



# EGYPT

by Mariz Tadros

POPULATION: 78,629,000  
GNI PER CAPITA: US\$1,788

<b>COUNTRY RATINGS</b>	<b>2004</b>	<b>2009</b>
NONDISCRIMINATION AND ACCESS TO JUSTICE:	2.8	3.0
AUTONOMY, SECURITY, AND FREEDOM OF THE PERSON:	2.8	2.9
ECONOMIC RIGHTS AND EQUAL OPPORTUNITY:	2.8	2.9
POLITICAL RIGHTS AND CIVIC VOICE:	2.7	2.7
SOCIAL AND CULTURAL RIGHTS:	2.4	2.6

(COUNTRY RATINGS ARE BASED ON A SCALE OF 1 TO 5, WITH 1 REPRESENTING THE LOWEST AND 5 THE HIGHEST LEVEL OF FREEDOM WOMEN HAVE TO EXERCISE THEIR RIGHTS)

## INTRODUCTION

Over the past decade, women in Egypt have made great strides in addressing discriminatory laws. The country's personal status legislation, which had been a source of gender discrimination since its inception in the 1920s, has undergone reform, especially with respect to its procedural elements. Legal prohibitions preventing women's equal access to and representation in the judiciary have been lifted, and social taboos that have restricted their access to certain professions have been broken. At the same time, increasing poverty and hardship have taken their toll on women and their families, limiting their choices and reducing their opportunities to assert their rights. Rising social conservatism with respect to gender roles and increasing deprivation could ultimately undermine women's ability to translate legal rights into lived realities.

Egypt is a republic, led by a president who serves as head of state and a prime minister who is the head of government. The legislative branch consists of the mostly elected People's Assembly (*Majlis al-Sha'b*) and the partially elected Consultative Council (*Majlis al-Shura*). Hosni Mubarak has been the president since the 1981 assassination of his predecessor, Anwar al-Sadat. He has maintained an authoritarian regime, with sweeping powers legitimized through an emergency law that has been in effect since

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he took office. The president's term has been renewed every six years.<sup>1</sup> Until recently, citizens could only vote for or against a single nominee in a referendum. However, an amendment to Article 76 of the constitution in 2005 allowed for the nomination of alternative candidates.<sup>2</sup> While this represented a step toward democratic competition, it was accompanied by other amendments that, according to the opposition, inhibit political parties' ability to contest the hegemony of the ruling National Democratic Party. And any improvements to the electoral framework continue to be overshadowed by the government's use of authoritarian tactics in practice.<sup>3</sup>

In this deeply contested environment, Egyptians have engaged in a high level of political activism on several fronts. To contest Mubarak's bid for a fifth presidential term and the possibility that he would "bequeath" the office to his son, Gamal Mubarak, a movement of mostly urban, professional women and men known as Kefaya (Enough) staged its first protest in December 2004. Since then the group has led several demonstrations in Cairo and across the country to demand genuine political reform. On another front, female students, mostly belonging to various Islamist movements, have been exceptionally active in student opposition to the encroachment of security forces on their rights and space in the universities. Women and men of all political stripes also took to the streets in large numbers following the Israeli assault on Gaza in January 2009. Moreover, factory workers and civil servants have instigated a number of strikes and demonstrations, in which women have played a leading role, calling upon the government to address the problem of corruption and the failure to provide wages that meet the rising cost of living. Protests related to gender-specific issues have been less common, although female activists have protested against women's molestation on the street.

The years 2004–09 featured continued progress in the removal of gender inequality from the Egyptian legal system. One of the main demands of women's rights groups was finally met in 2004, when the government submitted proposed changes to the nationality law that would enable Egyptian women married to foreign men to pass on their nationality to their children. The new law was approved by the legislature, and it has helped to secure the rights of children whose mothers had non-Egyptian spouses. Two major reforms took place in 2008. First, the Supreme Judicial Council allowed women to become judges and sit on the bench for the first time in the country's history. Second, amendments to the child law

included crucial steps toward gender equality, such as an increase in the minimum age of marriage to 18 and the criminalization of female genital mutilation (FGM).

Despite these advances, gender discrimination remains widespread in the legal system. The penal code offers lenient sentences for men convicted of committing honor killings and defines the crime of adultery differently for male and female perpetrators. The personal status law—which regulates issues including marriage, divorce, and child custody—has long been viewed as a major source of discrimination against women. And due to conservative interpretations of Shari’a (Islamic law), the worth of a woman’s testimony in family court is considered to be half that of a man’s. Even the reforms that have been passed in recent years could be undermined in practice by entrenched societal norms and a lack of effective enforcement mechanisms. For example, FGM is illegal, but it is still widely practiced, particularly in rural areas.

The challenge in the years to come will be to adopt the institutional and policy framework necessary to make the amended child law and other such reforms enforceable. Proper implementation will also require sensitive and consistent awareness-raising and activism at the community level, as only social changes can make beneficial laws a reality in people’s lives.

## **NONDISCRIMINATION AND ACCESS TO JUSTICE**

While some discriminatory aspects of Egypt’s legal regime have been hotly debated and reformed in recent years, others have gone unaddressed. The nationality law was amended in 2004 to remove a discriminatory provision against a mother’s right to pass citizenship on to her children, and social dialogue has increased regarding the unequal worth of women’s testimony in family courts. However, practical obstacles to equal access to justice persist, and discriminatory penal code provisions related to honor killings and adultery remain unchanged.

According to Article 40 of the constitution, all citizens are equal, irrespective of race, ethnic origin, language, religion, or creed.<sup>4</sup> Article 40 does not explicitly mention gender, but it is commonly interpreted as protecting women from discrimination. In 2007, Article 62 was amended to call for minimum representation of women in the parliament, opening the door for the establishment of a quota (see “Political Rights and Civic Voice”).

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While many of the country's policies and laws ensure women's equality in principle, institutionalized forms of gender discrimination founded on patriarchal values regularly deny women's equal rights in practice. This is reflected in Article 11 of the constitution, which obligates the state to harmonize women's duties toward their families with their "work in society," while providing them with equality in political, social, cultural, and economic spheres so long as the rules of Islamic jurisprudence are not violated. This seemingly benevolent article opens the door to the unequal treatment of women because conservative interpretations of Shari'a are often at odds with the principles of gender equality. Poor women are at a particular disadvantage, as they frequently lack the education, resources, and social connections that would enable them to assert their rights.

Despite recent legislative reforms, women do not enjoy the same citizenship rights as men. The parliament amended the nationality law in 2004, allowing the children of Egyptian mothers and foreign fathers to obtain Egyptian citizenship, but the law still prohibits such children from joining the army, the police, and certain government posts.<sup>5</sup> Moreover, those born before the reform's enactment had to apply for citizenship within one year or permanently lose the right to become citizens. The law continues to prohibit citizenship for the children of Egyptian mothers and Palestinian fathers.<sup>6</sup> Prior to the 2004 amendment, Egyptian women married to foreigners could not pass their citizenship to their husbands or children, even if they lived permanently in Egypt. The ban on women passing their citizenship to their foreign spouses has been retained, although no such restriction is placed on Egyptian men married to foreign women.

Sustained efforts to address gender discrimination in access to justice have been met with immense political and social opposition. Cultural attitudes dissuade women from filing complaints in court, which is seen as a public exposure of personal problems. Instead, they are encouraged to deal with problems in a private, nonconfrontational manner, for instance through mediation within the family. Social values regarding women's voice and representation in public, and the patriarchal attitudes of some lawyers and judges, also cast doubt on women's ability to give credible, coherent, and accurate testimony. However, one of the greatest impediments to justice for both women and men is lack of economic resources. The cost of filing a lawsuit and the ongoing expenses of prolonged cases deter many from defending their rights. These factors together make access to justice especially difficult for poor women.

Activists continue to challenge discriminatory provisions of the Egyptian penal code, though their success so far has been limited. Nongovernmental organizations (NGOs) dedicated to women's rights have lobbied against Article 17, which allows judges to hand down lenient sentences to men convicted of so-called honor killings. These crimes typically involve the murder of a woman by a relative for perceived moral or sexual transgressions that supposedly stain the family's honor. Unlike the penal codes of neighboring countries, which require a man to catch his female family member in a compromising act, honor killings in Egypt are excusable even when based on rumors and speculation (see "Autonomy, Security, and Freedom of the Person"). In addition, Article 277 of the penal code defines adultery differently for men and women. While a man is guilty of adultery only if he commits the act in his marital home, a woman is guilty regardless of where the act takes place.<sup>7</sup>

Women's testimony and the evidentiary strength of female witnesses are considered to be equal to those of men, though there are some exceptions, including matters related to the personal status code. Most of the current legal codes do not distinguish between men's and women's testimony. Instead, the judge assesses the worth of testimony based on its credibility, strength, and consistency.<sup>8</sup> Under the personal status law, however, two female witnesses are the equivalent of one male witness in a marital contract, and the testimony of two women is equivalent to that of one man in the family courts, which adjudicate personal status cases.<sup>9</sup> As a practical matter, family court judges require two female witnesses to comply with the legal regulations, but then often take into account only the testimony of the relevant female witness.<sup>10</sup>

Since the personal status law is based primarily on Shari'a, a key to challenging discriminatory personal status provisions lies in the potential for different interpretations of the Koran. In 2008, Zeinab Radwan, a deputy speaker of the lower house of parliament and an expert in Islamic jurisprudence, contested the interpretation of Koranic verses that are often invoked to deny equal weight to the testimony of women. She argued that the verses "related to a specific situation in which women were illiterate at the time, and could also forget the details of the incident since what they were giving was verbal testimony, not written."<sup>11</sup> Important independents and respected scholars, such as Mahmoud Bassiyouny, supported this view, but the ensuing parliamentary discussions were highly antagonistic, with some lawmakers—particularly those

from the Islamist camp—arguing that Radwan's views were a distortion of the Muslim faith.<sup>12</sup>

Egypt ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 1981. It placed reservations on Article 9(2), regarding the right of women to pass their nationality to their children; Article 16, related to equality within marriage; Article 29(2), on the resolution of disputes related to the convention; and Article 2, which calls for the implementation of policies designed to eliminate gender discrimination, on the grounds that this could violate Shari'a in some cases. The reservation to Article 9(2) was lifted in 2008 after the nationality law was amended to allow women to transfer citizenship to their children. However, the other reservations remain.<sup>13</sup>

The Egyptian delegation to CEDAW justified the reservations to Article 16 by arguing that Shari'a provides equivalent—rather than equal—rights to women that balance the proper roles of men and women during the course of and in the dissolution of a marriage.<sup>14</sup> In light of the virtual monopoly held by highly conservative and reactionary religious elites over the process of determining what conforms with and what defies Shari'a in the Egyptian context, the push for more progressive interpretations has proven an uphill battle for proponents of reform.

Egyptian institutions and organizations lobbying for changes in the penal code or pressing the government to implement CEDAW are able to operate freely. This is partly because much of the lobbying work for a constitutional amendment that would allow for affirmative action was initiated by the National Council for Women, an official entity headed by the current first lady that reports directly to the president. Nevertheless, nongovernmental women's organizations have been active in lobbying for CEDAW implementation as well.

### *Recommendations*

- ❖ The government should expand the nationality law to enable the foreign husbands of Egyptian women to obtain Egyptian citizenship.
- ❖ The penal code must be amended to create a nondiscriminatory definition of adultery and to eliminate leniency for honor killings.
- ❖ Egypt should remove its reservations to Article 16 of CEDAW and bring domestic legislation into compliance with international standards regarding women's marriage and divorce rights.

- ❖ The government and NGOs should improve women's access to the courts by providing free legal advice to prospective litigants and subsidizing the court expenses of indigent women.
- ❖ For existing antidiscrimination laws and policies to be effective, the government must proactively enforce them by prosecuting offenders.

## **AUTONOMY, SECURITY, AND FREEDOM OF THE PERSON**

While national laws guarantee women's personal security and autonomy, the government and private actors undermine these rights in practice. Although amendments to the personal status law made in 2000 instituted some positive changes, women's personal freedoms remain constricted, especially within the marital relationship. In addition, sexual and physical harassment continue in both the private and the public sphere, leaving women vulnerable to abuse in many facets of their lives.

Muslims, nearly all of them Sunni, comprise approximately 90 percent of the population in Egypt, while the remaining 10 percent consists largely of Coptic Christians.<sup>15</sup> Article 46 of the constitution grants all persons the freedom of belief and the right to practice their religious rites, and Article 40 prohibits discrimination on the basis of religion. Despite legal protections, followers of different religions do not enjoy equal privileges and benefits, and people born into the Muslim faith who wish to change their religion face practical difficulties in doing so.<sup>16</sup> Muslim women are prohibited from marrying non-Muslim husbands, whereas Muslim men are permitted to wed Christian or Jewish wives. Within the Coptic Orthodox Church, women who marry men of other faiths are prohibited from partaking of communion, one of the faith's central rites.

As in most other Arab states, Egypt's personal status laws—which govern all matters pertaining to family life, including marriage, the spousal relationship, divorce, and child custody—are widely seen as one of the primary sources of discrimination against women in legislation and practice. Egypt does not have a unified personal status code that applies to citizens of all faiths. Instead, the Personal Status Law (No. 25 of 1925, as amended in 1979, 1985, 2000, and 2004) governs the Muslim majority, while most other faiths apply their own community's religious standards to family matters, assuming all parties to a dispute belong to the same faith. The most recent draft of a personal status law for non-Muslims was submitted

to the Ministry of Justice in 1998, but it is still awaiting review.<sup>17</sup> Family issues for Coptic Christians are handled in the same family courts used by Muslims, with judges who are trained in the application of both Muslim and Christian religious laws. The personal status law for Muslims automatically applies in marriages between Muslim husbands and non-Muslim wives, putting the wives at a distinct disadvantage.

While some marriages are still arranged by families, particularly in rural areas, this practice is not believed to be as common as in the past. In all cases, however, there is an increasing societal understanding that women and men should meet and get to know each other before marriage, and that a woman's consent must be secured for a marriage to proceed.

A Muslim woman's right to make stipulations within the marriage contract is guaranteed under law. Such provisions may include the right to pursue one's education, the right to continue working while married, or even the parameters of any future divorce. However, in practice, the legal requirement that a *wali*, or marriage guardian, must negotiate the marriage contract on the bride's behalf limits women's ability to determine the terms of marriage, and social norms strongly discourage the inclusion of stipulations.<sup>18</sup>

Women are also severely disadvantaged under the system of *urfi* (customary) marriages, which have become increasingly common among Egyptian youth. *Urfi* marriages are informal civil contracts, signed in the presence of two witnesses, that allow couples to live together, often without the knowledge of their family. Some argue that *urfi* marriages have proliferated because of the high costs of traditional marriage, whereas others argue that their purpose is to legitimize sexual relations. Approximately three million *urfi* marriages have been documented by notaries in Egypt, although the actual number is thought to be much higher.<sup>19</sup> *Urfi* marriages are particularly harmful for women because they are not registered as traditional marriage contracts, and the husband is not deemed financially responsible for the wife or held liable for alimony or child support in case of separation. If an *urfi* husband hides or destroys the marriage document, the wife can neither petition for divorce nor remarry for fear of being accused of bigamy. In addition, paternity suits often arise regarding the children from such unions when the father refuses to acknowledge the *urfi* marriage and hides the marital document.<sup>20</sup> The parliament is currently considering a law that would outlaw *urfi* marriages and impose penalties on those who do not comply.<sup>21</sup>

Under the Muslim personal status law, men have the unilateral and unconditional right to divorce at will (*talaq*) by telling their wives three times that they are divorced and registering the announcement at a religious notary office within 30 days.<sup>22</sup> Conversely, women are required to petition the court and seek either a fault-based or no-fault (*khula*) divorce.

The fault-based divorce is available to women only when the husband has exhibited one of the following four faults: (1) illness, including mental illness or impotence; (2) failure to provide maintenance or financial support; (3) absence or imprisonment; and (4) harmful behavior, such as mental or physical abuse. Although the last provision theoretically allows abused women to get out of a marriage, judges have considerable discretion in deciding whether to grant a divorce because the necessary degree of injury is not clearly established. For example, they are free to tailor their decisions regarding this threshold based on the socioeconomic class of the woman—the poorer she is, the more harm she is expected to endure and the less likely she is to be granted a divorce.<sup>23</sup>

Until the 2000 amendments to the personal status law, this fault-based system was a woman's only avenue to initiate divorce. Now, Article 20 of the personal status law codifies the traditional Islamic practice of *khula*, a no-fault mechanism in which women exchange their financial rights—forgoing alimony and returning their dowry—for a divorce. There is a requisite arbitration period of three months, and the entire process should take no more than six months to complete, but reports indicate that stalling tactics allow men to delay rulings for years.<sup>24</sup>

According to the 2008 bylaws that govern Coptic Christian marriages, divorce for both men and women is permitted only on the basis of adultery or conversion of one spouse to another religion.<sup>25</sup> This differs from regulations issued in 1938 by the Coptic Orthodox Milli Council, which also allowed divorce in cases of domestic violence, male impotence, or male abandonment.

Due to persistent and effective activism by women's rights organizations, Article 20 of the Muslim personal status law was amended in 2005 to permit mothers to have custody of children until they turn 15 years old or until they remarry, whichever comes first.<sup>26</sup> Previously, women's custody rights ended when the boys reached the age of 10 and the girls reached 12. Although this amendment is viewed as a positive step, the law retains an arbitrary limitation to a mother's custody rights rather than allowing the family court to assess each situation in accordance with the best interest

of the child. In practice, men rarely petition for custody of their children unless they wish to do so as a form of punishment for their ex-wives: once a woman loses custody, she also loses the right to the marital home or housing support.

Among children resulting from marriages between Muslim husbands and non-Muslim wives, children younger than 15 are by law considered Muslim. Consequently, if the husband in a Christian family decides to convert to Islam, he not only changes the set of laws that regulate the couple's marriage, divorce, and child custody disputes, he also automatically converts his children to Islam. Judges frequently deny child custody to Christian women with Muslim husbands on the premise that they need to protect the Muslim faith of the children. In June 2009, however, the Court of Cassation overturned a decision by the Alexandria Appeals Court and awarded the custody of twin boys to a Christian mother who divorced her Muslim husband, creating a theoretical precedent for considering the best interest of the child in custody decisions.<sup>27</sup> It is not clear to what extent other judges will be influenced by this verdict when ruling on similar cases.

Under amendments to the child law (No. 12 of 1996) made in June 2008, Article 20 now permits illegitimate children to receive birth certificates in the mother's name if the father is unknown. Previously, such children were left without an official identity unless their fathers voluntarily claimed them. If left unclaimed, they were denied all citizenship rights, including the right to vaccinations, education, and Egyptian nationality. The new provision greatly helps children born out of wedlock or resulting from *urfi* marriages,<sup>28</sup> although on the societal level, such children often remain stigmatized.

The child law amendments also increased the minimum age of marriage to 18 for both sexes.<sup>29</sup> According to one of the legislators speaking in favor of the amendment in the parliament, a poll indicated that 73 percent of Egyptian families would approve of a ban on marriage below the age of 18. However, the Muslim Brotherhood, an Islamist opposition group, objected to the new article, arguing that it defied Shari'a, which sets the age of marriage at 15 for girls and 16 for boys.

Freedom of movement, one of the most basic personal freedoms and a prerequisite to any reasonable level of autonomy, is restricted for women in some respects. In 2000, the Supreme Constitutional Court (Case 243 of the 21st Judicial Year) ruled that women no longer needed the permission of their husbands or fathers to obtain passports and travel. However,

a husband or father can still restrict a woman's travel if he obtains a court order to that effect, for example to prevent the woman's flight during a child-custody dispute.<sup>30</sup> Social restrictions regarding appropriate behavior for women inhibit freedom of movement, particularly for those who live in rural areas and belong to socially and religiously conservative families. The notion that a man has the right to prohibit his wife from leaving the house, while still prevalent, is being increasingly contested even in rural contexts. Generally speaking, women of all backgrounds exercise their agency by seeking to negotiate the terms of their mobility, and they often do so successfully, enabling them to pursue greater opportunities for education or employment.

Violence against women is a serious problem in Egypt, and no law specifically prohibits domestic abuse. Family violence can theoretically be prosecuted under the penal code provisions that prohibit bodily injury in general, but this has largely been ineffective, partly because Article 60 of the penal code excuses acts that have been committed in "good faith" pursuant to a right established under Shari'a. Since Shari'a is often deemed to permit the "disciplining" of "disobedient" women, this article has been employed to excuse domestic violence, so long as the beating is not severe and is not directed at the face or other critical areas.<sup>31</sup> Very few mechanisms are currently in place to protect women or provide adequate support for victims of abuse. The state runs seven shelters for abused women, but husbands and family members have access to the facilities, and they are viewed more as centers for rehabilitation and mediation than as true sanctuaries.

One private organization, the Association for the Development and Enhancement of Women, set up its own shelter—Beit Hawa, or the House of Eve—in 2006.<sup>32</sup> It is free of charge and enforces strict security measures to provide abused women and their children with a sense of safety. However, it is constantly threatened with closure due to lack of resources.<sup>33</sup> Women's rights activists have continued to push for increased media attention on the subject of gender-based violence, making it a less taboo topic in recent years, but there is no conclusive evidence that more battered women are seeking redress.

Honor killings, the most extreme form of gender-based violence, still occur in Egypt. Such murders are often based on nothing more than rumors about the woman's behavior. Patriarchal control over women, rising social and religious conservatism, and the tribal system that remains prevalent in rural areas and among urban people of rural origin have all contributed to

the problem. The last official statistics on honor killings were released in a 1995 report, which estimated that 52 out of 819 reported murders were honor killings.<sup>34</sup> Due to the penal code's leniency toward men who commit honor killings, judges have often sentenced such individuals to as little as six months in prison.

Widespread sexual harassment on the streets of Egypt undermines women's freedom of movement and their right to be protected against gender-based violence outside the home. A study undertaken by the Egyptian Center for Women's Rights in July 2008 found that 46.1 percent of Egyptian women and 52.3 percent of foreign women are subjected to sexual harassment on a daily basis, including men staring inappropriately at their bodies, inappropriate touching, sexually explicit comments, and stalking.<sup>35</sup>

In 2006 and 2008, two incidents garnered massive attention for their boldness and brutality during the Eid al-Fitr, the holiday marking the end of the holy month of Ramadan. In 2006, dozens of women were harassed by large groups of men on the streets of central Cairo. Women of all ages were targeted, whether alone or accompanied by family members, fully veiled or covered only by the *hijab* (headscarf). Shopkeepers offered the women refuge in their stores as they sought to avoid having their clothes ripped off and being molested in the streets. The police were present but did nothing to intervene. No efforts were made to prosecute the perpetrators, even though the incident was filmed on mobile telephones and the images were widely distributed on the Internet. Officials initially denied that the incident occurred, but local and national news outlets eventually began discussing it and generally questioning women's security on the streets of Egypt.<sup>36</sup>

Women's rights activists reacted by holding demonstrations in Cairo calling for safer streets for women and for the adoption of an appropriate policy to address the problem. When a similar incident occurred in 2008 in the middle-class suburb of Mohandeseen, the official reaction was very different.<sup>37</sup> Again, women's clothes were ripped off and they were physically abused by hordes of men, but this time the police intervened immediately and arrested some of those involved. Under pressure from activist lobbying, sustained press coverage, and wide discussion of the 2006 incident by bloggers, the government attempted to avoid additional political embarrassment for its inability to protect citizens and maintain security. It conducted a broader clampdown,<sup>38</sup> which included the sentencing of one man to a year in prison and another to three years in prison for sexual harassment.<sup>39</sup> However, until this issue is adequately addressed

by legislation and other measures like police training, widespread sexual harassment will continue to encourage families to exercise control over women's free movement and limit their presence in public space out of fear for their safety and welfare.

Women's rights organizations regularly tackle issues such as violence against women, sexual harassment, and discrimination in the personal status code. A coalition of nine women's NGOs has called for reforms to the personal status code to address gender inequalities, including a provision requiring the registration of urfi marriages.<sup>40</sup> In addition, the instances of mass sexual harassment that occurred in recent years led to the emergence of new women's groups and a wave of collective action by existing women's rights NGOs. Consequently, sustained campaigns against harassment and in favor of greater accountability for perpetrators have been organized. The Egyptian Center for Women's Rights has long advocated on behalf of harassed women. It launched a campaign called "Making Our Streets Safer for Everyone," and provides the public with relevant information about the issue. A May 2005 incident in which female journalists were harassed and assaulted in an apparently politicized attack ahead of the presidential election (see "Political Rights and Civic Voice") led to an NGO-organized vigil and a conference entitled "The Street Is Ours," in a bid to reclaim public space, freedom of association, and freedom of expression for women. The Egyptian Mothers' Network, formed immediately after the May 2005 attack, organized a demonstration that was attended by over 500 people.<sup>41</sup> These advocacy efforts have helped lift the taboo against discussing such issues, and the media are increasingly covering both the offending events and the reaction of NGOs.

On the individual level, some women have started to courageously break societal norms and fight against gender-based violence. One woman, after being groped on the street, reported the man who harassed her to the authorities. Despite the initial reluctance of the police to open an investigation, the case received wide media attention, and the man was eventually sentenced to three years in prison. According to women's rights activists, it was the first time someone had received a prison sentence for this kind of harassment.<sup>42</sup>

### *Recommendations*

- ❖ To protect citizens from gender-based violence and harassment in the public space, the government should provide extensive training

to create a more sensitized and responsive police force, impose strict accountability mechanisms to deal with officers showing laxity in their work, and invest in improved lighting for poor neighborhoods.

- ❖ The authorities should vigorously prosecute perpetrators and complicit actors in cases of sexual harassment and molestation, and publicize the verdicts and sentences as a deterrent to future offenders.
- ❖ Women's civil society organizations should seek to strengthen the voice of Coptic women by engaging those who are socially active in discussions on revisions to Coptic personal status regulations.
- ❖ The personal status code should be amended to streamline the fault-based divorce process for abused women and reduce the ability of husbands to delay or thwart no-fault (khula) divorce proceedings.
- ❖ The government and civil society organizations should support the establishment of more women's shelters across the country, with qualified staff and adequate resources.

## ECONOMIC RIGHTS AND EQUAL OPPORTUNITY

Women remain significantly underrepresented in the labor force, but more women now hold jobs than ever before, and female unemployment figures have decreased since 2004. The gender gap in education has been closing, with 95 girls for every 100 boys enrolled in primary schools in 2007, a significant improvement over the 66 girls for every 100 boys in 1975.<sup>43</sup> However, these gains risk being undermined by the country's general economic deprivation, which is taking an increasing toll on both the middle class and the already marginalized segments of the population.

Current Egyptian laws do not discriminate on the basis of gender with respect to ownership and use of land and property. Similarly, nothing in the laws restricts women's full and independent use of their income and assets. Nevertheless, women in practice often delegate the responsibility of managing property, land, assets, and businesses to their brothers, fathers, or husbands out of respect for patriarchal norms. Some argue that these norms are justified because it is the legal and social duty of men to assume financial responsibility for women and act as their caretakers throughout life. For example, the failure of a man to provide for his wife and children is one of the legal grounds for a divorce initiated by a woman. However, this patriarchal control of assets is sometimes manipulated to deprive and cheat women of their economic rights. They are left vulnerable and

virtually defenseless to such abuses and must depend on the good will of their male relatives for their welfare.

Women in Egypt do not have inheritance rights on par with those of men. According to the Inheritance Law (No. 77 of 1943), which is applied to all citizens regardless of their faith, women are only entitled to half the inheritance of men when both have the same relationship to the deceased. In practice, some women are deprived even of this share and are inhibited by existing social norms from asserting their rights. For example, a recent study conducted in the Upper Egyptian governorate of Assiut suggested that the expropriation of female heirs was still practiced by many families, although it failed to provide statistics. The study also showed that women are most often deprived of inherited agricultural land, which is usually split up among male heirs by mutual consent. Women are sometimes given a compensatory sum of money, although it is generally well below the value of their rightful inheritance. In some rare cases, women and their husbands and children have gone to court to claim the denied inheritance.<sup>44</sup>

Under the current law, a non-Muslim woman married to a Muslim man is not entitled to inheritance upon his death. In March 2008, when she submitted her argument against giving less weight to women's testimony (see "Nondiscrimination and Access to Justice"), Zeinab Radwan also proposed an amendment to the inheritance law that would allow non-Muslims to inherit from Muslims. However, the proposal was turned down by the Islamic Research Council on the grounds that it was in violation of Islamic jurisprudence; as an alternative, the council agreed that mandatory wills could be imposed to ensure non-Muslim widows' welfare.

Under Article 18 of the constitution, education is a right guaranteed by the state and is obligatory through primary school. Female students, like their male counterparts, have free access to public education at all levels but are sometimes unable to take advantage of this right as a practical matter. Cash-strapped parents often send their children to work at extremely early ages, with some as young as four used to peddle goods on the streets, and this contributes to a relatively low (though improving) literacy rate. According to figures for 2006, 87.9 percent of males aged 15 to 24 are literate, compared with only 81.8 percent of females. However, female youths' literacy improved sharply from 2005, when it stood at 78.9 percent, while male youths' literacy dropped from 90.1 percent. The gender gap in literacy widens among older generations, with only 74.6 percent of adult men and 57.8 percent of adult women literate as of 2006.<sup>45</sup>

Government statistics have shown improvements in the gender gap in education level. Girls remain behind boys for all levels except general secondary, where girls had a 7.8 percent advantage as of 2006. At the university level, the government reported an 8.2 percent gender gap at women's expense, but this was less than half that reported for 2001.<sup>46</sup> In a recent positive step, Egypt appointed its first female university president in June 2009.<sup>47</sup>

Women remain grossly underrepresented in the workforce. However, their participation in economic activity has been on the rise. In 2007, an estimated 25.7 percent of women aged 15 to 64 participated in the labor force, slightly up from 24.9 percent in 2004. Government data indicate that the female unemployment rate dropped precipitously from 24.3 percent in 2004 to 18.6 in 2007, while the male unemployment rate rose slightly from 5.9 to 6.0 percent.<sup>48</sup> It is anticipated that the current global economic downturn will drive down women's and men's employment rates in the coming years.

The Labor Law (No. 12 of 2003) protects women from various aspects of gender discrimination, but also imposes certain gender-based restrictions. Article 35 of the law prohibits gender-based wage discrimination, and Article 88 stipulates that all provisions of the labor code apply to female workers. Article 92 prohibits the dismissal of a woman while she is out on maternity leave, and Article 95 requires employers with at least five female employees to post in an obvious place the legal regime related to female workers. However, Article 89 provides that the relevant government ministers may establish conditions under which it is inappropriate for women to work between 7 p.m. and 7 a.m., while Article 90 allows the concerned minister to determine unwholesome or morally harmful areas of work for women, as well as jobs from which women are barred.<sup>49</sup> Like many other countries in the Middle East and North Africa, these discriminatory provisions treat women as if they are unable to make sound decisions regarding their own safety and well-being.

Article 91 of the Labor Law mandates a 90-day paid maternity leave for women who have served for 10 months with the same employer. Such leave is available twice "throughout the female worker's period of service," although it is unclear whether that period refers to service with one employer or her entire working career. Article 93 guarantees women two paid, half-hour nursing breaks each day for two years after the birth of a child, in addition to the paid break enjoyed by all employees. Women

working at establishments with at least 50 employees are entitled to two years of unpaid leave, which is available twice during the course of her service period. Establishments that employ at least 100 female workers at one location are required to establish or assign daycare facilities for those with children. Employers sometimes fail to comply with these laws in practice, and there have been instances in which employers deliberately avoid employing more than 99 women so as not to trigger the daycare rule. In cases where women's rights are violated, they may file complaints with the ombudsman's office at the National Council for Women, but it has no legal powers over the employers; at best, it can seek to mediate on behalf of the complainants.

Significantly, the Labor Law's protections largely exclude women working as domestic servants or agricultural laborers, and in many cases these women work in poor conditions and without regular cash compensation. This affects their ability to provide for their families and pay for health care, insurance, and other services. The situation is even worse when such women are disabled or divorced, or when the family lacks any other breadwinner.

An early retirement scheme for female public-sector employees was introduced in 2006, lowering women's retirement age to 45 while keeping men's at 50, provided that they have worked for the same employer for 19 years or more. The sum of money provided to women who opt for early retirement is significantly less than what they would be awarded if they retired later, leaving women even more dependent on their male family members for financial support. Moreover, although the scheme is technically optional, some fear that women will be pushed into retiring early amid waves of privatization of public enterprises, pressures to trim the state payroll, and the global economic crisis. Such provisions also affect the natural arc of a woman's working life, encouraging her to leave the workforce rather than establish a long-term career, thereby reducing women's chances for promotion to managerial positions.<sup>50</sup>

The privatization process was accelerated in the late 1990s and has lacked transparency and accountability. Government mismanagement of state-owned enterprises and high levels of corruption have taken their toll on all workers in Egypt. Many workers have mounted protests against meager wages that do not match galloping inflation rates, months-long delays in dispensing bonuses, and in some instances, cancellation of bonuses altogether. Female workers in Mahalla, a textile-manufacturing town near

Cairo, initiated a major strike in December 2006 in response to the failure of the authorities to deliver long-promised bonuses. The Mahalla strike had a ripple effect on workers and civil servants across the country. Female workers played a central role in mobilizing strikers and sustaining sit-ins, in which they slept on the factory floor overnight.<sup>51</sup> Hundreds of thousands of workers have taken part in protests, seriously affecting manufacturing and the textile industry as well as other economic sectors, including the civil service and railways.

In 2007, civil servants that deal specifically with property-tax accounting protested their wages, believed to be 10 times less than other tax workers.<sup>52</sup> Women comprised a significant proportion of the property-tax workers who participated in the sit-ins, which were staged in tents outside of government buildings. Female protesters brought their entire families with them, including infants and toddlers, as well as food, drink, and blankets to withstand the winter nights. Their goal was to maintain the protest until the government heeded their calls for fairer wages, and their participation changed the face of peaceful protests by drawing in the whole family.

The significance of women's participation and in some cases leadership in organizing protests and sit-ins against the government is manifold. First, it was women who broke the barrier of fear of brutal reprisals by security forces in a highly authoritarian domestic environment, and this "shamed" the men into also becoming active in demanding their rights. Second, the phenomenon challenged conventional ideas about appropriate modes of action and expression for women, gender mixing, and proper "spaces for women." When women were holding public sit-ins, day in and day out, it was difficult to suggest that they live only in the domestic sphere. Finally, women's roles challenged patriarchal notions of masculinity and gender hierarchies. In some cases, women were nominated by both male and female workers to lead protests and communicate their demands to the government. Male workers did not consider this as undermining their masculinity or their male pride.

### *Recommendations*

- ❖ The government should encourage women's economic participation through measures beyond the offering of microcredit, which—although important—cannot be mainstreamed and applied to women generally.

- ❖ The most pressing needs of the labor market should be identified, and the government and education system should make a concerted effort to train and educate women so that they obtain the skills necessary to fill these gaps.
- ❖ The government should proactively address the issues underlying the demands of workers in sectors with large numbers of female employees, rather than merely responding to specific protests. Such underlying issues include lack of financial transparency, lack of opportunities for direct worker-employer negotiations, and an inadequate wage policy.
- ❖ The ombudsman's office, established by the National Council for Women to receive women's complaints, should be given enhanced powers to investigate and resolve economic grievances.
- ❖ Civil society organizations and the National Council for Women should play a more active role in monitoring the implementation of existing legislation to ensure that violations are punished and legal loopholes are identified.

## POLITICAL RIGHTS AND CIVIC VOICE

Both men and women have been affected by the suppression of protests against the government's undemocratic practices. President Hosni Mubarak, who assumed control of the state after the assassination of President Anwar al-Sadat in 1981, has since maintained a highly authoritarian regime. The Emergency Law (No. 162 of 1958) has been in effect without interruption since Mubarak assumed power, and the state of emergency was extended in May 2008 for an additional two years. Several elections have been held in recent years, but few female candidates or voters participated, and even fewer women were voted into office. However, a ban against female judges was officially lifted in 2007, and in June 2009 the parliament passed legislation establishing a quota system for women in the People's Assembly, the lower house of the legislature.

The upper house of the bicameral legislature, the Consultative Council, acts only in an advisory capacity. It has 176 directly elected members and 88 members appointed by the president, all of whom serve six-year terms; half of the seats come up for renewal every three years. The People's Assembly has 444 directly elected members and 10 appointed by the president, although the total number will increase to 518 after the 2010

elections, to account for the addition of 64 seats reserved for women. Members serve five-year terms.<sup>53</sup>

The 2005 elections for the People's Assembly were marked by one of the lowest female participation rates in decades. There were only 131 women out of 5,165 candidates, of which only four were elected. Subsequently, Mubarak appointed five women to the chamber, bringing the total to nine;<sup>54</sup> one later resigned, reportedly under pressure from her husband, a powerful member of the ruling party.<sup>55</sup> In general, the elections were characterized by vote fraud and violence, as well as a conspicuous lack of security that resulted in the deaths of at least 11 people.<sup>56</sup> The disorder deterred many women from voting and running for office, and in some instances hired thugs molested female candidates and verbally harassed them by making implications about their sexual morality. Female campaign workers and voters were in some cases turned away from polling places due to their support for female candidates.<sup>57</sup>

As of 2009, there were 18 female members in the 264-seat Consultative Council. No women were elected to the body during the 2004 midterm elections, although Mubarak subsequently appointed 11 women. Ten women out of 609 candidates competed for seats in 2007; only one was successful, and nine were subsequently appointed.<sup>58</sup>

The right of women to participate as candidates in elections is hindered by their socioeconomic dependence on men and a patriarchal culture that mistrusts female leaders. Women often lack the financial resources and personal connections that are necessary for a successful campaign. According to a survey conducted by the UN Development Programme (UNDP), fewer Egyptians favor female political empowerment than do those in the three other countries surveyed: Morocco, Lebanon, and Jordan. The study found that just over 60 percent of the Egyptians interviewed believe women should have the right to political participation, and 66.1 percent believe that women should have the right to become a cabinet minister. Worse still, only 45.9 percent believe women should have the right to become prime minister, and a mere 25.7 percent believe women should have the right to become head of state.<sup>59</sup> Reflecting this lack of confidence in female leaders, political parties tend to nominate few female candidates, meaning most run as independents.

Women are poorly represented in local government. In December 2008, lawyer and Coptic Christian Eva Kyrolos became the first female

mayor in Egypt, presiding over the village of Komboha in Upper Egypt.<sup>60</sup> Her father was mayor before her, and such positions are often passed on from father to son. However, after her brother's application was rejected for residency reasons, Kyrolos was appointed by the Interior Ministry over five other candidates.

Women are present in Egypt's executive branch, although not in the highest executive positions. One woman, Nawal el-Saadawi, announced that she was considering candidacy in the 2005 presidential election.<sup>61</sup> Although she ultimately decided not to run, a former grand mufti of Egypt responded by issuing a *fatwa* (religious opinion) that prohibited women from assuming the position of president. The sitting grand mufti, Ali Gomaa, initially appeared to endorse the opinion, but he later clarified that a woman could lead a modern Muslim state.<sup>62</sup> This disagreement among religious scholars, and their influence on such an overtly political and constitutional issue, are indicative of the obstacles faced by women in their struggle to assume leadership positions.

Egypt has had female cabinet ministers since 1962, when the first was appointed with a portfolio in social affairs. As of 2009, there are three female ministers: Minister of Manpower and Immigration Aisha Abdel-Hady Abdel-Ghany, Minister of International Cooperation Fayza Abul Naga, and Minister of State for Family and Population Mosheera Mahmoud Khattab. According to official statistics, women held 25.7 percent of management-level civil service positions in 2004, including first undersecretaries, undersecretaries, and directors general.<sup>63</sup>

On March 14, 2007, the long-standing ban on female judges was lifted. Although Tahany el-Gabaly became the first female judge in 2003 when she was appointed to the Supreme Constitutional Court, she was not a trial judge and could not hold hearings. Women's organizations such as the Alliance for Arab Women had lobbied for a repeal of the ban for decades, highlighting the fact that many Muslim countries allowed women to become judges. Workshops and conferences were organized over the last decade regarding the religious and legal dimensions of the prohibition, and studies were released to show the prevalence of female judges in countries including Sudan, Tunisia, and Iran. Female judges from these countries were invited to talk about their experiences and strategies in dealing with opposition, and were instrumental in initiating the 2007 reform. Such campaigning by civil society organizations influenced the media and led

to positive coverage of the issue. Crucially, the activists were able to force the matter before the minister of justice by mobilizing support among key policymakers.

A few high-ranking judges opposed the lifting of the ban on religious grounds, and some vowed not to allow the new appointees to become members of the highly influential Judges' Club (JC). The JC provides an important forum for judges to discuss the state of judicial affairs and to represent their interests vis-à-vis the Ministry of Justice. Exclusion of women from such an important body would mean the denial of their right to participate in deliberations over policies and issues that directly affect the judiciary and its individual members. However, with the exception of a handful of judges, no major public outcry against the removal of the ban occurred, and shortly after it was lifted, 30 female judges were appointed. Even after this step forward, women who wish to become judges continue to encounter obstacles. Many of the female judges who were initially appointed had fathers in the judiciary, calling into question the neutrality of the appointments. In addition, the new judges faced stereotypes in their assignments: many were assigned to family courts, and none were sent to criminal courts.

Freedom of opinion and expression in Egypt is protected under Article 47 of the constitution, while freedom of the press is protected under Article 48. However, the Emergency Law, the Press Law, and provisions of the penal code that regulate the press contain significant restrictions. Journalists of both genders may face harassment, imprisonment, and even torture if they convey views or report information that offends the government. Gender-specific attacks on female journalists have become increasingly common. For instance, in May 2005, female journalists taking part in, watching, or reporting on an opposition protest ahead of that year's presidential election were attacked by thugs, who tore their clothes and pushed them to the ground in the hopes of inflicting further abuse. The assaults took place in front of security personnel who did nothing to stop them, and the general prosecutor failed to hold perpetrators accountable after the journalists filed complaints.<sup>64</sup> Some argue that the attackers were hired by the ruling National Democratic Party to discourage anti-Mubarak protests.

Article 54 guarantees the freedom of public and private assembly within the limits of the law. Article 55 permits citizens to establish societies, so long as they are not "hostile to the social system," clandestine, or military in nature. The Emergency Law, however, gives the government

sweeping powers to repress activities that it considers threatening to the regime. Moreover, the Law of Associations (No. 84 of 2002) grants the executive branch broad authority to dissolve NGOs, virtually eliminates access to foreign funding, and limits local NGOs' ability to join international associations. The law also prohibits any activism that is "political" in nature, although it is unclear to what degree women's rights activism would be banned under this wording.<sup>65</sup> Finally, the law subjects those who run unregistered NGOs to fines and up to a year in prison.

Although public voices of dissent are suppressed, women have found multiple ways of expressing themselves, participating in civic life, and seeking to influence policy. For example, human rights and political activists made plans to stage a protest on April 6, 2008, against authoritarian rule and deteriorating economic conditions. The state security apparatus announced, unofficially, that stringent measures would be taken against anyone who participated in the planned demonstrations. However, Israa Abdel-Fatah, a young activist, used a social-networking website—as well as e-mail and SMS, or text messaging—to organize a successful general strike in Cairo, in which everyone was encouraged to simply stay home.<sup>66</sup> The unusual emptiness of downtown Cairo sent a strong message of protest against the government. The "Facebook Girl," as Abdel-Fatah came to be known, managed to outmaneuver the government and catalyze a highly effective and memorable form of public mobilization. Surprised by her success, the government detained Abdel-Fatah for two weeks under the Emergency Law.<sup>67</sup>

Access to information is limited for all Egyptians, but this is particularly true for women, in that they are likely to have fewer personal connections and less power and money than men. Various NGOs have sought to empower women with knowledge of their rights, including the Center for Egyptian Women's Legal Assistance, the Egyptian Center for Women's Rights, and the New Woman's Research Foundation. The ombudsman's office of the National Council for Women has also played a role in disseminating information on women's rights. However, outreach by both independent and official bodies has been sporadic.

### *Recommendations*

- ❖ The Emergency Law, which empowers the state security apparatus to take highly repressive measures against voices of political dissent, should be abolished.

- ❖ The government should pursue a nondiscriminatory policy for assigning female judges to all courts, including criminal courts.
- ❖ The government should revise the Law on Associations to remove bureaucratic obstacles and political restrictions that hinder the founding, funding, and daily operations of NGOs.
- ❖ International donors supporting women's empowerment initiatives should ensure that funding is directed to women who have leadership skills and activist backgrounds but have been marginalized from activism because of their socioeconomic class.

## SOCIAL AND CULTURAL RIGHTS

Egyptian women face considerable challenges to their social and cultural rights at both the community and national levels, although recent appointments of officials like the first female mayor and the first female marriage registrar were encouraging developments. Legislation that criminalized FGM was adopted in 2008, but it is unclear how effective it will be against such a widespread and socially accepted tradition. And while women's rights activists have been able to harness the media to address problems such as sexual harassment in recent years, the media continue to portray women in gender-stereotyped roles. To truly affect social and cultural rights, the government and civil society must develop social interventions and processes that can elicit changes in values and beliefs at the grassroots level.

Women do not enjoy the freedom to make independent decisions about their general or reproductive health. Social norms and values often give husbands and other family members the right to interfere in such decisions and coerce women into conforming to certain patterns of behavior. For example, family members, particularly in-laws, often put considerable pressure on women to bear children immediately after marriage, and to continue to have children until they give birth to a boy. Class, not gender, is the main determining factor in access to health care, as soaring poverty rates lead many women to prioritize the health of their children over their own. Women do not have the right to abortion except when the mother's life is in danger, and the prevalence of contraceptive use stands at about 60 percent.<sup>68</sup>

Traditional gender-based practices, such as FGM and defloration, are serious problems in Egypt; they are most common in rural areas and in

urban quarters populated by rural migrants. Defloration is the forceful rupture of a woman's hymen by her husband or a midwife on the wedding night. A handkerchief bearing her blood as a sign of virginity is then displayed to the public. This practice seems to be less common than in the past, but there are no available data regarding its prevalence.

FGM, a far more common practice, is the full or partial removal of the clitoris and/or labia minora. Among the mostly African countries where the practice has been documented, Egypt has one of the highest rates of FGM, with approximately 95.8 percent of women aged 15 to 49 having undergone the procedure as of 2005.<sup>69</sup> Activists have worked for decades to eradicate the practice. A 1997 law prohibited FGM except when it was deemed medically necessary, offering a loophole for those who wished to evade the ban. However, after a young girl died in 2007 while undergoing the procedure, the resulting public outcry sparked a ministerial decree banning FGM altogether.<sup>70</sup> Amendments to the child law in 2008 codified this prohibition and criminalized the act of carrying out FGM under Article 61. Practitioners now face a fine of 1,000 to 5,000 Egyptian pounds (US\$182 to US\$909) and up to two years in prison. The Muslim Brotherhood expressed opposition to the new law, arguing that FGM is not prohibited by Islam and that as an established Egyptian custom, it should not be banned.

FGM remains a deeply rooted social practice, and many have vowed to defy the ban because they believe it ensures that their daughters will be pure, free from sexual desires and sin, and accepted by future husbands.<sup>71</sup> Since the child law amendments were passed, no one has been charged with violating the FGM ban. Hoping to encourage a grassroots acceptance of the prohibition, the National Committee on Children and UNICEF have begun going door-to-door in rural areas to discuss the risks of the procedure with families.<sup>72</sup> Unless culturally sensitive approaches and consistent efforts to promote social awareness are pursued in the long term, such laws will only force FGM to become an underground practice.

Women face discrimination in their right to own and use housing under existing divorce rules and due to their traditional dependence on men. Husbands effectively have sole ownership rights to the marital home upon divorce. Under Article 18 of the personal status law, an ex-wife is entitled to use the marital home or receive substitute accommodations only insofar as she has custody of the children and the father is obliged to provide for them. Because Egypt's public housing service is overcrowded

and inefficient, childless women and those who lose custody often become homeless if their families are unable to care for them.<sup>73</sup>

Many women have assumed leadership positions on a local level in recent years, thus increasing their ability to influence gender-based stereotypes, ideas, and values in their communities. In 2008, just two months before Egypt's first female mayor—Eva Kyrolos—was appointed (see “Political Rights and Civic Voice”), Amal Afifi became the country's first *maazouna*, or female marriage registrar, overcoming fierce challenges from conservative Islamic jurists.<sup>74</sup> Afifi, who holds degrees in law, criminal justice, and Shari'a, was ultimately deemed the most qualified candidate to take up the post of marriage registrar in her town, beating out 10 male applicants.<sup>75</sup> Her appointment created a regional domino effect, and another *maazouna* was appointed shortly thereafter in Dubai, United Arab Emirates. The cases of Afifi and Kyrolos are important in that they rose from within their communities, have continued to live there, and thus have the potential to transform local notions of women's participation, engagement, and leadership by virtue of their daily lives.

Women have gained greater visibility in the media, suggesting that their influence over how women are portrayed has increased. Female broadcasters and journalists have taken advantage of the new Arabic-language satellite television stations, where there are far more employment opportunities than at the state-controlled, overstaffed national television station. Nevertheless, soap operas, other television series, and films generally continue to portray women in a manner that conforms to gender stereotypes, with stock characters such as the submissive housewife, the sexually alluring unmarried woman, and the overbearing matriarch. The images conveyed often reinforce the overarching stereotype of women as emotional beings who lack rationality, and highlight the conservative social climate's creation of two stark options for women: meek, domestic, and maternal, or beautiful, rich, and licentious. Positive images of women in leadership positions remain the exception rather than the norm.

Social class and economic background tend to be the main factors in determining the manner in which poverty affects women. Middle- and upper-class women who are widows or have been abandoned or divorced by their husbands generally have a far better quality of life than married women from poorer households. Their level of education, family support, and social networks allow them to sustain the quality of life they enjoyed prior to the loss of the husband. Moreover, not all poor female-headed

households are necessarily in the same disadvantaged situation. Widows, whether Christian or Muslim, are likely to receive sustained financial assistance from religious charities and institutions. Both widowed and divorced women are entitled to monthly government assistance, though the amount is entirely inadequate for survival. By comparison, abandoned women are less likely to receive assistance from their husbands and are more likely to have difficulties obtaining government benefits. In addition, the social stigma associated with abandonment and divorce makes engagement with government welfare agencies particularly traumatic for the women concerned.<sup>76</sup> A new initiative by the government has sought to facilitate divorced women's access to their financial rights by creating a special fund administered by the government-owned Bank Nasser to disburse the money to them. However, the efficacy of the initiative has recently been called into question.<sup>77</sup>

### *Recommendations*

- ❖ Women's organizations should work more closely with the media sector and universities to expand opportunities for women to begin careers in journalism and other media-related professions.
- ❖ Civil society organizations should play a more active watchdog role by monitoring the proliferation of negative gender images in the media and immediately responding to harmful material with public campaigns and letters of complaint to the appropriate officials.
- ❖ Sustained, consistent, and long-term initiatives by the Ministry of Education should be launched to provide opportunities for transformative change in the attitude and practices of the school administration and teachers vis-à-vis gender roles.
- ❖ The government should respect and protect the rights of all citizens on a more consistent basis so that their motives for improving women's rights and protecting them from, for instance, FGM would appear legitimate rather than another example of cracking down against conservative religious factions.

## **AUTHOR**

**Mariz Tadros** is a research fellow with the Participation, Power and Social Change Team at the Institute of Development Studies, University of Sussex. Previously, she was an assistant professor in the political science department

at the American University in Cairo. She also worked as a journalist for many years at *Al-Ahram Weekly*, where she wrote frequently on the women's movement, gender and development, civil society, and human rights.

## NOTES

- <sup>1</sup> Article 77 of the Egyptian constitution, September 11, 1971.
- <sup>2</sup> Mariz Tadros, "Egypt's Election All About Image, Almost," Middle East Report Online, September 6, 2005, <http://www.merip.org/mero/mero090605.html>.
- <sup>3</sup> For example, the 2005 amendment led to a multicandidate presidential election that year, but Mubarak's strongest challenger, Ayman Nour, head of the recently founded Ghad Party, was imprisoned almost immediately thereafter under the pretext that he had allegedly falsified documents. Nour was released on health grounds in February 2009 after three years of incarceration. Similarly, while parliamentary elections were also held in 2005, they were marred by one of the highest reported incidences of electoral violence in the republic's history, stifling free and fair competition and inhibiting citizen participation.
- <sup>4</sup> An English version of the constitution is available at [http://www.egypt.gov.eg/english/laws/Constitution/chp\\_three/part\\_one.aspx](http://www.egypt.gov.eg/english/laws/Constitution/chp_three/part_one.aspx).
- <sup>5</sup> Law No. 154 of 2004. See also Reem Leila, "Citizens at Last," *Al-Ahram Weekly* no. 697 (July 1–7, 2004), <http://weekly.ahram.org.eg/2004/697/eg10.htm>.
- <sup>6</sup> Euro-Mediterranean Human Rights Network (EMHRN), *Recommendations on Human Rights in Egypt, in View of the Second EU-Egypt Subcommittee on Political Matters* (Copenhagen: EMHRN, July 2009), <http://www.euromedrights.net/usr/00000022/00000051/00000160/00003077.pdf>.
- <sup>7</sup> Fatma Khafagy, *Honour Killing in Egypt* (Cairo: Association of Legal Aid for Women, 2005), 4, <http://www.un.org/womenwatch/daw/egm/vaw-gp-2005/docs/experts/khafagy.honorcrimes.pdf>.
- <sup>8</sup> Nehad Abul Komsan, "Women's Testimony: A Problem with the Female Mind or the Egyptian Mind," Center for Women's Equality, March 26, 2008, <http://www.c-we.org/eng/show.art.asp?aid=559>.
- <sup>9</sup> Amina al-Naqash, "Against the Current," *Al-Wafd*, April 3, 2008 (in Arabic).
- <sup>10</sup> Nehad Abul Komsan, "Women's Testimony."
- <sup>11</sup> Reem Leila, "In Her Favour," *Al-Ahram Weekly* no. 895 (May 1–7, 2008), <http://weekly.ahram.org.eg/2008/895/eg4.htm>.
- <sup>12</sup> Mohammed Abou Zeid, "Zeinab Radwan Calls for the Testimony of a Woman to Be Equal to That of Man," *Al-Masry al-Youm*, March 11, 2008 (in Arabic).
- <sup>13</sup> Convention on the Elimination of All Forms of Discrimination against Women, Reservations by Egypt, endnote 20, [http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-8&chapter=4&lang=en#20](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&lang=en#20).
- <sup>14</sup> Convention on the Elimination of All Forms of Discrimination against Women, Reservations by Egypt, [http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-8&chapter=4&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-8&chapter=4&lang=en).

- <sup>15</sup> The religious breakdown of Egypt's population is a politically charged topic. No definitive, accurate estimates exist, as even the official census does not tabulate the population according to religion. The Coptic Orthodox Church, Egypt's largest Christian denomination, claims that its congregation constitutes 12 percent of the population. It argues that the government's estimate of 6 percent deliberately deflates the true figure. Mohammed Heikal, a leading political figure, made a more reasonable estimate of 10 percent. See also the U.S. Central Intelligence Agency's 2009 *World Factbook* at <https://www.cia.gov/library/publications/the-world-factbook/geos/EG.html>.
- <sup>16</sup> "Egypt Court Rejects Ex-Muslim Convert's Case," *AlArabiya.net*, June 14, 2009, <http://www.alarabiya.net/articles/2009/06/14/75916.html>.
- <sup>17</sup> Ali El Bahnasawy, "Holy Defiance," *Egypt Today* (April 2008), <http://www.egypttoday.com/article.aspx?ArticleID=7969>.
- <sup>18</sup> Human Rights Watch, *Divorced from Justice: Women's Unequal Access to Divorce in Egypt* (New York: Human Rights Watch, 2004), <http://www.hrw.org/en/node/11887>.
- <sup>19</sup> Caroline Wheeler, "Egypt Cracks Down on the £5 'License to Live in Sin,'" *Telegraph* (London), April 27, 2008, <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/egypt/1904329/Egypt-cracks-down-on-the-5-licence-to-live-in-sin.html>.
- <sup>20</sup> "High-Profile Paternity Case Highlights Risks of Common-Law 'Urfi' Marriages," *Voice of America*, June 7, 2006, <http://www.voanews.com/english/archive/2006-06/2006-06-07-voa19.cfm?moddate=2006-06-07>.
- <sup>21</sup> Caroline Wheeler, "Egypt Cracks Down."
- <sup>22</sup> Human Rights Watch, *Divorced from Justice*.
- <sup>23</sup> Human Rights Watch, *Divorced from Justice*.
- <sup>24</sup> Human Rights Watch, *Divorced from Justice*, 22.
- <sup>25</sup> Sherif El Dawakhely, "Today Is the Beginning of the Implementation of the Reforms of the Bylaws of Personal Status Affairs for the Coptic Orthodox," *El Destour*, July 3, 2008 (in Arabic).
- <sup>26</sup> Law No. 4 of 2005, amending Article 20 of Law No. 25 of 1929; see also Reunite International, "Child Abduction and Custody Laws in the Muslim World: Summary Text for Egypt," July 2005, <http://www.reunite.org/edit/files/Islamic%20Resource/EGYPT%20text.pdf>.
- <sup>27</sup> Egyptian Initiative for Personal Rights, "Court Decision Grants Long-Awaited Custody of Twins to Christian Mother," news release, June 21, 2009, <http://www.eipr.org/en/press/09/2106.htm>.
- <sup>28</sup> International Network to Analyze, Communicate and Transform the Campaign against Female Genital Mutilation (INTACT), *The 1996 Child Law Amendments: News Articles on the Progress* (Cairo: INTACT, June 2008), 6, 9, [http://www.crin.org/docs/Egypt\\_Child\\_Law\\_Amendments.pdf](http://www.crin.org/docs/Egypt_Child_Law_Amendments.pdf).
- <sup>29</sup> Gamal Essam el Din, "Children Accorded Greater Rights," *Al-Ahram Weekly* no. 901 (June 12–18, 2008).
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