of the constitution. This stirred nation-wide debate. Men and women participated equally in the debate, from all disciplines, political, and religious affiliations, and freely expressed their views.
In preparation for the referendum, many workshops, newspaper articles, TV talk shows, and panels explained and simplified the issues at stake, a process in which women were as active as men, if not more. Female legal experts played an outstanding role in educating society about the issues at stake during the first real transparent and democratic voting in many years.

A constitutional committee was formed to propose amendments to 10 key articles that were put to a referendum on March 22\textsuperscript{nd}, 2011. The committee included legal and constitutional experts, but much to my dismay, and despite Egypt’s wealth of female legal experts, women were excluded from this committee. I would like to take a moment to dwell on Egyptian women’s stature within the judiciary: it is a well-known fact that Egyptian women have bypassed the stage of proving their competence within the judiciary. Over the past three years, dozens of pioneering female judges — out of more than 9,000 total judges — have been quietly building an unassailable record of performance in civil, criminal, family and economic cases in courtrooms across Egypt. The vice chair of the Supreme Constitutional Court is a renowned female judge, and Egypt has over 42 female judges; in addition to many renowned female constitutional experts. According to a male Assistant Minister of Justice, "Their performance is absolutely on a par with their male colleagues. They have proved that they're perfectly capable of handling the job."

In brief, a shortage of women in key constitutional positions could not be the excuse for the exclusion of women from the constitution amendments committee. It is ironic that women should be left out of such an important task in a country where it is commonplace to have women ministers, judges, and CEOs. An optimistic interpretation of what happened would be that the committee was formed in haste, and they simply forgot to include women. Or is it too simplistic? I believe the exclusion of women as such should serve as a wakeup call to Egyptian women and activists. While the committee was only charged with the amendment of 10 articles as a temporary measure, there will soon be a complete redrafting of the constitution in its entirety. Women have to ensure representation on that committee, and not just by way of the one token female legal expert that would keep activists at bay. Representation has to be adequate, and effective.

\textbf{Second, The Content of the Constitution:}

The representation of women on the constitutional committee is crucial for making their voices heard. There are certain articles in the Egyptian constitution that warrant the attention of women.

The participation of women will bring very important issues to the forefront that would otherwise be overlooked, as they are experts in their own issues. I will give you but two examples which warrant women’s adequate participation.

At the heart of our rich national dialogue lies a heated debate on the post-revolution political system. I am proud to say that for the first time in history, Egypt’s political factions, Islamists and liberals alike, are engaged. Some Islamists have indicated their preference to establish an Islamic state and apply the rule of Shari’\'a. The liberals on the other hand insist on a civil state that assures equal citizenship rights. Each party is testing out their views and gauging their strengths in public, perhaps for the first time. This debate in my view should be linked to article 2 of the Constitution. It provides that the principles of Shari’\'a are the main source of legislation.
This article has stirred heated debate between supporters and opponents. The reason being that Egypt’s population includes 10-12 percent Christians and questions are raised about whether they should be subjected to Shari’a. Moreover, many human rights activists fear its impact on the rights of women, both Muslim and Christian.

Abdullahi Ahmed An-Na’im (a Sudanese Muslim scholar), in a lecture at the American University in Cairo on May 3\textsuperscript{rd}, 2011, argued that the coercive enforcement of Shari’a by the state betrays the Qur’an’s insistence on voluntary acceptance of Islam. Just as the state should be secure from the misuse of religious authority, Shari’a should be freed from the control of the state. State policies or legislation must be based on civic reasons, accessible to citizens of all religions. Showing that throughout the history of Islam, religion and the state have normally been separate, An-Na’im maintains that ideas that human rights and citizenship are more consistent with Islamic principles than with claims of a supposedly Islamic state to enforce Shari’a. In fact, he suggests, the very idea of an “Islamic state” is based on European ideas of state and law, and not Shari’a or the Islamic tradition.\textsuperscript{1}

I tend to support An Na’im’s argument. Moreover, in my view, the debate may seem purely political, but at the heart of it lie women’s rights. I am sure you are all following the religious strife currently engulfing my beloved Egypt. It is embarrassing to say that the reason in some cases was a Christian woman who converted to Islam because she fell in love with a Muslim man.

Rania El Malky, in Egypt Daily News on May 14\textsuperscript{th} 2011, summarised the situation very eloquently. She wrote “women in Egypt, despite having made enormous leaps in access to education and jobs and through their activism in the public arena, continue to be exploited by religious extremists from both sides to further their own political agendas. The simple truth is, socially marginalized Egyptian women are often terrorized by their families and their extended social circles into behaving along a certain strict path, often being forced to make very private decisions that would have an immense impact on their social and psychological well-being. Should they choose to go against the grain, the backlash, as we have often seen, can be fatal. The issue is not simply sectarian; it’s a question of the fundamental human and gender rights of mature women to make decisions that could upset their families” Rania concludes. Egyptian society as a whole, and activist religious groups, whether Muslim or Christian, in particular, are in complete denial of how the role of women in society has changed over the decades. Continuing to impose such flagrant social and religious restrictions can be easily abused to the detriment of the future of Egypt and its religious cohesion.

Hazem Abdel Rahman in El Ahram Newspaper of 15\textsuperscript{th} May 2011, dealt with the same issue. Yet he went more in depth to correctly say that this is a problem of poorer young women in the most conservative Upper Egypt; women who managed to get some education and have a professional career, earn some income that gives them a sense of independence and right to make their own

\textsuperscript{1} Abdullahi Ahmed An-Na’im, “Islam and the secular state.”
decisions, yet their own family and communities refused to treat them with humanity dignity and respect. “They refuse to accept the right of women to liberation from servitude.” He concludes, “who believes that when a girl makes such a decision Egypt tips on her toes.”

In my view, this is one reason why Egypt should opt for a civil state and a constitution that assures equal rights for equal citizens. As An Naaím said, there is no single agreed upon interpretation of Shari’a. I say women will be the victims of discrimination if this happens. Women are the best experts on their issues. They offer the best solutions, and should be active participants in the constitutional making.

Added to this is the never mentioned, yet in my view the infamous, Article 11 of Egypt’s 1971 constitution that deals specifically with women’s issues. It is also the only article dealing with a specific segment of the population that uses the Shari’a caveat to put a damper on the rights granted by the article. I am sure that women would like to see their rights stipulated in more forceful language that offers certitude. In a positive development, Egypt’s ruling Supreme Council for Armed Forces announcement on May 13th, 2011, that Egypt seeks to establish a democratic civil state that treats all citizens equally.

The constitutional amendments enforced in March 2011 have done away with women’s quota in the Parliament. Consequently, the amendments to the law on the exercise of political rights become of essence. Women groups are lobbying to change the voting system into proportional representation that provides women candidates with the opportunity to be placed on party lists for parliamentarian election. It assists women in overcoming the fierce competition during electoral campaigns and enhances their political participation. I find it more important than the quota system that is currently under attack.

Women should also be partners in the constitution making to ensure that gains achieved in the past are not squandered in the revolutionary hype. Gains in the civil law in support of women’s rights, as well as the child’s law, are currently under attack. There are calls for the reversal of gains such as the family courts, criminalization of FGM, ban on child marriage, child custody and visitation rights. Women at the grass roots level are encouraged to be the defenders of their own rights.

In conclusion, Egypt is going through historic times thanks to its women. Egyptian women who fought equally for the revolution expect a paradigm shift in their struggle for equal rights. On January 25th they asked for freedom and democracy for all Egyptians, they didn’t raise banners asking for women’s rights. Egyptian women want to be truly equal, not just receive some lacking human rights.
First I would like to thank Dr. Zarrouk and our partners at Wellesley College’s Wellesley Centers for Women for organizing this round table, which offers the opportunity to exchange experiences between women from different countries. Our contexts are different, but we are united by a common denominator: insistence on equality and the freedom of creativity, and our ability to contribute to development.

My thanks also for choosing a topic for this symposium which examines the opportunities for women in this historic time. Of course, talking about women’s leadership is important in this moment of change, and women’s contributions to moving change in the right direction will ensure its success. We will avoid moving backwards, and will not deviate from the essential and noble goals of the women’s movement, so that it will have long-lasting effects.

What is happening now in the Arab world is a cultural revolution, and the instigators are those from marginalized groups, women and young people. They have announced their break with silence, with exclusion, and have decided to contribute to action in another way.

We must not allow this movement to fall into the ways of terror and destruction. And here is the importance of women and women’s leadership: to direct the movement in the right direction, towards building a constructive movement benefitting society, rather than demolishing it. It is also an opportunity to make positive change particularly for women’s issues. We need to use this movement to initiate changes:

- At the level of debate and dialogue (in all subjects without taboos)
- At the level of political reforms (including the electoral laws and the establishment of positive discrimination, “the development of standards to prevent the propagation of a culture of clientalism”)
- At the level of training and qualification (I want to commend Dr. Najat Zarrouk for making great efforts in this domain.)

What is more important is networking, building bridges and exchanging experiences, ideas and analysis in order to learn from one another. I have personally lived three experiences in this field.

Forum of Women Parliamentarians:
After a struggle of two years, and the presence of political egos, the network went on to become a practical mechanism and had a role in providing a range of proposals in parliament, many of which are now being considered in political reforms.

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1 Translated by Rebecca Turkington, Rapporteur to the Rabat Conference.
2 President of the African Local Elected Women’s Network, Kingdom of Morocco.
Network of Francophone Women Parliamentarians:
The network enabled us to impose a set of suggestions and topics for discussion within French-speaking parliaments and to put pressure on governments to engage the CEDAW. It also serves to support women parliamentarians in their constituencies and support the cause of women in international forums.

The African Local Elected Women’s Network:
This was recently initiated in 2011 in response to the recommendation of United Cities and Local Governments of Africa at its 2009 session in Marrakech. The Network will serve as a mechanism to enable the achievement of two essential goals: success in achieving good governance in management (which is what we need today), and increasing the proportion of women represented in elected bodies and local councils. Though we lost two years between the recommendation in 2009 and the creation of the network in 2011, what matter are the results.

The implementation of this recommendation was the first continental Forum of Tangier of under His Majesty’s patronage (He has championed women’s rights since the beginning of his rule, and his letter of March 9th, in which he spoke about the need to institutionalize women’s presence, made his commitment clear.). The Forum was attended by 763 elected women from 48 African countries and the theme was The Millennium Development Goals and Local Governance: Roles and Responsibilities of Women's Leadership. This meeting coincided with the anniversary of International Women's Day and with the creation of UN Women, and it was a logical transition from this celebration of women to the inauguration of a successful women’s network.

Network Achievements:
Of course, I must say that the birth of this network was difficult. We faced many challenges- egotism, lack of trust, politics and so on- but we managed to overcome our differences in a wise manner and named a bureau of 15 members with representatives from each of the 5 African regions.

Among the recommendations were:
All women present at the deliberations agreed that the Network should become the Women’s Commission of United Cities and Local Governments of Africa (UCLGA) and to monitor its human and material resource potential for action in all parts of Africa. At the UCLGA executive bureau meeting in Dakar on April 26th, after long hours of debate on the subject, they agreed reluctantly to this proposal.

They also approved our first activities:
An extensive campaign through which we will seek to ensure a ratio of one elected woman versus two elected men in all African countries.

Another meeting is scheduled for June when we will finalize a road map and plan of action, to be initiated immediately after the meeting. We will also contribute to the achievement of regional expansion in all African countries because it is the frame which accommodates female presence and participation in development.
Many African countries have seen clear progress in the advancement of women at all levels, including in political action, but still have a weak presence of women in decision-making. Mechanisms and incentive measures, including positive discrimination have enabled women in some countries to overcome this deficiency, though in some cases only nominally:

- Mauritania: 30 percent
- Senegal: 30 percent (parity law)
- South Africa: 40 percent
- Rwanda: 50 percent
- Burkina Faso: tangible progress in senior positions

In general, women’s participation in the vote is very high; in institutions, according to a study by UCLGA in 298 African municipalities, 30 percent of elected officials and 12 percent of Presidents are women. In general, however, men remain the decision makers because the election of women is not according to standards of competency, and thus a large portion is ineffective because they are seen as unqualified. This is the handicap that must be corrected.

I don’t have much space to break down the details, but consider these benefits that networking provides:

- Effective leverage
- A mechanism to improve women’s performance
- Space to benefit from the experience of others

This is why it is necessary that we work to strengthen networks in every domain, and take advantage of the opportunity to encourage the women of Morocco to create a national network that will have a fundamental role. We must overcome ego and help support other women around us.
في البداية تشكراتي ذ. زروق نجاة، عامل صاحب الجلالة ومديرة تكوين الأطر الإدارية والتقنية، ولشركتها في الجامعة الأمريكية على تنظيم هذه الندوة التي تتيح فرصة تبادل الخبرات بين نساء من بلدان متنوعة بمرجعيات مختلفة لكن يجمعهن قاسم مشترك:

- الإصرار على تحقيق الانصاف وتحرير طاقات قادرة على الخلق والإبداع

- قادرة على المساهمة في التنمية

- أشكركم أيضاً على اختيار موضوع الندوة (موضوع المرحلة) التي تعتبرها فرصة النساء.

- طبعاً يتحدث عن قيادة النساء للتغيير يزيد بذلك المساهمة في توجيه التغيير الصحيح لنضمن له النجاح ونضمن تفادي الانزلاقات والانحراف عن جوهر الاهداف النبيلة، حتى لا يكون الحراك مجرد انتصار لتيار ضد تيار.

- ما يجري الآن في الدول العربية والأفريقية هو ثورة ثقافية: الفاعل فيها: هي الفئات المتدرجة من الاقصاء والتهميش (النساء- الشباب).

- أعلنوا عن القطيعة مع الصمت- مع الغزوف- الاقصاء وقرروا المساهمة الفعلية في التدبير بشكل آخر.

لكن لا يجب أن نقع انفلاتات هذا الحراك على آلية للقتل والدمير ونشر الرعب.
وهنا - تكمن أهمية النساء وأدوار القيادة النسائية لتوجيه الحراك السياسي التوجيه الصحيح نحو البناء والتشييد-ليس الهدم والتدمر.

المرحلة هي فرصة لجعل التغيير إيجابيا ولجعله لصالح القضية المجتمعة والقضية النسائية من خلال:

- على مستوى النقاش والحوار (في كل المواضيع دون طابوّات)
- على مستوى الإصلاحات السياسية (بما في ذلك القوانين الانتخابية ودستور التمييز الإيجابي "وضع معايير، منع الأصول والفروع، منع ثقافة الولاتات").
- على مستوى التكوين والتأهيل (أحيي نجاة زروق ومن معها)

ثم وبالدرجة الأولى التشبيك وربط الجسور وتبادل الخبرات والتجارب والأفكار والاقتراحات والتحليل.

أنا شخصيا عشت 3 تجارب في هذا الإطار:

1. منتدى النساء البرلمانيات : نضال لمدة سنتين-أخذ-ورد-حضور الأنا، حضور المرجعية السياسية (كانا عرقلة)، في الأخير خرج إلى الوجود وأصبح آلية عملية وكان له دور في تقديم مجموعة من المقترحات داخل البرلمان والان مقترحات حول الإصلاحات السياسية.

2. شبكة النساء البرلمانيات الفرانكفورتيات
✓ تكوين الشبكة مكننا من فرض مجموعة من الاقتراحات والموضوع للنقاش داخل البرلمانات الفرنكوفونية/الضغط على الحكومات للانخراط في الاتفاقية (محاربة كل أشكال التمييز ضد المرأة)

✓ دعم النساء البرلمانيات في دوائرهن

✓ دعم القضية النسائية في المحال الدولية.

ـ الشبكة المنتخبات المحليات بإفريقيا وهي تجربة حديثة العهد (مارس 2011) جاءت استجابة لتوصية منظمة المدن والحكومات المحلية المتحدة في إفريقيا (في دورتها لسنة 2009 بمراكش) اعتمادا على أن هذه الشبكة ستكون بمثابة آلية تمكن المنتخبات من شيئين أساسين:

- النجاح في تحقيق الحكامة الجيدة في التدبير (وهو ما نحتاجه اليوم).

- الرفع من نسبة التمثيلية النسائية داخل الجماعات المحلية.

صحيح أننا أضعنا سنتين (2009-2011) لكن الأمر لم يكن سهلاً، المهم النتيجة.

 تنفيذا لهذه التوصية تم تنظيم المنتدى الأول للمنتخبات بطنجة تحت الرعاية السامية لصاحب الجلالة (الذي انتصر للقضية النسائية منذ بداية العهد الجديد وخطاب 9 مارس كان فيه واضحًا)

بحضور 763 منتخبة – 48 دولة إفريقيا

الموضوع: الأهداف الإنمائية للألفية والحكامة المحلية
أدوار ومسؤوليات القيادة النسائية

- تزامنت هذه اللقاءا مع ذكرى اليوم العالمي للمرأة مع إحداث هيئة مختصة وهي (منظمة الأمم المتحدة للنساء)
- وفي هذا مغزى: الانتقال من منطق الاحتفال إلى منطق الانجاز إحداث الشبكة

طبعا لا بد أن أقول أن الولادة كانت عسيرة:
الإشكالية التي لا نزال نعاني منها بقوة في كل الفضاءات النسائية (هي حضور الأنا)
(وعدم الناقة بالاخر)
قغيب ثقافة (عمل السلسة)
لكن مع ذلك تغلبنا على كل الخلافات وتكون المكتب من 15 عضوة
ممثلة لكل الجهات الخمس بإفريقيا

ومن بين التوصيات:
أن تصبح الشبكة المحدثة لجنة نسائية لمنظمة المدن والحكومات
المحلية المتحدة بإفريقيا ليظل رأي النساء حاضرا في كل المداولات.
وأن ترصد لها إمكانيات بشرية ومادية للعمل وأن تحدث فروع في
كل الدول الإفريقية

اجتماع المكتب التنفيذي بذاكر 26 أبريل، ساعات طويلة من النقاش
حوالوضوع: وافقنا على ذلك في النهاية على مضض. كما تمت
الموافقة على أول نشاط سنقوم به:
حملة واسعة نسعي من خلالها لضمان وجود منتخبة واحدة مقابل منتخبين اثنين في كل الدول الإفريقية التي ستنظم انتخابات هذه السنة  
- تحدد اجتماع آخر في شهر يونيو الذي ستضع فيه خارطة الطريق – برنامج عمل : سيتم الشروع فيه مباشرة بعد اللقاء  
- كما>Anنا سنستم في الدفع في اتجاه تحقيق الجهوية الموسعة في كل الدول الإفريقية لأنها : الإطار الذي يستوعب التواجد النسائي ومشاركتهن في التنمية. 

للإشارة لا بد من تسجيل ملاحظة أساسية : 
الكثير من الدول الإفريقية حصل فيها تقدم واضح في مجال النهوض بالمرأة على جميع الأصعدة بما في ذلك مشاركتها في العمل السياسي. لكن حضورها على المستوى القرار لا يزال ضعيفا. 
التداخل والإجراءات التحفيزية بما في ذلك التمييز الإيجابي مكنت النساء في بعض الدول من تجاوز هذا النقص (في بعض الأحيان شكليا) : عدم مراعاة الكفاءات مناطق الولاءات غياب المعايير. 

- موريطنانيا : 30%  
- السنغال : 30% ⇔ قانون المناصفة  
- إفريقيا الجنوبية : 40%  
- رواندا : 50% ⇔ النساء شاركن في الثورة  
- اوكندة-بوركينا فاصو تقدم ملموس في المناصب العليا  
لكن صفة عامة :
المشاركة في التصويت: جد مرتفعة التمثيلية في المؤسسات: حسب دراسة قامت بها CCLUA في 298 بلدية إفريقية 30% منتخبات و 12% رؤساء

بصفة عامة أيضاً أيضاً يبقى القرار بيد الرجال لأن اختيار النساء لا يتم حسب معايير الكفاءة مما يجعل نسبة كبيرة غير مؤثرة لأنها تابعة خاضعة-غير مؤهلة وهذا هو الاختلال الذي يجب تصحيحه.

الحلول هي كثيرة لا مجال للتفصيل فيها، لكن أعتبر أن التشبيك:

- قوة ضغط مؤثرة
- آلية للرفع من الأداء النسائي
- لهذا يجب على أن تعمل على توسطه لما يكل المجالات
- واستغل الفرصة لأهية بالإخوان المغاربة أن يخلق شبكة وطنية للمنتخبات سيكون لها دور أساسي.
- فضاء للاستفادة من تجربة الآخر
- مدرسة تتعود فيها على الانتصار على الأنا والاعتراف

بجهود الآخر، دعم المرأة للمرأة صعوداً ونزولاً
Muslim Women Interpreting the Koran

Siti Musdah Mulia

Introduction

In 2004, in my capacity as the coordinator of the Gender Mainstreaming Team in the Ministry of Religious Affairs in Indonesia, my team and I proposed a new draft of an amendment of The Compilation of Islamic Law which is called The Counter Legal Draft of The Compilation of Islamic Law.

As a Muslim woman, I do believe that the essence of Islam is revealed in the humanistic values it embodies. The most complete expression of those values is the recognition by Islam of the fundamental equality and unity of all humanity. All human beings are considered equal. All humans are equally created by God. The only thing that differentiates one individual from another is the degree and quality of her devotion and obedience to God. The only one capable of judging the quality of human devotion is God Himself.

The Compilation of Islamic Law

The Compilation of Islamic Law and a number of studies on women and law in Indonesia show that women’s position is marginalized and gender inequity is deeply entrenched in the country. Gender inequity is a social problem that needs to be addressed integrally by analyzing every factor involved in preserving it, including the legal aspect that is often justified by religion.

Analyses on legal cases in Indonesia show that gender inequity in the legal field is found in the content of law, culture of law and structure of law. Regarding law structure, gender inequity is marked by low gender sensitivity among law enforcers, particularly prosecutors and judges. Existing legislations and laws have inadequate contents, such as The Compilation of Islamic Law. This law is heavily loaded with gender biased and patriarchal values. The Law even blatantly places women as sexual objects and confirms women’s subordination. The whole situation is worsened by legal culture that is still very much influenced by patriarchal values, which is strongly legitimized by religious interpretation.

On the other hand, Indonesian society is currently facing a number of social problems that require marital law reform. Cases of exploitation and discrimination against women are rampant, including domestic violence, trafficking of women and children using the modus operandi of marriage, mushrooming practice of contract marriages that harm women and children, high numbers of underage child marriages and unregistered marriages, and widespread practice of prostitution.

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1 Dr. Musdah is the first woman to receive a research professorship from the Indonesian Institute of Sciences and the first to do her dissertation on Islamic political thought. Dr. Musdah has written numerous scholarly works focused on women’s roles in Islamic culture. She is a recipient of the International Women of Courage award from U.S. Secretary of State Condoleezza Rice. As a senior researcher at the Religious Affairs Ministry and an adviser to the minister, her innovative examination of gender bias in the Islamic law and drafting of a replacement counter law draft (CLD) has spread new ideas about the critical reinterpretation of the Koran.
On June 10, 1991, then President Soeharto through Presidential Instruction No. 1/1991 issued The Compilation of Islamic Law. Comprising marriage, inheritance and religious donation regulations, the Compilation is the official legal guidance for judges in religious courts all over Indonesia.

From the perspective of gender equality and equity, a number of articles in The Compilation marginalize women. The Law confirms the majority views in Islamic jurisprudence which rate women second grade after men, in issues like guardianship, witness, nusyuz (disobedience in marriage), polygamy and rights and obligations of husbands and wives. Whereas men and women have the same role in establishing a family, and in the eyes of Allah, they both are equally appreciated for their hard works, without discrimination.

Meanwhile, data shows that domestic violence cases are rampant. A report from the state Ministry of Women’s Empowerment in 2001 revealed that 11.4 percent of the total population, or 24 million women, said they have experienced violence, mostly domestic, ranging from torture, sexual assault, economic violence, abuse, adultery, and polygamy. The data, however, is the tip of the iceberg as many women who undergo violence are reluctant to report their cases.

The Counter Legal Draft Offers New Paradigm of Marriage

The Counter Legal Draft is formulated through research and critical analysis over The Compilation launched in 2004 by The Gender Mainstreaming Working Group Team established by The Ministry of Religious Affairs in 2001. The Draft formula is similar to the Law, which consists of marital law, inheritance law and religious donation law. It offers family law reform to Indonesian Muslim, particularly to amend The Compilation and Marital Law.

The Draft formulates a new model of Islamic law and is arranged based on the principles of Islamic teachings as stated in the Al-Qur'an and Hadith. The Draft holds human rights in high regard; it advocates gender equality and equity in the relations of men and women, and voices the humanistic, pluralistic and democratic views of Islam.

Adhering to Islamic teachings about marriage, the Counter Legal Draft of The Compilation offers a new paradigm of marriage. First, marriage is defined as a serious pact (mitsaqqan ghaliidzan), agreed knowingly by two persons to establish a family, whose implementation is based on the willingness and consensus of both parties. Second, the principle of marriage is monogamy (tawahhud al-zawj). Third, marriage is based on six major tenets: willingness (al-taraadli), egalitarianism (al-musaawah), equity (al-'adaalah), benefit (al-mashlahat), pluralism (al-ta'addudiyyah), and democracy (al-diimuqrathiyyah). Fourth, the purpose of marriage is to achieve a blissful (sa'adah) and prosperous (sakinah) family life with the foundation of affection (mawaddah wa rahmah), as well as fulfilling biological needs legally, healthily, safely, contentedly, and responsibly.

Those four paradigms are the fundamentals of the Draft over the issues of guardianship, witness, registration, age requirement, dowry, interfaith marriages, polygamy, divorce and reconciliation, transitional period for woman to remarry after divorce (iddah), ihdad (mourning period), financial matter, disobedience (nusyuz), position and status of husband and wife, and rights and obligation of husband and wife.
The Qur'an discusses marriage in details in many verses. There are no less than 104 verses, whether using the phrase marriage (berhimpun), which repeated 23 times, or using the word zuwî (spouse) 80 times. Understanding the real meaning of marriage in Islam means unraveling all verses about marriage, sorting them out by theme and seeing them as a whole, before concluding the essence of the verses.

Deep analysis of all verses on marriage concludes with five basic principles of marriage: monogamy, love and affection, complement and protection, civilized and well-mannered relation both in sexual or human relations, and the principle of freedom to find spouse for both men and women.

**The Burning Issues in the Counter Legal Draft**

The Counter Legal Draft reforms several articles in The Compilation which are deemed not accommodative to the Islamic views that uphold humanity and democracy as stipulated in the Holy Qur'an and Hadith, and contradict the rules and regulations on the national and international levels.

There are 14 major issues in the marital law that need to change: marriage definition, guardianship, witness, minimum age for bride, dowry, marriage registration, nusyuz, rights and obligations of husband and wife, income earning, polygamy, interfaith marriage, iddah (transitional period), ihdad (mourning period), and rights and status of children born out of wedlock.

**Islamic reinterpretation is a necessity**

The main factor in the decrease of women’s position in Muslim communities is religious interpretations which are constructed by religious authorities, and are not the religion itself. So the solution to settle the problem is reinterpretation of religious teachings, or *ijtihad*.

It is very interesting to know that Muslim communities almost all agree that *ijtihad*, in the sense of building new interpretation and comprehension approach of Islam, is a necessity, not only after the death of the Prophet, but even in the era of his life. The hadith of Muaz ibn Jabal indicates that necessity very clearly. The other hadith usually referred with regard to the importance of *ijtihad* is: *innallaha yab’atsu ala kulli ra’tsi miati tsanah man yujaddidu laha dinaha*. (Actually Allah will manages in every 100 years, a renewal agent who will renew the religious interpretation).

In my opinion, Islamic reinterpretation or *ijtihad* should be based on at least three principles as follows:

1. **The principle of Tawhid**

   The core and foundation of Islam is the concept of *tawhid*. Tawhid is the basis for human devotion to God, and guides humankind on how to establish harmonious relationships among themselves. In everyday life, tawhîd is the principal point of reference that guides humans to act correctly, in both their relations with God and with other humans and the universe. The sincere practice of genuine *tawhid* will lead humans to a good life in this world and happiness in the hereafter.
Many verses in the Qur'an mention tawhîd, but the essence of the concept of tawhîd can be found in surah al-Ikhlas. This surah contains several important teachings, such as that Allah is one, that Allah is our support, Allah has neither parents nor offspring, and that Allah is utterly without equal.

The conviction that no human equals Allah has given rise to the principle of the equality of humankind, as all humans are Allah’s creatures. No human is superior to any other; all are fundamentally equal. No human may be deified in the sense of being made the source of guidance and support, to be feared, prayed to, and regarded as unquestionably correct. A king cannot be a god to his people, a husband cannot be a god to his wife, and a rich person cannot be a god to a poor one. Because they are not gods, kings and leaders cannot be worshipped by their people like a god; an employee should not worship his or her employer; a wife should not worship her husband. Thus, fear of and unconditional obedience towards a king, a leader, an employer, or a husband that exceeds that which is accorded to Allah is a denial of the principle of tawhîd.

On a social level, the power of tawhîd gave the Prophet the courage to defend the weak, the oppressed and those who were rendered structurally and systematically powerless, such as women, slaves, and children, as well as those who were abused by their leaders and others who hold positions of power and hide their cruelty behind the name of God.

It is apparent, therefore, that tawhîd is not simply a static religious doctrine. It is an active force that enables mankind to recognize God as God and humans as humans. A genuine understanding of the meaning of tawhîd brings both salvation and prosperity to individuals and also forms the basis for a society that is moral, civil, humanitarian, and free of discrimination, injustice, cruelty, fear, and oppression towards individuals or groups. This is how the principle was used, taught, and introduced by the Prophet Muhammad PBUH.

2. The principle of Maqashid al-Syar'iyyah

Although the Qur'an and Hadith generate and lay down legally binding rules, indeed, the number is very scanty compared to human problems that require legal decision. Therefore, renewed interpretation or ijtihad is inevitable. Such ijtihad shall stick to Islamic legal resources namely the Qur'an and Hadith. In this regard, I would like to note that the understanding of the two resources shall not be based on literal meaning but rather more contextually with reference to the true objective of Islamic legislation (maqashid al-syari’ah). The objective of Syari’ah is clearly implemented in the value of justice (al-`adl), virtue (al-mashlahah), wisdom (al-hikmah), equality (al-musawah), compassion (al-rahmah), pluralism (al-ta‘aduddiyah), and human rights principles (al-huquq al-insaniyah).

Al-Ghazali, the prominent Islamic scholar, has formulated the values engraved in maqashid al-syari’ah into five basic principles of human rights, which he designated as al-huquq al-khamsah. The said five human rights constitute the right to live, right to voice opinion freely, right to have religion, right to have properties and right to reproduce offspring. The concept of al-huquq al-khamsah subsequently leads to the importance of treating human beings as both the target and the subject of Islamic legislation.
It is very important to note that grounded in the theory of Maqashid al-Syari’ah, Ibn Muqaffa’ classified Qur’anic verses into two categories: firstly, ayat ushuliyah (universal verses) which are universal in nature since they describe the fundamental teachings of Islam, such as the Qur’anic verses regulating marriage, inheritance and social transaction. Secondly, ayat furu’iyah (particular verses) which are particular in nature since they disclose specific matters, such as the verses explaining the principles of justice, peace, gender equity, human right, and wisdom.

Unfortunately, most Muslims pay considerable attention to and are too much carried away in the implementation of particular verses and pay no heed to and discard the universal ones. It is not surprising that Muslims’ appearance seems rigid, exclusive, and very unfriendly to women.

3. The principle of fiqh relativity

As a Muslim, I do not doubt that the Qur’an is eternal and absolute truth, but its interpretation is not absolutely eternal and ever-lasting. Its interpretation is always relative. The historical development of many schools of Islamic Jurisprudence (fiqh) constitutes a clear and positive evidence of the relative nature of the interpretation. Fiqh as we know today is truly the result of intellectual activity of Muslim scholars.

It is necessary to understand that a faqih, however objective he may be, can hardly separate himself from his socio historical sphere and the laws and traditions developing at the time of his life. Therefore, the codification of fiqh views prevailing in a gender – biased community will certainly produce books of fiqh which are misogynist.

Finally, I would like to recommend that Moslem people should realize that the Qur’an and the Sunnah are texts which should be read and interpreted contextually, namely by understanding the historical and political contexts on which both were revealed. Context-based interpretation will lead us to an in-depth understanding and appreciation of the messages of universal Islamic morality, such as justice, peace, gender equality, human rights, affection, and freedom. It is this leading thread which should be understood when reading and interpreting the verses addressing the gender relation. It is this type of interpretation which will lead us to advance efforts regarding women’s empowerment and peace building.

Conclusion

Islamic Law, including marital law, is developed and reformed in line with the dynamics of Muslim society in many regions. Islamic marital law, particularly in Indonesia, is an amalgamation of ijtihad, which produces new ijtihad (talfiq), creates administrative policy (siyasah asy-syar’iyyah), formulates additional guidelines (takhayyur), and reinterprets jurisprudence views unsuitable with recent situation and condition.

Family law reform in the Counter Legal Draft offers an ideal, just and democratic marital law based on Islamic teachings that uphold humanitarian values. The purpose is to establish a blissful marriage filled with love and affection (mawaddah wa rahmah), civilized behavior of husband and wife (muasyarah bil ma’ruf), mutual respect and understanding, as well as completing each other to obtain happiness in life and the afterlife.
The Draft strives to eliminate domination, discrimination, exploitation and violence within marriage by anyone for any reason. It is hoped that there would be no more forced marriage, underage marriage, unregistered marriage, irresponsible contract marriage, and polygamy. It has to be seen as an ijtihad to promote the Islamic teachings which emphasize love and respect for human beings and humanitarian values. The Draft is also an effort to seek solution for a number of contemporary social problems faced by Indonesian society.

Lastly, the Draft aims at empowering women and giving full protection for women as human beings, as explained in the Al-Qur'an and Sunnah and also as stipulated in the Constitution and other regulations, like the Convention on the elimination of Discrimination (CEDAW). With the Draft, the Indonesian Muslim community will be able to promote Islamic teachings that are women friendly and a blessing for the whole universe (rahmatan li al-‘alamin). In urîdu illa al-îshlâh mastatha’tu. Wa mā tawfîqiyy illâ billâh. Wa Allah a’lam bi as-shawab.
Interpretation of the Islamic Jurisprudence in the Spirit of International Human Rights Norms and the Convention on the Elimination of All Forms of Discrimination Against Women

Ferdous Ara Begum

The concept of nondiscrimination and equal rights for both men and women in all spheres of their lives, as enshrined in the Convention on the Elimination of Discrimination against Women (CEDAW) Convention (1979) and all other Human Rights Frameworks, generated a new realization and discourse in the Islamic world. The Universal Declaration on Human Rights (1948) states in Article 1 that ‘all human beings are born free and equal in dignity and rights.’ By ratification of these international human rights frameworks, States Parties are obligated to uphold these human rights standards in their own legal systems.

At present about 187 states parties have ratified CEDAW, almost a universal ratification for the Convention. Excepting Iran, Sudan and Somalia, all Muslim countries have ratified or acceded to the CEDAW convention, though many of these countries have imposed reservations under Article 28 of the convention on certain core Articles, such as Articles 2, 16 and 9, in the name of Islamic Shari’a law.

This means that provisions of Articles that are not compatible with Quaranic law are not binding upon those countries that imposed reservations. It is often argued that Muslim family law systems cannot be amended to allow equality between men and women because these are divine laws and therefore unchangeable, or that practices cannot be changed because they are part of the Islamic tradition.

Many Muslim countries view CEDAW as culturally biased towards western nations and have consequently placed reservations on the elements that they see as in fundamental contradiction with Islamic shari’a laws based on Holy Quran and Sunna. Also, most Muslims regard the advent of Shari’a laws as a significant force in the improvement of women's rights.

Women human rights activists and Islamic feminists consider this notion as a patriarchal interpretation of Islam based on unequal family relations that aim to subordinate women. They argue that justice is inherent to the philosophy of law in Islam, thus laws or legal amendments introduced in the name of Shari’a and Islam should reflect the values of equality, justice, love, compassion and mutual respect among all human beings. These are values and principles on which Muslims agree and which Muslim jurists hold to be among the indisputable objectives of the Shari’a, and are also consistent with universal human rights principles and values.

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1 Ferdous Ara Begum was a member on the U.N. Convention on the Elimination of Discrimination against Women (CEDAW). She has served as Joint Secretary of the Ministry of Women and Children’s Affairs, Bangladesh and as a member of the Board of Directors of the Grameen Bank, the bank that pioneered microcredit for women. As a CEDAW Committee member, she chaired the drafting of the CEDAW General Recommendation on Older Women. She was a Mason Fellow at the Kennedy School of Government, Harvard University.
In the present paper we will try to examine the reconciliations of the Quranic injunctions on women’s rights with the existing human rights frameworks, i.e. CEDAW.

**Article 2, 9 and 16 and Object and Purpose of the Convention**

Article 2 of the Convention says that States Parties should eliminate discrimination against women in all its forms through appropriate legislation, and repeal all national penal provisions that are discriminatory to women. Article 16 governs family relations, such as equal rights and responsibilities for marriage and the dissolution of marriage, custody rights etc., and Article 9 represents equal citizenship rights.

The General Recommendation 28 of the CEDAW convention clearly mentions that reservations on Articles 2 and 16 go against the object and purpose of the convention. Practical realization of the principles of equality and nondiscrimination cannot be achieved while keeping reservations on Articles 2 and 16. Ratification of the CEDAW Convention, which is one of the core international human rights treaties of the UN treaty system, requires member states to undertake legal obligations to respect, protect and fulfill human rights. In other words States Parties are committed to adopt international human rights standards in their national legal system and incorporate them in their constitution.

Many Islamic Nations such as Morocco, Tunisia, and Turkey complied with the CEDAW principles and brought amendments accordingly into their national legal system. As signatories to the CEDAW Convention, States Parties are required to submit reports to the committee every 4 years and explain the situation of women’s advancement with respect to their rights and legal protection for them in the country in light of the convention.

Here lies the real tension and challenge for Islamic States to realize women’s human rights as covered by the CEDAW Convention.

**Scope of this Article**

In this article we will examine the Islamic jurisprudence in the spirit of international human rights norms and how reform process in different Islamic countries could minimize differences in the area of women’s equal access to public goods such as education, health, employment, rights to justice and political participation as well as equal rights in the family relations such as marriage, divorce, custody rights and inheritance to property, and most importantly withdrawal of the reservations to the CEDAW Convention. In the elaboration of this article we will also touch upon the issues like gender stereotyping, violence against women, patriarchy, harmful traditional practices, like Female Genital Mutilation (FGM), honour killing, dowry related crime, etc. as well as minimum age of marriage, consequences of early marriage, and polygamous unions which affect women in the realization of equality and nondiscrimination. We will also examine how women’s human rights, international human rights frameworks (e.g. CEDAW) and Islamic jurisprudence are not contradictory to each other.

**Ijtihad Supports Reform Measures in the Islamic Jurisprudence**

Many Islamic countries such as Morocco, Malaysia, Tunisia and Turkey have initiated reform measures in their family codes in line with the CEDAW principles to eliminate discriminate
against women using the wisdom of *ijtihad*. This is a creative interpretation of the Quran based on independent and contextual reasoning in light of relevant societal, historic and cultural rationality. *Ijtihad* is a flexible tool which has been used by Islamic scholars to mold and shape traditional Islamic legal theory to fit the needs of changing times. The *Quran* (Divine law), *Sunnah* (tradition of the prophet), *Ijma* (consensus) and *Qiyas* (analogy) are important sources of Islamic knowledge and the main basis of ijtihad, which provides a greater degree of flexibility in contemporary interpretation of Islamic laws and practices. *Ijtihad* is considered the science of interpretation and rulemaking in the area of Islamic jurisprudence.

In recent times, even the judiciary has invoked *ijtihad* in its jurisprudence. For example, Justice Nasim Hasan Shah of the Supreme Court of Pakistan cited *ijtihad* in one of his judgments. The Iranian Nobel Laureate, Dr. Shirin Ebadi too argues that, “In Islam, there exists a tradition of intellectual interpretation and innovation known as *ijtihad*, practiced by jurists and other clerics over the centuries to debate the meaning of Quranic teachings as well as their application to modern ideas and situations.”

**CEDAW Convention**

The United Nations adopted the CEDAW in 1979 and it is the only legally binding international instrument to prohibit all forms of discrimination against women committed by public authorities or by any person or organization in the full range of civil, political, economic, social and cultural areas, covering both public and private life. The convention also targets culture and tradition as influential forces shaping gender roles.

The CEDAW convention aims at achieving uniform development for women all over the world using global normative standards that have been enshrined in the 16 substantive articles of CEDAW and its 28 general recommendations. The CEDAW convention’s profound impact on the legal and sociopolitical development of states parties, including Muslim states who are parties to the Convention, are visible in the strengthening of institutional provisions for the protection of women’s rights, efforts to bring existing legislation in conformity with convention principles, and improvement in the capacity of national institutions to guarantee equality between men and women. Furthermore, increasing use of the convention and the committee’s general recommendations by States Parties provide an important roadmap in developing its short term and long term national plan for advancement of women.

CEDAW legally binds all States Parties to fulfill, protect and respect women’s human rights – this means that states are responsible not just for their own actions, but also for eliminating discrimination that is being perpetrated by private individuals and organizations. Gender inequalities must be addressed at all levels and in all spheres, including the family, community, market and state.

**Women’s Rights and Islam**

It is true that in a great majority of Muslim countries participation of women in public and political life, even their ability to hold high-ranking positions in a state apparatus, can be justified and supported from the point of view of Islamic law. In Bangladesh both the Prime Minister and Opposition leaders are women and have held these positions for more than one and a half decades.
Women’s equal access to education and health needs, the political and economic empowerment of women, and the protection of the human rights of rural women and older women are high priority issues in most Muslim countries. These are important indicators to fulfill the Millennium Development Goals (MDG), Beijing and CEDAW implementation goals, and these standards are not confrontational to Islamic Jurisprudence. For example, Bangladesh, Egypt, Afghanistan, Indonesia, Morocco and many other Muslim countries have taken reform measures in the election law and imposed quotas to improve political participation of women at the local and national level. As per Beijing Platform of Action, all of the signatory Muslim countries have developed action plans and policy measures for the advancement of women, and gender mainstreaming is the integral part of the national planning process.

From the examination of the CEDAW concluding observations it is very clear that, due to the CEDAW monitoring process, most of the Muslim countries have taken adequate measures to achieve parity in girls’ education at the primary and tertiary level. Combating trafficking of women and girls for the exploitation of sex and violence against women including domestic violence also are high priority issues in most of the Muslim countries. Many countries including Bangladesh enacted legal measures to end violence against women. Women’s health, maternal health, reproductive rights of women and girls are considered important issues in the budget allocation of Muslim countries.

Respect to women and respect to mother are Quranic teachings which are very much visible in Quranic verses, especially in the Sura Bakara and Sura Nisa. This is an important support for the protection of the human rights of older women. The practice of providing meher to the wife in the Islamic marriage could be considered as a positive discrimination to women, but the practice of dowry is considered as a crime.

But levels of the advancement of women and enjoyment of their rights in terms of gender equality and nondiscrimination are not the same in all of the Muslim countries, as these are mostly depended on the socioeconomic situation, levels of poverty, political commitments, religious bias and stereotyped attitude towards women.

**Inequalities and Gender-based Discriminations**

However, most inequalities and contradictions in the Islamic jurisprudence regarding women’s rights exist in family matters and related traditions and practices such as marriage, divorce, custody rights, inheritance of property, etc. In most Muslim countries women face gender based discrimination in the family code which is deeply founded on the idea of the inferiority or the superiority of one sex over the other or on stereotyped roles for men and women.

For example, discrimination manifested in the practice of polygamy, female genital mutilation, honour killing, lower age of marriage for women, unequal rights in divorce and marriage relations, husband’s consent for using contraceptives, travel or outside work, unequal alimony or custodial rights, disciplining through beating, etc. Women in the Muslim world have been subordinated due to patriarchal interpretations of Islamic Law that put women in a position of low self-esteem and powerlessness. Women continue to suffer profound and pervasive human rights violations, such as gender-based violence, in the public and private spheres.
In 1979, the CEDAW Convention, embodying the concept and commitment of nondiscrimination and gender equality, created a new horizon for women that is nullified with the imposition of reservations on the core articles of the Convention.

**Reservations**

There are many Islamic nations that have ratified CEDAW without imposing any reservations on the Convention, such as Afghanistan. Many States Parties in recent times have withdrawn reservations on the Convention, such as Morocco on Article 16, Maldives on Article 7, Bangladesh on Article 9, etc. The more or less 20 Muslim States Parties maintain reservations on the basis of Islamic Shari’a laws are the following:

<table>
<thead>
<tr>
<th>Country</th>
<th>Articles</th>
</tr>
</thead>
<tbody>
<tr>
<td>Algeria</td>
<td>2, 9, 16</td>
</tr>
<tr>
<td>Bahrain</td>
<td>2, 9, 16</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>2, 16</td>
</tr>
<tr>
<td>Brunei</td>
<td>General declaration, 9</td>
</tr>
<tr>
<td>Egypt</td>
<td>2, 9, 16</td>
</tr>
<tr>
<td>Iraq</td>
<td>2, 9, 16</td>
</tr>
<tr>
<td>Jordan</td>
<td>9, 16</td>
</tr>
<tr>
<td>Kuwait</td>
<td>7, 9, 16</td>
</tr>
<tr>
<td>Libya</td>
<td>2, 16</td>
</tr>
<tr>
<td>Malasia (upon accession)</td>
<td>2, 9, 16</td>
</tr>
<tr>
<td>Maldives (upon accession)</td>
<td>7, 16</td>
</tr>
<tr>
<td>Mauritania</td>
<td>General declaration</td>
</tr>
<tr>
<td>Morocco</td>
<td>2, 9, 16</td>
</tr>
<tr>
<td>Niger</td>
<td>2, 5, 16</td>
</tr>
<tr>
<td>Oman</td>
<td>9, 16</td>
</tr>
<tr>
<td>Pakistan</td>
<td>General declaration</td>
</tr>
<tr>
<td>Saudi Arabia</td>
<td>General declaration, 9</td>
</tr>
<tr>
<td>Syria</td>
<td>2, 9, 16</td>
</tr>
<tr>
<td>Tunisia</td>
<td>General declaration, 9, 16</td>
</tr>
<tr>
<td>UAE</td>
<td>2, 9, 16</td>
</tr>
</tbody>
</table>

From the above illustration it is important to note that Islamic Nations imposed reservations mostly on the article 2 and 16 of the CEDAW Convention. Article 16 is the most debated legal position in the Muslim world on the following grounds:

1) Equal right to marry and choose a spouse
2) Equal rights and obligations of spouses during the marriage
3) Equal right for the dissolution of marriage
4) Equal rights for custody and guardianship of children
5) Same rights for the ownership and acquisition of the property
Patriarchal interpretation of the Islamic Shari’a laws created an unequal situation where men get priority and superiority in the above stated family relations.

**Reform Initiatives in the Family Laws**

Muslim scholars, women human rights activists and NGOs are continuously working to achieve gender equality through a more dynamic interpretation of the Holy Quran, which permits consideration of the opinions of individual jurists from different schools of thoughts. This could open a door for a new egalitarian vision of women’s rights in conformity with the requirements of the CEDAW and at the same time respecting the Islamic heritage.

Additionally, the CEDAW Committee has been increasingly addressing, in its concluding observations, during constructive dialogue, in its list of issues and questions, and through follow up mechanisms, the discrimination faced by women in various countries in a wide range of areas. The Committee calls for withdrawal of reservations from the convention and full implementation of the convention principles in the domestic legal system.

Morocco, Tunisia, Turkey, Malaysia, Egypt and many other Muslim countries initiated reform measures in the family code on some key issues such as raising the age of marriage to 18, restricting polygamy, providing greater security at divorce, prohibiting child marriage, etc. The Government of Bangladesh brought an amendment recently in the Citizenship act of 1951 and enacted a law on domestic violence. Also in 1961 Bangladesh added an amendment to the Muslim family law restricting polygamy and reforming child custody and guardianship laws. Among the countries with the most liberal family codes is Tunisia, which has had a relatively liberal family code for many years. Morocco enacted a family code that substantially expanded women's rights in 2004. The Mudawana raised the age of marriage to 18, restricted polygamy and provided women strong protection at divorce including property management in the event of a separation or divorce. An amendment also brought in child custody and inheritance. The Moroccan reform has strengthened the argument that equal status within marriage is compatible with Shari’a law.

One of the strategies advocates are using is a progressive interpretation of Islamic principles, such as in the revision of the Malaysian Islamic Family Law of 1984 and in the Million Signature campaign in Iran for a more egalitarian revision of the civil laws. The 2002 reforms to the Turkish Civil Law raised the age of marriage to 17. Moreover, it created a joint system of property at marriage and equalized women’s and men’s rights in the marriage in relation to custody, property ownership, registration of marriage and births, etc.

Historically, Islam was incredibly advanced in providing revolutionary rights for women and uplifting women’s status in the seventh century. Many of the revelations in the Qur’an were by nature reform-oriented, transforming key aspects of pre-Islamic customary laws and practices in progressive ways in order to eliminate injustice and suffering.
Appendix I:

Powerpoint Presentation: Legal Reforms from a Gender Perspective - Turkey by Selen Yilmaz

1 Selen Lermioglu Yilmaz focuses on increasing women's political participation through her work in KA-DER (The Association for Support and Training of Women Candidates.) She has been an active member of WINPEACE (Women's Initiative for Peace between Greece and Turkey) promoting peace between the two countries and proposing grass roots methods for peace. Her work is supported by the UNDP in implementing UN SCR 1325. She has held various posts in women's platforms while worked on reforming Turkey’s Civil Code (2000-2001); Penal Code (2004-2005) and acted as the coordinator of the Women's Platform for a New Constitution (2008). Since 2008, she has been working in Cyprus as a consultant in an EU funded Technical Assistance project called The Civil Society Support Team.
### Background

- Rise of strong independent women’s movement after 1980s
- Extensive networking of women’s NGOs
- Effective, long term, continuous advocacy and lobbying efforts
- Effective use of the media
- Using windows of opportunity at the right time, in a proactive manner
- Significant gains for women
- Paved the way for the legal reforms
- Serious shift of public discussion and attention
- Challenging prevalent attitudes and constructs

### Background – Legal Reforms

- The annulment of Article 159 of the Civil Code, which had stated that women needed their husbands’ consent to work outside the home – 1990
- Article 438 of the Turkish Penal Code, which reduced the sentence given to the rapists by one-third if the victim was a sex-worker – repealed in 1990
- A new law on domestic violence enabling a survivor of domestic violence to file a court case for a "protection order" against the perpetrator of the violence – 1998; amended in 2007

### Background – Legal Reforms

- Extensive reform of the Civil Code – 2001
- Amendment to the equality article (article 10) of the Constitution: “men and women have equal rights. State is responsible for ensuring the actual (de-facto) implementation of gender equality” – 2004
- Extensive reform of the Penal Code – 2004
- Constitutional reform process since October 2007
Civil Code and Protection Order


- Law allows women subject to violence (and third parties who have observed the case of violence) to apply directly to the court or the police.
- The survivor(s) of violence can be protected against domestic violence legally (up to six months) without having to leave their home.
- 2007 amendment – to include not only married people but also couples living in separation, all family members (in addition to partners) living under the same roof.

Further problems: should cover unmarried or divorced women.

Civil Code

Result of a broad public campaign of more than 120 women’s CSOs

- Equal matrimonial property regime
- Marriage age raised to 17 to prevent early marriages
- In case of forced marriage, women can apply to court for the annulment within the first 5 years.
- Any form of violence or maltreatment constitutes ground for divorce.

Further problem: equal property regime clause only to cover property acquired after 2002.
Penal Code Reform in Turkey

- Reform was the result of an intensive 3-year campaign of women’s organizations (2002-2004)
- Penal Code Women Platform – more than 60 women CSOs from all parts of Turkey
- Lobbying, campaigning as a platform
- Platform demanded a holistic reform to change the philosophy and principles of the penal code in order to safeguard women’s rights, and bodily and sexual autonomy.

Penal Code Reform in Turkey

- September 26th, 2004, the Turkish Penal Code Draft Law was accepted in the Turkish Parliament Grand National Assembly
- The (new) Turkish Penal Code includes more than thirty amendments that constitute a major step towards gender equality and protection of sexual and bodily rights of women and girls in Turkey
Penal Code Reform in Turkey

The amendments in the new Penal Code pertaining to women’s human rights are as follows:

Sexual offences are classified under the section “crimes against individuals / crimes against inviolability of sexual integrity” instead of “crimes against society / crimes against public morality and family.”

Patriarchal concepts such as chastity, honor, public morality, public customs, shame or decency are eliminated from the penal code.

Progressive definitions of sexual offences are adopted, sexual harassment at the workplace is criminalized, and sentences for sexual crimes are increased.

Provisions assuming rape, sexual assault or sexual abuse of children can occur with the consent of the victim are removed.

Penal Code Reform in Turkey

Marital rape is criminalized.

There are new measures to prevent sentence reductions granted to perpetrators of honor killings and “killings in the name of customary law” are regulated as aggravated homicide.

Provisions regulating the sexual abuse of children have been amended to explicitly define sexual abuse and remove the notion of “consent of the child” in sexual abuse.

Non-discrimination between virgin, non-virgin, married and unmarried women has been ascertained.

The article granting sentence reduction to the killing of the newborn child born out of wedlock by the mother is removed.

Provisions legitimizing rape and abduction in case the perpetrator marries the victim have been abolished.

Penal Code Reform in Turkey

The article regulating “indecent behaviours” has been amended only to include sexual intercourse in public and exhibitionism.
Penal Code Reform in Turkey

Remaining Demands and Further Necessary Amendments to the New Turkish Penal Code

- “Honor killings” have to be explicitly defined as aggravated homicide to include all murders in the name of honor, not just those in the name of customary law,
- Discrimination based on sexual orientation has to be explicitly banned and criminalized,
- The article penalizing consensual sexual relations of youth aged 15 – 18 upon complaint should be removed,

Penal Code Reform in Turkey

- The practice of virginity testing has to be explicitly banned and criminalized under all circumstances,
- The “Obscenity” article should be amended to clearly defining acts of “obscenity” in order to prevent threat to freedom of expression, invasion of privacy and discrimination based on sexual orientation,
- The legal abortion period has to be extended to 12 weeks.

Constitutional Reform and Campaign

In Turkey
Constitutional Reform in Turkey

- October 2007 – Constitutional Draft Introduced to the public
- 3 months for discussion and feedback
- October 2007 – Women’s Constitution Platform established (more than 200 CSOs)
- Review of draft – Discussed and formulated demands
- Lobbying and campaigning

Constitutional Reform in Turkey

Aims:
- Formulate demands and opinions on constitution as a whole and to communicate them to the public
- Discrimination, equal representation, family matters central focus

Short term Aims:
- Introduce the platform
- Hold equal representation and discrimination issues on the agenda in all areas

Equality Article Formulation

“Everyone, regardless of language, race, color, ethnicity, gender, sexual orientation, sexual identity, political thought, philosophical belief, religion, sect, marital status, age and disability is equal before the law without discrimination based on these and similar reasons.

All kinds of direct or indirect gender discrimination against women are prohibited.

No privileges shall be granted to persons, families, clans or class.
Equality Article Formulation

- State is responsible for taking all legal and institutional temporary special measures to ensure that women and men de facto have equal rights, that actual obstacles in front of women are removed, that an actual equality of opportunities and practices is created in every field of life; to ensure women’s equal representation and participation in all decision-making bodies formed through appointment or election. These special measures cannot be perceived as against the equality principle.

Constitutional Reform in Turkey

The kind of Constitution Women Wants:
- Focused on human, not state-based on human and women’s rights, a secular and rule of law;
- Forbids discrimination based on language, race, ethnicity, gender, sexual orientation, sexual identity, political thought, philosophical belief, religion, sect, marital status, age and disability, defends the equality of every citizen before the law;
- Prepared with reference to not only the European Human Rights Convention, but also to all relevant conventions, charters, directives and agreements that Turkey is a party, such as the European Social Charter, CEDAW and optional protocols;
- Heeds towards solving problems without relying on fears and short term benefits; accepts cultural, religious or ethnic differences as a richness;

Constitutional Reform in Turkey

- Rule of law and equality before the law are not left as wish; state is held responsible for ensuring legal equality in every field, starting with gender equality through special measures and sanctions;
- Gender equality maintained through special measures in all political (Parliament, local governments, commissions, group boards, Government) and public decision making bodies formed through appointment or election is perceived as an indispensible precondition for democracy and justice;
- Perceives the principle of social state and social justice as an unalterable element of the Constitution; social and economic rights are ensured; state is held responsible for taking all necessary measures for the reconciliation of work and family lives for women, to have equal utilization of education, and labor rights;
- Everybody should have the right for higher education regardless of their clothing;
Constitutional Reform in Turkey

- State is held responsible to take special measures to ensure equal access to health and social security rights for all women, including housewives/workers; is held responsible to provide free services on reproductive rights and health;

- Fundamental rights are not limited with arbitrary and abstract justifications such as “General Morality”, “National Security”, “Public Order”, “General health”; 

- State is held responsible to prevent domestic violence and honor killings; to support democracy in the family and equal labor division between couples;

- Enforces political parties to be loyal to principles of democracy, transparency, and equal gender representation and participation in all decision-making bodies; inhibits closure of political parties for reasons other than participating in violent actions;

Constitutional Reform in Turkey

- Enforces political parties to spend some of the financial aid they receive from the state to be spared for women’s branches and women’s studies/activities;

- Citizens and CSOs are entitled to propose law drafts for public benefit to participate directly in legislation, execution, inspection, and administration; to be able to apply to the Constitutional Court and be defendant/plaintiff and to participate in trials;

- State is held responsible to support CSOs by providing them some portion of the state budget;

- Carry democratic principles for elections and formulations of the independent institutions such as the judiciary bodies, rectories, Higher Education Institution, Radio Television Higher Board, etc. in which they elect their members from within and in accordance with the gender equality principle.

Constitutional Reform in Turkey

Communication Objectives

Within 2007:

- Recognition of the legitimacy of the platform; to be visible and covered in the media, panels, discussion meetings, etc;

- Pressure political parties and other CSOs;

- Create public opinion
Constitutional Reform in Turkey

Action Plan:
- Attract attention: press meetings, statements, and street guerilla action
- Raise awareness/promote: exhibition of existing discrimination; examining and sharing best examples; participating in other similar platforms
- Mobilize for action: signature campaigns, media coverage, street actions, leaflets, brochures, etc.

Constitutional Reform in Turkey

Successes:
- Coming together quickly as women’s organizations and to be able to formulate initial common demands
- Maintain collaborations and partnerships
- Important points in collaborations:
  - INDEPENDENCY!!!
  - Stubbornness in being a substantive participant
  - Maximum effort in supporting the work we became a part of
- Public opinion enlarged on discrimination and equal representation issues
- Awareness raised on support in care services/employment
- Good media relations and high visibility
- Earned a position in which the platform became one of the first invitees to any work/group/activity on constitution.

Constitutional Reform in Turkey

Challenges
- Constitution is a highly political and covers various issues;
- Highly polarized political environment;
- Highly polarized media;
- Increasing conservatism and narrative of sacred “motherhood” role of women;
- Low representation of women in decision making bodies;
- Intense agenda of women activists/CSOs;
- Financial difficulties
References and Sources

- Women for Women’s Human Rights – New Ways Organization web page: www.wwhr.org


- “Women’s Platform for a New Constitution”, presentation by Hulya Gulbahar, Advocacy and Lobbying Training for Women Organisations, Van, Turkey, January 7-9 2011

- “Women's Platform for a New Constitution”, report compiled by Selen Lermioglu Yilmaz, Turkey, 2009

Thank You

Selen Lermioglu YILMAZ
General Directorate for Local Communities/ Directorate of Administrative and Technical Training (DGCL/DFCAT)

Women’s Leadership and Capacity Building: The Experience of Morocco

English Translation of Powerpoint

Najat Zarrouk

Outline

Introduction

I. Position of women and support for women's rights at the international level
II. Promotion of the condition of women in the Kingdom of Morocco
III. Important pillars in the Ministry of Interior's strategy to support women
IV. Training program and capacity building for local elected women

Introduction

Importance of Women's Position and Support for Women's Rights

- Question of interest to the international community in its entirety, and an important theme in the life of all nations, whether they are developed or developing
- Derives its legitimacy and its deep roots from the fundamental principles of human rights, which are universally recognized
- A democracy and a State of law cannot be achieved without acknowledgment of the fact and the right of women's participation in the work of development and societal evolution
- Sine qua non for Good Governance
- It represents a struggle throughout the centuries for dignity, equality, freedom and the elimination of all forms of discrimination
- It tends to change customs, habits, traditions, practices, attitudes, and judicial norms which still victimize women every day around the world

Because the development of any ambitious societal project cannot be achieved without the acknowledgment of the place and rights of women in society and their concrete participation in the development and progress of the country.

Finally, because women are not only mothers, wives, sisters or daughters:
- They have been honored by all civilized people and are at the base of the edification of all civilization
- They are charged with preserving values, educating and instilling ethics

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1 Translated by Rebecca Turkington, Rapporteur to the Rabat Conference.
2 Dr. Najat Zarrouk is the Governor Director of Administrative and Technical Training, Ministry of Interior. As an internationally renowned public administrator, Dr. Zarrouk was appointed by the United Nations Secretary General, Ban Ki Moon to the UN global panel on the Committee of Experts on Public Administration. She has served for 17 years as the Secretary General of the Ministry of Interior of the Kingdom of Morocco. In July 2003, she was appointed to the position of Director for Legal Affairs, Studies, Documentation and Cooperation and later Director for Training of Administrative and Technical staff of the Ministry of Interior.
They have always played a fundamental role in revolutions, as one can see currently in the Arab world. They represent a powerful instrument for change and progress.

All change, progress and evolution in this domain require several pillars:
- international pressure at the level of the international community
- a strong political will
- a structured civil society and women's institution

Additionally the factor of time, favorable context, available means and social-cultural evolution must be taken into account.

I. Support and Status of Women's Rights at the International Level

International Plans
International actions for women began in 1949 with the first global conferences which called for non-discrimination among all people, not only between men and women but also between slave and free. The conference was based on people's right to equality and dignity.

International Conventions
These conferences produced a series of declarations, conventions and international agreements, including:
- The issue of women has been present in international charters and conventions on human rights since 1945
- Charter of Civil and Political Rights, ratified by Morocco in 1979
- International Convention on the Political Rights of Women, ratified by Morocco in 1977
- The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) ratified by Morocco in 1993
- A range of programs and funds to support the status of women across the world
- Creation of UN Women in July 2010

II. Support for the status and rights of women in Morocco

Reference and Political Will
Support for women's rights has its roots in:
- First, from the teachings of Islam which call for justice and equality
- Second, from our national history, where women are the cornerstone of family life and the evolution of Moroccan society, having participated in the struggle for independence, the Marche Verte and the dynamic of development.
- Third, the guidance and instruction of the Royal Commission on the status of women, and of the late His Majesty King Mohammed V, who allowed women access to education since the 1950s, the right to access public services (Statue of the Civil Service of 1958) and the right to vote and run for office in 1959.

His Late Majesty King Hassan II consolidated these gains in the Constitution of 1962:
Chapter 8: men and women shall enjoy equal political rights
Chapter 12: all citizens can access jobs and public positions
Chapter 13: all citizens have the right to education and employment
Additionally, women entered all levels of education, all domains of employment and even attained decision-making positions.

The real revolution in this area is by His Majesty Kind Mohammed VI.
- The launch of Royal workshops on the National Initiative for Human Development since 2005.
- In October, 2008, His Majesty called on Parliament to find effective mechanisms to encourage increased participation of women in local government and ensure fair representation of women.
- May 2010, the government's commitment to encouraging women's participation in the elections.

Today there is no sector in Morocco reserved for men. Women are:
Counselor to His Majesty the King, Parliamentarian, Ambassador, University President, Magistrate, Architect, Professor, Doctor, Engineer, Police, Pilot, Taxi Driver, Entrepreneur, NGO President, etc.

In addition to being mother, wife and homemaker.

The legal framework is constantly evolving:
1. International obligations
   Constructive participation of the Kingdom of Morocco in all demonstrations on the issue of women
   Ratify all international conventions
   The most important in this regard is the ratification of the CEDAW in 1993 and the lifting of all reservations by March 2006.

2. The Constitution of 1992 states:
   "conscious of the need to work in the framework of international organizations, the Kingdom of Morocco, an active member in these organizations, undertakes an obligation required by the charters of principles and rights and reaffirms its commitment to human rights as they are universally recognized"

Along with chapters 8, 12 and 13

Domestic laws and reforms are drafted in accordance with international obligations. The Family Code, Nationality Code, Electoral Code, Penal Code, Municipal Charter...

Mainstreaming gender in government action and public policies

1. Definition:
   Mainstreaming a gender perspective is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in any area and at all levels. It is a strategy for making the concerns and experiences of women as well as of men an integral part of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres, so that women and men benefit equally, and inequality is not perpetuated. The ultimate goal of mainstreaming is to achieve gender equality." -ECOSOC in 1997

2. There are many strategies and initiatives in this regard:
   - The inclusion of the gender approach in the state budget by the Ministry of Economy and Finance (A report on gender budgeting in 2009 can be found at finances.gov.ma)
- Strategic program for the medium term, the institutionalization equality between men and women within public administration of the Ministry of Public Sector Modernization.
- Strategic Plan of the Ministry of Social Development, Family and Solidarity (2011-2015)

Thanks to a supportive climate for freedom of expression, civil society is very active.

The presence of more than 90,000 NGOs and associations play a crucial role:
- In progress and change
- In highlighting various problems
- As actors in development and in the fight against poverty and marginalization
- As a force to support reforms

III. A Strategy to Support Women at the Ministry of Interior

The evolution of the representation of women in local government since 1960

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Candidates</th>
<th>Number of female candidates</th>
<th>number of women elected/total</th>
<th>Percentage (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1960</td>
<td>17.174</td>
<td>14</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>1976</td>
<td>42.638</td>
<td>76</td>
<td>9</td>
<td>0.0</td>
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<tr>
<td>1983</td>
<td>54.165</td>
<td>306</td>
<td>34/15.423</td>
<td>0.27</td>
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<tr>
<td>1992</td>
<td>93.000</td>
<td>1.086</td>
<td>75/24.230</td>
<td>0.33</td>
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<tr>
<td>1997</td>
<td>102.179</td>
<td>1.651</td>
<td>83/24.230</td>
<td>0.34</td>
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<tr>
<td>2003</td>
<td>122.658</td>
<td>6.024</td>
<td>127/23.689</td>
<td>0.54</td>
</tr>
<tr>
<td>2009</td>
<td>130.305</td>
<td>20.500</td>
<td>3.428/27.779</td>
<td>12.38</td>
</tr>
</tbody>
</table>

- prefectural/provincial counselors: 29/1289 2.2
- regional counselors: 27/1220 2.2
- chamber of deputies: 30/325 9.23
- chamber of counselors: 6/270 2.22

Some data on local elected women:
- Most are wives and mothers and also hold other jobs (professors, teachers, lawyers, actors in civil society...)
- 33 percent are less than 35 years old
- 71 percent have a secondary level of education or higher
- 98 percent are elected for the first time
- 1 of 83 presidents of Prefectoral Councils is a woman, 16 of 1503 of president of local communes

Contribution of the Ministry of Interior in achieving and consolidating these gains:
- Reforming electoral processes:
  - Lowering the age of eligibility to 21 from 23
  - Creation of a supplemental list reserved for women
- Creation of funds to support the promotion of women's representation in local and national government (Article 288 of the Electoral Code)
Funding under financial law:
Open to projects submitted by political parties of civil society organizations for capacity building and strengthening women's representation in local governance

Funding cap at 200,000 dirhams per project, 70 percent of which can be increased if the project is deemed a priority:
- At the level of the Municipal Charter (law 08-17)
  Article 14: Creation of a Commission on Parity and Equal Opportunity consisting of members of local associations and civil society to advise on questions concerning gender equality.
  Article 36: A plan for communal development based on a participatory approach and considering, notably, the gender approach.
- At the level of local governance
  Supervision of the National Initiative for Human Development
  Adoption of a national program to support decentralization
- Support training and build managerial capacity for local elected women and functionaries

IV. Program to Support Local Elected Women

Goals
- Involvement in the increasing national support for equality
- Consolidation of democracy, particularly at the local level
- Decentralization and local governance based on equality, with the integration of the gender approach

Identifying the needs of elected women
- Organization of a training course for women presidents of local collectivities based on the data gathered on their priority needs
- Realization of a participatory diagnostic on the status of elected women in cooperation with USAID Study on the Committee for Parity and Equal Opportunity

Awareness-raising and capacity-building
1. Through leadership support
   - Forums to bring together female heads of local communities
   - Organization of monthly training sessions to support elected women

2. Through exchanges of experiences and information
   - At the national level
   - At the continental level
   - At the international level

3. By supporting networking
   - Creation of a forum of female presidents of local municipalities
   - Support for regional associations - first gathering of local elected women of Africa in Tangier,
   - March 8-11, 1022, in coordination with United Cities and Local Governments of Africa
   - Draft guide to local groups and elected women
Coordination among all actors and between all partners
Increase the representation of women within political parties and in parliament and local councils
Support leadership training and empowerment of different groups according to their priority needs
Remove barriers that still hinder women politically, economically, socially and culturally, and
Those prevent them from engaging fully in the development of the country and perpetrate inequality and discrimination
المملكة المغربية
وزارة الداخلية
المديرية العامة للجماعات المحلية
مديرية تكوين الأطر الإدارية والتقنية

إستراتيجية وزارة الداخلية
من أجل دعم النساء داخل الهيئات المنتخبة

ر.ن.ج.ت.ر.ب.ر.ب.ع.العمل، مديرية تكوين الأطر الإدارية والتقنية بوزارة الداخلية

المربوط. يوم الثلاثاء 17 مايو 2011

محاور المداخلة
- مدخل
  - دعم مكانة وحقوق المرأة على المستوى الدولي
  - دعم مكانة وحقوق المرأة بالمغرب
  - أهم ركائز استراتيجية دعم النساء على مستوى وزارة الداخلية
  - برنامج دعم قدرات النساء داخل الهيئات المنتخبة

مداخل
أهمية موضوع دعم مكانة وحقوق المرأة

هي مسألة (إشكالية) عالمية وموضوع مهم في حياة الأمم

- تستمد مرجعيتها وجوهرها من مبادئ وحقوق الإنسان كما هو معترف عليها دولياً، كما تتعتبر من نسق الديمقراطية ودولة الحق والقانون والحكامة الجيدة.
- تعتبر كفاحاً من أجل الكرامة والحرية والقضاء على جميع أنواع التمييز.
- وتسعى إلى تطوير العديد من الأعراف والعادات والطقوس والمارسات والمواقف والهرسكات التي لا زالت تعاني منها النساء يوميا على المستوى الدولي.

- لأن بلورة أي مشروع مجتمعي طموح رهين بالاعتراف بمكانة وبحقوق المرأة داخل المجتمع وبدء إشرافها في تدريب ورقي البلاد.

- وأخيراً لأن المرأة "ليست هي الأم والأخت والبنية والحببة التي كرمتها الحضارة البشرية والشعوب المتحضرات والشرايع الإنسانية فحسب، بل هي بانيّة الحضارة ومهدّدة الأخلاق وملهمة الإبداع في شتى المجالات عبر التاريخ" (الكاتبة مريم نجمة)
الإلا أن أي تغيير أو تطور أو تقدم في هذا الشأن يستلزم تظافر عدة ركائز أساسية

1- دور المجتمع الدولي أو "الضغط الدولي الإيجابي"
2- وجود إرادة سياسية قوية
3- وجود مجتمع مدني و هيئة نسائية مهيكلة
4- مع ضرورة الأخذ بعين الاعتبار عامل الوقت و الظروف الملائمة و التطور السوسيو-ثقافي

- دعم مكانة و حقوق المرأة
  على المستوى الدولي

المخططات الدولية

- بدأت المخططات الدولية المتعلقة بالمرأة منذ عام 1949 مع أول المؤتمرات العالمية التي جاء يدعو إلى عدم التمييز بين الناس جميعاً، ليس فقط بين النساء والرجال بل أيضاً بين العبيد والأحرار، ففكرة المؤتمر كانت تقوم بالأساس على إثبات حقوق الناس في التساوي في الكرامة والحقوق وغيرها.
### المخططات الدولية

<table>
<thead>
<tr>
<th>المؤتمرات</th>
<th>السنوات</th>
</tr>
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<tbody>
<tr>
<td>مؤتمر الامم المتحدة في مونتريال</td>
<td>1975</td>
</tr>
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<td>مؤتمر الامم المتحدة في نيويورك</td>
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### المخططات الدولية

<table>
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<tr>
<th>أهداف التنمية المستدامة</th>
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<tbody>
<tr>
<td>تحقيق التدفق المتساوي والمجاعة</td>
<td>2015</td>
</tr>
<tr>
<td>تحسين النظام الاجتماعي</td>
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</tr>
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<td>تحسين الوضع الإقتصادي</td>
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</tr>
<tr>
<td>تحسين مستوى الحياة المعيشية</td>
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<tr>
<td>تحسين مستوى الحياة في نواحي التنمية</td>
<td>2015</td>
</tr>
</tbody>
</table>

### المواقف الدولية

- اتفاقية العمل الدولية 1945
- إعلان مونتريال 1975
- إعلان سارسو 1980
- إعلان الدار البيضاء 1985
- إعلان نيويورك 1993
- إعلان الدار البيضاء 1994
- إعلان نيويورك 1995
- إعلان الدار البيضاء 2000

- مناهج حقوق الإنسان والمساواة والمساهمة في التنمية المستدامة.
- مساعدة المرأة في تحقيق تقدم في كافة المجالات.
- التعاون الدولي في نواحي المرأة والنهوض.
دعم مكانة و حقوق المرأة بالمغرب

المراجعية والإدارة السياسية

مسألة دعم حقوق المرأة تستمد جذورها:
- أولًا: من تعاليم الدين الإسلامي الحنيف الذي يدعو للعدل والإنصاف
- إما النساء شفائق الرجال في الأحكام
- ثانياً: من تاريخنا العربي الذي جعل من المرأة ركنا أساسيا في الحياة العائلية وفي أزمات مراحل تطور مجتمعنا:
  - الدخول في أهل الاستقلال
  - المشاركة في المسيرة الخضراء
  - المشاركة في دينامية التنمية

المراجعية والإدارة السياسية

ثالثاً: في التوجيهات والقرارات والتعليمات الملكية السامية في مجال التهور بأوضاع المرأة
- للمغفور به صاحب الجلالة الملك محمد الخامس الذي سمح بولوج المرأة إلى التربية والتعليم منذ الخمسينيات من القرن الماضي كما منحها الحق في ولوج الوظيفة العمومية (النظام الأساسي للوظيفة العمومية سنة 1958) والحق في التصويت والترشيح (سنة 1959)
المراجعات والإدارة السياسية

- للمؤلف له صاحب الجلالة الملك الحسن الثاني الذي عمل على تنشيط هذه المكتبات.
- في دستور 1962:

- العمل 8: الرجاء وإرادة تضمنيات في التمثيل الجماعي أو تنشيط جماعيات في علاقات البلد:

- 613: يمكن تعيين الموظفين أن يتقوا الخطف والتحريض للسياحة، ولا سوا.
- الفقرة 13: نعم، وتفصيم بالموضوع في السياحة.

بالإضافة إلى وصول النساء لمختلف المكتبات في التعليم، وقطاعات العمل لمراكز المسؤولية.

المراجعات والإدارة السياسية

و تبقى الثورة الحقيقية والإلهانية في هذا المجال، هي تلك التي تعيشها منذ علاء الدين من طرف صاحب الجلالة الملك محمد السادس تصره الله وليه، حيث أكد جلالته في 30 مايو 1999:

و كيف ينصبر بلغة المجتمع وسراده، إن الإنسان البشري يشكل زمام صفقة تهدر مصالحه في غير مراة لما مченين الذين تحذف من حقوقهم من حقها شفتش للرجال تتسبب ورسائلهم السابعة. في إنصاف لهم مما قد يعرضه لهم من حرف أو عفف مع أنه بلغ مستوى ناقدهم به التكرار سواء في ميدان العمل أو العمل.

المراجعات والإدارة السياسية

- انطلاق الورش الملكي "المبادرة الوطنية للتنمية البشرية" منذ سنة 2005
- أمام البرلماني في 10 أكتوبر 2008، أكد جلالته:

- تدعو الحكومة والبرلمان إلى التعاون المشترك من أجل إجادات الاية الناجحة تشجيع حضور ملائم واسع للمرأة في المجالات المجتمعية، ترشيدًا وانضباطًا.

- غيابها المثلي، ضمن الشيوعية المنصفية للنساء في المجتمعات المحلية، والآباء، تمكن مجالسها من الأدلة عن عطاء المرأة المغربية المختيرة، مما هو معروف فيها من تزاهج وواقعية وعبارة اجتماعية.
اليوم: لم يعد هناك قضايا في المغرب حكر على النساء، فلمرأة:

مستشارية صاحبة الجلالة
برلمانية رئيسة لجنة برلمانية رئيسة مجلس إقليمي
رئيس مجلس جماعي مستشارية
وزيرة كاتلية الدولة سفيرة قضاء كاتلية عامة مديرة
مديرية مدرسة مدنية أستاذة جامعية عضوية
وذالة قاضية محامية مستشارية طبيبة صيدلية مهنة
ظليبة وعسكرية في الجيش
عمل قائدة عسكريه شركة شركية
موظف Registrar مس أو مصلحة
رئيس مجلس جهوي للحاسبات
سفيرة سياحة الأجرة والمحافظة رئيسة الأجرة والتنظيم
صاحبة شركة مديرة تلك رئيسة جمعية وكتفانية.....

إلى جانب كونها:

أم و زوجة و ربة بيت

المراجعية والإدارة السياسية

- تصريحات الحكومات التي تعانيت منذ الاستقلال
- مايو 2010: التزام الحكومة، على المستوى السياسي، بتشجيع
- مشاركة النساء في الانتخابات.
1- الالتزامات الدولية:
- المشاركة السياسية والعامة للمرأة في جميع الاقتراعات المتعلقة بالمرأة.
- المصادقة على جميع المواثيق الدولية.

2- الدستور الملكي لسنة 1992:
واتباعاً لضرورة إدراجها في إطار المنظمات الدولية، فإن المملكة المغربية، العضو العام للمنظمة، تحتضن منظمات حقوق الإنسان والquoise تعزز تضامنها مع مبادئ وحقوق الإنسان، كما هو معرف عليها عالمياً، إلى جانب الفصول الأخرى (8، 12، 13).

3- القانون الأمريكي والإصلاحات الرامية إلى ملاءمتها مع الالتزامات الدولية:
- قانون الأحزاب
- مدونة الأسرة
- قانون الجنسية
- قانون الجنائي
- القانون المطابق للمبادئ العامة
- القانون المتعلق بالعمل
- القانون المتعلق بالصحة العامة
- قانون الحالات المدنية
- قانون الديانة المدنية
1- التعريف:

"تقوم على أساس تقييم مدى إشراك كل من النساء والرجال في كل عمل تخطيطي بهم الشريعة والسياسات أو البرامج في جميع المجالات، على كفاف المساواة، وتتبع هذه الاستراتيجية اجتماعياً لقيمة كفاءات كل من المرأة والرجل في التصور والتنفيذ والتنفيذ، وقيمة المساواة والبرامج على جميع المستويات السياسية والأعمال الاجتماعية، حتى تكون الاستفادة من المساواة بالنسبة لها ومهمة لا تستمر اللمساواة الراحلة.

ECOSOC - جامعة الأمم المتحدة.

2- وفود العديد من الاستراتيجيات والمبادرات والإجراءات في هذا الشأن:

- البرنامج الاستراتيجي حتى اليوقة المتساوية لمساعدة النساء بين الرجال و النساء داخل الإدارة العمومية لوزارة تطوير القطاعات العامة.

بفضل المناخ الداعم لحرية التعبير والتنظيم
مجتمع مدني جد نشيط

- وجود ما يزيد عن 90,000 منظمة غير حكومية وجمعية تلعب دورا حاسما:
  - في المراقبة بهدف التعبير
  - في إدراة المشاكل المختلفة
  - ككابطلة في مجال التنمية
  - ككابطلة في مجال السلام
  - ككابطلة في مجال الأساليب

- إستراتيجية دعم النساء المنتخبات على مستوى وزارة الداخلية

<table>
<thead>
<tr>
<th>تقنية %</th>
<th>عدد المرشحين</th>
<th>عدد المرشحات</th>
<th>المرحلة</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>0</td>
<td>14</td>
<td>1960</td>
</tr>
<tr>
<td>0.0</td>
<td>9</td>
<td>76</td>
<td>1976</td>
</tr>
<tr>
<td>0.27</td>
<td>94/15423</td>
<td>506</td>
<td>1983</td>
</tr>
<tr>
<td>0.33</td>
<td>75/24230</td>
<td>1.086</td>
<td>1992</td>
</tr>
<tr>
<td>0.44</td>
<td>85/24230</td>
<td>1.851</td>
<td>1997</td>
</tr>
<tr>
<td>0.54</td>
<td>137/35689</td>
<td>6.024</td>
<td>2003</td>
</tr>
<tr>
<td>12.38</td>
<td>3424/27767</td>
<td>20.500</td>
<td>2009</td>
</tr>
<tr>
<td>2.2</td>
<td>29/1289</td>
<td>130.305</td>
<td>2009</td>
</tr>
<tr>
<td>2.2</td>
<td>37/1220</td>
<td>2009</td>
<td>2009</td>
</tr>
<tr>
<td>9.23</td>
<td>30/325</td>
<td>مجموع المرشحين</td>
<td>2009</td>
</tr>
<tr>
<td>2.22</td>
<td>8/270</td>
<td>مجموع المشتارين</td>
<td>2009</td>
</tr>
</tbody>
</table>
بعض المعتيالات عن المستشارات المنتخبات

بالمجالس المحلية

- أعلى رواتب وأمانات ويزودن مهام أخرى (مستشار، ممثلين،
  نواب)... طبّابة، مهندسين، محاماة، دبلوماسيت...

33% من المستشارات يبلغ عمرهن أقل من 35 سنة
71% تتمركز على مستوى تطبيقي تكوين أو أغلبية
98% ينتخبون لأول مرة
عدد لا يتأقل ويزودن مهام داخل المجالس المنتخبة:
1- رئيس مجلس بلدي من عمل 83
2- رئيسة جمعية جنوبي بكوسط المرعي
3- رئيس مجلس مقاطعة
4- مجدد عائد في المختاب، على سلسة المناظر، المرار أو كتاتب (حوالي 600 مذكرة)

مساهمة وزارة الداخلية في تحقيق وترسيخ
هذة المكتسبات

- تعديل و إضافة عدة مقتضيات ترتبط بمختلف العمليات
  الإنتخابية على مستوى مدونة الانتخابات:

- تخصيص من الفترات 23 إلى 21 سنة
- إجراءات جزئية في محاسبة نسبة إلى مستوى كل جماعة ساحرة
  أو قرية أو مواطنة من دولة دولة دائرة الدائرة النهائية، نسبة إلى عدد الرجال.
- توزيع من التمثيلية السياسية للنساء، ومساندة مثير، توزيع بين الأحزاب السياسية
- مع إجراءات مماثلة لمناطق المجالس
- المبادرات حسب اصطلاحات المرعي: عدد المجالس لا يقل عن 35000 نسمة
- المجالس التي لا تحترم عدد سكانها 20000 نسمة حسب اصطلاحات المرعي
- المجالس حسب اصطلاحات العادية ومساهمة إلى مقاطعات

مساهمة وزارة الداخلية في تحقيق وترسيخ
هذة المكتسبات

- إحداث صندوق دعم فترات النساء التمثيلية من خلال
  الانتخابات العامة الجماعية والتشريعية (المادة 288 مكررة)
- توزيع في إطار القانون الجديد
- توفر في محافظات الدولة المختلفة من طرف الأحزاب السياسية بمختلف
  المجالس المحلية والمندوبية أو الوكلاء، التابعة في مجال تكوين
 圆满完成 commemorating tedious and唠叨的
- يحدد سقف اللجنار في 200000 دينار الشريعة، على أن نسبة
  جمعية الدولة محدودة في 70% إلى أكثر يمكن تجاوزها إذا تم
  الأمر ببرنامج يحتوي للأولوية لدى اللجنار

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مساهمة وزارة الداخلية في تحقيق وترسيخ هذه المكتسبات

- على مستوى الميثاق الجماعي (المصادر 08-17):

المادة 14: إحداث لجنة استشارية للمساواة وتكفّيّ العنصر في مجتمعنا. كجزء من تحولات مكثفة لإنجاز الرأى في قضايا المساواة ورحيل مفهوم القول وال прием، تتألف من علماء، تقترب من مجتمعات مجمعة، وتعمل في المك элементي بقرارها وتعليم النحل المجامعي. وتمام المبادرة إملاء للجماعات المحلية على وضع النظام الداخلي لهذه اللجنة.

المادة 36: إقرار مبدأ التخطيط الاستراتيجي الشامل والمثابرة لمجتمعات مفهوم الدروع الاجتماعي، وذلك بعد عدة أوراق لمراقبة الجماعات والعمل.

مساهمة وزارة الداخلية في تحقيق وترسيخ هذه المكتسبات

- على مستوى الحكامة المحلية:

- الإجراة على BIOSUAKK، الإسهام في التنمية البشرية بتنسيق مع كافة الأطراف المعنيّة.

- اعتماد برامج وطني لدعم الأملاك الشعبية، ووضع برامج للحكامة المحلية، بهدف استراتيجيات للمساهمة في دعم المواطنة الناشئة لدى النساء وتعزيز الحكامة الجيدة من خلال مؤسسات تسود بالشفافية والمسؤؤلية والإنصاف.

مساهمة وزارة الداخلية في تحقيق وترسيخ هذه المكتسبات

- إحداث مصلحة الدولة مسيرة بصفة مستقلة على مستوى مديرية تكوين الأطر الإدارية والتقنية:

- دعم التكوين في الفردية التدريبية لفائدة المنتسبين المحليين وموارد البشرية.

- ميزانية جد مهمة في مستوى البلدان.
٤٧ - برنامج دعم قدرات النساء داخل الهيئات المنتخبة

الأهداف

- الانخراط في الإستراتيجية الوطنية لدعم المساواة
- ترسيخ الديمقراطية، خاصة على المستوى المحلي
- ترسيخ اللامركزية و الحكامة المحلية المبنية على المساواة و تكافؤ الفرص، مع إدماج مقاربة النوع

تحديد الحاجيات من الدعم و تقوية القدرات

- وضع دليل للتكوين لفائدة أطر وأعضاء الجماعات المحلية
- استغلال ميزات الاستمارة التي تم توزيعها يوم 25 يناير 2010 على عينة من المستشارات الجماعية و تقديم النتائج المبنية عنها خلال الدورة التدريبية التي نظمت يومي 15 و 16 يونيو 2010 لائتلاف رؤساء الجماعات المحلية
- تشخيص وضعي ومشاركة المستشارات الجماعات على USAID
- دراسة مبدئية حول اللجنة الاستشارية للمساواة و تكافؤ الفرص
تحسين المستشارات و تقوية قدراتهن

1- من خلال دعم القيادة
   ▶ إحداث ملف للرئيسات الجماعات المحلية منذ 2010
   ▶ تنظيم دورات تكوينية شهرية لدعم القدرات الذاتية والمعرفية والمهنية

تحسين المستشارات و تقوية قدراتهن

2- من خلال الزيارات و تبادل التجارب و الخبرة
   ▶ على المستوى الوطني
   ▶ على المستوى القاري
   ▶ على المستوى الدولي

تحسين المستشارات و تقوية قدراتهن

3- من خلال دعم التشبيك
   ▶ إحداث منتدى رئيسات الجماعات المحلية
   ▶ إحداث منتدى المستشارات الجماعات بالمغرب العربي بمدينة العيون - مايو 2010
   ▶ دعم الجمعيات الجهوية
   ▶ تنفيذ الملف الأول لمستشارات الجماعات المحلية الأفريقة (8-11 مارس 2011 بدينة طنجة) بتنسيق مع هيئة المدن والحكومات المحلية المتحدة الأفريقية
   ▶ مشروع ملذ مستشارات الجماعات المحلية
عدة مكتسبات نعتز بها وتعزز بها بلادنا في المحافل الدولية،
و لكن لآلاف هناك العديد من التحديات أمامنا

- تفعيل العديد من القوانين
- التنسيق بين كل المواطنين وبين كل الشركاء
- الرفع من تمثيلية النساء داخل الأحزاب السياسية والبرلمان
و المجالس المحلية
- دعم القيادة والقدر والتكوين و التكوين لمختلف الفئات المنتخبة
حسب الوظائف المزاعل داخل المجالس المحلية و حسب الحاجات المعيرونية

رفع الحواجز التي لا زالت تعوق طريق النساء من الناحية السياسية
و الاقتصادية و الاجتماعية و الثقافية و التي تمنعهم من الانخراط
العملي والثابتم في نسبة البلاد أو التي لآلاف تكرر اللامساواة و
التمييز

الخطاب الملكي بتاريخ 9 مارس 2011
ورش مراجعة الدستور
ورش الجهوية الموسعة

و شكراً
Appendix II:

Rabat Declaration as Adopted by the Participants

At this historic time, as the Arab and Muslim world is facing profound change, leading women advocates have decided to meet in Morocco to acknowledge the essential role that women have played in such transformation and their continuing role in guiding their nations forward. The distinguished experts who have come to Rabat to present their own visions add to the richness of the reservoir of knowledge that women, not only in this part of the world, but globally, will join hands to continue to lead change and to ensure that new developments will bring about equality for women. Together they have discussed important topics such as legal frameworks, women's political participation, violence against women, women's role in constitutional reform, and Islam as a religion based on equality and in opposition to all forms of discrimination and violence. They have shared challenges, success stories and strategies for seizing the opportunities presented by this historic moment. Women expect men to partner with them in making the equal rights of women a reality. Rabat participants pledge to remain connected and to share experiences and knowledge as they return to their own countries and continue their important work.
Platform of Action

Rabat Roundtable Platform of Action
Women Leading Change in the Arab and Muslim world

Organized by the Ministry of the Interior, Kingdom of Morocco
In partnership with the Wellesley Centers for Women
Wellesley College
In collaboration with the Ministry of Social Development, Family and Solidarity

“We are stronger when we listen and smarter when we share”
- Queen Rania of Jordan

Women’s Critical Role in Leading Change

Challenges
- The historic transformations in the Arab world have great potential, but also open the door to the rise of fundamentalist currents.
- Some of the hard won gains that have been made are under threat
- Women’s voices must be amplified in the reform processes sweeping the region
- Deeply entrenched cultural norms create barriers to progress in politics, law and civil society.

Recommendations

Increase women’s presence in decision-making
- At a crucial time of political reform, ensure that women have a place at the table so that women’s concerns are taken into account and transform fundamentalist perceptions and stereotypical gender roles.

Engage all stakeholders
- Develop partnerships and alliances at every level of society, between men and women, political leaders and non-governmental organizations, urban and rural communities, older generations and youth, and the media for far reaching change.
- Women were a critical part of political revolutions, now they must be a part of legal, economic and social revolutions.

Use law as an engine for change
- Harness the transformative power of law for progress rather than as a reflection of society’s current values.
- Women’s rights must be secured in a context of political reform that guarantees the Rule of Law and equality before the law.
- Use legal system reform as a way to catalyze social change.
Use the CEDAW and other human rights conventions as standard setting instruments to guide law, policy and practice reform
- Fight reservations to the CEDAW made by Muslim countries.

Some Reformist Efforts, Past and Present: Opportunities and Challenges

Morocco has embraced equality as one of the fundamental components of democracy and has launched several initiatives since 2003 to turn back the tide of radical Islamist contestation and violence. In March 2011, the King promised to “promote the participation of women in the management of regional affairs in particular, and the exercise of political rights in general and to ensure equal access by women and men to elected office.”

On July 1st, Morocco voted to approve a referendum on Constitutional reform. The new Constitution. The Preamble to the Constitution calls for national laws to be aligned with international conventions ratified by Morocco. Article 19 of the Constitution calls for the Creation of an Authority for equality and the Fight Against All Forms of Discrimination that will work towards achieving parity between men and women. Article 30 requires equal access of women and men to elected office.

In Egypt the revisions to the Child Rights Law in 2007 criminalized Female Genital Mutilation and abolished child marriage. These advances are in danger of being eroded and must be safeguarded. The Ministry of State for Family and Population in Egypt was scrapped soon after the Revolution.

In 2006, women’s groups in Iran worked to collect 1,000,000 signatures to end discriminatory laws. The success of the campaign in Morocco was an impetus for Iranian women’s activists who are campaigning for a million signatures to revise the family code including the right of a woman to pass citizenship to her child.

A Call for an Egalitarian Civil Code

Challenges
- Gender equal civil and family law are always in danger of being overturned and face even greater threats with the rise of fundamentalism.
- Even with legislation in place, there are still barriers and restrictions to achieving full equal rights for women in practice. The struggle to eliminate discriminatory laws on the books and laws in practice continues.
- Entrenched cultural paradigms discriminate against women and make legal reform a challenging process.

Recommendations

Adopt a Rights-Based Approach to Law Reform
- Delink the civil code from religious discourse, and combat the Islamization of laws, particularly when it comes to family law.
- Universal human rights enshrined in international conventions must be the bedrock of the civil code.
- Clear-cut legal stipulations should specify the role of religion and the role of the state.
Advance a Humanist vision of Islam
- Champion women’s equality as an Islamic ethic so as to deter objections from conservative elements and help forge alliances with the clerical community.

Promote Education as Tool of Social Change
- Education on human rights begins in the family and in school and will confirm that they are not an imposed agenda, but common values, and an intrinsic part of Islamic culture.
- Use the media and community to lobby and educate the public so as to bring about a shift in discussion and rally support from all sectors, galvanizing both men and women.

Mobilize Community participation
- Engage with the community at all levels and reach out to all potential allies to help foster a sense of ownership and widespread support for civil code reforms.
- Family law and other laws regarding women penetrate all levels of society; ensure that all stakeholders have a voice.
- Promote an awareness of urgent issues so that and when legislation faces challenges, it will prove harder to overturn if it has deep roots in the larger community.

Monitor results
- Laws must be implemented in order to guarantee their success; legal reforms are only the beginning of social change
- Legal assistance must be provided to operationalize laws impacting women and their families and so that women can claim their rights in court.
- Judges and law enforcement officials must be trained to implement and enforce gender sensitive laws.

Some Reformist Efforts, Past and Present: Challenges and Opportunities

Dr. Siti Musdah Mulia launched Indonesia’s Counter Legal Draft (CLD) in 2004 as an alternative statement of family law principles in keeping with the spirit of the Koran. The CLD’s counterpoint to Indonesia’s Islamic Code created much debate and is a pluralistic and humanistic model that can be used in prohibiting child marriage, outlawing polygamy, allowing interfaith marriage, reclaiming gender equality in marriage, making marriage registration mandatory and prohibiting gender discrimination in inheritance laws. The egalitarian proposals are now informing new law reform in Indonesia.

The Turkish Civil Code of 2001 takes a new approach to the family. Rather than assigning women a legislatively subordinate position, Article 41 of the Constitution reads, “The family is the foundation of Turkish society and is based on equality between spouses.” This is reflected in other civil code changes including equal rights for spouses over the family home and property acquired during marriage, equal representative powers, and the abolition of the concept of “illegitimate children.” However, the legal code is still deficient in many ways, including in distinguishing between married, unmarried and divorced women when it comes to protection from violence.

In 1979 the once progressive laws of the Iranian Family Protection Act were overturned in favor of a family law governed by shari’a. Though parts of the act have since been reintroduced, largely due to the efforts of women, there are still many legislative changes necessary to ensure women’s equality under the law.
In Morocco, the shari’a-based family code has been reformed to grant women more civil rights than they had hitherto been accorded. Another royal initiative was the establishment of a special graduate program to train women as spiritual guides.

Efforts are underway to revise citizenship law in Jordan that denies the right of women to pass on citizenship to their children. All countries in the MENA region are demanding equal rights of women to pass on citizenship to their children.

Lebanese Parliamentary committees have recently passed a number of legal amendments ensuring greater gender equality under the law. If passed in the next legislative session, these changes would equalize punishments for adultery, increase maternity pay to 100 percent of a woman’s income from only two thirds, and standardize tax laws which currently accord men an allowance for their wives and children while requiring women to pay taxes on all of their income.

Women’s Political Participation

Challenges

- Women running for office face many structural barriers including election laws, weak party systems and economic disadvantages.
- Cultural barriers can be even more difficult to overcome. Tribalism, patriarchy, and entrenched social norms that do not recognize women as potential leaders cause women to be passed over in favor of male candidates.
- Even if women are allocated seats, there are often not enough qualified women in the pipeline.
- Women are not educated to become political leaders, and usually do not have the political experience of their male counterparts. This is often used as an excuse by patriarchal elements to shut women out of politics.

Recommendations

Increase the number of seats allocated to women

- Based on the gender distribution in the wider population, women deserve equal representation in all legislative bodies, but at the very least institutions should ensure a critical mass of women

Train women leaders

- Provide training for women to assume leadership roles and to be able to lead more effectively.
- Increase the number of qualified women in the pipeline so as to eliminate criticisms that they are only elected because of the quota system.
- Increase awareness of effective role models of women leaders so as to inspire younger women and to transform entrenched stereotypical conceptions about women.

Combat Gender Stereotypes through Education

- Educate both women and men to change preconceptions about women’s role in society.
- Education should begin in childhood, and boys and girls should be raised to see women as leaders and equal with men.

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**Empower youth**
- Amplify the voices of youth; engage them in politics and ensure their participation in decision making.
- Address youth alienation and disaffection from politics

**Reform Election laws**
- Reform structural aspects of country-specific political systems and break down obstacles to women’s leadership.

**Some Reformist Efforts, Past and Present: Opportunities and Challenges**

Article 6 of the Jordanian Constitution promises equality to Jordanian citizens, but should include the word ‘sex’ or ‘gender’ in order to ensure that women are not overlooked in this clause. Additionally, the 20% seat allocation for women is insufficient, and should be raised, at least to a critical mass level of 30%.

In Jordan too, efforts are being made to institutionalize a quota for women in political participation.

**Violence Against Women**

**Challenges**
- Violence against women is often *kept silent* because of societal taboos,
- Victims of violence, particularly sexual violence, are *stigmatized*.
- Domestic violence is considered a private issue, and law enforcement officers are unwilling to intervene, even in dangerous situations, or resort to informal measures of resolution.
- Claims of honor and morality are often pretexts to cover up gender violence and perpetrators are protected by pervasive culture impunity.
- Without a clearly defined uniform definition of violence it is difficult to prosecute crimes of violence against women.
- In the face of social and legislative barriers, victims of violence lack significant support.

**Recommendations**

**Call for a Broader and institutionalized definition of violence**
- Violence must be defined broadly in include physical, psychological, and economic and in terms of the Convention on the Elimination of Discrimination against Women and the Declaration on Elimination of Violence against Women.
- Violence against women feeds on the silence and tacit protection of law enforcement officers.

**Capacity building**
- Train law enforcement and judges on how to address gendered violence and how to address violence in the private sphere.

**Strengthen support systems**
- Make psychological and legal counsel available to help victims in seeking justice.
- Create transnational support and innovative methods of reaching victims of trafficking.
Strengthen penalties for perpetrators of violence against women
- Criminalize violence against women and trafficking of women. Dismantle exculpatory defense in case of honor crimes.

Educate women about their rights
- Provide rights education in order to deconstruct a culture that protects perpetrators of violence.

Some Reformist Efforts, Past and Present

The “Defense of Honor” statute in the Jordanian Penal Code, Article 340, exempts men from penalty for murder if they killed or wounded their wives after having caught them committing adultery. A man can also benefit from a reduced sentence if he caught his wife in “an unlawful bed,” but no such provisions exist for women.

In 2002, thanks in part to the advocacy of the Bangladesh National Women Lawyer’s Association (BNWLA), Bangladesh passed two groundbreaking laws to combat acid violence: The Acid Control Act and the Acid Crime Control Act. Together, these acts aim to monitor the production, sale, transportation and use of acid, and to prosecute acid crimes. Though data shows acid attacks have decreased, there is still a lack of enforcement of these laws.

In Bangladesh, due to the efforts of women’s groups, including BNWLA the Domestic Violence Prevention and Protection Act of 2010 came into force. The law for the first time provides a clear definition of domestic violence and provides both civil and criminal sanctions. A highlight of the law is that it focuses on prevention and protection rather than on punishment. Despite these strengths the law suffers from weak institutional mechanisms such as counselors, shelters and budgetary allocations.

In order to ensure that women have legal protection from violence and avenues through which to seek justice, the Palestinian Penal Code must be unified, and be made to include a definition of violence in line with that proposed by international conventions.

Morocco has established local disciplinary centers to support victims of violence and create an association of research into violence against women.

In Lebanon, recently, the Justice and Administrative Committee voted to repeal Lebanon’s honor killing law which provides exculpatory sanctions is a defendant is proved to be acting “in a state of anger.”

Women in Constitution Making and Reform

Challenges
- Women are being excluded from constitutional making and in decision making, even after participating in struggles for reform.
- During an historic moment of constitutional reform across the Arab world, women’s concerns are in danger of being forgotten.
Recommendations

Greater participation of women in decision-making bodies
- Establish affirmative action and temporary special measures as called for under the CEDAW to ensure women a place at the table.
- Ensure that women’s voices are heard at critical moments of political transformation.

Rights-based approach
- The Constitution is the supreme law of the land and gender equality under law must be clearly guaranteed. International conventions that the State is party to must be enshrined in the constitution.
- A rights based approach based on the international human rights framework must inform Constitutional and other law reform initiatives.
- A rights based approach must replace Shari’a law and animate all laws governing women.

Education
- Seize the window of opportunity at times of political transition and Constitutional making to raise awareness on democratic and rights-based reform, and the role of women in a changing society.

Ensure explicit recognition of women’s rights in the legal system
- Ensure a clear articulation of women’s human rights in the Constitution and all other laws.

Some Reformist Efforts, Past and Present: Challenge and Opportunities

Article 75 of the draft Egyptian Constitution presumes the Egyptian president is male. The language should be changed so as to be gender-neutral, specifically the phrase “[Egypt’s president] cannot be married to a non-Egyptian woman.” Additionally, references to shari’a law with regard to women and the family should be eliminated from Article 2 and Article 11.

Women were excluded from Constitution making in Egypt. Safeguards should be set in place to ensure that women are integral to all forms of decision making.

Promoting Leadership and Networking

Challenges
- There is no homogeneity among women or single identity that defines women. Women are divided by race, ethnicity, age, sexual identity, religion, class and caste. Thus building common cause among women can sometimes be a challenge.
- In the face of increasing fundamentalism that threatens gains, how can women’s movements maintain energy and find new support systems.
- How can we harness the power of women’s movements and campaigns in reformist processes?

Recommendations

Create global to local exchanges
- International and transnational networks must provide important support to national causes.
- Women’s rights have far reaching implications on all women. In an increasingly globalized world national movements must link to global processes and must engage with regional and global alliances.

Continue formal and informal networking at all levels among women
- Combat the stereotypes that women’s movements are elite or “westernized” by mining the common aspirations that link women which are stronger than the divisions of class or politics.

Provide a platform for exchange
- Seize the political moment of reformist initiatives to mobilize platforms to share ideas and amplify the voice of women in decision-making bodies.

Gender and Religion

Challenges
- Shari’a is often seen as infallible, and those who challenge it are accused of challenging God’s law.
- Despite modernization in all other areas, with regards to women and family law, Islam is used as an excuse for orthodoxy.
- Though the true ethics and values of Islam are based on equality and justice, it is often co-opted by conservative fundamentalists.
- Classical jurists were guided by the realities of their times, and reflect the patriarchal values of their social and political culture, and not of Islam.

Recommendations

Support a humanist interpretation of the Quran
- Use Ijtihad to open up space for new readings of the Quran.
- A new interpretation compatible with modern context would also be consistent with the principles of human rights in international conventions.
- Reforming family law in compliance with CEDAW.

Question sources and classical interpretations
- Reveal the sources of outdated interpretations so as to unmask the myth that shari’a is based on the ideas of God and not man.

Examine many verses of the Quran
- Though opponents of women’s rights point to individual Quranic verses to prove their conservative ideas, the Quran and Sunnah include many more teachings regarding gender. Considering all of them together, a holistic approach provides a much truer understanding.
Rabat Agenda

Agenda

Chairperson: Dr. Moushira Khattab, Former Minister for Family and Population, Egypt
Moderator: Dr. Najat Zarrouk, Ministry of the Interior, Kingdom of Morocco
Co-moderator: Dr. Rangita de Silva de Alwis, Wellesley Centers for Women, Wellesley College

Sunday, May 15, 2011

Arrival and installation at the Hotel Tour Hassan

Monday, May 16, 2011

8:30 a.m. - 9:30 a.m.  Welcome and Introductions:

The representative of the Minister of the Interior, Kingdom of Morocco

9:30 a.m. - 11:15 a.m.  Focus One:

New Awakenings and Women’s Critical Role in Leading Change:

- Women in the Kingdom of Morocco: Reforms, Achievements and What Remains to be Done
  - a representative of the Ministry of Family, Kingdom of Morocco
- Political Transformations and Women in Decision Making in a New Tunisia
  - Ms. Monia Ammar, General Coordinator of Human Rights, Judge, Republic of Tunisia

Roundtable Group Discussion:

Summation - The Way Ahead: Dr. Moushira Khattab, Egypt

11:15 a.m. - 11:30 a.m.  Tea Break

11:30 a.m. - 1:00 p.m.  Focus Two:

Reformist Efforts Towards a More Egalitarian Civil Code: Delinking Religion from Discrimination against Women:

- The Making of a Model Civil Code (Counter Legal Draft) in Indonesia
  - Dr. Siti Musdah Mulia, Indonesia, architect of the Counter Legal Draft
- The Mobilization of the Women’s Movement to Reform the Civil Code in Iran
  - Dr. Haleh Esfandiari, Director of the Middle East Program at the Woodrow Wilson International Center for Scholars in Washington D.C., USA
- Reform of the Penal Code and Constitution in Turkey - Ms. Selen Lermioglu Yilmaz, Turkey
- The Landmark Revisions to the Children’s Law in Egypt, 2008: Grassroots Mobilizing and Building Alliances with Men
  - Dr. Moushira Khattab, Egypt
12:30 p.m. - 2:00 p.m.  Lunch:

Lunch time talk: My Prison, My Home: Her Powerful Story of Captivity in Iran and The Mobilization of the Global Women’s Movement in Her Support  - Dr. Haleh Esfandiari, USA; Introduced by Dr. Rangita de Silva de Alwis, USA
“Obama’s bedside reading should be Haleh Esfandiari’s brilliant and shattering book.” - New York Times

2:30 p.m. - 3:30 p.m.  Focus Three:
Advancing Women’s Political Participation: Challenges and Opportunities:

- **Quotas for Women in Political Participation**
  - Dr. Eman Al Hussein, former Councilor on the Greater Salt Municipal Council, Jordan
- **Challenging Patriarchal Forces in the Family**
  - Ms. Hayat Arslan, former political candidate, Lebanon
- **Women Negotiating Peace: The Application of UN Resolution 1325**
  - Ms. Selen Lermioglu Yilmaz, Turkey and UN Consultant working on UN Resolution 1325 in Cyprus
- **Women’s Political Leadership and Turkey’s Upcoming Elections**
  - Mutlu Alkan Kutukluoglu, Director of International Affairs of the AKP Party, Turkey’s ruling party, Turkey

3:30 p.m. - 4:30 p.m.  Roundtable Group Discussion:

Summation - The Way Ahead: Hon. Zahira Kamal, former Minister for Women’s Affairs, Palestine

Visit to the Monuments of the City of Rabat

8:00 p.m.  Celebration Dinner (Moroccan Restaurant, Hotel Tour Hassan)

Dinner Talk: Transformation in the Arab World: The Critical Role of Women in Egypt’s Revolution and its Aftermath
- Dr. Moushira Khattab, Egypt; Introduced by Dr. Rangita de Silva de Alwis, USA

Tuesday, May 17, 2011

8:30 a.m. - 9:30 a.m.  Focus Four:

Violence against Women:

- **Violence Against Women in Conflict** - Hon. Zahira Kamal, Palestine
- **Crimes against women in the name of honor** - Dr. Eman Al Hussein, Jordan
- **The Recent Landmark Bills on Domestic Violence and Sexual harassment in Bangladesh**
  - Ms. Salma Ali, Bangladesh, Head of Bangladesh National Women Lawyers Association

9:30 a.m. - 10:30 a.m.  Roundtable Group Discussion:

Summation - The Way Ahead: Dr. Eman Al Hussein, Jordan
10:30 a.m. - 11:00 a.m.  Tea Break

11:00 a.m. - 1:00 p.m.  Focus Five:
- *Women in Constitution Making and Democratic Reform* - Dr. Moushira Khattab, Egypt
- *Women in Constitution Making and Democratic Reform* - Dr. Eman Al Hussein, Jordan
- *Women in Constitution Making and Democratic Reform* - Ms. Monia Ammar, Tunisia
- *Leadership and Capacity Building: The Experience of Morocco* - Dr. Najat Zarrouk, Morocco
- *African Local Experience* - Milouda Hazeb, the President of the African Local Elected Women Network

**Roundtable Group Discussion**

1:00 p.m. - 2:00 p.m.  Lunch:
*Lunch time talk:* Khawar Mumtaz, Head of Shirkatgah, Pakistan- Rural Women’s Struggle in Pakistan for Equal Rights

2:00 p.m. - 3:00 p.m.  Focus Six:
- *Progressive Interpretation of the Shariah Law and the Impact on Women* - Dr. Siti Musdah Mulia, Indonesia
- *Reconciling the Koranic Injunctions with the Human Rights Framework* - Ms. Ferdous Ara Begum, Bangladesh, former CEDAW Committee Expert

**Roundtable Discussion**

3:00 p.m. - 4:30 p.m.  Developing a Platform of Action:
- The strategies discussed in each focus group discussion will be developed into a Platform of Action.
- *Formulation and Adoption of the Rabat Declaration of Action* - Moderated by Dr. Moushira Khattab, Egypt; Dr. Najat Zarrouk, Morocco; Dr. Rangita de Silva-de Alwis, USA

**Convention Signing**

4:30 p.m. - 5:00 p.m.  Conclusion and Farewell
  By Dr. Najat Zarrouk, Morocco

5:00 p.m.  Return to hotel

5:30 p.m.  Shopping in the old Medina

7:00 p.m.  Return to hotel

8:00 p.m.  Farewell Dinner hosted by the Ministry of the Interior, Kingdom of Morocco
  *Restaurant LE ZIRYAB in the Old Medina*
Rabat Roundtable Participants
Chairperson: H.E. Moushira Khattab, Egypt
Moderators: Rangita de Silva de Alwis and Najat Zarrouk
Rachida Tahiri - Morocco
Milouda Hazeb - Morocco
Monia Ammar - Tunisia
Zahira Kamal - Palestine
Hayat Arslan - Lebanon
Mada Arslan - Lebanon
Selen Yilmaz - Turkey
Mutlu-Alkan Kutukluoglu - Turkey
Eman Al Hussein - Jordan
Ferdous Ara Begum - Bangladesh
Salma Ali - Bangladesh
Siti Musdah Mulia - Indonesia
Haleh Esfandiari - USA/Iran
Susan McGee Bailey - USA

Moroccan Women Local Government Leaders
Jamila Affif
Dounia Karim
Hasna El Jadiri
Maryam El Belghiti
Minya Bohdoud
Habiba Hcini
Bouchra El Abdellaoui
Assia Mehlil
Fatna El Kihel
Fatima Chahbi
Wafae Bouamri
Hassna Zahidi
Naziha Elkharraaz
Hanane Arjouane
Milouda Hazeb
Safia Zakari Kamanji
Fatima Mouhadani
Fatna Tayebi
Zahra Arbouche
Alia Harache
Fatima Ariche
Khadija Yahya
Samira Jouida
Imane Zitouna
Karima Dahmani