WOMEN AND GENDER IN THE MIDDLE EAST AND NORTH AFRICA: MAPPING THE FIELD AND ADDRESSING POLICY DILEMMAS AT THE POST-2011 JUNCTURE

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Middle East and North Africa Regional Architecture:
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Katerina Dalacoura[1]

ABSTRACT

This report offers a "map" of the diverse situations of women in the post-2011 MENA region. It shows that there have been tremendous achievements and improvements in the lives of women in health and education but less progress in employment; and that legal inequalities remain widespread, as do limitations on women's participation in politics and civil society. The report analyses the impact of recent events, particularly the conflicts, but also the political opportunities that came about as a result of the 2011 Arab uprisings. It also touches on the situation of LGBT (lesbian, gay, bisexual and transgender) individuals, and specifically their mobilization and changing attitudes towards their rights. The report ends by focusing on Western gender policy in the region. It argues for an approach that balances the ethical demands of individual and collective rights, and for a liberal position that respects and supports women's and LGBT rights without being overly prescriptive about the values and choices that should govern the lives of individuals.

INTRODUCTION

The Middle Eastern wars and conflicts unleashed by the attacks of 11 September 2001 and the 2011 Arab uprisings have had a profound effect on women and gender in the Middle East and North Africa (MENA) region.[2] The US-led intervention in Afghanistan in 2001 and the US invasion and subsequent occupation of Iraq in 2003 were partly centred on a particular discourse about women and had complex effects on gender relations in both countries (Al-Ali and Pratt 2009a). The 2011 uprisings gave rise to opportunities for female political mobilization but also caused multiple crises and restructurings of domestic political orders. The erosion of state capacities, the restoration of authoritarian regimes, the militarization of contentious politics and the pluralization of collective identities triggered by the uprisings (Boserup and Colombo 2017) impacted negatively on women and gender relations. War has given women a push for equality in some cases, such as among the Kurds in Syria's civil war, where female fighters play a significant role (Al-Ali and

2   The use of both "women" and "gender" in the title is deliberate. The report deals with "women" in the MENA region but also with broader questions of "gender". This includes sexuality in general, including homosexuality, and perceptions of masculinity as well as feminine concerns. "Gender" refers to socially constructed categories.

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Taş 2018). However, for the most part, the wars and conflicts which came to the fore following the uprisings have led to an assertion of "traditional" gender relations and the reaffirmation of collective identities, both sectarian and national, in which women are (mis)used as symbols (Al-Ali and Pratt 2009b). In Yemen and Libya, war has taken a heavy toll on women. In Syria, the civil war and displacement that followed the uprising against the Bashar al-Assad regime have affected women mostly negatively. In the post-2014 period, the emergence of the Islamic State of Iraq and Syria (ISIS), on the back of extremist groups such as the al Nusra Front – the al Qaeda affiliate in Syria – led to exceptionally odious phenomena such as the mass enslavement and rape of women and young girls.

Wars and conflicts in the MENA region have clearly affected women and gender relations, but the reverse is also true. The connections between gender inequality (a complex term which points to broad social relations beyond the situation of women) and civil war have been much discussed in the academic literature (Forsberg and Olsson 2016). Ascertaining causality in a conventional sense may not be possible or straightforward, but there is some evidence linking the physical security of women, and other indicators of gender equality, with the peacefulness of a state, internal stability and respect for laws and treaties internationally (Hudson et al. 2014: 108–14; see also Caprioli 2000). Gender inequalities have been associated with economic underdevelopment and authoritarianism (UNDP 2002). The connections between gender, politics, economics, law and war, particularly in the post-2011 context, point to a close link between the theme of this report, women and gender, and regional security and, indeed, regional order, some of the core concerns of the MENARA project.[3]

The report is structured in the following way. Section 1, which constitutes the bulk of the report, "maps" the situation of women and gender in the MENA region by introducing the main trends in the areas of health, education and employment; sketching the picture insofar as the legal rights of women are concerned; and outlining the role women play in politics and civil society. The argument here is that there have been tremendous achievements and improvements in the lives of women in terms of health and education but less progress in employment; and that legal inequalities remain, as do limitations on women's participation in politics and civil society. The discussion is carried out, to some extent, through a comparative perspective between MENA and other regions but also emphasizes diversity within the region, highlighting the many differences between MENA countries and sub-regions. The analysis of indicators is a long-term one but there is some emphasis on the post-2011 period, which has seen the emergence of complex interrelationships between gender issues and the political dynamics in the MENA region following the Arab uprisings. This time of profound contestation, both peaceful and violent, in a number of MENA societies has had mixed outcomes for the situation and the rights of both women and LGBT individuals, with some negative and some positive implications. It has also led to accelerated change with respect to gender relations in society more generally.

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3   Gender is also linked with the issue of identities and how identities play out in MENA politics on the three levels of analysis which the MENARA project has focused on: global, regional and domestic. The perspective in the present report on gender, especially as developed in section 2, is from the global level because it is seen to dominate the regional and domestic levels by putting issues of women's, and more recently LGBT, rights within a distorted context of an imagined confrontation between "Islam" and "the West". Identities were explored in a focused way in Work Package 2 of the MENARA project (see, for example, Dalacoura et al. 2017).

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In Section 2, and following on from the gender map outlined in the previous section, the report focuses on the ethical and practical issues which Western decision-makers face in trying to formulate gender policies in the MENA region. The report puts forward a liberal position on the question of gender in the MENA region which strikes a balance between the ethical demands of individual and collective rights and seeks to respect and support women's rights without dictating the values and choices that should govern their lives. This balance is achieved by situating the question of gender within the history of the MENA region and in particular within the region's complex relationships with the West. It shows that the "woman question", and sexuality in general, have been at the heart of the debate on Orientalism and that addressing this question has been skewed by Orientalist (and Occidentalist) perspectives. At the point of the historical encounter of what became "the West" with what became "Islam", gender issues became the litmus test in differentiating between the two cultures and civilizations. The discussion in this section hopes to challenge misconceptions and stereotypes which have bedevilled approaches to gender in the MENA region.

The Conclusion formulates broad guidelines for Western policies on the basis of the above liberal framework. It suggests that Western actors, such as the European Union, must pursue low-key policies in the areas of women's and gender issues generally (including LGBT rights), in the sense of allowing the initiative to be taken by regional actors. It also proposes that the categories of "East–West" and the related category of "Islam" are not particularly helpful when thinking about gender issues and formulating policies in the MENA region. Western governments and non-governmental organizations should avoid "culturalist" approaches which reify and essentialize culture, and instead focus on protecting rights at a basic level, as foundations or stepping stones for individuals to pursue their own free choices. This is in line with a liberal feminist position that respects and supports women's and LGBT rights without being overly prescriptive about the values and choices that govern people's lives.

1. "MAPPING" GENDER IN THE MENA REGION IN THE POST-2011 PERIOD

Description inevitably rests on value judgements, so it is important to be upfront about them. The map below rests on a perspective which considers health, education, employment, and legal and political equality for women as "good things" which people and society must strive towards. Furthermore, the very analytical concepts which allow us to think about these areas as distinct and separate categories in a person's life are relatively recent in human history and can be associated with the modern period. Being mindful of our conceptual framework and values allows us to be critical about them and opens our analysis up to new insights. For example, it is useful to be aware that statistics on female participation in politics and civil society rest on the understanding that power is exercised in the public sphere and may obscure the fact that, both in history and also at the present time, the power of women, which is located within the "private" sphere, can be consequential and significant.

The discussion below, while not exhaustive, is intended to be as broad and comprehensive as possible, in the sense that health, education, employment, law and politics constitute the five aspects of an individual's life which critically determine its quality and allow him or her to flourish. They are also the five areas where gender inequalities are greatest, across the world and in the

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MENA region.[4] It is interesting to note that gender inequality in the MENA region is particularly acute in some areas (one example, a very important one, is employment) but that, in others, it is very much in line with, or even lesser than, societies with equivalent levels of development (compare, for instance, female foetal infanticide between MENA countries and India and China). Continuity and change as of 2011 will be pointed out whenever appropriate, but it is important to remember that understanding developments in these five areas requires casting the net further back over previous years and even decades.

1.1 POSITIVE INDICATORS IN THE AREA OF HEALTH[5]

The "big picture" in the MENA region with regards to women in the area of health is a positive one: when it comes to issues such as life expectancy, fertility and maternal mortality rates, the indicators are increasingly good. The situation in the region is extremely varied and great inequalities persist, but overall trends are encouraging and, despite some exceptions (women's physical integrity being the outstanding one), point to overall improvement.

Life expectancy has increased since 1960 in every country in the region, mirroring global trends. Progress in the healthcare sector has led to a decline in premature deaths from communicable disease and nutritional deficiency, and lower levels of maternal deaths – though recent conflicts, such as in Syria, Libya and Yemen, have led to a partial reversal of these gains. Life expectancy for women is highest in Israel (84 years) and the Gulf countries (79 years). In Yemen, it is low at 66 years. The effect of conflict on life expectancy is usually felt immediately: a case in point is Syria where, between 2010 and 2013, female life expectancy fell from 80 to 75 years (Tharoor 2016). Sub-populations within countries also experience different life expectancy rates. For instance, life expectancy for the Arab population in Israel has traditionally been lower than for the Jewish population (Na'amnih et al. 2010) (see Figures 1 and 2).

In general, fertility is linked to growth in GDP, with the expectation that an increase in GDP per capita correlates with a decrease in overall fertility rates. GDP per capita in MENA countries has increased on average since 1980,[6] though there is considerable heterogeneity in terms of economic development across the region and growth remains low compared with the global average. Recent conflicts have also brought down GDP per capita, with the most extreme case being Yemen since 2014. Population growth in the MENA region has slowed in pace in the past few decades, hastened by declining fertility (including adolescent fertility rates in the age bracket 15–19 years). The number of children born per woman in the MENA region has decreased from about 5.7 in the 1970s to 2.9 since 2010 (UNDESA 2015), with every country having experienced a decline in fertility rates to some extent. Lower fertility rates are due in part to decreasing infant mortality, changes to the nature of family formation, improved access to education and broadening economic aspirations (UNDESA 2015). In two cases (Algeria and Israel), fertility rates increased between 2003 and 2016 (from 2.4 to 2.7 in Algeria, and from 2.8 to 3.1 in Israel), but this has particular causes

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4   The reader should note that the surveys and sources used in this section can refer to different geographical parts of the MENA region: many are only focused on the Arab world, while others exclude Turkey or Israel. This is specified whenever relevant and/or possible.

5   Sub-sections 1.1–1.3 were written primarily by Kiran Phull.

6   See IMF DataMapper datasets (2018), https://www.imf.org/external/datamapper/datasets.

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(UNDESA 2015). Despite such variation across the MENA region, the considerable reduction in the average number of children women have is set to continue. As a result, the current "youth bulge" in the region will be followed by profound change over the coming decades as the MENA region experiences highly significant population transitions and the population ages (McKee et al. 2017: 8).[7] (see Figure 3)

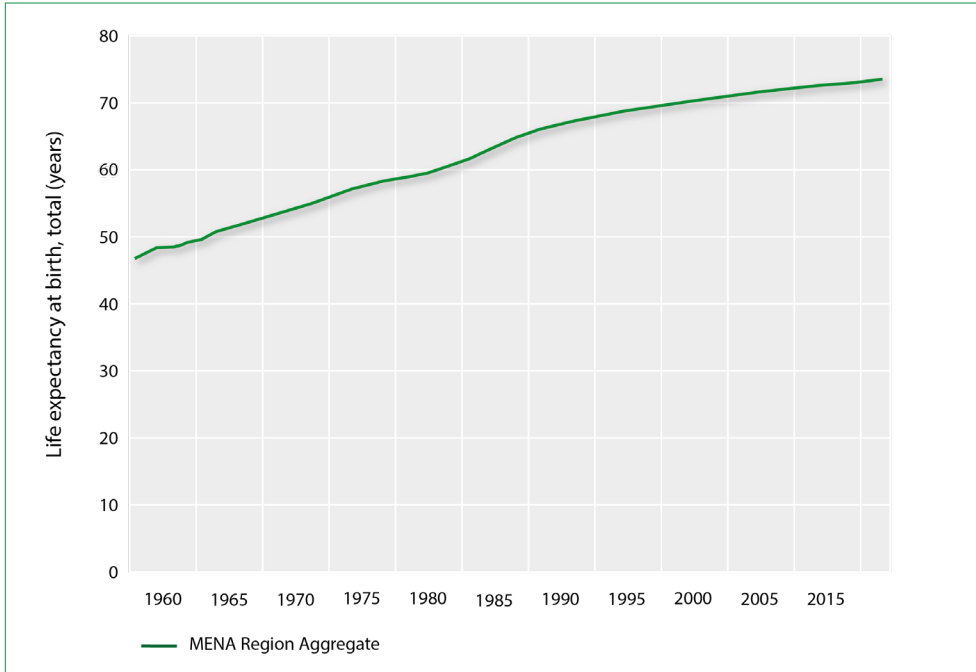**Figure 1** | Female life expectancy at birth, total (years), MENA countries
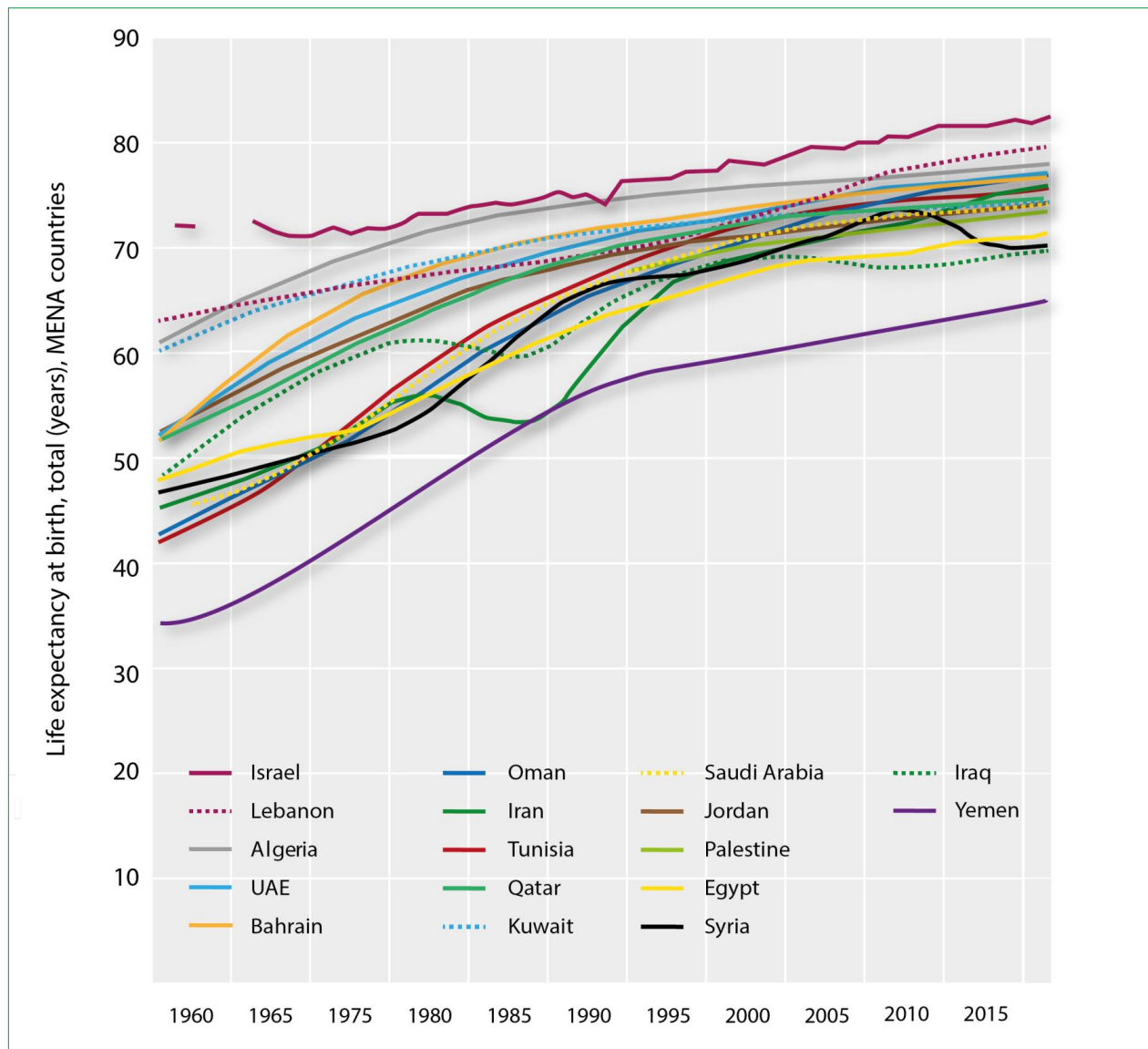
Created by CIDOB. Source: World Bank Open Data (2019).

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7   For a further and detailed analysis of fertility rates and related population issues in the MENA region in another MENARA report, see Dalacoura et al. (2017: 5–6, 10–15). For information on gender (male to female) population ratios, see Dalacoura et al. (2017: 7–8).

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Figure 2 | Female life expectancy at birth, total (years), MENA region aggregate

Created by CIDOB. Source: World Bank Open Data (2019).

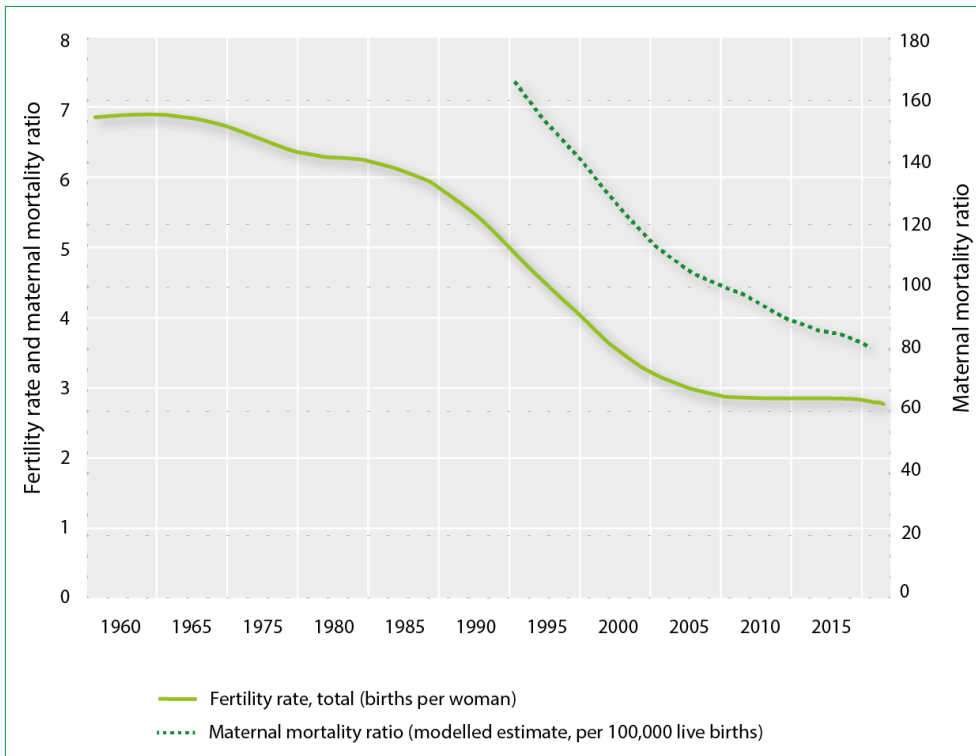**Figure 3** | Fertility rate (births per woman) and maternal mortality ratio, MENA region aggregate

Note: data not available for maternal mortality ratios prior to 1990.
Created by CIDOB. Source: World Bank Open Data (2019).

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Trends have been positive in a number of other, interrelated areas. In response to improved economic conditions and increased access to healthcare, and as women give birth to fewer children, maternal mortality rates (maternal deaths in childbirth) are generally decreasing in the MENA region (Sagynbejov 2018). Specifically, maternal mortality rates declined by 50 per cent, from close to 200 deaths per 100,000 live births in 1990 to 80 deaths per 100,000 live births in 2015 (UNICEF data, World Bank Open Data). There have also been significant changes in the area of abortion, which represents a major health challenge, given that abortions tend to be unsafe. Estimated abortion rates per 1,000 women between 15 and 44 years of age have declined in the MENA region since the early 1990s (global trends have shown a significant decline in developed countries and a non-significant decline in developing countries) (Sedgh et al. 2016). Laws exist in a majority of MENA countries that allow abortion on the grounds of pregnancy being a risk to the mother's life, foetal impairment or other health-related bases (Hessini 2007).[8]

The positive indicators in health stand in contrast to a negative picture in the area of women's physical integrity, the principle of which holds that individuals have the right to self-determination over their own body and in matters related to their sexuality, and that intrusion of the body without consent is a human rights violation (UNFPA et al. 2014). As war and violent conflict spread across the region following the 2011 uprisings, sexual violence against women and indeed men also increased, with the situation in Syria being a most egregious case (Alsaba and Kapilashrami 2016). Other threats to female physical integrity include child marriage, harmful traditional practices such as female genital mutilation (FGM), intimate partner violence and other forms of sexual and gender-based violence.[9] International conventions such as the 1979 UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) aim to protect women's physical rights. However, despite the adoption of CEDAW (by all MENA countries except Sudan and Iran, albeit some with reservations), limitations to the law in many MENA countries prevent the full realization of these rights (OECD and CAWTAR 2014).[10]

One example of a threat to the physical integrity of women is the continued practice of FGM which persists in areas of MENA and particularly in North Africa (though accurate figures are hard to come by), as well as in Yemen. Egypt is particularly affected: according to United Nations Population Fund (UNFPA) data, over 90 per cent of Egyptian women aged 15 to 49 have undergone some form of female genital mutilation and, as of 2018, 54 per cent of girls and women in the country continue to support the practice.[11] FGM is more prevalent in Egypt's rural areas than in urban centres, a fact attributable to educational differences (Tag-Eldin et al. 2008).

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8   In vitro fertilization (IVF) and infertility clinics are developing more rapidly in the Middle East than in any other region, particularly in Iran, Turkey, the United Arab Emirates (UAE), Egypt, Jordan and Saudi Arabia (Sadeghi 2015).

9   See GAGE website: *Bodily Integrity and Freedom from Violence*, https://www.gage.odi.org/capabilitytheme/bodily-integrity-and-freedom-from-violence.

10 Arab women have been found more likely to suffer from disorders such as depression, anxiety and other trauma-related strain, but cultural stigma around mental health prevents effective treatment and access to services (Hamdan 2009). In the absence of mental health legislation at the national level, many basic rights and the means of mental health and trauma care are denied to individuals (Okasha et al. 2012).

11 UNFPA website: *Female Genital Mutilation Dashboard (FGM) - Egypt*, https://www.unfpa.org/data/fgm/EG.

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Intimate partner violence can take physical and psychological forms and may increase in settings of violent conflict. Due to an unwillingness to speak about family issues (a worldwide phenomenon, of course), data is scarce. However, even in the absence of consistent, transparent data across countries, recent studies from the UN and the World Health Organization (WHO) confirm that the MENA is, along with Africa and South Asia, the region with the highest prevalence of violence against women (UNESCWA 2017). About 37 per cent of Arab women are said to have experienced some form of violence, usually by a partner, though the figure may well be higher.[12] The UN has reported that in Jordan, one-third of married women have experienced physical partner violence, while in Egypt, 46 per cent have experienced physical spousal violence, 43 per cent have experienced emotional violence and 12 per cent have experienced sexual violence (UNESCWA 2017). About 37 per cent of women in Palestine have reported suffering from gender-based violence, with this figure increasing to over 50 per cent in the Gaza Strip.[13] In relation to non-partner violence, women in Egypt, Saudi Arabia, Yemen and Tunisia have reported high levels of sexual harassment in public places (UNESCWA 2017).

Figure 4 | Prevalence rates of intimate partner violence by WHO region,* 2013

* Regional prevalence rates are presented for each WHO region including low- and middle-income countries, with high-income countries analyzed separately.

Created by CIDOB. Source: *Global and regional estimates of violence against women.* WHO, 2013.
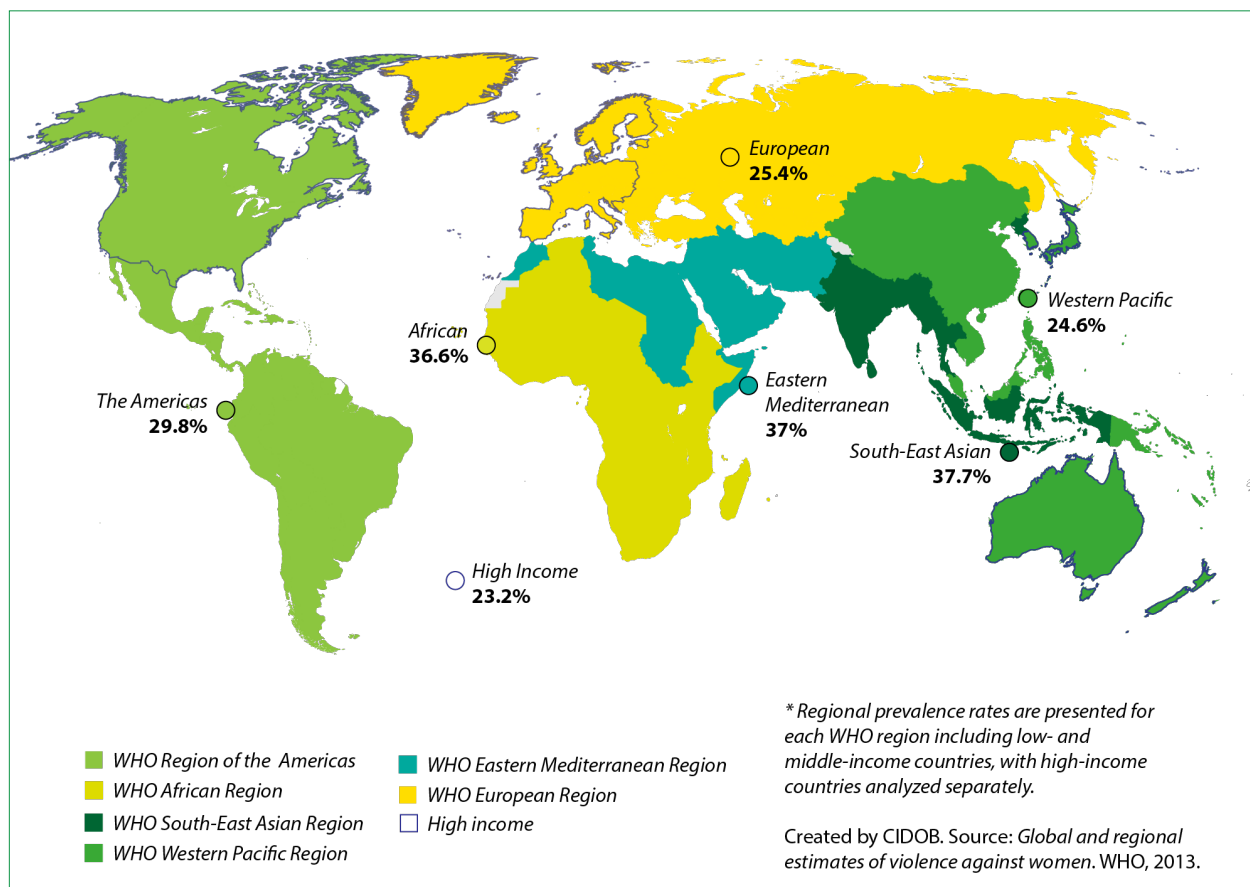
Created by CIDOB. Source: WHO et al. (2013: 18).

12 UN Women Arab States/North Africa website: *Facts and Figures: Ending Violence Against Women and Girls*, http://arabstates.unwomen.org/en/what-we-do/ending-violence-against-women/facts-and-figures.

13 UNFPA Palestine website: *Gender-Based Violence*, https://palestine.unfpa.org/en/node/22455.

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Finally, women in the MENA region suffer from the phenomenon of so-called honour crimes or honour killings, acts of violence where the perpetrators' actions are seen as socially justified by the culture of sexual impropriety. Studies of violence against women in the MENA region have revealed that as much as 61 per cent of female homicides are a result of honour killings, usually carried out by a member of the family (Kulczycki and Windle 2011: 1449).

1.2 IMPROVEMENTS IN LITERACY AND EDUCATION

In education, as in health, the trends are positive. Improvement in literacy rates, defined as the proportion of people in a population who can both read and write with some understanding,[14] is difficult to estimate because census data is often unreliable. There is great variation between MENA countries: 40.5 per cent of women in Yemen are literate, while over 90 per cent of women in Palestine, Qatar, Kuwait and Turkey are literate. Rural–urban disparities also exist throughout the MENA region: as of 2009, 14 per cent of female youth in rural areas were literate, compared with 48 per cent in urban centres (World Bank 2009: 12). Based on limited World Bank data, literacy among adult Arab females has increased in recent decades, from 31 per cent in 1978 to 66 per cent in 2016. However, despite signs of overall improvement, illiteracy in the Arab world is higher than both the world average and the developing nations' average.[15]

**Figure 5** | Literacy rates for adult males vs adult females, MENA region aggregate
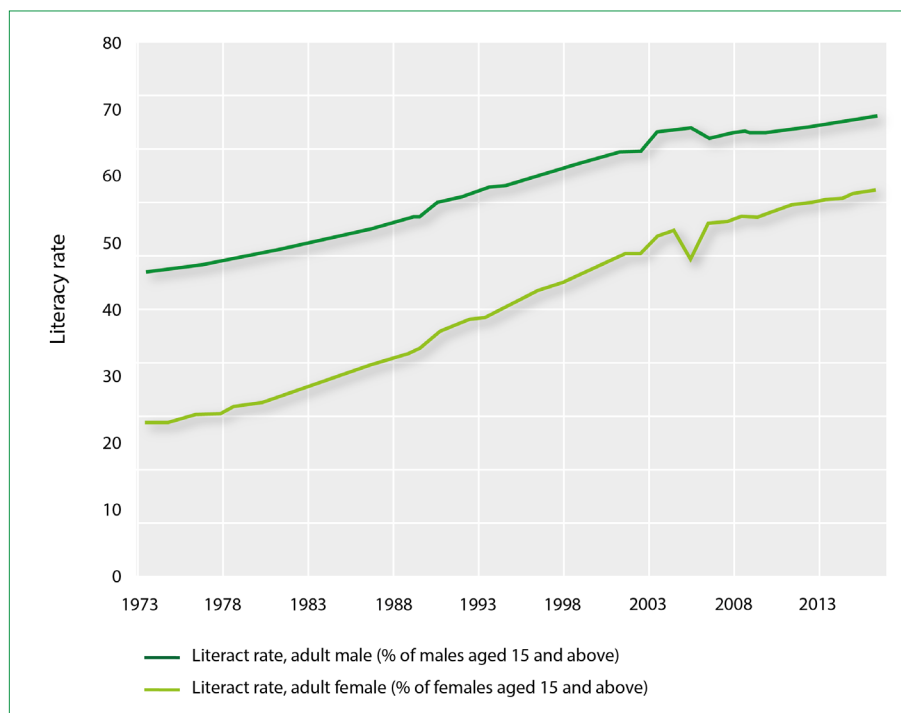
Created by CIDOB. Source: World Bank Open Data (2019).

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14 UNESCO Institute of Statistics website: *Data for the Sustainable Development Goals*, http://uis.unesco.org.

15 See the World Bank Gender Data Portal, http://datatopics.worldbank.org/gender/indicators.

Access to formal education for girls and women has increased in recent decades across the MENA region[16] (Roudi-Fahimi and Moghadam 2003). This is reflected in enrolment, participation and completion rates at the primary, secondary and tertiary education levels, and it demonstrates advancements toward gender parity, particularly in the past two decades. The positive indicators are both in terms of absolute numbers and in relation to equality between boys and girls. Indicators also reveal that more girls than boys enrol in tertiary education, particularly in Iran, Jordan, Lebanon, Saudi Arabia, Tunisia, and West Bank and Gaza (World Bank 2013: 7 and 2009: 10). At the tertiary level, Bahrain, the United Arab Emirates (UAE) and Libya see some of the highest levels of female participation, particularly in the disciplines of Science, Technology, Engineering and Mathematics (STEM) (UNDP 2005: 307). Indeed, in recent years, "the percentage of women in engineering and the sciences in MENA countries is comparable to or higher than in more developed countries" (World Bank 2009: 10).

Figure 6 | Female-to-male enrolment ratios in MENA countries (1975–2010)
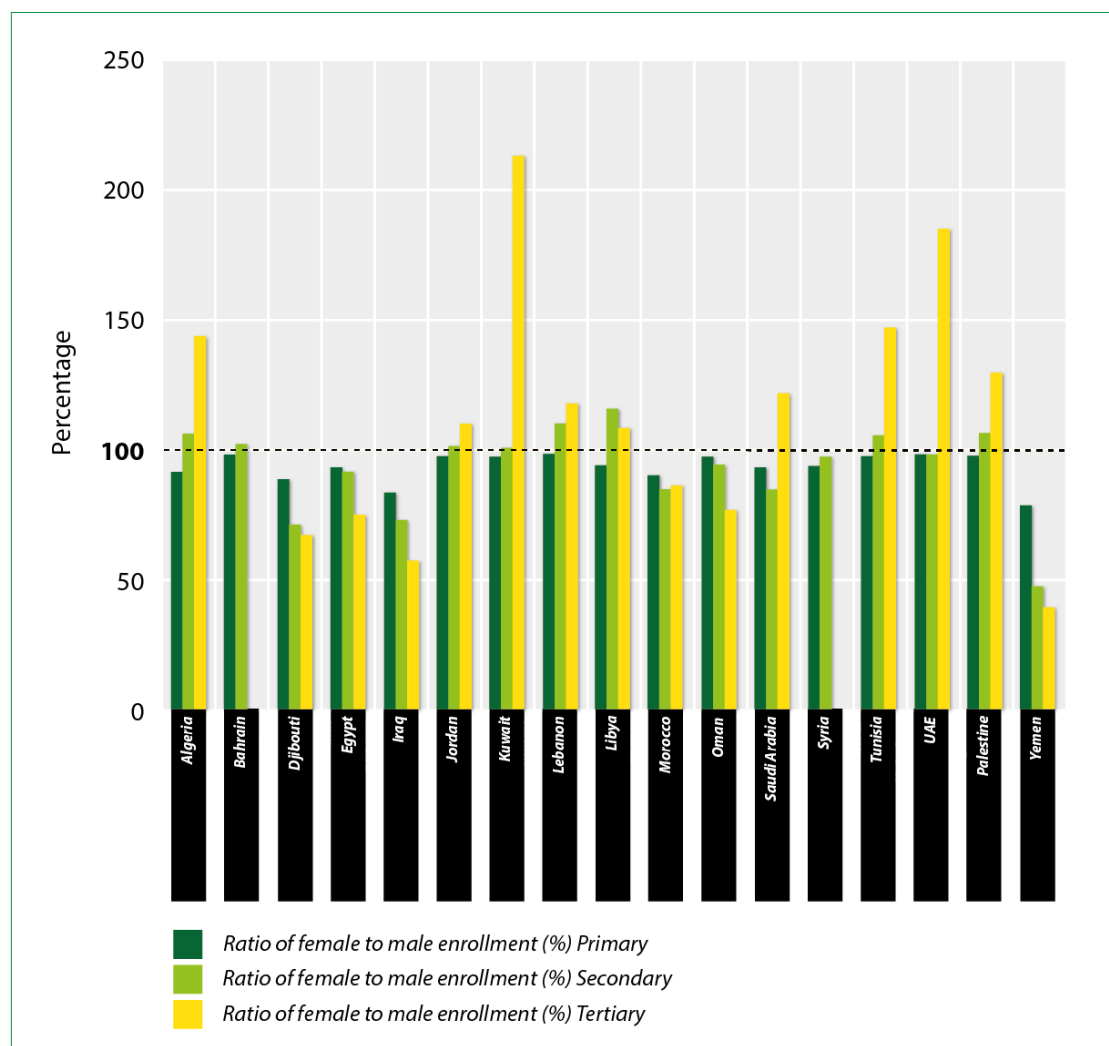
Created by CIDOB. Source: World Bank (2013).

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16 UNICEF Middle East and North Africa website: *Health*, https://www.unicef.org/mena/health.

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There are sub-regional and socio-economic variations in female education, however. Access to education in low-income and rural areas remains limited. Although, in most MENA countries, the gender gap in primary, secondary and tertiary education has closed considerably, countries such as Yemen, Iraq, Djibouti and Morocco continue to lag behind, particularly in rural areas where poverty, early marriage, security issues and a dearth of female teachers contribute to gender disparity in education (World Bank 2013: 38) (see Figure 6).

In a related issue, women's access to information and communications channels such as the internet is greater in countries where there is gender parity in education. Women and men in Bahrain and the UAE, for instance, experience similar levels of internet access (about 95 per cent and 84 per cent respectively) (Khokhar 2017). In contrast, only 44 per cent of Turkish women have access to the internet compared with 63.5 per cent of men, while in Egypt, overall internet access rates are low, at roughly 33 per cent (Khokhar 2017).

1.3 EMPLOYMENT: THE "MENA PARADOX"

In theory, progress made in education in the region in recent decades should factor into the workforce. However, in a phenomenon referred to as the "MENA paradox",[17] rising literacy and educational attainment for women has not translated into labour force participation (Assaad et al. 2018) and the share of women in work "is still the lowest in the world" (OECD 2017, World Bank 2017: 40).[18] Across the region, female labour participation rates have grown by 13 per cent since 2000, but this improvement is not proportionate to education completion rates and remains below the world average. Approximately four in every five women in the MENA region are not in the labour force, and unemployment among women is more severe than among men (World Bank 2017).[19] (see Figure 7)

Data on economic activity in the region is not always reliable. Many data points from specific countries and specific years are missing, and it is nearly impossible to estimate (female) participation accurately in black and grey markets and informal work sectors. We know that women bear the brunt of unpaid care work, including disproportionately more hours spent on housework and caring for children, the sick and the elderly as compared with men. UN data supports the idea that women tend to be over-represented in informal and vulnerable labour. Statistical evidence is based on paid work, but it has been estimated that if the unpaid labour of women were valued monetarily it would account for between 10 and 39 per cent of GDP worldwide.[20]

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17 For a complementary discussion of female employment in the MENA region in another MENARA report, see McKee et al. (2017: 25-26).

18 For an interesting discussion of the Arab world specifically, see Barsoum (2018).

19 A 2017 report by the Organisation for Economic Co-operation and Development (OECD) on legal barriers to women in the Middle East and North Africa gives slightly different figures, stating that "MENA still has the lowest female labour force participation rate in the world at an average of 24%, compared to around 60% in OECD economies" (OECD 2017: 3).

20 UN Women website: *Facts and Figures: Economic Empowerment*, last updated July 2018 https://shar.es/amw5Vi.

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Figure 7 | Percentage of women (age 15+) in the labour force by region
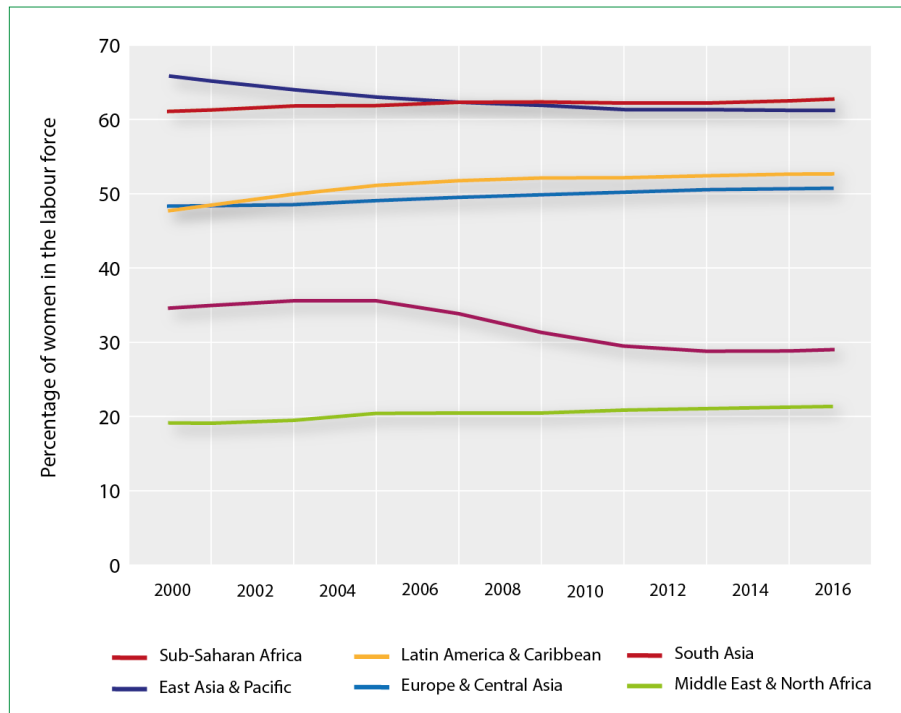
Created by CIDOB. Source: World Bank (2017: 40).

Gender inequality in employment is pervasive throughout the world – in Norway, for instance, which is seen as a success story in terms of gender equality for the most part, women currently occupy only 7 per cent of positions as executives of public limited companies (Milne 2018) – but the MENA region is clearly at the low end in comparison with other parts of the world. Compared with other MENA countries, Israel stands out as a positive outlier: female labour participation in that country reached 59 per cent of the female population in 2016.[21] Female labour participation rates have been increasing in the Gulf countries since the 1990s, with the exception of Yemen, where women's participation has dropped from 17 per cent in 1990 to 6 per cent in 2017. Similarly, Syria has also seen a drop from 22 per cent in 1990 to 12 per cent in 2017.[22] The regress in Yemen and Syria is attributable to violent conflict – one of its many repercussions on women – and can be contrasted to all other countries which have experienced a general upward trend over the same time period (see Figure 8).

One point to note is that intergenerational inequalities are growing, in that unemployment is higher among younger generations of women than in previous generations, possibly part and parcel of the broader crisis of employment in the region today (World Bank 2013: 20). Research suggests that female participation in the labour market occurs mostly in the public sector (education, health and agriculture), while women are missing from the private sector, industry, professional

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21 On women in the labour market in Israel and gender politics generally, see Mandel and Birgier (2016).

22 In a countervailing phenomenon, war in Syria has also driven some women into the workforce, sometimes for the first time, to replace men who have been killed or displaced. This is yet another example of how war can have a mixed impact on gender equality. See Cornish (2019).

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and managerial roles (World Bank 2009: 4–8).[23] Finally, the gender pay gap in the MENA region is one of the world's highest, at roughly 40 per cent, and wage discrimination against women in the private sector is one reason that the public sector remains more appealing. It is projected that, at the current rate of progress, it will take 157 years to close the gender pay gap in the region (World Economic Forum 2017).

Figure 8 | Unemployment rates for males vs females, MENA region aggregate
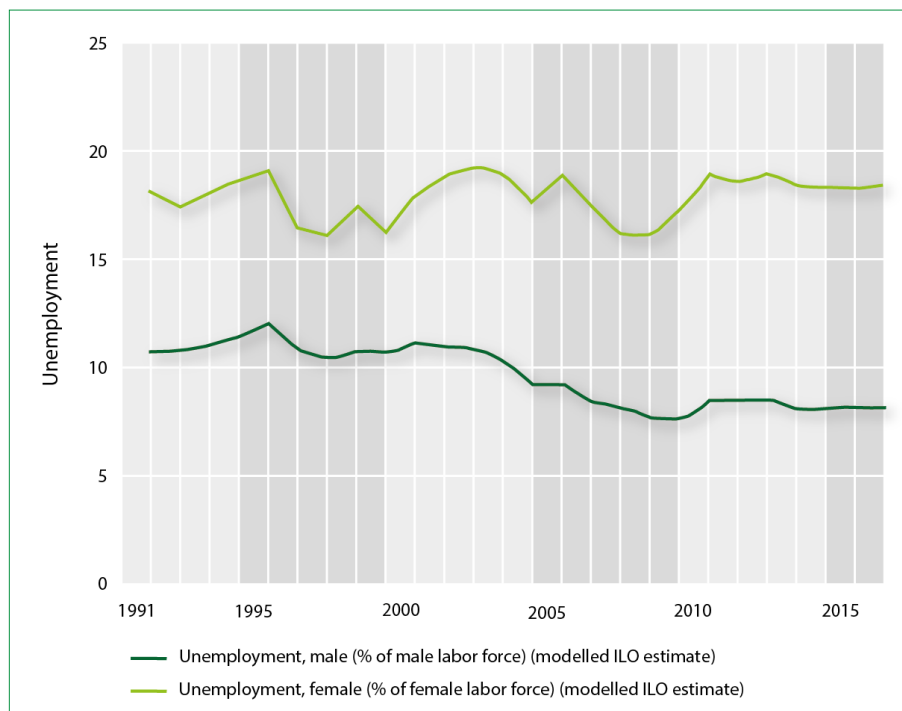
Created by CIDOB. Source: World Bank Open Data (2019).

1.4 LEGAL ASPECTS OF GENDER INEQUALITY

The legal situation of women varies considerably across the MENA region, comprising cases such as Turkey[24] and Israel[25] at one end, where gender equality is for the most part and in many areas guaranteed by law, at least on paper, and Saudi Arabia at the other end, where the law enshrines profound gender inequality, with cases such as Tunisia somewhere in between. Variation is

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23 It is unclear whether urbanization enhances employment opportunities for women. The share of the urban population in the MENA region increased from 35 per cent in 1960 to 65 per cent in 2017 (see World Bank Open Data). Every country has experienced a great increase in levels of urbanization with the exception of Egypt, where the share of the urban population has remained stagnant since the 1970s. While urbanization has provided social welfare benefits for women on the whole, its impact on employment is, for the moment, not well understood.

24 In the case of Turkey, the separation of religion and politics soon after the establishment of the Republic in 1923, and the Kemalist regime's modernist policies, ensured legal equality for women in many areas. However, entrenched patriarchal approaches and attitudes have resulted in persistent and continuing gender inequalities (Kandiyoti 1991).

25 The case of Israel is unusual in that, although the constitution and civil law do guarantee legal equality for women, the enduring dominance of Jewish law in the area of personal status, such as marriage and divorce, can limit women's rights. Similarly, religious personal law is applied to non-Jewish communities in Israel (Raday 2009).

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considerable within societies, as well as between them, depending on the sphere of law. It has been noted, for example, that most countries in the region are more willing to countenance legal equality in matters of education and even employment than in family or personal status law on issues such as marriage, divorce, custody and inheritance, where Islamic law continues to have an influence (Keddie 2007: 104). Countries such as Jordan, Palestine and Yemen, which have the most conservative family laws, do not always have the lowest figures for women's labour force participation or formal political representation. Libya, whose family law is very conservative, is the most gender-equal of the countries listed in the Arab Barometer according to the Gender Inequality Index (GII), which combines indicators of health, labour force participation and politics (Benstead 2016: 11).

Gender inequality in law in the MENA region is greatest in matters pertaining to family or personal status law: this is due to conservative interpretations of Islamic law, although in some cases – such as in Tunisia's 1957 Family Code and subsequent reforms, and in the Moroccan 2004 code, named "Moudawana" – modernist interpretations of Islamic law have improved women's rights. Women in the MENA region often cannot marry without the consent of a male guardian. If and when they are allowed to initiate divorce proceedings, the grounds for doing so are "more restricted and the procedures more complicated than for men" (World Bank 2017: 13). Custody of children is usually awarded to men and, if there are exceptions, as in the case of Jordan, for example, women can only gain it through complicated legal processes. Nationality laws in Qatar, Kuwait, Lebanon, Jordan, Libya, Saudi Arabia, the UAE, Iraq, Syria, Bahrain and Oman do not allow women to pass their nationality on to their children, or they limit this right to cases in which the father is unknown or stateless (UNHCR 2017: 3–4). Violent conflict, more recently following the 2011 Arab uprisings, has exacerbated some violations of women's rights even if they are secured by law. For example, child marriage accounts for 32 per cent of Syrian marriages in Jordan, which is twice as high as it was in Syria before 2011 (World Bank 2017: 21).

Throughout the MENA region, inheritance laws favour sons over daughters and male over female surviving spouses. In the Arab world, "women, especially in rural areas, frequently find themselves denied their inheritance or forced by male relatives to accept far less than their legal share" (Saleh 2018). In the MENA region more broadly, "married couples do not acquire joint property because of their marital status unless both make a formal request (which is only permitted in some countries)"; this means that women are "less likely to inherit or access property in the event of divorce or death of spouse" (World Bank 2017: 56). A considerably smaller per centage of women have bank accounts in the MENA region compared with countries that mandate joint property for married couples (World Bank 2017: 56).

Legal inequalities in family or personal status law are particularly pronounced in the Gulf sub-region, comprising both the Gulf Cooperation Council (GCC) countries and Iran. In some Gulf countries, the problem is lack of codification of family law, which allows judges to impose their own, often conservative interpretations; this is changing, with codification in Qatar and the UAE increasingly taking place, for example (Seikaly et al. 2014: 35). There is variation in the rules for child marriage, with the minimum legally approved age for marriage in Iraq, Oman, Qatar and the UAE being 18,[26] while in Iran it is 13 (a guardian's permission is required at this age; in the case of

26 In Saudi Arabia, marriage under the age of 18 is only allowed upon judicial approval of a father's request.

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marriage for girls below 13 years of age, the court's permission is also needed). Forced marriage is prohibited in the entire Gulf sub-region but polygyny is allowed in all of its countries (Seikaly et al. 2014: 25). Divorce is a unilateral right for men, while women can file for divorce on limited grounds. Women receive half the inheritance "of what men who have the same relationship to the deceased person receive" (Seikaly et al. 2014: 26).
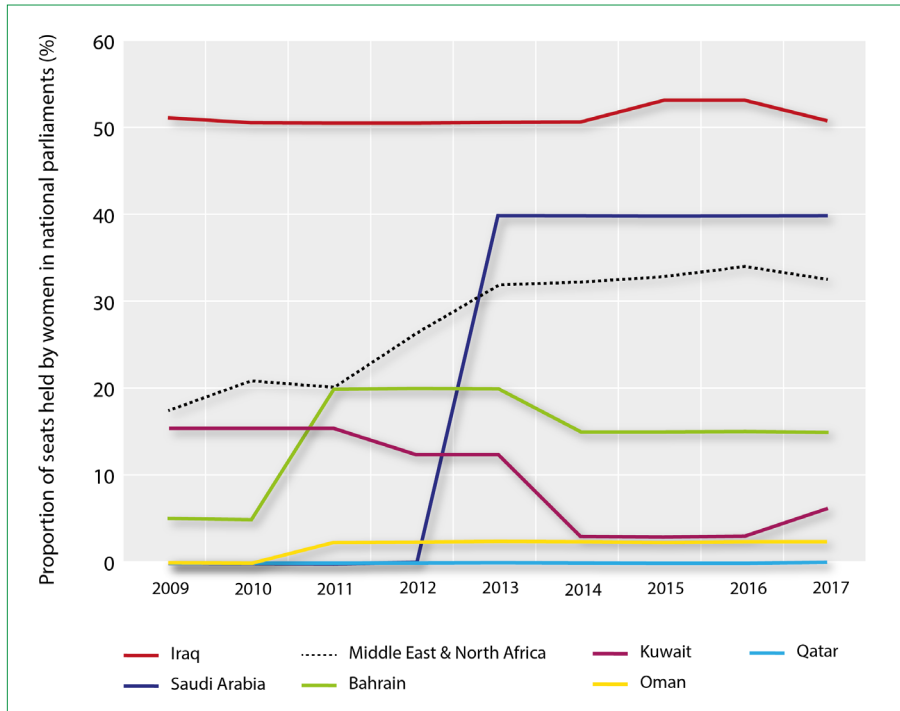
The Gulf sub-region restricts women's rights in areas beyond family or personal status law. In Bahrain, Iran, Iraq, Kuwait, Qatar, Saudi Arabia and the UAE, a man's testimony in a court of law is equated with that of two women. Oman in 2008 amended such legislation and the testimony of men and women is now equal in most situations (Seikaly et al. 2014: 35). So-called protective labour laws which restrict women's working hours or which sectors they can work in, combined with social expectations that place the brunt of housework and care on women's shoulders, result in a preference for hiring and promoting men, and female entrepreneurs face many obstacles to business development which are gender-specific, from limitations in access to finance to business registration and freedom of movement. The lack of adequate maternity leave provisions and childcare are also important aspects of the problem. Property rights are equal in Bahrain, Iran, Iraq, Kuwait, Oman, Qatar, UAE and, "with limitations", Saudi Arabia (Seikaly et al. 2014: 80). Despite these continuing inequalities, however, long-term social changes in the Gulf have caused a transformation in women's lives over recent decades. Moreover, "women's issues have increasingly become a public issue, and a discourse on gender equality is developing" (Seikaly et al. 2014: 35). Even in the case of Saudi Arabia, women have become more visible in public life and seem to be on a slow path to greater personal mobility (Seikaly et al. 2014: 35) – though it must be made clear that this is happening at the sufferance of and only insofar as it is allowed by the country's profoundly authoritarian regime.

1.5 A MIXED PICTURE IN POLITICS AND CIVIL SOCIETY

A number of MENA nations recognized political rights for women "around the same time as most other developing countries": Syria in 1949, Lebanon in 1952, Egypt in 1956 and Tunisia in 1957. Turkey gave the vote to women in 1930 and the right to stand in elections in 1934 – before many European countries did (Ottaway 2004: 4). In the Arab Gulf, however (where democracy is profoundly circumscribed anyway, of course), women were granted the vote only recently. In 1994, Omani women became the first in the region to be given the right to vote and stand in parliamentary elections. Women were granted the right to vote in municipal elections in Kuwait in 2005, in Bahrain in 2002 and in Qatar in 1999. In Saudi Arabia, women were allowed to participate in local elections in 2015 for the first time, resulting in nineteen women being elected and six women being appointed in the municipal elections of that year. The right to be elected does not automatically lead to being elected, however. For example, Kuwait allowed women to run for local office in 2005 but, while over a dozen ran in the 2006 and 2013 elections, none were elected (World Bank 2017: 17).

Figure 9 compares the proportion of seats held by women in national parliaments in the Arab Gulf states with the proportion in the Middle East as a whole (excluding Turkey). The increase in the case of Saudi Arabia illustrated in Figure 9 is part of a broader phenomenon in the MENA: from 2011 to 2013, there was a sharp upturn in the proportion of seats held by women in national parliaments in the Middle East and North Africa, and an upward trend from 2011 to 2016, as can also be seen in Figure 10.

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Figure 9 | Proportion of seats held by women in national parliaments in the Arab Gulf

Created by CIDOB. Source: World Bank Data: *Proportion of seats held by women in national parliaments (%) – Middle East & North Africa*, https://data.worldbank.org/indicator/SG.GEN.PARL.ZS?locations=ZQ.

Figure 10 | Proportion of seats held by women in national parliaments in the MENA region
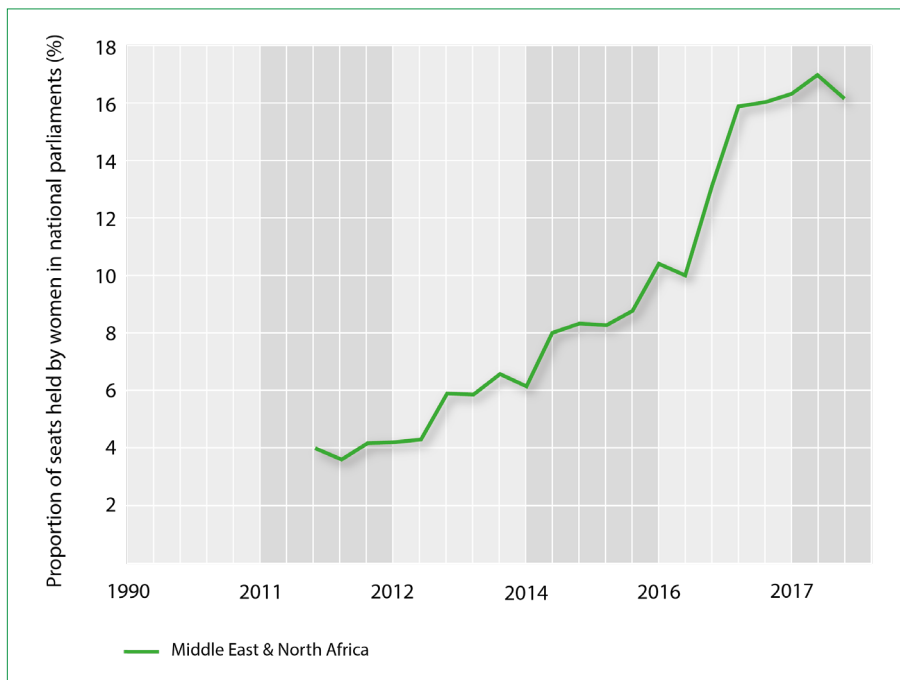
Created by CIDOB. Source: World Bank Data: *Proportion of seats held by women in national parliaments (%)*, cit.

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At the local level, some of the increase in female parliamentary membership is the result of quotas being put into place.

Figure 11 | Proportion of seats held by women in national parliaments by country and gender quotas
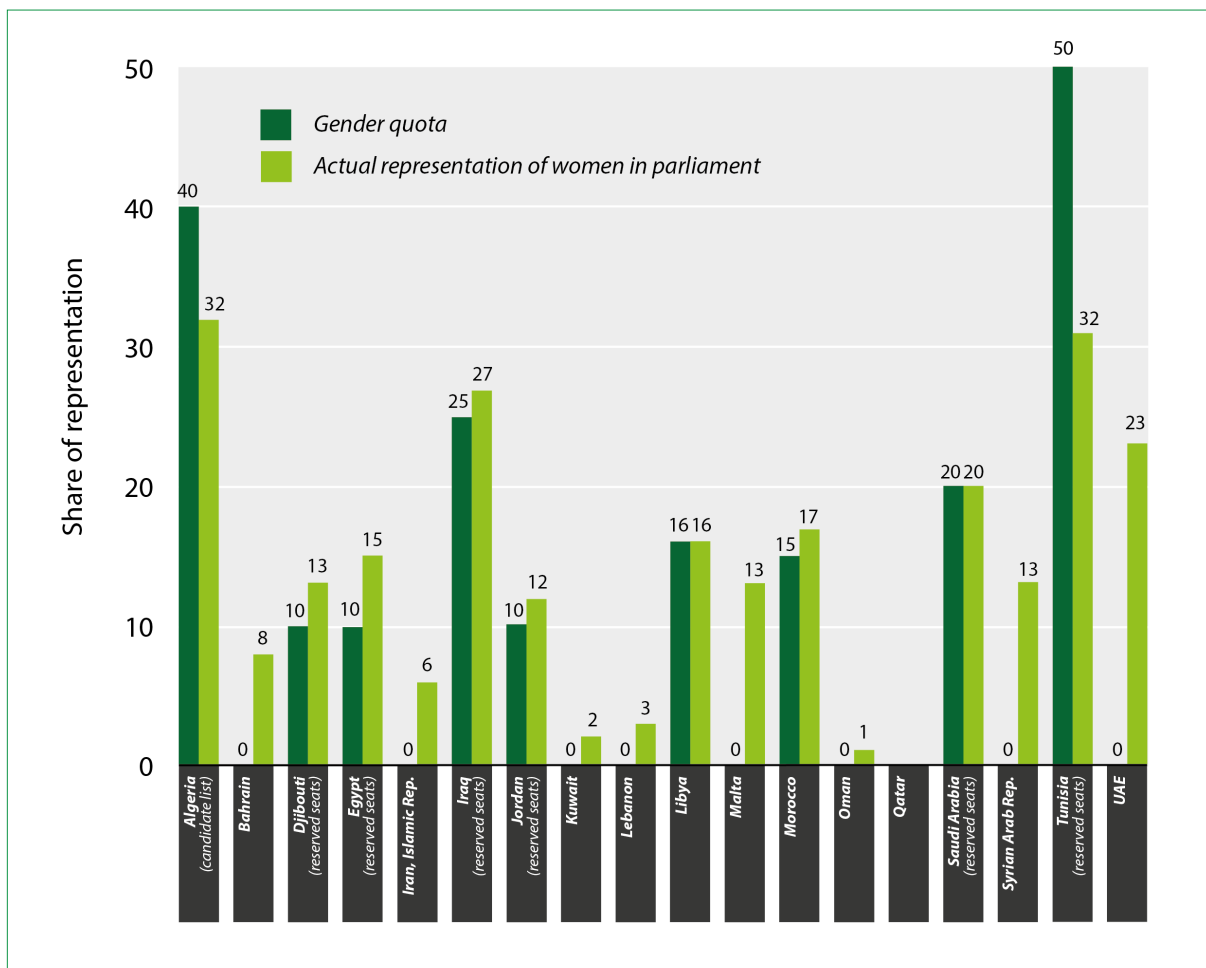
Note: The actual representation of women in parliament is based on the number of women in the lower house. There are no quotas in Yemen, but there is no data on the actual representation of women. There is a complex quota system in the West Bank and Gaza.
Created by CIDOB. Source: World Bank (2017).

Figure 11 demonstrates that in countries where quotas exist, such as Algeria (40 per cent of candidate list), Tunisia (50 per cent of candidate list), Saudi Arabia (20 per cent reserved seats), Iraq (25 per cent reserved seats) and Morocco (15 per cent reserved seats), the representation of women in national parliaments is systematically higher. In countries that allow women to run for office but lack a quota system, it becomes much more difficult for women to win, as for example in the case of Kuwait (World Bank 2017: 17). Quotas are also applied at the local election level. For example, in a 2011 law, Morocco introduced a quota for women of one-third of seats in regional councils. In Jordan, the number of women serving in municipal councils rose from 30 in 1995 to 241 in 2007, which was partly due to the establishment of a quota of 25 per cent female representation (World Bank 2017: 17).

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The right to vote and female participation in elected bodies at the national and local levels do not, however, necessarily entail political empowerment. With or without quotas, what often happens is that women are given "decorative or token" positions, devoid of real power.[27] Having said that, there has been some movement in the region towards real female political empowerment. The Lebanese government that took office in February 2019 includes four female ministers, a record high number, including the first female interior minister in the Arab world (Yan 2019). In Turkey, there were two female ministers in the cabinet in 2018, while a female presidential candidate stood against Recep Tayyip Erdoğan in June 2014, gaining 7.3 per cent of the general vote (Shaheen and Saraçoğlu 2018). In Israel, according to the Israel Democracy Institute, female representation in politics has reached an all-time high (Israel Democracy Institute 2017).[28] In Iran, the fact that more women have joined the parliament in recent years signifies a real shift (Capelouto 2016).

Women's political empowerment has received a boost as a result of women's activism triggered by the 2011 Arab uprisings. Women were very active in the mobilizations that led to the overthrow of Hosni Mubarak in Egypt and Zine El Abidine Ben Ali in Tunisia, and elsewhere in the region, and the 2011 protests generally were often infused by a sense of equality and camaraderie between men and women. These achievements, however, did not point to a long-term institutionalization of gender equality, and there was often a backlash against women (Johansson-Nogués 2013). Furthermore, in a number of countries of the Arab Middle East, the uprisings were followed by the emergence of Islamist movements which gravely threatened women's rights. The imperative to organize and fight back against the Islamist threat to women's rights, however, was in itself an important contributing factor to women's empowerment. The long-term effects of the Arab uprisings of 2011 on gender in the MENA region are still unclear, but it is already evident that they have galvanized women's activism and mobilized women in important ways (Khamis and Mili 2018).

2. WESTERN GENDER POLICIES IN THE MENA

Gender relations and women's rights are linked, as already pointed out in the Introduction of this report, not only to economic development and democracy but also – even if indirectly – to security and the regional order in the MENA. Although thinking about female individuals in this way runs the risk of portraying them merely as a means to an end, the reality is that Western policymakers do so. This "instrumental" approach must be guarded against but it is widely prevalent. Furthermore, although problematic, it is not necessarily incompatible with a broader liberal approach to gender, which will be outlined below.

In the course of the forty years since the publication of Edward Said's *Orientalism* (1977), Western perspectives towards the question of gender in the MENA region have been subjected to considerable criticism and self-criticism. Progress has been made in overcoming Orientalist approaches, yet they are still prevalent in subtle and sometimes not-so-subtle ways; as a result,

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27 In research being undertaken by the Horizon 2020 MENARA project, "women were mentioned as influential actors in the MENA region only in the Levant and Iran". See Kaymaz et al. (2019).

28 Turkey and Israel are also the only two Middle Eastern countries to have had female prime ministers in the past: Golda Meir, prime minister of Israel between 1969 and 1974, and Tansu Çiller, Turkish prime minister between 1993 and 1996.

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they often skew aspects of Western policies in the MENA region. This is particularly so in the current phase of rising Islamophobia, both in the West and globally. This section outlines how Orientalism still influences Western approaches to gender in the MENA region before suggesting an alternative liberal framework which overcomes its pitfalls, while also being critical about the hard realities that women and – in different yet also similar ways – LGBT individuals face in the region.[29]

The Orientalism thesis maintains that "the Orient" was a construction of the Western mind for the purposes of self-definition – the Orient was the Occident's "Other" – but also for the purposes of control and exploitation. An Orientalist lens was employed by the West to devalue the East and present itself as superior to it (Abu-Lughod 2001: 108).[30] The West pursued economic and geopolitical objectives from the 19th century onwards through colonialist enterprises, often resulting in the outright occupation of Middle Eastern lands. However, the argument goes, colonialism continued after formal decolonization in the post-Second World War years in less overt forms.

Women and sexuality (and homosexuality) played a distinctive role in the construction of this Orientalist perspective, infused as it was by a strange mix of sensuality and sexual fantasy. The historical study of women in the Middle East has been steeped in Orientalism – presenting them as uniformly veiled and oppressed, in a state of changelessness over time, victims of a misogynistic religion (Meriwether and Tucker 1999). "Saving Muslim women" was an implicit goal in the "civilizing" missions which accompanied colonialist enterprises in the MENA region in the historical past. There are similarities with more recent cases, for example in the role that the "saving" of women played in justifying the US intervention in Afghanistan from 2011 and the invasion of Iraq in 2003 (Abu-Lughod 2013). A particular perspective on "the Muslim woman" and gender more broadly, including masculinity, also shaped policies on the ground, for instance in counter-insurgency operations in Iraq by the American occupying forces and in policies of democracy promotion (Khalili 2010: 18). Critics have argued that in recent times Islam has become, in lieu of communism, the West's "Other" and that women constitute central points in its perceived civilizational clash with an inherently misogynistic religion (Scott 2017).

The effect of Orientalist discourses "on the other side" – in the imagined "East" or "the land of Islam" – has been equally profound. As Nikki Keddie aptly puts it, "Westerners to this day have attacked Islam especially for its treatment of women, which has encouraged many Middle Easterners to defend this treatment as part of its reaction [sic] against imperialism" (Keddie 2007: 167). In the Arab world specifically, the current global context, defined by the imaginary of a "clash of civilizations", appears to entail a choice between the West and rejecting Arab heritage, on the one hand, and rejecting the West in favour of "tradition" with an implicit acceptance of patriarchal

29 Because of a number of commonalities that pervade the problematic status of women and LGBT rights in the MENA region, they are discussed together in this section. LGBT issues in the MENA region are also discussed separately in Appendix B.

30 There is a broader issue at play here. Mohanty has argued that the "Third World woman" is a colonial construction, maintained often with the collusion of Western feminism; through this construction, women in the Third World are seen as oppressed in the same way across the board and as passive objects. "The assumption of women as an already constituted, coherent group, with identical interests and desires, regardless of class, ethnic or racial location or contradictions, implies a notion of gender or sexual difference or even patriarchy (as male dominance-men as a correspondingly coherent group) which can be applied universally and cross-culturally" (Mohanty 1984: 336-337).

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structures (Abu-Lughod 2001: 110). Furthermore, if the West holds Orientalist stereotypes, the Middle East is pervaded by Occidentalist ones which present the West as uniformly Islamophobic and Western women as objectified in consumerist societies.

Lost in this confrontation between the two seemingly perennially clashing positions of East and West – where many people (particularly non-experts) exaggerate the negative side of gender relations in the Muslim world while others stress the positive aspects of women's lives there (Keddie 2007: 10) – are the real lives of individual human beings, whatever their gender or sexual orientation. How can we sift through these layers of prejudice, stereotyping and misunderstanding to think about questions of gender in a more fair and accurate manner? How is it possible to overcome the politicization of gender and sexuality, and put forward an ethical position which respects the individual rights of women (and LGBT people), and indeed men, and their collective rights to self-determination, against *both* a sometimes interventionist and even neo-colonialist West (which can indirectly strengthen patriarchy) *and* oppressive social patriarchal structures in Middle Eastern societies?

To do so, we have to start with how the past is read, as these readings are intimately linked to current interpretations. There has been progress in recent years on this front, with some historical studies showing that women had power and agency in Muslim-majority societies in the past and also emphasizing the diversity of their experiences (Meriwether and Tucker 1999). The rich and complex historical approach offered by Nikki Keddie (2007) strikes the right balance between stereotyping Islam and ignoring its influence, between being hostile and apologetic towards Islam, and between relativism and universalism. Keddie cautions us against reading today's values into the past and suggests "that there may be a dialectical way that would contextualize historically evolved features *now considered positive or negative* without appearing to play down or defend practices that are, in today's context, generally seen as unfavorable to women" (Keddie 2007: 3, emphasis added). She suggests that the condition of women in Islamic societies changed through history and that Islam played a varied role as it interacted with pre-Islamic, tribal and imperial traditions and, later, with Western and capitalist influences. It is wrong to think that the further back we go in history the worse it was for women; indeed, asking whether Islam "is good or bad for women" is pointless because it relies on "global general statements about Islam as an unwarranted reification of a phenomenon that has varied by time or place" (Keddie 2007: 237).

At the time of its emergence, Islam interacted with both tribal–nomadic and settled cultures (Keddie 2007: 18), and the impact of "tribal" traditions (tribe being effectively a non-fixed category) on the position of women was both "positive" and "negative" (Keddie 2007: 14–15). Medieval Muslim society "was more patriarchal in practice and male supremacist in written ideas than early Islamic Mecca and Medina" (Keddie 2007: 30). Noting the influence of the Sasanian and Byzantine empires, Keddie further explains that, among Middle Eastern religions, Islam was not initially, necessarily, the most male-supremacist of belief systems, but that Jewish, Christian, Greek and south-west Asian ideas, which were very hostile to women, came to be integrated into Islam (Keddie 2007: 30). Economic factors shaped the position of women, with greater gender (and class) stratification in the early medieval period reflecting the growing economic surplus brought about by urbanization (Keddie 2007: 41).

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The rise of capitalism and modern states in the region had, in the first instance, an ambivalent effect on the status and the situation of women – without this meaning, Keddie hastens to add, that the past had been "better" (Keddie 2007: 61–63). Western ideas about women were introduced along with capitalism but "became influential only when local changes made them appropriate" (Keddie 2007: 64). Western ways represented "industrial and military strength, participation in government, increased citizen and gender equality, and reduced elite privileges" (Keddie 2007: 72). On the other hand, the more advanced social structures associated with capitalism from the 19th century onwards, and new divisions of labour, restricted women rather than elevating their status (Keddie 2007: 14–15, 64).

Placing "Islam", in this way, in its proper role in understanding the history of women and gender in the MENA region helps us think about the present situation and present-day phenomena. Taking the most egregious contemporary example, ISIS, this historically informed approach allows us to eschew the facile and misguided tendency to seek answers in "Islam" about this phenomenon and, when it comes to ISIS's treatment of women and gender relations in general, to reduce it to some supposed prototype of the Islamic religion.

Nadje Al-Ali's work (2016) debunks this easy association between "Islam" and the violation of women's rights by situating the sexual violence committed by ISIS in Iraq not within a mythical Islamic past, but within a broad continuum starting from the Ba'ath regime to the post-2003 invasion of the country, thereby bringing into the analysis the role of domestic secularist political forces, and of foreign (Western) powers as well. Al-Ali argues that "it is important to historicize and contextualize the extreme forms of sexual violence associated with ISIS, not in order to belittle its scale and detrimental consequences but to deepen our understanding about its roots, context and ways to tackle it" (Al-Ali 2016: 11). She argues that the Western focus on violence against women in the Middle East essentializes culture and in particular "Islam", rather than ascribing this violence to the political, economic and social conditions which explain it, and has racist and sectarian culturalist overtones (Al-Ali 2016: 12). It also denies the responsibility of Western actors, and in particular the US invaders in Iraq, for damaging women's rights. The American administration initially used particular women and the "woman question" in general to justify its actions, only to ignore the interests of women in favour of security priorities after the invasion. However, the fact that we should criticize how "liberating women" was used as an excuse for the US invasion does not mean that sexual violence and inequality was not profoundly rooted in Ba'ath Iraq (Al-Ali 2016: 16–18).

Al-Ali is thus able to strike the right balance, in my view, by attributing culpability for women's oppression and violence against women on Western policies *and* Middle Eastern patriarchal structures, be they religious or secular. To clarify: I do not interpret, let alone endorse, this as a morally relativist position (these actors are not "the same" or "equally bad" when it comes to their perspectives on and treatment of women) but as one that opens up the possibility of critique and self-critique. Judging Western actions and policies negatively does not mean that violence against women – and the sorry state of their rights in general – are not a reality in the MENA region. I agree with Al-Ali that we should not focus on Orientalist and imperialist discourses and actions to the detriment of local gender inequalities and manifestations of patriarchy (Al-Ali 2016: 13). The agency of local actors, such as political and military leaders and individuals, must be given its due (Al-Ali 2016: 23).

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Al-Ali's approach helps us to think of patriarchal structures in the MENA region as cutting across secular and Islamist actors and settings. This is not to say, of course, that Islamist movements and groups do not seek particularly to oppress women and negatively impact their rights – because they do. It is to point out that they are not the only ones with such views and that secular movements, because they use sexuality and gender as foci of identity, particularly nationalist identity, can *also* be oppressive towards women and their choices (Adak 2020, Al-Rasheed 2013).[31]

LGBT individuals and their rights can be treated in similarly negative ways across the Islamist–secular divide (although there is no doubt that the most egregious anti-homosexual behaviour is associated with hard-line Islamist movements). The controversies surrounding LGBT rights in the current Egyptian context are an illustration. The government of Abdel Fattah Al-Sisi – which took over and retained power by presenting itself as a clear alternative to the Islamist Muslim Brotherhood government that had preceded it in 2012–13 – has suppressed LGBT rights to assert Egyptian nationalist identity against an "encroaching" West, serving its own particular political interests in the process (HRW 2018: 14). A seemingly very different case which also, however, shows how LGBT rights can be used for political purposes, is Israel's emphasis on how much LGBT rights are respected and protected there. This allows Israel to present itself as a beacon of freedom and tolerance in the MENA region while continuing to suppress the rights of Palestinians – a phenomenon described as "pink-washing" (Gross 2015).

CONCLUSION

The Middle East and North Africa region is in a period of transition with regards to gender relations, a transition that may lead to positive developments and opportunities in future. This is so for a number of reasons. Section 1 showed that the situation of women in health and education has improved massively. In what has been called the MENA paradox, we have not seen a commensurate rise of women in employment. However, there may be a time lag in this occurring. The growing participation of women in the labour force should, in due course, also strengthen their ability to demand greater equality in legal rights and also fuel female participation in politics and civil society.

In the post-2011 period, women in the Middle East faced challenges as the Arab uprisings caused a backlash against their rights and restricted their political role; in the context of the violent conflicts which erupted as a result of the uprisings, sectarian and nationalist identity politics took hold. However, the long-term impact of the uprisings can be one of empowerment and mobilization because the memories and psychological imprints of these will be not be easily erased. It will take a long time for MENA domestic politics to move away from their current hybrid state into a measure of political liberalization and democratization. However, there is movement in this direction, of which women, through their activism, will be important drivers.[32]

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31 This analysis pertains to history as well as the current situation. One example can be found in the feminist critiques of Kemalist ideology which emerged in 1980s Turkey, which challenged "the narrative that the Kemalist state was the sole initiator and thus ultimate guardian of women's rights". The Kemalist project was inherently patriarchal and sought to control women's bodies even though the Kemalist regime was, at the same time, enabling for women (Adak 2020). Recognizing these limitations and being open to such critiques should not obscure the fact that Kemalism *also* brought considerable benefits to women and elevated their status in many ways.

32 LGBT individuals are in a similar point of transition in the post-2011 period: see Appendix B.

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In this moment of transition and opportunity, Western actors, both governmental and non-governmental, can contribute to the improvement of the situation of women (and LGBT individuals) and promote greater respect for their rights by fashioning policies within a liberal framework. This entails, firstly, navigating the pitfalls of the "East/Islam versus West" discourse by avoiding placing religion and specifically "Islam" at the centre of the interpretation of gender issues in the MENA region. It also requires, secondly, striking a balance between individual and collective rights by desisting from trying to impose a specific set of values and a version of the "good life".

As shown in the discussion in Section 2, the role of Islam in shaping social and political approaches to women is complex and often dependent on and shaped by factors and conditions not linked to religion. With regards to the present, although the rise of Islamism – as a political ideology – and aspects of fundamentalist Islam have deepened gender inequalities, secular actors are not necessarily proponents of gender equality either; in fact, "women" and certain interpretations of masculinity, including problematic approaches to LGBT individuals and rights, are integral to some nationalist conceptions of collective identity in the MENA region. This does not mean that one should adopt an apologetic stance, "which often includes a refusal to say anything negative about Islam" (Keddie 2007: 241).[33] But it does mean casting the net more widely and understanding that patriarchal values have multiple causes in the MENA region, and are often also defined and shaped in a pernicious way by global politics and relations. Western gender policies must reflect this realization.

This first point, de-emphasizing Islam, is related to the second, striking a balance between individual and collective rights – meaning, in this context, respecting the collective right of a society to be self-determining and resist foreign imposition. This stems from the liberal intent of balancing between various rights and is closely linked to the liberal principle that attempting to impose universal values – even the values of freedom which underpin all human rights – is contradictory and self-defeating. A liberal perspective, properly interpreted, would therefore lead to a non-interventionist policy on gender in the MENA region, one that takes a step back and allows local actors (women's, human rights and LGBT non-governmental organizations,[34] and even, in some cases, government entities working on these issues) to take the lead, so to speak, in determining priorities and approaches to handling gender issues. Such a stance would also be consistent with the admission, which is often not forthcoming, by Western actors that gender inequalities persist in "the West" too and are not just a problem in "the South".[35] Stepping back would also make political sense since Western actors often have a negative reputation in the MENA region – because of historical and present-day self-interested interventions – which can tarnish the good causes of women's and LGBT rights that they seek to promote.

33 Many secularists cloak their arguments about women in religious terms and interpretations to achieve better results – but this is also controversial (Keddie 2007: 238).

34 See appendices A and B.

35 Kynsilehto and Melasuo are critical, for example, of the paternalistic approach taken by the European Union vis-à-vis its southern partners, resting on the idea that the EU "teaches" so that the southern partners can "learn" (Kynsilehto and Melasuo 2006: 214). The authors point out that, even if disparities exist at a legal level between EU member states and some southern partner states, at the level of mindsets there are many issues which, in reality, are joint concerns (Kynsilehto and Melasuo 2006: 212).

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Whenever they become involved in these issues, Western actors, and the European Union more specifically, need to present women's and LGBT rights as a foundation or starting point for individual (and collective) autonomy and self-determination.[36] This is easier said than done, given the difficulty of striking a balance, in practice, between the rights of individuals and between those of the individual and the group; however, it must remain an aspiration, one that the European Union must pursue more than any other actor given that gender equality is a constituent part of its democracy and external democracy promotion policies (Jünemann 2013: 42).

36 What this means in practice for the EU is avoiding "culturalist" policies (Jünemann 2013: 53) and reaffirming a policy of "gender mainstreaming", which has been enunciated in a number of its key documents and which attempts to treat all individuals in a uniform fashion (European Commission and EEAS 2015). It is also, indeed, the case that the international community "has increasingly supported the idea of 'gender mainstreaming' in post-conflict reconstruction and peace-building as stated in UN Resolution 1325/2000" (Al-Ali and Pratt 2009b: 20). There have been many criticisms of gender mainstreaming, the most important being that it does not go far enough in addressing inequalities because it does not seek to correct the structural imbalances of the societies which cause the inequalities in the first place. Others criticize the EU for not having the political will to mainstream gender (Urrutia et al. 2016). However, gender policies of positive discrimination are often not appropriate either, particularly when, as pointed out above, Western actors are seen as cultural and political adversaries.

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APPENDICES

APPENDIX A: WOMEN'S ORGANIZATIONS IN THE MENA REGION

The presence of women's organizations in the MENA region is not a new phenomenon, though their numbers have certainly increased rapidly since the 1980s. Some of the earliest organizations still active today are found in Egypt (i.e. Mabarrat Muhammad 'Ali and the Egyptian Feminist Movement) and in Israel (i.e. Na'amat). Emerging prior to 1930, these organizations focused their efforts on improving social services for women and encouraging female participation in politics at the domestic level. From the 1950s to the 1970s, women's organizations sprung up in Jordan, Palestine, Syria and Iraq, again focused on social services and participation in politics, but also more generally as national unions for women to self-identify with (i.e. Iraq Women's League, General Federation of Iraqi Women, General Union of Palestinian Women, General Union of Syrian Women, Arab Women Organization of Jordan).

Figure 12 | Density of women's organizations in the MENA region

Number of women's organisations

1   7
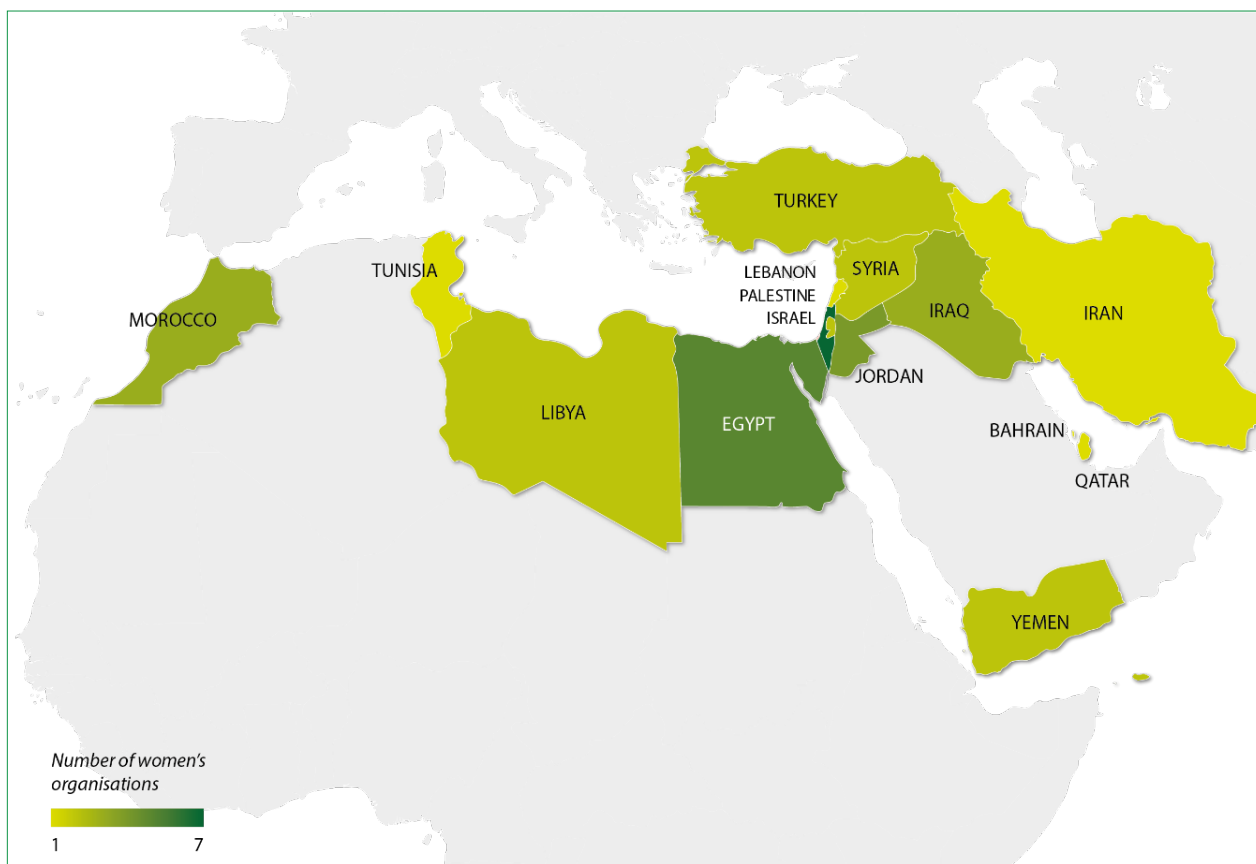
Adapted by CIDOB. Author: Kiran Phull, 2019.

Since the 1980s, we have seen increased momentum in the spread and scope of women's organizations. Women's rights, female empowerment and gender equality are increasingly part of the agenda. From North Africa to the Gulf to Turkey, we see a more nuanced approach to women's

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issues vis-à-vis the specializations of these organizations in the fields of women's religious rights, anti-violence and exploitation, youth leadership, workplace equality, crisis training and more. Increasingly, we also see organizations operating transnationally, coordinating efforts to promote female engagement in civic life on a regional level and recognizing that issues of discrimination and female civic engagement are shared across borders. Finally, in recent years we have also seen a rise in the number of business-related women's organizations and initiatives across the region. The main areas of activity include providing career support for women in the private sector, promoting female entrepreneurship and empowering women economically through education and networking platforms. It is unclear, though, to what extent the presence of these organizations has had an effect on the low rates of female labour force participation in the MENA, discussed above.

The density of women's organizations in the MENA region at the present time (2019) is mapped in Figure 12, with the intensity of colour referring to a higher number of organizations active and present in each country. Notice the relative absence of organizations in Algeria, Oman, Kuwait and Saudi Arabia, while Israel, Egypt and Jordan have seen much more activity in terms of active women's organizations.

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APPENDIX B: LGBT ACTIVISM IN THE POST-2011 MENA REGION

The situation for LGBT individuals in the MENA region is profoundly problematic but there is variation, with some societies being more tolerant than others. Like women, LGBT individuals (and the issue of sexuality in general) can be turned into symbols of social identity, and this renders them vulnerable to attack. Laws against discrimination based on sexual orientation are gaining currency across the globe, but this is not the case in the MENA region and specifically the Arab world (HRW 2018: 13). Most MENA states treat same-sex sexual relations in private as a criminal offence, some relying on French and British colonial systems of justice and laws on homosexuality, others on laws against same-sex sexual relations deriving from Islamic law (Dalacoura 2014, Afary 2009, El-Rouayheb 2005).

The violence and political conflict that has erupted since 2011 in the region has taken a toll on LGBT individuals and rights. Islamist movements have not been the only culprits here. ISIS's abuses against LGBT individuals have been horrific, but activists point out that attention to them should not detract from the abuses inflicted by Syrian government forces and affiliated non-state actors. In Iraq, a particularly nasty campaign against gay men was carried out by Muqtada al-Sadr's Mahdi army in 2009 (Long 2009), and another wave of killings of gay men took place in the country in 2012 (Graff 2012).[37] The hounding of LGBT individuals has increased in settings where political repression has intensified. As we saw above, in the Egypt of Abdel Fattah Al-Sisi – who came to power following the overthrow of the Muslim Brotherhood in July 2013 – the persecution of LGBT individuals, especially gay men, has become exceptionally vicious (Amnesty International 2018).

By the same token, the 2011 uprisings produced some positive outcomes for LGBT individuals and their rights, because they galvanized individuals into taking part in activism and exposed them to new forms of mobilization and alliance-building. In Egypt, for example, there was a paradigm shift as activists were able to "speak more freely about gender and sexuality, and articulate them within a human rights framework" (HRW 2018: 14), even if persecution subsequently intensified. The creation of regional networks, helped by social media, "has served as a lifeline to many activists in the region" (HRW 2018: 28). LGBT organizations have been able to work together with human rights and women's rights organizations, a new phenomenon in many places. For example, in the Kurdistan Region of Iraq, Rasan Organization, a women's rights organization, "also formally took on LGBT rights in 2012", and in Tunisia, the feminist movement has become more gay-friendly (HRW 2018: 36). Changing language reflects the attempt to remove stigmas: LGBT activists in Iraq are trying to point out that the slogan "let's stand up for faggots' rights!", as literally translated from Arabic, may not be the best way of altering mindsets and defending their cause (Amir Ashour quoted in HRW 2018: 44). Thanks to the work of LGBT activists, almost one hundred candidates at the 2018 Lebanese elections called for the decriminalization of homosexuality (Qiblawi 2018). In 2010, Iraq became the first Arab country to accept the Universal Periodic Review process and recommendations on sexual orientation and gender identity at the Human Rights Council (HRW 2018: 59). Turkey has had a vibrant LGBT movement relative to other countries in the region, though recently threats against it are rising (Cunningham 2016). A point to note, however, is that this new-found activism and the possibilities emerging through networking and mobilization do not apply to the Arab Gulf (HRW 2018: 27).

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37 The Iraqi Shi'a leader Muqtada al-Sadr has recently softened his stance and called for an end to violence against the LGBT community. See Bassem (2016).

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MENARA is carried out by a consortium of leading research institutions in the field of international relations, identity and religion politics, history, political sociology, demography, energy, economy, military and environmental studies.