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GENDER STUDIES IN THE ARAB REGION: NEW RESEARCH DIRECTIONS

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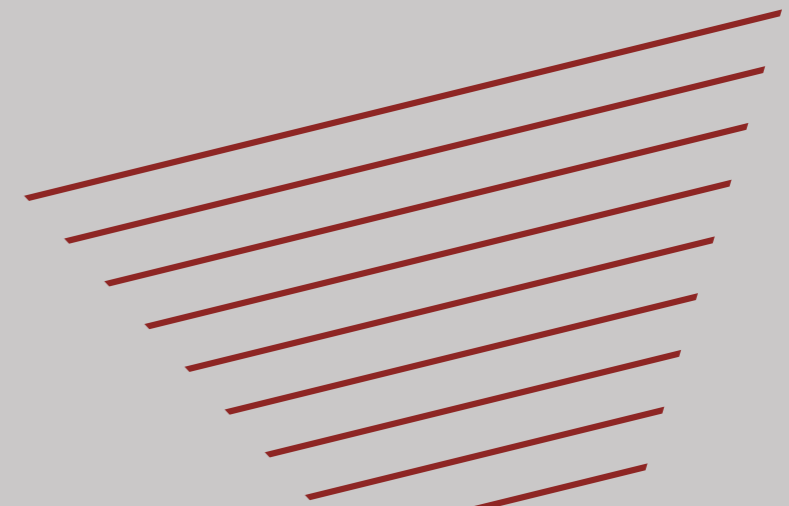
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INTRODUCTION

I. WHY GENDER?

Today, the field of gender studies faces both global and regional challenges. With the recent rise in right-wing populist movements around the world, women's rights have been under attack and gender studies have been delegitimized and discredited. These movements often consider gender issues and research as the epitome of society's perceived ills, using them to strike at national and international agendas as well as actors working toward gender equality. In the Arab region, postcolonial states, under the guise of state feminism, have co-opted gender discourse by championing women's causes through the enactment of personal status and related legislation and the tokenization of women's political participation and public-sector employment. Feminist scholarship argues that state feminism has depoliticized the feminist movement and occluded more fundamental structural reforms toward the eradication of gender inequality.

And yet, these forces and processes have not deterred the continued rise and consolidation of gender rights as an arena of vibrant activism, particularly in the context of the Arab uprisings. Though movements for gender equality in many Arab countries are not recent, over the last decade— particularly following the Arab uprisings—the region has witnessed increased mobilization and grassroots organizing around gender equality, sexuality, and women's rights. With varying levels of success, women's organizations and movements continue to contest the state and create new spaces for discussion of issues that particularly affect women's lives and that have been considered sensitive, such as gender-based violence, inheritance, and personal status laws.

On the academic front, the last few decades have witnessed the slow but steady introduction of gender studies programs in Arab universities.¹ Arab feminist scholarship has also flourished, moving away from Eurocentric feminisms and seeking to emphasize regional contexts and women's local experiences. Scholars and activists have kept their eyes on theoretical and conceptual developments in the study of gender, pushing for new paradigms and advocating for a deeper study of intersections between gender and the social, the economic, and the political. Feminist scholars are looking into the past to reinterpret history from women's perspectives, identifying transformative acts and events championed by women that went unnoticed. In so doing, they have adopted methods that help amplify women's voices and reinstate her-story.

II. GENDER STUDIES WITHIN THE ACSS

Gender studies and programming have always been integral to the work and activities of the ACSS. The Council's openness to the field is not coincidental. In

its key documents, including mission statement and objectives, the ACSS clearly sees the most intricate of social problems as best tackled by multidisciplinary teams of researchers and individuals who reflect interdisciplinary perspectives and bring in the gender lens as a tool of analysis. Thus, gender has always been mainstreamed in all ACSS activities and programs. The best project proposals selected for funding are those that—among other things—underscore the gender dimensions of the proposed work. For example, under the theme of environmentalism, grantees have paid attention to the impact of environmental degradation on the work of women in agriculture, while others studied the impact of specific occupations (such as sex work) on women's health. Our working groups, such as the Ethnography and Knowledge working group, have been exploring positionality and gender as they seek to counter dominant regimes of knowledge and attempt to produce a more nuanced ethnographic understanding of the Arab region today. On the other hand, the Critiques of Power working group explored the operations of patriarchy and gender exclusion by studying contemporary Arab critical works and theoretical productions that diagnose modalities of power.

In addition to mainstreaming gender in our programs and across the institution, in the last few years, the ACSS embarked on gender-specific programming. Our New Paradigm Factory program (NPF) has focused in the last three rounds on the theme of Gendered Resistance, teaching young academics how to write for a wide variety of audiences beyond academia. Initially inspired by the abundant literature on weapons used by the weak to confront oppression,² the theme of Gendered Resistance refuses to look at women through the lens of victimhood—as victims of state and male patriarchy—and believes such an outlook understates reality and does not establish gender justice. The program focuses on the overt and subtle ways women use organizations and movements, both as individuals and collectively, to resist the oppression of the state, institutions, individuals, and culture as well as social norms. In this context, Gendered Resistance highlights women's acts of resistance in daily, routine, and inconspicuous ways that nonetheless challenge state policies and laws and/or destabilize the patriarchal status quo.

The ACSS has also launched a collaborative project with the University of California, Davis Arab Region Consortium entitled Mapping the Production of Knowledge on Women and Gender in the Arab Region, which seeks to chart the state of knowledge production on these topics over the past fifty years. Through a collaboration with the American University of Beirut, the ACSS is participating in a three-year pilot oral history project entitled the Arab Oral History Archive: Gender, Alternative Histories, and the Production of Knowledge (Gender Oral History Archive – GOHA). The project aims to create new collections of oral histories and utilize oral history methodologies and archives in order to develop situated feminist studies and critiques of

1- There are important examples that date back to earlier times, such as the Lebanese American University establishing the Arab Institute for Women in 1973 and Al-Ahfad University introducing gender studies in Sudan in 1979.

2- For example, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (1985) by James Scott and *Poverty and Famines* (1980) by Amartya Sen.

knowledge production in and from the Arab region and create a more inclusive body of subaltern archival repositories about the region.

As we at the ACSS continue to launch gender-related programs, we are attentive to global and regional developments and debates. We realize that national and regional landscapes are changing, giving rise to a new set of challenges but also new opportunities. While the Arab region is witnessing spiraling conflict, violence, and instability, gender programs in Arab universities have graduated cohorts of young generations of gender-conscious specialists who are keen on applying the knowledge they acquired and putting it to use. Moreover, the aftermath of the Arab uprisings has created complex and diversified networks of groups that are shaping agendas on gender studies and activism and that include universities, think tanks, researchers, and activists. Amid these accelerated developments, the ACSS believes there is a need to take stock of the status of gender studies and activism—now at a crossroads—in the region and attempt to answer the following questions: What kind of knowledge(s) is now produced on gender and who produces it? What are the gaps in research? What are the most salient and relevant issues that the ACSS should work on in the area of gender studies? How do we make sense of this complex landscape of actors, and how do we represent movements between and across several types of institutions and trajectories? Most importantly, how can we look at gender as a core concept within all these dynamics?

These were some of the questions driving the organization of a workshop titled “The Status of Gender Studies in MENA,” which took place on October 6–7, 2019 in Amman, Jordan.

III. IN AMMAN

Forty-three academics and activists from the Middle East and North Africa (MENA) residing in Iran, Turkey, Jordan, Lebanon, Tunisia, Canada, the United States, Egypt, Palestine, and Sudan participated in a two-day workshop in an attempt to answer the above questions. On the first day, moderated panels addressed broad themes and topics including the historical evolution of gender studies in academic universities and nongovernmental organizations (NGOs), as well as the experiences of different institutions as they introduced gender studies in their curricula. On the second day, the focus was on emerging themes and new directions. Presentations by participants covered the effect of rising populism on gender studies and new social movements; gender and security studies; women’s participation in the labor force; gender-centered planning and urban activism; women’s health and sexuality; gender in the context of forced migration and the displacement of refugees; and gender training activities in universities and NGOs. In the final session, donors had the opportunity to present their programming priorities in the area of gender. An open discussion followed on the way forward and the future of gender studies in MENA.

The event initiated a much-needed dialogue that brought out similarities and differences between contexts and across time. To frame the discussion, a keynote by Suad Joseph, professor of anthropology at the University of California, Davis, reminded us that every historical moment has its own agenda for gender research and we are compelled to study what is in the present and understand this historical moment in the Arab region. As we do that, we still have to look beyond the present moment to what is coming ahead. We also need to understand and contextualize historical situations and question what

we have already accomplished, what we know, and what we do not know and still need to know. Participants discussed the history of gender studies in the Arab region, emphasizing that feminist NGOs have always been dynamic spaces that provided training on gender and kept the field alive. In fact, they have played a critical role in training and educating about gender long before universities introduced the field on campus. This conclusion triggered a lively exchange of experience and debate between women academics and activists. It was reiterated over and over again that there is a strong need to break binaries, most notably between research and activism, and to try to instead capture movements between and across these two spaces. We raised questions on how to consolidate knowledge produced by various academic and activist institutions, as well as how to restore respectability to NGO-produced knowledge that is derived from close interaction with and understanding of women’s daily lives.

We also discussed the status of gender studies in universities and the need to legitimize its existence and find stable “homes” for the field that can help it grow and flourish. There was an agreement that top-down approaches to establish gender studies in universities are not useful and that we need bottom-up approaches championed mainly by faculty to change attitudes and empower students. There is also a need to promote feminist pedagogy that—again—breaks down binaries between activism and academia, teaching and critical thinking, research and persuasion, research and teaching, and knowledge production and dissemination. Unanimously, participants felt strongly that gender needed to be mainstreamed, introduced in different disciplines (e.g., medicine, engineering, technology) and become mandatory for all newly enrolled students. Universities need to introduce mobility programs that allow students to move between programs to gain different experiences and acquire comparative approaches to the study of gender. Gender knowledge should not be confined to classrooms but should extend into the public sphere. We also need to encourage public writing on current affairs and push for gender equality in universities’ professional and leadership ranks.

The topic and country-specific presentations also uncovered a wealth of insights. Presentations by participants from Iran and Turkey indicated that researchers and activists from the two countries do not connect sufficiently with the Arab region, although they share many common challenges and perhaps also solutions. Particularly in Iran, feminist knowledge production is severely impaired. Like many countries in the Middle East, research pertaining to Iran is happening outside of the country and in the West, where an agenda that is inconsistent with realities on the ground is developing. A presentation on gender and political participation, also focused on Iran, raised the important question of whether women’s participation in politics truly seeks gender equality or is merely a political expediency. How do we as feminists feel about politics that are not necessarily democratic as they play out within authoritarian contexts but still open a space for women’s participation in the polity?

The presentation on health in conflict situations, focusing on the case of Palestine, underscored that women’s reproductive health, whether among women experiencing menopause or women in their reproductive years, is important in both conflict and “stable” situations. However, the particular challenges women face in conflict situations (such as the case of Israeli occupation of Palestine) underscore the need for more research on the systemic violence administered against Palestinians and the restrictions imposed on their mobility, which harm women’s emotional, mental, and physical health. Still focusing on gender and

occupation, it was emphasized that new theoretical approaches are needed. In order to understand structures and relations of power in the context of settler colonialism in Palestine, more revolutionary and transformative feminist knowledge is essential to provide analytical tools that do not separate the patriarchal structures from the colonial and neoliberal structures of violence within Palestinian society.

The presentations on women and labor force participation focused on various forms and consequences of labor market discrimination, the most obvious of which is that despite their competitive higher educational qualifications, women are paid less than men. The presentations under this topic also addressed the care work overwhelmingly undertaken by women. They demonstrated how the limited allocations by states to public care provisions could not have been sustained without the input of women, who have consistently played the role of the main caregivers within their families. This has inevitably limited women's presence as active employees and workers in the labor market. In more recent times, as women struggle to maintain employment, they are faced with the intrusion of new technologies that invade their privacy and disturbs the balance between private and work/public life.

IV. THE BOOK: RESEARCH AGENDAS AND THE LOOK FORWARD

At the meeting in Amman, as indicated above, we devoted the second day to examining the relationship between gender studies and other disciplines and areas of work with the aim of revealing research gaps and emerging agendas. The list of potential intersections was long and continued to expand. For example, the discussion on female labor force participation and sectors where women tend to be present was closely related to emerging areas of work where women are still underrepresented, including artificial intelligence and climate change. Women's voices are needed in these areas, both as researchers and actors who advance the field by bringing in women's perspectives on the one hand, and as individuals and groups impacted by developments in these sectors on the other. Indeed, the discussions in Amman demonstrated that while a modicum of research and work has been taking place in certain areas, there are still gaps in other areas, such as security and urban studies, and the law.

By the end of the meeting, and in conversation with our donors, the International Development Research Centre and Open Society Foundations, we were fully convinced that much work remained to be done, that areas of intersection that were not covered in Amman needed to be addressed, and that some areas already discussed at the workshop merited more in-depth analysis. This publication—a compilation of six papers covering a variety of areas—marks an important step forward. We were particularly interested in advancing the agenda on the different topics and therefore hoped to better understand what kind of knowledge is produced, who produces it, and what the research gaps are. Four of the papers we commissioned served as background papers presenting an overview of the region as a whole while two papers were country-specific case studies of Palestine and Tunisia. One of the four background papers adopts a bird's eye view to assess women's economic empowerment in the MENA region as a whole, with a focus on the Arab region. Additionally, five papers were written in English and one was written in Arabic. Although we considered translating the Arabic paper in order to produce a monolingual publication, in the end we decided to keep it in its

original language to preserve the intricacies of the discourse and language.

As expected, the six papers uncovered a gamut of research gaps in their fields of interest and charted several areas and directions for further study. In her paper entitled "Women's and Gender Studies in the Arab Region: An NGO Phenomenon," Hoda Elsadda suggests that more intensive work—particularly feminist narratives—is needed to document gendered experiences of women and continue to break down the academic/activism binary by building bridges between NGOs and academics in order to make theoretical knowledge more accessible to activists.

In the following article, entitled "Feminist Security Studies: An Introduction," Dalia Ghanem pushes for a more rigorous review of the concept of security in the Arab region. She encourages academics to seek to understand the dynamics of structural powers in security politics and help women academics and members of civil society organizations explore this area in which they are currently underrepresented. For Ghanem, the future research agenda in the region needs to be both thorough and diverse as it focuses on context-specific cases.

In their paper entitled "Research on Gender, Health, and Displacement in the Arab Region: Lessons Learned and Intersectional Possibilities," Weeam and Doaa Hammoudeh underscore the noticeable interest in women's sexual and reproductive health as well as gender-based violence in the context of conflict, which has been accompanied by steady growth in literature on mental health of both women and men. They note, on the other hand, the clear gap in the literature on non-communicable diseases studied from a gender lens as well as the limited research on gendered experiences of refugees and displaced people who are LBGTQI+, nonbinary, disabled, and/or have mental health issues. They stress the need for an intersectional approach to studying health that addresses structural, political, cultural, and ecological contexts, in addition to the intersection of multiple positionalities and vulnerabilities, as well as more studies on the health of men in the context of displacement.

Serena Canaan and Yara Tarabulsi, in their paper entitled "Women's Economic Empowerment in the MENA Region: Context, Barriers, and Interventions," call for more attention to underrepresented areas of women's work, in the MENA region generally, and the Arab region especially, such as informal labor, rural work, and care responsibilities as well as support for quantitative research aimed at establishing causal relationships between women's work and other outcomes. In this context, they underline the need for more studies honing in on employers' positions towards women's work to help us understand the barriers to and determinants of women's empowerment in the region. The authors draw attention to a critical methodological issue: most of the available data on health, education, and labor-force participation are essentially disaggregated by sex and cannot be considered gender statistics.

The publication ends with two case studies on Palestine and Tunisia. As they trace the role of higher education in the Palestinian national struggle against occupation in their paper entitled "Gender and Higher Education: The Case of Palestine," Nida Abu Awwad and Lena Meari assert, above all, the need for statistics that reflect the diversity of women and men and capture all aspects of their lives. Like the Hammoudehs, they strongly recommended more intersectional research that highlights the relationship between educational attainment and other socioeconomic characteristics. They focus on the need

for more profound qualitative studies that depict the experiences of female students and academics, and advocate gender-sensitive approaches that become part and parcel of all stages of designing, planning, and implementing data collection.

Finally, in her contribution on the case of Tunisia, entitled “الجنـدر والقانون: المثال التونسي” (“Gender and Law: The Tunisian Case”), Zahia Jouirou outlines three areas of research that should continue, in concert, to inform the future work on law and gender. First, researchers and activists should continue to expound on the lack of conflict between gender-related legislation such as the personal status law and the intentions (Maqased) of the Islamic Sharia. The second area, which is more sociological, seeks to shine a light on the daily life experiences and struggles of Tunisian women, and suggests using their experiences to inform gender-related policies and legislation. Finally, Jouirou addresses the legal direction that seeks to uncover areas where Tunisian law needs to improve in order to catch up with international standards and conventions.

We hope the reader will find in the following articles some answers to the question of research agendas and ideas for filling in the gaps in our understanding of gender studies in the Arab region.

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Bibliography

- Scott, James C. 1985. *Weapons of the Weak: Everyday Forms of Peasant Resistance*. New Haven, CT: Yale University Press.
- Sen, Amartya. 1980. *Poverty and Famines*. Oxford: Clarendon.



HODA ELSADDA

Hoda Elsadda is professor of English and comparative literature at Cairo University, a feminist, and an activist for women's rights. In 1995, she co-founded the Women and Memory Forum, a research organization that focuses on the production and dissemination of alternative knowledges on women and gender studies (www.wmf.org.eg). Her research interests are in the areas of gender studies, comparative literature, and oral history. She is author of *Gender, Nation and the Arabic Novel: Egypt: 1892-2008* (Edinburgh UP and Syracuse UP, 2012) and coeditor of *Oral History in Times of Change: Gender, Documentation and the Making of Archives* (Cairo Papers, 35:1, 2018).

Women's and Gender Studies in the Arab Region: An NGO Phenomenon

I. INTRODUCTION

In the Arab region, the field of women's and gender studies (WGS)¹ emerged not through universities, but rather in independent research organizations that arose in the context of a relative political liberalization in many Arab countries.² The trajectory of WGS in the region is a direct consequence of political constraints in undemocratic postcolonial Arab states, as well as the status and histories of national higher education institutions. The field was developed and nurtured by feminist activists who founded independent women's organizations in the 1980s and 1990s. These activists seized the opportunities facilitated by the confluence of three factors: political transformations in Arab regimes, the internationalization of women's rights issues on a global scale, and the history of activism and struggle for rights in the context of authoritarian postcolonial states. With this context in mind, I argue that WGS in the Arab region is an NGO phenomenon.

The institutionalization of WGS research and programs globally has followed diverse academic and political trajectories. Different country contexts—academic, political and cultural—impacted how the field developed in various settings. The first programs were established in the 1970s in the United States, Australia, and New Zealand and expanded and spread across the globe in the 1980s and 1990s.³ These programs responded to the demands of women's movements in these countries for the production of feminist knowledges to counter hegemonic masculinist histories and

epistemologies. In Germany, the first professorship in women's studies was created in 1980, and the first MA in gender studies was established in 1997 in the Humboldt University in Berlin (Kraft 2014, 109). Kraft (2014, 111) contends that this relative delay in the institutionalization of the field in German academia, despite the existence of a strong feminist movement, was partly due to persistent claims by academic colleagues that gender experts were not scholarly enough, were ideologically driven, and did not exercise intellectual critical objectivity. In Poland, the advent of WGS took place in the early 1990s with the transition from one-party to democratic rule. It "was characterized by a strong pro-Western orientation as scholars in Poland were eager to catch up with Western scholarship," but, subsequently, there was much discussion about "the hegemony of Western, and particularly American, feminist discourse" (Filipowicz 2014, 11).⁴ In short, different histories, political systems and academic contexts were instrumental in shaping the nascent field.

The centrality of NGOs to the development of WGS is not unique to the Arab region. In Spain, for instance, where WGS started later than other Western European countries, it "is strongest outside the academy, because of its alliance with groups who resisted the Franco regime" (Routledge 2000, 2063). In Latin America, the 1970s was a period of military regimes inimical to social movements and activist oriented research. Research in women's studies emerged in the 1980s outside academia and funded by international organizations (Routledge 2000, 2064). Higher education institutions in countries that experienced authoritarian rule in the second half of the twentieth century in general, share similar, yet distinct, trajectories in their response to and acceptance of the new emerging field of knowledge.

The last few decades have witnessed a proliferation of feminist research and knowledge production that has arguably constituted the backbone of recent women's movements and has made transformative contributions to knowledge. However, while there are now many accredited university programs and established scholars conducting cutting-edge research in the field of WGS, women's studies in universities remains institutionally precarious and politically vulnerable. Many WGS programs in the region and globally suffer from insufficient funding,

4. Also see Temkina and Zdravomyslova (2003) for a discussion of the beginnings of gender studies in post-Soviet states in the 1990s.

1. In this article, WGS is used to indicate systematic production of knowledge in the field of women's and gender studies.

2. The notable exception was the Women's Studies Institute established in 1973 at the Lebanese American University in Beirut, formerly a women's college.

3. In the UK, the first gender studies MA program was established at the University of Kent in Canterbury in 1980 (Coate 1999, 2).

bureaucratic constraints, lack of autonomy, political pressures, perceptions of marginality in comparison to core disciplines, and resistance from faculty members on the grounds that WGS is too political and does not meet the requirements of objective intellectual research, to name only a few (Stromquist 2001). Additionally, and in the context of the neoliberalization of the university and the focus on education for the job market, enrollment in WGS programs has decreased, as many students worry about their employability after graduation.

This paper traces the development of the field of women's and gender studies in the region, from its early origins in Arab women's rights movements to its eventual integration into universities. The aim is threefold: to shed light on the historical context from which WGS programs in civil society institutions—that is, NGOs—emerged prior to the field's institutionalization in universities; to highlight past and present political, conceptual, and social challenges that have constrained the field's development; and to chart some key trends and trajectories in WGS knowledge production in the Arab region. This overview uncovers both obstacles and opportunities for the field, highlighting the importance of bridging academia and activism and elevating women's voices and experiences in order to advance the production of WGS knowledge at this historical moment.

II. HISTORIES OF ARAB WOMEN'S MOVEMENTS: BEGINNINGS OF KNOWLEDGE PRODUCTION IN WGS

Women's movements in the Arab region constitute the spark and force behind the growth of research in the field of women's and gender studies. The late nineteenth and early twentieth centuries witnessed the beginnings of feminist consciousness and women's activism expressed in the publication of treatises and articles by women. In Egypt, the year 1892 marks an important moment in the history of the women's movement with the publication of Aisha al-Taymurriya's *Mir'at al ta'amul fil 'umur* (Mirror for reflection on affairs), a short treatise about the potential consequences of changes in gender roles and responsibilities in the modern period, and al-Fatah, the first women's journal, by Hind Nawfal (Arenfeldt and Golley 2012). More writings followed, notably Qasem Amin's seminal *Tahrir al-Mar'a* (*The Liberation of Women*) in 1899 and *al-Mar'a al-Gadida* (*The New Woman*) in 1900, and Malak Hifni Nasif's *Nisa'yat* (*On Women's Issues*) in 1910 (Arenfeldt and

Golley 2012). Women's magazines also flourished in this period, providing a forum for women to engage in heated debates and discussion about their rights and status in the modern nation. In Syria, women led campaigns to advocate for women's health and initiated discussions on women's rights as early as the second half of the nineteenth century. In Syria, the year 1893 saw the publication of *Bint Fikr* (*A Thoughtful Girl*), an anthology of poems by Maryana Marrash, and in 1910, Mary Ajami founded *al-Arus* (*The Bride*), a monthly publication that advocated for women's rights and became a forum for political demands (Golley and Vinson 2012, 67). In Iraq, upper- and middle-class women also demanded rights to education, work, and the public sphere. In 1923, the first women's organization was founded, entitled Nadi al-nahda al-nisa'yya (the Women's Awakening Club) (Arenfeldt and Golley 2012). In both the Mashreq and the Maghreb of the Arab region, women also demanded their rights to equal citizenship, education, and employment against the backdrop of colonial domination and modernist discourses about the status of women in new nation states (Arenfeldt and Golley 2012). Over the course of the twentieth century, women's participation in social, political, and religious debates, in addition to their contributions to knowledge from a gender lens, increased exponentially. They published books, treatises, and articles in newspapers and magazines that, when revisited, constitute a wealth of knowledge in the field of WGS.⁵

National liberation movements in the Arab region were key vehicles for women's struggles for rights in Egypt, Lebanon, Syria, Morocco, Tunisia, among other colonized Arab countries. The 1919 revolution against the British colonial presence in Egypt, for example, is recognized as a turning point in the history of the women's movement and the participation of women in the political sphere. Egyptian women organized demonstrations, joined national mobilization efforts for independence and political groups, and began advocating for their rights. In 1923, Hoda Shaarawy founded the Egyptian Feminist Union with a clear political and social mandate (Elsadda 2019). In Syria, Jam'iyat yaqathat al-fatah al-'arabiyya (the Arab Girl's Awakening) was founded in 1914 with the aim of achieving access to education for girls and opposing foreign rule (Golley and Vinson 2012). In 1930 in Jafa, Palestinian women addressed the

5. It is beyond the scope of this article to list all the contributions of women in the Arab region to knowledge in the field of WGS. For a good overview of the contribution of women from the turn of the twentieth century, see Arenfeldt and Golley (2012) and

(النساء العربيات في العشرينيات: حضوراً وهويةً" تجمع الباحثات اللبنايات)

Islamic Conference and announced that they would join the ranks of fighters against Zionism and imperialism. In Lebanon, the period between 1920 and 1939 witnessed a marked increase in women's activism and the establishment of approximately thirty-six women's organizations. One example of that momentum is the establishment of the Women's Union in Syria and Lebanon, which adopted Arab nationalist politics. The Moroccan women's union affiliated with the communist party was founded in 1944 and foregrounded the struggle for national independence. In Algeria, when France in 1958 asked women to burn their veils in a public square and chant "Algeria is a part of France," women wore veils and emphasized national identity and belonging, prioritizing the national struggle over their demands for political and social rights (Arenfeldt and Golley 2012).

While there is no denying that emerging women's movements in the Arab region benefited from an alliance with national liberation movements, which empowered women in the early stages of their struggle and accorded them social status and political legitimacy, national independence did not bring the expected gains for women's rights. The Algerian example is a stark case. Algerian women put their demands for equal rights on hold and joined the war for independence, which resulted in enormous sacrifices and loss of life. Yet once the war was won, women did not receive the acknowledgement they deserved as comrades in the struggle, and their demands for equality were disregarded (Arenfeldt and Golley 2012). The same held true in other postcolonial Arab states, though with important variations. In Egypt, women obtained universal suffrage and rights in the public sphere in 1956, but their status in the private sphere, regulated by the Personal Status Law, was left unchanged within the modernization project underway. The discrepancy between women's rights in the private versus the public spheres was prevalent across all Arab countries, with the exception of Tunisia, which radically changed its family code and provided women with legal and social protections (Arenfeldt and Golley 2012). Since then, activism for women's rights in Arab countries has largely focused on legal reform of family codes.

However, the key factor shaping women's movements in the Arab region is the form of rule in the new modern nation states. Characterized by authoritarian rule and undemocratic governance, Arab postcolonial states clamped down on dissent and all forms of opposition movements,

instituted one-party systems, and nationalized and appropriated social movements, including the women's movement. Political parties were banned in Syria, Egypt, Iraq, Libya, Tunisia, and replaced with one ruling party: the Ba'ath Party in Syria and Iraq, the National Democratic Party in Egypt, the National Liberation Front in Algeria, and the Constitution Party in Tunisia (Al-Ali 2007; Elsadda 2011, 2019; Arenfeldt and Golley 2012). In Morocco, parties were controlled by King Hassan II, who demanded loyalty to the crown. In the region, the exception was Lebanon, where the sectarian division of power allowed for the existence of plurality. Furthermore, Arab states imposed restrictions on independent civil society organizations and halted the development of rights movements, including the women's movement (Al-Ali 2007; Elsadda 2011, 2019; Arenfeldt and Golley 2012).

The opening of new political spaces, along with the realization that the new political parties continued to marginalize women's concerns, spurred the formation of a new generation of women's NGOs

Consequently, the decades immediately following the national independence of Arab states witnessed a decline in independent women's movements and the rise of state feminism in the 1950s, 1960s, and 1970s. Despite some notable achievements in women's education, employment, and legal protection, state feminism in the Arab region is generally associated with the cooptation, appropriation, manipulation, and stifling of independent civil and women's organizations. Many notable women's rights defenders were persecuted or marginalized in this period, and independent women's associations and platforms were shut down or appropriated, suppressing venues for creative thinking (Al-Ali 2007; Elsadda 2011, 2019; Arenfeldt and Golley 2012).

Two important developments toward the end of the 1970s and 1980s loosened the grip of authoritarian states on independent women's groups and allowed for the emergence of a new generation of women's NGOs in the 1980s and 1990s. The first is the economic liberalization policies adopted by some Arab states, notably Egypt, Tunisia, Morocco, and

Jordan. Economic liberalization went hand-in-hand with political liberalization and the establishment of multiparty systems in some Arab countries. The decline of the state's role in the provision of services created space for the private sector to grow and engage with global markets and systems, boosting the role of civil society institutions. In Morocco, a new generation of civil society organizations was established in the 1980s. This coincided with the move toward the democratization of political institutions as part of the monarchy's efforts to consolidate a unified position on the international scene regarding Morocco's claims to the Western Sahara (Naciri 1998, 3). Jordan adopted neoliberal policies in 1989 in response to pressure from the World Bank to decrease subsidies and initiate structural adjustment and austerity measures (Bertelsmann Stiftung BTI 2016). The implementation of neoliberal policies was expanded with King Abdallah II's accession to the throne. The monarchy also allowed for a multiparty system, partly to encourage alternatives to Islamist parties, and partly to shield the king from the responsibility of being the guarantor of citizens' welfare (Jarrah 2009, 6).

In Egypt, the open-door policy initiated by Anwar Sadat at the end of the 1970s and the adoption of structural adjustment policies resulted in economic liberalization and a move toward a form of political liberalization. The ban on the formation of multiple political parties was lifted, but still contingent on government approval. This policy shift was not an isolated incident. In 1981, Habib Bourguiba lifted the ban on the communist party in Tunisia and allowed more parties to obtain a legal status, but did not allow the formation of Islamist parties. Across the region, new political spaces opened up, and despite their limited nature, governments encouraged advocates for rights to fill those spaces and establish independent organizations.⁶

6. I have focused on four countries where economic liberalization ran parallel to political liberalization and the opening up of spaces for civil society activism and the emergence of the second generation of women's organizations in the 1980s and 1990s. Geopolitical conditions led to different trajectories in different countries. The Iraq/Iran war (1980–1988), followed by the sanctions imposed in 1990 after the invasion of Kuwait, had a crippling effect on civil society in general. The new generation of women's organizations appeared in 2003, following the invasion of Iraq by the US. In Algeria, while the 1989 constitution ended one-party rule and allowed for the beginning of a multiparty system and the establishment of independent civil society organizations, the liberalization process came to a halt in 1991 following the electoral success of the Islamic Salvation Front, the annulment of the election results, and the beginning of a civil war between Islamists and the army, known as the Black Decade. In Syria, the Ba'ath Party maintained its hold on power

The second development facilitating the spread of a new generation of women's NGOs is the internationalization of women's rights. The Second World Conference on Women held in Nairobi in 1985 was described by many as marking "the birth of global feminism," as it situated women's rights agendas at the center of world politics (Çagatay, Grown, and Santiago 1986). The Beijing Platform for Action, adopted in 1995 at the Fourth World Conference on Women, declared women's rights as human rights and committed states to specific actions to guarantee their compliance with the agreed resolutions. It also required governments to create national machineries for the monitoring and advancement of women at the highest level of government. It was within the framework of this global directive that national councils for women, or other forms of national organizations, were established in Arab countries (Elsadda 2019).⁷

Hence, the legacies of Arab women's movements, the relative opening of the political sphere, and the global internationalization of women's rights enabled the formation of women's NGOs which, I argue, led the production of knowledge on women's and gender studies.

III. NGOS AS INCUBATORS FOR WGS RESEARCH IN THE 1980s AND 1990s

A second generation of women's movements arose in the 1980s and 1990s in many Arab countries. Several of the founders of the first women's rights NGOs were women with a history in political activism or who were members of political parties. Many scholars point out that one reason behind the establishment of independent women's organizations that are not affiliated with political parties was the old and tenacious leftist and nationalist position that women's concerns were not a priority in comparison to liberation or democratization. Naciri (1998, 9) draws attention to "the orthodox political culture that permeated

until the outbreak of the Arab Spring, and civil society was ruled with an iron rod, despite official discourses to the contrary. Lebanon, on the other hand, enjoyed a much more liberal political environment in the post-independence phase compared to its neighbors, but the seventeen-year civil war that broke out in 1975 curtailed the civil democratic process that had started in the early 1970s. However, as a consequence of the political sharing of power between religious sects, Lebanon's laws grant civil society organizations a level of freedom and autonomy that is unequalled in all Arab countries. Recent developments post-Arab Spring signal an attempt by the state to impose some restrictions (USAID 2012).

7. For more details, see Elsadda (2019).

politics in Morocco from the time of independence until the mid-1980s, and which characterized gender claims as a deviation by marginalized women's groups from central political concerns." In addition, confronting the marginalization of women's rights by political elites became more urgent due to the rise of Islamist movements and the war between Islamist groups and the state in neighboring Algeria (Naciri 1998, 9). This was the backdrop for the establishment of the Democratic Association of Moroccan Women, the Union for Women's Action, the Association 95 Maghreb for Equality, and the Moroccan Association for Women's Rights (Naciri 1998).

Women who straddled the divide between academia and activism stood at the forefront of knowledge production in WGS in the Arab region

In Egypt, new women's organizations were formed during times of radical transformation in the body politic. These included Sadat's open-door policy and economic liberalization; the easing of restrictions on the formation of political parties; the initiation of the Islamization of the constitution and the civil code to garner the support of Islamist organizations for the peace treaty with Israel against nationalist, leftist opposition; and the rise of new Islamist movements and new social conservatism. The opening of new political spaces, along with the realization that the new political parties continued to marginalize women's concerns, spurred the formation of a new generation of women's NGOs. The Arab Women Solidarity Association was founded by Nawal El Saadawy in 1982; the New Woman Foundation in 1984; Bashayer in 1986; the Alliance for Arab Women and the Association for the Advancement and Development of Women in 1987; Al Nadim for Victims of Torture in 1993; NGOs Forum for Women and Development in 1994; the Centre for Women's Legal Assistance and the Women and Memory Forum in 1995; Egyptian Centre for Women's Rights in 1996; the Egyptian Initiative for Personal Rights in 2002; and Nazra for Feminist Studies in 2007 (Elsadda 2019).⁸ In Tunisia, the Tunisian Association of Democratic Women (ATFD) was founded in 1989, and the Association of Tunisian Women for Research and Development

8. The list is not exhaustive.

(AFTURD) were founded in 1989. Members of both associations were active participants in the Taher Haddad Club, where they engaged in social and political debates even prior to the formation of the two organizations. Labidi (2007, 12) maintains that the cultural and political context in Tunisia that enabled the formation of women's NGOs was influenced by the Iranian revolution in 1979, "the overturning of Jihan's Law in Egypt which had given divorced women additional rights," and the "crisis within the Tunisian League for the Defense of Human Rights ...brought about by the demand of an Islamist-oriented group for a referendum on the Personal Status Code."⁹

NGOs in the Arab region created new opportunities for research and training. Many academics either established or joined NGOs to supplement their incomes or to circumvent the many restrictions and limitations imposed by their institutions. Restrictions in academia varied in magnitude and specific contexts, but they all included the absence of safeguards for academic freedom, a lack of autonomy of many Arab universities, political intervention and manipulation, and ever-dwindling resources for national universities as governments in the region moved toward a privatized educational model. There is a direct link between the crisis in higher education institutions in the Arab region and the exodus of academics in search of more independent forums for research inquiry as well as livable incomes.

Adding to the appeal, academics' involvement in NGOs increased their symbolic capital. Unlike feminists in many Western—particularly Anglo-Saxon—universities, who have had to struggle with the notion that activism conflicts with neutral and objective scholarship, in the Arab region, feminist academics' active involvement in public debates, nonacademic activities, and independent research organizations enhanced their academic standing in their own institutions. Many academics acquired the status of public intellectuals largely through

9. Law 44 (known as Jihan's Law), which passed in 1979, allowed women whose husbands marry a second wife to file for divorce without having to prove harm. It also gave the divorced wife the right to the marital home for as long as she had custody over her children. In 1984, Law 44 was declared unconstitutional on procedural grounds, as it was passed by presidential decree during the summer recess of parliament and was not of an urgent nature to justify that the president practice his exceptional authority and not wait for the next parliamentary session. A modified version, Law 100, was passed with compromises to appease conservative voices in government and civil society (Labidi 2007).

their involvement with NGO agendas and activism. Women who straddled the divide between academia and activism stood at the forefront of knowledge production in WGS in the Arab region. In Morocco, Fatima Mernissi, a renowned sociologist and pioneer of Islamic feminism, was an active member of the women's movement. She is an excellent example of a public intellectual and academic who invested her symbolic capital in enabling feminist activist organizations and disseminating feminist concepts and ideas to a wider public.

NGOs have also enabled a robust interaction between academics and the general public. The new generation of women's NGOs emerged in tandem with a global feminist movement that promoted international linkages and exchanges. Academics benefited from regional and transnational opportunities that were not available within their universities. NGOs created alternative spaces for academic work and widened researchers' reach and audiences. Regional and transnational interactions between researchers have also created support mechanisms that have substituted to a large extent for the lack of support they receive from their home institutions. Moreover, NGOs have fostered closer interaction between academics, grassroots activists, and wider communities, prioritizing questions about how to make specialized research accessible and relevant beyond academia. The close links between academics and community activism enriched the experiences of Arab researchers and enabled the production of knowledge that bridged the gap and subverted the binary distinction between academic and activist knowledge.¹⁰

10. Anecdote 1: In 1995, a group of academics/activists established the Women and Memory Forum (WMF), which is a research organization conceptualized as a feminist intellectual project with an activist agenda. The majority of the group members were academics in national universities who believed that specialized research was the backbone of a strong women's movement, that a rereading or critique of Arab cultural history from a gender-sensitive perspective was essential for combating the political manipulation of women's issues in Egypt, and that the integration of WGS in higher education was crucial for the production of knowledge on gender and culture in Arabic for an Arab audience. In a different world, WMF could have been established at Cairo University. However, in the early 1990s, the conditions in national universities in Egypt were not conducive to establishing a specialized research center or program with a feminist agenda. Within academia, I taught gender theories and approaches in courses on modern English poetry and critical theory. The decision to step outside university walls and establish an independent research group, an NGO, was simply the only possible course of action at the time. The decision came with many challenges but also opportunities.

IV. CHALLENGES TO NGOS

Even though NGOs allowed for more freedom than academic institutions, they were not necessarily safe havens for research and activism. Like universities, they had to contend with various political, cultural, and financial challenges and constraints. NGOs in the 1980s and 1990s were established under the same draconian laws passed in the 1950s and 1960s in Egypt, Tunisia, Morocco, and Jordan,¹¹ and walked a tightrope on the margins of power. Most women's organizations, even those that worked directly with poor communities, had minimal grassroots bases and depended on international funding to operate. This rendered them easy targets for politically motivated smear campaigns and accusations of being vessels for Western imperialism. In addition, their dependence on international funding trapped them in a system where sustainability was an upward struggle. Almost all NGOs lacked solid institutional support and a secure basis for funding, which are prerequisites for maintaining autonomy and protecting researchers from falling prey to direct and immediate funding pressures. Rights-based NGOs, including women's NGOs, worked hard to reach out to wider constituencies, to gain social and political legitimacy, and to ensure that their activities, services, and research were widely disseminated, while constantly negotiating with states and international donor organizations and working with, around, and against changing political and global trends.

In addition to the above-mentioned challenges, women researchers/activists who founded or joined NGOs engaged with the growing critique of the role and conceptualization of "civil society" organizations and "NGOization" as a process linked to and promoted by neoliberal ideology.

11. To cite just one example, in Egypt, Law 44 (1963) regulating NGOs was still in force in the 1980s and 1990s, and ensured that all civil society organizations were controlled and supervised by the Ministry of Social Affairs (MoSA), with powers to disband, interfere in governance and implement harsh punitive measures for minor administrative errors. The generation of civil society organizations, particularly rights-based organizations, opted for a legal status that in theory allowed them to circumvent the restrictions imposed by the said law and avoid the supervisory role of MoSA. Their relative "freedom" to organize and function was primarily enabled by the transformation in the political system towards economic liberalization which also meant vestiges of political liberalization. Nevertheless, the fact remained that their legal status was precarious and their ability to function was contingent on political considerations that were beyond their control. The NGO law in Egypt was subsequently modified, in 2002, 2017, and 2019, but changes were more cosmetic than substantive. The underlying philosophy of the NGO law manifests a deep distrust between undemocratic regimes and all forms of civil independent organizing (Elsadda 2019).

Critics argue that, rather than acting as forces for democratic change (Abdelrahman 2004), NGOs primarily serve to depoliticize and deradicalize social movements (Petras 1997), functioning as agents of neoliberalism (Schuller 2007). A significant amount of scholarship engages with this contentious issue and complicates and adds nuance to such claims. Alvarez (1999, 183) argues "that feminist NGOs' [in Latin America] political hybridity enabled them to play a critical role in 'advocating feminism' by advancing a progressive gender policy agenda while simultaneously articulating vital political linkages among larger women's movement and civil society constituencies." Noting that the NGO is a neoliberal form of organizing, Bernal and Grewal (2014, 10) make a distinction between acknowledging that the NGO "is not radical in its form ... [and] the question of whether any particular NGO is radical in its agenda or organization."¹² For the Arab region, the critiques of NGOization were put forward by Palestinian researchers and activists primarily on the grounds that NGOs played a key role in demobilizing the national struggle for independence. Jad (2007, 623) argues that "the rights-based agenda of women's NGOs has had a negative impact on the mobilizing potential of mass-based women's organizations and that this impact, in turn, created a space that has helped Islamist groups to establish themselves as a powerful and hegemonic force in Palestinian society." The claim that NGOization demobilizes national liberation movements is particularly relevant to Palestine under Israeli occupation until now, but is not necessarily applicable to Arab postcolonial states where women's NGOs were formed in contestation with postcolonial authoritarian states and occupied spaces that were not filled with vibrant social movements. The fact remains that women's NGOs managed to sustain a rights movement and produce feminist knowledge that enabled and enriched the establishment of programs and research centers in Arab universities in the twenty-first century.

V. KNOWLEDGE PRODUCTION ON WGS IN ARAB NGOS: TRENDS AND DIRECTIONS

Women's NGOs established in the 1980s and 1990s played a key role in the production of knowledge on WGS in the Arab region.¹³ A general survey of

12. For a well-balanced and detailed discussion of the debates around NGOs and NGOization, see Bernal and Grewal (2014).

13. It is worth noting here that important articles in the field of WGS were consistently published in magazines and newspapers throughout the twentieth century. Some were more specialized

the trends and themes tackled by NGOs reveals a varied scene: a developmental focus on social and economic challenges to women and the impact of inequality on their lives and families; a cultural focus on identity issues, debates on the role of religions, and the challenges of interpretation from a gender lens; feminist postcolonial critiques of representations of Arab women and Muslim women in Western discourses and media; critiques of modernist discourses on "the woman question" in the region; and revisiting Arab histories from a gender lens and foregrounding the roles of women from earlier centuries, particularly women who contributed to the Arab *Nahda* and the imagining of modern nation states.¹⁴ Women's NGOs also produced shadow reports on the status of women in Arab countries, backed by research and extensive fieldwork, to counter official reports submitted by states to international monitoring bodies. The opening up of political and cultural spaces also enabled the publication of specialized journals and magazines, as well as the founding of publishing houses dedicated to women's issues.

Restrictions in academia varied in magnitude and specific contexts, but they all included the absence of safeguards for academic freedom

In Egypt, three important publications appeared in the 1980s: *Bint al-Ard*, a feminist magazine coedited by Iman Mersal and Jihan Abu Zeid in Mansoura in Egypt in 1985;¹⁵ *al-Mar'a al-Gadida*, a newsletter published by the New Woman NGO in 1986;¹⁶ and *Nun*, a feminist magazine published by the Arab Women's Solidarity Association (AWSA) led by Nawal El Saadawy in 1989.¹⁷ *Nun* took a feminist

than others but they certainly paved the way for the new discipline.

14. This list is based on an overview of publications by key women's rights organizations mentioned in this essay. For more information, visit their respective websites.

15. It is worth noting that this list is not intended to be exhaustive of all publications and feminist organizations in the Arab region.

16. The New Woman Foundation has continued to publish important books, magazines and journals on very diverse issues. For more information, refer to their website.

17. AWSA was dissolved in 1991 by the Egyptian government for alleged violations of Law 32 of the year 1964, according to the official narrative. In reality, it was on account of Saadawy's public opposition to the role of Egypt in the Gulf war. The assets

and confrontational approach to taboo issues, such as the role of religious leaders in disseminating discourses that consolidated gender inequalities. It focused on cultural challenges to women's freedom. Contributors also engaged with the West-versus-East binary and critiqued Western representations of Muslim cultures from a feminist postcolonial perspective. The first issue included a manifesto outlining the ideology and direction of the magazine and organization.¹⁸ The founder of AWSA, Nawal El Saadawy, is among the most well-known Arab feminists in the world and is author of many books and articles on literature, politics, and culture.

Knowledge production on WGS increased exponentially in the 1990s. The first issue of *Hagar*, a feminist journal, appeared in 1992, aimed at promoting research and knowledge production in Arabic. The journal's aims and direction were summarized in one sentence: "writing and reading from a woman-centered perspective"—in today's terminology, a gender perspective (1994 *الصدّة*). *Hagar* focused on the cultural history of women in the Arab region, particularly Egypt. It also published literary texts by women authors. Six issues were published, the last one in 1998. In 1993, the Arab Women Publishing House, Nour, was founded in Cairo in conjunction with the establishment of the Association of Arab Women in Beirut. Nour aimed to create a platform for women's voices and contributions to social and cultural debates in the Arab region and to encourage Arab women to author and publish research. Nour's publications were primarily in the fields of literary studies, social sciences, and health. It also published an eponymous newsletter/magazine, which mainly consisted of reviews and summaries of books by women authors or of relevance to WGS. Founded in 1995, the Women and Memory Forum (WMF) embarked on a revival project to republish texts authored by women in the late nineteenth and early twentieth centuries, creating an oral history archive of women's voices and rewriting folk tales from a gender-sensitive perspective (Women and Memory Forum, n.d.). As more women's NGOs

of the organization were transferred to an Islamic NGO.

18. I have translated the manifesto as follows: "We are a popular independent organization which cooperates with governmental and popular institutions, be they partisan or nonpartisan. This cooperation is characterized by autonomy, freedom, equality in thought and working relations. We are against imitation, we study our tradition with a critical lens, we take what is positive and discard what is negative, we study the present inside our country and outside. We are not afraid of other civilizations, be they western or eastern. We study them with critical minds and benefit from them, without blindly imitating them or blindly rejecting them" (1989 *مجلة نون*).

were established in the 1990s, there was a marked increase in knowledge production on WGS from a rights approach, with a particular emphasis on the legal status of women in personal status codes.¹⁹ NGOs in the 1990s also tackled controversial and taboo issues that were deliberately marginalized by the state, namely the issue of violence against women and the violations of their bodily rights. At the forefront of these efforts were two organizations: El-Nadim Center for the Rehabilitation of Victims of Violence and [the New Woman Foundation](#).²⁰ They conducted several studies, drafted a law to combat violence against women, and pioneered research on women's reproductive health.

Many of the founders of WGS programs in universities were themselves either members of activist women's NGOs or had close links with the movement

In Lebanon, the Arab Institute for Women at the Lebanese American University (LAU) first published *Al-Raida* in 1976. The journal published short essays on topical issues such as women's education and work, book reviews, short biographies of writers and authors who addressed women's issues (e.g., Qasem Amin, Zainab Fawwaz, and Amina Said), and drew attention to important areas for research. *Al-Raida's* long history renders it a good source of information on the development of trends and areas of interest in WGS in the Arab region. In 1992, the Lebanese Association of Women Researchers, Bahithat, was established to provide a platform for women to engage in research and dialogue. It brought together independent women scholars who rejected the forced divisions along confessional lines which were the basis of the civil war in Lebanon. The majority of members were academics at Lebanese universities in the social sciences, the humanities, and behavioral sciences. From 1994, Bahithat published an annual book series on a variety of topics, not necessarily with a focus on women's issues, but always

19. See [Center for Women's Legal Assistance](#) and the [Egyptian Center for Women's Rights](#).

20. El Nadim's website is currently inactive as the group is targeted by the state as part of the clampdown on human rights organizations in the aftermath of the January 25 revolution in 2011.

including articles from a gender lens. The annual book consists of articles authored by members of Bahithat, with commissioned contributions by Arab women and men authors. The series is a very important source of knowledge production in WGS in the Arab region.

In Morocco, Le Fennec publishing house was established in 1987, with a focus on essays and books on women's rights, human rights, law, and Islam. The publisher Laila Chaoui was an active member of the women's movement in the Maghreb who dedicated herself to making the intellectual contributions of women more visible. In 2004, Le Fennec launched a series of pocket book editions, Le Fennec Poche, to make available affordable books and encourage reading. Among its best-sellers was Fatima Mernissi's *Dream of Women: A Tale of a Childhood in the Harem* (Éditions Le Fennec 2018). Also for Le Fennec, from 1987 to 2003, Aicha Belarbi edited the *Collective Approaches*, a series of research on the status of women in Morocco. Women's NGOs in the Maghreb, founded in the 1980s and 1990s (mentioned above), such as the Association 95 Maghreb for Equality, conducted research grounded in women's lived experience, which was the backbone for the modification of the *Moudawana* in 2004.

In Tunisia, the magazine *Nissa* appeared in 1985 and lasted for two years. Building on earlier women's magazines in the Maghreb, it focused on defending women's rights within the framework "of a universalistic feminism based on law and a societally specific feminism" (Labidi 2007, 12). Together with publications by the new generation of NGOs in Tunisia, *Nissa* revived the memory of early pioneers of feminism in the Maghreb and reconstructed the narrative for future generations.²¹

The 1990s saw a vibrant expansion of feminist research in Islamic studies, or Islamic feminism. While there is no consensus on the definition of Islamic feminism—and it continues to be a contentious project that fuels heated debates among feminists—I use it here to signify a feminist intellectual project that consciously challenges dominant masculinist interpretations and knowledges and rereads Islamic texts, interpretations, and histories from a feminist lens. This working definition encompasses the knowledge production of women scholars who engage with Islamic traditions from a faith-based position, as well as scholars who do so strategically

21. For an analysis and overview of the *Nissa* and the contribution of ATFD and AFTURD, see Labidi (2007).

to counter the hegemony of orthodox masculinist knowledges that have adverse effects on societies trying to achieve gender equality.²² Islamic feminists in the Arab region have made significant contributions to the field of Islamic studies. They have also joined forces with the global Islamic feminist movement.²³

VI. THE NEW GENERATION OF WGS IN ARAB UNIVERSITIES

Despite the integration of WGS in higher education that took off in the West and spread around the world, and the resultant surge in research and training undertaken by Arab NGOs in the 1980s, WGS was slow to reach Arab universities. WGS programs in Arab universities emerged in response to the focus of international organizations on promoting gender education as a means of women's empowerment which began in the 1990s and was emphasized in 2000 as one of the key UN Millennium Development Goals. Many of these university programs were conceptually structured within a framework of neoliberal policies in higher education institutions and entrenched in market logic and neoliberal language (cost efficiency, added valued, etc.); for example, the majority of these programs were required to justify their existence by creating job opportunities, issuing policy briefs, and so forth. A number of institutes

22. Anecdote 2: In 1994, I participated in a workshop organized by Fatima Mernissi in Rabat, which I consider to be one of the first practical implementations of Mernissi's Islamic feminist project. She had already published her seminal book, *The Veil and the Male Elite: A Feminist Interpretation of Islam*, in 1987 in French. It was then translated into English in 1991. The book was banned in Morocco and other Arab countries, but was translated into Arabic with a critical introduction that aimed to refute Mernissi's argument. Participants in the workshop were members of women's groups in Algeria who were targeted by Islamist insurgents during the Black Decade. The aim of the workshop was to introduce them to basic knowledge, stories, and principles in Islam that supported women's rights in order to empower them in their struggle with the Islamists. The main speakers at the workshop were Farida Bennani, professor of Sharia in the Faculty of Law at Qadi Ayad University in Marrakesh, and Zainab Maadi, sociologist. They presented their edited volume, *A Dictionary of Women's Rights in Islam*, on the rights of women in Islam, focusing on sayings by the prophet as well as contextual anecdotes to shed new light on orthodox interpretations of the Quran from a feminist perspective. The workshop was conceived as an empowerment exercise using feminist knowledge in political battles over identity and cultural legitimacy.

23. An exhaustive list of publications by Arab Islamic feminists is beyond the scope of this paper. For further reading, see articles and books by Omaira Abu Bakr, Amel Grami, Zaynab Radwan, Ulfa Youssef, Asmaa Lamrabet, Nevine Reda, Mulki al-Sharmani, and Hosn Aboud. Also refer to Musawah, a global movement for equality and justice in the Muslim family.

were established inside universities at the end of the 1990s: the Institute of Women's Studies in Birzeit University in 1994 and an MA in the same university in gender and development in 2000; the MA in gender and development in the Ahfad University in Khartoum in 1997; the Centre for Women's Studies in the University of Jordan in 1998 and an MA in women's studies in 2006.

The institutionalization of these programs was driven by the efforts of determined activists with strong ties with women's movements who have succeeded in establishing gender programs often against the desire of university leadership. In Yemen, the Gender and Development Research and Studies Centre was established in 1996 by Raufa Hassan, a prominent women's rights activist who was forced to flee the country after a vilification campaign. The feminist activist and academic Rula Qawass was behind the establishment of the center and the MA at the University of Jordan. In Morocco, the Center for Studies and Research on Women was established in 1998 in the Faculty of Letters Dhar El Mehraz, Fes, and the Center for Women's Studies in the Faculty of Letters in Rabat (Sadiqi 2008, 464). In Egypt, the Cynthia Nelson Center for Women's Studies was founded in 2001 at the American University in Cairo and a few years later offered an MA in gender and women's studies in the Middle East and North Africa.

A second wave of university programs and institutes appeared in the second decade of the twenty-first century. Like their predecessors, these new programs also had strong activist women behind them. In Tunisia, the first gender studies program was institutionalized in the University of Manouba by Dalende Lagueche in 2015 in cooperation with Amel Grami and Rajaa bin Salameh, all feminist researchers with a history of women's rights activism. In Beirut, an MA in gender in development and humanitarian aid was founded in 2016 at the LAU; an MA in gender and development was established in 2017 in the Faculty of Economics and Political Science at Cairo University; in the Gulf, an MA in Muslim women's studies was founded in Zayed University in UAE and an MA in women, society, and development in Hamad Bin Khalifa University in Qatar.²⁴

Tadros and Habib (2015, 7) identify three key

24. For a mapping of centers and programs in the Arab region, see Tadros and Habib (2015). They also note that some programs mentioned in the literature do not appear on the website of universities making it unclear whether they materialized or not (Tadros and Habib 2015, 6). For further information, refer to

orientations of WGS programs in Arab universities: feminist literary and postcolonial studies, which "focus on theorization and problematization of representations of women in the Middle East in particular in Western discourses and paradigms"; a gender and development orientation focusing on "contemporary political, economic and social challenges"; and a family/Muslim orientation with a focus on identity issues. These main orientations build on and complement the accumulation of knowledge produced by women's NGOs as described in the previous section. This is not surprising given that many of the founders of WGS programs in universities were themselves either members of activist women's NGOs or had close links with the movement.

Will academics form links
with NGOs and better
acknowledge knowledge
production within
activist/research forums?

Furthermore, it is worth noting that the missions of WGS programs in Arab universities mirror those of NGOs. The mandates of some WGS centers in universities published on their websites read like the homepage of an NGO: capacity building, empowerment, training programs, advocacy, producing policy briefs. For example, the mission of the Regional Institute of Gender, Diversity, Peace and Rights at Ahfad University is described as follows: the center is "dedicated to excellence education in peace, gender equality, management of diversity and respect for human rights, as well as capacity development, community outreach activities and advocacy for creating change agents to promote women's empowerment, leadership and gender justice in societies" (Ahfad University for Women, n.d.). The Institute for Women's Studies at Birzeit University foregrounds its link to Palestinian women's activism and its role as "an academic underpinning to activism and debates around women's rights, gender relations and social policy in the local and regional context" (Birzeit University, n.d.). The institute produces policy-oriented research and has close ties with women's NGOs in

report published by the Asfari Center at AUB (2019), entitled رصد وتوثيق تجارب الدراسات الجندرية في الجامعات العربية والمراكز البحثية العربية.

Palestine and the Arab region. Its flagship journal, *Review of Women's Studies*, is an important bridge between activist and academic research (Birzeit University, n.d.).²⁵ The Arab Institute for Women at LAU "advances women's empowerment and gender equality nationally, regionally and globally through research, education, development programs, and outreach" (Arab Institute for Women, n.d.).

WGS university programs are also supported by grants from international donors who funded, and continue to fund, women's NGOs established in the 1980 and 1990s. Because they rely on foreign donor funding, university-based centers and programs worry about sustainability, scarcity of resources, and the pressures of ensuring new funds—similar to the concerns facing NGOs. Feminist academics also draw attention to challenges related to ideological resistance amongst colleagues as well as the risk associated with a change in leadership and consequent loss of support (Tadros and Habib 2015). Another key challenge to MA programs in WGS in Arab universities is the shortage of specialized material published in Arabic in the field.

Furthermore, the integration of WGS in Arab universities did not necessarily provide a safe haven for research and critical thinking in the field. In fact, events in the last two decades highlight the high cost paid by women academics who attempted to push the limits of the sayable. In 2016, after a controversy over a debate with a professor in the Sharia College on the subject of women and Islam, Hatoun El Fassi, a Saudi academic at Qatar University, was accused of criticizing the Quran, put under surveillance, and then banned from teaching her course (Alsahi 2017). Raufa Hassan was forced to leave Yemen for fear of her life after a vilification campaign. In short, women academics, researchers, and NGO workers in the field of WGS all contend with social and political pressures if they are seen as crossing political or cultural boundaries.

VII. WGS BETWEEN NGOs AND UNIVERSITIES IN THE TWENTY-FIRST CENTURY

Bearing in mind that the field of WGS arose from a social movement that challenged unequal power relations in societies, to what extent will the institutionalization of WGS in Arab universities

25. The first issue of the *Review of Women's Studies* was published in 2002. It is multidisciplinary and aims to "advance the understanding of gender issues in Palestinian society" (Birzeit University, n.d.).

result in gender sensitization among students and wider audiences and lead to a more just and equitable world? This is a difficult question that scholars of gender struggle with globally. Academics in Western universities, where WGS was institutionalized in the 1970s and 1980s, have expressed concern that the field has lost touch with its activist roots, and that the shift from women's studies to gender studies has further depoliticized the field. Feminist scholars have noted how "gender studies" was presented as more analytical and was welcomed by universities as politically less dangerous (Stromquist 2001, 375). In addition, the assumption that universities are safe havens for research and exploration of contentious and taboo issues is not very realistic, or at least has not been demonstrated yet, given the histories of universities in the Arab region. Moreover, the move toward privatization and the proliferation of neoliberal universities that prioritize profit over public good will only further endanger academic freedom and consolidate political conservatism. In fact, the challenges brought about by the neoliberalization of higher education institutions are global. Feminist scholars have noted that "academic freedom is tenuous for academics who do critical work that challenges systematic racism, sexism, heterosexism, and classism" (Falcon et al. 2014, 265). It is very likely that the neoliberalization of universities, in addition to the compromised track record of Arab universities due to political interventions, will continue to push cutting-edge and critical research in the humanities and social sciences outside university walls and into independent research organizations that succeed in maintaining a degree of autonomy.

The early decades of the twenty-first century, when most WGS programs were established in Arab universities, also marked the emergence of a new generation of young feminist collectives in Arab countries, which were formed against the background of increasing discontent with dysfunctional and oppressive regimes. This new generation flourished and gained visibility during and after the wave of revolutions that swept the Arab region in 2011. The list of young feminist groups in the region is long and their work is impressive and daring. Many of them are informal groups that chose not to opt for official status. The new generation of young feminist groups broke new ground in research and activism and initiated and led debates on sexualities, identity issues, and violence against women. A good example of new directions is *Kohl: A Journal for Body and Gender Research*. Founded in 2015, it focuses on gender and sexuality in the Middle East, Southwest Asia,

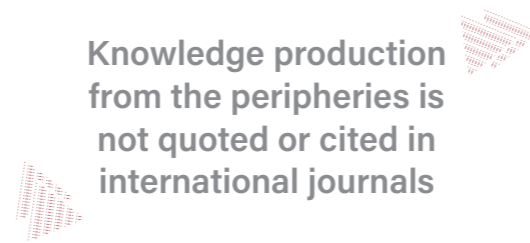
and North Africa, adopting a decolonial approach “to trouble the hegemony of knowledge production, and ensure that our regions and communities play a central role in redefining their own intersections and challenges” (Kohl, n.d.). From their position as feminist/political activists, they broached highly political sensitive topics, such as politically motivated sexual violence in times of conflict and revolutions, and foregrounded the issue of state oppression of women’s rights defenders. They also responded to the changing political scene by forming coalitions with like-minded rights groups, forging alliances with political parties, and establishing NGOs. These new groups succeeded in exposing the gendered dimensions of political participation in times of change, and the legal challenges to women’s rights in the aftermath of revolutions.

Over the past decade, new initiatives devoted to feminist research and knowledge production have increasingly turned to storytelling and archive-building as a methodology for advocacy and research. For example, Nazra for Feminist Studies, founded in 2005, is a rights-based organization that conducted advocacy campaigns and empowered women “to write their stories in their voices” (Nazra 2015). Founded in Beirut in 2009, Sawt al-Niswa is “a community of feminist writers, activists and artists” that works on producing alternative feminist knowledges (Sawt al-Niswa, n.d.). The founders of Sawt al-Niswa then established the Knowledge Workshop (Warshet al-Ma’arif) in 2015 with the aim of “(re)searching and gathering women’s stories, for creating and sharing feminist resources” (Knowledge Workshop 2021). Storytelling and the elevation of women’s voices also became goals of many feminist websites. For example, *Thawrat El Banat*, which started in 2012, succeeded in publishing more than eleven thousand stories exposing sexual violence and gender-based discrimination against women. Qandisha, a Moroccan webzine founded in May 2011, collected stories and testimonials by women (Qandisha 2015). Many of these informal initiatives were discontinued subsequent to the political changes in the past decade.²⁶ But as some initiatives disappear, new ones emerge to contribute new knowledge and insights.

26. It is beyond the scope of this paper to do justice to the contribution of young feminist groups in the region. For activism post-2011 in Egypt, see Maissan Hassan (2016). For more on the contribution of selected examples of young feminist groups, see essays published in JMEWS: Nazra (2015); Qandisha (2015); No to Oppressing Women Initiative (2015); Sawt Al Niswa (2015); Rafidayn Women’s Coalition Association (2015); Thawrat El Banat (2015); Helem (2015); Association Tounisset (2015); and Sadiqi (2016).

VIII. CONCLUSION

As we have seen, unique historical, political, and social factors have shaped the trajectory of women’s and gender studies in the Arab region. Given the current state of WGS, the following questions arise: (1) Will WGS programs in universities have the freedom to engage with changing political and social challenges? (2) How will the general clamp-down on independent NGOs in the Arab region affect academic engagement with women’s NGOs that are locked in political and legal struggles with states? (3) Will academics form links with NGOs and better acknowledge knowledge production within activist/research forums? (4) Will they draw on the expertise of NGOs, and include their publications in course units? (5) Finally, given the global power dynamics of knowledge production, circulation, and legitimization, what are the prospects for the field of WGS?



The answers to the first two questions will depend on the degree of autonomy of each university and the level of academic freedom negotiated with authoritarian states, particularly now, as the region is rife with conflict, political upheavals, and wars. Political spaces that opened up in the immediate aftermath of revolutions have slammed shut, and NGOs are experiencing an increase in repressive surveillance and control. University administrations keen on maintaining good relations with ruling regimes might discourage interaction and cooperation with NGOs, particularly activist women’s NGOs. Much also depends on the profile of academics employed, how they perceive their role as academics and the role of universities, and their interest in and ability to, given political restrictions, engage in public debates. Again, there are important differences between countries, but a high level of vigilance is required to safeguard the future of intellectual vitality in WGS in universities.²⁷

27. Anecdote 3: In 2014, a group of feminist academics at Cairo University organized and succeeded in issuing the first anti-sexual harassment policy in a national university in Egypt and established an anti-sexual harassment unit. The conceptualization of the policy, and subsequent advocacy activities, were all done in collaboration with feminist NGOs who had already produced relevant research and had accumulated experience in addressing the gendered complexities of sexual harassment. It was possible

The last three questions can be addressed with reference to two distinct variables: the impact of the digital revolution on the one hand, and the challenge of the “coloniality of knowledge production” on the other. First, the digital revolution has created spaces that enable new actors and knowledge producers to disseminate ideas at an unprecedented scale. Women’s rights activists have occupied these spaces and succeeded in producing important interventions in the field of WGS. Independent NGOs have benefited from the relative freedom of movement and communication enabled by technology and succeeded in addressing issues deemed politically or culturally sensitive. This is certainly true with regards to research on sexuality or gender-based sexual violence. In the twenty-first century, the boundaries between specialized academic research and activist research are more fluid. Further research should pay close attention to how scholars and activists are traversing and blurring these boundaries.

Second, knowledge production in the field of WGS is subject to an established regime of truth in global higher education, in which the global North dominates the production and circulation of knowledge, and the overriding assumption is that the global South produces raw data and not theory. Knowledge production from the peripheries is not quoted or cited in international journals, and scholars from the South must publish in international journals in English and cite English texts to gain recognition and status. This state of affairs has resulted in a universalistic approach to gender studies in universities. Critiques of universalistic and Eurocentric understandings and approaches to “the coloniality of gender”²⁸ have come from decolonial thinkers in Latin American studies, Islamic studies, and African studies, resulting in “a mosaic epistemology... [i.e.] separate knowledge systems or projects sit beside each other like tiles in a mosaic, each based on a specific culture, religion, language, historical experience... and none should be taken as universal, as the master narrative for the whole world” (Connell 2014, 522).²⁹ The binary between universal and culturally

in 2014 to host events organized by feminist NGOs inside the campus and distribute their brochures and materials. Gradually, and as more restrictions were imposed on NGOs in Egypt, it became more and more difficult to invite our partners or organize joint events, due to administrative directives and security surveillance.

28. For a good survey of approaches to decolonization of gender, starting from second-wave feminists who foregrounded identity politics as epistemological loci, see Dietze (2015). Dietze traces the beginnings of addressing the “coloniality of gender,” as used by Lugones (2010) with reference to Quijano’s (2000) “coloniality of power.”

29. Connell (2014) cites Fatima Mernissi as a theorist who

specific epistemologies is a persistent challenge to WGS globally.

When it comes to the status of knowledge produced by NGOs in the Arab region, and the possibilities for its integration in course curricula in WGS programs, many issues arise. To begin with, and from a practical point of view, NGO publications qualify as grey literature—publications with limited circulation and access.³⁰ To date, there is no Arab database or library where a researcher can access all NGO grey literature in WGS in Arabic.³¹ The challenge of integrating grey literature in universities is not limited to the difficulties in access and circulation; it is also an issue of what counts as credible knowledge—that is, knowledge that has gone through the global process of legitimation (peer reviewing, publication in international accredited journals). In addition, most of this knowledge is written and published in Arabic. In the context of unequal power relations in the circulation of knowledge production, the Arab region resides on the peripheries of power centers. Research published in Arabic is rarely quoted in international publications on the Arab region, and researchers at many Arab universities are required to publish in English and cite English research for promotion purposes. Hence, even within Arab academic circles, research in Arabic does not receive the same recognition and credit as research published in English or French.

Notwithstanding all of the above challenges, WGS in the Arab region promises to be a vibrant field of knowledge production. Political and social constraints may limit research or undermine researchers in the field in the short term, but in the long term can spark creativity and contestation of the status quo, crucial factors for the growth and strength of fields of knowledge. In addition, more and more feminist scholars across the globe are joining efforts to undercut the unequal power dynamics in the production and circulation of knowledge by publishing their work in open-source venues and

proposed an “Islamic methodology for feminism” as part of intellectual projects to challenge Eurocentric and universalist feminism.

30. The more common forms of grey literature that are not included in commercial publishing databases are reports, working papers, and evaluations. In the Arab region, even books qualify as grey literature since most are not available for sale in bookstores, or are distributed free of charge to a limited list.

31. This problem has been the subject of much discussion between NGOs. The Women and Memory Forum Library and Documentation Center was established in 2008 to fill this gap and collect and catalog all publications in WGS in Arabic in one location. To date the library has over 5,000 publications in WGS in Arabic. However, work in the library has been hindered by various restrictions on NGOs in Egypt since 2011, and more resources are needed to continue the work.

allocating more funds to translation and publishing in multiple languages. The struggle continues.

Bibliography

- Abdelrahman, Maha. 2004. *Civil Society Exposed: The Politics of NGOs in Egypt*. Cairo: American University in Cairo Press.
- Ahfad University for Women. n.d. "Vision, Mission & Objectives." Accessed May 2, 2020. <http://gender.ahfad.edu.sd/index.php/about-us/vision-mission-objectives>.
- Al-Ali, Nadje. 2007. *Iraqi Women: Untold Stories from 1948 to the Present*. London: Zed Books.
- Alvarez, Sonia. 1999. "Advocating Feminism: The Latin American Feminist NGO 'Boom.'" *International Feminist Journal of Politics* 1 (2): 181–209.
- Alsahi, Huda. 2017. "The Challenges of Teaching Women's and Gender Studies in the Gulf Region." *Gulf Affairs*. https://daphnis.wbnu.edu.net/~wbplus/websites/AD2902892/files/analysis_-_alsahi.pdf
- Arab Institute for Women. n.d. "About: The Arab Institute for Women: LAU." Accessed April 29, 2020. <https://aiw.lau.edu.lb/about/>.
- Arenfeldt, Pernille, and Nawar Al-Hassan Golley, eds. 2012. *Mapping Arab Women's Movements: A Century of Transformations from Within*. Cairo: American University in Cairo Press.
- Association Tounissiet. 2015. "Association Tounissiet." *Journal of Middle East Women's Studies* 11 (3): 365–67.
- Bernal, Victoria, and Inderpal Grewal, eds. 2014. *Theorizing NGOs: States, Feminisms and Neoliberalism*. Durham, NC: Duke University Press.
- Bertelsmann Stiftung BTI. 2016. *Jordan Country Report*. Gütersloh: Bertelsmann Stiftung.
- Çagatay, Nilüfer, Caren Grown, and Aida Santiago. 1986. "The Nairobi Women's Conference: Toward a Global Feminism?" *Feminist Studies* 12 (2): 401–12. <https://doi.org/10.2307/3177975>.
- Castano, Lola. 1992. "Women's Studies in Spain." *Women's Studies Quarterly* 20 (3/4): 127–35.
- Coate, Kelly. 1999. "The History of Women's Studies as an Academic Subject Area in Higher Education in the UK: 1970-1995." Thesis submitted to the Institute of Education, University of London. <https://core.ac.uk/download/pdf/83877.pdf>.
- Connell, Raewyn. 2014. "Rethinking Gender from the South." *Feminist Studies* 40 (3): 518–39.
- Dietze, Gabriele. 2015. "Decolonizing Gender – Gender Decolonial Theory. Cross-Currents and Archaeologies." In *Postcoloniality – Decoloniality – Black Critique*, edited by Sabine Broeck and Carsten Junker, 1–23. Frankfurt: Campus Verlag.
- Éditions Le Fennec. 2018. Accessed April 16, 2020. <https://lefennec.com/la-maison-dedition/>.
- Elsadda, Hoda. 2011. "Women's Rights Activism in Post-Jan25 Egypt: Combating the Shadow of the First Lady Syndrome." *Middle East Law and Governance* 3:84–93.
- Elsadda, Hoda. 2019. "Against All Odds: Arab Feminisms in Postcolonial States: A Legacy of Appropriation, Contestation and Negotiation." *Journal of Feminist Scholarship*, 16 (Fall): 53–64.
- Falcon, Sylvanna, Sharmila Lodhia, Molly Talcott, and Dana Collins. 2014. "Teaching Outside Liberal-Imperial Discourse: A Critical Dialogue about Antiracist Feminisms." In *The Imperial University: Academic Repression and Scholarly Dissent*, edited by Piya Chatterjee and Sunaina Maira. Minneapolis: University of Minnesota Press.
- Filipowicz, Halina. 2014. "Am I That Name? Feminism, Feminist Criticism, and Gender Studies." *The Polish Review* 59 (1): 3–15.
- Golley, Nawar al-Hassan, and Pauline Homsy Vinson. 2012. "Challenges and Opportunities: The Women's Movement in Syria." In *Mapping Arab Women's Movements: A Century of Transformations from Within*, edited by Pernille Arenfeldt and Nawar al-Hassan Golley. Cairo: American University in Cairo Press.
- Hassan, Maissan. 2016. "Political-Social Movements: Community-Based: Egypt (Post-Revolution)." In *Encyclopedia of Women and Islamic Cultures*, edited by Suad Joseph. Consulted online April 30, 2020. http://dx.doi.org/10.1163/1872-5309_ewic_COM_002053.
- Helem. 2015. "Helem." *Journal of Middle East Women's Studies* 11 (3): 368–70.
- Birzeit University. n.d. "The Institute of Women's Studies at Birzeit University." Accessed May 2, 2020. <http://iws.birzeit.edu/>.
- Jad, Islah. 2007. "NGOs: Between Buzzwords and Social Movements." *Development in Practice* 17 (4-5): 622–29.
- Jarrah, Sameer. 2009. "Civil Society and Public Freedom in Jordan: The Path of Democratic Reform." Working paper no. 3, Saban Center for Middle East Policy at the Brookings Institution, Washington, DC.
- Kohl. n.d. "A Journal for Body and Gender Research." Accessed April 30, 2020. <https://kohljournal.press/about>.
- Kraft, Helga. 2014. "Gender Studies and Wissenschaftlichkeit in Germany." *Women in German Yearbook* 30:107–124.
- Labidi, Lilia. 2007. "The Nature of Transnational Alliances in Women's Associations in the Maghreb: The Case of AFTURD and ATFD in Tunisia," in "Transnational Theory, National Politics, and Gender in the Contemporary Middle East/North Africa," special issue. *Journal of Middle East Women's Studies* 3 (1): 6–34.
- Lugones, Maria. 2010. "Toward a Decolonial Feminism." *Hypatia* 25 (4): 742–60.
- Mernissi, Fatima. 1987. *The Veil and the Male Elite: A Feminist Interpretation of Women's Rights in Islam*. Translated by Mary Jo Lakeland. Perseus Books Publishing, 1991.
- Naciri, Rabea. 1998. "The Women's Movement and Political Discourse in Morocco." *UNRISD Occasional Paper*, No. 8, Geneva, March 1998.
- Nazra for Feminist Studies. 2015. "Nazra for Feminist Studies." *Journal of Middle East Women's Studies* 11 (2): 238–39.
- No to Oppressing Women Initiative. 2015. "No to Oppressing Women Initiative." *Journal of Middle East Women's Studies* 11 (2): 240–41.
- Pande, Rekha, ed. 2014. *A Journey into Women's Studies: Crossing Interdisciplinary Boundaries*. London: Palgrave Macmillan.
- Petras, James. 1997. "NGOs and Imperialism." *Monthly Review* 49 (7): 10–27.
- Qandisha, 2015. "Qandisha." *Journal of Middle East Women's Studies* 11 (2): 246–47.
- Quijano, Anibal. 2000. "The Coloniality of Power, Ethnocentrism and Latin America." *Nepantla: Views from the South*, 1.3: 533–80.
- Kramarae, Cheris, and Dale Spender, eds. 2000. *Routledge International Encyclopedia of Women: Global Women's Issues and Knowledge* (1). New York: Routledge.
- Sadiqi, Fatima. 2016. "Emerging Amazigh Feminist Nongovernmental Organizations." *Journal of Middle East Women's Studies* 12 (1): 122–25.
- Sawt Al Niswa. 2015. "Sawt al-Niswa." *Journal of Middle East Women's Studies* 11 (3): 371–73.
- Sawt al-Niswa. n.d. "About Us / عن صوت النسوة." Accessed April 10, 2020. <https://sawtlniswa.org/about>.
- Schuller, Mark. 2007. "Seeing Like a 'Failed' NGO: Globalization's Impacts on State and Civil Society in Haiti." *PoLAR* 30 (1): 67–89.
- Stromquist, Nelly P. "Gender studies: A global perspective of their evolution contribution, and challenges to comparative higher education." *Higher Education* 41, no. 4 (2001): 373–387.
- Tadros, Mariz, and Akram Habib. 2015. *Mapping of Gender and Graduate Programmes in the Arab World: Best Practices and Lessons Learnt*. UK: IDS Report.
- Temkina, Anna, and Elena Zdravomyslova. 2003. "Gender Studies in Post-Soviet Society: Western Frames and Cultural Differences," in "Gender and Culture Theory in Russia Today," special issue. *Studies in East European Thought* 55 (1): 51–61.
- Thawrat El Banat. 2015. "Thawrat El Banat." *Journal of Middle East Women's Studies* 11 (3): 374–75.
- USAID (United States Agency for International Development). 2012. *The 2012 Civil Society Organization Sustainability Report for the Middle East and North Africa*. Washington, DC: United States Agency for International Development. https://www.usaid.gov/sites/default/files/documents/1866/2012_MENA_CSOSI.pdf.
- Knowledge Workshop. 2021. "We Come from من وين جينا." Knowledge Workshop, June 20, 2021. <https://www.alwarsha.org/meen-kw-%d9%85%d9%86-%d9%86%d8%ad%d9%86/we-come-from/>.
- Women and Memory Forum. 2015. "The Women and Memory Forum." *Journal of Middle East Women's Studies* 11 (1): 134–35.

المراجع العربية

- عماد أبو غازي، هل غيرت الجامعة المجتمع...؟ الجامعة الأهلية وحرية الفكر، الشروق، الأحد 26 فبراير، 2012. <https://www.shorouknews.com/columns/view.-46b1-43d5-1cea1e52=id&26022012=aspx?cdate796e1c7d95df-99e1>
- مجموعة من الباحثات. النساء العربيات في العشرينيات: حضورا وهوية. تجمع الباحثات اللبنانيات. بيروت، ومركز دراسات الوحدة العربية، 2003.
- رصد وتوثيق تجارب الدراسات الجندرية في الجامعات العربية والمراكز البحثية العربية. معهد الأصفري، الجامعة الأمريكية في بيروت، 2019.
- لا مجال للتنفس: القمع الحكومي للنشاط بمجال حقوق الإنسان في سوريا - هيومن رايتس ووتش - 16 أكتوبر/ تشرين الأول 2007.
- فريدة بناني وزينب معادي، قاموس حقوق المرأة في الإسلام. فريدريش إيبرت، 1994.
- محمد جمال باروت، العقد الأخير في تاريخ سورية. جدلية الجمود والإصلاح - منشورات المركز العربي للأبحاث ودراسات السياسات، بيروت، 2012.
- مجلة نون، العدد 1، مايو 1989.
- هدى الصدة، "الفرضيات التالية" في هاجر، كتاب المرأة، العدد 2، 1994.
- هند محمود وشيخ طنطاوي، دليل المبادرات النسوية\النسائية الشابة. القاهرة، نظرة للدراسات النسوية، 2016.
- هويدا عدلي، التسامح السياسي: المقومات الثقافية للمجتمع المدني في مصر، القاهرة: مركز القاهرة لدراسات حقوق الانسان، أطروحات جامعية، 2000.



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Feminist Security Studies: An Introduction

I. INTRODUCTION

In the social sciences, the field of international relations (IR) and its subfield security studies (SS) are not often a priority in gender analysis and feminist perspectives. This is not because IR and SS are gender-neutral, as many scholars believe. On the contrary, the field is thoroughly masculinized, and hierarchical gender relations are hidden (Tickner 1992). The field assumes a set of binary distinctions that translates in political discourse into an othering process that excludes those who are "outside," mainly foreigners and women. The latter are depicted as emotional, irrational, and unstable. This construction mirrors a stereotypical understanding of gender as defined by a set of hierarchical binary oppositions—public versus private, reason versus emotion, autonomy versus relatedness, protector versus protected, perpetrator versus victim, objective versus subjective, and culture versus nature—in which the first is associated with masculinity and the second with femininity. The hierarchical construction of these dichotomies perpetuates women's oppression (Sjoberg 2009; Tickner 1992).

In the late 1980s and early 1990s, feminist scholars criticized these dichotomies and called for the integration of gender into mainstream IR and SS theories. Since then, feminist IR/SS scholarship has taken gender as a central category of analysis and paved the way for the emergence of feminist security studies (FSS), which analyzes the way these binary oppositions operate in the field of international relations and in international politics (Tickner 1992, 17). Feminist scholars have shown how these concepts of femininity and masculinity permeate our contemporary global system, in turn limiting the options available to states and policymakers by focusing on men's experiences and ignoring a large body of human knowledge: that of women.

The field of FSS considers other, nonhegemonic experiences and worldviews; it examines these lived human experiences and their nuances

and sheds light on discussions and debates on nontraditional security issues beyond war versus peace, civilian versus military, and victims versus perpetrators. Looking creatively at feminist approaches, we find that FSS brings a unique viewpoint that utilizes a gender perspective to examine the relationships between the material and discursive, while considering both men and women, masculinities and femininities, as well as power relations, positionality, and intersectionality (gender, race, class). As a result, issues such as gendered nationalism, post-conflict reconstruction, trafficking, conflict-related sexual violence, and women's role in conflict (as peace activists, victims, and perpetrators) have gained new recognition in academia and policy circles (Tickner 2011, 578).

This paper begins with an introduction to FSS, both in general and in the Arab region in particular. In the first section, I survey the state of FSS—its key issues, debates, and theories, in their diversity and multivocality—and examine how thinkers have redefined key concepts and assumptions in international relations and security studies. The second section interrogates mainstream security studies, feminism, and the "Eastern Other," demonstrating how FSS thinkers have exposed the Western-centric nature of mainstream scholarship on conflict and security. The third section attempts to provide a nuanced understanding of women's roles in the Arab region in times of peace and war that goes beyond the binary opposition between victims and heroes, exploring women's struggles for equality in the region, the status of women in the military, and their role as perpetrators of violence. I also provide an analysis of the crucial need to include women in political decision-making positions and the various obstacles and opportunities they face. I conclude by outlining current blind spots and potential future avenues for FSS research that recognizes a diversity of contexts and experiences in order to advance women's emancipation and empowerment.

It should be noted that there is no true and authentic representation because all representational practices are partial and political (Shepherd 2013, 436). Thus, this paper is not immune from partiality despite my efforts, as there are inevitably axes of exclusion that are impossible to surmount.

II. GENERAL OVERVIEW OF FEMINIST SECURITY STUDIES

This section surveys the conceptual, theoretical, and analytical functions of feminist security

studies. Since its inception, FSS has succeeded in challenging, enriching, and expanding notions of security by making four crucial “theoretical moves” (Blanchard 2003, 1290). First, FSS challenges women’s supposed absence from and irrelevance to international security politics, which entails recognizing women’s exclusion from decision-making and recovering their experiences. Second, FSS questions conventional notions of security and the state’s role as women’s protector. Third, the field explores women’s exclusion from the male-dominated field of IR and studies different types of masculinity. Fourth, FSS contests gendered divisions of violence that produce crisis and insecurities, in which women become synonymous with peace, passivity, weakness, and victimhood. In this context, FSS asks for these discourses to be more balanced by acknowledging women as perpetrators and supporters of war-making.

1. Challenging Realism

First, FSS challenges realist and neorealist theories of international relations that take the state as the referent object of “security” and focus on war as the key threat to the state’s security. In realist and neorealist theories, states are perceived as militaristic, violence as endemic, and women as irrelevant in IR and SS’s high politics. FSS rejects the patriarchal discourse that renders women invisible because their “feminine sensibilities” are incompatible with the “harsh realities” of men, the public sphere, and war (Kronsell 2006, 109). It likewise rejects the postulate of a domestic-versus-international or private-versus-public divide, in which men are the sole political actors and citizens while women are relegated to the private sphere. The field is ultimately concerned with looking for gendered silences in mainstream, or malestream, international relations scholarship, which is dominated by masculine voices and values that claim gender neutrality (109).

Two works are essential to mention here because they have provided a necessary blueprint for FSS and its revisioning of IR. The first is *Women and War* (1987), by Elshtain, who challenged the divide between domestic and international. Elshtain explains women’s complex relationships to war and politics based on their war discourses from the Greeks onward. She examines how war’s “productive destructiveness” inscribes both men’s and women’s identities and the community’s boundaries. For Elshtain, war creates the people;

it produces power, both individual and collective (Elshtain 1987, 166–67). The second is Enloe’s *Bananas, Beaches, and Bases* (1989). In this work on military bases, Enloe shows the importance of reevaluating gender discourse. She inserts women’s ordinary lives into the international political continuum and shows how the everyday workings of gendered power support practices of international relations. For instance, she demonstrates the importance of diplomats’ wives, who, through the hospitality of the domestic space, create the needed trust and confidence for the international relations of negotiation.

Several works of feminist IR published at the beginning of the 1990s are also worth mentioning. Among these are *Women, Militarism, and War* (1990) by Elshtain and Tobias and *Feminist Theory and International Relations in a Postmodern Era* (1994) by Sylvester. FSS looks for gender in spaces where it is supposedly “absent,” such as governments and international institutions that use exclusively masculine methods and theories.

2. Redefining Security

Second, FSS challenges IR’s core concept of security. Among the books that have evaluated the prevalent notions of security from a gender-sensitive perspective is Tickner’s *Gender in International Relations* (1992). In this book, Tickner shows how the explanations of war in IR are incomplete because they are grounded in a biased discourse that foregrounds “hegemonic masculinity”¹ (Connell 1995, 77). Foreign policy and military affairs are considered masculine, rational, strong, powerful, and independent, all features associated with men. Tickner challenged the dichotomy between international and domestic politics that echoes the public-versus-private divide and perpetuates domestic violence. For Tickner specifically and FSS in general, there should be no separate level of analysis for war and no identification of security with state borders, because violence at all levels (familial, national, and international) is interconnected (Tickner 1992, 193). For example, family violence has to be analyzed in the context of broader power relations because it takes place in a gendered society in which male power dominates all levels.

1. Connells (1995, 77) defined it as “the configuration of a gender practice which embodies the currently accepted answer to the problem of the legitimacy of patriarchy, which guarantees (or is taken to guarantee) the dominant position of men and the subordination of women.”

As a result, FSS calls for a new definition of security that incorporates the elimination of all types of violence, including structural violence. Borrowing from peace research (Galtung 1971), Tickner (1992, 69) introduced the economic and environmental insecurities not of war but instead of the domestic and international structures of political and economic oppression. Others, such as Runyan (2019, 86), explained that violence has to be associated with gender, race, and class to expose the linkage between relations of domination and subordination that exist at all levels and create the conditions for structural and direct violence. For FSS, gender division of labor, the dictates of discounting work at home, poverty, and sexual violence contribute to women’s insecurities in the international political economy.

Feminist international relations scholarship has taken gender as a central category of analysis and paved the way for the emergence of feminist security studies

From an FSS perspective, the state talks of human security and the need to protect the most vulnerable citizens (women and children) while putting them at risk. As such, FSS challenges the role of the state as a full protector of women, as it is implicated in oppressing and reducing them to objects of masculinist social control. Ideological constructs such as the cult of motherhood and women’s work justify structural violence against women (i.e., sexual harassment, the gender wage gap, and inadequate health care) and direct violence (rape, battering, incest, and murder) (Peterson 1992, 46). The state assigns women the role of “protected” despite the risks and dangers often posed by their guardians. As rightly put by Stiehm (1983, 373), the oppression of women is the result of the state’s inability to protect them: “[...] because the protector is embarrassed and frustrated by his failure to protect, he restricts his protectee instead.”

3. Redefining Masculinity

Third, to fight the assumption that gendered security practices are only about women, FSS developed a “kaleidoscopic” concept of masculinity to explain security. For instance, Tickner (1992, 137) focuses

on Connell’s concept of “hegemonic masculinities” (1995). She calls for taking inspiration from feminine characteristics instead of seeing them as markers of female moral superiority. Similarly, Murphy (1998) presents six types of masculinity in international politics: the civilian strategist, the good soldier, the military son, the good comrade, the fashionable pacifist, and the Sisyphean peacemaker. According to Murphy, these types are intrinsically linked to supporting the figure of the “good soldier.”

FSS argues that the technological advances in weapons and logistics marked the rise of particular masculinity: the technical, professional, and rational expert. Originally understood as “feminine” due to its sedentary nature, this type of work took on a new, more powerful meaning for middle-class men, influenced by computer marketing campaigns and violent games (Connell 1995, 55–56). Niva (1998) showed the rise of this type of masculinity during the 1991 Gulf War. At the expense of foot soldiers, the media presented a newly hegemonic masculinity, that of well-educated and well-equipped men such as pilots, computer programmers, and missile technologists. To counterbalance the supposed violent and irrational masculinity represented by Iraqi president Saddam Hussein, media coverage focused on the militarized yet sensitive and compassionate American man (Niva 1998, 119).

The scandal of Abu Ghraib similarly highlighted the gendered relationship between the US and Iraq, which has been framed as a competition between hegemonic masculinities and stories of one another’s emasculation. On the one hand, the American narrative focused on the tough yet tender and technologically advanced Western man fighting the Arab villain from a barbaric civilization. On the other hand, the Iraqi government challenged this soft and delicate masculinity (Niva 1998, 119).

To conclude, FSS offers a revisioning of security issues in which gender is taken seriously. FSS elucidates gendered hierarchies and unveils patriarchal structural violence to achieve common security. As the field expanded, it played a crucial role in contesting realist and neorealist notions of security and violence and highlighting the human subject’s role in academia. However, the field was outpaced by the nation-state’s policy world, as shown by the acceptance of feminist issues and the quick diffusion of “gender mainstream” bureaucracies and gender-sensitive policies across states (True and Mintrom 2001, 29). The adoption of United Nations Security Council Resolution

1325 in October 2000² was the proof that the policy world had eventually started to incorporate a gender perspective and recognize that female participation affects peace and war and the security of both men and women. Besides the UN's gender mainstreaming policies, the European Union, the International Monetary Fund, and the World Bank, among others, have gender equality mandates that have been enforced to different degrees.

4. Reviewing the Link Between Women, War, and Peace

Additionally, FSS investigates the relationship between women, peace, war, and security. Many FSS scholars call for moving beyond the binaries of "victimhood" and "self-agency" to find a middle ground where women, even the most dispossessed, are considered central actors in world politics. FSS examines how women are implicated in war-making practices, upending common expectations of the women/war nexus. As Pettman (1996, 127) reminds us, women have played a part in warfare other than "waiting and weeping." FSS then challenges the notion of warfare in which "just warriors" are reluctantly violent on behalf of the pure and feminine "beautiful souls." This construct fails to acknowledge the possibility of men as pacifists and women as violent (Elshtain 1987, 4). Elshtain questions the trope of the "ferocious few" and sheds light on women warriors, from the Spartan mothers to the female revolutionaries, whose battle stories show that female violence should not be seen as an anomaly to be written out of the history of war.

Within the field of study at hand, idealized notions of femininity trap women in strict gender roles and impede gender equality (Sjoberg and Gentry 2007, 222). FSS rejects narratives that "characterize violent women as having been incapable of choosing their violence, and imply that, had they a choice, women would not have chosen the violence" (190). The field breaks with the traditional presentations and constructs that imply that when men commit violence, they are rational actors who make autonomous decisions, but when women commit violence, they are controlled, coerced, or merely insane.

2. "The resolution 1325 (2000) addresses the impact of war on women and the importance of women's full and equal participation in conflict resolution, peacebuilding, peacekeeping, humanitarian response and in post-conflict reconstruction. The resolution also calls for special measures to protect women and girls from conflict-related sexual violence and outlines gender-related responsibilities of the United Nations in different political and programmatic areas" (United Nations Security Council 2000).

In the same vein, Burguières (1990, 9) identifies three possible feminist approaches to the notion of peace: the first approach accepts the stereotypes about men and women as being bellicose and pacific, respectively; the second rejects gender differences, including women's supposed nonviolence, focusing instead on women's rights to an egalitarian position on issues of war and peace; and finally, the third rejects militarism and all gendered stereotypes and argues that "war is rooted in patriarchal, military structures which are supported by the behavior of both men and women."

III. INTERROGATING MAINSTREAM SECURITY STUDIES, FEMINISM, AND THE "EASTERN OTHER"

Several postcolonial and feminist scholars have incorporated an analytical gender lens along with race as an empirical unit of analysis to expose the Western-centric nature of IR and SS. They also challenge how the function of race has been obscured in global politics and how, for instance, specific events and dates (i.e., World War II, the Holocaust, 9/11) are privileged over others to understand and achieve peace and security (Nayak and Selbin 2010, 125).

Bilgin (2010, 617) explains that while a research agenda in SS deals with "security" in the Southern Hemisphere/developing countries, there is no insight into non-Western insecurities. Bilgin explains that SS knowledge is parochial and peripheral because it mistakes "Western" experiences for the universal (620). As such, treating understudied insecurities as a "blind spot" like Buzan and Hansen (2009) "prevents us from fully recognizing how the historical absence of non-Western insecurities has been constitutive both of the discipline and subjects and objects of security in different parts of the world" (Bilgin 2010, 616).

Others, such as Barkawi and Laffey (2006, 333–34), show that Western states overwhelmingly focus on their own interests, which are to understate and misrepresent the global South and the taken-for-granted historical periodization and spatial assumptions. For Barkawi and Laffey, the emergence of "Al-Qaeda, [that] is not a state, nor a great power; [rather] an idea around which resistance is organized globally and locally [...] breaks with putative histories of world politics about great power struggles" (329). As such, Al Qaeda's role in contemporary politics shows the importance of reformulating the old Eurocentric

categories that had been used to make sense of past security relations. Al Qaeda's 9/11 attack transformed international and domestic politics: wars were started, alliances reconfigured, troops deployed, borders reshaped, and human and civil rights curtailed. For the two authors, Eurocentrism and realism have only focused on the strong. Instead, scholars should study how both the strong and the weak make history jointly. Only then can IR and SS make sense of world politics in general and North-South relations in particular. They call it "the significance of the weak" (344).

The Western-centric constructions of developed/underdeveloped and effective/failed states reproduce dominant gendered and racialized categories of the civilized self versus the barbaric other

Similarly, essential contemporary SS texts, such as the canonical *Makers of Modern Strategy* (Paret, Gordon, and Gilbert 1986), concentrate on the West's and Europe's military history even when considering developments in other parts of the world. In this Eurocentric view, violence in non-Western countries "is attributed to non-western factors such as the absence of modern political, economic and social arrangements, as in discourses of quasi- and failed states and of 'underdevelopment as dangerous' or to the peculiarities of local ethnic identities, as in the 'new barbarism' thesis." Colonial legacies and postcolonial interactions that play a significant role in shaping the political landscape and economic choices in these regions are rarely called into question or analyzed (Barkawi and Laffey 2006, 342–47).

Dominant logic and angles of analysis in this Western-centric field are also based on gendered and racialized dichotomies. As such, "appropriate" masculinity, as expressed in Western values such as development, egalitarianism, and economic rationality, is presented against the "inappropriate" femininity, which holds values including underdevelopment, despotism, and backwardness—all of which characterize the "Eastern other" (Khalid 2018, 40).

The "failed state," a core concept in the field of SS, is

a case in point. The Western-centric constructions of developed/underdeveloped and effective/failed states reproduce dominant gendered and racialized categories of the civilized "self" versus the barbaric "other." The "other" embodies "brownness, blackness, or yellowness shackled by superstitions or fundamentalisms [...] and exhibits irrationality, poverty, and powerlessness" (Ling 2008, 3).

As a result, fears of insecurity are focalized on the supposed irrationality and vulnerability of the feminine "other," who is unable to pursue the assertive and decisive policies of the "self" and hence fails to achieve rationality, wealth, and power—all of which are masculine traits of the West (Bialasiewicz et al. 2007, 412). In this way, development is securitized, because achieving Western security, and by extension global security, means promoting the development of the non-West—which becomes synonymous with exercising power to speak on behalf of specific types of people's rights and well-being (Duffield 2007, 225–30).

As Khalid (2018) explains, both race and gender have played essential roles in shaping the Western understanding of the Middle East, which is seen as a threat to global security and order. This security narrative has been linked to development discourses and led to military and economic interventions (i.e., structural adjustment plans) that often result in the very violence and insecurities they seek to neutralize (Khalid 2018, 43). After 9/11, security was configured by racialized and gendered representations, and the 2003 US-led war in Iraq was presented as a war against "barbarism" in the Middle East. Iraqis were presented as powerless victims who could not liberate themselves from Saddam Hussein's despotic rule (44). In armed conflicts between the global North and South, Western powers' use of force is viewed as legitimate because of their "civilizing mission": from Afghanistan to Iraq, the assumption is that it is legitimate for the West to bear arms to liberate the "natives" (Barkawi and Laffey 2006, 351).

The dichotomies described above are part of the discursive world of colonial modernity. These dichotomies and "historically frozen oriental high civilizations" dominate Middle Eastern studies (Wallerstein 1997, 198). Issues of new forms of globalization and the Middle East eventually appeared. Scholars took interest only when Islamic fundamentalism, violent radicalization, and illegal migration became security concerns for Western societies.

Moallem (2001) laments “adding” gender in Middle Eastern studies as a category that confines the analysis to the image of victim-producing patriarchy as demarcated by the Islamic religion and the so-called barbarism of oriental societies. She insists that masculinist disciplinary practices should be challenged while the specificity of the region in general and countries and localities in particular should be taken into consideration (2001, 1267).

IV. WOMEN IN THE ARAB REGION

FSS argues that scholars and policymakers must look at all levels—familial, national, and international—as well as how they are linked in order to better understand security, insecurity, and violence. For FSS, security discourse is biased and incomplete, focusing on protecting women’s bodies instead of addressing their needs. As a result, failing to protect them fully restricts women’s freedom (Stiehm 1983, 373). This is particularly true in the Arab region, where violence against women is both structural and direct, and the state is openly implicated in it when it is not being its instigator. While it is true that women’s entry into the labor force resulted in significant changes in the patriarchal structures in the Arab region, it also created new forms of patriarchy that are inscribed not within family and kinship but in states, political institutions, military, and corporations (Ortner 2014, 533).

1. Women in the Arab Region: Fully Fledged Citizens?

Women’s access to public space is still problematic, and, as such, their ability to engage in it is undermined. When women’s mobility is threatened, their bodies are controlled or endangered, and the daily exercise of their citizenship rights is constrained, it is difficult to talk about their political rights and their access to leadership positions. Speaking about women’s access to public space during the Arab Spring, Butler (2011, 1) said

it would be easier to say that these demonstrations or, indeed, these movements, are characterized by bodies that come together to make a claim in public space, but that formulation presumes that public space is given, that it is already public, and recognized as such. We miss something of the point of public demonstrations if we fail to see that the very public character of the space is being disputed and even fought over.

Women’s struggle for citizenship and equal rights in the Arab region has taken the form of “state feminism,” which is “the state’s active promotion of women’s rights and attempt to change existing gender relations” (Al-Ali 2007, 146). Post-independence Algeria, Tunisia, Libya, Egypt, Iraq, and Syria offered an explicit commitment to public equality for women and succeeded in bringing about many changes. However, pursuing feminist goals above and through the state has its limitations, forcing women to enter into “patriarchal bargains” (Kandiyoti 1988) in which they exchange obedience and propriety for protection and economic support from men. In other words, under such bargains “[...] women choose to accommodate some patriarchal norms in exchange for some form of power that can be wrested from the system, which essentially involves a shift of power from the patriarchy of the father or husband to the patriarchal state” (Browsers 2019, 114). Whenever women decide to step out of this “bargain” and assert individual rights, they risk losing the so-called protection and nurturance that male kin provide (Joseph 2000, 121).

Like their male counterparts,
women participated in wars
of national liberation and
imperialist wars

Did these bargains disappear after the Arab Spring in 2011, or even after what has been called the “second wave” in 2019? Despite some developments, the answer remains no. Patriarchal norms, structures, and gender social contracts are undamaged (Yacoubi 2016, 260). In reference to Tunisia, which had the most transformative experience in the region, Yacoubi explains that the patriarchal structure is still intact and is now embedded in a modernizing discourse that “empowers some women and neglects others,” namely women from rural areas, lower socioeconomic classes, and religious communities, who are often excluded or oppressed.

Patriarchy is nested in family and kinship structures in which men, fathers, and brothers are privileged. As such, citizenship is mediated by the family. This patriarchy within the private realm is translated in the public sphere into policy through patrilineality, which is “the key legal mechanism throughout which patriarchy has become inscribed in citizenship rules

and practices” (Joseph 1999, 296). While it is true that relations of care/control in the context of the family exist everywhere, it is beyond argument that in the Arab region, these gendered and hierarchical patriarchal relationships are inscribed into law.

While women’s civil rights in the Arab region cannot be covered in a few paragraphs, the following examples are illustrative. For instance, the right to property is one of the few that women firmly retain in the region, probably because it is a right clearly stated in the Quran. The right to freely enter contracts includes the right to work. In several countries in the Arab region, such as Jordan, Iran, Saudi Arabia, and Yemen, married women have to obtain their husbands’ permission to work outside the home. The right to enter and exit a marriage contract does not favor women. It is an agreement between families rather than between two individuals with equal rights and obligations. Women cannot marry without their male guardians (with the exception of Turkey, Tunisia, and Morocco). And while Muslim men can marry Christian or Jewish women, Muslim women do not have the same right (except in Tunisia). While many countries set the minimum age of consent at 17 or 18 (except in Iran, which puts it at 13), children are still being married by their parents with a judge’s consent.

Besides, marital relations in law are prescribed in many countries (except for Morocco³ and Turkey), and as such female obedience is exchanged for male maintenance (Amawi 2000, 171). Things are not different when it comes to divorce, except in Tunisia and Turkey, where women and men have equal rights and responsibilities in divorce and marriage. In the rest of the Arab region, women can seek divorce only under certain conditions (Moghadam 2003, 128). In the case of Egypt, women can divorce, but they have to prove that they returned all possessions their husbands gave them during the marriage (Hafez 2014).

Regarding women’s political rights, it should be noted that many governments in the region have made efforts to increase gender equality. However, while it is true that women can now access traditionally male jobs, they do not enter them in a gender-equal or gender-neutral field. Signs of progress, such as women’s entry into parliament,

3. Since the reform of 2004 and the Mudawana (personal status code), significant changes took place in favor of women’s rights. Among these, the first right of custody for mothers and mothers who remarry retain custody. Husbands who want to remarry have to obtain permission from their wives and a judge and demonstrate the “necessity” of this second marriage.

should be taken carefully. In countries such as Egypt and Algeria (which retain the highest levels of political empowerment by World Economic Forum measures), women’s ability to gain seats in parliament has been primarily due to the presence of quotas. How can parliamentary representation alone ensure substantive changes in women’s lives when the parliament has little to no power and when women’s educational and health conditions have been in a poor state for years? Any celebration of women’s political empowerment should be critically reconsidered.

In Tunisia, a gender parity law was introduced in 2014 to ensure equal gender distribution in elected assemblies. However, in September 2022, a new electoral law was introduced, removing the gender parity provisions from the 2014 law (Chellali 2022). Even when gender parity was legally protected and required, women’s equality failed to materialize at the state level and in the public sphere because “gender-sensitive legislation... have been discussed in ideological ways through the state feminist discourses of the previous regimes as well as the governments that rose to power after the Arab Spring” (Khalil 2014, 131). Feminists remain constrained by these patriarchal political agendas and are at risk of being instrumentalized to serve the interests of either the elite or the opposition. However, a new generation of activists is aware of these traps and bargains and how identities mediate citizenship (Browsers 2019, 118). This new generation understands that transformation needs to happen at the state, family, and habitus level in order to achieve full political equality.⁴

2. Not a “Soldier” but a “Woman Soldier”

Today, women are more visible in political leadership positions worldwide, even if their integration is geographically and culturally uneven. Women are present in many Arab parliaments and occupy positions traditionally reserved for men, such as in the military. This creates the inaccurate perception of gender equality, a message that is reinforced in public discourse. Examples include the moment when many countries celebrated the so-called gender equality of appointing women in high-ranking military positions (Algeria, Jordan, Tunisia) or when in 2014, the United Arab Emirates deployed Major Mariam Al-Mansouri to fly in a combat mission against the self-proclaimed Islamic State

4. For more on the new forms of political activism on these matters, especially in the context of Egypt and Tunisia, see Browsers (2019, 113–28).

in Syria. In fact, despite an increase in scope and number, women still typically make up less than 10 percent of state militaries as a whole in the Arab region, with the highest number going to Tunisia (7 percent), followed by Jordan (3 percent). A majority of countries continue to disallow or substantially limit women in combat roles.

While women's position in Arab armies cannot be covered in a few pages, the Algerian case is enlightening. In "Women in the Men's House: The Road to Equality in the Algerian Military," I show that women are neither fully integrated nor totally excluded (Ghanem 2015, 2–3). This situation reinforces their status as "liminal individuals," meaning "special characters who cannot be assigned neither an identity nor a recognized and valuable position within the institution" (Badaró 2010, 71). In 2006, Algeria appointed several women to the rank of general and declared their equal status with their male counterparts. Rather than representing a substantial shift, however, this act was a public relations move by the military in order to appear modern and forward-thinking. To understand gender relations within the People's National Army (PNA), I analyzed how discourse about women is constructed within the military and how these discursive constructions appear in policy and practice. I also examined the status of women within the PNA and their military roles.⁵ Algerian women in the armed forces are portrayed in a contradictory manner. On the one hand, the appointment of women in the military is viewed as the ultimate symbol of gender equality. On the other hand, they are gendered, sexualized, and marginalized so as not to represent a threat. In the PNA's discursive construction, there is a systematic textual reference to women's gender when there is no such reference when it comes to men. In its daily application, this kind of reference naturalizes the masculine soldier while highlighting the female

5. For this research, I followed an interpretative textual approach. I examined what was said about women and how it was said. Is gender, for instance, always mentioned in the text? What is the language used to describe women, and is it different from the one used to describe men? I also analyzed photos and assessed their gender applications. Photos are significant mediums because they engage the audience to be the witness of a particular temporal and spatial location. Photos are good mediums to shape the narrative that the PNA seeks to communicate externally and internally. Therefore, I looked at the appearance of the individuals (in both men and women), from the use of makeup, clothes (camouflage, combat uniform, uniform, civilian clothes...), to the activities (combat oriented, ceremonial, medical, technical, etc.). I also looked at the activity itself and whether the woman is in an active or passive position, because passive deeds can serve as feminizing roles while physical behavior can be more military and soldiery.

soldier's artificiality (Badaró 2010, 66).

The same can be said about many armies in the region and abroad. Such portrayals of women in the military reinforce gender inequality by feminizing women, representing them continuously in passive positions, excluding them from ground combat, and "eluding" any association with their imagery of warfare. In Egypt, for instance, despite women joining the Egyptian Armed Forces at the end of the 1940s, women's integration is still problematic: "Military officials tend to hold biased beliefs that relegate women to specific roles that suit their gender and push for the idea that women are incapable of performing what are perceived to be male tasks" (Ghanem 2020, 11).

Nevertheless, a recent report shows a gender division of labor in Arab armies, which affirms that military jobs remain a "sanctuary of hypermasculinity" (Ghanem 2020, 21). One has to look beyond the images of modernity and supposed equality between men and women that Arab armies (as well as their Western counterparts) want to project. The fact is a majority of women in Arab armies are concentrated in what are seen as "suitable jobs," meaning communication, health, education, and research. In this sense, women are neither fully incorporated nor fully excluded. Two organizing principles govern this division of labor. First is separation, which assigns different tasks to men and women, and second is hierarchy, meaning a man's job is worth more than a woman's (Ghanem 2015). In a nutshell, women's role in Arab armies is anything but gender-neutral or gender-equal.

These constructs reinforce gender divisions and strengthen the associations between virility, masculinity, and war. A militarized woman is tough, but she still needs help and protection from her male counterpart; she can use a gun, but she would rather not engage in violence; she is robust but maternal; she is a *woman soldier*, but she remains innocent. Once she can achieve the man's job, she can be part of the "men's house." As explained by Sjoberg and Gentry (2007, 86) in a discussion of the US army, "The ideal-type of militarized femininity expects a woman soldier to be as capable as a male soldier, but as vulnerable as a civilian woman."

Furthermore, women remain excluded from combat positions in many countries, meaning they cannot command military operations and consequently have no access to the same ranks as their male counterparts, namely those above the commander

level.⁶ As a result, they cannot take part in the decision-making process that affects their female colleagues' lives and careers in the institution. As we have seen before, the dichotomies of man versus woman and public versus private, and the constructs that perpetuate women's alleged natural aversion to war, are at the core of their exclusion from combat positions. This supposedly natural inclination to peace makes women "undesirable partners in combat: how can women be trusted on the battleground if they are unwilling to fight and kill [...] in this view, men might lose the war by pursuing or protecting women on the battlefield rather than fighting successfully to protect women at home" (Runyan 2019, 90).

Violence designed,
planned, and conducted
by women is not a new
phenomenon

As Sjoberg and Gentry (2007, 9) put rightly about the politics of gender, especially gender in military situations, "[...] womanhood is more recognized rather than more integrated in these situations." In 2019, amidst the war in Syria, several cases of harassment against female soldiers came to light. Female fighters from Brigade 130 complained of sexual harassment, especially from their senior officers, in a video that went viral. There is no information to determine whether the military command has dealt with these claims. In addition, no data is available about the scale of sexual harassment in the Syrian Armed Forces or any other Arab military, and no information is available on the existence of a prevention strategy or the mechanism of protection within militaries in the Arab region. The subject remains taboo.

Integrating women does not only mean including more women; it means "making women's, as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programs throughout all spheres, so that women and men

6. This is not only the case in the MENA region but also in the global North. As one example, in the US, women have been assigned to combat roles, and by 2015, some 280,000 women had served in the wars of Afghanistan and Iraq. However, the US only recently lifted formal combat exclusions, which disqualified most women from claiming combat experience that is a prerequisite for those seeking higher positions.

might benefit equally, and inequality would not be perpetuated" (Bakr 2011). In short, to overcome the gap between the discourse and reality of women in the military, the PNA needs to start regarding women as full-fledged soldiers. At present, while their visibility is greater within the armed forces in the region and across the world, it is based on the same old story of women being peaceful, passive, and in need of protection.

3. Not "Beautiful Souls": Women and Violence

Femininity has long been associated with peace and nonviolence. However, as shown above, a new generation of feminist security thinking that has emerged since the 1990s has exposed the tensions over framing security and violence within the field. Authors such as Sjoberg and Gentry (2007), MacKenzie (2009), Parashar (2009), and Alison (2009) brought the long-neglected women into security research and started studying women who participate in political violence, wars, and conflicts.

These authors recognize "war as an inclusive transhistorical and transcultural institution that shapes and is shaped by gendered subjects and discourses" (Sylvester 2010, 609). Women's experiences in war are no longer presented as cases of gender deviance or globalized militarization; instead, they are presented as elements of the politics of war and violence. Like their male counterparts, women participated in wars of national liberation and imperialist wars. Like Black Diamond in Liberia, women have been soldiers, militiawomen, jihadists, suicide bombers, and sometimes war leaders.⁷

In their seminal work on women in international relations, *Mothers, Monsters, Whores: Women's Violence in Global Politics*, Sjoberg and Gentry (2007) deconstruct the usual transcultural depiction of women as nonviolent and peaceful actors. They explain that "the stereotype of women's victimization holds fast largely because it is not entirely untrue; the impacts of war are often gender-oppressive.

7. It should be noted that there is another difficult tension within the feminist international field that concerns people and positions that "good" feminists should or should not support. This tension dates back to the 1970s and has a concern that Western feminism was attentive to differences between and within nations, ethnic groups, classes, and gender. As such, many feminists have refrained from indicting cultural practices that they deemed misogynist and from criticizing gender relations in other countries (especially the Arab world) that a majority of women in these cultures might accept. For a good and concise summary of these tensions, see Sylvester (2010, 610–12).

[...] The 'answer' to this problem appears to be very simple. Women have been subordinated in global politics, impacting their social and political options and frames of reference. Still, women, like men, are capable of violence" (Sjoberg and Gentry, 2007, 4).

Sjoberg and Gentry (2007) argue that policymakers and the media prefer to portray women suicide bombers in Iraq and Palestine as vengeful mothers, monsters, or whores, rather than as political actors with complex motivations. The mother narratives describe women's violence as motherhood gone awry. The monster narratives eliminate any agency (rationality, ideology, or guilt) or personhood and presents women as insane and inhuman. Finally, the whore narratives blame women's violence on their devilish sexuality. As such, these narratives, besides serving to obscure the role of state terrorism in giving birth to insurgent movements, portray women as "a product of faulty biology or faulty construction. Violent women are not women at all, but singular mistakes and freak accidents" (Sjoberg and Gentry 2007, 13).

Women engage in crime, violent war, and genocidal activities with equal agency, creativity, and élan as their male counterparts. Among the multiple women cheerleaders for genocidal violence that Sjoberg and Gentry examine are Rwandan Pauline Nyiramasuhko and Serbian Biljana Plavsic. In Rwanda, besides some 3,000 women who were tried for genocidal acts during the 1994 mass killings against Tutsi and moderate Hutus, Nyiramasuhko was the first to be charged internationally with genocide and using rape as a crime against humanity.⁸ As for Serbian Biljana Plavsic, not only did she call for the systematic rape of Croatian and Bosnian Muslim women, but she also took biopolitics to a fascist level of violence, arguing that Bosnian Muslims were genetically deformed Serbs and that ethnic marriage should be banned to protect the Serbian nation from degeneration.

It is commonly believed that violence does not become "her" and that women do not feel the types of emotions that encourage or drive men into violence. When they do engage in violence, women are presented as either sick or crazy. This is what happened with American female soldiers Lynndie England and Sabrina Harman in late 2004

8. Nyiramasuhko was a social worker, who became Minister for the Family and the Advancement of Women and after that became a mass killer. Among her most famous violent deeds: urging supporters to systematically rape women before killing them and keep some for rape sessions, and to plan and carry out the genocide in the region of Butare.

when images of them holding Iraqi prisoners in Abu Ghraib on a leash and torturing them, among other horrendous acts, were published and rocked the United States. England has been pathologized by mass media discourses and held to a different standard than her male counterparts. As explained by Gronnvoll (2007, 394), "Rather than England and Harman being held up as examples of bad soldiers, they are classified as bad girls. Rather than the media using England's low IQ to draw attention to military recruitment's questionable standards, her low sexual morality is highlighted. Gender, coded both in the language describing the story and in the photographs capturing the abuse, is disciplined and reinscribed every step of the way."

Public and policy discourses resist recognizing women's violence because it would also mean recognizing their agency

Sjoberg and Gentry (2007, 87) reinforce this view, explaining that the Abu Ghraib perpetrators committed a triple transgression: first, the crime that they were accused of; second, the transgression against notions of femininity; and third, the transgression against the new militarized femininity and its role in supporting the existing gendered structure of the US military.

As for jihadist violence, while women's position in these groups cannot be covered in a few paragraphs, several observations can guide us. Women have forced the most conservative organizations to reconsider their value as warriors. Violence designed, planned, and conducted by women is not a new phenomenon. Women have been active in logistical missions, combat roles, and suicide bombing attacks in numerous conflicts, from Southern Lebanon against the eighteen-year Israeli occupation, to Palestine, Algeria, and Iraq. The Kurdistan Workers' Party also used women to attack the central Turkish government.

More recently, with the advent of the Islamic State (IS) organization in June 2013, many reports emerged about women joining the extremist organization. The all-women brigade Al-Khansa was seen as a new, abnormal phenomenon, as if women had never participated in jihadist groups. Similarly, when

hundreds of Western women from Austria, France, Britain, Germany, and New Zealand joined their Arab counterparts, they made headlines as if women's violence was new and unprecedented. As I note in *The Female Face of Jihadism*, there is a conservative interpretation of gender that sees women as peaceful, nonviolent, and nurturing figures, and the word "executioner" is rarely associated with women (Ghanem 2016, 43). I explain that the stereotypes about women jihadists as pawns of their male kin deny their agency and reify their subordination. Public and policy discourses resist recognizing women's violence because it would also mean recognizing their agency. This would in turn have serious implications for gender, violence, and security (43). While their male counterparts were immediately called "terrorists" and "jihadists" by media and policymakers, women were first called "female migrants" and then "jihadi brides." Reports on these women were biased, and the perpetrators were paraded in mass media in gender-specific ways. While the desire to marry a potential *shahid* [martyr] might serve as partial motivation for some women, the "jihadi bride" cliché was the only one presented in the media. This narrative ignored any political impetus that women might have had, even when women themselves voiced their political motivations via social media (43–46).⁹

The drivers that entice men and women into jihadism are multidimensional, complex, and entangled (Ghanem 2016, 44). Personal grievances alone do not suffice to motivate someone to join a jihadist group. Like men, women have political, social, economic, psychological, and philosophical reasons to join a jihadist group such as IS. For instance, the religious motivations and the desire

9. Western women who joined the jihadists, for instance, expressed feelings of exclusion and frustration with secular societies that would not allow them to practice their religion freely. These women perceived their societies and their policies as hostile and decided to live under the banner of a society in which they would no longer feel socially and culturally excluded and where they could practice and embrace Islam fully and share its values with the whole of society (Ghanem 2016). Even when this was expressed and emphasized, as in the case of Umm Haritha, a 20-year-old Canadian student who joined IS in Syria in December 2014, media depictions would only focus on the "jihadi bride" motivation. Umm Haritha described in several tweets the difficulties she encountered in Canada when she decided to put on a veil: "I would get mocked in public, people shoved me and told me to go back to my country and spoke to me like I was mentally ill or didn't understand English." She continues: "Life was degrading and an embarrassment and nothing like the multicultural freedom of expression and religion they make it out to be, and when I heard that the Islamic State had Sharia in some cities in Syria, it became an automatic obligation upon me since I was able to come here" (quoted in Roberts 2014).

to "glorify the word of God on Earth," as well as the desire to live in a "perfect community" where one could practice one's religion without any constraint, play a vital role in the establishment of the Caliphate and help build a brotherly community. Material incentives include promises of cash payments for families and a life of prosperity and wealth where Sharia rules and where there is social justice and distribution of *zakat* (almsgiving). The promise of a community free of corruption, inequality, racism, or discrimination also motivated these women to join IS (46). Other factors included trauma as an emotional push and the desire to avenge the loss of a loved one or the entire Muslim community. Personal connections with people engaged in IS can also boost one's predispositions to join the group. Like men, women are politically conscious individuals who are pushed by a set of motivations to engage in a violent career.

Finally, the assumption that women must be mentally ill to become jihadists is pervasive. In her book *Army of Roses*, Victor (2003) insisted on pathologizing women who became suicide bombers in Palestine, denying them their agency to make choices about their sociocultural and political situation. The same has been said and written about women who joined IS, and media depictions and expert "profiling" kept pointing to mental illness and lack of education as reasons behind women's involvement with IS. Contrary to these claims, studies show that the prevalence of mental illness among incarcerated terrorists is lower than in the general population. Despite the horrible acts that IS followers committed, it is rare for a terrorist to match the profile of a psychopath. Also, their level of education was not necessarily lower than that of their peers. This gender-marginalizing narrative of women being mentally ill, uneducated, or simply led by their emotions to join a jihadist group denies their agency as rational and political actors (Ghanem 2016, 44).

As Sjoberg and Gentry (2007) showed in the case of Palestinian suicide bombers, emotional reasons (i.e., revenge, honor, or the domestic dream destroyed) are the only motivations presented in the media and academic literature. Women's political violence is never seen as driven by ideology and the belief in a cause; instead, it is "seen as a perversion of the private realm" (Sjoberg and Gentry 2007, 130). The media and researchers foreground the narratives of motherhood over political choices. Even when the perpetrators deny motherhood in favor of politics, "the focus on motherhood serves to deny the

women's part in the glorification of martyrs in these cultures of resistance" (131).

The fact is that women provide a tactical advantage, as they are less suspicious in the eyes of security services and attract greater media attention. For instance, an attack perpetrated by a woman attracts eight times more media attention than the same act committed by a man (Bloom 2012). Women do not join jihadist groups based on emotion—they have legitimate political and socioeconomic grievances that lead them to choose the path toward violence.

V. CONCLUSION

As the salience of women's rights increases, so does the salience of their gender (Enloe 1989). Women are not seen as politicians, generals, soldiers, pilots, criminals, jihadists, or war criminals, but as *women politicians, women generals, women soldiers, women pilots, women criminals, women jihadists, and women war criminals*. This characterization places women outside the main-/malestream group. Women are separated because they are stepping outside of a prescribed gender role. When they act within what is accepted and expected, this characterization disappears—no one ever hears of women ballerinas, women housekeepers, women flight attendants, or women nurses, for example. Similarly, despite improvements, IR remains heavily implicated in constructing and promoting Anglo-American models of hegemonic masculinity, continuing in connection with globalization (Hooper 2001, 219). While FSS has made important strides in integrating gender into the study of security and challenging traditional gender norms, much work remains to be done to address blind spots and advance the field, especially in the Arab region.

While it is beyond the argument that classical patriarchy and the patriarchal gender contract have been put under pressure in the Arab region, it is also true that neopatriarchy has emerged as its modernized form (Sharabi 1988). The capitalist penetration into the economy undermined the classical and private patriarchy of the family and transferred women's dependence from the family to the state. Under neopatriarchy, patriarchy is no longer confined to the personal realm but also extends to the public, one where women have experienced incomplete emancipation through education, urbanization, access to birth control, shrinking of the family's size, increasing income, and increasing autonomy and decision-making with their partial access to the labor force and the political realm. As a result, aspects of the family, the

state, labor, and society look modern, yet the internal structures remain rooted in patriarchal values and social relations of kinship, clan, and religious and ethnic groups (Ryan and Rizzo 2019, 238). Ultimately, the private patriarchal nuclear family and the neopatriarchal state reinforce each other.

An attack perpetrated
by a woman attracts
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attention than the same
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The same logic that undergirds the patriarchal household—where gender norms are naturalized with a protected/woman and a protector/man—also applies to the security state, which legitimizes unequal relationships between men and women as well as between the state and its citizens. States and men who claim a certain type of masculinity and are recognized for it can establish themselves as "strong" within norms of hegemonic masculinity and hence improve their position and boost their credibility both nationally and internationally. This is particularly true in the security realm, where performances that masculinize the state allow it to position itself closer to the hegemonic masculinity and hence be perceived as more effective. In other words, the state reifies itself through performances of security, specifically through those that institute it as a masculine and stable protector. By doing so, the state gains international and domestic legitimacy. Protection is in the hands of the man in society, consigning women to the protected status and, hence, the vulnerable, the dependent, and the subordinate. In the same way, the state positions itself as the protector and the citizens as the protected. This logic is brilliantly explained by Young (2003, 2):

An exposition of the gendered logic of the masculine role of protector in relation to women and children illuminates the meaning and effective appeal of a security state that wages war abroad and expects obedience and loyalty at home. In this patriarchal logic, the role of the masculine protector puts those protected, paradigmatically women and children, in a subordinate position of dependence and obedience. To the extent that citizens of a democratic state allow their leaders to adopt a stance of protectors

toward them, these citizens come to occupy a subordinate status like that of women in the patriarchal household. We are to accept a more authoritarian and paternalistic state power, which partly supports the unity a threat produces and our gratitude for protection.

Individual and state forms of masculinity that silence the agency of the "other"—women and citizenry, respectively—create asymmetric interactions and relationships that are unbalanced and unequal because of their links to gender norms.

With this in mind, several gaps in the mainstream study of security are apparent that should be addressed in future research. First, it is crucial for FSS in general and in the Arab region to undertake a fundamental review of the concept of security. Reconceptualizing "security" in the Arab region is essential to enrich the field and help scholars identify issues not central to feminist studies. For instance, it is crucial for academia to engage with political practices to understand the dynamics of structural powers in security politics and support the work of women civil society organizations and feminist activists in the region. For FSS in the area, it is crucial to have an emancipatory approach from Western studies and be more context-specific, flexible, and aware of each country's needs in the Arab region. There are several blind spots in the domain in the Arab region where discussion tends to focus on Arab women as victims. Scholars have to identify these blind spots and systematically add gender to Middle Eastern security studies. In addition, location matters, and significant advances in the field will only be possible if the specificity of each country, region, and locality are taken into consideration. This would allow feminist research to be thorough and diverse while working for the same commitment: the emancipation and empowerment of women in the Arab region.

- Al-Ali, Nadej. 2007. *Iraqi Women: Untold Stories from 1948 to the Present*. London: Zed Books.
- Alison, Miranda. 2009. *Women and Political Violence: Female Combatants in Ethno-National Conflict*. London: Routledge.
- Amawi, Abla. 2000. "Gender and Citizenship in Jordan." In *Gender and Citizenship in the Middle East*, 158–84. Syracuse, NY: Syracuse University Press.
- Amnesty International (UK). 2020. "Tunisia's Victim-Blaming Laws Are Punishing Survivors of Sexual Abuse." Accessed July 23, 2020. <https://www.amnesty.org.uk/tunisia-women-violence-sexual-abuse-laws>.
- Badaró, Máximo. 2010. "L'armée De Terre Argentine À L'épreuve Du Genre." *Cahiers Du Genre* 48 (1): 59–79.
- Bakr, Noha. 2011. "Gender in the Security Sector." Arab Reform Initiative. Accessed July 22, 2020. <https://www.arab-reform.net/publication/gender-in-the-security-sector-a-cultural-and-a-political-challenge/>
- Barkawi, Tarak, and Mark Laffey. 2006. "The Postcolonial Moment in Security Studies." *Review of International Studies* 32 (2): 329–52.
- Benstead, Lindsay. 2016. "Why Quotas Are Needed to Improve Women's Access to Services in Clientelistic Regimes." *Governance: An International Journal of Policy, Administration, and Institutions* 29 (2): 185–205.
- Bialasiewicz, Luiza, David Campbell, Stuart Elden, Stephen Graham, Alex Jeffrey, and Alison Williams. 2007. "Performing Security: The Imaginative Geographies of Current US Strategy." *Political Geography* 26 (4): 405–22.
- Bilgin, Pinar. 2010. "The 'Western-Centrism' of Security Studies: 'Blind Spot' or Constitutive Practice?" *Security Dialogue* 41 (6): 615–22.
- Blanchard, Eric. 2003. "Gender, International Relations, and the Development of Feminist Security Theory." *Journal of Women in Culture and Society* 28 (4): 1289–312.
- Bloom, Mia. *Bombshell: Women and Terrorism*. University of Pennsylvania Press, 2012.
- Booth, Marilyn. 1987. "Women's Prison Memoirs in Egypt and Elsewhere: Prison, Gender, Praxis." *MERIP Middle East Report* 149.
- Browsers, Michaele. 2019. "Gender and Politics." In *Gender in the Middle East and North Africa: Contemporary Issues and Challenges*, 113–28. Boulder, CO: Lynne Rienner Publishers.
- Burguières, Mary. 1990. "Feminist Approaches to Peace:

- Another Step for Peace Studies." *Millennium: Journal of International Studies* 19 (1): 1–18.
- Butler, Judith. 2011. "Bodies in Alliance and the Politics of the Street." *European Institute for Progressive Cultural Politics*. Accessed February 12, 2020. <https://transversal.at/transversal/1011/butler/en>.
- Buzan, Barry, and Lene Hansen. 2009. *The Evolution of International Security Studies*. Cambridge: Cambridge University Press.
- Chellali, Salsabil. 2020. "Tunisia Tramples Gender Parity Ahead of Parliamentary Election." *Human Rights Watch*, November 2. Accessed December 10, 2022. <https://www.hrw.org/news/2022/11/02/tunisia-tramples-gender-parity-ahead-parliamentary-elections>
- Connell, Robert. 1985. "Masculinity, Violence, and War." In *War/Masculinity*, 4–10. Sydney: Intervention Publications.
- Connell, Robert. 1995. *Masculinities*. Berkeley: University of California Press.
- Duffield, Mark. 2007. "Development, Territories, and People: Consolidating the External Sovereign Frontier." *Alternatives* 32 (2): 225–46.
- El-Mahdi, Rabab. 2010. "Does Political Islam Impede Gender-Based Mobilization? The Case of Egypt." *Totalitarian Movements and Political Religions* 11 (3–4): 379–96.
- Elshstain, Jean Bethke. 1987. *Women and War*. Chicago: University of Chicago Press.
- Elshstain, Jean Bethke, and Sheila Tobias, eds. 1990. *Women, Militarism, and War: Essays in History, Politics, and Social Theory*. Savage, MD: Rowman & Littlefield.
- Enloe, Cynthia. 1989. *Bananas, Beaches, and Bases: Making Feminist Sense of International Politics*. Berkeley: University of California Press.
- Galtung, Johan. 1971. "A Structural Theory of Imperialism." *Journal of Peace Research* 8 (2): 81–117.
- Ghanem, Dalia. 2015. "Women in the Men's House: The Road to Equality in the Algerian Military." *Carnegie Middle East Center*. Accessed June 4, 2020. <https://carnegie-mec.org/2015/11/04/women-in-men-s-house-road-to-equality-in-algerian-military-pub-61463>.
- Ghanem, Dalia. 2016. "The Female Face of Jihadism." *The Euro-Mediterranean Study Commission (EuroMeSCo)*. Accessed March 17, 2020. https://www.imesd.org/publicacions-es/historic-de-publicacions/joint-policy-studies/terrorist-threat-in-the-euro-mediterranean-region/at_download/arxiu_relacionat.
- Ghanem, Dalia. 2020. "Women in the Arab Armed Forces." *Carnegie Middle East Center*. Accessed March 17, 2020. <https://aiw.lau.edu.lb/research/books-publications/women-in-the-arab-armed-forces.php>.
- Ghannam, Farha. 2013. *Live and Die Like a Man: Gender Dynamics in Urban Egypt*. Stanford, CA: Stanford University Press.
- Gronnvoll, Marita. 2007. "Gender (In)Visibility at Abu Ghraib." *Rhetoric and Public Affairs* 10 (3): 371–98.
- Hafez, Sherine. 2014. "The Revolution Shall Not Pass Through Women's Bodies: Egypt, Uprising, and Gender Politics." *Journal of North African Studies* 19 (2): 172–85.
- Hooper, Charlotte. 2001. *Manly States: Masculinities, International Relations, and Gender Politics*. New York: Columbia University Press.
- Human Rights Watch. 2014. "UAE: Weak Protection Against Domestic Violence." Accessed July 7, 2020. <https://www.hrw.org/news/2014/08/04/uae-weak-protection-against-domestic-violence>.
- Joseph, Suad. 1993. "Connectivity and Patriarchy Among Urban Working-Class Arab Families in Lebanon." *Ethos* 21 (4): 452–84.
- Joseph, Suad. 1999. "Descent of the Nation: Kinship and Citizenship in Lebanon." *Citizenship Studies* 3 (3): 295–318.
- Joseph, Suad. 2000. "Civic Myths, Citizenship, and Gender in Lebanon." In *Gender and Citizenship in the Middle East*, 107–36. Syracuse, NY: Syracuse University Press.
- Kandiyoti, Deniz. 1988. "Bargaining with Patriarchy." *Gender and Society* 2 (3): 274–90.
- Khalil, Andrea. 2014. "Editor's Preface: Gender Paradoxes of the Arab Spring." *Journal of North African Studies* 19 (2): 131–36.
- Khalid, Maryam. 2018. "Gender, Race, and the Insecurity of 'Security.'" *The Routledge Handbook of Gender and Security*, 37–47. Routledge.
- Kronsell, Annica. 2006. "Methods for Studying Silences: Gender Analysis in Institutions of Hegemonic Masculinity." In *Feminist Methodologies for International Relations*, 108–128. Cambridge: Cambridge University Press.
- Ling, L. H. 2008. "Borderlands: A Postcolonial-Feminist Alternative to Neoliberal Self/Other Relations." *International Affairs Working Paper no. 3*, The New School, New York.
- MacKenzie, Megan. 2009. "Securitization and De-Securitization: Female Soldiers and the Reconstruction of Women in Post-Conflict Sierra Leone." *Security Studies* 18 (2): 241–61.
- Moallem, Mino. 2001. "Middle Eastern Studies, Feminism, and Globalization." *Globalization and Gender* 26 (4): 1265–68.
- Moghadam, Valentine. 2003. *Modernizing Women: Gender and Social Change in the Middle East*. Boulder, CO: Lynne Rienner Publishers.
- Murphy, Craig. 1998. "Six Masculine Roles in International Relations." In *The "Man" Question in International Relations*, 93–108. Boulder, CO: Westview Press.
- Nayak, Meghana, and Eric Selbin, eds. 2010. *Decentering International Relations*. London: Zed Books.
- Niva, Steve. 1998. "Tough and Tender: New World Order Masculinity and the Gulf War." In *The "Man" Question in International Relations*, 109–128. Boulder, CO: Westview Press.
- Ortner, Sherry. 2014. "Too Soon for Post-Feminism: The Ongoing Life of Patriarchy in Neoliberal America." *History and Anthropology* 25 (4): 530–49.
- Parashar, Swati. 2009. "Feminist International Relations and Women Militants: Case Studies from Sri Lanka and Kashmir." *Cambridge Journal of International Affairs* 22 (2): 235–56.
- Paret, Peter, Craig Gordon, and Felix Gilbert, eds. 1986. *Makers of Modern Strategy from Machiavelli to the Nuclear Age*. Princeton, NJ: Princeton University Press.
- Peterson, Spike. 1992. "Security and Sovereign States: What Is at Stake in Taking Feminism Seriously?" In *Gendered States: Feminist (Re)Visions of International Relations Theory*, 31–64. Boulder, CO: Lynne Rienner.
- Peoples, Fatima. 2008. "Street Harassment in Cairo: A Symptom of Disintegrating Social Structures." *African Anthropologist* 15 (1–2): 1–20.
- Pettman, Jan Jindy. 1996. *Worlding Women: A Feminist International Politics*. New York: Routledge.
- Roberts, Nadim. 2014. "The Life of a Jihadi Wife: Why One Canadian Woman Joined ISIS's Islamic State." *CBC News*, July 7, 2014. Accessed March 27, 2020. <http://www.cbc.ca/news/world/the-life-of-a-jihadi-wife-why-one-canadian-woman-joined-isis-s-islamic-state-1.2696385>.
- Runyan, Anne Sisson. 2019. *Global Gender Politics*. New York: Routledge.
- Ryan, Michael, and Hellen Rizzo, eds. 2019. *Gender in the Middle East and North Africa: Contemporary Issues and Challenges*. Boulder, CO: Lynne Rienner Publishers.
- Sasson-Levy, Orna. 2013. "Genre et violence dans les paroles de soldates : Le cas d'Israël." *Critique Internationale* 60 (3): 71–88.
- Sharabi, Hisham. 1988. *Neopatriarchy: A Theory of Distorted Change in Arab Society*. Oxford: Oxford University Press.
- Shepherd, Laura. 2013. "The State of Feminist Security Studies: Continuing the Conversation." *International Studies Perspectives* 14 (4): 436–39.
- Sjoberg, Laura, and Caron Gentry. 2007. *Mothers, Monsters, Whores: Women's Violence in Global Politics*. London: Zed.
- Sjoberg, Laura, ed. 2009. *Gender and International Security: Feminist Perspectives*. Oxon: Routledge.
- Stiehm, Judith. 1983. "The Protected, the Protector, the Defender." In *Women and Men's Wars*, 367–76. Oxford: Pergamon.
- Sylvester, Christine. 1994. *Feminist Theory and International Relations in a Postmodern Era*. Cambridge: Cambridge University Press.
- Sylvester, Christine. 2010. "Tensions in Feminist Security Studies." *Security Dialogue* 41 (6): 610–12.
- Tickner, Ann. 1992. *Gender in International Relations: Feminist Perspectives on Achieving Global Security*. New Directions in World Politics. New York: Columbia University Press.
- Tickner, Ann. 2011. "Feminist Security Studies: Celebrating an Emerging Field." *Politics and Gender* 7 (4): 611–32.
- True, Jacqui, and Michael Mintrom. 2001. "Transnational Networks and Policy Diffusion: The Case of Gender Mainstreaming." *International Studies Quarterly* 45 (1): 27–57.
- United Nations Security Council. 2000. "Resolution 1325 (2000)."
- Victor, Barbara. 2003. *An Army of Roses: Inside the World of Palestinian Women Suicide Bombers*. New York: Rodale Press.
- Wallerstein, Immanuel. 1997. "The Unintended Consequences of Cold War Area Studies." In *The Cold War and the University: Toward an Intellectual History of the Postwar Years, 195–231*. New York: New Press.
- Woodward, Rachel. 2004. "Discourse of Gender in the Contemporary British Army." *Armed Forces and Society* 30 (2): 279–301.
- Yacoubi, Imen. 2016. "Sovereignty from Below: State Feminism and the Politics of Women Against Women in Tunisia." *Arab Studies Journal* 24 (1): 253–74.
- Young, Iris Marion. 2003. "The Logic of Masculinist Protection: Reflections on the Current Security State." *Signs: Journal of Women in Culture and Society* 29 (1): 2.
- Yount, Kathryn, and Li Li. 2009. "Women's 'Justification' of Domestic Violence in Egypt." *Journal of Marriage and Family* 71 (5): 1125–40.



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Research on Gender, Health, and Displacement in the Arab Region: Lessons Learned

I. INTRODUCTION

War and conflict pose serious threats to health and well-being through both direct consequences like destruction, injury, and death, and indirect consequences such as deteriorating mental health, malnutrition, and increased risk of chronic diseases (Amodu, Richter, and Salami 2020; Mowafi 2011; Pedersen 2002; Giacaman 2018; Batniji et al. 2009; Miller and Rasmussen 2010; Burgess and Fonseca 2020). In recent years, a growing body of research has pointed to the differential and gendered experience of conflict, which manifests in the types of exposure to physical and structural violence in conflict and post-conflict conditions—including displacement—rendering the consequences of war and conflict on health gendered in a way that warrants deeper investigation (WHO 2007; El Jack 2018; Gressmann 2016; Farhood, Fares, and Hamady 2018; Tekin et al. 2016; Amodu, Richter, and Salami 2020). In general, men are more likely to be directly impacted by violence and have higher mortality and injury rates, while women are more likely to be indirectly impacted and displaced by conflict (Amodu, Richter, and Salami 2020; Gressmann 2016; Farhood, Fares, and Hamady 2018; Cheung Chung et al. 2018; WHO 2007).

In terms of health, these differential exposures to conflict have important consequences. For example, men are more likely to have to cope with the long-term effects of injury, including temporary or long-term disabilities. Women, on the other hand, face challenges in accessing needed health and water, sanitation, and hygiene (WASH) services, are more vulnerable to sexual abuse and gender-based violence, and report greater psychological and psychosomatic symptoms as a result of the

distress induced by conflict and displacement (Tekin et al. 2016; Gressmann 2016; Cheung Chung et al. 2018).

In 2017, over 68.5 million people had been forcibly displaced worldwide, according to the United Nations High Commissioner for Refugees (UNHCR 2017). Today, the Arab region is home to the largest concentration of refugees and displaced peoples in the world, with Lebanon and Jordan accounting for the highest rates of refugee to population, and Syria producing 6.3 million refugees now residing in other countries (UNHCR 2017). Yemen, Sudan, and South Sudan also each house about 2 million internally displaced persons within their borders (UNHCR 2017). In addition to the more recent conflicts and subsequent displacements, 5.1 million Palestinian refugees, largely residing in neighboring Arab states, are registered with the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and represent one of the more chronically displaced populations in the region (UNHCR 2017). Despite being home to large-scale displacements, the latest example being the ongoing Syrian refugee crisis and the war on Yemen, there is a paucity of recent published academic research exploring the links between health, conflict, displacement, and gender in the Arab region as a whole.

We begin this paper by investigating the intersections between conflict, gender, and health with a focus on displacement, zeroing in on the Arab region. We then examine the key areas of health research identified in this literature: mental health, gender-based violence (GBV), and sexual and reproductive health (SRH). We also briefly address the literature that focuses in particular on post-conflict reconstruction in relation to health, and investigate the extent to which, if at all, gender is centered in this discourse. This examination allows us to reflect on how gender is operationalized and conceptualized in the literature on health, conflict, and displacement in the region and to what extent gender-specific mechanisms are outlined. Given the nature of the concepts discussed, it is important to recognize that the majority of academic research surveyed here appeared in health-specific publications. This is not to negate or avoid taking direction from more critical work in other fields of enquiry—such as criminology,¹ anthropology, and sociology—that also include health and gender dimensions.

1. We highlight, for example, the work of Nadera Shalhoub-Kevorkian in this direction.

The findings from our comprehensive review² of the available literature invite us to rethink the ways in which future research could redress conceptual gaps, bringing the crucial intersections of health, conflict and displacement, and gender together in contextually relevant and conceptually rigorous ways that will better inform academic and programmatic interventions.

II. THE INTERCONNECTIONS BETWEEN CONFLICT AND DISPLACEMENT, HEALTH, AND GENDER IN THE ARAB REGION

Although published more than ten years ago, Mowafi's (2011) article "Conflict, Displacement and Health in the Middle East" provides a good starting point for thinking about the ways that conflict and displacement affect health in the region. Mowafi reviews the literature on migration and displacement and discusses different regional cases, focusing in particular on the then large-scale displacement of Iraqis in the aftermath of the American occupation beginning in 2003, in order to shed light on the connections between conflict and health.

In addition to the direct physical impacts of violence on health, such as injury and death, conflict and displacement can compromise access to health services, transform living conditions, and impact psychosocial, sexual, and reproductive health through both direct and indirect mechanisms. While earlier literature focuses on the more direct impacts of conflict and displacement on health, more recent literature reflects a broader view of health-related consequences (Giacaman 2018; Burgess and Fonseca 2020). For instance, the destruction of health infrastructure in various settings diminishes the ability of health systems and service providers to meet the needs of the populations they serve (Dewachi et al. 2014; Abbara et al. 2015). In these contexts, regular operations and basic service provision have been discontinued, including SRH and other primary care services such as

2. This study is based on a scoping review of the literature, which includes academic as well as grey literature. We began the literature search using the key terms "health," "gender," "conflict OR displacement" AND "Arab" OR "MENA." The initial search produced a limited number of studies, so we expanded the search using specific names of countries undergoing conflict in the region. We included literature that had a specific gender focus or noted gender dynamics in some capacity. It is noteworthy that we were unable to find relevant academic literature in Arabic. We included reports to the best of our ability, and in cases where the report is available in both Arabic and English, it was included here in English for ease of citation.

vaccinations, in addition to the shortages in drugs and supplies due to limitations on movement and destruction of roads (Dewachi et al. 2014; Abbara et al. 2015). In some settings, like Syria, health providers have been directly targeted, with adverse effects on the ability of the health system to provide needed care (Fouad et al. 2017; Tappis et al. 2020). The instability and insecurity stemming from conflict further affect service access. In times of such peril, people tend to avoid leaving their homes to seek treatment, which can result in the worsening of health conditions, an increased risk of complications, especially for the chronically ill, and higher mortality rates due to the inability to reach emergency services in time.

In recent years, a growing body of research has pointed to the differential and gendered experience of conflict

Conflict also impacts health through its effects on the broader ecosystem and environment, with destruction and the use of weapons causing longer-term environmental degradation. The chemicals released by weapons increase pollution and expose people to toxins that have been linked to higher risk of diseases, including respiratory disorders (Mojabi et al. 2010; Fathi et al. 2013; Al-Shammari 2016). Remnants of weaponry used in war and conflict, such as undetonated devices, also pose a risk to people's health through injury, especially in areas that contain minefields. Furthermore, environmental degradation and disruptions to people's mobility lead to a lack of land cultivation, which, in turn, results in an increase in famines, food shortages, and rates of malnutrition and acute hunger, as has been observed in Syria and Yemen (Rizkalla et al. 2020; Gressmann 2016; Qirbi and Ismail 2017).

Beyond their effects on the environment, conflict and displacement also take a heavy toll on psychosocial and mental health, oftentimes persisting beyond the duration of the conflict. Various studies have shown that people with direct experiences of conflict or displacement are at greater risk of poor mental health, experience greater levels of distress, and are more likely to report PTSD symptoms. Studies have also found higher degrees of somatization, which is the manifestation of psychological distress into

physical and bodily symptoms, and generally worse mental health among displaced and refugee populations, with a noted unmet need for psychosocial services in much of the Arab region (Rizkalla et al. 2020; Cheung Chung et al. 2018; Mowafi 2011).

The injuries sustained by men during war and conflict oftentimes have grave repercussions on their own lives and on the women in their households (Gressmann 2016; Dalacoura 2019; UNHCR 2017; Mowafi 2011). For example, when male family members or spouses are injured or killed in conflict, women are left to take on new roles and are faced with the responsibility of providing for their families. At times, this can result in increased precarity for women, sometimes pushing them into sex work or making them more susceptible to traffickers (El Jack 2018; Dalacoura 2019; Canefe 2018; Davies and True 2015). Increased economic pressures on the family can also lead to higher rates of domestic violence, which disproportionately affects women. These conditions have important implications for health, such as reduced access to services, a need for new services, especially SRH, and higher reports of poor mental health (Rizkalla et al. 2020; Mowafi 2011; Farhood, Fares, and Hamady 2018; Cheung Chung et al. 2018; Tekin et al. 2016). The increased stress of having to provide for family members under worsening economic conditions during times of conflict has also been linked to an increase in substance abuse and violent behavior exhibited by men (Amodu, Richter, and Salami 2020; Mowafi 2011; Farhood, Fares, and Hamady 2018; Gressmann 2016). Men and boys also remain the more direct victims of acute violence during conflict, and are more likely to experience forced recruitment and arbitrary detention by armed groups (Gressmann 2016). Women and girls, on the other hand, are more likely to be exposed to malnourishment during times of conflict given their more limited access to resources. In Yemen, women in rural areas, children under the age of 5, and chronically ill persons are specifically disadvantaged by the lack of gender-sensitive health services (Gressmann 2016). In the next section, we focus on the most common dimensions of health linked with gender and conflict/displacement in the literature.

III. THE GENDERED HEALTH EFFECTS OF CONFLICT/DISPLACEMENT IN THE ARAB REGION

In the reviewed literature, we found that the main


foci of health research at the intersections of conflict and displacement and gender are mental health, gender-based violence—including child or early marriage—and sexual and reproductive health. Although we divide the main health research into these sections for the sake of clarity, there are important links between these different areas. For example, people exposed to sexual assault and other forms of GBV have also been shown to have worse mental health conditions or show signs of somatization or trauma (Farhood, Fares, and Hamady 2018; Tekin et al. 2016; Rizkalla et al. 2020; Al-Shammari 2016). It is worth noting that much of this literature focuses on women without necessarily pinpointing the mechanisms through which gender impacts the various dimensions of health, and that oftentimes "gender" and "women" as categories are used interchangeably. While we expand on this interchangeable use later in this paper, we note it here to clarify that the literature reviewed largely focuses on studies foregrounding the health effects of conflict and displacement on women in the Arab region.

1. Mental Health


There has been a notable increase in the literature on mental health vis-à-vis war and conflict in recent years (Amodu, Richter, and Salami 2020; Akseer et al. 2020). This shift has also translated into a greater emphasis on the integration of mental health and psychosocial services into preexisting health and emergency health services provided to conflict-affected populations. Some of the literature focuses on the service needs of refugee and displaced populations, and many studies highlight the mental health consequences of conflict and displacement, including both direct and indirect and long-term exposures.

While the need for mental health services in the region has risen as a result of enduring conflict and displacement, most mental health systems in host countries are ill-prepared and lack the necessary infrastructure to provide needed services to refugees and displaced persons (Mowafi 2011). And despite increased attention to the issue, research indicates that current services are still unable to meet the mental health needs of refugees and displaced persons in the region (WHO 2007; Mowafi 2011; Yasmine and Moughalian 2016; El Arnaout et al. 2019). A recent study assessing the health needs of Syrian refugees in Lebanon and neighboring countries points to mental health care as one of the most commonly reported health

needs, which remain largely unmet (El Arnaout et al. 2019; WHO 2007; Mowafi 2011). Studies that focus on mental health service needs generally do not discuss these needs vis-à-vis gender, though some point out that women and men experiencing GBV and other forms of violence are more likely to need mental health care. In a recent study on the experiences of Syrian refugee women and narratives of conflict and displacement, Rizkalla et al. (2020) argue that better access to broader trauma-focused services for refugees is needed, and that these services should be better attuned to cultural and gender dynamics.



Conflict and displacement can compromise access to health services, transform living conditions, and impact psychosocial, sexual, and reproductive health




Recently, an increasing number of studies dealing with the mental health consequences of conflict and displacement has focused on the Arab region, with research pointing to effects of trauma, such as PTSD and depressive disorders, as well as psychosocial areas of mental health like well-being (Pedersen 2002; Miller and Rasmussen 2010; Kienzler 2008; Rizkalla et al. 2020; Cheung Chung et al. 2018). Some of this research has highlighted variations in the nature of somatization, symptomatology, and the incidence of mental health disorders based on gender (Rizkalla et al. 2020; Tekin et al. 2016; Farhood, Fares, and Hamady 2018; Cheung Chung et al. 2018). Overall, women are more likely to report depressive disorders, PTSD, and psychosomatic symptoms than men (Tekin et al. 2016; Farhood, Fares, and Hamady 2018). In a study examining the prevalence and gender differences in symptomatology of PTSD and depression among Iraqi Yazidis displaced into Turkey, Tekin et al. (2016) found that more women than men suffered from PTSD and major depression. The authors also found differences between women and men in terms of behaviors and symptoms, whereby men were more likely to report feelings of estrangement or detachment from others. Women, on the other hand, were more likely to report feelings of guilt or worthlessness. Additionally, women with PTSD were more likely to report flashbacks, hypervigilance, and intense

distress due to trauma reminders. Similarly, a systematic review of socio-ecological factors contributing to risk and protection of the mental health of refugee children and adolescents, which included studies from different settings in the Arab region, points to gender as a predictor of risk for mental health disorder in some contexts (Scharpf et al. 2021). Some studies highlight that the nature of experienced mental health problems can be dictated by gender. For instance, a 2015 study on Palestinian refugee adolescents in Jordan shows that girls are more likely to exhibit internalizing behaviors compared with boys (Ahmad, Smetana, and Klimstra 2015).


In a study focused on PTSD and gender among a population of women and men exposed to war in South Lebanon, Farhood, Fares, and Hamady (2018) found that women were more likely to score above the PTSD threshold than men, even though there were no statistically significant differences in the traumas they experienced. They also identified differences in symptom clusters, which are sets of two or more symptoms that occur together. For example, women were more likely to report “avoiding thoughts or feelings associated with the traumatic or hurtful experience,” whereas men were more likely to report “avoiding activities that remind [them] of the traumatic or hurtful event.” The authors noticed similar patterns in the clusters associated with negative cognitions and mood, and alterations in arousal and reactivity; men were more likely to report irritability and outbursts of anger, while women were more likely to report “feeling jumpy [and] easily startled” (Farhood, Fares, and Hamady 2018). The differences pointed out in the literature, both in terms of the occurrence of mental health disorders and the manifestation of symptoms and forms of somatization, warrant further study in order to understand how broader eco-social and other conditions may shape gendered responses to conflict/displacement exposures. The need for more gendered and gender-sensitive understandings of conflict response has been echoed by Farhood, Fares, and Hamady (2018) and Rizkalla et al. (2020). However, despite the consistent differences between women and men in mental health outcomes and symptomatology, few studies actually interrogate the gendered mechanisms or pathways that may explain these differences, especially among more trauma-focused mental health research.

A growing set of literature highlights the ways conflict affects mental health beyond direct trauma through increased exposure to stressors like poverty,

displacement, and isolation from social networks and support (Miller and Rasmussen 2010; Burgess and Fonseca 2020; Giacaman 2018). A few studies outline how these consequences also intersect with gender to impact mental health in the region (Canefe 2018; Rizkalla et al. 2020; Gressmann 2016; El Arnaout et al. 2019). For example, some point to the poor economic conditions many refugees and displaced persons live under (Canefe 2018; Amiri et al. 2020; El Arnaout et al. 2019; Roupetz et al. 2020). Poor economic conditions and limited resources have a direct impact on access to health services, including psychological services. Furthermore, resource constraints and poverty associated with displacement conditions also increase pressures on families and family heads to meet their basic needs.



Increased stress during times of conflict has been linked to an increase in substance abuse and violent behavior exhibited by men



In contexts where people are cut off from their social support networks, the ramifications on mental health are expected to be worse. For instance, due to the high rates of unemployment among displaced populations, women are increasingly having to seek work, oftentimes under poor or abusive conditions, in order to help meet their families’ needs. The added pressures and strains on women resulting from increased responsibilities outside of the household on top of their domestic responsibilities have been shown to be detrimental to their mental health (Gressmann 2016; El Arnaout et al. 2019; CARE Jordan 2019). This is more pronounced among households where the spouse is dead or has been separated from the family. For example, Syrian refugee women heading households and having to take on additional roles within the family, including managing household expenses and caring for their children, reported exacerbated psychological stress that compromised their health and well-being (CARE Jordan 2019). For girls, the most-reported reasons for psychological distress are feelings of helplessness caused by their inability to change their situation, displacement, being forced to work, and being denied access to education (Mourtada, Schlecht, and DeJong 2017; CARE Jordan 2019; DeJong et al. 2017). There is therefore an acknowledged gendered dimension to how economic insecurity and psychological stress

disproportionally affect refugee populations.

2. Gender-Based Violence

Gender-based violence has been established as a serious consequence of conflict and displacement. As of late, NGOs have increasingly highlighted the incidence and ramifications of GBV in their research and reporting, increasing programming directed toward its impacts (Roupetz et al. 2020; CARE Jordan 2019; El Taraboulsi-McCarthy et al. 2019; Johnston and Asfour 2018). While most organizations focus on GBV’s impact on women and girls, there is some—albeit much more limited—research on its impact on boys and men. Many point to the differential impact of GBV and conflict, where women and girls are more likely victims and men and boys more likely the perpetrators (CARE Jordan 2019). Others have discussed the broader implications of war, including the negative impact on the psychosocial well-being of populations, which affects their social fabric. Other consequences that are often mentioned are increased GBV and early marriage, both of which can be observed in Yemen and Syria, especially among displaced refugees (El Ayoubi, Abdulrahim, and Sieverding 2021; Al-Ammar, Patchett, and Shamsan 2019; Cheung Chung et al. 2018; UNFPA 2018; 2021).

Focusing on Yemen in particular, a 2016 interagency report commissioned by Oxfam, CARE, and GenCap on the intersection between gender and conflict highlights the ways in which conflict and displacement amplify existing social, cultural, and economic inequalities and affect men, women, boys, and girls differently due to their respective societal roles (Gressmann 2016). In addition to bearing the brunt of running households under duress and conflict, women are also often exposed to GBV and become more vulnerable as basic services of an already-stretched health system are severely compromised. In Yemen specifically, the psychological stress men endure due to the loss of income, compromised mobility, and their need to partake in what are traditionally considered “women-specific roles” have led to increased levels of domestic violence against women (Gressmann 2016). Additionally, the Yemeni war has increased the already significant exposure to GBV faced by girls and women, who are more susceptible to forms of violence including forced marriage, early marriage, exchange marriage,³ sexual exploitation,

3. Exchange marriage is common in certain parts of Yemen. It

precarious sex work, and sexual harassment—with some reports suggesting that 90 percent of women have faced sexual harassment on the street (Gressmann 2016). This finding is consistent with studies conducted by the Sanaa Center showing an increase in GBV as well as child marriage during the war in Yemen (Al-Ammar, Patchett, and Shamsan 2019; Al-Jeddawy 2022).

Women and girls are more likely to be exposed to malnourishment during times of conflict

Globally, gender-based violence against boys and men is far less documented. In conflict areas where the topic has been explored, evidence suggests that sexual violence against boys and men is pervasive, especially in cases of forced displacement (Chynoweth, Freccero, and Touquet 2017; Al-Ammar, Patchett, and Shamsan 2019). Examples have been documented in conflict-affected territories of the eastern Democratic Republic of the Congo, Liberia, Sudan, the former Yugoslavia, and Yemen, as well as among refugee populations in Lebanon (Chynoweth, Freccero, and Touquet 2017; Al-Jeddawy 2022; Al-Ammar, Patchett, and Shamsan 2019). There has also been more recognition lately of Syrian refugee boys' risk of sexual exploitation in Jordan, with evidence of older adolescent boys exploiting younger boys as well (Presler-Marshall, Gercama, and Jones 2017; Johnston and Asfour 2018). Sexual abuse against men during times of conflict is not novel—the infamous Abu Ghraib prison scandal exposed rampant cases of sexual violence against, and torture and rape of, Iraqi men during the US invasion of Iraq (Whitmer 2006). After violence and abuse take place, several factors hinder men and boys from accessing appropriate health care, including social, cultural, and shame- and stigma-related reasons (Chynoweth, Freccero, and Touquet 2017; Al-Ammar, Patchett, and Shamsan 2019). Furthermore, despite some awareness of this issue in contexts of conflict, many health-care workers lack the appropriate expertise to identify men and boy victims and survivors of abuse, and

is a form of marital agreement that occurs between two families, where each family marries off a daughter (oftentimes without their consent) to a man from the other family without having to pay dowry (Noman 2014).

do not always know where to refer them for medical and psychosocial care (Chynoweth, Freccero, and Touquet 2017). Without proper and timely care, the sexual violence men and boys are exposed to during times of war can be detrimental to their mental health (Chynoweth, Freccero, and Touquet 2017). It is therefore important to draw attention to this often-neglected gendered dimension of sexual violence, within and beyond the Arab region.

One commonly documented form of GBV is early marriage, other wise known as child marriage, which, in certain areas, is practiced in order to protect girls and women from sexual harassment and rape. In Jordan, there have been reports of men marrying young girls and women they have sexually assaulted (Johnston and Asfour 2018). Other justifications for early marriage include the “girl’s protection,” or *sutra* (DeJong et al. 2017; Knox 2017; Mourtada, Schlecht, and DeJong 2017; Al-Ammar, Patchett, and Shamsan 2019). Although GBV-related studies focusing on sub-Saharan Africa tend to draw attention to sex trafficking and female genital mutilation (Amodu, Richter, and Salami 2020), studies from the Arab tend to highlight the impact of early marriage. In this context, it is important to note that early or child marriage is a recurring theme in the literature on conflict and displacement, both in academic literature as well as nongovernmental organization reporting (Knox 2017; CARE Jordan 2019; Johnston and Asfour 2018; DeJong et al. 2017; Mourtada, Schlecht, and DeJong 2017; Gressmann 2016; النساء الآن et al. 2016). Early marriage has been identified as a common risk for girls in contexts of conflict, displacement, and post-conflict reconstruction in particular. The negative consequences of early marriage are well-established and include a high likelihood of early child-bearing, increased risks of maternal and infant mortality, and low educational achievement, which prevents personal and professional growth and compromises quality of life. Some studies explore the negative repercussions of early marriage on children, and especially young girls, while others seek to understand the reasons for early marriage among refugee populations in the Arab region (Knox 2017; Mourtada, Schlecht, and DeJong 2017; Gausman et al. 2020; El Ayoubi, Abdulrahim, and Sieverding 2021; النساء الآن et al. 2016; Al-Ammar, Patchett, and Shamsan 2019).

As noted earlier, while early marriage was prevalent in Yemen prior to the conflict, with 52 percent of girls married before the age of 18 (including 14 percent before the age of 15), war and displacement have

exacerbated the issue, leaving many young girls extremely vulnerable (Gressmann 2016). Similarly, among Syrian refugees, many studies indicate that child marriage has been rising as a result of conflict and displacement (Mourtada, Schlecht, and DeJong 2017; Knox 2017). Some studies have sought to understand why this phenomenon has become prevalent in contexts of conflict in the region. Potential reasons discussed include safety concerns, feelings of insecurity, deteriorating economic conditions, and disruption in adolescent girls’ education (Mourtada, Schlecht, and DeJong 2017). Research suggests that early marriage has been on the rise in Yemen as families use it as a coping mechanism during conflict and as a means to access dowry (Gressmann 2016). Furthermore, some studies have delved deeper into refugee girls’ own perceptions surrounding the decision-making dynamics and processes which lead to early marriage. In her research on Palestinian refugee populations in Lebanon, Knox (2017), for instance, examines the range of factors resulting from conflict—including economic hardship, insecurity, and loneliness—that influence decisions to enter an early marriage. Importantly, Knox notes that these decisions are neither unilateral nor imposed, and that more accurate reflections of girls’ understanding is required. The study points to the need for more nuance in the design and development of interventions to address this issue.

Most mental health systems in host countries are ill-prepared and lack the necessary infrastructure to provide needed services to refugees and displaced persons

Studies conducted by DeJong et al. (2017) and Mourtada, Schlecht, and DeJong (2017) note that early marriage must be understood in light of the changing context of marriage more generally, including changes in traditions associated with it. Syrian refugees in Lebanon participating in the latter study indicated awareness that the increase in early marriage was a result of their difficult realities and the hardships of displacement, though some have also expressed resistance to such pressures. Some study participants did not desire early marriage for their children, but understood it


as a difficult choice made in difficult circumstances (Mourtada, Schlecht, and DeJong 2017). While early marriage is often considered to be a form of GBV, some of these explorations complicate the picture, especially where the motivation for early marriage is tied to an attempt to protect girls from sexual violence and assault.

3. Sexual and Reproductive Health


Sexual and reproductive health is another main theme in the literature at the intersections of conflict and displacement, health, and gender. In a seminal review of the reproductive health of war-affected populations, McGinn (2000) notes that attention to sexual and reproductive health in conflict and displacement settings increased in the aftermath of the 1994 Cairo International Conference on Population and Development and news of the sexual violence committed in conflicts in the former Yugoslavia and Rwanda. The main findings of the review, which included some countries in the Arab region, point to the challenges and added dangers refugee women encounter in pregnancy and childbirth, the mixed effects of conflict on fertility patterns, and the lack of access to family planning services such as emergency contraception. While various studies note that refugee and internally displaced women, especially those who are victims of sexual violence, may be at greater risk of sexually transmitted infections and diseases (STIs and STDs), there is a dearth of studies that investigate the prevalence of STIs and STDs among refugee populations (McGinn 2000). Since this review, many of the key areas, especially those related to access to SRH services, continue to receive attention in both NGO and academic literature. Furthermore, there appears to be consistent recognition of the importance of paying attention to sexual violence and GBV among refugee and internally displaced populations, as well as an understanding that these exposures increase the need for SRH services.

For instance, the United Nations Population Fund’s regional report, authored by DeJong and Bashour (2016), focusing on SRH states that conflict is a contextual factor in the region that merits special attention. It notes that all countries reported inequalities in the provision of sexual and reproductive health services based on geographic area, including a rural and urban divide. The report also notes that the substantial levels of displacement in countries such as Syria have created new vulnerabilities, straining regional health systems’ capacity to cope and creating new SRH issues

that require novel solutions given the difficult circumstances. A systematic review assessing the utilization of SRH services among Syrian refugees in Jordan supports these findings (Amiri et al. 2020). The authors find that women faced various barriers to accessing and utilizing SRH services, including a lack of access to information, an increase in early marriage, and a paucity in the availability of services, including STI and HIV services. Maternal health services appeared to be more accessible to women, although some issues around access were cited (Amiri et al. 2020). An earlier study focusing on Iraqi refugee women in Jordan identifies similar gaps in services and underscores the need to address service-delivery gaps and coordination issues (Chynoweth, Freccero, and Touquet 2017). As Tappis et al. (2020) note, the confluence of endemic poverty and the high prevalence of GBV with ongoing conflict, food insecurity, and infectious disease has exacerbated negative maternal and child health outcomes, including unwanted pregnancy, obstetric complications, and higher maternal and infant mortality rates. In this context, several scholars point to the need for more comprehensive health services and better coordination between agencies providing health care to refugees (النساء الآن et al. 2016; UNFPA 2021; 2018; Tappis et al. 2020).



Early marriage has been identified as a common risk for girls in contexts of conflict, displacement, and post-conflict reconstruction



Additional studies identified gaps in access to SRH services and emergency obstetric care (Reese Masterson et al. 2014; Yasmine and Moughalian 2016; UNFPA 2018; 2021). Yasmine and Moughalian (2016) point to the negative impacts of GBV and early marriage, limited access to emergency obstetric care and contraception, forced cesarean sections, and high costs of services on sexual and reproductive health. Masterson et al. (2014) find that although gynecologic conditions were common among Syrian refugees in Lebanon, a majority of them did not access care for these conditions. They also note that conflict, violence, and stress were associated with gynecologic conditions. Here, they point to the importance of examining the links

between violence, stress, and the reproductive health needs of women and the necessity of services that integrate reproductive health and psychosocial needs. Other studies in the occupied Palestinian territories show that restricted mobility and significant conflict intensity limit women's access to SRH services, impact women's choice of health provider, lead to an increase in home birth, and influence decisions about inducing birth due to mobility concerns (Siam and Leone 2020; Bosmans et al. 2008; Leone et al. 2019; Hamayel, Hammoudeh, and Welchman 2017; Hammoudeh, Hamayel, and Welchman 2016; Bosmans et al. 2008). These findings elucidate the impacts of conflict and displacement on SRH, especially in relation to childbirth and reproductive health services. Shalhoub-Kevorkian expands on these points in her work focusing specifically on East Jerusalem, which investigates the various forms of colonial violence enacted against Palestinians, and particularly women (Shalhoub-Kevorkian 2015; Shalhoub-Kevorkian, Otman, and Abdelnabi 2021). In her study examining the politics of birth and intimacies of violence, Shalhoub-Kevorkian (2015) notes that in conflict zones, maternal mortality rates can increase due to the general disruption and deterioration of health services, particularly the reproductive health system. This can be exacerbated by the lack of health-care professionals and poor health conditions. She points to mobility as a key mechanism by which conflict impacts women's reproductive health, particularly in terms of access to care and support systems. Based on her study, she finds that women restricted their own movement due to the threats of roadblocks and gas inhalation and at times avoided seeking care. Other women reported miscarriages due to tear gas exposure. Another key dimension of the political violence enacted against Palestinian women, especially those in East Jerusalem, is tied to restrictions on residency rights, particularly in light of the targeting of women as vessels of a demographic threat to the Jewish identity of the Israeli state. The restrictions on residency rights impinge women's ability to access support networks and seek services where they prefer, potentially impacting decisions about who to marry and whether to have children.

4. Gender and Health in Post-Conflict Contexts

Although some of the literature cited above includes conflict and post-conflict contexts, it is important to mention post-conflict reconstruction

literature exclusively in relation to health since this is often what influences practices in the field of humanitarian aid, reconstruction, and development (Haar and Rubenstein 2012; Kangas et al. 2015; Anderson 2017). Researchers note that gender is often not prioritized at the early stages of post-conflict state-building. Issues related to gender relations are inadequately addressed in the design of interventions. Furthermore, donor approaches to state-building "have not incorporated any substantial gender analysis that looks at how state-building processes impact women and men differently, the quality of women's relationship to the state, or how women can participate in shaping the state building agenda" (Kangas et al. 2015). This appears to be the case in other "conflict" contexts, including post-conflict recovery in Iraq/Kurdistan, where researchers have called for including gender as a variable within the health monitoring system, but do not necessarily elaborate on mechanisms (Emberty Gialloreti et al. 2020).

IV. CONCLUSION

Through this review of the literature, we summarized the main findings that help us understand how conflict/displacement and gender interact to influence health in the Arab region. We also sought to identify the key health themes that dominate this literature. As noted above, there is growing attention to the importance of examining gender and health in conflict and displacement settings, which is evident in the expanding body of research—both academic and grey literature—on the topic. We find that the main focus areas have not changed significantly since Mowafi's (2011) review of the literature on health and displacement in the Arab region. The main change we note is a growth of the literature focusing on mental health. SRH and GBV continue to be cornerstones of this literature, while early or child marriage dominate much of the literature on GBV in displacement contexts in the region.

While these are important areas of research and the growth of this literature could arguably be viewed as a positive development, we find key gaps and limitations that deserve further attention.

First, while mental health, SRH, and GBV are important areas to examine the interplay between conflict/displacement and health, very little is published on noncommunicable diseases (NCDs), let alone through a gender-sensitive lens. This is despite the fact that NCDs constitute the greatest

disease burden in the Arab region (Rahim et al. 2014). Secondly, key vulnerable groups are absent in much of the literature. There is a dearth of research on the gendered experiences of refugees and displaced people with pre-existing disabilities and mental health conditions. There is also very little research on members of the LGBTQIA+ community, especially individuals who identify as nonbinary, in the Arab region, and issues around sexuality and non-normative gender identity are also rarely explored despite the focus on gender.

Relatedly, as we note above, very few studies actually clarify their conceptualization and operationalization of gender. Oftentimes, "gender" and "women" are used interchangeably. In some studies, sex-disaggregated analysis is conducted in lieu of more thorough analysis from a gender perspective. In these studies, health indicators are compared between men and women without necessarily providing explanations of the potential mechanisms through which gender operates to impact health in conflict/displacement contexts. More generally, there is a dearth of studies that employ a gender perspective to examine men's health in these contexts. This was noted over a decade ago in a WHO report (2007) recognizing that gender and its implications for health have been inadequately addressed in health surveys and calling for more integrated frameworks to ensure that particular political, social, and cultural contexts are better synthesized and integrated conceptually into the present health discourse. Importantly, given social (gender) and biological (sex) differences, the report notes that the health sector must also recognize men's and women's resulting varied health risks, health-seeking behaviors, and outcomes, and therefore health policies and programs must integrate and address these with nuance and specificity to ensure optimal health for all. As Mikdashi (2012) notes, when the focus on "gender" is limited to females only, it reproduces the study of gender as "the study of how (other) men treat 'their women...'" Indeed, as Mikdashi reminds us, gender is merely one aspect of individual and group subjectivity. It is only "one technology of governmentality—the production and regulation of ties between the individual body, populations, and structures of power and quantification" (2012).

This leads us to our final point, which has been echoed to some degree by various scholars (Kaya 2018; Yasmine and Moughalian 2016; Alsaba and Kapilashrami 2016), and that is the need to engage

Bibliography

in more intersectional analyses that address structural, political-economic, and ecological contexts. As DeJong and Heidari (2017) note, there has not been enough attention to context in the study of health and gender. This is evident in both the academic and grey literature, dominated by humanitarian agencies, which has resulted in the downplaying, albeit unintentionally, of the institutional and legal factors that create gendered vulnerabilities. In exploring conflict in Iraq, Kaya (2018) argues that this operates through a simplistic understanding of the causes of gendered vulnerabilities in conflict, focusing on essentializing “cultural norms” as the key source, and therefore not adequately accounting for institutional practices and regulations that contribute to creating and harnessing these vulnerabilities. She argues that humanitarian policies need to better situate and understand the underlying, economic, political, and societal factors that are operational and render differential vulnerabilities on displaced men and women. As Yasmine and Moughalian (2016) also note, focusing solely on the intrapersonal level ignores the multilevel factors that influence health and supersede the individual realm of health behavior. Alsaba and Kapilashrami (2016, 12) also call for a multilevel analysis of women’s experiences of violence that is better attuned to the impact of the political economy of the region, highlighting the ways “in which the state, market and military structures are implicated in creating new forms of marginalization and exclusion and in reinforcing gender inequalities.” Various works by Shalhoub-Kevorkian elucidate the ways in which colonial violence operates on various levels and intersects with socio-societal governance, resulting in deleterious impacts on women’s and girls’ well-being (Shalhoub-Kevorkian 2015; Shalhoub-Kevorkian, Otman, and Abdelnabi 2021). More work of this nature is needed to elucidate the mechanisms by which various forms of political violence are enacted against women to impact health in contexts of war, conflict, and displacement.

We contend that adopting an intersectional lens would open up new and important possibilities for research on the intersections between gender, health, and conflict and displacement. This approach would push us to interrogate the intersection of multiple positionalities and vulnerabilities, like class, gender subjectivity, economics, religion, ethnicity, and culture, among others. It would also open up the discussion to the roles of varied actors that operate on multiple levels to influence the ultimate determinants of health, especially among the region’s most vulnerable populations.

- Abbara, Aula, K. Blanchet, Z. Sahloul, F. Fouad, A. Coutts, and M. Wasim. 2015. “The Effect of the Conflict on Syria’s Health System and Human Resources for Health.” *World Health & Population* 16 (1): 87–95.
- Ahmad, Ikhlas, Judith G. Smetana, and Theo Klimstra. 2015. “Maternal Monitoring, Adolescent Disclosure, and Adolescent Adjustment Among Palestinian Refugee Youth in Jordan.” *Journal of Research on Adolescence* 25 (3): 403–11. <https://doi.org/10.1111/jora.12133>.
- Akseer, Nadia, James Wright, Hana Tasic, Karl Everett, Elaine Scudder, Ribka Amsalu, Ties Boerma, Eran Bendavid, Mahdis Kamali, and Aluisio JD Barros. 2020. “Women, Children and Adolescents in Conflict Countries: An Assessment of Inequalities in Intervention Coverage and Survival.” *BMJ Global Health* 5 (1): 1–11.
- Al-Ammar, Fawziah, Hannah Patchett, and Shams Shamsan. 2019. *A Gendered Crisis: Understanding the Experiences of Yemen’s War*. Sanaa Center for Strategic Studies. <https://sanaacenter.org/publications/main-publications/8480>.
- Al-Jeddawy, Yazeed. 2022. “The Impact of the Yemen War on the Priorities and Needs of Youth.” *Yemen Peace Forum*, January 17. Accessed April 16, 2022. <https://sanaacenter.org/ypf/the-impact-of-the-yemen-war-on-the-priorities-and-needs-of-youth/>
- Alsaba, Khuloud, and Anuj Kapilashrami. 2016. “Understanding Women’s Experience of Violence and the Political Economy of Gender in Conflict: The Case of Syria.” *Reproductive Health Matters* 24 (47): 5–17.
- Al-Shammari, Ahmed Majeed. 2016. “Environmental Pollutions Associated to Conflicts in Iraq and Related Health Problems.” *Reviews on Environmental Health* 31 (2): 245–50.
- Amiri, Mirwais, Leman M. El-Mowafi, Tala Chahien, Hind Yousef, and Loulou Hassan Kobeissi. 2020. “An Overview of the Sexual and Reproductive Health Status and Service Delivery among Syrian Refugees in Jordan, Nine Years since the Crisis: A Systematic Literature Review.” *Reproductive Health* 17 (1): 166. <https://doi.org/10.1186/s12978-020-01005-7>.
- Amodu, Oluwakemi C., Magdalena S. Richter, and Bukola O. Salami. 2020. “A Scoping Review of the Health of Conflict-Induced Internally Displaced Women in Africa.” *International Journal of Environmental Research and Public Health* 17 (4): 1280. <https://doi.org/10.3390/ijerph17041280>.
- Anderson, Kristine. 2017. *Now Is the Time: Research on Gender Justice, Conflict and Fragility in the Middle East and North Africa*. UK Foreign and Commonwealth Office, Oxfam, International Alert.
- Batniji, Rajaie, Yoke Rabaia, Viet Nguyen-Gillham, Rita Giacaman, Eyad Sarraj, Raija-Leena Punamaki, Hana

Saab, and Will Boyce. 2009. “Health as Human Security in the Occupied Palestinian Territory.” *The Lancet* 373 (9669): 1133–43.

- Bosmans, Marleen, Dina Nasser, Umayyeh Khammash, Patricia Claeys, and Marleen Temmerman. 2008. “Palestinian Women’s Sexual and Reproductive Health Rights in a Longstanding Humanitarian Crisis.” *Reproductive Health Matters* 16 (31): 103–11.
- Burgess, Rochelle Ann, and Laura Fonseca. 2020. “Re-Thinking Recovery in Post-Conflict Settings: Supporting the Mental Well-Being of Communities in Colombia.” *Global Public Health* 15 (2): 200–219. <https://doi.org/10.1080/17441692.2019.1663547>.
- Canefe, Nergis. 2018. “Invisible Lives: Gender, Dispossession, and Precarity amongst Syrian Refugee Women in the Middle East.” *Refuge: Canada’s Journal on Refugees/Refuge: Revue Canadienne Sur Les Réfugiés* 34 (1): 39–49.
- CARE Jordan. 2019. *9 Years into Exile: Building Hope and Durable Solutions*. Annual Urban Assessment Report, CARE Jordan.
- Cheung Chung, Man, Nowf AlQarni, Mariam AlMazrouei, Shamsa Al Muhairi, Mudar Shakra, Britt Mitchell, Sara Al Mazrouei, and Shurooq Al Hashimi. 2018. “The Impact of Trauma Exposure Characteristics on Post-Traumatic Stress Disorder and Psychiatric Co-Morbidity among Syrian Refugees.” *Psychiatry Research* 259 (January): 310–15. <https://doi.org/10.1016/j.psychres.2017.10.035>.
- Chynoweth, Sarah K., Julie Freccero, and Heleen Touquet. 2017. “Sexual Violence against Men and Boys in Conflict and Forced Displacement: Implications for the Health Sector.” *Reproductive Health Matters* 25 (51): 90–94.
- Dalacoura, Katerina. 2019. *Women and Gender in the Middle East and North Africa: Mapping the Field and Addressing Policy Dilemmas at the Post-2011 Juncture*. MENARA Final Reports (3). MENARA, Barcelona, Spain.
- Davies, Sara E., and Jacqui True. 2015. “Reframing Conflict-Related Sexual and Gender-Based Violence: Bringing Gender Analysis Back In.” *Security Dialogue* 46 (6): 495–512.
- DeJong, Jocelyn, and Hyam Bashour. 2016. *Sexual and Reproductive Health Laws and Policies in Selected Arab Countries*. UNFPA Regional Report.
- DeJong, Jocelyn, and Shirin Heidari. 2017. “Gendered Bodies and Reproduction in the Arab Countries and Turkey.” *Reproductive Health Matters* 25 (sup1): 1–3. <https://doi.org/10.1080/09688080.2017.1386443>.
- DeJong, Jocelyn, Farah Sbeity, Jennifer Schlecht, Manale Harfouche, Rouham Yamout, Fouad M. Fouad, Seema Manohar, and Courtland Robinson. 2017. “Young Lives Disrupted: Gender and Well-Being among Adolescent Syrian Refugees in Lebanon.” *Conflict and Health* 11 (1): 25–34.

- Dewachi, Omar, Mac Skelton, Vinh-Kim Nguyen, Fouad M. Fouad, Ghassan Abu Sitta, Zeina Maasri, and Rita Giacaman. 2014. “Changing Therapeutic Geographies of the Iraqi and Syrian Wars.” *The Lancet* 383 (9915): 449–57.

- El Arnaout, Nour, Spencer Rutherford, Thurayya Zreik, Dana Nabulsi, Nasser Yassin, and Shadi Saleh. 2019. “Assessment of the Health Needs of Syrian Refugees in Lebanon and Syria’s Neighboring Countries.” *Conflict and Health* 13 (1): 31. <https://doi.org/10.1186/s13031-019-0211-3>.

- El Ayoubi, L’Emira Lama, Sawsan Abdulrahim, and Maia Sieverding. 2021. “Sexual and Reproductive Health Information and Experiences among Syrian Refugee Adolescent Girls in Lebanon.” *Qualitative Health Research* 31 (5): 983–98.

- El Jack, Amani. 2018. “Wars and Conflicts in Sub-Saharan Africa/the Middle East and North Africa (MENA): A Gender-Relational Perspective.” *Journal of Global Peace and Conflict* 6 (2): 19–26.

- El Taraboulsi-McCarthy, Sherine, Ghada Al-Bayati, Victoria Metcalfe-Hough, and Sarah Adamczyk. 2019. “Protection of Displaced Libyans: Risks, Responses and Border Dynamics.” HPG Working Paper, Humanitarian Policy Group, London. <https://www.odi.org/publications/11405-protection-displaced-libyans-risks-responses-and-border-dynamics>.

- Emberti Gialloreti, Leonardo, Faiq B. Basa, Stefania Moramarco, Adil O. Salih, Haveen H. Alsilefanee, Sivar A. Qadir, Antonia Bezenchek, et al. 2020. “Supporting Iraqi Kurdistan Health Authorities in Post-Conflict Recovery: The Development of a Health Monitoring System.” *Frontiers in Public Health* 8. <https://www.frontiersin.org/article/10.3389/fpubh.2020.00007>.

- Farhood, Laila, Souha Fares, and Carmen Hamady. 2018. “PTSD and Gender: Could Gender Differences in War Trauma Types, Symptom Clusters and Risk Factors Predict Gender Differences in PTSD Prevalence?” *Archives of Women’s Mental Health* 21 (6): 725–33. <https://doi.org/10.1007/s00737-018-0849-7>.

- Fathi, Riyad Abdullah, Lilyan Yaqub Matti, Hana Said Al-Salih, and Douglas Godbold. 2013. “Environmental Pollution by Depleted Uranium in Iraq with Special Reference to Mosul and Possible Effects on Cancer and Birth Defect Rates.” *Medicine, Conflict and Survival* 29 (1): 7–25.

- Fouad, Fouad M., Annie Sparrow, Ahmad Tarakji, Mohamad Alameddine, Fadi El-Jardali, Adam P. Coutts, Nour El Arnaout, Lama Bou Karroum, Mohammed Jawad, and Sophie Roborgh. 2017. “Health Workers and the Weaponisation of Health Care in Syria: A Preliminary Inquiry for The Lancet–American University of Beirut Commission on Syria.” *The Lancet* 390 (10111): 2516–26.

- Gausman, Jewel, Areej Othman, Abeer Dababneh, Maysoun Dabobe, Iqbal Hamad, Insaf Daas, and Ana

- Langer. 2020. "A Social-Ecological Examination into the Research, Policy and Health Service Delivery Environment Related to Early Marriage and Sexual and Gender-Based Violence among Youth in Jordan." *BMC International Health and Human Rights* 20 (1): 16. <https://doi.org/10.1186/s12914-020-00234-y>.
- Giacaman, Rita. 2018. "Reframing Public Health in Wartime: From the Biomedical Model to the 'Wounds Inside.'" *Journal of Palestine Studies* 47 (2): 9–27.
- Gressmann, Wolfgang. 2016. *From the Ground Up: Gender and Conflict Analysis in Yemen*. UK Foreign and Commonwealth Office, Oxfam, International Alert.
- Haar, Rohini J., and Leonard S. Rubenstein. 2012. "Health in Fragile and Post-Conflict States: A Review of Current Understanding and Challenges Ahead." *Medicine, Conflict and Survival* 28 (4): 289–316. <https://doi.org/10.1080/13623699.2012.743311>.
- Hamayel, Layaly, Doaa Hammoudeh, and Lynn Welchman. 2017. "Reproductive Health and Rights in East Jerusalem: The Effects of Militarisation and Biopolitics on the Experiences of Pregnancy and Birth of Palestinians Living in the Kufr 'Aqab Neighbourhood." *Reproductive Health Matters* 25 (sup1): 87–95.
- Hammoudeh, Doaa, Ernestina Coast, David Lewis, Yoke van der Meulen, Tiziana Leone, and Rita Giacaman. 2017. "Age of Despair or Age of Hope? Palestinian Women's Perspectives on Midlife Health." *Social Science & Medicine* 184:108–15.
- Hammoudeh, Doaa, Layaly Hamayel, and Lynn Welchman. 2016. "Beyond the Physicality of Space: East Jerusalem, Kufr 'Aqab, and the Politics of Everyday Suffering." *The Jerusalem Quarterly* 65:35–60.
- Johnston, Rochelle, and Hana Asfour. 2018. *My Vision for a Safe and Equal Future: An Adolescent and Youth Focused Assessment on Gender Based Violence and Sexual and Reproductive Health and Rights in Jordan*. Plan International and CARE International Jordan.
- Kangas, Ann, Huma Haidar, Erika Fraser, and Evie Browne. 2015. "Gender, Statebuilding and Peacebuilding." GSDRC. <https://gsdrc.org/topic-guides/gender/gender-statebuilding-and-peacebuilding/>.
- Kaya, Zeynep. 2018. "Resilience Policy and Internally Displaced Women in Iraq: An Unintentionally Flawed Approach." Monograph. London, UK: Centre for Women, Peace & Security. <http://eprints.lse.ac.uk/87156/1/wps13Kaya.pdf>
- Kienzler, Hanna. 2008. "Debating War-Trauma and Post-Traumatic Stress Disorder (PTSD) in an Interdisciplinary Arena." *Social Science & Medicine* 2 (67): 218–27.
- Knox, Sonya EM. 2017. "How They See It: Young Women's Views on Early Marriage in a Post-Conflict Setting." *Reproductive Health Matters* 25 (sup1): 96–106.
- Leone, Tiziana, Diego Albrez-Gutierrez, Rula Ghandour, Ernestina Coast, and Rita Giacaman. 2019. "Maternal and Child Access to Care and Intensity of Conflict in the Occupied Palestinian Territory: A Pseudo Longitudinal Analysis (2000–2014)." *Conflict & Health* 13 (1).
- McGinn, Therese. 2000. "Reproductive Health of War-Affected Populations: What Do We Know?" *International Family Planning Perspectives* 26 (4): 174–80.
- Mikdashi, Maya. 2012. "How to Study Gender in the Middle East." *Jadaliyya* (blog). March 12, 2012. <https://www.jadaliyya.com/Details/25434>.
- Miller, Kenneth E., and Andrew Rasmussen. 2010. "War Exposure, Daily Stressors, and Mental Health in Conflict and Post-Conflict Settings: Bridging the Divide between Trauma-Focused and Psychosocial Frameworks." *Social Science & Medicine* 70 (1): 7–16.
- Mojabi, Seyed Mohammad, Azade Navazi, Farzane Feizi, and Morteza Ghourchi. 2010. "Environmental Impact of White Phosphorus Weapons on Urban Areas." In 2010 International Conference on Environmental Engineering and Applications, 112–16. IEEE.
- Mourtada, Rima, Jennifer Schlecht, and Jocelyn DeJong. 2017. "A Qualitative Study Exploring Child Marriage Practices among Syrian Conflict-Affected Populations in Lebanon." *Conflict and Health* 11 (1): 53–65.
- Mowafi, Hani. 2011. "Conflict, Displacement and Health in the Middle East." *Global Public Health* 6 (5): 472–87.
- Noman, Mai. 2014. "The Pre-nuptial Agreement That Can End a Happy Marriage." *BBC News*, July 29, 2014. <https://www.bbc.com/news/magazine-28526103>.
- Pedersen, Duncan. 2002. "Political Violence, Ethnic Conflict, and Contemporary Wars: Broad Implications for Health and Social Well-Being." *Social Science & Medicine* 55 (2): 175–90.
- Presler-Marshall, Elizabeth, Ingrid Gercama, and Nicola Jones. 2017. *Adolescent Girls in Jordan: The State of the Evidence*. Gender and Adolescence Global Evidence (GAGE). GAGE-ODI. <https://www.gage.odi.org/wp-content/uploads/2019/01/GAGE-Jordan-SA-WEB.pdf>.
- Qirbi, Naseeb, and Sharif A. Ismail. 2017. "Health System Functionality in a Low-Income Country in the Midst of Conflict: The Case of Yemen." *Health Policy and Planning* 32 (6): 911–22.
- Rahim, Hanan F. Abdul, Abla Sibai, Yousef Khader, Nahla Hwalla, Ibtihal Fadhil, Huda Alsiyabi, Awad Mataria, Shanthi Mendis, Ali H. Mokdad, and Abdullatif Hussein. 2014. "Non-Communicable Diseases in the Arab World." *The Lancet* 383 (9914): 356–67.
- Reese Masterson, Amelia, Jinan Usta, Jhumka Gupta, and Adrienne S. Ettinger. 2014. "Assessment of Reproductive Health and Violence against Women among Displaced Syrians in Lebanon." *BMC Women's Health* 14 (1): 25. <https://doi.org/10.1186/1472-6874-14-25>.
- Rizkalla, N., R. Arafa, N. K. Mallat, L. Soudi, S. Adi, and S. P. Segal. 2020. "Women in Refuge: Syrian Women Voicing Health Sequelae Due to War Traumatic Experiences and Displacement Challenges." *Journal of Psychosomatic Research* 129:109909.
- Roupetz, Sophie, Stephanie Garbern, Saja Michael, Harveen Bergquist, Heide Glaesmer, and Susan A. Bartels. 2020. "Continuum of Sexual and Gender-Based Violence Risks among Syrian Refugee Women and Girls in Lebanon." *BMC Women's Health* 20 (1): 1–14.
- Scharpf, Florian, Elisa Kaltenbach, Angela Nickerson, and Tobias Hecker. 2021. "A Systematic Review of Socio-Ecological Factors Contributing to Risk and Protection of the Mental Health of Refugee Children and Adolescents." *Clinical Psychology Review* 83 (February): 101930. <https://doi.org/10.1016/j.cpr.2020.101930>.
- Shalhoub-Kevorkian, Nadera. 2015. "The Politics of Birth and the Intimacies of Violence against Palestinian Women in Occupied East Jerusalem." *British Journal of Criminology* 55 (6): 1187–206.
- Shalhoub-Kevorkian, Nadera, Abeer Otman, and Rasmieyh R. Abdelnabi. 2021. "Secret Penetrabilities: Embodied Coloniality, Gendered Violence, and the Racialized Policing of Affects." *Studies in Gender and Sexuality* 22 (4): 266–77.
- Siam, Zeina Ali, and Tiziana Leone. 2020. "Service Utilization Patterns for Childbirth and Neonatal Mortality in the Occupied Palestinian Territory during Conflict." *European Journal of Public Health* 30 (5): 856–60. <https://doi.org/10.1093/eurpub/ckaa043>.
- Tappis, Hannah, Sarah Elaraby, Shatha Elnakib, Nagiba A. Abdulghani AlShawafi, Huda BaSaleem, Iman Ahmed Saleh Al-Gawfi, Fouad Othman, Fouzia Shafique, Eman Al-Kubati, and Nuzhat Rafique. 2020. "Reproductive, Maternal, Newborn and Child Health Service Delivery during Conflict in Yemen: A Case Study." *Conflict and Health* 14 (1): 1–16.
- Tekin, Atilla, Hekim Karadağ, Metin Süleymanoğlu, Merve Tekin, Yusuf Kayran, Gökay Alpak, and Vedat Şar. 2016. "Prevalence and Gender Differences in Symptomatology of Posttraumatic Stress Disorder and Depression among Iraqi Yazidis Displaced into Turkey." *European Journal of Psychotraumatology* 7 (1): 28556. <https://doi.org/10.3402/ejpt.v7.28556>.
- UNFPA (United Nations Population Fund). 2018. "UNFPA Arabstates | النساء الحوامل النازحات في شمال سوريا | يواجهن ظروفًا خطيرة." March 20, 2018. <https://arabstates.unfpa.org/ar/news/%D8%A7%D9%84%D9%86%D8%B3%D8%A7%D8%A1-%D8%A7%D9%84%D8%AD%D9%88%D8%A7%D9%85%D9%84-%D8%A7%D9%84%D9%86%D8%A7%D8%B2%D8%AD%D8%A7%D8%AA-%D9%81%D9%8-A-%D8%B4%D9%85%D8%A7%D9%84-%D8%B3%D9%88%D8%B1%D9%8A%D8%A7-%D9%8A%D9%88%D8%A7%D8%AC%D9%87%D9%86-%D8%B8%D8%B1%D9%88%D9%81%D8%A7-%D8%AE%D8%B7%D9%8A%D8%B1%D8%A9>.
- UNFPA. 2021. "UNFPA Arabstates | في اليمن كارثة من صنع الإنسان وتدفع النساء والفتيات فيها ثمنًا باهظًا." February 28, 2021. <https://arabstates.unfpa.org/ar/news/%D9%81%D9%8A-%D8%A7%D9%84%D9%8A%D9%85%D9%86-%D9%83%D8%A7%D8%B1%D8%AB%D8%A9-%D9%85%D9%86-%D8%B5%D9%86%D8%B9-%D8%A7%D9%84%D8%A5%D9%86%D8%B3%D8%A7%D9%86-%D9%88%D8%AA%D8%AF%D9%81%D8%B9-%D8%A7%D9%84%D9%86%D8%B3%D8%A7%D8%A1-%D9%88%D8%A7%D9%84%D9%81%D8%AA%D9%8A%D8%A7%D8%AA-%D9%81%D9%8A%D9%87%D8%A-7-%D8%AB%D9%85%D9%86%D8%A7-%D8%A8%D8%A7%D9%87%D8%B8%D8%A7>.
- UNHCR (United Nations High Commissioner for Refugees). 2017. *Global Trends: Forced Displacement in 2017*. Geneva: UNHCR. <https://www.unhcr.org/5b27be547.pdf>.
- Whitmer, Benjamin. 2006. "Torture Chambers and Rape Rooms: What Abu Ghraib Can Tell Us about the American Carceral System." *CR: The New Centennial Review* 6 (1): 171–94.
- WHO (World Health Organization). 2007. *Cross-Cutting Gender Issues in Women's Health in the Eastern Mediterranean Region*.
- Yasmine, Rola, and Catherine Moughalian. 2016. "Systemic Violence against Syrian Refugee Women and the Myth of Effective Intrapersonal Interventions." *Reproductive Health Matters* 24 (47): 27–35.
- رابط النساء الدولية للسلام and النساء الآن, بدائل دولتي, رابط المواطنة السورية والحرية. 2016. "الانتهاكات الواقعة على النساء في سوريا والاثار المصحف للنزاع عليهن." https://wilpf.org/wp-content/uploads/2016/06/ARABIC-REPORT_Online.pdf.



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Women's Economic Empowerment in the MENA Region: Context, Barriers, and Interventions

I. INTRODUCTION

The topic of women and work in the Middle East and North Africa has garnered much attention since the late 1980s (Papps 1992). Much of this research attends to the so-called MENA paradox: the region's low rate of female labor force participation despite recent gains in education and health outcomes. Scholars, research centers, and organizations from local to international have published studies and reports on the economic position of women in the region and have devised action plans to support women in their economic endeavors and mitigate the challenges they face in the labor market. Several national, regional, and international agencies, such as the European Commission, the Organization for Economic Co-operation and Development, and the World Bank, have dedicated funds to the issue of women's economic empowerment while producing rigorous documentation on the status of women in the MENA labor force.

A key consideration for the purposes of this paper is the definition of women's economic empowerment. While the term is rarely defined in works on the subject, a review of the literature suggests that various authors have defined women's economic empowerment similarly: as a strengthening of women's participation in the labor force that comes about by targeting challenges to their freedom of choice and social mobility. While this is important, for our purposes, it is not a sufficient approach to achieve equality in the labor market. We follow Barker and Feiner's (2004) call to extend our views of economic activities beyond the formal market into the household and to consider that these have parallels and repercussions in the market. As such, it is no longer accurate to claim that women do not

make a significant contribution to the economy in the MENA region, nor is it enough to argue that women's economic empowerment is simply an opportunity to harness an "untapped resource" for economic growth (Chamlou, Muzi, and Ahmed 2016; IMF 2018; McKinsey & Co. 2020). Women do critical work both in and outside of the home, the implications of which we will discuss below. Women's economic empowerment, moreover, should be considered as an end in and of itself (Krayem 2020, personal communication).

We also recognize that taking "women" as an analytical category should not obscure dynamics that pertain to other social identifications and positionalities, such as class, ethnicity, sexual orientation, gender identity, and nationality. We understand that women's significant economic contributions are often overshadowed by injustices, from abuse to devaluation that renders their work invisible when it is unpaid and enables exploitation when it is paid. Patriarchy is responsible for the neglect of care work and the precarity of women's work in the informal sector, which is the largest employer of women worldwide (Bonnet et al. 2019).

We consider economic empowerment to be a process that gives women access to a fair system for participation in economic activities and creates a reality where these activities improve quality of life and economic security for both women and their families over time (Elsadda 2020, personal communication). Moreover, we see this process as involving the larger economic landscape, which must provide meaningful opportunities for work. This requires a focus not only on individual women, their households, and their communities, but on broader political, economic, and social contexts (Chaaban 2020; Krayem 2020, personal communication). We engage in a critical analysis that takes into account the MENA region's heterogeneity and acknowledges that social formations are dynamic and contingent on larger structural and political mechanisms. We also seek to avoid essentialisms and cultural and religious stereotypes that have dominated some of the literature on women's economic empowerment. We aspire instead to historicize these elements and recognize the multiplicity, internal differences, and debates within them (Moghadam 1993; Joseph 1996; Abu-Lughod 2009). Finally, we recognize that women are not passively enduring these conditions but rather are active agents in mobilizing and demanding their rights. Although they face challenges along the way, MENA women find creative ways to subvert and confront these obstacles.

Given this wealth of recent literature, this paper aims to review the discourse on and interventions into women's economic empowerment in the MENA region, identifying critical gaps and offering alternatives for understanding the intersection of women, work, and economic status in the region. In section 1, we begin by reviewing some of the main insights provided by the literature, as well as outline the main knowledge gaps and oversights in the research. We find that existing research overlooks several topics that are crucial to understanding women's economic activities in the region, including care work, participation in the informal labor market, and migrant labor, among other gaps. In section 2, we review and discuss the literature on the main barriers that women face and the drivers of female empowerment in the MENA region. These include supply-side barriers such as education, household division of labor, and social norms. We also highlight a key demand-side barrier--the role of employers in reducing women's participation in the labor force. Section 3 identifies key national and international interventions, programs, or policies that have been successful or that have the potential to improve women's outcomes. Finally, in section 4, we provide a synthesis of our conclusions, as well as recommendations and future avenues for research.¹

II. SCOPING THE LITERATURE: INSIGHTS AND GAPS

The most striking pattern found within the literature on women's economic empowerment is its almost exclusive focus on female labor force participation (FLFP). Scholars have spent a considerable amount of time justifying the importance of FLFP worldwide by emphasizing its links to economic growth, financial stability, and individual and community

1. The arguments and conclusions in this paper were developed based on an exhaustive review of the literature on women's economic empowerment, as well as interviews with academic researchers, activists, and scholars working on women's economic activities. The literature review included books, articles, briefs, and policy papers covering women's economic participation and empowerment in the MENA region and worldwide, in addition to those describing related policy initiatives and development programs. These materials included publications by local, regional, and international development agencies and NGOs. In particular, local sources provided much of the hard data around women's participation in the labor force, as well as descriptions of working conditions. International and global sources were used both for theoretical frameworks as well as for a critical analysis of the discourse around women's economic empowerment worldwide. Additionally, we conducted fifteen interviews with experts in fields such as economics, political science, sociology, and related disciplines whose research and/or advocacy tackles the intersection of labor and gender.

well-being, among other benefits (Adnane 2015; Arezki, Belhaj, and Shah 2019; IMF 2018; Karshenas and Chamlou 2016; Morrison and Sabarwal 2008; Salehi-Isfahani 2006). In this context, the MENA region has the world's lowest rate of FLFP, hovering around 20 percent, compared to the Organization for Economic Co-operation and Development's (OECD) global average of 51 percent (World Bank 2019). In past decades, this was often attributed to low literacy and high fertility rates among MENA women. Yet over the last twenty years, the gap in education has nearly closed, while fertility rates have dropped considerably, resulting in what most analysts have termed "the MENA paradox": a persistently low rate of FLFP and political participation despite major improvements in women's education and health (OECD 2017).²

Taking women as an analytical category should not obscure dynamics such as class, ethnicity, sexual orientation, gender identity, and nationality

Using aggregate data from sources such as national statistics bureaus and the World Development Indicators, as well as sociological texts and political documents, numerous studies have made quantitative, econometric, and qualitative attempts to understand the paradox. Some of this literature asserts that Islam is responsible for the region's exceptionally low rate of FLFP (Psacharopoulos and Tzannatos 1989; Inglehart and Norris 2003). Others have claimed that, given that Islam is the dominant religion in many other regions where the paradox does not apply, it must be a distinct "culture" or "tradition" of the MENA that is at fault, with some going further to single out tribal and rural kinship structures as the culprit (Chamlou, Moghadam, and Karshenas 2016; Solati 2017). Still others have claimed that the oil economies of the Middle East that depend on rents do not create incentives for labor in general (Ross 2008), ignoring that a sizable number of MENA countries showing the same demographic and employment data are not oil-

2. This is not to suggest that education does not affect livelihoods and opportunities in the labor market, but rather that many other factors must also be considered in order to understand this data. Such attempts, however, have so far been myopic. As will be seen in section 3, data on women's education must be scrutinized further.

producers. Ultimately, what most of these studies have in common is that they are primarily focused on women's entry into the labor force, ignoring the devaluation and invisibilization of women's labor and the working conditions for women once they are within the labor force.

While assessing women's employment opportunities and encouraging labor force participation is certainly important, using this criterion to define women's economic empowerment is not sufficient for our purposes. As mentioned above, our definition of women's economic empowerment, stemming from an intersectional feminist approach, takes into account larger political and economic dynamics of work and employment. Our feminist framework draws us to acknowledge that several meaningful and productive activities that women engage in daily are not considered "work" and are thus not officially counted, considered, or supported by institutions. As such, rates of female labor force participation not only neglect the massive amount of informal and care work that women perform, which constitutes a crucial contribution to the economy, but also obscure the conditions under which this work is done and how it impedes other forms of economic participation, thus overlooking any possible support that could be offered in these areas (Moghadam 1993). Achieving economic equality, which is what we mean by "women's economic empowerment," is a process of inclusion, valorization, and representation.

III. WOMEN AND WORK IN THE MENA REGION: AN OVERVIEW

The literature on women's work in the MENA region is focused on FLFP, particularly formal labor, and its low rate of around 20 percent (World Bank 2019). Of women employed in the labor market, 67 percent work in services, followed by agriculture at 20 percent, and finally industry at 13 percent (World Bank 2019). This division, however, varies significantly across countries—which we will explore below—and does not capture the massive female labor force in the informal economy, especially in the agricultural sector. Data on the latter is scarce, making it difficult to present an accurate picture.³ Women in the MENA region have high literacy rates, with their education in some cases even surpassing

3. In fact, as an example of the inconsistency and fallibility of FLFP data, a revision of the methodology of such data collection in Egypt led to a rise in Egyptian FLFP by a substantial 7 percent, as reported in the 1983 Egyptian Labor Force survey. Other MENA countries are less transparent about their methodologies and so the effect of these changes is not clearly known (Papps 1992).

men's, despite a persistent dropout rate and notable inequality between countries (OECD 2017). MENA women suffer from the highest unemployment rates in the world, at 18 percent of the female labor force (World Bank 2019). This number reaches 39 percent for young MENA women and is particularly high for women with a tertiary education (World Bank 2019). Women at the same employment level as men are more likely to have a higher level of educational attainment, and wage gaps are significant, especially in the private sector (OECD 2017; Daoud and Shanti 2016). FLFP in the MENA declines sharply after the age of 30, unlike in most countries where this stage usually represents the peak of FLFP. Moreover, few women in the region hold senior or managerial positions (Hamdan et al. 2016; Mahdi 2016; OECD 2017; McKinsey & Co. 2020). Working women are concentrated in agriculture and manufacturing, and, in the majority of cases, the informal sector, which we will return to later (Bonnet et al. 2019; ILO and IFAD 2017). It is also noteworthy that women are much more likely to be in precarious employment than men (Bonnet et al. 2019; ILO and IFAD 2017).

Currently, women are also overrepresented in stereotypically "feminine" occupations such as nursing, teaching, retail, and other service-sector jobs in the informal economy (Yassin 2020, personal communication), though exact numbers and proportions are difficult to determine, due to the challenge of measuring participation in the informal sector (Salman et al. 2019). Women predominate in agriculture, and over the past decade, the number of women working in agriculture has increased (Abdelali-Martini 2011; Mohamadieh 2011). At the same time, labor conditions in that sector, which remains largely informal, have deteriorated due to inadequate investment in rural infrastructure and unequal access to land (Abdelali-Martini 2011; Mohamadieh 2011). After a regional shift toward export-oriented industrialization, manufacturing and industrial labor was also feminized, while large gender wage gaps exist in all sectors.

There is evidence that women also work in small businesses more than men, but begin in such enterprises with fewer resources and less capital. As such, they find fewer possibilities for upward mobility, which is affected by regulatory and legal frameworks (European Union 2017; OECD 2017; Smith and Cardinal 2019). Rural women have even fewer work opportunities. When they do work, it is under worse conditions than women in cities. More

research is needed to determine the extent of the disparity and the internal migration that results from these inequalities (Abdelali-Martini 2011). The information at hand suggests that there is indeed a large female labor supply in the MENA region (OECD 2017), contrary to claims that attitudes toward women's work are primarily responsible for discouraging them from looking for employment (Adnane 2012; Chamlou, Muzi, and Ahmed 2011; Chamlou, Moghadam, and Karshenas 2016; Papps 1992; Robinson 2005; Sharabi 1988; Solati 2017). Thus, there is a need to consider that the economic, political, and social landscape does not create sufficient demand for female labor—or, in other words, there is not enough decent work in the formal economy.

1. Political and Legal Frameworks

Over the past few decades, several Arab states have ratified the Convention on the Eradication of All Forms of Discrimination Against Women (CEDAW)—although most with reservations—in addition to several other international conventions and agreements that deal with women's rights and issues that may affect women's labor within their countries. Yet there is still much progress to be made from a political and legal standpoint in order to overcome the challenges facing women's economic activities.

Most states in the Middle East derive their personal status laws—which regulate issues such as divorce, marriage, inheritance, and custody—from religious laws (Ait-Zai et al. 2020), on the basis of which they formulate their reservations to the international commitments mentioned above (Nazir and Tomppert 2005). In general, these personal status codes, or family laws, are known to discriminate against women and put them at a disadvantage in the economic and domestic spheres. For instance, laws governing guardianship and inheritance create challenges for women in the job market, which undermine their ability to accumulate resources. Many MENA women are under the guardianship of their fathers until adulthood, and some countries, such as Jordan and Libya, extend this until marriage (Nazir and Tomppert 2005; OECD 2017). Other consequential policies are those concerning the wifely duty to obey, which still exists in Arab countries such as Jordan and Egypt, making husbands the formal arbitrator on all family affairs (Nazir and Tomppert 2005; OECD 2017).

Inheritance laws have major implications for


women's position in society, as inherited money and assets are a way to accumulate critical resources that can be invested in education and business. Religious personal status laws in most MENA countries stipulate that women may receive only half of what male heirs are entitled to (Nazir and Tomppert 2005; OECD 2017). In some Arab countries, such as Libya, Algeria, Jordan, and Egypt, marriage contracts introduce clauses to separate a husband's and wife's assets, though progress still has to be made in order for more women to be aware of that option and opt for it (Nazir and Tomppert 2005; OECD 2017).

Labor laws and regulations also affect women's economic activities and working conditions. Labor policies have generally been gender-blind, ignoring the specific challenges women face in the workplace, such as sexual harassment and gender-based discrimination in recruitment, retention, and promotion (Chaaban 2020, personal communication; OECD 2017; Plan International 2020). Women, moreover, earn less than men, and often need higher educational achievements than the latter to be hired for the same positions (Al-Ali et al. 2016). Although further progress needs to be made in terms of labor legislation, states including Tunisia, Morocco, and Libya have regulations pertaining to women's work, especially in terms of family care, such as maternity leave, childcare breaks, and onsite nurseries, although provision of these services has been weakened by austerity in the past few decades. At times, states offload this burden onto the private sector, which in turn responds by avoiding hiring women for formal positions altogether (OECD 2017). Some MENA governments bar night work for women, deeming it "inappropriate" (OECD 2017). These restrictions do not deter women from seeking this type of work, but instead relegate them to informal sectors, where exploitation and abuse are more rampant, and where access to benefits, social services, and justice is not an option. Women in the MENA region are likely to retire earlier than men, which prevents them from accumulating larger pensions and affording a more comfortable retirement (OECD 2017).

2. Economic Transformations

The past decades have proven difficult for many MENA countries, including the Arab region, and the impact on women and youth has been especially severe. The poverty, unemployment, and inequality that culminated in the wake of the Arab revolts of the last decade are some of the manifestations

of the destitution and hardship people have had to endure in the region. But what the uprisings essentially demonstrated is a major disconnect between economic growth and the needs of people (Hanieh 2013; Mohamadieh 2011). The substantial economic investments in the region prior to 2011 did not translate into improved freedom or better living conditions for the general population (Mohamadieh 2011). Moreover, the adversity faced by many had gendered consequences. While some attention has been paid to the living and working conditions of particularly vulnerable groups, such as female-headed households, there has hardly been any research on how changing economic and political structures have affected women's labor. The economic growth that took place in recent years had only a minor effect on formal FLFP. In fact, women in the MENA region observed an increase in dispossession, disenfranchisement, unemployment, and proletarianization, with many women resorting to working in poor conditions in the growing informal economy (Hanieh 2013).



Achieving women's economic empowerment is a process of inclusion, valorization, and representation

The landscape has not improved since the Arab uprisings. While there were some new policies on quotas for women's political participation, as well as some initiatives by international organizations in collaboration with governments or the private sector in training and economic and political capacity-building (European Union 2017; GIZ, n.d.; OECD 2017), women still have little opportunity to participate in politics, and their economic status has not changed, based on reports pre-and post-uprisings (Plan International 2020; World Bank 2009).

During the oil boom of the mid-twentieth century, many larger MENA countries adopted a model of import substitution industrialization, which advocates replacing foreign imports with domestic production. During this period, the region experienced its greatest growth in FLFP rates in the formal economy, especially in the public and industrial sectors. At the time, national modernization projects meant that many of these countries had strong social security networks

in place and implemented measures to support women, such as maternity leaves and obligatory onsite nurseries in the workplace.

In the 1980s, several oil crises led to a period of economic reforms, austerity, and further trade liberalization across the region. Interregional migration, mostly to the Gulf Cooperation Council (GCC) countries, declined. As a result, remittances, which were a large source of wealth for the many MENA labor-sending countries, plummeted, leading to severe revenue shortages. Governments rearranged their economies to better attract foreign direct investment flows, and free-trade zones emerged in several countries as nations began export-oriented industrialization, focusing on sectors such as food production and textiles (Hanieh 2013). Government borrowing began to rise, and the social services mentioned above, including job guarantees in certain countries, were progressively cut back. The shrinking of the public sector that resulted from these economic shifts meant that women lost their most attractive option in the labor market. Public-sector employment, which was deemed more secure, safe, and flexible than the private sector, became increasingly less accessible and lost many of its previous privileges (Moghadam 1993; Mohamadieh 2011).

These dynamics were accompanied by a sharp rise in unemployment and informal work, which was sometimes exacerbated by wartime hardship and conflicts. The feminization of poverty triggered by similar phenomena globally is well-documented in regions such as South Asia and Latin America (Boserup 1970; Fuentes and Ehrenreich 1983; Ward 1984). However, in the MENA region, the crises triggered by these economic transformations delegitimized what became perceived as "Western-style" economic and political regimes, sparking the resurgence of Islamist political movements, whose perceptions on women and "morality" became central to their discourse on authenticity and cultural regeneration (Al-Ali 2002). This led to the formation of well-organized ultraconservative parties, with broad popular as well as upper-class support, vying for power and influence. These parties sought to limit women's freedoms by subscribing to a traditional and more patriarchal view of family and gender roles, as will further be explored below (Al-Ali 2002). Yet despite these obviously gendered consequences of economic and political transformations, state policies toward employment remained gender-blind and legal frameworks patriarchal (Chaaban 2020, personal

communication; OECD 2017; Plan International 2020). There is a dearth of both research and data on the gendered implications of economic shifts and crises.

3. Informality and Informal Labor

Debates on women's economic empowerment in the MENA region have tended to neglect the importance of the informal job market as an employer of women (Elsadda 2020, personal communication). While rigorous studies have dissected the structure and conditions of women's work in the formal job market (whether the public or private sector), as well as the incentives and impediments of entry into formal work, no such attention has been paid to the informal market, which employs around 62 percent of the female labor force in the MENA region (Bonnet et al. 2019). Work conditions within the informal economy are notoriously insecure and vulnerable to exploitation and violence, whether in the form of wage exploitation or harassment, yet the demands of women in the informal economy have been largely ignored.

While analyzing informality, it is important to remember that its definition is ambiguous across studies, which is likely to produce underestimations of its scale and of women's participation within it. At times, researchers have equated informality with paid work done uniquely from within the household, and at others unpaid work done by household members supporting the enterprises of the head of the family (Miles Doan 1992). In many of these studies, informality is equated with production for a smaller community market, such as knitting sweaters for one's neighbors, or unpaid household labor for the family business (Miles Doan 1992). While the International Labour Organization (ILO) defines informality as untaxed and unregistered or unregulated work, even those criteria for measuring informality sometimes fail to capture its scale and complexity, counting any firms with over a certain number of workers as formal businesses and any worker that contributes to social security as formally employed (ILOSTAT, n.d.).⁴ In fact, the informal economy comprises far more organized production than these examples would suggest, and can include an entire factory assembly line, linking it more directly to larger national, regional, and even global economic flows (Balakrishnan

4. This is particularly problematic for certain MENA countries where migrant workers must register with the state but are not entitled to benefits or labor rights (Tabar, Denisson, and Alkhomassy 2020).

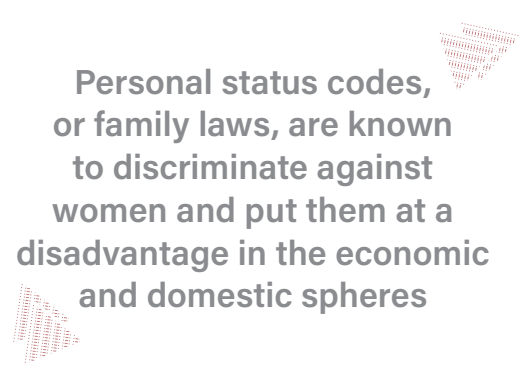
2002; Portes and Sassen-Koob 1987). This indicates that even the most robust and exhaustive statistics on informal labor must be used with caution (Miles Doan 1992). With all these limitations, it is estimated that MENA has one of the largest informal sectors in the world, behind only South Asia and sub-Saharan Africa (Bonnet et al. 2019).

Since informal economic activities operate outside of the purview of the state, employers are not required to abide by labor laws or contribute to social security schemes. As such, informal workers are much more vulnerable to exploitation and wage theft, and are less likely to receive a wage that is sufficient to support a household and ensure decent standards of living (Aita 2016). Women in particular face additional forms of exploitation and devaluation. Patriarchal values that interpret their labor as "secondary" result in lower wages, and views on propriety and modest behavior result in harassment and abuse of working women, who are seen as less respectable (Kabeer, Deshpande, and Assad 2019). Exploring these conditions would provide a more comprehensive insight into the needs of women in economic activities.

4. Care Work

Care work consists, broadly, of activities involving the care and maintenance of both people and objects, often within the domestic sphere. Care work is conventionally seen as women's work, according to traditional and patriarchal divisions of labor which relegate women to the private sphere and men to the public one (Federici 1975). Such views hold that women are to take care of domestic affairs—rearing children, performing household upkeep, and cooking meals—for no pay. Men, on the other hand, work outside the home for a wage and provide financially for the household. These gender roles must be contextualized within the capitalist modes of production in which they operate (Federici 1975; Mies 1986). Marxist feminists and historians have presented detailed accounts of the ways in which capitalism necessitated such a division within the household throughout history (Federici 1975; Mies 1986). Their writings follow Marx's claims that workers under capitalist production are exploited by not being paid for the full value of their labor, but rather only enough to survive until the next working day. Wages, as such, do not stand for the amount of labor time, but rather simply for the cost of subsistence. Thus, unpaid domestic labor was necessary to the worker's subsistence, as well as to the reproduction of new workers (Federici 1975;

Mies 1986). Domestic laborers—women—must thus both rear children and serve their exploited working husbands once the latter return to the household. In this way, women are separated from their means of production—their own bodies—which become their husbands' property. The product of this domestic labor is also separated from the domestic laborers, as their husbands and later their children go off to join the capitalists' labor force. Capitalists, on the other hand, avoid having to bear the cost of this labor and enjoy an endless supply of laborers (Mies 1986). Such exploitation and subordination of women is concealed through discourses that naturalize care work for women, portraying it as an inherent attribute and punishing those who deviate from it (Mills 2003).



Personal status codes, or family laws, are known to discriminate against women and put them at a disadvantage in the economic and domestic spheres

Perpetuating the patriarchal and exploitative assumptions that render care work invisible, studies and initiatives focused on women's economic empowerment fail to take into account the importance of such work and its impact on the economy in the MENA region, where the volume of care work done by women is considerable (Abou Habib 2019; Elsadda 2020, personal communication; Wallace 2018). Care-work responsibilities factor into women's decisions to take up paid work as well. As many scholars have observed, the distinction between the private and public spheres is problematic in the MENA region, as the family unit often constitutes the basic relationship to the state (Joseph 1996). This means that in many Arab countries, there are provisions that reinforce a conservative model of the household, supporting women in their capacity as homemakers—such as through an extension of the husband's insurance to the wife—but not in their paid economic activities or their unpaid domestic responsibilities. As such, women do not have adequate support for their care-work responsibilities and men are not incentivized by patriarchal public policy to alleviate women's care burden. This type of work must be appreciated and studied in order to devise policies that support women (Kongar et al. 2014; Olmsted

2005). Studies and development programs must consider household economies, family structure, and roles and responsibilities within the household. In fact, patriarchal legal frameworks codify women's inferior status and reinforce women's responsibility for unpaid care labor and men's dominance in formal paid employment. Only men can extend insurance to their partners and not vice versa. Such policies, which allow social security to only one type of family, the male-headed household, reaffirm traditional gender roles and do not offer support directly for care work. Moreover, facilities and policies that would alleviate the care burden for women, such as onsite nurseries and paid maternity leave, are inadequate and hard to access (Barry and Davis 2015), and enterprises avoid hiring women formally to bypass the requirements for paid maternal leave and child-care facilities. Ideologies of care work extend into the job market, as women often hold occupations that involve caretaking labor (OECD 2017), such as front-line workers in the health sector (nurses, nurse aids, cleaning staff, etc.), teachers, and community workers, as well as employees in low-level service and clerical jobs. Due to the devaluation of care work, these occupations are often associated with low wages, low status, and limited chances for advancement in addition to vulnerability to exploitation and sexual harassment (Plan International 2020).

5. Migration and Citizenship

Migration, both inter- and intraregional, has substantially shaped MENA economies and affected labor in the region, particularly for women. Up until the 1980s, migration from North Africa and the Levant to the GCC was extensive, and remittances were a major source of revenue for labor-sending countries. This created a large number of female-headed households in these countries, driving women to join the labor force in large numbers (Hanieh 2013). Meanwhile, labor-receiving countries used this relatively cheap labor to execute large construction and other projects in the context of the oil boom. After the oil crises of the mid-1970s and 1980s, and facing powerful labor mobilization among migrants demanding more humane working conditions, the GCC began limiting labor migration from within the MENA region and instead turned to the South Asian labor pool, which was even cheaper, resulting in a severe limiting of remittance revenues for those formerly labor-sending countries (Hanieh 2013). While the (mostly male) migrants from North Africa and the Levant who returned faced more difficulty

finding work in their home countries, which were now undergoing economic crises, women faced an even larger burden of working in informal and exploitative conditions, a tendency that would endure through the structural and economic reforms of the 1980s onward (Mukhopadhyay 2020, personal communication).

That said, intraregional migration persists, especially among highly skilled and educated workers from countries such as Lebanon, Palestine, and Jordan, who are concentrated in fields such as education, contracting, real estate, management, and information technology (Hanieh 2013). Citizens in the countries of the GCC make up between 12 percent and 60 percent at most of the total population (World Bank 2015). Most of the highly cited statistical data on FLFP in the GCC does not indicate the citizenship of workers (Buttorff et al. 2018). This has several consequences. The first is that we have little information about the rate of women nationals in the labor force in these countries, and the types of employment that they are concentrated in. Recently, GCC countries have sought to nationalize their labor forces through policies that privilege citizens over noncitizens. The effects of these policies on women's labor, the quality and meaningfulness of their employment, and their remuneration are as of yet unclear and need further research.

Migrant domestic workers, who constitute a large part of the female labor force in many MENA countries, face specific challenges related to the nature of their work and citizenship status (Johnson 2018; Jureidini 2005; Mohamadieh 2011). In countries like Lebanon prior to its economic collapse, the disproportionately low pay that migrant domestic workers received facilitated the entry of middle-class women into the workforce. However, this offloading has created new inequalities. Many migrant women are excluded from state benefits and trade union membership due to their citizenship status, which makes them more vulnerable to abuse and exploitation. The kafala system, which affects domestic workers and many other types of migrant laborers in the Middle East, is infamously prone to abuse due to employers' significant power over their migrant employees (Pande 2018). This type of structural violence and discrimination is exacerbated by other forms of social differentiation on the basis of race or nationality. In a study on migrant women moving between formal and informal markets in the

United Arab Emirates, Mahdavi (2013) illustrates the connection between the two, as well as the economic and legal constraints that drive women from legal and formal domestic work into informal sex work. She also showcases how the kafala system binds the migrant laborer to a sponsor, deprives them of any entitlement to labor rights, and makes working conditions within the formal economy intolerable. This pushes migrant women into the informal economy as sex workers in response to a large demand for such labor, which, despite the attendant insecurity and rampant abuse, is still seen as more desirable than formal domestic work. While this is a very specific example, it serves as an illustration of the symbiotic relationship between formal and informal markets, as well as of how labor policies, economic dynamics, and social pressures can affect women's options in the job market and the amount of satisfaction these opportunities can give them.

War and conflict have also given rise to a significant refugee population within the MENA region, which has quickly become part of the labor force in countries such as Lebanon, Jordan, and Turkey. Refugees are also often excluded from social benefits, trade union representation, and other forms of labor organization due to citizenship requirements (UNHCR 2020). Most refugee households live below the poverty line, and they are some of the most vulnerable communities across the region (UNHCR 2020). The gendered qualities of refugee women's entry into the labor force, as well as its implications for host communities, must be examined further as part of the debate on women's economic empowerment and the search for more inclusive and gender-sensitive policies.

6. Women's Movements and Economic Justice

One of the largest and most baffling oversights in the vast literature on women's economic empowerment in the Middle East is the neglect of the conditions that enable or impede women's organizing and demands for rights, particularly economic rights and justice. While recently some attention has been paid to women's organizations and activism in the context of the Arab uprisings, women's participation in social movements long precedes the 2010s. Women have been active in demanding rights and justice in various forms since at least the nineteenth-century public debates on independence and nationalism. Since then, women's

associations have been involved in a variety of historical mobilizations, such as labor strikes and anti-authoritarian revolutions, throughout the region. It is thus a great error if any work purporting to support women's economic empowerment fails to recognize these movements' efforts to further women's rights in their respective countries (Al-Ali 2012; 2013). Thus, efforts to improve women's conditions in the job market must also support the movements that publicly express women's demands and ambitions as well as the challenges they face in everyday life, and investigate the factors that inhibit women's organizations in demanding more just economic conditions.

Labor policies have generally been gender-blind, ignoring the specific challenges women face in the workplace

Women's movements in the Middle East and North Africa face various challenges that are specific to the historical and political developments of the region. These movements are generally met with suspicion by political agents and publics. This is due to many factors; first, the Arab nationalist regimes that prevailed during the mid-twentieth century sponsored many women's groups as part of their vision of modernization. As a result of the regimes' co-optation of women's movements, certain women's organizations and women's rights issues became synonymous with these governments, which fell out of favor in the eyes of many (Al-Ali 2002). Moreover, the authoritarian and liberalizing regimes that succeeded them also instrumentalized women's charitable organizations in order to further consolidate their power and present a friendlier face, while criminalizing popular feminist or women's movements (Al-Ali 2002). This practice endures today, as various regimes try to project a more progressive appearance to the international community by proclaiming their support for women's empowerment initiatives (Al-Ali 2002; Eum 2019).

Islamist movements have denounced women's movements as "inauthentic" and a "Western imposition" that seeks to displace true Islamic and cultural values. These Islamist movements, which have proved skilled at organizing, mobilizing, and gaining political power, have emerged in

the context of disillusionment with the poverty, unemployment, and exploitation ushered in by the previous liberalizing regimes (Al-Ali 2002). Islamic movements rose to prominence by providing a viable and coherent alternative to what they deemed a decline in civilization due to an estrangement from a certain "authentic moral order" (Dahlgren 2008; Moghadam 1993). Women hold a central position in this discourse, and this rhetorical "cultural authenticity" sees them playing their part in a patriarchal division of labor, and thus being caregivers without access to the public sphere. Although many Muslim feminists debate these movements' interpretations of the role of women in Islamic thought, women's groups have still had to contend with accusations of inauthenticity and the curtailment of their activities. As such, some advancements in women's rights have been reversed, including with regards to personal status laws and laws against physical and sexual abuse, which have complicated women's economic empowerment.⁵ Moreover, as women are expected to be caregivers and homemakers in these ideologies, the many women who do work outside the household, be it out of need or for other reasons, lack legal protection in cases of abuse or exploitation.

Most trade unions in the MENA region are led by men (ILO 2012). Examples from Lebanon have demonstrated that women do not feel that their needs or priorities are taken into account in unions' organizing efforts (ILO and FES 2016). Trade unions rarely push for agendas that promote women's economic empowerment or even increase female labor force participation through addressing systemic challenges to women's entry in the job market or through strengthening their recruitment, retention, and promotion (ILO 2012). There are instances where trade unions have indeed played an important role in bringing about democracy, such as the case of the revolution in Tunisia (Adouani and Ben Sedrine 2018). In Lebanon, on the other hand, trade unions have often been hijacked to promote the interests of the ruling elite rather than of workers. Tellingly, trade unions took no part in the October 17th protests, which demanded, among other things, the improvement of the conditions of all workers (Maucourant Atallah 2020). A woman university teacher was behind the creation of the first alternative union of professionals, in an effort

5. Policies during the height of the Islamic revival illustrate these changes: Egypt's 1979 decree liberalizing family laws was rescinded in 1985 due to conservative backlash and was eventually reestablished in diminished form. In 1984, Algeria's first family code deprived women of the right to divorce (Moghadam 1993).

to create a space where people's interests would be voiced. This initiative was a springboard for the creation of other alternative specialized trade unions and syndicates, which included women in their leadership as well as among their founders.

7. Faith-Based Organizations

Faith-based organizations, for their part, have mostly followed a charity model, where women are seen as beneficiaries of services rather than as actors and decision makers. Most initiatives have focused on encouraging, facilitating, and investing in income-generating activities that are based on women's traditional role as caretakers. Such initiatives include, for instance, individual arts and crafts production, individual or collective agro-processing small businesses, training, and job placement for low-skill employment (Tadros 2010). In this context, women are encouraged to earn income to assist their families rather than to develop the knowledge and political agency necessary to challenge their conditions.

IV. FACTORS THAT INFLUENCE WOMEN'S EMPOWERMENT

Across Arab countries, identifying barriers to women's empowerment is essential to guide policy intervention. Given the broad scope of this review, we focus on academic studies that use rigorous empirical methods and allow for the identification of causal effects.⁶ While our focus is on the MENA region, we also include literature from other developing or developed countries that could provide valuable insights for the region.

6. For example, suppose that a researcher is interested in understanding whether increasing years of education raises women's employment. The ideal experiment to estimate this effect would be to compare the employment rate of two groups of women who are on average similar; the only difference between the two groups should be that one has more years of education than the other (i.e., an apples-to-apples comparison). However, in most settings, a simple comparison of the average outcomes of two groups of people with different years of education will likely lead to erroneous conclusions about the relationship between education and employment. This is because individuals who choose to pursue different educational levels will not be on average similar along many dimensions. For instance, they could differ in terms of their ability levels, socioeconomic backgrounds, or motivations. Therefore, a simple comparison of their average outcomes would capture the impact of education on employment but also any other differences that exist between these two groups. To make an "all else equal" comparison, researchers typically rely on experimental and quasi-experimental methods. Hence, we will focus our discussion on studies that use these methods and allow for the identification of causal effects.

1. Education

A. Quantity of Education

Increasing women's access to schooling and raising their years of education has positive impacts on a range of social and economic outcomes. This is particularly important in rural areas, where women have limited access to education. The MENA region is characterized by rising female educational attainment but stagnant labor force participation rates, suggesting that a lack of education may not be the main barrier to women's empowerment. However, both international and regional evidence indicates that women realize large labor market returns from increasing their education levels.

Debates on women's economic empowerment in the MENA region have tended to neglect the importance of the informal job market as an employer of women

Causal studies on this topic are abundant, and most of the evidence on the MENA region comes from two educational reforms. The first is a 1997 reform of the Turkish educational system, which increased compulsory school attendance from five to eight years (i.e., from primary school to middle school). The reform meant that individuals born after January 1987 had to complete eight years of schooling, while those born before that date could leave school after only five years. This allows researchers to use a regression discontinuity design that essentially compares individuals born before and after this date-of-birth cutoff, and hence identify the causal effects of increasing years of education on a range of outcomes. The Turkish reform was successful at raising women's years of education and middle school completion—especially for women from rural areas who had limited access to education prior to the reform. This in turn caused a significant increase in women's employment, likelihood of working in the nonagricultural sector, and income (Erten and Keskin 2018). The increase in education also reduced women's religiosity, delayed their age at marriage, raised the use of contraceptives, and reduced teenage fertility (Cesur and Mocan 2013; Dinçer et al. 2014; Gulesci and Meyersson 2012; Gunes 2015; Kirdar et al. 2016). Researchers have

also studied the effects of a similar educational policy in Egypt, which reduced the length of primary education from six to five years, on women's social and economic outcomes. As in Turkey, studies found that increasing years of education had a negative effect on fertility and delayed maternal age in Egypt (Ali and Gurmu 2016).

These studies indicate that policies that push women to increase their years of education substantially improve their economic and social empowerment. The two policies further affected women's education from a young age, which supports the idea that early-life interventions are consequential for later life outcomes (Cunha and Heckman 2007).

B. Quality of Education

As previously discussed, studies in the MENA region have focused on understanding the relationship between women's years of education and their empowerment. However, the question of For women who have access to education, improving the quality of schooling and their access to majors in high-earning fields can strengthen their economic and social empowerment. Studies from outside of the MENA region have shown that high-quality education yields large pecuniary and nonpecuniary benefits for both women and men. Attending high-quality schools has been shown to increase women's income and lower fertility rates in both developed and developing countries, and the economic returns may be larger for women than for men (Jackson, 2010; Clark and Del Bono, 2016; Beuermann and Jackson, 2018). Similarly, going to high-quality colleges increases earnings and improves the quality of women's options for marriage, in terms of potential spouses' educational backgrounds and socioeconomic statuses (Hoekstra 2009; Kaufmann et al. 2021; Canaan and Mouganie 2018).

A second strand of literature further documents that pursuing certain fields of study—such as business and science majors—significantly increases women's (and men's) earnings (Hastings et al. 2013; Kirkbøen et al. 2014). This is a particularly interesting area of research, as women tend to be largely underrepresented in majors that have high earning and employment potential.

In the MENA region, several scholars have discussed the role of skills mismatch in restricting individuals' access to employment. Skills mismatch is when

individuals pursue higher education studies that do not meet the needs of the labor market. For example, Assaad et al. (2015) argue that skills mismatch is an important driver of youth unemployment in Egypt and Jordan. While no previous studies causally address the role of skills mismatch in women's labor market outcomes, Assaad and Krafft (2016) document that in some MENA countries, such as Tunisia, female unemployment is highest among the highly educated, which often leads to their exit from the labor force. When examining the returns to pursuing higher quality degrees and certain majors, it is worth keeping in mind which majors and types of education meet the needs of MENA regions' economies. As it stands, there is no causal evidence as to whether increasing women's access to high-quality schooling and certain fields of study—such as business and science majors—can improve their economic and social empowerment in the MENA region. Evidence from countries outside of the region is promising and suggests that the quality of education can play a key role in boosting women's labor market participation, employment, the quality of jobs that they hold, and their earnings.

2. Marriage, Fertility, and Intrahousehold Division of Labor

Marriage and fertility are major constraints for female labor force participation in the MENA region. In a recent study, Assaad et al. (2017) use data from Jordan, Egypt, and Tunisia along with an instrumental variables method to examine how marrying by the median age of marriage impacts women's labor outcomes. The authors find that marrying by the median age strongly decreases women's likelihood of being employed, particularly in the private sector. Other studies point to a strong negative association between fertility and women's employment in several MENA countries, such as Iran (Esfahani and Shajari 2012; Majbouri 2019), Morocco (Assaad and Zouari 2003), Egypt, Jordan, and Tunisia (Selwaness and Krafft 2018).⁷

The main reason why marriage and children negatively affect women's labor outcomes is because of the gendered intrahousehold division of labor. Economic theory predicts that intrahousehold specialization—that is, one spouse devoting their time to market work and the other to home production—occurs when one spouse has a comparative advantage in home production and

7. The evidence from Iran, however, is mixed, since another study does not find a significant relationship between fertility and female labor force participation (Azmi 2015).

the other in the labor market (Becker 1981). Since women on average have lower wages than men, they are more likely to leave the labor force in order to invest their time in housework and childcare, while men increase their labor force attachment. Recent studies report descriptive statistics on this type of within-household specialization after marriage in several MENA countries. Hendy (2015) reports that, after marriage, Egyptian women spend on average eight hours less per week on market work and increase their time in home production by thirty hours. Assaad et al. (2017) also document that married women in Jordan, Egypt, and Tunisia spend a larger amount of time on domestic work compared to unmarried women.

3. Social Norms and Traditional Views about Gender Roles

Social norms are some of the most important barriers to women's labor force participation in the region. For example, in some countries, such as Saudi Arabia, women must obtain approval from their male guardians in order to work. Furthermore, women in various parts of the MENA region that value female "purity"—a concept with religious origins—cannot freely interact with males outside of their families (Jayachandran 2015). This is likely to limit women's ability to participate in the labor force or engage in successful business opportunities, as most workplaces are not gender segregated.

Such societal beliefs and perceptions hinder women's empowerment. A small nascent literature has focused on MENA societies' perceptions and attitudes toward traditional gender roles, and how these in turn affect women's empowerment. Alan et al. (2018) show that Turkish elementary school teachers who hold traditional views about gender roles negatively affect girls' achievement. Specifically, traditional teachers transfer their views about gender roles to girls, which in turn negatively impacts female students' academic performance. A key strength of this study is that the authors examine a setting where students are randomly assigned to their teachers, which allows for the identification of causal effects.

While traditional views about gender hinder women's empowerment, a study from Saudi Arabia uncovers another important cultural constraint to FLFP: misperceptions about social norms. Bursztyn et al. (2018) document that men in Saudi Arabia privately support their wives' participation in the labor force, but underestimate how much

other men approve of FLFP. The perception that other men do not support FLFP decreases the likelihood that husbands will give their wives permission to look for a job. González (2013) documents a similar effect in Kuwait. She finds that male college students also support women's labor market participation but believe that the religious community disapproves of it.

4. Religion

Researchers have also studied religion's potential role in propagating social norms that impede women's economic empowerment. Since Islam is the dominant religion in the MENA region, we summarize the evidence on the link between Islam and women's empowerment. Traditional religious institutions can place limitations on women's behavior by influencing society's attitudes about gender. For example, Akyol and Okten (2019) document that Turkish women who are Alevi Muslims are more likely to participate in the labor force than Sunni Muslims. The authors attribute this difference to the fact that Alevi Muslims have more gender-equal views than Sunnis. A concern is that countries that have Islamic parties in power, such as in Turkey and Egypt, may have poorer women's rights than other areas (Meyersson 2014). On the other hand, Islamic institutions might support women's education and economic opportunities.

Any discussion on women and work in the MENA region must consider the large migrant worker labor force

A longstanding literature explores the relationship between Islam and economic performance.⁸ However, causal studies on the role of Islam in women's empowerment in the MENA region are scarce. Part of the literature focuses on the relationship between Islam and gender attitudes, but the evidence is mixed. For example, Asadullah and Chaudhury (2010) show that graduates of the traditional madrasas (i.e., Islamic schools) in Bangladesh have less gender-equal views compared to graduates of modernized Islamic schools. Hajj and Panizza (2009) compare the gender education gap between Muslims and Christians in Lebanon. They find that, for both religions, women pursue more education than

8. For more information, see Kuran 2018.

men, suggesting that Muslims in Lebanon are not more likely to discriminate against women than Christians. In another study, Clingingsmith et al. (2009) use data on applicants to a Pakistani lottery that awards visas to attend the Hajj. The authors compare the attitudes of the lottery's winners and losers, which allows them to identify causal effects. They find that Hajj participation increases pilgrims' religiosity but also raises their support for women's education and FLFP. Although the study cannot pinpoint the exact factors that change pilgrims' perception of women's entry into the labor force, the researchers found evidence suggesting that pilgrimage increased belief in equality due to the participants' exposure to and interaction with Muslims from different cultures during Hajj.

Other literature focuses on the role of Islamic rule and institutions in women's empowerment. In his seminal study, Meyersson (2014) uses a regression discontinuity design that compares Turkish municipalities where an Islamic party barely won an election to municipalities where the party barely lost. He finds that having an Islamic party win the election increases women's high school completion, and this effect is strongest in poor and conservative areas. An explanation for this result is that Islamic rule raised the number of educational institutions that are sponsored by Islamic charities, making people less hesitant about sending their daughters to school.

5. Employers

So far, we have focused our discussion on the supply-side constraints to women's economic empowerment; that is, the factors that restrict women from supplying labor. However, it is also important to consider the demand-side barriers, such as the role of employers in women's labor market choices.

Employers may restrict women's labor market options through gender discrimination in their hiring and promotion decisions. Employers may prefer hiring and promoting men because women may be perceived as less productive, since they typically invest a large amount of time in housework and childcare. Additionally, in most MENA countries, employers have to finance parental leave for new mothers but not for fathers. This makes hiring women more costly than hiring men and potentially exacerbates gender discrimination.

This topic has received a great deal of attention in the international academic literature, but evidence

on the role of employers in the MENA region is scarce. In a recent study on Turkey, Balkan and Cilasun (2018) conducted an experiment in which they sent fictitious job applications—which differed in terms of the applicant's gender but were similar otherwise—to Turkish employers. The aim of this study was to see whether employers are more likely to choose men over women. Surprisingly, the authors found no evidence that Turkish employers are more likely to discriminate against women in their hiring decisions.

V. POLICIES AND PROGRAMS THAT IMPROVE WOMEN'S EMPOWERMENT

1. Entrepreneurship and Employment Programs

Over the past two decades, a wide range of programs aimed at increasing women's employment and income-generating activities have been implemented in many developing countries, including in the MENA region. The sheer volume of these programs makes it impractical to include all of them. Instead, we summarize the findings from the most widely used programs and highlight a few that have been successful in the MENA region.

A. Microfinance

In 2018, more than 175 million people worldwide were receiving microcredits (Credit Summit 2018), which are small loans given to poor individuals in developing countries in order to help them grow their businesses. Microfinance institutions typically offer loans with low interest rates and target individuals with little access to the formal financial sector. In addition to decreasing poverty rates, microfinance programs targeted at women may promote gender equality and economic empowerment. A large body of work evaluates the effectiveness of microcredit programs. In most settings, these programs increase households' access to credit, business creation, and business expansions (Banerjee 2013).⁹

An example from the MENA region are microcredits provided by Al Amana, the largest microfinance institution in Morocco. Crépon et al. (2015) focus on how the opening of Al Amana branches in rural areas impacts self-employment and women's

9. It should be remembered that more work is needed to understand the contribution of microfinance to women's economic empowerment, as some studies show that it increases women's exposure to domestic violence (Banerjee 2013) and that only a small number of women in conservative and rural areas use microfinance (Crépon et al. 2015).

empowerment. They find that these branches increased households' access to credit and led to an expansion of existing businesses.

B. Skill-Training Programs

In addition to restricted access to credit, women often lack the entrepreneurship skills necessary to start successful businesses. Several business, vocational, and skill-training programs have recently been implemented in the MENA region. Elsayed and Roushdy (2017) evaluate a large-scale intervention in Egypt, Neqdar Nesharek, which provided women with mentoring as well as business, vocational, and life-skills training. Implemented in thirty rural villages in Upper Egypt, the program was found to increase women's income-generating activities and self-employment. However, the program had no effect on measures of female social empowerment, such as attitudes toward gender equality and intrahousehold decision making (Elsayed and Roushdy 2017). Another intervention, Jordan NOW, provided young women who recently graduated from community college with soft skills training. Participants received an intensive forty-five hours of training on topics such as communication, teamwork, CV writing, and interview skills. Despite its intensity, the program did not increase women's employment (Groh et al. 2016).¹⁰

2. Interventions that Target Cultural Barriers

While programs directly aimed at engaging women in the labor force can be effective, their success is often limited by cultural barriers. For example, when women have no decision-making power within the household, giving them access to microcredits might have no effect on their labor outcomes, as the money may be seized by their husbands. Breaking down social norms and cultural barriers, as well as changing traditional gender attitudes and biases, can bolster the success of employment programs and, importantly, improve women's outcomes in general. Interventions that both increase women's exposure to strong female role models and change social norms and attitudes about gender equality are particularly effective at boosting women's empowerment.

Several recent studies from the MENA region show that women benefit substantially from interacting with successful female role models. Using data from

10. The international evidence on the role of microfinance and skills training programs in boosting women's empowerment is mixed (Banerjee 2013).

a selective private university in Lebanon, Canaan and Mouganie (2020) demonstrate that being assigned to female academic advisors who are scientists improves women's likelihood of enrolling and graduating from scientific fields—majors where women are typically underrepresented. This is because female scientists can be role models for young women, inspiring them to pursue careers in the sciences. In Egypt, researchers incentivized individuals to watch a reality television competition show where contestants were tested on their entrepreneurial skills (Barsoum et al. 2018). The show was meant to expose individuals to successful entrepreneurial role models, and female contestants were particularly successful throughout the show. The authors found that exposure to the show's female role models changed individuals' gender-related attitudes around self-employment, but did not increase aspirations for self-employment. Bargain et al. (2018) find that Egyptian women's active participation in demonstrations during the Arab Spring broke down gender stereotypes and empowered women. Specifically, exposure to female protesters increased other women's decision-making power within their households and reduced their acceptance of domestic violence.

Interventions that change men's attitudes about social norms may be particularly beneficial in boosting women's employment. As previously discussed, Bursztyn et al. (2018) report that men in Saudi Arabia support FLFP but think that other men do not. The authors ran a randomized controlled trial where they corrected men's beliefs about other men's support for FLFP. The experiment was successful at increasing their wives' likelihood of applying and interviewing for jobs.

Finally, programs that are sensitive to social norms, instead of trying to break them down, are also effective. Carvalho (2018) shows that the religious practice of veiling is often used by women in traditional regions in order to increase their labor force participation. This is because women in traditional areas use veiling as a way to reduce societal disapproval of working in gender desegregated workplaces. Other interventions change or inform women about gender-related workplace attributes. Subramanian (2020) shows that Pakistani women are more likely to apply for jobs when they are given information about the gender of their potential coworkers and employers—especially if the employer is female. Providing women with free, gender-segregated transportation to work can be an effective but

costly way to improve their participation in the labor force (Jayachandran 2019). Sieverding and Elbadawy (2016) study the Ishraq program, which provides Egyptian female adolescents with gender-segregated safe spaces. In these spaces, women attend out-of-school classes and have the opportunity to interact with other girls and mentors. The program had positive effects on women's knowledge of reproductive health and literacy, but failed to improve their mothers' and brothers' attitudes and beliefs about gender issues.

3. Redistributing Women's Housework and Childcare

Women in the MENA region take on the vast majority of housework and childcare. They also tend to work in the public sector, as it provides more flexible work arrangements than private firms. This suggests that policies or programs that ease women's childcare and housework responsibilities and allow them to balance their work and family lives could improve their labor force participation. Unfortunately, there is no causal evidence on the consequences of these types of programs in the MENA region. However, evidence from outside of the MENA indicates that access to maternity leave and childcare can play a key role in improving women's labor market attachment.

Maternity leave policies typically provide women with time off from work after the birth of their child. One of the goals of leave periods is to facilitate working women's transition into motherhood and their job continuity after childbirth. A large literature in economics evaluates the consequences of these leave periods on women's labor market outcomes and provides insight into optimal policy design. The effectiveness of maternity leave depends on three factors. First, it is important to offer cash benefits that replace a large part of mothers' lost income due to taking leave. Second, leaves are typically job-protected, as they guarantee women's right to return to work after their leave ends. Third, the length of the leave period matters. Evidence suggests that paid and job-protected leaves that are less than one year in length increase women's likelihood of returning to work and their employment rates (Rossin-Slater 2018). However, longer leaves can have detrimental effects on a range of women and family outcomes (Canaan 2019).

MENA countries provide women with maternity leave, but some reforms are still needed. Most Middle Eastern countries—with available data—

provide seven to ten weeks of maternity leave.¹¹ Increasing the length of leave to at least twelve weeks could benefit both women and their children. Both the private and public sectors are required to cover 100 percent of their employees' salaries while on maternity leave,¹² which may cause employers to discriminate against women when hiring, as they might be perceived as more costly than men.

Providing MENA women with childcare arrangements could also increase their labor market participation. Indeed, women in the region disproportionately take on childcare responsibilities, and having access to other childcare arrangements can free up some of their time and allow them to invest in market work. Literature on childcare programs outside the MENA region generally finds that increasing the availability and reducing the costs of childcare arrangements—through subsidies or the provision of free childcare—significantly increase mothers' labor force participation (Morrissey 2017).

4. National Policies and Programs

Over the past few years, several MENA countries have focused on increasing gender equality and promoting women's empowerment. Indeed, the World Bank reports that Saudi Arabia, UAE, Bahrain, Jordan, and Tunisia are among the ten countries that exhibited the largest improvements in terms of introducing reforms aimed at empowering women.

In 2019, Saudi Arabia enacted several laws that facilitate women's labor force participation and job continuity. Specifically, the country promoted women's access to employment and entrepreneurship by introducing laws prohibiting gender-based discrimination in job advertising, hiring, and access to financial services. Furthermore, women were awarded job protections during pregnancy and while on maternity leave, and their retirement age was extended to 60. Bahrain recently enacted laws that criminalize sexual harassment in the workplace and launched the National Plan for the Advancement of Bahraini Women for 2013–2022, which supports women's employment, entrepreneurship, and

11. As of 2014, the length of leave by country was as follows: United Arab Emirates at six weeks; Lebanon, Qatar, Oman at seven weeks; Bahrain, Iraq, Yemen at nine weeks; Jordan, Kuwait, Saudi Arabia, Palestine at ten weeks; and Syria at seventeen weeks (Addati et al. 2014).

12. The only exception is Jordan, which relies on social security to pay for maternity leave benefits in all cases.

protection from domestic violence. Jordan also made significant progress in facilitating women's economic participation by removing laws that forbid them from working at night and introducing "the principle of equal remuneration for work of equal value" (World Bank 2020).

Several countries have also implemented programs aimed at supporting women's entrepreneurship and economic empowerment. Over the last few years, Morocco put in place a variety of skills and business training programs, as well as microfinance programs that target women. Examples include the Min Ajiliki program, which provides women with training for business creation, and the Ilayki program, which offers small loans to women-led businesses. Morocco also launched projects aimed at helping women living in rural areas. For example, since 2010, sixty-eight centers were created to provide suitable workplaces for women working in the handicraft industry (Morocco Ministry of Family, Solidarity, Equality and Social Development 2017). In 2017, the Central Bank of Egypt signed a protocol with the National Council of Women aimed at providing microfinance loans to women entrepreneurs. In 2015, the Takaful and Karama cash transfer program was launched with the support of the World Bank to help the poorest families. Ninety percent of participants were women (World Bank 2018).

5. International Organizations

Several international organizations are currently working on the topic of empowering women in the MENA region. This section summarizes the work of the main international actors in the region.

Recognizing the MENA region's serious need for rigorous quantitative evidence, the World Bank launched the Middle East and North Africa Gender Innovation Lab. A particularly important feature of the lab is its focus on investing in "high-quality experimental research (primarily through impact evaluations and randomized controlled trials) to find the most effective evidence-based interventions" (World Bank 2019).

UN Women and the International Labour Organization recently launched a cross-country program to promote women's empowerment in Egypt, Jordan, and Palestine. The program aims to collaborate with the public and private sectors, as well as with civil society organizations, in order to advocate for gender-equal labor laws and policies,

encourage private employers to hire and retain female workers, and change traditional gender attitudes regarding women's housework and unpaid care work.

In 2017, the Organisation for Economic Co-operation and Development (OECD) launched the MENA-OECD Women's Economic Empowerment Forum "to build a regional network where government and non-government representatives from OECD and MENA economies can exchange best practices and find solutions for enhancing women's economic empowerment" (OECD 2017). Given the lack of data in the region, the focus is on collecting data on gender and on advocating for legal reforms concerning women's rights and empowerment.

A couple of initiatives were also recently created by academic institutions. J-PAL's Middle East and North Africa Initiative, a collaboration between the American University of Cairo and the Massachusetts Institute of Technology, promotes evidence-based policymaking by conducting and helping researchers develop randomized controlled trials. While J-PAL does not exclusively focus on women's economic empowerment, it does help conduct research on this topic. The Harvard Kennedy School Evidence for Policy Design, which also focuses on rigorous quantitative research and the promotion of evidence-based policy, has set up a joint collaboration with Saudi Arabia's Ministry of Labor and Social Development and the Human Resources Development Fund. The collaboration's goal is to promote research on several key issues in the country, with one focus being "Women in the Labor Market."

VI. CONCLUSION

Women's economic empowerment in the MENA region has become a popular topic of research and policy intervention in recent years, especially given that the MENA's rate of female participation in the labor force is the lowest in the world. Various actors, from international agencies to local grassroots organizations, have devised plans and made demands to increase women's economic participation and improve conditions in the labor force.

While these efforts are important in positioning women's economic empowerment as a critical issue, we have identified several shortcomings in the ways that the topic has been approached in research and policy. First and foremost is the vague and narrow definition of women's economic empowerment:

few sources actually define the term, and its use suggests that it is limited to women's participation in the labor force, rather than also encompassing working conditions and the impact that labor has on women's lives in general. Moreover, sources have tended to ignore the historical, political, and economic developments that have shaped the context and opportunities for women's work in the MENA region. This has resulted in vague appeals to cultural or social explanations that fail to capture the variety of structural arrangements driving women's low labor force participation. In addition, these works tend to underestimate women's willingness to engage in the labor force, as well as the conditions which presently impede them doing so; mainly, these relate to their care burden and the lack of care provisions and flexible arrangements in the workplace. Women's willingness to work is also reflected in their large representation in the informal labor force. Analysis of this precarious sector is critical in order to evaluate women workers' needs and propose gender-sensitive responses. Finally, any discussion on women and work in the MENA region must consider the large migrant worker labor force, which is frequently neglected in these debates despite these workers' higher vulnerability to exploitation and violence.

We also reviewed the literature and presented a synthesis of commonly identified barriers to women's economic empowerment in the MENA region. This review perturbed some of the assumptions about the obstacles to women's participation in the labor force, especially with regards to education levels, social norms, and religiosity. We also called attention to the often-neglected role of employers in hindering women's labor-force participation. In light of this analysis, we highlighted the principal initiatives and programs targeting women's economic empowerment and evaluated their impacts according to the factors detailed above.

A central conclusion of this paper is that, when considering the economic opportunities offered to women, both research and policy interventions must take class difference into account, particularly as it relates to educational attainment, as well as the alleviation of the care-work burden and the additional obstacles faced by migrants. In order to incorporate these dynamics, future research must scrutinize the definitions and indicators that are usually deployed and seek alternative sources and forms of data. Analysis and initiatives must take

on a transformative approach in order to address structural injustice and patriarchal attitudes at the communal, economic, and political levels. Women's economic empowerment is a complex undertaking that must incorporate the needs and circumstances identified by women themselves.

Bibliography

- Abdelali-Martini, Malika. 2011. "Empowering Women in the Rural Labor Force with a Focus on Agricultural Employment in the Middle East and North Africa (MENA)." UN Women.
- Abou-Habib, Lina. 2019. *Feminist Perspectives on Care Work in the MENA Region*. Beirut: Friedrich-Ebert-Stiftung.
- Abu-Lughod, Lila. 2009. "Dialects of Women's Empowerment: The International Circuitry of the Arab Human Development Report 2005." *International Journal of Middle East Studies* 41 (1): 83-103.
- Addati Laura, Naomi Cassirer, and Katherine Gilchrist. 2014. *Maternity and Paternity at Work: Law and Practice across the World*. International Labour Office.
- Adnane, Souad. 2015. "Economic Freedom and Women's Emancipation in the MENA Region." *Economic Affairs* 35 (3): 416-27.
- Adouani, Sami, and Said Ben Sedrine. 2018. "Trade Unions in Transformation: Trade Union Power and Democratic Transition in Tunisia." Bonn: Friedrich-Ebert-Stiftung.
- Aita, Samir. 2016. *Arab Watch on Economic and Social Rights*. Beirut: Arab NGO Network for Development.
- Akyol, Pelin and Cagla Okten. 2019. "The Role of Culture on Female Labor Supply: Evidence from Turkey." IZA DP No.12620.
- Al-Ali, Najde. 2002. "Women's Movements in the Middle East: Case Studies of Egypt and Turkey." Working paper, United Nations Research Institute for Social Development, Geneva, Switzerland.
- Al-Ali, Najde. 2012. "Gendering the Arab Spring." *Middle East Journal of Culture and Communication* 5 (1): 26-23.
- Al-Ali, Najde. 2013. "Gender and Civil Society in the Middle East." *International Feminist Journal of Politics* 5 (3): 216-32.

- Al-Ali, Najde, Zahra Ali, and Isabel Marler. 2016. "Reflections on Authoring the Chapter on Young Women for the 2016 Arab Human Development Report." *Jadaliyya*.
- Alan, Sule, Seda Ertac, and Ipek Mumcu. 2018. "Gender Stereotypes in the Classroom and Effects on Achievement." *Review of Economics and Statistics* 100 (5): 876–90.
- Arezki, Rabah, Ferid Belhaj, and Parmesh Shah. 2019. *Promoting a New Economy for the Middle East and North Africa*. Washington, DC: World Bank.
- Asadullah, Mohamad Niaz, and Nazmul Chaudhury. 2010. "Religious Schools, Social Values, and Economic Attitudes: Evidence from Bangladesh." *World Development* 38 (2): 205–217.
- Assaad, Ragui, and Caroline Krafft. 2016. "Labor Market Dynamics and Youth Unemployment in the Middle East and North Africa: Evidence from Egypt, Jordan and Tunisia." Working paper no. 993, Economic Research Forum, Giza.
- Assaad, Ragui, and Sami Zouari. 2003. "The Timing of Marriage, Fertility, and Female Labor Force Participation in Morocco." *Proceedings of the Middle East Economic Association* 5.
- Assaad, Ragui, Caroline Krafft, and Irène Selwaness. 2017. "The Impact of Early Marriage on Women's Employment in the Middle East and North Africa." Working paper no. 1086, Economic Research Forum, Giza.
- Assaad, Ragui, Caroline Krafft, and Djavad Salehi-Isfahani. 2018. "Does the Type of Higher Education Affect Labor Market Outcomes? Evidence from Egypt and Jordan." *Higher Education* 75 (6): 945–95.
- Azimi, Ebrahim. 2015. "The Effect of Children on Female Labor Force Participation in Urban Iran." *IZA Journal of Labor & Development* 4 (1): 5.
- Balakrishnan, Rajagopal. 2002. *The Hidden Assembly Line: Gender Dynamics of Subcontracted Work in a Global Economy*. Bloomfield, CT: Kumarian Press.
- Balkan, Binur, and Seyit Mümin Cilasun. 2018. "Does Gender Discrimination Contribute to Low Labor Force Participation of Women in Turkey? Evidence from Survey and Field Data." Working paper no. 1205, Economic Research Forum, Giza.
- Barker, Drucilla, and Susan Feiner. 2004. *Liberating Economics: Feminist Perspective on Families, Work, and Globalization*. Ann Arbor: University of Michigan Press.
- Banerjee, Abhijit Vinayak. 2013. "Microcredit under the Microscope: What Have We Learned in the Past Two Decades, and What Do We Need to Know?" *Annual Review of Economics* 5 (1): 487–519.
- Bargain, Olivier, Delphine Boutin, and Hugues Champeaux. 2019. "Women's Political Participation and Intrahousehold Empowerment: Evidence from the Egyptian Arab Spring." *Journal of Development Economics* 141:102379.
- Barry, Ashley, and Mariel Davis. 2015. *First Jobs for Young Women in the Middle East & North Africa: Expectations and Reality*. Washington, DC: Education for Employment.
- Barsoum, Ghada, Bruno Crépon, Bastian Michel, Drew Gardiner, and William Parienté. 2018. "Evaluating the Impact of Entrepreneurship Edutainment in Egypt: An Experimental Approach with Peer Effects." Working Paper, Paris School of Economics.
- Becker, Gary. 1981. *A Treatise on the Family*. Cambridge, MA: Harvard University Press.
- Beuermann, Diether W., and C. Kirabo Jackson. 2018. "The Short and Long-Run Effects of Attending the Schools that Parents Prefer." Working paper no. 24920, National Bureau of Economic Research, Cambridge, MA.
- Bonnet, Florence, Joann Vanek, and Martha Chen. 2019. "Women and Men in the Informal Economy: A Statistical Brief." ILO and WIEGO.
- Boserup, Ester. 1970. *Women's Role in Economic Development*. New York: St Martin's Press.
- Brenøe, Anne, Serena Canaan, Nikolaj Harmon, and Heather Royer. 2020. "Is Parental Leave Costly for Firms and Coworkers?" Working paper no. 26622, National Bureau of Economic Research, Cambridge, MA.
- Bursztyń, Leonardo, Alessandra González, and David Yanagizawa-Drott. 2018. "Misperceived Social Norms: Female Labor Force Participation in Saudi Arabia." Working paper no. 24736, National Bureau of Economic Research, Cambridge, MA.
- Buttorf, Gail, Bozena Wellborne, and Nawra al-Lawati. 2018. "Measuring Female Labor Force Participation in the GCC." Rice University Baker Institute.
- Canaan, Serena. 2019. "Parental Leave, Household Specialization and Children's Well-Being." IZA DP 12420.
- Canaan, Serena, and Pierre Mouganie. 2020. "Female Science Advisors and the STEM Gender Gap." Working Paper, IZA Institute of Labor Economics.
- Carvalho, J.P. 2013. "Veiling." *Quarterly Journal of Economics* 128 (1): 337–70.
- Chaaban, Jad. 2020. Personal communication.
- Chamlou, Nadereh, Valentine Moghadam, and Massoud Karshenas. 2016. "Women, Work and Welfare in the Middle East and North Africa: Introduction and Overview." In *Women, Work and Welfare in the Middle East and North Africa*. London: Imperial College Press.
- Chamlou, Nadereh, Silvia Muzi, and Hanane Ahmed. 2016. "The Determinants of Female Labor Force in Participation in the Middle East and North Africa: The Role of Education and Social Norms in Amman, Cairo and Sana'a." In *Women, Work and Welfare in the Middle East and North Africa*. London: Imperial College Press.
- Chamlou, Nadereh, Silvia Muzi, and Hanane Ahmed. 2016. "Understanding the Determinants of Female Labor Force in Participation in the Middle East and North Africa Region: The Role of Education and Social Norms in Amman." *AlmaLaurea Working Paper*.
- Clark, Damon, and Emilia Del Bono. 2016. "The long-run effects of attending an elite school: Evidence from the United Kingdom." *American Economic Journal: Applied Economics* 8 (1): 150–176. doi:10.1257/app.20130505.
- Clingingsmith, David, Asim Ijaz Khwaja, and Michael Kremer. 2009. "Estimating the Impact of the Hajj: Religion and Tolerance in Islam's Global Gathering." *Quarterly Journal of Economics* 124 (3): 1133–70.
- Crépon, Bruno, Florenca Devoto, Esther Duflo, and William Parienté. 2015. "Estimating the Impact of Microcredit on Those Who Take It Up: Evidence from a Randomized Experiment in Morocco." *American Economic Journal: Applied Economics* 7 (1): 123–50.
- Dahlgren, Susanne. 2007. "Welfare and Modernity: Three Concepts for the 'Advanced Woman'." In *Interpreting Welfare and Relief in the Middle East*. Leiden: Brill.
- Daoud, Yousef, and Ruba Shanti. 2016. "Private—Public Sector Employment Choice and Wage Differentials in Palestine: A Gender Perspective." In *Women, Work and Welfare in the Middle East and North Africa*. London: Imperial College Press.
- El-Mahdi, Alia. 2016. "Women Entrepreneurs in Egypt: Obstacles, Potentials, and Prospects." *Women, Work and Welfare in the Middle East and North Africa*. London: Imperial College Press.
- Elsayed, Ahmed, and Rania Roushdy. 2017. "Empowering Women under Social Constraints: Evidence from a Field Intervention in Rural Egypt." IZA DP 11240.
- Elsadda, Hoda. 2020. Personal communication.
- Esfahani, Hadi Salehi, and Parastoo Shajari. 2012. "Gender, Education, Family Structure, and the Allocation of Labor in Iran." *Middle East Development Journal* 4 (2): 1250008.
- EU Committee of the Regions. 2017. *Women's Empowerment in the Mediterranean Region*. European Union.
- Eum, Ikran. 2019. "New Women for a New Saudi Arabia? Gendered Analysis of Saudi Vision 2030 and Women's Reform Policies." *Asian Women* 35 (3): 115–133.
- Federici, Silvia. 1975. *Revolution at Point Zero: Housework, Reproduction, and Feminist Struggle*. Oakland: FM Press.
- Fuentes, Annette, and Barbara Ehrenreich. 1983. *Women in the Global Factory*. Boston: South End Press.
- GIZ. n.d. "Employment of Young Women through Applied Gender Diversity Management in the MENA Region." Accessed June 16, 2020. <https://www.giz.de/en/worldwide/37953.html>.
- González, Alessandra. 2013. *Islamic Feminism in Kuwait: The Politics and Paradoxes*. New York: Springer.
- Groh, Matthew, Nandini Krishnan, David McKenzie, and Tara Vishwanath. 2016. "The Impact of Soft Skills Training on Female Youth Employment: Evidence from a Randomized Experiment in Jordan." *IZA Journal of Labor & Development* 5 (1): 9.
- Hajj, Mandana, and Ugo Panizza. 2009. "Religion and education gender gap: Are Muslims different?" *Economics of Education Review* 28 (3): 337–44.
- Hamdan, Kamal, Redha Hamdan, Lara Batloui, and Nisrine Mansour. 2016. "Women Entrepreneurs in Lebanon: Obstacles, Potentials, and Prospects." In *Women, Work and Welfare in the Middle East and North Africa*. London: Imperial College Press.
- Hanieh, Adam. 2013. *Lineages of Revolt: Issues of Contemporary Capitalism in the Middle East*. Chicago: Haymarket Books.
- Hendy, Rana. 2015. "Women's Participation in the Egyptian Labor Market." In *The Egyptian Labor Market in an Era of Revolution*, edited by Ragui Assaad and Caroline Krafft. Oxford, UK: Oxford University Press.
- Inglehart, Ronald, and Pippa Norris. 2003. *Rising Tide: Gender Equality and Cultural Change Around the World*. Cambridge: Cambridge University Press.
- ILO (International Labour Organization). 2012. *Women and Trade Unions in Arab States: Decent Work through Organizing*.
- Bruer, Verena. 2017. *Promoting Women's Empowerment in the Middle East and North Africa*. ILO and IFAD. Impact Brief Series (9).
- ILO and FES. 2016. "Characteristics and Structure of the Union Movement in Lebanon." Beirut: Friedrich-Ebert-Stiftung
- ILOSTAT. n.d. "Indicator Description: Informality."
- IMF (International Monetary Fund). 2018. *Pursuing Women's Economic Empowerment*.
- Kaufmann, Katja Maria, Matthias Messner, and Alex Solis. 2021. "Elite Higher Education, the Marriage Market and the Intergenerational Transmission of Human Capital." CRC TR 224 Discussion Paper Series, University of Bonn and University of Mannheim.
- Kongar, E., Olmsted, J. and Shehabuddin, E., 2014.

- “Gender and Economics in Muslim Communities: A Critical Feminist and Postcolonial Analysis.” *Feminist Economics* 20 (4): 1–32
- Krayem, Dima. 2020. Personal communication.
- Kuran, Timur. 2018. “Islam and Economic Performance: Historical and Contemporary Links.” *Journal of Economic Literature* 56 (4): 1292–359.
- Jackson, C. Kirabo. 2010. “Do Students Benefit from Attending Better Schools? Evidence from Rule-Based Student Assignments in Trinidad and Tobago.” *Economic Journal* 120 (549): 1399–429.
- Jayachandran, Seema. 2015. “The Roots of Gender Inequality in Developing Countries.” *Annual Review of Economics* 7 (1): 63–88.
- Jayachandran, Seema. 2019. “Social Norms as a Barrier to Women’s Employment in Developing Countries.” *Northwestern Working Paper*.
- Johnson, Mark. 2018. “From Victims of Trafficking to Freedom Fighters: Rethinking Migrant Domestic Workers in the Middle East.” In *Revisiting Slavery and Anti-Slavery: Towards a Critical Analysis*. Basingstoke: Palgrave Macmillan.
- Joseph, Suad. 1996. “Gender and Citizenship in Middle Eastern States.” *Middle East Report* 198: 4–10.
- Jureidini, Ray. 2005. “Migrant Workers and Xenophobia in the Middle East.” In *Racism and Public Policy*: 48–71. Basingstoke: Palgrave Macmillan.
- Kabeer, Naila, Ashwini Deshpande, and Ragui Assaad. 2019. *Women’s Access to Market Opportunities in South Asia and the Middle East & North Africa*. London: LSE International Development.
- Karshenas, Massoud, and Nadereh Chamlou. 2016. *Women, Work and Welfare in the Middle East and North Africa: The Role of Socio-demographics, Entrepreneurship and Public Policies*. London: Imperial College Press.
- Mahdavi, Pardis. 2013. “Gender, Labour and the Law: The Nexus of Domestic Work, Human Trafficking and the Informal Economy in the United Arab Emirates.” *Global Networks* 13 (4): 425–40.
- Maucourant Atallah, Nada. 2020. “Lebanese Protests: The Missing Trade Unions.” *Commerce du Levant*.
- Majbouri, Mahdi. 2019. “Twins, Family Size and Female Labour Force Participation in Iran.” *Applied Economics* 5 (4): 387–97.
- McKinsey & Co. 2020. *Women at Work: Job Opportunities in the Middle East Set to Double with the Fourth Industrial Transformation*.
- Meyersson, Erik. 2014. “Islamic Rule and the Empowerment of the Poor and Pious.” *Econometrica* 82 (1): 229–69.
- Mies, Maria. 1986. *Patriarchy and Accumulation on a World Scale: Women in the International Division of Labor*. London: Zed Books.
- Miles Doan, Rebecca. 1992. “Class Differentiation in the Informal Sector in Amman, Jordan.” *International Journal of Middle East Studies* 24 (1): 23–38.
- Mills, Mary Beth. 2003. “Gender and Inequality in the Global Labor Force.” *Annual Review of Anthropology* 32 (1): 41–62.
- Moghadam, Valentine. 1993. *Modernizing Women: Gender and Social Change in the Middle East*. Boulder, CO: Lynne Rienner Publishing.
- Moghadam, Valentine. 2004. “Patriarchy in Transition: Women and the Family in the Middle East.” *Journal of Comparative Family Studies* 35 (2): 137–62.
- Mohamadieh, Kinda. 2011. “Women’s Economic Empowerment in the Arab Region.” *AWID*.
- Morocco Ministry of Family, Solidarity, Equality and Social Development. 2017. *Women’s Economic Empowerment in the Changing World of Work. Report of the Kingdom of Morocco*.
- Morrissey, Taryn W. 2017. “Childcare and Parent Labor Force Participation: A Review of the Research Literature.” *Review of Economics of the Household* 15 (1): 1–24.
- Morrisson, Andrew, and Shwetlena Sabarwal. 2008. “The Economic Participation of Adolescent Girls and Young Women: Why Does It Matter?” *PREM Notes* 128.
- Mukhopadhyay, Maitrayee. 2020. Personal communication.
- Nazir, Sameena, and Leigh Tomppert. 2005. *Women’s Rights in the Middle East and North Africa: Citizenship and Justice*. Washington, DC: Freedom House.
- OECD (Organisation for Economic Co-operation and Development). 2017. *Women’s Economic Empowerment in Selected MENA Countries*. OECD.
- Olmsted, Jennifer. 2005. “Is Paid Work the (Only) Answer? Neoliberalism, Arab Women’s Well-Being, and the Social Contract.” *Journal of Middle East Women’s Studies* 1 (2): 112–39.
- Pande, Amrita. 2013. “‘The Paper that You Have in Your Hand Is My Freedom’: Migrant Domestic Work and the Sponsorship (Kafala) System in Lebanon.” *International Migration Review* 47 (2): 441.
- Papps, Ivy. 1992. “Women, Work and Well-Being in the Middle East: An Outline of the Relevant Literature.” *Journal of Development Studies* 28 (4): 595–615.
- Plan International. 2020. *The Protection of Young Women and Girls in the Middle East and Northern Africa (MENA)*.
- Portes, Alejandro, and Saskia Sassen-Koob. 1987. “Making it Underground: Comparative Material on the Informal Sector in Western Market Economies.” *American Journal of Sociology* 93 (1): 30–61.
- Psacharopoulos, George, and Zafiris Tzannatos. 1989. “Female Labor Force Participation: An International Perspective.” *World Bank Research Observer* 4: 187–201.
- Robinson, Julia. 2005. “Female Labor Force Participation in the Middle East and North Africa.” *Wharton Research Scholars*.
- Ross, Michael. 2008. “Oil, Islam, and Women.” *American Political Science Review* 102 (1): 107–123.
- Rossin-Slater, Maya. 2018. “Maternity and Family Leave Policy.” *The Oxford Handbook of Women and the Economy*. Oxford University Press.
- Salehi-Isfahani, Djavad. 2006. “Microeconomics of Growth in MENA: The Role of Households.” *Contributions to Economic Analysis* 278 (1): 159–94.
- Salman, Doaa, Marina Adel, Mona Said, and Vassilis Monastiriotis. 2019. “Feminization of Occupations and its Effect on Gender Wage Gap in South Mediterranean Countries.” *Femise Research Papers FEM43-08*.
- Selwaness, Irene, and Caroline Krafft. 2018. “The Dynamics of Family Formation and Women’s Work: What Facilitates and Hinders Female Employment in the Middle East and North Africa?” *Economic Research Forum Working Paper Series* 1192.
- Sharabi, Hisham. 1988. *Neopatriarchy: A Theory of Distorted Change in Arab Society*. New York: Oxford University Press.
- Sieverding, Maia, and Asmaa Elbadawy. 2016. “Empowering Adolescent Girls in Socially Conservative Settings: Impacts and Lessons Learned from the Ishraq Program in Rural Upper Egypt.” *Studies in Family Planning* 47 (2): 129–44.
- Smith, William, and Isabelle Cardinal. 2019. *Gender and Inclusion Evidence Review – Prosperity Fund. UKAID*.
- Solati, Fariba. 2017. *Women, Work and Patriarchy in the Middle East and North Africa*. London: Palgrave Macmillan.
- Credit Summit. 2018. “State of the Campaign Report.” <https://www.microcreditsummit.org/state-of-the-campaign-report>.
- Subramanian, Nivedhitha. 2020. “Workplace Attributes and Women’s Labor Supply Decisions: Evidence from a Randomized Experiment.” *Duke University Working Paper*.
- Tadros, Mariz. 2010. “Faith-Based Organizations and Service Delivery: Some Gender Conundrums.” *Gender and Development Programme Paper No. 11, UNRISD*.
- UNHCR (United Nations High Commissioner for Refugees). 2020. “Regional Summaries: The Middle East and North Africa.” *UNHCR Global Appeal 2020–2021*.
- Ward, Kathryn. 1984. *Women in the World System*. New York: Praeger.
- Wallace, Tina. 2018. “‘Women Are There to Serve Men’: The Challenge of Care Work and Domestic Labour for Women’s Position, Status and Economic Contribution in MENA.” *Beirut: CRTD.A*.
- World Bank. n.d. “World Development Indicators.” <https://databank.worldbank.org/source/world-development-indicators>
- World Bank. 2009. *The Status and Progress of Women in the Middle East and North Africa*. <https://openknowledge.worldbank.org/handle/10986/28425>
- World Bank. 2018. *Women Economic Empowerment Study*. <https://openknowledge.worldbank.org/handle/10986/31351>
- World Bank. 2019. “Middle East and North Africa Gender Innovation Lab (MNAGIL).” Accessed July 1, 2020. <https://www.worldbank.org/en/programs/mena-gender-innovation-lab#3>.
- World Bank. 2020. “Women, Business and the Law 2020.” <https://openknowledge.worldbank.org/handle/10986/32639>
- Yassin, Nasser. 2020. Personal communication.



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Gender and Higher Education: The Case of Palestine

I. INTRODUCTION

Established in the 1970s, pioneering Palestinian higher education institutions (HEIs) were shaped by the liberation struggle, which left its imprint on their role and political culture. Since their inception, Palestinian HEIs have played a critical role in fortifying the national identity and constituting a space for knowledge and liberatory national student and union activism. While the main goal of Zionist settler colonization is to dispossess Palestinians of their land, the colonial policies and practices also aim at controlling the Palestinian people's material and cultural domains. Colonial policies that directly target Palestinian higher education (HE) include military assaults and damage to universities, such as the damage of fourteen higher education institutions during the 2014 war on Gaza; restrictions on movement through a complex system of checkpoints, barriers, and a separation wall that limit Palestinian's access to education; arrest, imprisonment, and administrative detention of Palestinian university students and staff; refusal to grant work permits or student visas to foreign passport holders to teach or study at Palestinian universities; and military raids of university campuses.¹ In such a context, HE for Palestinians carries significant political implications and liberatory potential. Realizing this potential, however, will require a dedication to advancing social and gender justice in Palestinian higher education.

Despite the continuation of colonial expansion and domination, the Palestinian liberation project was transformed following the Oslo agreements and the establishment of the Palestinian Authority (PA) on parts of the 1967 occupied territories. The PA's adoption of a donor-driven neoliberal agenda had significant ramifications for HEIs. This neoliberalization of higher education in Palestine

has gendered consequences, as reflected in the disparities apparent in the available data on women and men in HEIs.

This paper examines the role of gender in Palestinian higher education, focusing on HEIs under the PA in the post-Oslo era.² We begin with a brief overview of the history of Palestine's higher education system, from the late nineteenth century until today. In the second section, we provide an in-depth analysis of the available data on gender and Palestinian HE, which mainly consists of statistical sex-disaggregated data pertaining to students, graduates, administrative staff, and academics in existing Palestinian HEIs. Next, adopting a critical-gender approach to analyzing HE, we examine the gender implications of the PA's current neoliberal policies and practices and the ways in which these policies and practices, embedded within the colonial context, affect Palestinian HE and gender, and how gender is represented in the PA's formal documents related to HE. We then survey the existing literature on gender and Palestinian HE. In addition to highlighting gaps in the data, we examine how issues of gender are discussed in HEIs, the components of the research agenda on gender in Palestinian HE, the knowledge producers at work on the subject, and the topics addressed. Our findings suggest that women's and gender studies programs and institutes at Palestinian HEIs are the key producers of gendered knowledge and explores the donors who support HE in general, along with gender and HE in particular, further exploring the issues, discourses, and objectives they address. The remaining sections present a detailed picture of available data on gender and Palestinian HE, including women's representation in different HEI types, degree programs, student-representative bodies, and administrative and faculty positions. We find that, despite women's increased enrollment in HEIs, disparities remain in terms of their representation in the labor force, higher-earning specializations, and decision-making roles, among others. The existing statistics, however, composed primarily of sex-disaggregated data, can only provide us with a partial picture of the intersection of gender and higher education in Palestine. A more complete understanding will

2. In a baseline study in 2019, the Applied Research Institute Jerusalem (ARIJ) identified gaps in our knowledge of Palestinian HE and provided a comprehensive mapping of HE and research in Palestine, including: governance and reform, status of scientific research, research infrastructure international cooperation, research output in Palestine, and PhD training. The current paper, commissioned by ACSS, is a follow-up study that aims to address gaps in our knowledge on gender and Palestinian HE.

1. On Palestinian education under occupation, see <https://fobzu.org/education-in-palestine/>.

require greater attention to how gender intersects with broader social, economic, and political factors to shape women's and men's experiences, including how the broader neoliberal and colonial context shapes HE policies and practices.

II. HISTORICAL AND CURRENT CONTEXT OF PALESTINIAN HIGHER EDUCATION

The HE system in the contemporary Arab world emerged during the late nineteenth and early twentieth centuries as modern Arab states began to take shape after independence. Arab universities were mostly developed under the responsibility of the state in the context of colonized and semi-colonized societies and were modeled on the European/Western modern system.³ Students and graduates of newly established universities constituted the modern political, administrative, and cultural elite, who consequently participated in national independence movements and provided the needed manpower for building the post-independence states (Abu-Lughod 2000, 79). After the transfer of power to national authorities during the mid-twentieth century, a process of semi-democratization of HEIs took place and historically deprived groups, including women and refugees, gained access to higher education (Abu-Lughod 2000).

1. Higher Education in the Palestinian Colonial Context

Following World War I and the collapse of the Ottoman Empire, Britain legitimated its 1917 military conquest of Palestine through the "mandate" of the Council of the League of Nations in 1922. British colonial authorities were concerned with fulfilling the Balfour promise to facilitate the establishment of a Jewish national homeland in Palestine. The British colonial administration was thus not particularly concerned with establishing a system of higher education for Arab Palestinians (Graham-Brown 1984). By the mid-1940s, only two junior colleges existed in Jerusalem, with a total enrollment of sixty students. At that time, a small number of Palestinians pursued advanced education in other countries in the region, mainly at Egyptian universities and the American University of Beirut (Abu-Lughod 2000).

3. The European/Western modern system is distinct from the traditional higher education system in the Arab region established in the sixteenth century.

Following the Nakba in 1948, with the destruction and uprooting of 530 Palestinian towns and villages by Zionist military groups, the Palestinian people scattered across the region and the globe. Some Palestinians remained on their land under Israeli colonial rule, others were in the West Bank under Jordanian rule, and still others were in the Gaza strip under Egyptian administration. The remaining Palestinians became refugees in adjacent Arab countries as well as other parts of the world. As a result of the Palestinian loss of land, education became a particularly important asset (Mar'i 1978). Yet until the mid-1970s, there were no Palestinian HEIs; Palestinians mainly studied at Arab and Western universities. A comprehensive survey conducted in 1979 revealed a relatively high ratio of Palestinian university students to the overall population, equal to 15:1000, a proportion comparable to that of Lebanon, and higher than all other Arab states and most Third World countries at the time (Abu-Lughod 2000).

A university education provided Palestinian students with training and skills needed to contribute to the development of Arab states, specifically in the Gulf region (Abu-Lughod 2000, 83). In addition, universities constituted a space for Palestinian political activism. This activism formed the nucleus of one of the earliest Palestinian general unions, the General Union of Palestinian Students, established in 1959, which became one of many representative popular organizations comprising the Palestinian Liberation Organization (PLO), founded in 1964 (Meari and Abu Duhou 2020, 139–40).

In 1967, the Zionist colonial project expanded with the occupation of the West Bank, Gaza Strip, and East Jerusalem, as well as other Arab lands. During the 1970s, amid the brutal Israeli military occupation, the first Arab Palestinian HEIs were established. In 1972, Birzeit College was transformed into a university, becoming the first Palestinian institution to award a bachelor's degree. In 1973, Bethlehem University was established, followed by An-Najah National College, which transformed into a university in 1977, and the Islamic University of Gaza in 1978. These first universities, followed by others, constituted spaces both for education and for student organizing in the liberation struggle. Faculty, staff, and students worked under harsh conditions with constant interference from the Israeli occupation authorities.

The early Palestinian HEIs were mainly private, nongovernmental, nonprofit universities controlled

and guided by boards of trustees. Their establishment in the occupied 1967 Palestinian territories was shaped by the Israeli colonial context and policies. These policies included restrictions on movement in and out of the occupied Palestinian territories for university students, who were not permitted to travel to their universities or return to the homeland, as well as the mass political arrest of students, which was a constant threat under Israeli occupation (Mohammad and Batta 2019). The occupation's policies of repression and control also included the arrest of staff and academics; the prevention of academic books and equipment from reaching Palestinian universities; and recurrent invasions and closures of universities (Saleh 1982). During the first Intifada, for instance, Birzeit University was closed from January 1988 until April 1992 (Birzeit University, n.d.). In the face of Israeli military closure orders, Palestinian universities resorted to holding classes at alternative sites.

Until the mid- 1970s, there were no Palestinian higher education institutions; Palestinians mainly studied at Arab and Western universities

In 1977, the Council of Higher Education (CHE) was established as a coordinating body for the newly established Palestinian HEIs. During the 1980s, the PLO provided financial support to HEIs. During that period, students contributed only 10 percent of the actual student cost in fees (Mohammad and Batta 2019), enabling students from popular classes, including women, to attain advanced degrees.

Since their inception, Palestinian HEIs have adopted the general structure of the Western modern model—including features such as the two-semester school year, sequential requirements, and the credit-hour system as the basis for course loads—with only minor modifications. Universities also implemented a curriculum

designed to impart general skills in preparation for some kind of professional training. Thus, knowledge and courses are organized within departments that are housed within certain colleges...Interdisciplinary work is minimal and is not particularly valued...Palestinian

university students are educated by Palestinian professors...the weakest part of the system is that of research, especially in the basic social and physical sciences and advanced technology. (Abu-Lughod 2000, 8384.)

2. Higher Education in the Post-Oslo Era

Following the Oslo agreements, the responsibility of overseeing education was transferred to the PA and, in 1994, the first Ministry of Education and Higher Education (MOEHE) was established. In 1996, the Ministry of Higher Education and Scientific Research (MOHESR) was established as a stand-alone ministry and was legislated through Law on Higher Education No. 11 of 1998.⁴ In 2002, MOHESR was integrated with MOEHE, becoming one ministry. One year later, the CHE was reactivated, and the Accreditation and Quality Assurance Commission was established in 2002 as an autonomous body under the Ministry of Higher Education by Ministerial Decree No. 2. This decree entrusted the commission with all the ministry's powers and privileges as granted by the Law on Higher Education No. 11 of 1998, regarding the quality of Palestinian HEIs and their academic programs (AQAC, n.d.). In 2012, the Ministry of Higher Education was re-separated from the Ministry of Education, then reintegrated one year later, only to be separated again in 2019. It remains a separate entity today.

3. Palestinian Authority's Educational Policies and Practices

In the aftermath of the Gulf War in 1990, Arab financial support to the PLO was severed, negatively affecting the financing of Palestinian HEIs. Following the Oslo Accords in 1993, which handed responsibility for the education system to the PA, the European Union (EU) provided financial support for the operational costs of Palestinian HEIs for five years. The EU fund was based on the assumption that these institutions would increase their self-sufficiency and aim to develop local financial resources by raising student fees and other means. At the end of the five years, and with the decrease in the PA's financial support for HEIs, these institutions began to raise student fees to cover about two-thirds of the actual student cost. The post-Oslo era, which came with a dependence

4. The Law on Higher Education No. 11 of 1998 stipulates that every citizen has the right to higher education (Article 2), and provides the legal framework for the organization and management of HEIs (UNESCO 2011).

on foreign financial support and its conditionalities, witnessed a gradual transformation in the philosophy, institutional structure, and role of higher education institutions, which shifted from a tool for social change and national liberation into a service institution subject to market rules (Muhammad and Batta 2019; Salameh 2011). This commodification of education also had negative gender implications (Abu Awwad 2014).

The adoption of neoliberal policies in the Arab world began in the early 1990s and resulted in significant increases in poverty and unemployment rates in most countries that implemented these policies. The PA's neoliberal shift should be understood in the context of the United States' overt efforts to reconstruct the region and its economies, in an attempt to integrate the Israeli state within the region and create a controlled and dependent Palestinian leadership (Khalidi and Sammour 2011).

Globally, neoliberalism has reshaped the public's understanding of the purposes of public institutions and apparatuses, including universities. Neoliberal policies and practices related to education included cutting public expenditure on education; privatizing educational services; setting up markets (or quasi-markets) in services and encouraging competition between different "providers," including universities, for (high-potential) students; and cutting labor costs. For this, a deregulated labor market is essential—with schools and universities able to set their own pay scales and conditions—busting national trade union agreements and weakening union powers to protect their workforces (Hill 2005).

The components of neoliberal ideology are apparent in the PA's strategic plans, including those for the education sector. MOHESR announces its vision as: "internationally distinguished higher education and scientific research that keeps pace with global development and has an impact on the development of the State of Palestine" (MOHESR, n.d.). At the same time, the mission of the Ministry of Higher Education adopts neoliberal logic based on competition. MOHESR's website (n.d.) states that the ministry's mission is to

Support and empower all institutions of higher education and scientific research in order to carry out their duties consistent with the policies and strategies of higher education based on competition, to establish standards of integrity and to reinforce the principles of accountability, justice and transparency. In

addition to adopting distinction and creativity, especially in the fields of scientific research based on creative and analytical thinking and problem solving. This is to adapt to the requirements of progress and technology in this era, to ensure education for all, and to provide a balanced and sound environment that qualifies students to defend national rights.

The most prominent example of how neoliberalism is reflected in PA policies is the cutting public expenditure on education. For instance, the educational and HE sectors were allotted around 12 percent of the general budget in 2008, and the share of HE out of the total amount of the budget did not exceed 5 percent, one of the lowest ratios in the world (MOEHE 2010, 9). At the same time, to address budget deficits, several HEIs resorted to accepting students under the umbrella of "Parallel Education." These students pay higher fees compared with students enrolled via regular admission. HEIs also sought an "artificial" reduction of the per-student cost by refraining from increasing the number of faculty members to meet the rising number of students. Moreover, faculty teaching loads and the number of part-time workers increased, while expenditures on scientific conference attendance and research were reduced (MOEHE 2010, 9). Neoliberal policies affected the organization of Palestinian HEIs, their vision and mission, and their political aims, resulting in the commodification of education and the obstruction of its liberatory potential. HEIs shifted away from engaging with critical knowledge production for liberation and social change and prioritized producing a labor force for existing market conditions, constrained by a dependent and distorted economy that serves the interests of the Israeli occupation. This process was driven and funded mainly by the World Bank and the EU. The PA, working through the MOEHE, implemented the Tertiary Education Project in 2005 with the support of the World Bank and the EU.⁵

5. A major component of this project was the establishment of the Quality Improvement Funds (QIF), which is overseen by the QIF board. The main objective of the QIF is to provide support for improving the quality of Palestinian tertiary education institutions and programs, with the aim of developing market-driven programs in line with international standards, developing income-generating programs, and enhancing teaching practices and methodologies. The QIF is administered by the Project Coordination Unit (PCU), which is a branch of the MOEHE. Approximately 20.2 million US dollars were made available in the fund for distribution over an approximately eleven-year period. The MOEHE, through its PCU, implemented twenty grants, providing US\$4.5 million to QIF to support the Education to Work Transition Project that is helping finance scaling-up activities of the well-performing Tertiary Education Project to further enhance its impact. Specifically, it funded

In general, the MOEHE's strategies have been gender neutral. Nevertheless, as in all other ministries, MOHESR has a gender unit, which is one of thirty-five gender units that have been established in PA's ministry and security institutions to support and guide their work in mainstreaming gender and women's empowerment, in accordance with international organizations' policies and agendas.

There is a gap between women's increased access to higher education and their limited access to academic positions

In 2011, the Ministry of Women's Affairs (MoWA), with support from UN Women, developed the Cross-Sectoral National Gender Strategy 2011–2013, the first Palestinian strategy on gender equality and women's empowerment. UN Women supported the ministry in its review of this strategy in 2013, paving the way for the development of a new Cross-Sectoral Strategy for the period of 2014–2016, and then for 2017–2020, aligning with the Palestinian government's planning cycles. The 2011–2013 review focused on improving Palestinian educational services, qualitatively and quantitatively. Out of twelve policy interventions, only four were partially implemented. The review showed that the limited implementation of policy interventions was directly related to difficulties streamlining the gender strategy in parallel with the Ministry of Education's plans and programs, the absence of follow-up capacity at the MoWA, and the lack of funding for targeted interventions. The review process found that the above policy interventions remain valid for the coming development plan (UN Women, n.d.).

In December 2017, UNESCO and MoWA began mapping gender policies that had been endorsed by the Palestinian government between 2011 and 2017. This phase involved collecting, documenting, and reviewing gender policies and interventions, and then assessing the extent of implementation (full, partial, or none). The analysis found that, of

an additional two calls for proposals through QIF to provide incentives to Tertiary Education Institutions (TEIs) to develop and implement employment-oriented education programs in partnership with the private sector. TEIs have partnered with private-sector employers in designing curricula, updating teaching practices, and providing practical training to students (MOEHE 2016, 4).

the 702 policy interventions, only 93 were fully or partially implemented. It also noted that policies had a limited impact on the status of women (Gender Policy Institute 2019). The findings from the reviews of gender policies illustrate that education in general and higher education in particular were not a priority. Further, they demonstrate that the PA's adoption of gender policies is not organic; rather, these policies are driven by funding agencies' agendas and were partially implemented or not implemented at all.

III. LITERATURE REVIEW ON GENDER AND PALESTINIAN HE

There is a diverse body of literature on gender and HE globally. The literature considers gender discrepancies in different aspects of the higher education system such as access to HE, college experiences, college and post-collegiate outcomes, and disparities in academic ranks and decision-making positions within HEIs (O'Connor 2019).⁶

There also exists a body of literature that approaches Palestinian HE from critical perspectives. This literature assesses the impact of neoliberal policies adopted by the PA, and the commodification of education, on Palestinian HEIs, albeit with limited consideration of gender implications (Mohammad and Batta 2019; Abu Awwad 2014; Salameh 2011). The data on gender and Palestinian higher education, which is drawn primarily from surveys and is sex-disaggregated, presents us with two paradoxes. First, women's access to HE has increased, yet their rate of labor force participation remains low. Second, there is a gap between women's increased access to HE and their limited access to academic positions at HEIs. Such paradoxical data, which will be analyzed from a gender perspective below, is not unique to Palestine, as we witness similar figures in Western countries (O'Connor et al. 2015). Despite these similarities, which encourage researchers to employ universal analytical conceptions for interpreting worldwide gender-gap figures, our interpretation of the available sex-disaggregated data and gender statistics in Palestinian HE emerges from and is based on the specificities of the Palestinian HE system and the socioeconomic colonial context in which it exists.

6. In a review of vast literature on gender inequality and HE in the United States with international comparisons (Europe, South America, the Middle East, Asia and the Pacific, and sub-Saharan Africa), Jacobs (1996, 153) finds that women fare relatively well in access to HE, fare less well in terms of college experiences, and are particularly disadvantaged with respect to outcomes of HE.

Most available data on gender in HE is quantitative data collected by the MOHESR and the Palestinian Central Bureau of Statistics (PCBS). In its annual higher education statistical yearbook,⁷ the Directorate General of Development and Scientific Research at the MOHESR provides sex-disaggregated data pertaining to university students and staff. While these sex-disaggregated figures constitute an important resource for researchers, the data lacks other disaggregated dimensions, such as how income groups intersect with gender. The available data is also limited to sex-disaggregated statistics, as opposed to the broader concept of gender statistics. Sex-disaggregated statistics are simply data collected and tabulated separately for women and men. Sex-disaggregated data constitutes one characteristic of gender statistics, which includes the following four other characteristics:

First, gender statistics have to reflect gender issues, that is, questions, problems and concerns related to all aspects of women's and men's lives, including their specific needs, opportunities and contributions to society... Producing gender statistics entails disaggregating data by sex and other characteristics to reveal those differences or inequalities and collecting data on specific issues that affect one sex more than the other or relate to gender relations between women and men. Second, gender statistics should adequately reflect differences and inequalities in the situation of women and men. In other words, concepts and definitions used in data collection must be developed in such a way as to ensure that the diversity of various groups of women and men and their specific activities and challenges are captured. In addition, data collection methods that induce gender bias in data collection, such as underreporting of women's economic activity, underreporting of violence against women and undercounting of girls, their births and their deaths should be avoided (United Nations 2016).

There are also very few qualitative studies that offer deep analysis of different gendered aspects of Palestinian HE and the quality of experience of the students and staff necessary for gender

7. According to the Palestinian Ministry of Higher Education report, as of 2019, there are fifty-two accredited Palestinian HEIs: thirty-five in the West Bank and seventeen in the Gaza strip. The fifty-two HEIs are distributed as follows: fifteen traditional universities, two open universities, seventeen university colleges, and eighteen community colleges.

analysis and gender planning. Abu Nahleh (1996, iii) examined vocational education and technical training (VETT) in Palestine from the perspective of gender planning and gender integration in an attempt "to find out how responsive the system of VETT is to its potential beneficiaries with a focus on its role in shaping gender perceptions and perpetuating or changing existing gender roles and patterns." Among her findings was a confirmation that VETT is gender insensitive and perpetuates gender bias (1996, iii).

There is a need to shift from gender studies to gender in studies by moving from gender as a topic of study toward mainstreaming gender within curricula across all disciplines

Another pertinent issue that research on gender and Palestinian HE touches upon is political participation among HE students in general, and women in particular, and the integration of gender issues into the programs of different factions of the student movement (Kuttab 2000; Khawaja 2014). Miftah⁸ conducted a field survey in partnership with the PCBS that included students at Palestinian universities and colleges in the West Bank and Gaza Strip focusing on the perception of political participation among youth in general and young women in particular (Khawaja 2014). The survey measured the efficiency and effectiveness of young people's political participation inside universities and student councils, aiming to establish statistical rates that accurately represented the reality of the young Palestinian women's political participation (Khawaja 2014, 5). The study revealed a gender gap in political knowledge and in student council participation. In this context, Kuttab (2000) considers the social and gendered dimensions within the student movement's structure, programs, and statements. She points to the absence of these dimensions from the student movement's agenda and attributes it to the separation between the national and the social that has characterized the national liberation movement. Even the leftist movements that promoted the integration between

8. Miftah—the Palestinian Initiative for the Promotion of Global Dialogue and Democracy—is a Palestinian NGO established in 1998.

national liberation and social transformation failed to practically implement these elements of their discourse (Kuttab 2000, 140).

In 2014, the Institute of Women's Studies (IWS) at Birzeit University conducted a gender audit study that provides a basis for developing more gender-sensitive policies at Palestinian universities. The audit explored gender disparities and highlighted the marginalization of women at the university (ILO 2016). The study found that, in late 2014, vertical and horizontal gender gaps were still prominent, due to a set of interwoven factors that included poor representation of women in the main decision-making bodies, the adoption of merit-based rewards favoring men, and interruptions to women's careers due to reproductive and domestic responsibilities — all factors that explain why women academics are less likely to apply for promotion. They are also less likely to obtain a doctoral degree, which is costly and requires travel abroad. Additionally, the study found that research priorities tend to favor male-dominated majors. Women who were promoted to higher ranks (associate professor and professorship ranks) at the university were mostly faculty members at the institutes such as the IWS and the Institute of Community and Public Health. These institutes secure funds that enable faculty members to reduce their teaching loads in order to conduct research, which has proven to be a major factor in enabling female faculty members to conduct research, publish, and be promoted. As for the university's Promotion and Confirmation Committee, its membership was most often composed of academics at the rank of associate and full professors. Despite the gender balance in the membership of the committee, the number of women's academic promotions remained low. The qualitative examination illustrated that one of the main factors hindering female academics' promotion was the division of gender roles in the family, as the burden of domestic and reproductive work does not allow women the necessary time for academic research and publishing. Within Palestinian universities that are mainly teaching-centered rather than research-centered, and with the scarcity of research funds, women academics have limited opportunities.

The bylaws at Birzeit University provide female workers with a three-month maternity leave, as well as a daily breastfeeding hour for one year, bypassing the Palestinian labor law.⁹ The university also allows

9. According to the Palestinian Labor Law No. 7 of 2000, women workers in the Palestinian territory are entitled to ten

administrative staff, both men and women, to complete graduate studies. Although the legal texts and regulations, according to the gender audit, do not discriminate between the genders in the fields of employment, promotion, retirement, and other aspects, the neutrality of laws and regulations at the university does not always serve the interest of women, nor does it address the issue of enhancing their participation in high-rank administrative positions. The gender division of administrative work at the university, horizontally and vertically, leads to differences in tasks and powers, as well as in status and income, in favor of male employees (ILO 2016). The gender audit revealed that there were no women directors at the five administrative departments at the university, and, of the twenty-two department heads, only four were women. About 22.5 percent of female administrative employees at the university handled secretarial tasks. Data from the human resources department showed that for only 36 percent of female administrative staff did a direct manager or director request a promotion, which reflects the difficulty of career advancement and development, as well as unfairness in the matter of promotions and bonuses.

As for the conditions of women academics at Gaza Strip universities, a recent unpublished study initiated by the Community Media Center and conducted by Thabet (2020) examined the conditions of women academics at five universities in Gaza (Al Azhar University, the Islamic University, Al-Quds Open University, Al-Aqsa University, and Gaza University) through use of a questionnaire, focus-group discussions, interviews, and case-study methods. Among the findings Thabet presents are the marginalization of women academics in decision-making positions in academic institutions, a lack of facilities that enable women academics to balance their academic and reproductive roles, and a gender bias in course distribution among academics.

The literature review on gender and Palestinian HE illustrates that research on the subject is narrow in its horizons, and that it fails to consider important issues such as how gender is researched and taught in HEIs, what frameworks are employed in studying and teaching gender in HEIs, how gender is reflected in the curriculum through different disciplines in HE, and if and how HEIs constitute a social-change mechanism toward social and gender justice.

weeks of paid maternity leave (seventy days), of which six are postnatal.



IV. KNOWLEDGE PRODUCTION ON GENDER IN PALESTINIAN HEIs

Knowledge producers on gender issues in the Palestinian context include women's and gender studies centers at universities; ministries, particularly the MoWA; women-focused nongovernmental organizations; and research centers. Most gender programming in general, and gendered knowledge production in particular, is funded by international and transnational organizations, including UN institutions such as the United Nations Population Fund and UN Women; the EU and various European Union member states, which have been working according to the European Joint Strategy since 2011. Therefore, international policies and agendas have affected gender policies and gender knowledge production immensely. For instance, since 2015, EU member states and the PA have worked very closely on their respective and highly interlinked planning processes—for instance, the Palestinian National Policy Agenda 2017-2022 and the European Joint Strategy 2017-2020—so as to ensure that the planning cycles of both partners are synchronized. Equitable participation of women, youth, and vulnerable communities in development is a policy priority shared by all EU member states and is mainstreamed in the design, implementation, monitoring, and evaluation of their activities (European Joint Strategy in Support of Palestine 2017-2020, 12). The gender agendas of these organizations adopt liberal feminist frameworks that approach gender as a separate category, and in recent years mainly focused on gender-based violence (GBV) programming, marginalizing intersectional gender approaches that study how gender intersects with class, coloniality, and state policies.¹⁰

Gender and HE, and gendered knowledge production have only been prioritized by a few funding agencies, including the Open Society Foundations (OSF) and the International

10. Liberal feminism's main aim in education is securing equal opportunities for men and women and removing all barriers that prevent women from reaching their full potential. Liberal feminists emphasize factors including the impact of socialization, gender roles, and gender stereotyping on attitudes and orientations, as well as on the subject's individual choices, focusing in particular on the issue of women's access to science and technology (Acker 1987). By contrast, critical feminist frameworks pay attention to HE policies and practices. They assert that gender and its regulation should not be afterthoughts in the formation of policy (Marshall 1999), and that HE policies—such as those regarding tuition, degree programs, and transfer requirements—only appear to be gender neutral if analyzed within a relatively narrow framework that does not acknowledge broader economic, social, and political factors.

Development Research Centre (IDRC). OSF includes higher education, particularly in the Arab region, as one of its ten priority themes. For instance, OSF funds the Al Quds Bard College in East Jerusalem, with a particular focus on the master of arts program in teaching and critical thinking. It also supports Birzeit University's doctoral program in the social sciences and other institutes, such as IWS. In 2018, IDRC resumed its work in the region. It is currently funding a project entitled "Empowering Palestinian Girls through Digital Learning Innovations in STEM" with the Center for Continuing Education at Birzeit University, and a project on the reproductive health needs of Palestinian adolescent girls from refugee camps with the Institute of Community and Public Health at Birzeit University. These agencies, however, adopt liberal approaches that often conflict with Palestinian communities' needs and interests.


**Gender dynamics
cannot be understood in isolation
from the colonial context or
the neoliberal policies of the
Palestinian Authority and its
patriarchal character**


In this context, it is important to note that faculty members and researchers at women's and gender studies centers in Palestinian HEIs are main actors in knowledge production on gender issues, including the issue of gender and HE. Women's and gender studies programs are interdisciplinary by nature and have broad research interests. Below are women's and gender studies institutes in Palestinian HEIs.

1. The Institute of Women's Studies at Birzeit University

IWS was founded in 1994 as an interdisciplinary women's studies program at Birzeit University. As of 1998, it began to offer master's degrees in gender, law, and development studies, which shifted in 2006 to gender and development studies. The graduate program aims to expand and deepen students' knowledge of theories and concepts related to gender and development at the local, regional, and international levels. In addition, the program develops students' analytical and critical

skills and encourages them to examine gender as a crosscutting issue in development, in addition to successfully conducting gender planning in their own work. The program also aims to develop students' abilities to conduct research that identifies the needs of the community and the women's sector and to integrate gender into development by understanding and addressing obstacles to gender equality in the Palestinian colonial context. Since 2014, IWS has offered an undergraduate minor program in women's studies.

IWS members have produced knowledge on a variety of gender issues, including gender and education. The IWS's contribution to the topic of gender and HE specifically is reflected in the gender audit it conducted in 2014 at Birzeit University. Following the gender audit, the IWS launched a gender and social justice monitor at the university. Other contributions include a graduate course on gender and HE and a 2013 conference on education for liberation and social justice. In its effort to integrate gender studies at the university level, IWS offers an undergraduate introductory women's studies course as one of the requisite courses to all Faculty of Arts students, and as a free elective for students of all disciplines (ILO 2016). In addition, the master's program in gender and development studies at IWS coordinates with other master's programs to offer cross-listed courses. One of the main challenges for IWS, as noted in its annual evaluation reports, is the scarcity of unconditional research funds.

2. Insan Center for Gender Studies at Al-Quds University

Insan Center was founded in 1998 in the Faculty of Arts at Al-Quds University. It offers educational and research programs in the field of gender and aims to establish gender and feminist studies as a major interdisciplinary academic field. Among its goals are conducting gender-related studies and research that support policy and strategy formulation in Palestinian society, improving societal awareness of gender, and promoting the establishment of active policies that would contribute to building a democratic society where individuals enjoy equity and equality. As part of its academic program, the center offers a course entitled "Women and Men in Humanitarian Societies," which is one of the university's prerequisite courses. A gender and development minor was offered until 2008, when it was discontinued due to program accreditation problems. Another minor in gender studies is

currently offered by the center. It aims to introduce students to the theoretical concepts relevant to gender and reinforcing the importance of equality for students in all disciplines, in addition to providing them with the research skills required to work in fields related to gender, the humanities, and the social sciences.

The center's main activities include academic exchange, seminars, conferences, training programs, and research on various topics, such as the social, economic, legal, and political status of women in Palestine, as well as the impact of the occupation on women's rights in different areas of Palestinian life. Concerning gender and higher education, the center established a women's empowerment unit that offers women employees at Al-Quds information on promotions, appointments, and academic scholarships, in addition to providing support for work-related problems they might face.

3. Women's Studies Program at An-Najah National University

The Women's Studies Program at An-Najah University, housed in the Faculty of Graduate Studies, is a master's program that seeks to provide training in the multi- and interdisciplinary fields of gender and women's studies. It has a focus on gender relations in everyday life and addresses fundamental questions about whether we are born, or become, women and men in a variety of social and cultural contexts, particularly within the Arab world. It also explores how we think about gender differences and the extent to which gender divisions continue to shape social processes within and beyond institutions. The program moreover provides an understanding of the ways in which gender is shaped historically through various forms of cultural representation. It draws on material from sociology, anthropology, education, media, psychology, law, Islamic studies, literature, and health sciences.

4. Women's Studies Center at the Islamic University of Gaza

At the Islamic University of Gaza, the Women's Studies Center was founded in 2018 in the Faculty of Education, through a project funded by the Austrian Partnership Programme in Higher Education and Research for Development¹¹ titled Strengthening

11. APPEAR, the Austrian Partnership Programme in Higher Education and Research for Development, is a program of the Austrian Development Cooperation.

Higher Education Capacities in Palestine for Gender Equality. The Women's Studies Center aims to provide specialized academic instruction and to conduct academic research on women's issues with the aim of attaining justice and a better life for women and men in accordance with the cultural system in Palestine and the Islamic Sharia. In March 2020, the center organized a conference titled "Women and Higher Education."

To conclude, gender and women's studies centers in Palestinian HEIs engage in teaching and research on gender issues and attempt to integrate a gender perspective at the institutional level by offering introductory courses as electives for students from all disciplines, such as the introductory course on women's studies offered by IWS. Nevertheless, there is a need to shift from gender studies to gender in studies by moving from gender as a topic of study toward mainstreaming gender within curricula across all disciplines. While attention has been given to gender biases in primary and secondary-school textbooks, gender biases in HE curricula have been ignored (Grunberg 2011).

V. GENDER ANALYSIS OF AVAILABLE DATA

In the following section, we analyze statistical data provided by MOHESR's yearbook and the PCBS reports on students and staff at HEIs. A gender analysis of current status and trends for Palestinian students in HEIs addresses the feminization of HE in terms of the growing rate of women students in HE; the gender distribution across specializations, which constitutes a main site for gender differences; and the relationship between education and employment. The analysis also addresses the numbers, specializations, ranks, and other aspects pertinent to women employed in Palestinian HEIs, while recognizing that gender dynamics cannot be understood in isolation from the colonial context or the neoliberal policies of the Palestinian Authority and its patriarchal character.

1. Educational Attainment in Palestine

Educational attainment levels have risen rapidly in Palestinian society in general.¹² The illiteracy rate has decreased in the past two decades, and the number of literate Palestinians has increased. PCBS (2018a) data indicates relatively high levels

12. According to the World Bank (2006), Palestinians are the most educated population in the MENA with a high (91 percent) adult literacy rate.

of educational attainment among Palestinians ages 10 and older: 2.5 percent of the population in the aforementioned age group are illiterate, 10.5 percent are literate without any formal education, 19 percent have finished elementary education, 28.6 percent have finished preparatory education, 19.6 percent have finished secondary education, 4.9 percent have obtained intermediate diplomas, 13.2 percent have obtained bachelor's degrees, 0.2 percent have obtained higher diplomas, 0.9 percent have obtained master's degrees, and 0.2 percent have obtained doctoral degrees – with 0.4% unstated (See Figure 1). Other sources reveal the differences in illiteracy rates according to type of residency: the lowest rate was in urban communities, at 3.1 percent; followed by refugee camps, at 3.3 percent, while in rural communities, the illiteracy rate was 4.8 percent in 2017 for people ages 15 and over (PCBS 2020b).



The data on education in Palestinian society confirms the persistence of a gender gap, although it varies according to the level of educational attainment. Figure 1 shows that the number of illiterate women ages 10 and older in Palestinian society (72,133) is significantly higher than that of men in the same age group (26,321), and that illiteracy is more prevalent among older women (PCBS 2018a). However, the overall number of women is growing more rapidly than that of men, with an increase in the former's level of school-based education. Twenty-one percent of women 10 years and older have a secondary-school education, compared to 18 percent of men in the same age group. The statistics in the Ministry of Education report (2019) revealed that the number of women in secondary-level education (131,258) exceeds the number of men (106,763), totaling around 55.2 percent of all secondary-school students. This indicates high levels of male dropout for both structural and subjective reasons that are beyond the scope of this paper. University education is also an extension of secondary education, as trends in the latter affect the

composition of student bodies in HE. More women than men have earned bachelor's degrees, a gap that is reversed at the graduate level, where only 1,013 women hold doctoral degrees, compared to 6,814 men. This disparity has consequences for women's employment in HEIs, particularly at decision-making levels (See Figure 1).

2. The Relationship between HEI Type and Women's Enrollment

During the past two decades, higher education in Palestine expanded significantly in terms of the increasing number of HEIs, enrolled students, and employed faculty members and administrative and academic support staff. In this context, university type has a clear effect on an institution's ability to attract students. Open universities and traditional universities¹³ are the most attractive for students, with a disparity between men and women as indicated in table 1. This applies to all student categories, whether new students, enrolled students, or graduates. Traditional universities and open universities, which have no to minimal entry requirements, attract more women than university colleges and community colleges,¹⁴ while the opposite is true for men. According to 2018–2019 statistics, women made up 63.5 percent of the total number of new students, 66.5 percent of the enrolled students, and 73.0 percent of the total graduates at open universities. The percentage of women was slightly lower in traditional universities, yet it exceeded 60 percent of total enrolled students and graduates. Meanwhile, the percentage of women

13. The traditional education system allows students to enroll in an institution and attend lectures directly and regularly. Meanwhile, open education provides learning opportunities for everyone who desires it, regardless of their age, their time available for regular study, or their ability to attend lectures. Learning materials are provided through computerized, radio, television, and telephone services and media, with a set percentage of discussion panels and face-to-face meetings, according to the conditions and requirements specified by a regulation issued by the Council of Ministers and in line with international standards (Palestinian Gazette 2018, No. 142). <https://www.mohe.pna.ps/moche/ministerialsystemsandregulations>

14. Traditional universities have at least three colleges and offer the following: intermediate diploma programs through separate community colleges, educational programs that end with the award of a bachelor's degree, and postgraduate programs that end in the award of a higher diploma, master's, or doctorate. On the other hand, university colleges offer academic, professional, or technical educational programs, which end with the award of a bachelor's degree, and two- to three-year professional or technical programs, which end with the award of an intermediate diploma. Community colleges offer professional or technical programs in which the study period is no less than one academic year, ending with the award of an intermediate diploma, or a professional or technical diploma (Palestinian Gazette 2018, No. 142).

in university colleges and community colleges reached 51.8 percent and 51 percent, respectively (See Table 1). The flexibility of lectures, as well as the lower costs and fees compared to other universities, could explain the high percentage of women students in open universities. The availability of traditional specializations, which prepare women to work in education, the service sector, or other jobs that are a fit for their expected future reproductive roles and domestic responsibilities, is another possible reason for women's higher enrollment rate in traditional and open universities. Men are more likely to enroll in technical university colleges and community colleges that provide specializations classified as traditionally masculine majors, which qualify them to quickly enter the labor market. This is especially the case with community colleges that require fewer years of study and provide intermediate diplomas.

HE expansion has not benefited students from different all socioeconomic backgrounds and genders equally (Jacobs 1996; Richardson 2020). In fact, gender and class are complicated issues, and their roles in higher education are difficult to understand given the available data. The enrollment in private institutions could be an indicator of this relationship, yet no direct information has been provided in the statistical reports, whether by MOHESR or the PCBS.¹⁵ It is assumed that women will make up a smaller percentage within these private educational institutions with higher costs, in contrast to public and governmental institutions. In a quick review of the websites of Palestinian educational institutions, it is clear that there is no unified system for university tuition fees. In determining the cost of an academic hour, only public universities are subject to the Ministry of Higher Education. University fees vary from one institution to another, and from one specialization to another within the same institution. The cost of an academic hour in Palestinian HEIs can range from 10 to 175 Jordanian dinars. Therefore, more investigation is needed in order to examine, among

15. Four different types of HEIs are recognized in the West Bank and Gaza Strip in terms of governance (supervision, management, and funding). These are governmental universities, public universities, private institutions, and open universities. Governmental universities (12) mostly consist of university colleges and community colleges, while public universities (17), which have been established by nongovernmental organizations, dominate traditional education. Private institutions are the newest and the most numerous (19). By comparison, the number of accredited open universities is the lowest (2); these include Al-Quds Open University, with its twenty-two branches distributed between the West Bank (17) and the Gaza Strip (5).

other indicators, the standard of living of students, the cost of fees, and their impact on both men's and women's choices, as well as the percentage of women in parallel education tracks.

VI. PALESTINIAN STUDENTS IN THE HEIs: CURRENT STATUS AND TRENDS

1. Feminization of Higher Education: Student Enrollment

A high percentage of Palestinians are enrolled in HEIs; the number of students has grown in the past decade from 180,013 in 2008–2009 to 218,126 in 2018–2019. This increase is consistent with global trends, but in the Palestinian context it signals a natural response to the growth of the Palestinian population. Palestinians resort to higher education in order to change their social and economic conditions, in light of a lack of alternatives, due to the Zionist settler-colonial structural domination (See Table 2).

Until the late 1990s, there was, on average, a greater number of male than female students in the Palestinian educational system, especially in universities, and women were disadvantaged by unequal access to HE. As shown in table 3, the gender parity index was in favor of men. It was 0.90 in the year 2001–2002 and continued in favor of men until 2003–2004.

However, this trend recently reversed: Palestinian statistics on HE indicate a continued rise in the number of women enrolled in HEIs compared to men, particularly among undergraduate students. Furthermore, the data shows that women's enrollment has increased at a much higher rate than that of men. The number of women enrolled in HEIs increased by 33,607 over the past decade, while the increase in the number of enrolled men during the same period did not exceed 4,506. The women/men ratio increased from 1.25 to 1.581 in favor of women (See Table 2).

The feminization of HE in terms of the high percentages and numbers of enrolled women students, in comparison to enrolled men students, has become a stable trend. According to the latest man and woman statistics report (PCBS 2020b, 54), there are several possible explanations for this trend, including women's better performance in high school and their desire to increase their chances of obtaining jobs that suit the gender roles

expected from them. On the other hand, the decline in men's enrollment in HE might be explained by their involvement in the labor market, while still school-aged, in order to support their families, after the recent deterioration of the economic situation in Palestine. It can also be assumed that parents have become more aware of the importance of educating their daughters as a strategy for future protection, in light of the uncertainty imposed by the colonial context. At the same time, education is no longer a priority for men, in light of the decline in education as a requirement for employment, in addition to the decline in social status and income associated with some professions, such as education, which is considered insufficient to secure life's necessities.

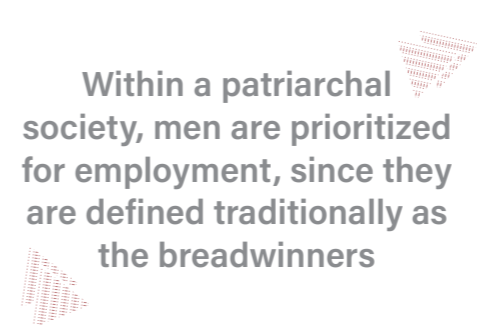
On the other hand, according to the PCBS report, the number of Palestinian men enrolled in HEIs abroad is higher than the number of women enrolled in these institutions, due to the societal perceptions around the latter traveling alone. In view of the high costs of studying abroad, parents tend to view educating their sons abroad as a future investment. In general, however, the opportunities for students, whether men or women, to study abroad are shaped by their class background, since education abroad is costly and scholarships are limited.

Based on our own analysis, cultural and social factors are not the only determinants of women's entry into HE. Structural economic factors within the colonial context also play a significant role. The systematic settler colonial destruction of the basic Palestinian productive sectors—agriculture and industry—has led to a massive decline in job opportunities available in these sectors, especially for women, and has at the same time contributed to the rapid growth of the service sector. As a result, women's entrance into the Palestinian labor market requires even higher education levels, especially in the areas of teaching, health, and governmental jobs.

2. Gender and Specializations in HEIs

Guided by neoliberal education policies, the PA began to develop new educational strategies under the pretext of increasing its competitiveness as it moved toward the so-called knowledge economy. It began to favor majors in technical and technology education, by increasing the number of community and university colleges that specialized in these fields and doubling their number of students (Abu Awwad 2014). The "Strategic Plan for the Education Sector 2017-2022" aims to harmonize the outputs

of HE with the needs of the local, regional, and international market. However, given the fragility and dependency of the Palestinian economy, including the technology sector, and limited job opportunities, the graduates of technology and computer majors turned into cheap labor in the Israeli high-tech market, where education, like other fields, is subject to global stratification and division. On one hand, the shift toward these majors has come at the expense of developing the social and human sciences majors that deal with the concerns of society and contribute to building a local economy independent of the Israeli economy. For example, the PA's educational policies marginalize agricultural education, which is supposed to occupy a central role in the liberation struggle and decolonization. Data from MOHESR (2020) indicates that there are only six faculties of agriculture and agriculture and veterinary medicine total in Palestinian universities (Abu Awwad 2014).



Academic specialization constitutes one of the major areas of gender disparity in HE. According to the PCBS (2020), students' selection of specialization and, consequently, profession, is partially shaped by the branch they choose to join during secondary education and is also dependent on the score achieved in national exams (tawjihi). A high percentage of women gravitate toward the arts and social sciences branches, while a high percentage of men opt for science and math branches, which allows the latter to choose any major in HE. Recent data shows that women dominated the science and arts branches in secondary education, while they represented lower percentages in technology and vocational education (PCBS 2020b).

Social and cultural factors continue to motivate more men to choose engineering, manufacturing, and technical and technological careers, while more women are choosing teaching, social work, and health. The data presented in table 4 indicates that in the past decade, between 2008–2009 and 2018–2019, women increasingly enrolled in traditional disciplines, including education (the

women-to-men ratio increased from 2.485 to 3.618), arts and humanities (1.883 to 2.965), natural sciences and mathematics (1.966 to 2.654), and health and welfare (1.281 to 2.163). However, the change in the nature of gender disparities over this decade confirms the specialization complexity. Between 2008–2009 and 2018–2019, women broke the previously even women-to-men ratio in social sciences and journalism, with a ratio jump from 1.017 to 1.765, and changed the women-to-men ratio in business, administration, and law in their favor, with an increase from 0.615 to 1.142. Women's enrollment rates have improved slightly compared to men's in male-dominated specializations and disciplines such as business, administration, and law (0.615 to 1.142); information and communication technology (0.634 to 0.763); engineering, manufacturing, and construction (0.452 to 0.595); agriculture, forestry, fisheries, and veterinary (0.229 to 0.587); and services (0.35 to 0.407).

The concentration of women in a smaller number of specializations negatively affects their job opportunities, creating intense competition for a limited number of jobs. On the other hand, men generally have more employment opportunities due to the diversity of their specializations, specifically in technical and professional fields such as engineering, manufacturing, and communication and information technology, which are characterized by higher pay (PCBS 2020b) (See Table 4).

3. Gender and Degrees in HEIs

Education in Palestine has been dominated by the awarding of diplomas and bachelor's degrees. However, a new trend has appeared recently in the Palestinian context, as some traditional universities have begun granting master's and doctoral degrees, while the Open University only awards master's degrees. As noted in table 5, students working toward their bachelor's degree compose the majority of higher education students, whether among new students (40,892 students out of 60,092 total), registered students (178,195 out of 218,126), or graduates (34,939 out of 45,722). Table 5 also shows that degrees constitute another component of the gender gap in HE. Women are overrepresented in lower levels of HE, primarily in teacher-qualification programs (1,274 out of 1,415 students). The situation is slightly different for doctoral students. Men remain the majority, although women are catching up, and parity has almost been achieved. Among eighty-seven new

doctoral students, there are thirty-seven women (40 percent). Women represent approximately 48 percent of enrolled students, while there were only two women among the graduated doctoral students (See Table 5).

4. Student Councils and Clubs

Women's representation in academic clubs, student councils, and leadership positions in student movements is another indicator of the gender gap in the HE environment. The larger number of female students than male students in HEIs, as we have already mentioned, has not translated into active participation in student representative bodies in Palestinian universities.

PCBS's report (2018b) indicates that in 2015 only 23.2 percent of student council members in the West Bank were women, rising to 30.9 percent in 2017 and 32 percent in 2019 (see table 6). There are no student councils in Gaza Strip universities, except for at the Islamic University, where there are two councils: one for men and another for women. Women's representation in student councils has improved over the past several years, but the gender gap persists. The available data does not provide us with information about women's representation in other student-representative bodies or activities, such as in student committees and college clubs. There is also no data on how actively they participate in these councils, or in the differences in roles, perceptions, responsibilities, and expected behaviors of men and women.

According to a report by the PCBS and Ministry of Women's Affairs (2020b, 24), a number of factors limit women's participation in student councils, including families' concerns vis-à-vis the consequences of their daughters' participation in student activism, parents' traditional perception of women's participation in political activism, and their general concern that political activism will affect their children's academic achievements, in addition to the supposed gap in qualification and training between female and male students. However, the report does not explain what kind of training women lack.

There is a need to understand how the broader Palestinian context affects the student movement in order to assess the discrepancy between men and women and their representation. The student movement, including student councils, has grown and expanded in the midst of the liberation struggle

against Israeli settler-colonialism, and students have been subject to prosecution and arrest. This has created a fear among parents concerning their children's involvement in student activities, especially girls.

5. Gender and the Education-Employment Paradox

There is a growing interest in the relationship between educational attainment and employment in the Palestinian context. This has contributed to the understanding of how educational systems work and how they relate to employment opportunities after schooling from a gender perspective. According to the PCBS report (2020b), Palestinian women have higher educational attainment levels but lower employment rates compared to Palestinian men, and also compared to most other women in the Arab world.¹⁶ As mentioned earlier, the structural transformations in the economy and the Palestinian labor market during the past decades, under the weight of colonial domination and neoliberal policies, resulted in the deterioration of the productive sectors, specifically agriculture and industry—the traditional employers of women—in favor of the service sector. Work segregation of women and men and the former's limited occupational opportunities and economic activities have contributed to maximizing educational requirements for entrance into the labor market. Figure 2 shows that women with thirteen or more years of schooling are the most involved in the labor market, as 42.7 percent of women in this category are participants in the labor market. This percentage drops sharply (to below 10 percent) for women from the rest of the educational groups, the lowest rate being among illiterate women (3.3 percent). According to the PCBS data (2020b), women who hold an intermediate diploma or higher degree constitute about 80 percent of all working women (See Figure 2).

Figure 3 illustrates that women with thirteen or more years of schooling have the highest rate of unemployment, 47.2 percent, while illiterate women have the lowest. By contrast, for men, education protects against unemployment. In fact, illiterate men have a higher unemployment rate (28.7 percent) than men with thirteen or more years of schooling (18.9 percent).

16. For more information about these differences between women in Arab countries, see the aforementioned PCBS report (2000, 67 and 72).

Unemployment among female graduates is higher (54.7 percent) than that of male graduates (19.7 percent). Women's unemployment rates exceed men's in all disciplines, even in specializations that are expected to be in high demand, such as education and teacher training, where it reaches to 58.6 percent among women, compared to 20.1 percent among male students. This reflects clear gender discrimination in the labor market in all fields without exception (table 7). Within a patriarchal society, men are prioritized for employment, since they are defined traditionally as the breadwinners.

The situation appears to be worse in certain disciplines, with some variations between men's and women's employment rates. Table 7 shows that the unemployment rate among media students is 31.3 percent for male students in the major and 71.7 percent for female students, which is the highest among all majors. For women, it was followed by those who majored in computer sciences (63.6 percent), business and administration (59.3 percent), and education science and teacher training (58.6 percent). In contrast, the highest unemployment rates for men were in mass media and information (31.3 percent), mathematics and statistics (24.5 percent), engineering and engineering professions (22.2 percent), and business and administration (22.2 percent). The lowest unemployment rates for women were in law (28 percent of all graduates of the major) as they were for men (12.5 percent of all graduates of the major). This may be due to the fact that working with a law degree depends on self-employment, as the lawyer can have a private office without the need to wait for employment in the public or private sectors. Furthermore, with the establishment of the PA and the formation of the Palestinian judicial system, employment policies took a new turn, toward employing women in the judiciary and public prosecution, including the Sharia courts. On the other hand, women's unemployment rates in health (37.6 percent) and mathematics and statistics (39.2 percent) were relatively low compared to other specializations. As for men, unemployment rates in the humanities (14.1 percent) and natural sciences (14.4 percent) were also among the lowest compared to other specializations.

It can be said that the weakness of the Palestinian economy's ability to generate new job opportunities and the concentration of women in a limited number of educational specializations have created competition among female graduates for a limited number of jobs. Structural barriers to female employment and the difficulties women face

accessing the labor market in general can be linked to patriarchal structures. It is worth mentioning that the lowest-ranking jobs in the public sector were granted to women, depriving them of the privileges of high-ranking jobs. Furthermore, male domination over political parties, especially the mainstream parties that control the economy, leads to their domination over high-ranking jobs in the public sector and in the economy in general.

6. General Summary of Gender Gaps Concerning Students

To summarize, the gender gap in favor of female students among enrolled and registered students, or what we call the feminization of education, has become a stable trend in Palestinian HEIs. Yet, male students are overrepresented in specializations that provide the most job opportunities. Female students continue to choose specializations that are convenient to their reproductive roles and daily lives instead of specializations that might grant them better job opportunities, which has negative implications for their future careers and raises their unemployment rates.

Nevertheless, we have witnessed a gradual change in the enrollment of female students in specializations that were perceived as traditionally for men, such as engineering and agriculture. On the other hand, the percentage of women in bachelor's degree programs is higher than their percentage in master's programs, due to high tuition fees. The percentage of female students at the doctoral level is also significantly lower than the percentage of male students. Additionally, the high number of women in universities has not translated into their representation in decision-making positions in student councils and other student committees, which prevents them from voicing their opinions on policies and decisions related to social and academic life.

The quantitative data provides a general picture concerning the numbers of students, their majors, and their certificates, divided by gender; however, the available data does not enable us to examine other disparities among students, such as student scholarships and financial aid, changing majors, and the relationship between educational attainment and socioeconomic factors, such as place of residence (urban, rural, or refugee camp) and household income. In addition to the gaps in quantitative data, there is a need for qualitative studies that examine issues

related to the experiences of female students from different social backgrounds, such as how they adapt to university life, their experiences of living in student dormitories, and their exposure to sexual harassment.

VII. CURRENT STATUS AND TRENDS FOR ADMINISTRATIVE AND ACADEMIC STAFF IN PALESTINIAN HE: PERSISTENT GENDER DIFFERENCES

One paradox of gender and HE is the fact that the increasing number of Palestinian women graduates has not resulted in similar increases in women in academic positions, whether as faculty members or high-level administrators. In the Palestinian context, the underrepresentation of women in academic and administrative positions persists, especially across specific subject areas and senior positions. As shown in figure 4, in 2019, women accounted for only 28 percent of HEIs' total staff in both the West Bank and Gaza Strip. Although this percentage is still much higher than that of women's participation in the Palestinian labor market in general (which never exceeded 21 percent), it is much lower than what might be expected given the high percentage of educated women.

Gender segregation in HEIs is an obvious feature in administrative, academic, and research jobs. There are 6,918 teaching academics, of whom 1,647 are women, comprising around 23 percent of the total number. Women's representation among administrative academics is much lower, at 14 percent. There are 102 women of a total of 708 administrative academics, and only 6 women among 22 research academics, 605 women among 1,704 administrative staff, 812 women of 1,813 office staff, 749 women of 1,597 teaching and research staff, 218 women among 916 vocational specialists, 129 women among 695 technicians, and 230 women among 2,043 unskilled workers.

1. Staff Certification

Women with a bachelor's degree make up the largest number of female university employees, and they mostly work within the administrative staff. Figure 5 indicates that the number of female doctorate holders remains lower than the number of men with the same degree attainment, probably because obtaining a doctoral degree requires travel and residence abroad, as well as a long study period, which implies the presence of women far

from parental control and conflicts with society's expectation that women marry and form a family by a certain age. The high cost of studying abroad is another factor, since it is a strategic investment that families generally prefer making in men, who are usually perceived as the future breadwinners (See Figure 5).

2. Gender Distribution in Different Academic Ranks and Decision-Making Positions

Women are underrepresented in the higher ranks across all HEI types; however, representation was particularly low in community colleges and open education institutions. MOHESR's statistics for 2018–2019 show that female academic staff constitute a minority (1,755 out of a total 7,648), and that they were concentrated at the lower end of the hierarchy, while men dominated the higher ranks. Women were also underrepresented as full and associate professors; there were only 17 women out of 433 full professors, less than 5 percent of the total. Further, there were 47 women out of 608 associate professors, which is less than 10, while the number of women and their representation tends to rise as we move toward the lower ranks of the hierarchy, where they compose 349 out of 2,373 assistant professors (about 17 percent), 445 out of 1,846 lecturers (about 24 percent), and 891 out of 2,378 instructors (about 37 percent). Employees in lower ranks have very limited prospects for promotion and are denied the benefits and privileges granted to higher ranks (See Table 8).

Evidence from the gender audit conducted by IWS in 2014 found that academic ranking determines status and privileges, whereby higher-ranking members enjoy professional stability and other perks, such as a one-year paid sabbatical. The audit also reveals the slow mobility and promotion of female faculty members, as well as their underrepresentation in strategic committees at the university, in particular the "Promotion and Tenure Committee" (14 percent in 2013–2014, rising to 43 percent in 2014–2015), and "Appointment (Cadre) Committee" (16 percent of committee members) (ILO 2016).

The increase in the number of educated women, including those with higher degrees (PhDs and master's) did not translate into greater representation in decision-making positions. Men dominate all senior positions in HEIs; among the seventeen universities, there are no women presidents, and women represent only 10.7 percent

of the total membership of the boards of directors or the boards of trustees of Palestinian universities. There are eight universities that do not have any women appointed to their boards of directors, including Al-Quds Open University. The board at Birzeit University had the highest percentage of women, 33.3 percent. Women held the presidency at six (17.6 percent) out of thirty-four community colleges. This means that the representation rate of women tends to be higher in community colleges compared to universities. However, there is no evidence that women's representation in decision-making positions at community colleges or universities guarantees a shift toward more policies supporting social and gender justice.

3. General Summary of Gender Gaps Concerning Administrative and Academic Staff

Gender analysis of available statistical data showed that the increased number of Palestinian women graduates has not resulted in a similar increase in women's representation in academic positions, whether as faculty members or high-level administrators. The gender gaps continue to favor men, especially in higher ranks and decision-making positions; however, women's representation in HEIs in general has improved in recent years, especially when compared to their counterparts in the wider Palestinian labor market. Gender segregation in HEIs persists within administrative, academic, and research positions. A smaller percentage of women hold advanced degrees than men, especially the PhD, and to a lesser extent the master's degree. The previous analysis demonstrated that the university is an extension of society in its patriarchal attitudes and perceptions of women in HEIs, especially within the higher ranks and positions.

The available quantitative data does not shed light on other important dimensions related to gender and HE, such as the gender distribution of faculty members in different disciplines and in various administrative and academic committees. Nor does it provide information pertaining to socioeconomic background, such as marital status, which might help in understanding some of the barriers that hinder women from ascending to higher academic and administrative positions.

Furthermore, gender dynamics in HEIs cannot be comprehended through quantitative data alone. Quantitative data does not provide in-depth analysis of gendered experiences across different

aspects of HE. The IWS gender audit revealed various factors that influence women's evaluation and promotion, such as personal relationships, social stigma, class, and political affiliation. The lack of transparency in employee evaluation procedures, the failure to discuss evaluations with female employees, and the centralization of decisions regarding promotion were perceived by female administrative employees as devaluing their work and impeding their promotion. The IWS gender audit also revealed that there are no gender-sensitive policies aiming at increasing women's representation in committees, their participation in decision-making, their promotions, or rewards and incentives (ILO 2016).

VIII. CONCLUSION

Our review of the available research and data on gender and higher education in Palestine shows numerous disparities in terms of women's representation in HEI. It also points to several limitations in the existing literature that should be addressed in further research on the topic. As noted above, most of the available information on gender and HE is produced by MOHESR and PCBS and is composed of sex-disaggregated data rather than gender statistics. Gender statistics should reflect gender issues, and should be based on concepts and definitions that adequately reflect the diversity of women and men, capturing all aspects of their lives. Such data would enable researchers to examine how gender intersects with other categories and how it is affected by structural conditions. Existing sex-disaggregated data on Palestinian HE does not allow for the analysis of gender dynamics as part of broader structures. Data collection methods should take into account political, socioeconomic, and cultural factors that may introduce gender bias into the data. A comprehensive critical gender perspective should be integrated at all stages of designing, planning, and implementing the data collection methods to improve quality of data.

While gender statistics constitute a vital resource for gender analysis of HEIs, they do not provide a deep understanding of the experiences of female students, staff, and academics in HEIs and the challenges that hinder them from benefiting from HE opportunities. Gender disparity in academic ranks constitutes a persistent trend, as illustrated by sex-disaggregated statistics. Uncovering its causes and dynamics necessitates in-depth gender-sensitive qualitative research. The IWS

gender audit, for instance, revealed that women academics' reproductive and domestic roles hinder their opportunities to conduct research. It also revealed the importance of securing unconditional funding in order to allow faculty members to reduce their teaching load and engage in research activities, and of liberating institutions from the political commitment to mainstream discourse and analysis of international organizations (ILO 2016). Participatory gender research is needed to bridge the gaps in our understanding of gender and HE in the Palestinian context. The gender audit at Birzeit University offers a model of such research to be developed, updated, and performed in all HEIs.

One of the critical, neglected domains in understanding gender and HE is gender knowledge production. It is important to deeply examine the forms of gender knowledge produced, what knowledge is produced through gender research as reflected in graduate theses and PhD dissertations, and what frameworks are employed in gender research. Examining the research questions that emerge from higher education in the Palestinian colonial context is another essential issue.

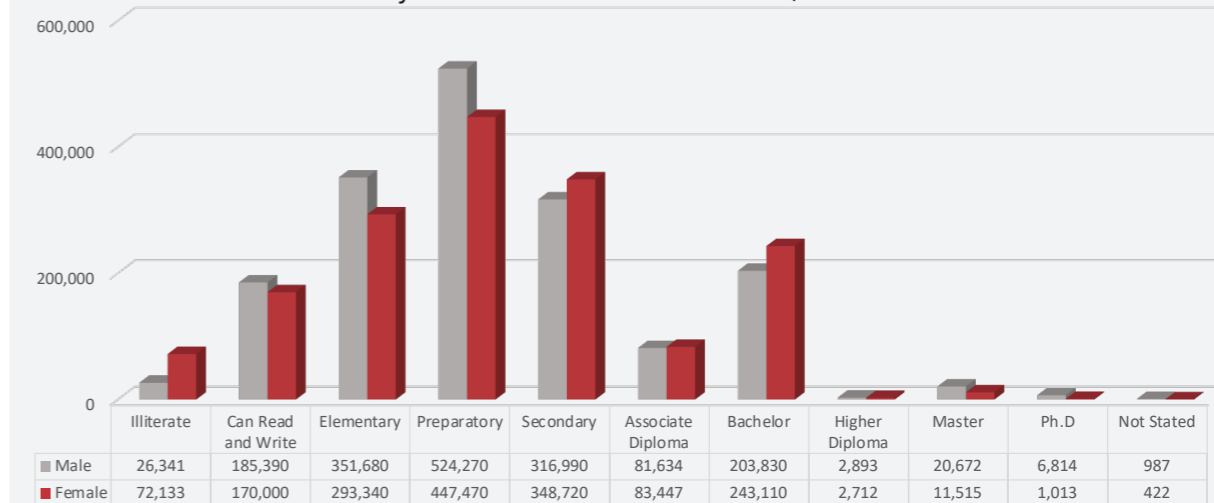
Research in general, and gender research in particular, is dependent on foreign funding and agendas. Consequently, research priorities are not reflective of Palestinian realities and social needs. In order to attain a deep understanding of the life experiences of women in different sectors, research agendas should be determined based on local priorities and contexts. Research on gender and HE should focus on hitherto unexamined issues, such as the deteriorating working conditions in HEIs as well as female participation in union activities, as quality education requires quality working conditions. It is also crucial to conduct research on how gender is reflected in the curricula across all departments in higher education, since curricula in general and HE curricula in particular are not neutral and generally serve as means of social control, legitimizing existing social and gender relations and determining what constitutes important and legitimate knowledge (Grunberg 2011). Furthermore, research should assist us in developing curricula rooted in the Palestinian community's needs and must be politically and culturally relevant to the promotion of values that are liberatory and just.

Higher education in the Palestinian context is immensely affected by the colonial and neoliberal conditions that structure HEIs. Ultimately,

politically liberated and socially just HEIs that are able to produce beneficial knowledge won't be fully attainable without transforming the colonial and capitalist structures that condition and constrain these institutions. Nevertheless, HE constitutes a potential means for Palestinians to challenge these colonial and neoliberal conditions, through decolonial, liberatory forms of knowledge production that prioritize community developmental needs and adopt collective social and gender justice values that serve their resilience and sumud—that is, their steadfast perseverance.

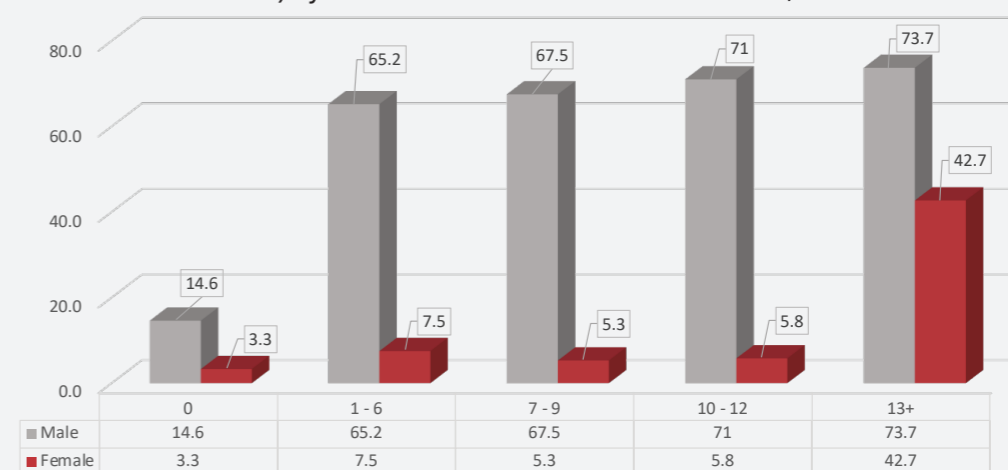
Figures

Figure (1): Palestinian Population (10 years and over) by Sex and Educational Attainment, 2017



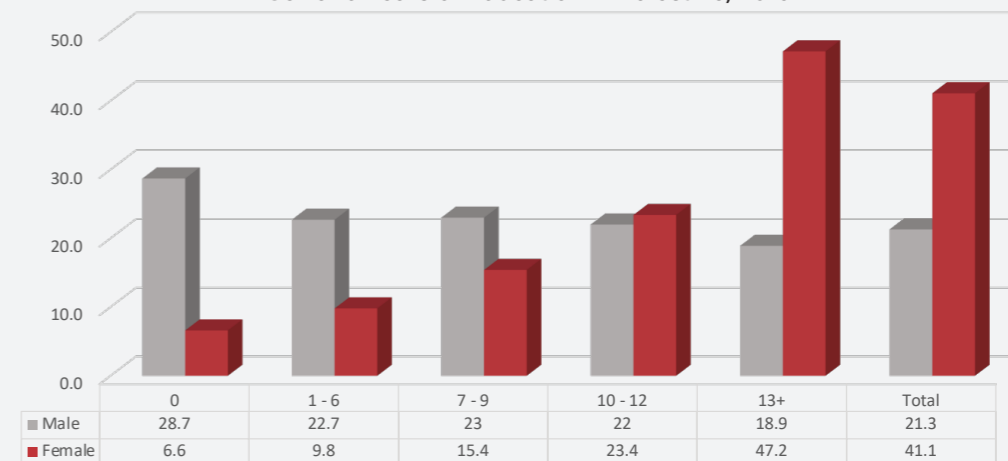
Source: PCBS (2018a).

Figure (2): Labor Force Participation Rate (15 years and above) by Sex and Years of Education in Palestine, 2019



Source: MOHESR (2019).

Figure (3): Unemployment Rate (15 years and above) by Sex and Years of Education in Palestine, 2019



Source: MOHESR (2019).

Tables

Table 1: Distribution of Students in Different Categories of HEIs Based on Gender for 2018–2019

	New Students 2018–2019				Registered Students 2018–2019				2018 Graduates			
	No. of Women	No. of Men	Total	% of Women	No. of Women	No. of Men	Total	% of Women	No. of Women	No. of Men	Total	% of Women
Traditional Universities	20,607	13,152	33,759	61.0	84,869	130,551	139,037	61.0	17,425	11,038	28,463	61.2
University Colleges	3,461	3,226	6,687	51.8	8,878	7,971	16,849	52.7	1,755	1,796	3,551	49.4
Community Colleges	2,584	2,484	5,068	51.0	5,669	5,150	10,819	52.4	1,713	1,236	2,949	58.1
Open University	9,258	5,320	14,578	63.5	34,197	17,724	51,421	66.5	7,853	2,906	10,759	73.0
Total	35,910	24,182	60,092	59.8	133,613	84,513	218,126	61.3	28,746	16,976	45,722	62.9

Source: Data from MOHESR (2019).

Table 2: Number of Students Enrolled in Palestinian Higher Education Institutions by Gender in Years 2008–2009 and 2018–2019 (in thousands)

	2008/2009	2018-2019
Men	80,007	84,513
Women	100,006	133,613
Total	180,013	218,126
Women/men ratio	1.25	1.581

Source: Taken data from PCBS (2020b, table 12).

Table 3: Students in Higher Education in Palestine by Gender, for Selected Years (In thousands)¹

Years	Community Colleges				Universities			
	GPI	Women	Men	Total	GPI	Women	Men	Total
2001–2002	1.25	3.0	2.4	5.4	0.90	39.6	43.9	83.5
2002–2003	1.00	3.0	3.0	6.0	0.97	48.5	50.0	98.5
2003–2004	0.91	4.1	4.5	8.6	0.98	56.3	57.2	113.5
2004–2005	0.78	4.0	5.1	9.1	1.10	67.7	61.5	129.2
2005–2006	0.75	4.8	6.4	11.2	1.15	74.5	64.8	139.3
2006–2007	0.78	5.0	6.4	11.4	1.19	86.1	72.1	158.2

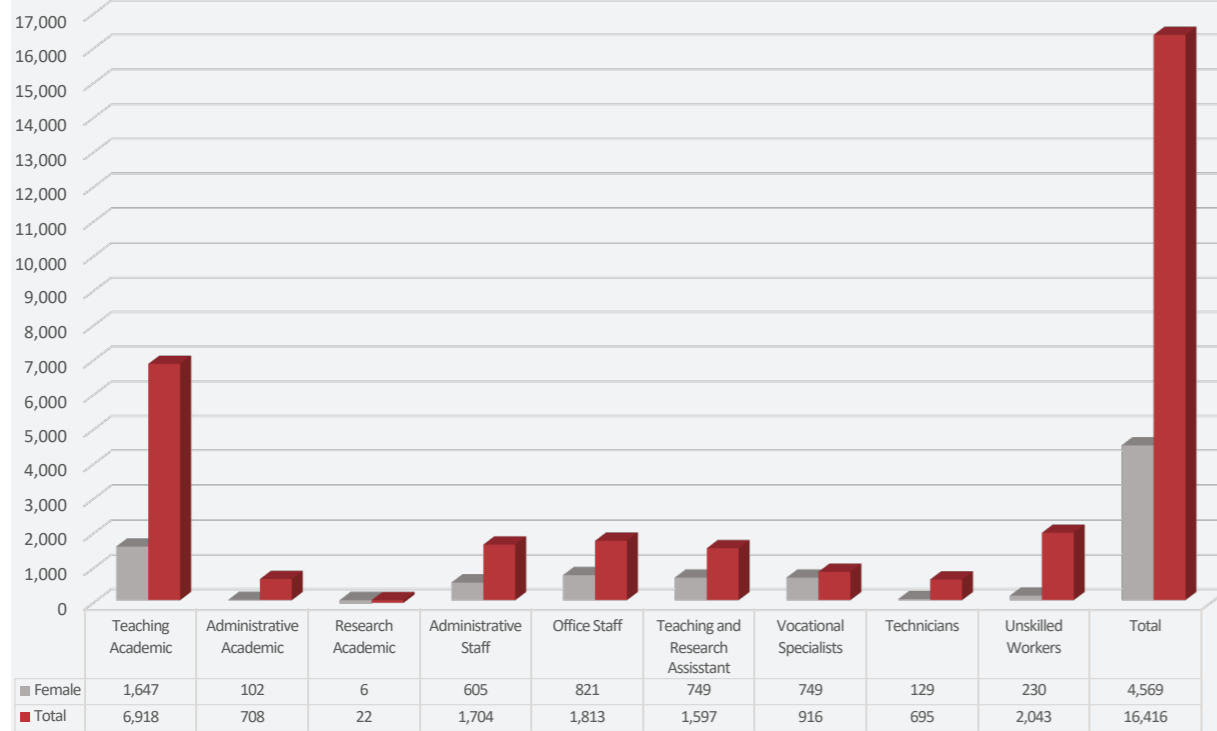
1. Source: PCBS (2018b):

Universities data include students of intermediate diploma, bachelor and higher education in traditional universities, open education and university colleges.

GPI= No. of enrolled women/No. of enrolled men

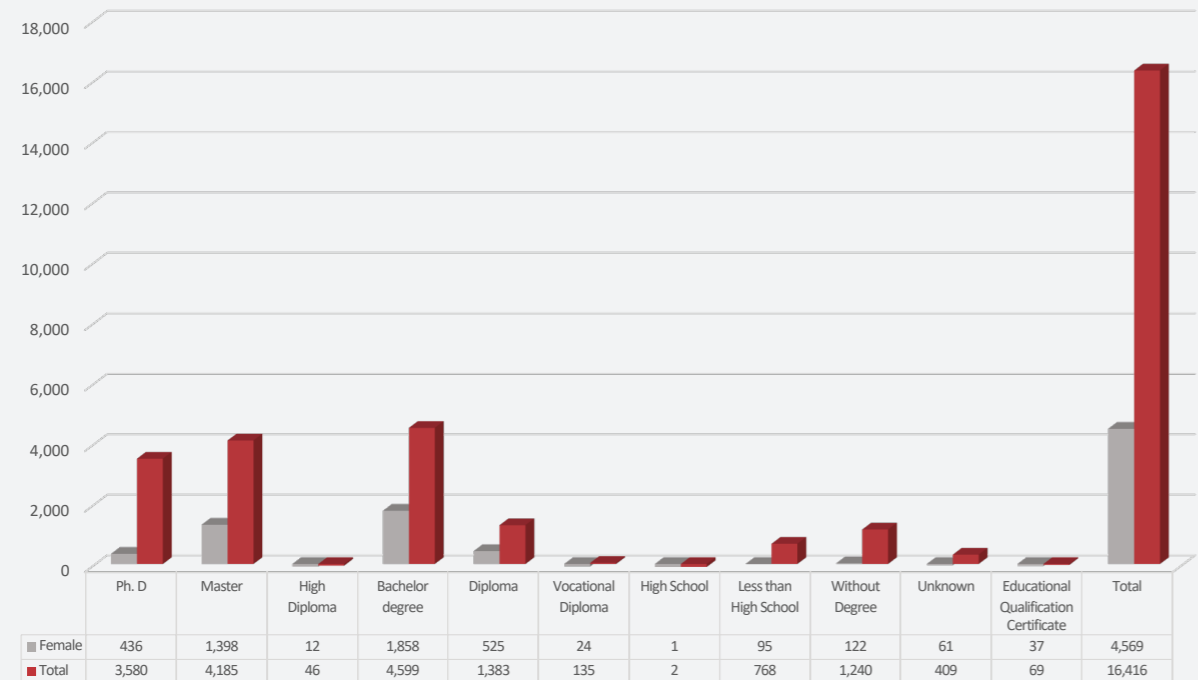
If GPI < 1, the number of enrolled men is higher than that of women. If GPI > 1, the number of enrolled women is higher than that of men. If GPI = 1, there is no gap.

Figure (4): Distribution of Staff according to Job Classification and Sex in 2018–2019



Source: MOHESR (2019).

Figure (5): Distribution of Staff According to Degree and Sex 2018–2019



Source: MOHESR (2019).

2007-2008	0.60	4.9	8.2	13.1	1.23	92.8	75.3	168.1
2009-2010	0.68	4.7	6.9	11.6	1.34	106.0	79.1	185.0
2010-2011	0.68	5.1	7.5	12.6	1.38	116.9	84.5	201.4
2011-2012	0.75	5.2	6.9	12.1	1.41	119.9	85.2	205.1
2012-2013	0.92	5.9	6.4	12.3	1.48	120.3	81.1	201.4
2013-2014	0.95	5.4	5.7	11.1	1.53	123.0	80.4	203.4
2014-2015	0.92	5.9	6.4	12.3	1.56	127.5	81.6	209.1
2015-2016	1.09	5.9	5.4	11.3	1.57	124.9	79.8	204.7
2016-2017	1.05	5.7	5.4	11.1	1.59	127.4	80.0	207.4
2017-2018	1.05	5.9	5.6	11.5	1.55	128.4	82.9	211.3

Source: PCBS (2018b).

Table 4: Distribution of New Students by Program (ISCED Classification) and Gender in the Years 2008-2009 and 2018-2019

Specializations	2008/2009			2018-2019		
	Men	Women	Women /Men ratio	Men	Women	Women /Men ratio
Education	18,493	45,956	2.485	7,662	27,724	3.618
Arts & Humanities	5,694	10,719	1.883	5,598	16,599	2.965
Social Sciences and Journalism	8,640	8,788	1.017	4,529	7,995	1.765
Business, Administration & Law	23,483	14,450	0.615	29,662	33,872	1.142
Natural Sciences, Mathematics & Statistics	1,632	3,209	1.966	2,114	5,610	2.654
Information & Communication Technology	5,151	3,267	0.634	6,300	4,805	0.763
Engineering, Manufacturing & Construction	8,164	3,692	0.452	12,629	7,514	0.595
Agriculture, Forestry, Fisheries & Veterinary	746	171	0.229	843	495	0.587
Health & Welfare	6,399	8,195	1.281	12,312	26,628	2.163
Services	369	129	0.35	1,325	539	0.407
Others	1,236	1,430	1.157	1,539	1,832	1.190
Total	80,007	100,006	1.25	84,513	133,613	1.581

Source: PCBS (2020, 53-55).

Table 5: Distribution of Higher Education Students According to Degree

Degree	New Students 2018-2019			Enrolled Students 2018-2019			Graduates 2017/2018		
	Women	Men	Total	Women	Men	Total	Women	Men	Total
PhD	35	52	87	119	126	245	2	12	14
Master's	1,666	1,379	3,045	5,158	4,113	9,271	1,478	1,224	2,702
High Diploma	47	35	82	99	69	168	49	1,257	82
Bachelor Degree	26,012	14,880	40,892	113,071	65,124	178,195	22,782	12,157	34,939
Diploma	5,494	6,274	11,768	12,015	13,375	25,390	3,487	3,305	6,792

Vocational Diploma	44	22	66	152	91	243	76	82	158
Teacher Qualification	882	73	955	1,274	141	1,415	866	162	1,028
Minor ²	1	0	1	2	1	3	6	1	7
Preparation ³	1,723	1,473	3,196	1,723	1,473	3,196	0	0	0
Total	35,910	24,182	60,092	133,613	84,513	218,126	28,746	16,976	45,722

Source: Data from MOHESR (2019).

Table 6: Percentage of Women in Student Councils in Palestinian Universities for Selected Years

Year	Percentage of Women
2015	23.2
2017	30.9
2019	32.0

Source: PCBS (2020b).

Table 7: Unemployment Rate among Graduates Who Hold Intermediate Diplomas and Above in the Labor Force in Palestine by Specialization and Gender, 2017

Specialization	Gender		
	Women	Men	Women and Men
Education Science and Teacher Rehabilitation	58.6	20.1	47.7
Humanities	53.8	14.1	36.6
Social and Behavioral Sciences	56.3	19.1	36.7
Mass media and Information	71.7	31.3	45.8
Business and Administration	59.3	22.2	34.9
Law	28.0	12.5	15.5
Natural Sciences	54.0	14.4	38.7
Mathematics and Statistics	39.2	24.5	32.4
Computer	63.6	20.3	36.2
Engineering and Engineering occupations	49.2	22.2	28.2
Architecture and Construction	45.8	21.0	27.2
Health	37.6	16.5	25.1
Personal Services	40.8	20.2	26.3
Other Specializations	59.9	15.8	36.4
Total	54.7	19.7	35.6

Source: PCBS (2018b).

2. Minors are usually provided in bachelor's degrees. The number of hours required for a minor is less than the number of hours of study for a student to obtain a bachelor's degree. It is rare to give a degree on the basis of the chosen minor.

3. Al-Quds Open University provides an opportunity for high school students, whose averages range from 55 percent to 64.9 percent, to enroll in the university, but first they attend a preparatory year.

Bibliography

Table 8: Distribution of Staff by Institution Type and Academic Rank and Gender in 2018–2019

Academic Rank	Traditional University		University Colleges		Community Colleges		Open Education		Total	
	Women	Total	Women	Total	Women	Total	Women	Total	Women	Total
Full Professor	15	363	2	18	0	6	0	46	17	433
Associate Professor	36	503	5	22	1	3	5	80	47	608
Assistant Professor	298	1,922	18	221	3	7	30	223	349	2,373
Lecturer	197	858	142	583	83	287	23	118	445	1,846
Instructor	627	1,496	43	193	74	199	147	490	891	2,378
Unknown	6	10	0	0	0	0	0	0	6	10
Total	1,179	5,152	210	1,037	161	502	205	957	1,755	7,648

Source: MOHESR (2019).

at Birzeit University. https://www.ilo.org/wcmsp5/groups/public/---arabstates/---ro-beirut/documents/publication/wcms_542475.pdf

- Abu Awwad, Nida. 2014. "Neoliberalism and Education: Its Content and Effects in the Colonized Palestinian Context." *Al mustaqbal Al Arabi Journal*. Accessed August 10, 2020. http://www.caus.org.lb/PDF/EmagazineArticles/mustaqbal_421_nd2abouawad.pdf.

- Abu-Lughod, Ibrahim. 2000. "Palestinian Higher Education: National Identity, Liberation, and Globalization." *Boundary* 27 (1): 75–95.

- Acker, Sandra. 1987. "Feminist Theory and the Study of Gender in Education." *International Review of Education* 33:419–35.

- ARIJ (Applied Research Institute Jerusalem). 2019. "A Baseline Study of Higher Education and Research in Palestine."

- Birzeit University. n.d. "Challenge and Excellence: A History of Excellence Despite Adversity." Accessed September 2, 2020. <https://www.birzeit.edu/en/about/history/challenge-excellence>.

- Italian Agency for Development Cooperation. 2018. *European Joint Strategy in Support of Palestine 2017-2020 Towards a Democratic and Accountable Palestinian State*. Jerusalem: Italian Agency for Development Cooperation. <https://gerusalemme.aics.gov.it/wp-content/uploads/2018/09/European-Joint-Strategy-Palestine-2017-2020.pdf>.

- Friends of Birzeit University. n.d. "Palestinian Education: Barriers to Access." Accessed July 20, 2020. <https://fobzu.org/education-in-palestine/>.

- Gender Policy Institute. 2019. *Bridging the Gender Gap: Mapping and Analysis of Gender Policies in Palestine (2011-2017)*. Ramallah: UNESCO.

- Graham-Brown, Sarah. 1984. *Education, Repression and Liberation: Palestinians*. London: World University Service.

- Grunberg, Laura, ed. 2011. *From Gender Studies to Gender IN Studies: Case Studies on Gender Inclusive Curriculum in Higher Education*. Bucharest: UNESCO-SEPES.

- Hatem, Mervat F. 1992. "Economic and Political Liberation in Egypt and the Demise of State Feminism." *International Journal of Middle East Studies* 24 (2): 231–51.

- Hill, Dave. 2005. "Class, Capital and Education in this Neoliberal and Neoconservative Period." In *Revolutionizing Pedagogy*: 119–143. New York: Palgrave Macmillan.

- ILO. 2016. *Towards Gender Justice in Higher Education Institutions Piloting ILO's Participatory Gender Audit tool*

- Jacobs, Jerry A. 1996. "Gender Inequality and Higher Education." *Annual Review of Sociology* 22:153–85.

- Khawaja, Mustafa. 2014. *Political Participation Perceptions of Students in Palestinian Universities and Colleges*. Miftah. http://www.miftah.org/Publications/Books/Political_Participation_Perceptions_of_Students.pdf

- Kuttab, Eileen. 2000. "Palestinian Student Movement and its Social and Gender Dimensions." In *The Palestinian Student Movement and the Tasks of the Era: Experiences and Opinions*, edited by Majdi Al-Malki. [In Arabic.] Palestine: Muwatin, the Palestinian Institute for the Study of Democracy.

- Mar'i, Sami. 1978. *Arab Education in Israel*. Syracuse, NY: Syracuse University Press.

- Marshall, Catherine. 1999. "Researching the Margins: Feminist Critical Policy Analysis." *Educational Policy* 13 (1): 59–76.

- Meari, Lena, and Rula Duhou. 2020. "The Palestinian Student Movement and the Dialectic of Palestinian Liberation and Class Struggles." In *The University and Social Justice: Struggles across the Globe*, edited by Aziz Choudry and Salim Vally. London: Pluto Press.

- Ministry of Education and Higher Education. 2010. *Mid-Term Strategy for Higher Education Sector (2010, 2011-2013)*. <https://www.mohe.pna.ps/Resources/Docs/StrategyEn.pdf>

- Ministry of Education and Higher Education. 2016. *Operation Manual of Quality Improvement Fund (QIF) Palestinian Tertiary Education – West Bank & Gaza Strip Education to Work Transition Project (E2WTP)*. <http://www.palpcu.ps/files/V6QIF%20Manual%20V6%20-%20PI.pdf>.

- MOHESR (Ministry of Higher Education & Scientific Research). 2019. *Statistical Yearbook 2018-2019*.

- Ramallah: Ministry of Higher Education & Scientific Research.

- Ministry of Education. 2019. *Education Statistical Yearbook 2018-2019*. [In Arabic.] Ramallah: Ministry of Education. Accessed March 16, 2022. <https://info.wafa.ps/userfiles/server/%D8%A7%D9%84%D9%83%D8%AA%D8%A7%D8%A8%20%D8%A7%D9%84%D8%A7%D8%AD%D8%B5%D8%A7%D8%A6%D9%8A%20%D8%A7%D9%84%D8%AA%D8%B1%D8%A8%D9%88%D9%8A%20%D8-%A7%D9%84%D8%B3%D9%86%D9%88%D9%8A%20%D9%84%D9%84%D8%B9%D8%A7%D9%85%20%D8%A7%D9%84%D8%AF%D8%B1%D8%A7%D8%B3%D9%8A%20%202018%20.2019.pdf>

- Muhammad, Gibril, and Hind Batta. 2019. *Palestinian*

Higher Education Between Right and Market Chaos. [In Arabic.] Ramallah: Bisan Center for Research and Development.

- O'Connor, Pat, Teresa Carvalho, Agnete Vabø, and Sónia Cardoso. 2015. "Gender in Higher Education: A Critical Review." In *The Palgrave International Handbook of Higher Education Policy and Governance*, edited by Jeroen Huisman, Harry de Boer, David D. Dill, and Manuel Souto-Otero: 569-584. London: Palgrave Macmillan. https://doi.org/10.1007/978-1-137-45617-5_30 pp 569-584.

- O'Connor, Pat. 2019. "Gender Imbalance in Senior Positions in Higher Education: What Is the Problem? What Can Be Done?" *Policy Reviews in Higher Education* 3 (1): 28-50. <https://doi.org/10.1080/23322969.2018.1552084>

- PCBS (Palestinian Central Bureau of Statistics). 2018a. *Population, Housing and Establishments Census 2017: Census Final Results - Summary*. Ramallah: Palestinian Central Bureau of Statistics. Accessed September 8, 2020. <http://www.pcbs.gov.ps/Downloads/book2383.pdf>.

- PCBS. 2018b. *Women and Men in Palestine: Issues and Statistics, 2018*. Ramallah: Palestinian Central Bureau of Statistics. Accessed September 8, 2020. <http://www.pcbs.gov.ps/Downloads/book2397.pdf>.

- PCBS. 2020a. "H.E. Dr. Awad, Highlights the Situation of the Palestinian Women on the Eve of the International Women's Day, 08/03/2020." Accessed September 10, 2020. <http://www.pcbs.gov.ps/site/512/default.aspx?lang=en&ItemID=3679>.

- PCBS. 2020b. *Women in Decision-Making Positions*. Ramallah: Palestinian Central Bureau of Statistics. Accessed September 8, 2020. <http://www.pcbs.gov.ps/Downloads/book2397.pdf>.

- Richardson, John T. E., Jenna Mittelmeier, and Bart Rienties. 2020. "The Role of Gender, Social Class and Ethnicity in Participation and Academic Attainment in UK Higher Education: An Update." *Oxford Review of Education* 46 (3). <https://doi.org/10.1080/03054985.2019.1702012>.

- Salameh, Rami. 2011. *The Commodification of Higher Education in a Sieged Market*. Ramallah: Bisan Center for Research and Development.

- Saleh, Abd Eljawwad. 1982. *The Subjective Problems of Higher Education Institutions in the West Bank and Gaza*. [In Arabic.] Nicosia-Cypres: M.I. Publishing.

- Shaw, Kathleen M. 2004. "Using Feminist Critical Policy Analysis in the Realm of Higher Education: The Case of Welfare Reform as Gendered Educational Policy." *Journal of Higher Education* 75 (1): 56-79.

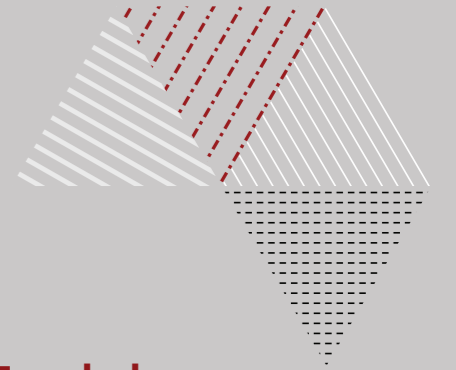
- Thabet, Abeer. 2020. "The Reality of Female Academics in Higher Education Institutions in Gaza Strip." [In Arabic.] Gaza: Community Media Center (unpublished study).

- UN Women. n.d. "Facts and Figures: National Planning

and Budgeting." Accessed September 15, 2020. <https://palestine.unwomen.org/en/what-we-do/national-planning-and-budgeting/facts-and-figures>.

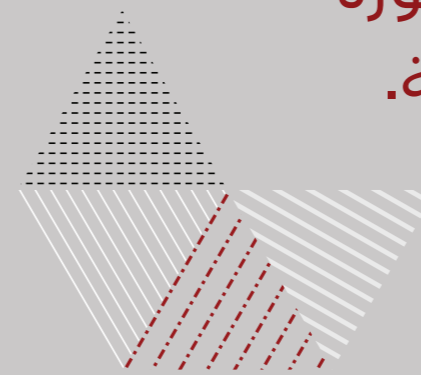
- UNESCO. 2011. "Palestine: World Data on Education, 2010/11."

- United Nations. 2016. "Users, uses and production of gender statistics: an overview" *Integrating a Gender Perspective into Statistics: 1-12*. New York: United Nations. Accessed September 10, 2020. <https://unstats.un.org/unsd/demographic-social/Standards-and-Methods/files/Handbooks/gender/Integrating-a-Gender-Perspective-into-Statistics-E.pdf>



The following paper on gender and law in the Tunisian context is published here in its original Arabic version.

الورقة التالية حول الجندر والقانون
في السياق التونسي منشورة
هنا بنسختها العربية الأصلية.



الجنـدر والقانون: المثال التونسي

الإسلامية الراهنة، وإن بمستويات متفاوتة، أداة من أدوات الهيمنة. ولهذه الهيمنة أشكال متنوعة قد تكون اجتماعية أو دينية أو عرقية... وقد تكون هيمنة أساسها النوع الاجتماعي أو الجنـدر.

لم يظهر اتجاه نقدي حقيقي في دراسة دور القانون في توجيه العلاقات الاجتماعية المبينة على النوع الاجتماعي وفي التحكم فيها وإضفاء المشروعية عليها إلا قرابة العقد الثامن من القرن العشرين، مع تفاوت بين البلدان وبين المجالات القانونية التي تركّز فيها هذا التوجّه النقدي. ففي أميركا الشمالية، حيث اكتسب النقد النسوي للقانون تقاليد أقدم، انطلقت المقاربة النسوية النقدية للقانون بفعل لقاء موضوعي بين الحركات النضالية النسوية والحركة العمالية اليسارية منذ عقد الستينيات، في علاقة مع "الدراسات القانونية النقدية التي قطعت مع مسلمة حيادية القانون، وأسست بخلاف ذلك لفرضية أن القانون آلية تستخدم في إطار النظام الليبرالي لإدامة علاقات السلطة ولشروعها كما تستخدم أداة لتثبيت نسق الهيمنة الذكورية في إطار المجتمعات الباترياركية. أما الدراسات القانونية النسوية فبنيت أطروحتها على المفارقة التي تحكم وضع القانون بوصفه في الآن ذاته أداة هيمنة ذكورية وسبيلًا مهمًا من سبل مقاومتها والقضاء عليها وإرساء علاقات المساواة، وهو ما يقتضي العمل على واجهتين: تفكيك الأنساق الذكورية التي تحكم القانون وكشفها من جهة، والعمل على إعادة بناء قوانين مساواتية من جهة ثانية. في هذا الإطار اقترحت كاترين ماكينون (MacKinnon 1989)، إحدى أهم أعلام هذه المقاربة، التفكير في المكانة التي يتوجب أن تكون للقانون في ما تسميه "نظرية نسوية للدولة" - وهي نظرية قائمة على حركتين: تتمثل الأولى في الكشف عن حقيقة أنّ القانون هو التعبير عن علاقات القوة القائمة في إطار دولة ليبرالية وهو الذي يخفي الحقيقة الاجتماعية - الثقافية لتلك العلاقات ويظهرها في المقابل وكأنها طبيعية، كما أنه يخفي التقسيمات والتصنيفات التمييزية بين الرجال والنساء والمكرسة لدونية النساء ويقدمها في صورة وضع طبيعي ملازم للاختلافات البيولوجية بين الجنسين. أما الحركة الثانية فتقوم على جمع ما تسميه "فقه قانون نسوي" من أجل البرهنة على أن العديد من تعبيرات الهيمنة الذكورية تفلت في كل النظم القانونية، بما فيها تلك التي تعلن التزامها بعدم التمييز وبالمساواة وبالاستقلال عن المبدأ الجنسي، وعلى أن القانون نفسه يشرعن وسائل الهيمنة تلك، ذلك أن "الفقه النسوي يرى أن السلطة الرجالية وما يترتب عليها من هيمنة على النساء وعلى السلطة عامة حقيقة واقعة في حين أن المساواة بين الجنسين ليست كذلك" (MacKinnon 1989).

1. مدخل: المقاربة الجنـدرية للقانون حقل بحثي في أوج انطلاقته

تقتضي المقاربة الجنـدرية للقانون الانطلاق من فرضية العلاقة التبادلية بين النظم القانونية والنظم الاجتماعية بما يتطلبه ذلك من نفي النظر إلى القانون في صبغته الشكلية أو التقعيدية¹ وحدها وكأنه منظومة منغلقة من المحظورات والأوامر منقطعة عن كل العوامل الاجتماعية التي تتدخل فيه. فالقانون "بناء اجتماعي وكذلك الجنـدر بناء اجتماعي هو الآخر" (Millard 2013) "والأنثى لا تولد امرأة بل إنها تصير كذلك". ومنذ بداياتها حرصت السوسيولوجيا العامة وسوسيولوجيا القانون بخاصة على التفكير في تلك العلاقة، واستخلصت من دراساتها جملة من النتائج العامة طورت البحث في مجال القانون، نذكر من بينها:

- يعكس القانون أنماط التنظيم الاجتماعي وأشكال التضامن القائمة في المجتمع بقدر ما يتحكم هذان العاملان في اتجاهاته ومضامينه.

- يكون القانون في الغالب موسومًا بآثار المسارات المتحكممة في التحولات الاجتماعية وبنسقتها، لذلك نجد من المنظومات القانونية ما هو متحرك ومتغير بنسق سريع نسبيًا، وقد نجد منظومات تستمر ثابتة المضمون في أداء وظائفها على المدى الطويل منبئة عن مجتمعات يغلب عليها الجمود؛ إلا أنّ ذلك لا يمثل قاعدة مطلقة تندرج تحتها كل النظم القانونية وفي كل الأطوار، بل توجد في حالات أخرى منظومات قانونية تكون أكثر حركية وقابلية للتطور من المجتمع نفسه فتؤدي دورًا في تحريكه. كما توجد الحالة النقيضة فيعيش المجتمع حركية وتحولات مقابل محافظة المنظومة القانونية على ثباتها فتتحول عندها إلى عامل معرقل لحركية المجتمع ولتطوره، وهو وضع تمثله الدول الإسلامية التي تعتمد اعتمادًا كليًا على الفقه الإسلامي في تشريعاتها؛ بل إن هذا التعارض بين حركية المجتمعات وثبات التشريعات والقوانين يمثل أحد أخطر وجوه أزمة المجتمعات الإسلامية المعاصرة.

- مثل القانون وما زال في أغلب المجتمعات

1. التقعيدية: معنى وضع القواعد القانونية وضبطها، والتقعيد هو الوظيفة الشكلية الأساسية للقانون.



زهية جويرو

أستاذة التعليم العالي في الجامعة التونسية، كلية الآداب والفنون والإنسانيات في منوبة، والمديرة العامة لمعهد تونس للترجمة. متخصصة في الدراسات الإسلامية ودراسات الجنـدر. من مؤلفاتها المنشورة: القصاص في النصوص المقدسة، قراءة تاريخية، تونس 2006، الإسلام الشعبي، بيروت، 2007 (حاصل على جائزة البحث العلمي للنساء من وزارة المرأة في تونس)، الإفتاء بين سياج المذهب وإكراهات التاريخ، بيروت 2014، الوأد الجديد، مقالات في الفتوى وفقه النساء، تونس، 2019 (حاصل على جائزة البحث العلمي للنساء من وزارة المرأة في تونس)، إضافة إلى عدد مهم من المقالات العلمية.

وقد تطورت الدراسات القانونية النسوية وتمأسست في المجال الأنجلو- ساكسوني وهو ما يشهد به بشكل خاص صدور دوريات عن مؤسسات أكاديمية مرموقة مثل The Harvard Journal of Law and Gender (تأسست هذه المجلة في العام 1977) و"مجلة النساء والقانون" The Law Journal of Women (أنشئت في العام 1985)، ودورية Feminist Legal Studies (تأسست في العام 1993). إضافة إلى هذه الدوريات استمرت الدراسات مركزة إما على القانون نفسه بمنظور نقدي يسعى إلى تفكيك طبيعته الباترياركية المتمركزة حول السلطة الذكورية (Smart 1992) وإما على تطبيقاته الجندرية.

من جهة أخرى، من الضروري العناية أيضًا باللغة القانونية؛ فاللغة بوصفها وسيط علاقتنا بالواقع (Scott 2009, p.43) تسمح بقياس الطبيعة الأدائية للأنواع القانونية ذات الصلة بالعلاقات الاجتماعية المبنية على الجنس. فالقانون لا ينتج التمييز فحسب بل ينتج قبل ذلك التفاضل، وهو إذ يفعل ذلك ينتج النوع الاجتماعي. ولعل كتابته وحدها تستجيب لمسار استطرادي تابع لآثار التصنيفات وهي ليست تصنيفات تقنية تقتضيها لغة القانون فحسب بل هي أيضًا تصنيفات اجتماعية ورمزية وسياسية. وهذه التصنيفات المنتجة على هذا النحو تهمّ مختلف أساليب التعبير عن الجندر ومن أولها تعريفات الجماعات الاجتماعية والأشخاص والهويّات. ويُنتج القانون معايير الأنواع الاجتماعية من خلال تصنيفه الأشخاص والأعمال.

ومن أهم النتائج التي خلصت إليها هذه المقاربة الجندرية للقانون مطبقة على نماذج مختلفة من المنظومات القانونية:

- إنّ القانون هو أكثر المؤسسات فعالية في تحويل الاختلاف الجنسي البيولوجي إلى معيار للتصنيف التفاضلي اجتماعيًا يشرّع تفوق الرجال وهيمنتهم على النساء، وبذلك يصنع الجندر أو النوع الاجتماعي مؤسّسة القانون التي تحوّل بدورها الهويّات الجنسية إلى هويّات جندرية وتظهرها وكأنها هويّات طبيعيّة وليست بناء اجتماعيًا - ثقافيًا.

- كان القانون في إطار المجتمعات الباترياركية إحدى أهم الآليات التي أنتجت التمييز بين النساء والرجال وشرّعت سلطتهم عليهنّ، وما زال يؤدّي الدور نفسه، وإن بمستويات أدنى وبأشكال أقلّ ظهورًا، في كثير من المجتمعات الحديثة ذات الأنظمة

2. جملة المؤشرات التي تُعتمد في قياس الأداء - وفي مجال القانون تُعدّ اللغة أحد هذه المؤشرات، إذ يستوجب المنظور الجندري من اللغات التي تميز لفظًا بين صيغتي المذكر والمؤنث أن يتم ذكر الصيغتين في النصوص القانونية، من ذلك على سبيل المثال التنصيص على "المواطنين والمواطنات" كلما اقتضى الأمر ذلك وعدم الاختصار على صيغة المذكر.

المتنوّعة وهو ما يستوجب الحفر في الأنظمة القانونية وتفكيكها من أجل الكشف عما تتضمن من تصوّرات أو قوانين وأنظمة تتعارض مع مبادئ العدالة والمساواة على أساس النوع الاجتماعي.

يظل القانون بالرغم من ذلك وسيلة من أكثر الوسائل جدوى وفعالية في مقاومة التمييز الجنسي وفي إرساء قواعد المساواة. ومن هنا المفارقة التي تيسمّ عموم المنظومات القانونية من جهتي الوضع والوظيفة؛ فبقدر ما قد تكون في وضع سلطة تشرعن التمييز والهيمنة تكون كذلك في وضع سلطة تؤسّس للمساواة وتبثبها وتعطيها مضمونًا إجرائيًا حقيقيًا كما تؤسّس المجتمع القانوني الذي يتساوى وضع أفرادها في القانون وأمامه بوصفهم مواطنين لا غير.

يشمل موضوع الجندر والقانون دائرة واسعة من القضايا والإشكاليات تنطلق من الفضاء البيتي- العائلي وصولًا إلى الفضاء العمومي، من العلاقات بين النساء والرجال في المجال الخاص، البيتي والعائلي، (تقاسم الأدوار والمسؤوليات في البيت العائلي، وضع الأسرة، العنف داخل هذا الفضاء...) إلى فضاء العمل (العلاقات المهنية، التمييز على قاعدة الجنس في الحقوق المتصلة بالعمل، التحرش الجنسي والنفسي...) والفضاء العمومي (التمثيل السياسي، مظاهر العنف الجنسي والعنف المسلط على النساء والفتيات في الفضاء العام، حرية التعبير عامة والتعبير الفني بصفة خاصة، الحماية في ظل الصراعات المسلحة...).

وهكذا مثلت معرفة ما إذا كان من الممكن التفكير في العلاقات بين القانون والجندر، وإذا كان بالإمكان التأثير بواسطة القانون في بناء الجندر وفي تفكيكه، أحد أهم الأسئلة المطروحة خلال العقود الأخيرة وبخاصة في الديمقراطيات الليبرالية. كما مثل التفكير في كيفية معالجة القانون للافتراضات والمسبقات الاجتماعية حول الجندر وكيف يساهم في إعادة إنتاج العلاقات الجندرية وفي تحويلها، وكيف يتبادل هذان البناءان الاجتماعيان التأثير، اتجاهاً من اتجاهات الدرس القانوني الحديث.

في ضوء هذا المدخل العام حول القانون والجندر وبواسطة ما يتيح من مفاهيم منهجية ومقاربات إجرائية، ننظر في القانون التونسي في علاقته بالجندر وبمفهوم العدالة على أساس النوع الاجتماعي.

1. التحالف الثلاثي: المصلح والزعيم والمناضلة النسوية

إنّ لعلاقة القانون في المجال الإسلامي، وبخاصة قان ون الأسرة والأحوال الشخصية، بالمرجعية

الدينية دورًا فاعلاً في الدفع نحو مقاربتها جندريًا بهدف رفع أشكال التمييز التي تقرها القوانين ضد النساء. وقد بادر أعلام الحركة النسوية بتوظيف المقاربة الجندرية للقانون في دراسة تلك القوانين وفي تفكيك علاقتها بالتشريع الإسلامي، وذلك نظرًا إلى علاقة هذا التشريع بحيوات النساء ولتأثيره المباشر في أوضاعهنّ القانونية وفي حقوقهنّ. فكثير من البلدان الإسلامية تنصّ دساتيرها على أن الشريعة الإسلامية مصدر من مصادر التشريع، من ذلك "أن اثنتين وعشرين دولة يعيش بها ما يقرب من 58% من مسلمي الدول الإسلامية (600 مليون نسمة) ربطت بين الدين والدولة على نحو ما فى دساتيرها"³. وفي القوانين المصرية على سبيل المثال، يعدّ أهمّ اختصاص يعتمد فيه على الشريعة قوانين الأحوال الشخصية، "المظهر الآخر للعلاقة بين الدين والقانون في النظام القانوني المصري يتمثل فى مسائل الأحوال الشخصية. فالمبدأ العام أن المصريين يخضعون فى تنظيم أحوالهم الشخصية لشرائعهم الدينية"⁴.

يظلّ القانون من أكثر الوسائل جدوى وفعالية في مقاومة التمييز الجنسي وإرساء قواعد المساواة

انعكس هذا الوضع القانوني بشكل مباشر وعملي على وضع النساء في عموم العالم الإسلامي، حيث ظلّت قوانين الأسرة والأحوال الشخصية النواة الأكثر ارتباطًا بالمرجعية الفقهية. وعندما نأخذ في الاعتبار أنّ الفقه الإسلامي، من منظور كثيرين من الدارسين⁵، هو فقه ذكوري يعكس التأويل الذكوري للشريعة ويراعى مصالح الرجال ويحرس سلطتهم الاجتماعية، نفهم السبب الذي دفع عموم النسويات في العالم الإسلامي إلى الاهتمام النقدي بهذا التراث الفقهي وبامتداداته في قوانين الأسرة والأحوال الشخصية السارية المفعول رهنًا؛ وهو اهتمام كان مستندًا منهجيًا في الغالب إلى المنظور النسوي والمقاربة الجندرية. فزيبا مير حسيني على سبيل المثال، في كتابها "الإسلام والجندر، السجال الديني في إيران

3. د. محمد نور فرحات، الدين والدستور في مصر، مقال منشور على الإنترنت، https://www.kas.de/documents/252038/253252/7_dokument_dok-pdf_10483_7.pdf/e248bd01-f36e-bd72-f979-fbd74fb8335b?version=1.0&t=1539664686371

4. المرجع السابق نفسه.

5. أميمة أبو بكر، ولين ويلشمان، وأمينة ودود، وملكي الشرماني، وأسماء المرابط، وزيبا مير حسيني، وعائشة إس شاوردي، ولينا لارسن، وجان رامينجر، وسعدية الشيخ وغيرهن. القوامه في التراث الإسلامي، قراءات بديلة 2017.

المعاصرة" ترى أن الفقه قد ظل تاريخيًا محتكرًا من الرجال، وأنّ التقاطع بين الديني التشريعي من جهة والسياسي القانوني من جهة أخرى قد فرض إعادة النظر في القوانين المتصلة بالنساء في العالم الإسلامي، ذلك أنّ على الفقه الإسلامي الذي يمثل مرجع هذه القوانين أن يواجه تغيرات المجتمعات وانتظارات النساء (Mir-Hosseini 1999).

منذ بدايات القرن الحادي والعشرين إذاً، استقطب الإنتاج الفقهي اهتمام كثيرات من الباحثات المسلمات. ويعود ذلك إلى ما لهذا الإنتاج من تأثير فعليّ وحقيقيّ في واقع المرأة المسلمة، فمنه تُستمدّ أغلبّ قوانين المرأة والأسرة والأحوال الشخصية في عموم العالم الإسلامي، وهي في طبيعة الحال قوانين تنظّم حياة النساء وعلاقاتهنّ وتحدّد وضعهنّ الاجتماعيّ والعائليّ وتضبط حقوقهنّ. ك ما أنّ الفقه هو الإنتاج الأوسع حضورًا في الثقافة الإسلامية (الشرفي 1991) والأعمق تأثيرًا في بناء الذهنية الذكورية وفي تركيز قواعد النظام الباترياركي بواسطة القانون، وله من هذا الجانب أيضًا بالغ الأثر في واقع النساء. لذلك أخضعت الباحثات النسويات الإنتاج الفقهي لمنظور بحثي رئيسي هو المنظور النسوي وقاربه بمقاربات العلوم الإنسانية والاجتماعية. وتمثّل الأعمال التي تنشرها حركة "مساواه" MUSAWAH⁶ اتجاهاً في هذا المجال عُرف بـ "النسوية الإسلامية"، وهو اتجاهاً يمثل في نظرنا أفضل تمثيل هذا المنظور البحثي المبني على فرضية أساسية تنصّ على إمكانية إعادة بناء تشريع إسلامي مساواتي يكون بديلاً للفقه الذكوري السلطوي الذي استأثر بإنتاجه الرجال على مدى قرون. وتمثّل العديد من الأعمال التي أنجزتها شبكة "مساواه" في إطار برنامجها في "بناء المعرفة"⁷ شواهد تبين جوانب من واقع المعرفة النسائية بالتشريع الإسلامي، وبما أضافته النساء في هذا الموضوع وهنّ يقاربنه من منظور نسوي وبمقاربة جندرية وتوظيف منهجيات علوم الإنسان المطبقة في دراسة القانون. فقد عملت الباحثات المنخرطات في هذا التوجه، مثل أميمة أبو بكر (Abu Bakr 2020)، ولين ويلشمان (Welchman 2007)، وأمينة ودود، وملكي الشرماني، وأسماء المرابط (Lamrabat 2007)، وزيبا مير حسيني، وعائشة إس شاوردي، ولينا لارسن، وجانا رامينجر،⁸ وسعدية الشيخ وغيرهن... على استخدام المنظور النسوي

6. أغلب منشورات حركة مساواه على موقعها على الإنترنت. <https://www.musawah.org>

7. <https://www.musawah.org/knowledge-building/>

8. انظر المؤلف الجماعي المنجز ضمن برنامج مساواه لإنتاج المعرفة: Men in charge? Rethinking Authority in Muslim Legal Tradition : Mir-Hosseini Ziba, Al-SharmaniMulki, Rumminger Jana: oneworld, 2015.

والمترجم إلى العربية : القوامه في التراث الإسلامي، قراءات بديلة 2017.

مضامًا إلى المقاربات الحديثة التي تتيحها العلوم الإنسانية والاجتماعية واللسانية في معالجة الخطاب الفقهي وقضاياها.

ولم يكن أعلام التيار النسوي وحدهم من اهتم بدراسة التشريع الإسلامي والقوانين المشتقة منه باعتماد المقاربة الجندرية بل يمكن أن نلاحظ أن هذا التوجه في البحث صار متداولًا مطلع القرن الراهن في مجال الدراسات الإسلامية عمومًا. وقد عبّر كثيرون من الباحثين والباحثات عن مواقف من التشريع الإسلامي ومن القوانين الحديثة المشتقة منه تتماثل مع وجهة النظر النسوية ووقفوا موقفًا نقديًا إزاء النظام الباترياركي والذهنية الذكورية المتحكّمين في تلك القوانين وفي مراجعتها من دون أن يسوّغ ذلك إدراجهم ضمن ما صار يعرف بتيار النسوية الإسلامية⁹.

أما في تونس فإنّ الاهتمام بالمرأة وقضاياها الاجتماعية ووضعها في التشريع متأصل منذ مطلع القرن العشرين. وكان هذا الاهتمام مدخلًا أوليًا لتسليط الضوء على القوانين وعلى دورها سواء في تكريس وضع الدونية الذي كانت تعيشه، أم على خلاف ذلك، في ما يمكن أن تدخله عليه من إصلاحات في حال تغييرها. وقد تراكمت الأفكار والتصورات حول سبل الإصلاح وصولًا إلى لحظة الاستقلال الوطني وإصدار مجلة الأحوال الشخصية في العام 1956. يطرح كثيرون، لا سيّما في المجال العربي الإسلامي، أسئلة حول الأسباب والعوامل التي تفسر خصوصية التجربة التونسية في النهوض بالمرأة وفي إرساء قاعدة قانونية تختص بالأسرة والأحوال الشخصية والقانون المدني بصفة أعم، استطاعت خلال فترة وجيزة بعد استقلال تونس في العام 1956 أن تحدث تحولات مهمّة في أوضاع النساء، ومنها في أوضاع المجتمع عمومًا. ومن بين الأسئلة التي تطرح عادة السؤالات حول العوامل والمنهجيات التي حوّلت تونس أن تعيد ترتيب علاقة القانون بالمرجعية الشرعية-الفقهية، إذ انتقلت من علاقة يحكمها التقيد بتلك المرجعية وبما فيها من أحكام تخص النساء والأسرة، تقيّدًا حرفيًا أحيانًا، إلى علاقة نقدية أتاحت للمشرع التونسي أن يستعيض عن الكثير من تلك الأحكام بقوانين جديدة وضعية حفظت الكثير من الحقوق لفائدة النساء. وكان من هذه القوانين ما يستند إلى مرجعية تأويلية جديدة للتشريع الإسلامي تأخذ بمقاصده لا بحرفيّته،

9. نذكر من هؤلاء على سبيل المثال:

Abu zayd, N. H. (2013), The status of women between the Qur'an and fiqh, in Gender and equality in muslim family law, Justice and ethics in the islamic legal tradition, edited by Ziba Mir-Hussein and others, pp153-168, London, I.B. Tauris

Rahman, Fazlur,(1982), The status of women in Islam: a modernist interpretation

ومنها ما يستند إلى مرجعية وضعية تعتمد النظم الحديثة في تشريع القانون والمعمول بها في الدول الديمقراطية حيث يكون القانون صادرًا عن إرادة الشعب، عبر ممثليه في السلطة التشريعية، لا عن إرادة متعالية عليه تستند إليها عادة التشريعات ذات المرجعية الدينية، كما تعتمد على العهود والمواثيق الدولية.

ويذهب بعضهم إلى أنّ ما حدث في تونس في مجال القوانين الخاصة بالمرأة والأسرة كان قرارًا فرديًا مسقطًا، اتخذه زعيم وطني ذو ثقافة غربية في فورة حماس الاستقلال وفي أوج الحاجة إلى بناء الدولة الوطنية وتركيز أسس المجتمع الجديد المنشود والضروري لاستكمال مقومات البناء الوطني. ولئن كنّا لا ننكر دور الزعيم الحبيب بورقيبة في هذا المجال عندما اتخذ القرار بإصدار مجلة الأحوال الشخصية، أول وثيقة قانونية تصدرها دولة الاستقلال حتّى قبل إصدار الدستور، فإنّ قراءة متأنّية في تاريخ هذه التجربة ترّجّح لدينا أن الأمر ما كان ليتحقّق بتلك السهولة النسبية لولا مسار إصلاحي - نضالي التقت فيه إرادات أطراف ثلاثة. الطرف الأول هو إرادة المصلح الديني والاجتماعي ممثلًا بأعلام الفكر الإصلاحي والاجتماعي التونسي؛ من بين هؤلاء: الشيخ عبد العزيز الثعالبي في كتابه "روح التحرّر في القرآن" الصادر في الأصل بالفرنسية في العام 1906، والشيخ محمد الطاهر بن عاشور في مؤلفه حول مقاصد الشريعة، والمصلح الطاهر الحدّاد في كتابه المهم "امراتنا في الشريعة والمجتمع" إذ وضع مقدمة منهجية لكيفية تطوير التشريع الإسلامي حتى يكون منسجمًا مع تحولات العصر ومستجيبًا لتطلّعات النساء. الطرف الثاني هو إرادة المرأة النسوية المناضلة ممثلةً في أجيال من النساء اللواتي ساهمن في حركة التحرر الوطني وترزمن حركة التحرر الاجتماعي وأنشأن أولى الجمعيات النسائية، نذكر منهن على سبيل المثال: حبيبة المنشاري، ومنوبية الورتاني، ونبهية بن ميلاد، والسيدة القروي، وبشيرة بن مراد، اللواتي ساهمن في إنشاء إحدى أولى الجمعيات النسائية التونسية (المرزوقي 2010). أما الطرف الثالث فهو إرادة الزعيم الوطني المستنير، وهي لم تكن في الواقع فردية بل ضمت رفاق بورقيبة في حركة التحرر الوطني أمثال فرحات حشاد والهادي شاكر وأحمد المستيري وغيرهم، كما ضمت أعلام النضال النقابي ممن كانوا ينتمون بشكل خاص إلى اليسار الماركسي أمثال محمد علي الحامي والهادي العبيدي ممن يشاركونه الرأي القائل بوجوب تحرير النساء حتى يكن مشاركات في تحرير البلاد وفي بناء الدولة. وهذا رأي يراه عدد من الدارسين، بخاصة منهم من اعتنى بالمصلح التونسي الطاهر الحدّاد (الأرقش وبن يدّر 2015)، إذ يخلص هؤلاء إلى أنّ

المطالب التي صاغها الطاهر الحدّاد فكريًا ودافع عنها في كتابه "امراتنا في الشريعة والمجتمع" قد أعيدت صياغتها في شكل قوانين بمبادرة من الزعيم الحبيب بورقيبة وبموافقة من رفاقه آنذاك ومنهم تحديدًا وزير العدل أحمد المستيري الذي تابع عملية وضع فصول المجلة وأشرف عليها إلى حين صدورها، وبمساندة من أبرز شيوخ تونس آنذاك ومنهم محمد الفاضل ابن عاشور الذي دافع عن المجلة واعتبرها اجتهادًا في تفسير الإسلام (الشريف 2004).

منذ بدايات القرن الحادي والعشرين استقطب الإنتاج الفقهي اهتمام كثيرات من الباحثات المسلمات

تشهد مصادر الفكر التونسي الحديث والمعاصر بأن الوعي بالعلاقة بين تطوير المجتمع وتحديث القانون المدني كان ميّزًا. وبما أن أول ما ركز عليه رواد الإصلاح التونسيون في مطلب تطوير المجتمعي هو تطوير وضع المرأة، فإنّ عنايتهم اتجهت، من جهة، إلى تفكيك ما هو سائد من القوانين والأنظمة التي رأوها أحد أسباب وضع الدونية والتهميش والإقصاء الذي تعيشه النساء، وإلى العمل على إعادة بناء قوانين جديدة تستجيب لرؤاهم الإصلاحية وعلى الإقناع بها من جهة أخرى. وبما أنّ القوانين والأنظمة السائدة التي أرادوا تغييرها كانت قائمة بصفة كاملة على التشريع الفقهي الإسلامي فإنّ أولئك وجدوا أنفسهم محمولين على التفكير في إصلاح المنظومة التشريعية الفقهية خصوصًا وفي الإصلاح الديني الشامل عمومًا. وهكذا كان نقد التصورات الفقهية التي تحكمت في كثير من أحكام الأحوال الشخصية والعمل على إبدالها بتصورات جديدة أقدر على ضمان حقوق النساء وعلى بناء علاقات زوجية جديدة من أبرز المواضيع التي استقطبت تفكير رواد الإصلاح التونسيين واهتمامهم. كما كان الوعي بالترابط الضروري بين أركان ثلاثة (تحرير العقول من وطأة الجمود والتقليد وذلك عن طريق الإصلاح الديني، وتنمية المجتمع وتغيير نظامه بما ينسجم مع مطلب التنمية الشاملة، وتحرير النساء من هيمنة السلطة الأبوية والذهنية الذكورية) من التصورات الثابتة التي التقى حولها عدد من هؤلاء. وهذا ما يفسّر الخصوصية التي اتسم بها الفكر الإصلاحي التونسي، إذ كان التفكير في إصلاح الأوضاع العامة السياسية والاجتماعية والفكرية لا ينفصل عن التفكير في وضع المرأة

وفي أفضل السبل لتحويلها من وضع التهميش والإقصاء عن الوظائف العامة وحصرها في الوظيفة البيئية الإيجابية والعيش عالة على المجتمع وهو ما يشكل عبئًا عليه يساهم في تكريس تخلفه ويحول دون التطور المنشود؛ فالشيخ عبد العزيز الثعالبي في كتابه الصادر في العام 1905 "روح التحرّر في القرآن" انتقد الوضع الذي كانت عليه النساء في المجتمعات الإسلامية وبيّن أن النساء عنصر أساسي في المجتمع يؤثر فيه إيجابًا وسلبًا، ورأى أن صلاح حال المجتمع غير ممكن دون صلاح حال النساء، وأن التضامن الاجتماعي لا جدوى له إذا لم يشمل النساء. ولذلك انتقد الموقف الفقهي التقليدي الذي ألزم النساء بالاحتجاب وأقصاهن بفعل ذلك من الحياة العامة ورأى "أنّه من الخطأ أن تستر المسلمة وجهها وأن تنزوي في عقر دارها وتبقى منزوية تمامًا عن الحياة والحضارة" (الثعالبي 1985). ومعنى هذا أنّ الشيخ كان يرى في الحجب أكثر من كونه طريقة في اللباس أو مجرد تغطية للوجه أو انزواء في البيوت. إنه يرى فيه سجنًا حكم على المرأة بالانزواء والإقصاء، وعلى المجتمع تبعًا لذلك بالشلل فعجز عن التقدم. وإذا أراد هذا المجتمع أن يستعيد عافيته وقدرته على الحركة والتقدم، عليه أن يحرر المرأة من السجون التي فرضت عليها ومن بينها تحريرها من سجن تلك الحجب، "فخلع ذلك الحجاب معناه تحرير المرأة المسلمة، وإشهار الحرب على التعصّب والجهالة، ونشر أفكار التقدّم والحضارة وصيانة المصالح العليا للأسرة والتراث العائلي، وهذا يعني في آخر الأمر إعادة تركيب المجتمع كما كان في عهد الرسول صلى الله عليه وسلّم وأصحابه رضي الله عنهم." (الثعالبي 1985) وعلى هذا الأساس دعا إلى ضرورة إعادة قراءة النصوص وتأويلها تأويلًا متحررًا من الحدود والأسيجة التي فرضها القدامى و"التي استند إليها المفسّرون لزجّ المرأة المسلمة في أعماق البيوت وجعلها في عزلة تامة عن الحياة" (الثعالبي 1985).

أمّا الطاهر الحدّاد فكان قد أعلن منذ الربع الأول من القرن العشرين أن النهضة العربية لا يمكن أن تتحقّق بجهد الرجال وحدهم، ولا يمكن أن تتحقّق إذا بقيت المرأة مقصاة من المجال العام ومن الوظائف العامة. وقد كان الوعي بهذا الترابط الضروري بين النهضة العامة المنشودة والنهوض بوضع النساء عميقًا وثابتًا لدرجة التنبيه من أنّ تيار التقدم سائر في طريقه ولا نملك له ردًا حتى لو بالغنا في إنكار دور المرأة، يقول الحدّاد: "غير أنّنا مهما بالغنا في إنكار ما للمرأة من حقّ، وما لنا في نهوضها من نعمة شاملة، فإنها ذاهبة في تيار التطور الحديث بقوة لا تملك هي ولا نحن لها ردًا". وقد نبّه إلى أنّ هذا التيار سيجرف كل المسلمين وسيغرقهم في الفوضى، وعليه ف"بدلًا من هذا العناد الذي

لا ينفع شيئاً كان يجب أن نتعاون جميعاً على إنقاذ حياتنا بوضع أصول كاملة لنهوض المرأة الذي هو نهوضنا جميعاً. وبذلك نكون قد طهرنا الماء الصالح للحياة قبل أن يتحوّل إلى عفونة تهدمها وتبيدها" (الحداد 2011).

لقد مثل هذا الوعي بالعلاقة الضرورية بين نهوض المجتمع ونهوض المرأة وبين تحرير المرأة من وطأة الفهم الذكوري للشريعة وتحرير العقل من وطأة الفهم المنغلق للدين ومن سلطة السلف اللينة الأولى لمسار تاريخي سيتوج بتضامن موضوعي بين فواعل ثلاثة كان لهم الأثر الأكبر في مسيرة حقوق النساء في تونس التي توجّها إصدار "مجلة الأحوال الشخصية": بين المصلح الديني الذي اعتبر تحرير العقول من استبداد السلف مدخلاً لتحرير النساء من الفهم الذكوري للشرع ومن ثمّ لنهوض المجتمع؛ والمناضلة النسوية التي اقتحمت منذ منتصف العشرينيات مجال النضال السياسي والنقابي وألقت، في حركة مشبعة برمزية تحريرية، حجابها معلنة أن من حقها ومن واجبها أن تساهم في تحرير وطنها من الهيمنة الاستعمارية وفي تحرير ذاتها من الاستبداد الذكوري¹⁰؛ والزعيم السياسي الذي أدرك أنّ النهوض العام المنشود لن يتحقق إلاّ بنهوض المرأة فما كان منه إلا أن قرّر تحويل تلك المطالب الإصلاحية إلى قوانين تملك من السلطة النافذة ما يمنحها دوراً أكثر فعالية في تغيير واقع النساء والأسرة في اتجاه يخرجهما من وضع التهميش والإقصاء عن المجال العام ووظائفه ليدمجها فيه حتى يعيد ترتيب المجتمع على قاعدة تسمح بالاستفادة من قدرات كل فئاته وبتنمية تشملهم جميعاً.

تلك المطالب التي رفعها المصلح الديني والاجتماعي بدأت ملامحها تتكون في مقالات الشيخ عبد العزيز الثعالبي وفي فصل "تحرير المرأة" من كتابه "روح التحرر في القرآن"، ووجدت تعبيرها الأرقى في مؤلف الطاهر الحداد "امراتنا في الشريعة والمجتمع" - إذ برهن أنّ منع تعدد الزوجات والإقرار بالأهلية المدنية الكاملة للمرأة وبضرورة جعل الطلاق حقاً مكفولاً في القضاء للرجال وللنساء على السواء والمساواة في الميراث وفي الحقوق المالية-. تلك المطالب لا تتعارض البتّة مع مقاصد الشريعة ومع "ما جاءت من أجله". فهي المطالب ذاتها التي رفعتها النساء التونسيات

10. مثلت كل من حبيبة المنشاري ومنوبية الورتاني رائدتي الحركة النسوية التونسية، فقد رفضتا الحجاب وعزل النساء عن الحياة الاجتماعية وبادرت منوبية الورتاني عام 1924 إلى خلع حجابها والإلقاء به في اجتماع عام مختلط للحركة الوطنية وتبعتها حبيبة المنشاري عام 1929 حيث توجهت بخطاب قالت فيه "لم نعد نرغب في أن يبقى الرجل وصيا على ما نلبس ... نرغب في التحرر واختيار ما نريد بناء على أفكارنا ومعتقداتنا"، انظر: ليليا العبيدي: جذور الحركة النسوية في تونس، دار النشر التونسية، ط2، 1990

منذ بدأت أصواتهن ترتفع إما فردياً وإما بشكل منظم في جمعيات ومنظمات نسائية أو نسوية مطالبات بحقوق بلدهنّ في الاستقلال والسيادة وبحقوقهنّ في العدالة والمساواة والمواطنة. هذه المطالب نفسها حولها الزعيم السياسي إلى فصول قانونية، وكان حريصاً على ذلك خير حرص، حتى إنه سبق إصدار مجلة الأحوال الشخصية على أي عمل آخر كان ينتظر أن تنجزه تونس المستقلة حديثاً . فبعد أقل من شهر من إعلان استقلال تونس في 20 آذار/مارس 1956، كلف الوزير الأول الحبيب بورقيبة في 17 نيسان/أبريل 1956 وزير العدل آنذاك أحمد المستيري بتشكيل لجنة عهد إليها مهمة وضع قوانين لتنظيم الأحوال الشخصية. وبعد خمسة أشهر من الاستقلال وقبل صدور دستور تونس في 13 آب/أغسطس 1956 وكانت تعلن انخراط تونس في توجه مدني علماني حديثي يقوم على جملة من القواعد من بينها قاعدة أساسها عدالة النوع الاجتماعي.

نلاحظ جذرة الخطاب القانوني التونسي عبر التنميص في مختلف الفصول على أنها تشمل النساء والرجال

بهذا التفاعل والتضامن بين الشيخ المصلح المنفتح على العصر ومقتضياته والداعي إلى فهم الشريعة فهماً مقاصدياً يأخذ في الاعتبار ما للقيم الحديثة من دور في تجديد وعي المسلمين بالمقاصد التي جاء من أجلها الإسلام، والزعيم السياسي الراغب في بناء دولة حديثة وفي تطوير الوضع الاجتماعي عموماً ووضع النساء خصوصاً ليكون في مستوى مقتضيات هذا البناء، والمناضلة النسوية المطالبة بمواطنة كاملة ومتساوية لفائدة النساء، يمكن تفسير جانب من خصوصية التجربة التونسية الناجحة في إقرار حقوق النساء ومن ثمّ في إرساء مقومات عدالة النوع الاجتماعي. ولم يكن صدور مجلة الأحوال الشخصية ممكناً في نظرنا إلاّ نتاج هذا التضامن الموضوعي وهذا المسار التاريخي الذي ساهم مساهمة فعالة في تحريك الذهنيات وفي تطوير الوعي حتى جعله على استعداد لتقبل تلك المجلة بئسر نسبي وللإقتناع بما حرص أهمّ أعلام العلماء التونسيين على إقناعهم به وهو أن المجلة لا تتعارض مع الشريعة ولا تناقضها وأنّ لمجمل فصولها أصلاً ودليلاً في الشرع¹¹.

11. نشير في هذا السياق إلى الدور الذي كان في هذا الاتجاه للشيخ الجليل

رغم استقرار العمل بالقوانين التي أقرتها مجلة الأحوال الشخصية، ورغم ما حقّقه من مكاسب، واصلت الحركة النسوية بمختلف تياراتها العمل على تفعيل المبادئ العامة التي تنبني عليها القوانين إيجابياً في واقع النساء المعيش، يساندها في ذلك التيار الإصلاحية الوطني. وقد كان للجمعيات النسوية التي نشأت منذ السبعينيات من القرن الماضي دور في تجذير الحركة النسوية وفي تأصيل مقارنة النوع الاجتماعي في معالجة قضايا النساء وفي حقل البحوث المرتبطة بمشاغلهنّ. وتأتي على رأس تلك الجمعيات "جمعية النساء الديمقراطيات"، وهي جمعية يسارية التوجّه، و"جمعية النساء التونسيات للبحث حول التنمية" وهي جمعية ركزت على العمل البحثي وعلى الدراسات السوسولوجية والميدانية ما جعل دورها في التأصيل المنهجي للعمل البحثي النسوي مهمّاً. ثم جاء إنشاء "مركز البحوث والدراسات والتوثيق والإعلام حول المرأة" المعروف اختصاراً بالكريديف CREDIF وهو مؤسسة حكومية تابعة لوزارة المرأة والأسرة والطفولة وكبار السن، ليساهم بفعالية في تركيز مقارنة النوع الاجتماعي لكل القضايا والموضوعات ذات الصلة بالنساء وبعادلة النوع الاجتماعي. فهو مؤسسة خاضعة لإشراف وزارة المرأة ويحتوي على عدد من الهياكل الناشطة في عدد من المجالات باعتماد مقارنة النوع الاجتماعي مثل هيكل التدريب حول النوع الاجتماعي والتنمية ومرصد متابعة صورة المرأة في وسائل الإعلام الذي يتولّى تحليل تمثيلات أدوار النوع الاجتماعي التي تتداولها وسائل الإعلام. ولذلك تصنف العديد من المنظمات الأممية، مثل اليونيسكو وصندوق الأمم المتحدة للسكان وبرنامج الأمم المتحدة للتنمية هذه المؤسسة قطباً متميزاً في مجال مقارنة النوع الاجتماعي. وقد كانت للكريديف مساهمات في مقارنة النوع الاجتماعي للقانون من خلال مراجعات لبعض القوانين التي لم تقطع مع التمييز ضد النساء والعمل على تغييرها واقتراح برامج في هذا الشأن على الوزارات والمؤسسات المعنية. (تقرير الكريديف 2016).

III. القانون وعدالة النوع الاجتماعي

لم يكن الحرص على تبرير أكثر فصول مجلة الأحوال الشخصية التونسية "ثورية" تبريراً شرعياً، بإظهارها غير متعارضة مع أحكام الشرع ومقاصده، ليخفي اهتمام الدراسات القانونية التونسية بما يمكن أن تؤديه هذه المجلة من دور في جعل القانون ضامناً

محمد الطاهر ابن عاشور صاحب كتاب "مقاصد الشريعة الإسلامية" و"أصول النظام الاجتماعي في الإسلام" وصاحب تفسير "التحرير والتنوير" وابنه محمد الفاضل ابن عاشور والشيخ جعيط ولبعض القضاة الشرعيين الذين ساندوا المجلة مثل محمد الطاهر السنوسي.

للعدالة تجاه النساء ولحقوقهنّ الأساسية وللانتقال بهنّ من التهميش والإقصاء إلى المشاركة الفاعلة في بناء الدولة الناشئة وفي تثبيت أركان النمط الاجتماعي المنشود حتى يكون حديثاً ومنتظراً. ونذكر هنا من الفصول، على سبيل المثال لا الحصر، تلك التي تنصّ على إلغاء تعدد الزوجات وعلى وجوب الطلاق المدني في المحاكم وعلى كونه مكفولاً للرجال وللنساء على السواء وعلى تحديد سن الزواج والتبني. ولئن كانت المقاربة على قاعدة النوع الاجتماعي والوعي الجندي من مكتسبات المعرفة الحديثة التي لم يتجاوز سنّها العقود الأربعة الأخيرة، فإنّ هذا لم يمنع أن كتابات كثيرين من المختصين في الدراسات القانونية وفي مقارنة القانون سوسولوجيا كانت منذ العقد السابع من القرن العشرين دالة على وعي بمبدأ قامت عليه المقاربة الجندرية للقانون ومفاده أن القانون يمكن أن يكون فاعلاً أساسياً في إرساء عدالة النوع الاجتماعي كما يمكن أن يكون، على خلاف ذلك تماماً، فاعلاً في تكريس التمييز وفي شرعنته باسم القانون على أساس القاعدة نفسها. أما الشروط التي تجعل القانون عاملاً فاعلاً في تحقيق المساواة فإنّها مجموعة من العناصر تشكّل أسساً تتحقق بها المواطنة المتساوية وهي على التوالي: (1) جذرة الخطاب القانوني (2) المنع الصريح للتمييز (3) المساواة في الحقوق والواجبات في الحياة الأسرية (4) المساواة في الحقوق المدنية والسياسية (5) المساواة في الحقوق الاقتصادية والاجتماعية والثقافية (6) وتقنية التميز الإيجابي. ويعني مفهوم العدالة على أساس النوع الاجتماعي إيجابياً أن تكون كل القوانين قائمة على قاعدة المساواة التامة بين الرجال والنساء في القانون وأمامه. أمّا التحليل الجندي للقانون فيقوم على تحليل أدوار النساء والرجال وعلاقاتهم في المجتمع كما هي مضبوطة في القانون وكما يجب أن تضبط حتى تكون ضامنة لمواطنة متساوية لكليهما. وتقوم عملية التحليل على أساس النوع الاجتماعي على عملية تفكيك لثلاثة مستويات:

- المستوى الأول: معرفة القوانين القائمة وذات الصلة بتنظيم العلاقات بين النساء والرجال وبأدوار النساء ووضعهنّ في مختلف مجالات القانون، وتحليل هذه القوانين بالاستناد إلى معيار المساواة. - المستوى الثاني: تحديد أشكال التمييز ومستويات اللامساواة بين الذكور والإناث في الواقع وتفكيك أسسها الثقافية والاجتماعية والاقتصادية تمهيداً للوعي بها وللعمل على التخفيف منها وتعديلها. - المستوى الثالث: اقتراح أشكال التعديل والتطوير والتغيير التي يجب إدخالها على القوانين من أجل تخليصها من التمييز بين النساء والرجال وتحديد الآليات والبرامج المساعدة على تحقيق هذا الهدف.

1. المستوى الأول: الوضع القانوني¹²

المراجع القانونية	قوانين ضامنة للمساواة على قاعدة النوع الاجتماعي (الضمان لا يعني أن المساواة الكاملة متحققة فعلاً في الواقع)	قوانين ضامنة للمساواة جزئياً	قوانين لا تضمن المساواة
السيداو	صادقت تونس على اتفاقية "سيداو" في العام 1985 ورفعت كل التحفظات الخاصة بالاتفاقية في العام 2014، مع الإبقاء على الإعلان العام الذي أكد أن تونس لن تتخذ أي قرار تنظيمي أو تشريعي من شأنه أن يخالف الفصل الأول من الدستور التونسي الذي ينص على أن دين الدولة التونسية هو الإسلام		
الدستور	تنص المادة 21 من دستور 2014 على أن المواطنين والمواطنات متساوون في الحقوق والواجبات، وهم سواء أمام القانون دون تمييز		
قانون الجنسية	تتمتع النساء والرجال بالحقوق نفسها في نقل جنسيتيهما إلى الأبناء، بينما يميز بينهما في حق منح الجنسية للزوج/ة الأجنبي/ة. الزوجة الأجنبية تتمتع آلياً بحق الحصول على جنسية تونسية عند زواجها بتونسي وعندما تجرد من جنسية بلدها الأصلي، بينما لا يتمتع الأجنبي المتزوج من تونسية بهذا الحق إلا بأمر رئاسي.		
قوانين الأحوال الشخصية	يتمتع المولود في تونس بحق الحصول على جنسية تونسية إذا كان والده وجدّه مستقرين في تونس، ولا يتمتع بالحقوق نفسه من كانت أمه وجدته مستقرتين في تونس	الحد الأدنى لسن الزواج 18 سنة للزوجين، أباح في حالات استثنائية إبرام عقد الزواج دون السن القانونية بعد الحصول على إذن خاص من المحكمة ويمنح لأسباب جدية على قاعدة مراعاة المصلحة الفضلى للزوجين (في الممارسة يتعلق هذا بخاصة بالفتيات في حال تعرضهنّ للاغتصاب أو في حال الحمل خارج إطار الزواج)	الميراث: تتبع مجلة الأحوال الشخصية قواعد الفقه الإسلامي في الميراث، تقر حق النساء في الميراث ولكنهنّ يتلقين غالباً نصيباً دون نصيب الرجال، تحصل البنت على نصف نصيب الابن
	الزواج والطلاق: للنساء والرجال حقوق متساوية في معظم جوانب الزواج والطلاق، يشترط القانون الزواج برضا الطرفين، تنص مجلة الأحوال الشخصية على وجوب أن يكون الطلاق قضائياً وتضمن للطرفين حقوقاً متساوية في الطلاق	الوصاية على الأبناء: الأب هو الوصي على أبنائه؛ تنقيح المجلة بمقتضى القانون عدد 74 للعام 1993 مكنّ الأمهات من بعض صلاحيات الوصاية على الأبناء في حالات استثنائية ضبطها القانون	
	تعدد الزوجات: تحظر مجلة الأحوال الشخصية تعدد الزوجات	حضانة الأبناء: للقضاء حرية التصرف في منح الحضانة للأب أو للأم على قاعدة مراعاة المصلحة الفضلى للمحضون. تفقد الأم بعد زواجها ثانياً الحضانة إلا إذا حكمت المحكمة أن من مصلحة المحضون الفضل منح الحضانة للأم المتزوجة وإذا كانت الأم متزوجة من محرم المحضون	

القانون الجنائي	العنف الأسري: تتمتع النساء والفتيات بالحماية بموجب قانون القضاء على العنف المسلط على النساء رقم 58 للعام 2017	الاعتصاب الزوجي: غير مجرم بشكل صريح، مجلة الأحوال الشخصية تدعو الزوجين إلى "الوفاء بواجباتهم الزوجية وفقاً للعرف"، في فقه القضاء ما يفيد بإمكانية مقاضاة الاعتصاب الزوجي	الزنا: يعدّ الزنا جريمة بموجب الفصل 236 من المجلة الجزائية
	الاعتصاب: يجرم القانون التونسي الاعتصاب بموجب الفصل 227 من المجلة الجنائية، ألغيت في 2017 الفصول التي كانت تبرئ المعتصب (227 مكرر، 239) في حال زواجه بالضحية، لا يجرم القانون الإجهاض للنجايات من الاعتصاب قبل انتهاء 3 أشهر من عمر الجنين وبشرط أن يتمّ من قبل طبيب مختص وفي مؤسسة استشفائية	العمل بالجنس وقوانين مكافحة البغاء: يجرّم الفصل 231 من المجلة الجزائية البغاء بخلاف ما ينظمه القانون، ينظم المرسوم الصادر عام 1942 الممارسة القانونية للبغاء في منازل محددة مع اشتراط خضوع العاملين فيه للفحص الصحي ولدفع الضرائب والتسجيل بوزارة الداخلية	التوجه الجنسي: يجرّم السلوك المثلي، يحظر "اللوواط" بموجب الفصل 230 من المجلة الجزائية
	التحرش الجنسي: تحظر المجلة الجنائية في الفصل 226 التحرش الجنسي		
	جرائم الشرف: أزيلت فصول المجلة الجزائية التي كانت تخفف عقوبة مرتكبي جرائم "الشرف" ضد النساء والفتيات بموجب قانون عدد 93-72 المؤرخ في 12 يوليو 1993		
	ختان الإناث: يحظر الفصل 221 في المجلة الجزائية البتر الجزئي أو الكلي للعضو التناسلي للمرأة		
قوانين العمل	الحق في الأجر المتساوي: تفرض قوانين العمل المساواة بين العاملين والعاملات في الأجر على العمل نفسه وتحضر المادة 5 من قانون الشغل التمييز بينهما	عطلة الأمومة مدفوعة الأجر: ينصّ الفصل 64 من مجلة الشغل على أنه يحق للعاملات التمتع بعطلة أمومة مدفوعة الأجر مدتها ثلاثون يوماً، وهذا أقل من معيار منظمة العمل الدولية الذي يحددها بـ 14 أسبوعاً	القيود على بعض الأعمال بالنسبة إلى النساء: تتضمن مجلة الشغل قيوداً قانونية ضد اشتغال النساء ببعض الأعمال كالعمل الليلي وأعمال التعدين والخرقة المعدنية
	حق الحامل في الشغل: يحظر الفصل 20 من مجلة الشغل فصل المرأة عن العمل بسبب الحمل		عاملات المنازل: لا تستفيد عاملات المنازل من القوانين الوقائية في مجلة الشغل؛ تخضع علاقة عاملات المنازل بصاحب العمل لقانون الوظيفة العمومية

2. قراءة تحليلية نقدية في الجدول

يؤكد هذا الجدول ما أشرنا إليه أعلاه من كون السياسة العمومية قد تأسست منذ لحظات الاستقلال الأولى على استراتيجية النهوض بوضع النساء من أجل إدماجهنّ بصفتهم فاعلاً مشاركاً في مسار بناء الدولة الحديثة وفي تنمية المجتمع والاقتصاد. ولم يكن القرار السياسي منفصلاً عن مسار فكري تحديتي أطلقه أعلام الفكر الإصلاحي التونسي منذ مطلع القرن العشرين، كما لم تكن القيادة السياسية وحدها مقتنعة بهذا المشروع بل شاركتها القناعة نفسها نخب المثقفين من الرجال والنساء والمنظمات الوطنية الكبرى العمالية والنسائية مثل الاتحاد العام التونسي للشغل والمنظمة الوطنية للمرأة. من الثابت أنّ اشتراك كل هذه المكونات في الوعي بحيوية مشروع تأسيس دولة جديدة تنهض على الحداثة والمؤسسات

الوطنية الحاضرة لحقوق النساء كان ضامناً لنجاحه الذي ظهر أول ما ظهر في الأطر القانونية التي تمّ وضعها منذ صدور مجلة الأحوال الشخصية في العام 1956. واستمرّ وضعها في السياق نفسه وذلك في العديد من التشريعات التي اعترفت بحقوق الجنسين على أساس المساواة، بما يشمل المساواة في التعليم والحقوق والعمل والحقوق السياسية التي تشمل حق الانتخاب والترشح. ويمثل الدستور التونسي في صيغته النهائية الصادرة في العام 2014 علامة أساسية في هذا السياق تمثل أرقى ما انتهى إليه مسار تطوير المجتمع على قاعدة عدالة النوع الاجتماعي. فقد ضمنت الوثيقة القانونية الأعلى في تونس مبدأ المساواة بين جميع المواطنين نساء ورجالاً في فصولها الأولى. ولم تقتصر على المبادئ بل حددت كذلك الآليات المساعدة على تفعيل تلك المبادئ تطبيقياً؛ ففي الفصل 21 الذي ينصّ على مبدأ "المساواة بين

12. اعتمدنا في هذا المبحث على : تونس:عدالة النوع الاجتماعي والقانون ، تقييم القوانين المؤثرة على عدالة النوع الاجتماعي والحماية من العنف القائم على النوع الاجتماعي، إعداد برنامج الأمم المتحدة الإنمائي، بالتعاون مع هيئة الأمم المتحدة للمرأة وصندوق الأمم المتحدة للسكان واللجنة الاقتصادية والاجتماعية لغرب آسيا (إسكوا)، 2018.

الجنسين في الحقوق والواجبات وهم سواء أمام القانون من غير تمييز" تنصيص كذلك على أن الدولة هي الضامنة لهذا المبدأ، ذلك أنها "تضمن للمواطنين والمواطنات الحقوق والحريات الفردية والعامّة، وتهيئ لهم أسباب العيش الكريم". ويستند هذا التصور إلى قاعدة قيمية-أخلاقية أشمل قام عليها الدستور تأخذ في الاعتبار مبدأ كرامة الذات البشرية، فنصّ الفصل 23 من الدستور: "تحمي الدولة كرامة الذات البشرية وحرمة الجسد، وتمنع التعذيب المعنوي والمادي. ولا تسقط جريمة التعذيب بالتقادم".

احتوى دستور 2014 إداً جملة من الفصول الصريحة للدلالة على مبدأ المساواة، بل إنّ منها ما أقر، وإنّ ضمناً، بمبدأ التمييز الإيجابي لفائدة النساء¹³ من أجل تدارك النقائص التي يعانين منها في الواقع لأسباب تتعلق بالوعي والذهنيات. فبعدما أقر الفصل 34 على ضمان حقوق الانتخاب والترشح لكل المواطنين "طبق ما يضبطه القانون" خصّ الفصل ذاته المرأة بميزة فقال: "تعمل الدولة على ضمان تمثيلية المرأة في المجالس المنتخبة"¹⁴ وعلى أنها "تسعى لتحقيق التناصف بين المرأة والرجل في المجالس المنتخبة" وفي المادة ٤٦ حيث ينصّ مرة أخرى على أنّ الدولة "تضمن تكافؤ الفرص بين الرجل والمرأة في تحمل مختلف المسؤوليات وفي جميع المجالات" مثلما تنصّ المادة 74 على أنّ "الترشح لمنصب رئيس الجمهورية حقّ لكل ناخبة أو ناخب تونسي الجنسية منذ الولادة، دينه الإسلام"¹⁵. ومثلما أقر الدستور التونسي مبدأ المساواة في الحقوق السياسية أقره كذلك في الحقوق الاجتماعية كالحق في العمل حيث تنصّ المادة 40 على أن "العمل حق لكل مواطن ومواطنة، وتتخذ الدولة التدابير الضرورية لضمانه على أساس الكفاءة والإنصاف؛ ولكل مواطن ومواطنة الحق في العمل في ظروف لائقة وبأجر عادل". بل إنّ الدستور اعتبر حماية الحقوق المكتسبة لفائدة النساء وضمان تكافؤ الفرص وتحقيق التناصف بين النساء والرجال في المجالس المنتخبة مسؤولية من مسؤوليات الدولة إذ جاء في الفصل 46 "تلتزم الدولة بحماية الحقوق المكتسبة للمرأة وتعمل على دعمها وتطويرها. تضمن الدولة تكافؤ الفرص بين الرجل والمرأة في تحمل مختلف المسؤوليات وفي جميع المجالات.

13. يعرّف القانون التونسي للمرة الأولى مفهوم التمييز الإيجابي بأنه "لا تعتبر تمييزاً الإجراءات والتدابير الإيجابية الرامية إلى التعجيل بالمساواة بين الجنسين"

14. تشترط القوانين الانتخابية، سواء ما يتعلق منها بالانتخابات التشريعية (انتخابات نواب الشعب في المجلس التشريعي) أو الانتخابات المحلية (انتخابات البلديات) على وجوب التناصف في القوائم وتسقط كل قائمة لا يتوفر فيها هذا الشرط.

15. يشمل مفهوم الجندر في صلته بالقوانين مبدأ المساواة المطلق الذي يشمل جميع المواطنين من دون اعتبار للجنس أو الدين أو العرق أو الطبقة الاجتماعية. وبما أنّ في تونس مواطنين ينتمون إلى ديانات أخرى غير الإسلام، وإن كانوا قلّة، فإنّ اشتراط الإسلام في من يتولى رئاسة الجمهورية يعد تمييزاً ضدهم.

تسعى الدولة إلى تحقيق التناصف بين المرأة والرجل في المجالس المنتخبة. تتخذ الدولة التدابير الكفيلة بالقضاء على العنف ضد المرأة". وفي باب التصدي لذكورية اللغة العربية التي تجعل من صيغة المذكر معياراً لغويّاً يجيز استخدامه شمولية لكلي المذكر والمؤنث، نلاحظ بكل يسر جندرة الخطاب القانوني التونسي من خلال التنصيص في مختلف الفصول على أنها تشمل النساء والرجال لا باستخدام الصيغة-المعيار وهي المذكر بل باستخدام متواتر لصيغتي المذكر والمؤنث في آن.

ومثلما أشرنا سابقاً، لم يقتصر الدستور التونسي على وضع النصوص القانونية الضامنة لمبدأ المساواة بين النساء والرجال بل ضبط أيضاً الآليات الدستورية المناسبة، ومن بينها إقرار علوية المعاهدات الموافق عليها من قبل المجلس النيابي والمصادقة على القانون الوطني،¹⁶ ما يعني عملياً أن الدولة التونسية ملزمة بمراجعة القوانين التي تتعارض مع ما تنصّ عليه "اتفاقية القضاء على جميع أشكال التمييز ضدّ المرأة، السيداو" بما أنها صادفت على هذه الاتفاقية، وهو ما استندت إليه فعلياً "لجنة الحريات الفردية والمساواة"¹⁷ في تقريرها وتحديداً في اقتراحها مراجعة القوانين المنظمة للميراث وبعض فصول مجلة الجنسية. وفي باب الآليات الضامنة للمساواة كذلك أنشأت الدولة التونسية "مجلس النظراء للمساواة وتكافؤ الفرص بين المرأة والرجل" وهو هيئة استشارية أنشئت بموجب المرسوم الحكومي عدد 626 للعام

16. صادقت تونس على العديد من الاتفاقيات الدولية الخاصة بحقوق النساء والتي اعتمدها الجمعية العامة للأمم المتحدة، وكذلك منظمة العمل الدولية.

ومنها:

- الاتفاقية الدولية الخاصة بالحقوق السياسية للنساء، 1967
- الاتفاقية الدولية الخاصة بجنسية المرأة المتزوجة، 1967
- اتفاقية الرضا على الزواج والحد الأدنى لسن الزواج وتسجيل عقود الزواج، 1967
- اتفاقية القضاء على جميع أشكال التمييز ضد المرأة "سيداو"، 1958
- البروتوكول الاختياري الملحق باتفاقية سيداو، 2008
- الاتفاقية حول المساواة في الأجور، 1951 (منظمة العمل الدولية، اتفاقية رقم 100)
- الاتفاقية حول التمييز في المهنة والاستخدام، 1951 (منظمة العمل الدولية، اتفاقية رقم 111)
- الاتفاقية بشأن العمل ليلاً (النساء)، 1948 (منظمة العمل الدولية، مراجعة، اتفاقية رقم 89)
- بروتوكول منظمة العمل الدولية الخاص بالاتفاقية بشأن العمل ليلاً (النساء)، 1990
- الاتفاقية بشأن العمل تحت سطح الأرض (المرأة)، 1934 (منظمة العمل الدولية، اتفاقية رقم 45)

17. هي لجنة شكلها الرئيس التونسي الباجي قايد السبسي في 13 آب/أغسطس 2017 بمناسبة اليوم الوطني للمرأة بهدف مراجعة القوانين وإعداد تقرير حول ما قد يكون فيها من تعارض مع مبادئ الدستور واقتراح إصلاحات تضمن الحريات الفردية والمساواة.

2016 مؤرّخ في 25 أيار/مايو 2016،¹⁸ وتتمثل مهمته الرئيسية في تعميم النهج المراعي للمساواة بين الرجل والمرأة في سياسات وخطط التنمية في تونس (التخطيط والبرمجة والتقييم والميزانية) بهدف القضاء على جميع أشكال التمييز القائم على النوع الاجتماعي وتحقيق المساواة في الحقوق والواجبات. كما أنّ المجلس مخول بإبداء الرأي في مشاريع القوانين المتعلقة بحقوق النساء. ومنذ أن أدخل قانون القضاء على العنف ضد المرأة (العدد 58 للعام 2017) حيز التنفيذ في العام 2018، وضعت اتفاقية إطارية مشتركة بين المؤسسات الحكومية والمنظمات غير الحكومية لدعم النساء ضحايا العنف. وتهدف الاتفاقية إلى توحيد نهج مشترك بشأن العنف ضد المرأة وإرساء الممارسات الجيدة من المنطقة، لتعميمها في أطر منسقة. كذلك تهدف الاتفاقية إلى الوصول إلى الفعالية المرجوة في معالجة العقبات التي تواجه النساء ضحايا العنف. كما ستنفذ تدابير قطاعية لدعم النساء ضحايا العنف في قطاعات العدل والداخلية والصحة والشؤون الاجتماعية والمرأة. وفي تقريره الصادر في العام 2019 اعتبر "مأسسة مقارنة النوع الاجتماعي من أولويات المخطط الخماسي 2016/2020" وأدرج عمله ضمن هذا التوجه، وذلك بهدف القضاء على مختلف أشكال التمييز والتفاوت التي لا تزال قائمة في الواقع بالرغم من المنع القانوني، وقد اعترف التقرير بذلك بالتفاوت بين ما تضمنه القوانين من حقوق لفائدة النساء وواقع هذه القوانين الفعلي.¹⁹

فضلاً عن ذلك، أنشئت "اللجنة الوطنية لمكافحة الاتجار بالبشر" وقد ركزت هذه اللجنة في تقريرها الصادر في العام 2018 بشكل خاصّ على مقاومة الاتجار بالنساء والأطفال²⁰، إذ بلغت نسبة النساء والفتيات من مجموع الضحايا 62.4 في المئة، كما جندت الدولة العديد من الوزارات لتقديم الخدمات الاجتماعية والقانونية لفائدة النساء ضحايا العنف ومختلف ممارسات الاتجار بالأشخاص كوزارة الصحة ووزارة الشؤون الاجتماعية.

لئن بدا واضحاً توجّه الدولة التونسية إلى ضمان

18. <http://www.femmes.gov.tn/ar/2018/08/15/> خطة العمل الوطنية لإدماج ومأسسة النوع الاجتماعي 2016-2020 ونحيل على النص كاملاً المنشور على موقع مؤسسة المرأة العربية، كوثر <http://www.cawtarclearinghouse.org/Lists/Asset/Attachments/7489/imp.final.pdf>
19. التقرير السنوي لمجلس النظراء وتكافؤ الفرص بين المرأة والرجل، وزارة المرأة والأسرة، تونس، 2019، ص 11. <http://www.femmes.gov.tn/ar/2019/09/19/>
- انظر أيضاً تقرير الكريديف: Inégalités et discrimination à l'encontre des femmes et des filles dans la législation tunisienne, 2016 ; https://www.ohchr.org/Documents/Events/IWD2016/LoisDiscriminatoires_FR.pdf
20. وزارة العدل، الهيئة الوطنية لمكافحة الاتجار بالأشخاص، التقرير السنوي، 2018 <https://tunisia.iom.int/sites/default/files/activities/documents/Rapport%202018%20Final.pdf>

حقوق النساء بوساطة القوانين والمؤسسات الضامنة لها والساهرة على حسن تنفيذها، فإنّ بعض القوانين ما زالت لم تبلغ مستوى ضمان المساواة الكاملة، ومن أبرز الشواهد على ذلك بعض فصول مجلة الجنسية إذ لا تتمتع المرأة المتزوجة من أجنبي بالحق نفسه الذي يتمتع به الرجل في منح الجنسية للقرين/ة، وفي بعض فصول مجلة الأحوال الشخصية وتحديداً الفصول المتعلقة بالميراث التي ظلت مشدودة في جانب منها لأحكام الفرائض في الفقه الإسلامي. وبالرغم من وجود توجه سياسي ونسوي يسعى إلى مراجعة هذه الأحكام فإنّها لا تزال على حالها لاعتبارات عدة من بينها وجود توجه مخالف تقوده القوى السياسية ذات المرجعية الإسلامية والقوى الاجتماعية المحافظة، وما زالت الساحة التونسية تشهد نقاشاً متواصلًا بشأن هذه المسألة.

IV. أشكال التمييز واللامساواة في الواقع من منظور الجندر

يميّز الدرس السوسولوجي للقانون بين الوضع القانوني أو المعياري وهو الوضع الذي عليه القوانين بما تستند إليه من معايير مجردة ومن قيم عليا، ووضعها الفعلي، ويحيل إلى واقع التطبيق العملي والإجرائي للقوانين في المجتمع. بينما يفترض نظرياً أن يكون الوضعان متطابقين، فإنّ الملاحظ إجرائياً هو أن العلاقات بينهما تتراوح بين التطابق الفعلي التام حيث يكون التطبيق الفعلي للقوانين ساري المفعول وعلى أساسه تنتظم العلاقات، والتباين بدرجات مختلفة قد تصل إلى حد التناقض في بعض الحالات بين المعايير التي يقوم عليها القانون نظرياً وتلك التي ينتظم على أساسها الواقع الاجتماعي فعلياً. وليس أدلّ على هذا التباين من مثال معيار المساواة. فالقانون قد يكون مقررّاً على قاعدة المساواة بين جميع المواطنين باعتبارهم كذلك ودون أدنى اعتبار لأي صفة أخرى قد تتصل بالجنس أو بالوضع الاجتماعي أو بالمعتقد أو بغير ذلك من المعطيات التي لا تعتبر في تحديد وضع المواطنة. وهذا وضع تتأسس عليه النظم القانونية الحديثة في الأنظمة الديمقراطية حيث أصبحت المواطنة فرضية قانونية عليا وحيث لم يعد معيار العدالة بوصفه المعيار الأول للقانون مفصولاً عن مبدأ المساواة بين جميع المواطنين. ولكنّ استناد القانون إلى العدالة بوصفها قيمة عليا ذات مضمون مساواتي لا يُعدّ وحده ضامناً لتحقيق المساواة الفعلية، إذ نجد في كل المجتمعات، وإن بنسب متفاوتة، أشكالاً من التمييز بين المواطنين يستند إلى معايير لا صلة لها بمبدأ المواطنة، مثل وضعيات التمييز الفعلي في العمل وفي الأجور وفي فرص الاستفادة من المقدرات والثروة الوطنية المشتركة ومن الخدمات العمومية، إما على قاعدة الجنس، فتكون النساء أقل المواطنين حظاً في هذا المجال وإما على قاعدة الأصل إذ يعاني المواطنون

من أصول أجنبية صنوفًا من التمييز لصالح المواطنين المحليين كما يحصل مع المهاجرين من الجنوب في بلدان الهجرة من الشمال في أوروبا وأميركا. وبذلك يظهر في الواقع الفعلي أن المعيار المتكلم في العلاقات الاجتماعية ليس هو المعيار القانوني المتمثل في العدالة والمساواة وإنما هو معيار تحدده طبيعة الذهنية السائدة والنظام الاجتماعي ومكونات الثقافة ومنها الدين، كما هو شأن تغلب السلطة الذكورية فعليًا على القوانين المساواتية في كثير من البلدان وبخاصة تلك التي تغلب عليها الثقافة الدينية كما هو شأن البلدان الإسلامية، أو إلى تغلب سلطة المحلي على "الدخيل" أو الأجنبي أو المهاجر في واقع الكثير من دول الهجرة في الغرب .

وينتج هذا التفاوت بين الوضع المعياري والوضع الفعلي عن جملة من العوامل من بينها بشكل خاص سلطة الذهنيات من جهة كما أسلفنا، وسلطة الأوضاع المادية بعناصرها المتداخلة الاقتصادية والاجتماعية من جهة أخرى. أما أثر الذهنيات فواضح في مستوى عدم تمتع المواطنين والمواطنات فعليًا وبمستوى متساوٍ من القوانين التي تقر مبدأ المساواة بسبب سلطة الذهنية الذكورية. ويظهر هذا على سبيل المثال في تونس، حيث يقر أعلى مرجع قانوني وهو الدستور مبدأ المساواة بين المواطنين مثلما أسلفنا بيانه في ما سبق.

أما إذا التفتنا إلى الواقع فإننا نجد ضروبًا من التمييز تعاني منها المرأة، من بينها "التمييز الاقتصادي"، ويعرّف بكونه "التمييز بين الرجل والمرأة في سوق الشغل أو في عملية تسريح العمال وكذلك اللامساواة في الأجور وفي عدد ساعات العمل وسائر الامتيازات التي ينص عليها القانون". ويمثل التمييز على أساس النوع الاجتماعي ظاهرة حقيقية تثبتتها الدراسات الميدانية وتثبت هذه بدورها حقيقة التباين بين الوضع القانوني والوضع الفعلي، ويشمل هذا التمييز مجالات عدة لا تقتصر على العمل أو المجال الاقتصادي، من بينها التمييز الاجتماعي المتعلق بالأدوار التي تسند إلى كل جنس. وقد بيّنت المقاربة الجندرية كيف يشكل المجتمع الأدوار الاجتماعية بناء على الدور البيولوجي لكل من الرجل والمرأة، معتمداً على منظومة من القيم والعادات والتقاليد التي تؤدي إلى عدم المساواة القائمة على أساس الجنس البيولوجي²¹. وبذلك تغدو الذهنيات وما تحتكم إليه من عادات وتقاليد ومن تمثيلات بشأن النساء والرجال وما يحكمها من مرجعيات مرهونة بدورها إلى "العالم القديم"، هي المتكلم في الوضع الفعلي، إذ ما زالت هذه الذهنية والوعي

المتشكل في نطاقها يعتبران مساواة المرأة بالرجل استنقاصاً من قيمة الرجل وعلى حساب "حقوقه". كما أنّ الوعي العام ما زال يعتبر حرية المرأة بابًا مفتوحًا على جميع أشكال الفساد الأخلاقي، وعلى معاداة القيم الأصيلة للشخصية الوطنية والدينية وعلى الانسلاخ عن مقومات الهوية الوطنية والدينية، وأنّ المرأة تطالب بالحرية حتى تسهل على نفسها تلبية أهوائها والاستجابة لنزواتها. وما زال ينظر إلى عمل المرأة خارج البيت على أنه ثانوي يأتي بعد عملها الأصلي وهو العمل البيتي وأنّ أيّ وظيفة عامة تنهض بها المرأة تأتي في مرتبة تالية لوظيفتها الأصلية وهي الوظيفة الإيجابية التي تُعدّ من هذا المنظور من واجباتها الأصلية "والطبيعية" المتمثلة في الإنجاب وفي تربية الأبناء والقيام على شؤون الرجل والأسرة عموماً. ويترتب على هذه المواقف عدم تثمين عمل المرأة خارج البيت والاستهانة بكل التجاوزات التي ترتكب في حق المرأة العاملة، كما يحصل مع العاملات في القطاع الفلاحي والعاملات في مصانع النسيج والخياطة وفي مصانع تحويل الإنتاج الفلاحي. وما يؤكّد خطورة النتائج المترتبة على هذا التباين بين الوضع القانوني والوضع الفعلي وارتهان الواقع لطبيعة الذهنية الجماعية ولمستوى الوعي العام بدلاً من أن يكون منتظماً على أساس المعايير التي يقوم عليها القانون ومنها بخاصة معيار المساواة، أن المجتمع عموماً يظهر استقالة إزاء واجب تحمل مسؤولية خروج المرأة إلى سوق العمل المأجور وتحولها عن الدور التقليدي القديم لتتولى أدوارًا عامّة جديدة.

ما زال الوعي العام يعتبر حرية المرأة بابًا مفتوحًا على جميع أشكال الفساد الأخلاقي

والأخطر أن تتسع هذه الاستقالة لتشمل مؤسسات الدولة في تناقض صارخ بين ما يفرضه عليها القانون من ضرورات الالتزام به والعمل على تطبيقه وإيجاد الآليات والمؤسسات المتكفلة بالتطبيق مثلما يدعو إلى ذلك القانون وما هو منجز فعلياً. فهي، على سبيل المثال، لا توفر الهياكل والمؤسسات والتسهيلات المساعدة على إنجاز المهام التي كانت موكولة إلى النساء وحدهنّ في ظل نمط التنظيم التقليدي، مما يؤدي فعلياً إلى زيادة الأعباء عليهنّ وإلى إرهاقهنّ بالجمع بين الأدوار والوظائف التقليدية القديمة والأدوار والوظائف التي اكتسبتها بخروجها إلى العمل وإلى الحياة العامة. وينعكس هذا الإرهاق الذي تعاني

منه النساء على الأسرة، إذ تقلّ فرص توفر بيئة سليمة لتنشئة اجتماعية متوازنة للأطفال؛ فزيادة الأعباء المالية على الأسرة ساهم في تأكيد مطالبة المرأة بالعمل المأجور والمساهمة في الإنفاق على العائلة من جهة، وعدم الاستعداد رسمياً وشعبيّاً للمشاركة في تحمّل مسؤولية النتائج المترتبة على ذلك من جهة أخرى، أوجب على المرأة تحملها بمفردها غالباً، وهو ما ساهم بدوره في تهميش حضور الرجل في الأسرة ليلجأ من ثمّ إلى ممارسة العنف والتسلط على الزوجة والأبناء لفرض المكانة التي يتصورها لنفسه؛ وهذا واقع تثبته ظاهرة العنف المسلط على النساء. ففي دراسة أنجزها الكريديف بالتعاون مع الصندوق العالمي للسكان التابع لمنظمة الأمم المتحدة تبين أنّ 49,1 في المئة من النساء التونسيات تعرضن خلال السنوات الأربع من 2012 إلى 2016 إلى العنف في الشارع، كما تعرضت 47 في المئة على الأقل من النساء للعنف الأسري في حياتهنّ، وفق مسح أجراه "الديوان الوطني للأسرة والعمران البشري" في العام 2010،²²

إنّ التفاوت الواضح بين الوضع القانوني والوضع الفعلي للنساء هو أحد أهمّ دوافع تفعيل مبدأ العدالة على أساس النوع الاجتماعي في مقاربة القوانين. وقد كان لهذه المقاربة دور مهمّ في البرهنة على أنّ التحدي المحوري الذي تتفرع عنه تحديات أخرى ليس بناء القوانين على قاعدة المساواة والعدالة فحسب، بل هو وبصفة أخصّ تطبيق النصوص القانونية فعلياً وجعلها المرجع الأول في تنظيم المجتمع وعلاقاته. فما استخلصناه من عرضنا للقوانين ذات الصلة بالنساء وما تتفق عليه قراءات كثيرة هو أن القوانين التونسية الخاصة بالنساء والأسرة تُعدّ من أكثر القوانين تطوراً من حيث إقرارها مبدأ المساواة ومن حيث توجهها نحو القضاء على مختلف أشكال التمييز والعنف ضدهن، ليس على صعيد الدول الإسلامية فحسب، بل هي قوانين قريبة من المعايير الدولية التي أقرتها المواثيق والعهود الدولية في هذا الشأن. ولكن هل يعني هذا أنّ واقع النساء في تونس لا يواجه تحديات في هذا المجال؟

1. مجال العمل والحقوق الاقتصادية²³

بالرغم من تفوّق نسبة تمدرس الإناث على الذكور منذ أكثر من عشرية، تظل فرص العمل المتاحة

22. <http://www.medcities.org/documents/10192/54940/Enqu%C3%AAt+Na-tionale+Violence+envers+les+femmes+Tunisie+2010.pdf>

23. اعتمدنا في المعطيات الإحصائية المستخدمة في هذا النص على: واقع النوع الاجتماعي بتونس، تقرير أنجز في إطار التعاون بين الاتحاد الأوروبي وحكومة الجمهورية التونسية، أعدته: بئينة قرييع وجورجيا دي باولي، تونس 2014.

https://eeas.europa.eu/sites/eeas/files/rapport_national_genre_tunisie_2014_complet_ar.pdf

للنساء أقل من تلك المتاحة للرجال. فالتعليم على سبيل المثال نجده شمل البنات بصورة أفضل إذ بلغت نسبة تدمرسهنّ في الابتدائي 89,8 في المئة وفي الثانوي 76,9 في المئة. كما أنّ 62 في المئة من خريجي التعليم العالي من الإناث، ولكن يقع توجيههنّ غالباً إلى الشغّب التي تؤدي عادة إلى فترة طويلة من البطالة (شغّب الآداب والعلوم الاجتماعية مثلاً)، لذلك تضرب البطالة النساء أكثر من الرجال بمرتين من خريجي التعليم العالي. وبحسب المعهد الوطني للإحصاء بلغت نسبة البطالة 21,9 في المئة من النساء خلال الثلاثية الرابعة من العام 2013 و12,8 في المئة عند الرجال، فيما بلغت النسبة 41,9 في المئة عند خريجات التعليم العالي، أي ضعف نسبتها تقريباً عند الخريجين البالغة 21,7 في المئة. وكانت نسبة البطالة في العام 2012 للخريجين 15,6 في المئة بينما كانت للخريجات 39,1 في المئة (المعهد الوطني للإحصاء، 2013، الثلاثية الرابعة). والملاحظ أنّ التفاوت في تشغيل خريجي التعليم العالي من أصحاب الشهادات العليا بلغ أقصاه في العام 2012، إضافة إلى أنّ أكثر من نصف خريجات التعليم العالي يقضين أزيد من سنة في البحث عن شغل مقابل نسبة 32 في المئة من الخريجين (التريكي والتويتى 2013) وهو أمر يستدعي التفكير في الخيارات التي ترتبت عليها هذه النتائج وفي المسؤول عنها من أهل القرار السياسي بخاصة، في فترة كان خلالها حزب حركة النهضة الإسلامي صاحب الأغلبية في الحكم.

وبصفة عامة بلغت النساء الناشطات في سوق العمل في العام 2012 نسبة 25,81 في المئة مقابل 70,3 في المئة للناشطين، أما نسبة العاطلات من حملة الشهادات العليا فبلغت في السنة نفسها 43,5 في المئة مقابل 23,1 في المئة للخريجين، بالرغم من أنّ نسبة الخريجات من التعليم العالي في العام 2009 بلغت 62,5 في المئة من المجموع. ويمثل انقلاب التفاوت لصالح النساء في نسب خريجي التعليم العالي إلى تفاوت لصالح الرجال في نسب الحاصلين على عمل دليلاً صريحاً على أنّ سوء تقدير عمل المرأة لا يمثل موقفاً للأفراد فحسب بل هو إلى ذلك ممارسة "رسمية" تكاد تظهرها وكأنها جزء من سياسة الدولة تبدو الحكومات التي جاءت بعد 2011 منخرطة فيها، وهي تبرز حجم الصعوبات التي تجدها النساء في العثور على شغل، والتي تتسبب فيها حتى مؤسسات الدولة. هذا فضلاً عن عوامل أخرى تفسر ذلك التفاوت من بينها، طبقاً للتقرير المذكور أعلاه، التفاوت بين الخريجات والخريجين في مستوى ما ينفق من وقت في البحث عن شغل؛ فالمرأة العاطلة تمضي أقل وقت في البحث عن شغل (معدل 4 دقائق في اليوم) من الرجل العاطل (معدل 38 دقيقة في اليوم). ويفسر ذلك بأنّ الأعباء المنزلية تجعل المرأة أقل استعداداً للحركة من أجل البحث عن عمل (التقرير ص12) بالرغم من أنّ توزيع الأدوار يجعل العبء الذي تتحملة النساء

21. لمزيد التوسع في المفهوم، يُرجى مراجعة: أميمة أبو بكر، شيرين شكري: المرأة والجندر، إلغاء التمييز الثقافي والاجتماعي بين الجنسين، القاهرة، دار الفكر المعاصر، 2002.

أزيد عمّا يتحمّله الرجال بنسبة 40 في المئة في مستوى توزيع ميزانية الوقت (التقرير ص84).

ولا يمثل التفاوت في فرص التشغيل مظهرًا وحيدًا من مظاهر التمييز ضد النساء في مجال الحقوق الاقتصادية، بل إنّ له وجوهًا أخرى من بينها التفاوت في الأجور؛ فقد توّصل مسح ميداني أنجزه الديوان الوطني للأسرة والعمران البشري شمل عينة من 2000 امرأة إلى أنّ 47,1 في المئة من النساء المستجوبات رواتبهنّ أقل من شركائهنّ الرجال، ومنها أيضًا ارتفاع نسبة النساء اللواتي يتخلين عن عملهنّ: 34,1 في المئة في المناطق الحضرية و17 في المئة في المناطق الريفية؛ وتعود أسباب هذا التخلي إلى تربية الأطفال أو إلى ظروف العمل. كما يمثل التفاوت في مستوى الأعمال المنزلية بدوره مظهرًا آخر من مظاهر التمييز وسببًا من الأسباب التي تعرقل النساء عن العمل المأجور؛ فقد أفادت الإحصائيات أنّ النساء ينفقن وقتًا أطول بثماني مرات من الرجال في الأعمال المنزلية وتربية الأطفال والقيام بشؤون أفراد الأسرة. وجاء في التقرير نفسه (ص12) أنّ النساء يخصّصن ما معدله 5 ساعات و16 دقيقة في اليوم (بنسبة 21,9 في المئة) لهذه الأعمال بينما لا يخصّص الرجال إلا 39 دقيقة (بنسبة 2,7 في المئة). بل إنّ التمييز ضد النساء في المجال نفسه يبلغ حدّ العنف "الاقتصادي" كما يظهر من خلال "الأرقام التي وردت في "المسح الوطني حول العنف ضدّ النساء" للعام 2014 الخاصة بنسبة النساء المسرّحات من العمل في قطاع النسيج والملابس الجاهزة خلال الفترة الممتدة ما بين 2011 و2014، وقد بلغت 78 في المئة. في حين بلغت نسبة النساء المسرّحات من العمل في مختلف القطاعات 50,19 في المئة خلال النصف الأول من سنة 2015" (علاية 2012).

ومن بين المظاهر الدالة على واقع "العنف الاقتصادي" التفاوت الحاد بين حجم العمل المأجور وحجم العمل الذي لا تتقاضى عليه النساء أجرًا بالرغم من مساهمته العينية الكبيرة في دخل الأسرة وفي الإنفاق عليها، إذ تنشط أغلبية النساء في القطاع غير المنظم وغير المأجور في منازلهن: نحو 60 في المئة (التقرير، ص 36) بينما لا تمثل النساء الواتي يحصلنّ على أجر شهري مجزٍ نسبة 4 في المئة.

2. التمييز في مجال الاستفادة من الخدمات العامة ومن المقدرات المتاحة وفرص التمويل

أفاد المسح الوطني الأخير للسكان الذي أعده المعهد الوطني للإحصاء في أواخر 2011 أنّ نسبة الأمية في صفوف الإناث بلغت 25,9 في المئة مقارنة بالذكور التي تقدر بـ 11,2 في المئة. وبالرغم من الحضور اللافت للنساء في قطاع التعليم والتربية بصفة مدرسات، يظلّ ارتقاؤهنّ إلى رتب وظيفية محدودًا. فبحسب المرجع نفسه

يعتمد قطاع التربية والتعليم في تونس بنسبة 60 في المئة على المرأة وتتفاوت هذه النسبة من مرحلة تعليمية إلى أخرى؛ فعدد المعلمات في التعليم الأساسي بلغ سنة 2011 في العام 75 في المئة، أما في المرحلة التحضيرية والمحاضن ورياض الأطفال فحضور المرأة تعدّي 95 في المئة لتتقلّص هذه النسبة في المرحلة الإعدادية إلى 55 في المئة، ثمّ تتطوّر هذه النسبة في المرحلة الثانوية لتبلغ 76 في المئة، في حين لا تتجاوز نسبة المدرسات في المرحلة الجامعية 25 في المئة (الميساوي 2018). وفي المقابل، لم ترتق إلى خطة مدير مدرسة إعدادية أو ثانوية إلا 7 في المئة، كما أنّ نسبة المتفقدين التربويين في التعليم الابتدائي تبلغ ضعف نسبة النساء. والوضع نفسه يلاحظ في قطاعات أخرى مثل السياحة حيث تمثل النساء 75 في المئة من اليد العاملة، وقطاع النسيج والملابس النساء حيث يمثلنّ نسبة 90 في المئة، وقطاع صناعة الأدوية بنسبة 45 في المئة. في المقابل هناك 6,5 في المئة فقط من مجمل رؤساء المؤسسات المسجلين في "الاتحاد التونسي للصناعة والتجارة والصناعات التقليدية" نساء. وصعب هذا الوضع على النساء الوصول إلى مصادر التمويل مصادر تمويل مشاريعهنّ وأنشطتهنّ الحرفية والفلاحية، لذلك تضطر نسبة مهمّة منهنّ للعمل في القطاعات "العائلية" وبخاصة القطاع الفلاحي من دون أن يحصلن على أجور، ويُحرمنّ في غالب الأحيان بسبب قوانين الميراث من الحصول على نصيب من الثروة العائلية يناسب ما يبذلنّ من جهد في تحصيلها.

هذا مثال واحد من بين أمثلة أخرى مشابهة تتصل بفرص الاستفادة من الخدمات العامة ومن المقدرات المتاحة، ودالة على التفاوت والتمييز اللذين تقع تبعاتهما على النساء بصفة خاصة. ويؤكد ذلك ما أشرنا إليه سابقًا بشأن تخلي المجتمع والدولة معًا عن مسؤوليتهما في تحمّل تبعات خروج النساء إلى العمل واضطرار هؤلاء إلى تحملها بمفردهنّ بالرغم من الحقوق التي يمنحها إياهنّ، نظريًا، القانون. كما جاءت المصادقة على قانون التصدي للعنف ضد النساء، الذي يشمل العنف الأسري، في 26 تموز/يوليو 2017 لتؤكّد أنّ العنف على أساس الجندر ظاهرة مستفحلة تكشف التباين الكبير بين ما يصرّح به القانون من ضمانات لحقوق النساء وما هو واقع فعلاً من ممارسات تؤكّد تعرض تلك القوانين بوتيرة مرتفعة وبأشكال خطيرة لأنواع الانتهاك شتى. كما تكشف أنّ هذا الواقع الذي تعيشه النساء محكوم بسلطة أخرى غير سلطة القانون، هي سلطة الذهنية الذكورية التي تعطي للرجال سلطة على النساء تسمح لهم بأنواع من الانتهاكات الجسدية والنفسية والجنسية ضدّهنّ، وهو ما يترجم عمليًا في ما يتعرضن له من أشكال العنف. وقد بيّنت هالة ملاك وإيلي في دراسة أنجزت اعتمادًا على عينة من 2913 امرأة تتراوح أعمارهنّ

بين 18 و64 سنة وموزّعات على 200 منطقة في البلاد التونسية، أنّ 80 في المئة من الممارسات العنيفة كانت ضد نساء تتجاوز أعمارهنّ 45 سنة، وأنّ أكثر فئة مستهدفة هي النساء غير العاملات (البيتيات) بنسبة 56 في المئة، ثمّ النساء العاملات 42,5 في المئة فالطالبات 15,9 في المئة. كما بيّنت الدراسة أنّ 91 في المئة من النساء العاطلات اللواتي تتجاوز أعمارهنّ 45 سنة تعرضن مرة على الأقل للعنف القائم على أساس النوع الاجتماعي في الشارع وذلك لأنهنّ الأكثر حضورًا فيه.

تعدّد الفصول الخاصة بالميراث في مجلة الأحوال الشخصية التونسية من أكثر فصولها تقليدية

وأظهرت الدراسة أيضًا أنّ 67 في المئة من الضحايا ذات مستوى تعليمي متدنّ. وهكذا يبدو التفاوت في الفرص المتاحة وفي الخدمات العامة وفي مستويات النفاذ إلى المعلومات، والتفاوت داخل النساء أنفسهنّ على قاعدة المستوى التعليمي والانتماء الاجتماعي والجهوي، حقيقة اجتماعية لم يكف القانون وحده لتغييرها. كما يبدو العنف على قاعدة الجندر وغير ذلك من أشكال العنف تحديات متفرعة عن التحدي المركزي الذي تواجهه اليوم الحركة النسوية متمثلاً في التباين بين الوضع المعياري-القانوني والوضع الفعلي. يستوجب ذلك من هذه الحركة ومن الدولة ومؤسساتها ومن الحكومة وهياكلها العمل توفير ما يضمن وضع القوانين موضع التنفيذ الفعلي والكامل من أجل القضاء على جميع أشكال التمييز ضدّ النساء وتمكينهنّ بعدها من التمتع فعليًا بجميع الحقوق التي تضمنها لهنّ القانون. هذا المطلب يحتاج إلى الكشف عن العوامل الحقيقية المتسببة في هذا التفاوت. كما يفرض على الحركة النسوية وعلى كل المجتمع المدني ومنظماته وبخاصة المنظمات الحقوقية العمل من أجل تدارك هذا التباين. بل إنّ المسؤولية مشتركة كذلك مع المؤسسات البحثية ومع الأكاديميين المطالبين بتفكيك البنى الثقافية والذهنية الفاعلة في تعميق هذا التباين وفي تثبيت أشكال العنف والتمييز ضدّ النساء، والكشف عن الأسباب الموضوعية الحقيقية لهذه الظواهر وذلك باعتماد مقاربة النوع الاجتماعي والبراديغم المساواتي.

قد تكون لهذا التفاوت بين الوضع المعياري والوضع الفعلي أسباب من بينها التفاوت بين نسق التحولات الاجتماعية خصوصًا والمادية عمومًا من جهة، ونسق

التحولات في مستوى الذهنيات والوعي من جهة أخرى. ويمثل هذا التفاوت تحدّيًا آخر من التحديات التي تقع تبعات مواجهتها على الحركة النسوية وعلى مؤسسات الدولة؛ فمن الواضح أنّ المجتمع التونسي قد شهد منذ الاستقلال إلى اليوم تحولات سريعة انتقل بفعلها من نمط المجتمعات التقليدية القائمة على نظام العائلة الممتدة وما يؤسسها من علاقات قبلية وعشائرية وعلى توزيع الأدوار والوظائف على قاعدة الجندر إلى نمط مختلف ملامحه أقرب إلى النظام الاجتماعي الحديث. في هذا النظام الحديث تقوم الأسرة الزوجية نواة للتنظيم الاجتماعي، وتكون العلاقات قائمة على قاعدة تعاقدية بين مواطنين يعدهم القانون متساوين في الحقوق والواجبات، وتتوزع الأدوار والوظائف على قاعدة وظيفية لا صلة لها بالجنس البيولوجي أو بأيّ معطى آخر. كان من الضروري أن تنشأ على قاعدة هذه التحولات الاجتماعية وبسببها قوانين جديدة تعيد ترتيب العلاقات بين مكونات المجتمع على أساس من المعايير المناسبة، ومن بينها بخاصة معيار المساواة. وقد كانت قوانين الأسرة والأحوال الشخصية ذات الصلة بالتنظيم الاجتماعي وترتيب العلاقات بين النساء والرجال في تونس لحظة إقرارها أكثر تطورًا من المجتمع، فأدّت دور القاطرة التي قادت المجتمع في ما عرفه من تحولات. إنّ هذه الحركة في مستويي القوانين والنظام الاجتماعي والاقتصادي لم تصاحبها حركة مماثلة في المستوى الثقافي وما يشملها من ذهنيات ووعي. فقد ظلت الذهنيات مشدودة إلى ثقافة تقليدية وضعت من الحواجز ما حال دون تحقق القوانين التي تقرّ المساواة من جهة، وساعد من جهة أخرى في الإبقاء على بعض البؤر التمييزية داخل القانون نفسه فضلًا عن وجودها في الواقع الفعلي حتى إن "التقرير الدولي حول الفجوة بين الجنسين" Global Gender Gap Report صنف تونس عام 2011 في المرتبة 108 من مجموع 135 بلدًا، بينما غاب تصنيفها في تقرير عامي 2012 و2013 بسبب غياب المعطيات المحيطة.

ما يؤكد أنّ تلك الفجوة بين الوضع القانوني والوضع الفعلي تعود أسبابها في جانب مهمّ منها إلى الذهنيات ومستوى الوعي وطبيعته هو عودة جملة من المسائل-التي كان يُعتقد أنها حسمت- إلى مجال النقاش وظهور مواقف رافضة لما جاءت به القوانين من مكتسبات لفائدة النساء، وذلك في أول فرصة أتاحت فيها حرية التعبير وحرية التنظيم السياسي والمدني، بعد العام 2011. وهذا بدوره يؤكد أنه بالرغم من أنّ تونس تتوقّر على مجموعة من القوانين والتشريعات التي تمثّل قاعدة قانونية متقدمة فإنّ ذلك لم تنبثق عنه نقلة ثقافية نوعية داخل المجتمع من شأنها إزالة جميع أشكال التمييز ضدّ المرأة في الواقع المعيش. وبناءً على هذه المؤشرات نتبيّن أنّ الرهان الأساسي الذي يتعيّن

على الحركة النسوية التونسية العمل على كسبه هو رهان المساواة، ولا نقصد بذلك المساواة بين الجنسين في مستوى القوانين والتشريعات فحسب، بل المساواة الفعلية في الواقع. ولئن كان إرساء المساواة يتطلب من الدولة إيجاد المؤسسات والهيكل والبرامج والتنظيمات الضرورية لتفعيل هذا المعيار واقعيًا، فإنه يتطلب من المثقفين تفكيك البنى الثقافية والذهنية التي تمثل عائقًا مهيمًا والمساهمة في وضع برامج التعليم والتكوين والتوعية المبنية على مبدأ المساواة الجندرية، لعل ذلك يساعد في تأسيس ثقافة جديدة وتشكيل ذهنية تعي أن المساواة ليست مكسبًا للنساء وحدهنّ بل إنّ انعكاساتها الإيجابية تشمل الأسرة كلها ومن ثم المجتمع، وهو أمر ما فتئت المؤسسات البحثية العالمية المختصة والمنظمات الأممية تشدّد عليه؛ وهو كذلك ما نرى فيه ضامنًا لسد الفجوة بين الوضعين القانوني والفعلية ومعها الفجوة بين الجنسين. وتحتاج هذه المهمة العاجلة إلى وضع تصوّر لبرنامج ثقافي هدفه تفكيك الثقافة الدينية التي تتخذ غالبًا حجة لرفض مبدأ المساواة أو لتسويغ أشكال من التمييز ضدّ النساء، وبيان تهافتها من جهة ادّعاؤها تمثيل "الإسلام" والتعبير عن "شرع الله". هذا البرنامج لن يكون فعالًا إلا متى تحوّل إلى خطة عمل تنخرط فيها الحركة النسوية جنبًا إلى جنب مع مؤسسات الدولة لا سيّما التعليمية والإعلامية منها.

3. الدراسات القانونية والمقاربة الجندرية: من أجل القضاء على بُور التمييز على أساس النوع الاجتماعي

فضلاً عن جهود الأفراد من الباحثين والدارسين، ساهمت مؤسسات وجمعيات نسويتان في تونس في بلورة مقاربة النوع الاجتماعي في مجالات عديدة من بينها مجال الدرس القانوني، وهي: "مركز البحوث والدراسات والتوثيق والإعلام حول المرأة CREDIF، و"مركز المرأة العربية للتدريب والبحوث، كوتر" CAWTAR (وهي منظمة عربية مقرّها في تونس توفر قاعدة معلومات مهمة حول النوع الاجتماعي في تونس وغيرها من البلدان العربية)، وجمعية "النساء التونسيات للبحث حول التنمية" AFTURD (وهي جمعية نسوية غير حكومية تعمل في مجال البحث العلمي الهادف إلى مناصرة النساء وإلى تهيئة المادة والمقاربات العلمية الضرورية للدفاع عن حقوقهنّ). وقد سعت الدولة التونسية منذ تسعينيات القرن الماضي إلى تعميم مقاربة النوع الاجتماعي بهدف تقليص الفجوة بين النساء والرجال سواء في مستوى النصوص القانونية أو في مستوى الواقع بمختلف مكوناته الاجتماعية والاقتصادية والسياسية والثقافية. وكان الكريديف باعتباره مركزًا متخصصًا في كل ما له صلة بالنساء في مجالات البحث والدراسات والتوثيق والإعلام،

وهو من أكثر المؤسسات انخراطًا في هذا التوجه الذي تعمّق بعد الثورة التونسية في العام 2011، لا سيّما أنه تابع لوزارة المرأة والأسرة وهذه الوزارة كانت أقرت في العام 2015 "المخطط الوطني لتعميم مقاربة النوع الاجتماعي". ومن المنشورات المندرجة في هذا التوجه والصادرة في هذه الفترة نذكر "مساواة النوع الاجتماعي والانتقال الديمقراطي" (2013) وهو مجموعة من المحاضرات التي ركزت على الأدوار والوظائف السياسية للنساء وعلى ما للقانون من دور في سدّ الفجوات بين النساء والرجال في مجال المشاركة السياسية وفي تمكين النساء من أداء أدوارهنّ كاملة في مسار الانتقال الديمقراطي الذي تعيشه تونس. في السياق نفسه أصدر "المنتدى العربي للمواطنة في المرحلة الانتقالية" في العام 2014 تقريرًا بعنوان "تونس: المساواة في النوع الاجتماعي والدستور" أكد فيه وجوب جندرة الخطاب القانوني باعتبار أنّ "تأنيث الخطاب الدستوري وذلك بالحديث دائمًا وفي الوقت نفسه عن النساء والرجال من شأنه أن يقطع الطريق أمام أي تأويلات تحصر بعض الحقوق لصالح الرجل دون المرأة" (المكي 2014).

يكون القانون في الغالب موسومًا بآثار المسارات المتحركة في التحولات الاجتماعية وبنسقتها

وفي مجال المناصرة لإصدار قوانين تحمي النساء من العنف، أصدر الكريديف دراسة عنوانها "العنف المبني على النوع الاجتماعي في الفضاء العام" (2016) وهي دراسة عرضت إحصائيات ووقائع تؤكد الأساس الجندري لظاهرة العنف في الفضاء العام؛ فالنساء والبنات يمثلن النسبة الأعلى لضحايا العنف سواء في الفضاء العام أم في الفضاء الخاص. واقتربت الدراسة برامج إصلاحات تشمل المجال القانوني كان لبعضها صدى في القانون الوطني لمقاومة العنف ضد المرأة الصادر في العام 2017. ومن الأعمال البحثية المهمة في تفعيل مقاربة النوع الاجتماعي في القانون صدر في العام 2016 بلغات ثلاث (العربية والفرنسية والإنجليزية) عنوانه "المكاسب القانونية للمرأة التونسية" وقد حُصص الفصل الأخير منه للحديث عن "تعميم مقاربة النوع الاجتماعي في السياسات العمومية" إذ تمّ تأكيد أهمية هذه المقاربة في رسم السياسات العامة المتصلة بالنساء ومن بينها السياسات في مجال القوانين. واعتبرت الدراسة أن هذه المقاربة هي الكفيلة في أن بضمان المساواة القانونية وبسدّ الفجوات بين القانون والواقع والتي تتسبب

في حرمان النساء من الاستفادة الكاملة من مبدأ المساواة الذي ينصّ عليه الدستور التونسي. وللغرض تكوّنت لجنة من ممثلين عن الوزارات والمؤسسات المعنية (وزارة المرأة والأسرة، ووزارة الشؤون الاجتماعية، ووزارة العدل) وظيفتها العمل على تعميم مقاربة النوع الاجتماعي في جميع البرامج والمشاريع ذات الصلة بالنساء وإعداد دورية سنوية لرصد كل المؤشرات النوعية والكمية حول برامج ومشاريع تمكين النساء في المجالات السياسية والاقتصادية واقتراح مشاريع القوانين الرامية إلى تدعيم المساواة الجندرية والتكافؤ في الفرص بين الجنسين.

٧. الجندر في المجال الأكاديمي

بدأت المقاربة الجندرية تدخل مجال البحث العلمي والتدريس منذ بداية هذا القرن. وكان دخولها مقترنًا بالمؤسسات الجامعية المختصة في العلوم الإنسانية أساسًا والقانونية في مرحلة لاحقة. فمنذ العام 2003 بعث ماجستير تحت عنوان "تاريخ النساء"، ثم أصبح يحمل عنوان "الدراسات النسائية" في كلية الآداب في منوبة أولًا ثم بعد ذلك في المعهد العالي للعلوم الإنسانية في تونس. وبعد عقد من الزمان تقرّيبًا بعث في كلية الآداب والفنون والإنسانيات في منوبة ماجستير "النوع الاجتماعي والثقافة والمجتمع"، وفي العام 2013 أنشئ فريق بحث في الكلية نفسها بعنوان "الأنواع الاجتماعية والذاتيّات". وقد كانت لإدراج هذا الاختصاص ضمن مجال التدريس والبحث الأكاديمي آثارًا في تنمية الوعي بأهمية هذه المقاربة وبما تفتحه من آفاق معرفية، وهو ما ظهر صداه في جملة من الأبحاث والمؤلفات المنشورة.

وظلّ حضور الجندر يتوسع في كليات العلوم الإنسانية حيث افتتح في السنة الجامعية 2020/2021 ماجستير ثان في تخصص الجندر في كلية الآداب والعلوم الإنسانية في سوسة. لكنّ هذا التخصص لم يحظّ بحضور ممأسس ضمن تخصصات البحث والتدريس في كليات الحقوق والعلوم القانونية في تونس وإن اعتمدت بعض المدرّسات والمدرسين على مقاربة النوع الاجتماعي في دروسهم ووجّهوا طلبتهم إلى اعتمادها في رسائلهم الجامعية. وقد اعتنت رسائل البحث التي أنجزتها الباحثات والباحثون في إطار الاختصاص أو باستخدام مقاربة النوع الاجتماعي بجملة من القضايا ذات الصلة بالقوانين الوضعية الحديثة أو بالأحكام الفقهية أو بمؤلفات نظرية وتطبيقية في هذا الاختصاص ومقارباته، وذلك من أجل مزيد التعريف به والتمكّن من توظيف مفاهيمه وإجراءاته المنهجية تطبيقياً في البحث العلمي.

وفي ما يخص القانون تحديداً، فقد وظفت المختصات والمختصون مقاربة الجندر في أكثر من

مجال:

- في صياغة نصوص القوانين، إذ صار استخدام الجمع بين صيغتي المؤنث والمذكر، على غرار "المواطنين والمواطنات" في صياغة نصوص القوانين أمرًا شائعًا، كما صار الأخذ بخصوصيات واقع النساء وتخصيص قوانين تمثلهنّ أمرًا معتبرًا في صياغة القانون. ويمثل "القانون الأساسي عدد 58 للعام 2017 المؤرخ في 11 آب/أغسطس 2017 والمتعلق بالقضاء على العنف ضد المرأة"²⁴ نموذجًا في هذا المجال.

- في دراسة نصوص القوانين في حدّ ذاتها من أجل التصدّي لما قد يكون فيها من تمييز على أساس النوع الاجتماعي ولأوجه القصور في تنفيذها، وفي دراستها من جهة تأثيرها إيجابًا أو سلبيًا في الواقع الاجتماعي وفي أوضاع النساء والرجال على حدّ سواء. وقد أنجزت الجامعيات والجامعيون ونشروا بحوثًا كثيرة في هذا الشأن، نذكر منها على سبيل المثال المؤلف الصادر في جزأين عن "جمعية النساء التونسيات للبحث من أجل التنمية" حول موضوع قانون الميراث ومطلب المساواة فيه، وقد كان المشاركون فيه من اختصاصات علمية متنوعة من بينها خاصة القانون (انظري الهامش 27). كما نذكر أعمال الأستاذتين كلثوم مزيو وسناء بن عاشور والأستاذة الساسي بن حليلة ومحمد الشرفي وعلي المزغني وغيرهم (انظري القائمة البيبليوغرافية). بل إنّ من الدراسات ما استخدم هذه المقاربة في دراسة وضع النساء القاضيات ومستوى حضورهنّ ضمن السلطة القضائية من أجل كشف الأسباب وراء تدني هذا الحضور مقارنة بالحضور الرجالي، ومن أجل تشخيص الصعوبات والعراقيل التي تتعرض لها النساء المشتغلات في السلك القضائي²⁵.

٧١. المساواة في الميراث: آخر المعارك القانونية والثقافية من أجل المساواة التامة والكاملة

استقطب مطلب المساواة في الميراث نضالات الحركة النسوية التونسية منذ تسعينيات القرن الماضي. كما استقطب هذا الموضوع نقاشات متواصلة منذ أعلن الرئيس التونسي السابق الباجي قايد السبسي عن تشكيل "اللجنة الوطنية للحيات الفردية والمساواة" بين وجهتي نظر رئيسيتين: وجهة النظر المبنية على مقاربة جندرية وعلى براديجم مساواتي، ووجهة النظر التقليدية

24. انظر نصح على بوابة التشريع التونسية على الرابط: http://www.legislation.tn/detailtexte/Loi-num-2017-58-du-11-08-2017-jort-2017-065_2017065000581

25. Sana Ben Achour, « La féminisation de la magistrature en Tunisie entre émancipation féminine et autoritarisme politique », L'Année du Maghreb [En ligne], III | 2007, mis en ligne le 01 novembre 2010, consulté le 22 décembre 2020. URL: <http://journals.openedition.org/anneemaghreb/353>

المحافظة التي ترفض المساواة في الميراث كما ترفض المقاربة الجندرية من منطلق ديني أخلاقي. ونظرًا إلى أنّ هذا المقال لا يتسع لعرض مختلف وجهات النظر ومستنداتها وحججها، وإلى أنّ الهدف الأساسي منه هو البرهنة على دور المقاربة الجندرية في تطوير القوانين ذات الصلة بالنساء وفي ضمان حقوقهنّ، فإننا سنقتصر على بعض الأعمال البحثية التي اعتمدت هذه المقاربة في معالجة مسألة الميراث ضمن أفق المطالبة بالمساواة.

تعدّ الفصول الخاصة بالميراث في مجلة الأحوال الشخصية التونسية من أكثر فصولها تقليدية؛ فهي في مجملها تستعيد أحكام الفرائض كما استقرت في الفقه الإسلامي، والمعروف أنها أحكام قائمة على تمييز الواضح ضد النساء. لذلك تعتبر النساء في تونس والقوى التقدمية عمومًا معركة المساواة في الميراث أهم المعارك من أجل استكمال المساواة، وهو ما يفسر كثرة البحوث والدراسات في هذا الموضوع وقدرتها على أن تكون أنموذجًا ممثلًا لاتجاهات البحث القائمة على المقاربة الجندرية.

ومن أوائل البحوث في هذا المجال مؤلف جماعي صدر منذ العام 2006 ضمن منشورات "جمعية النساء التونسيات للبحث من أجل التنمية" AFTURDE عنوانه "المساواة في الميراث: من أجل مواطنة كاملة وتامة" (AFTURD 2006). وقد جاء هذا المؤلف الجماعي في جزأين أولهما بحوث متعدّدة الاختصاصات يجمع بينها اعتماد المنظور الجندري الرامي إلى الكشف عن العوامل المتنوعة التي تفسر هذا التوزيع الذي قام عليه الفقه الإسلامي لأنصبة الموارث واثبات ثنائية الامتياز الذكوري والدونية الأنثوية التي تحكمت في ذلك التوزيع. وقد ظلت هذه العوامل متحكمة في قوانين الميراث في مجلة الأحوال الشخصية بالرغم من كل المراجعات التي أدخلت عليها والتي كانت دائمًا تصب في خدمة هدف تأكيد المساواة بين الرجل والمرأة. وبيّنت الدراسات السوسولوجية الواردة في الجزء الأول أنّ الأسباب الحقيقية للتمييز ذات طبيعة اجتماعية في الحقيقة بالرغم من أنّ التبريرات التي تساق غالبًا تبريرات دينية؛ فالمجتمع ما زال ذكوريًا رغم كلّ ما شهده من تحولات في مستوى طبيعة النظام العائلي، إذ أصبحت العائلة النوواة الزوجية هي الغالبة، أو في مستوى نوعية العلاقات التي لم تعد محكومة بالعامل القبلي أو العشائري كما كانت في الفترات الماضية.

كما بيّنت الدراسات الميدانية أنّ نسبة مهمّة من النساء في الأوساط الريفية لا تتمتع حتى بالنصيب الشرعي وهو نصف نصيب الذكر، وذلك لأنّ هذه الأوساط ظلت تحتكم إلى الأعراف أكثر من احتكامها إلى قواعد أحكام الفرائض في الفقه الإسلامي. وتتمثل هذه الأعراف في تفضيل الذكور دائمًا

بتمكينهم من أغلب التركات وبخاصة إذا كانت من صنف الأراضي والأملاك العقارية، بينما لا تحصل المرأة إلا على نصيب ضئيل من الأموال المنقولة على سبيل الفضل، أو بانفراد أكبر ذكور العائلة بكل التركة مقابل الإنفاق على البقية، لذلك تحرم البنت حال زواجها من كلّ شيء بدعوى أنّ زوجها هو المسؤول عن الإنفاق عليها. ولكنّ هذه الممارسات القائمة على التمييز ضدّ النساء لا تخفي وجود بعض الممارسات المخالفة تمامًا إذ تثبت وثائق القضاء تعمّد نسبة من الآباء من الوسط المدني ولا سيّما من الفئات المثقفة قسمة ممتلكاتهم في حياتهم بالتساوي بين أبنائهم ذكورًا وإناثًا عن طريق عقود البيع والشراء تفاديًا لقانون الميراث الذي يمنع مثل هذه القسمة.

اللغة بوصفها وسيط علاقتنا بالواقع تسمح بقياس الطبيعة الأدائية للأنواع القانونية المتصلة بالعلاقات الاجتماعية المبنية على الجنس

أظهرت هذه الدراسة أنّ مسألة الميراث ليست قضية قانونية فحسب ولكنها اجتماعية وثقافية أيضًا. لذلك جاءت البحوث المجموعة في هذه الدراسة متعددة الاختصاصات وشكّلت بفضل استناد جميعها إلى مقاربة جندرية لبننة في بناء المعرفة الجندرية بالقانون ووثيقة مناصرة لفائدة مطلب المساواة (AFTURD 2006). وقد تمّ اختزال مجموع الدراسات في الجزأين في 14 حجة تجمع بين القانوني والاقتصادي والاجتماعي والثقافي-الديني تحوّلت إلى وثيقة تستخدمها المنظمات النسوية وحركتها النضالية باستمرار سواء في حملات التوعية أو المطالبة بتغيير قوانين الميراث، مثلما حصل في الحملة التي أطلقتها الجمعيات النسوية وجمعيات المجتمع المدني الحقوقية والتقدمية مناصرة للتقرير الذي أصدرته لجنة الحريات الفردية والمساواة في العام 2018²⁶. وقد واصلت الجمعية نفسها دراساتها للموضوع بأن أصدرت في العام 2014 كتابًا ثالثًا عنوانه "المساواة في الميراث والاستقلالية الاقتصادية للنساء" (AFTURD 2014)، وقد توزّع على ثلاثة محاور كبرى اعتنى في أولها بالأطر القانونية حيث كشف عن كل ما في القوانين من نصوص وفي فقه القضاء من ممارسات ما زالت قائمة على التمييز على أساس النوع الاجتماعي، أو حتى على أسس أخرى مثل التمييز في الميراث بين الزوجة المسلمة والزوجة غير المسلمة في ميراث

26. تقرير لجنة لحريات الفردية والمساواة
<https://www.legal-agenda.com/uploads/Rapport-COLIBE.pdf>

الزوج التونسي المسلم. تمّ كل ذلك ضمن منظور مساواتي يعتبر أنّ المساواة في القانون شرط لازم ولكنه غير كاف لتحقيق المساواة الفعلية، وهو ما استدعى عناية البحث بالتصورات والتمثيلات السائدة في المجتمع حول مطلب المساواة في الميراث. وبيّنت الدراسة أنّ التصور الأكثر رواجًا هو الذي يعتبر أنّ المطالبة بالمساواة في الميراث غير مناسبة في الوقت الراهن وأنّ للتونسيين أولويات أخرى أهمّ مثل التشغيل. وهناك من يرى أنّ هذا المطلب لا يتناسب مع الأحكام الشرعية الواضحة والقطعية الخاصة بالميراث، فضلًا عن حجج أخرى متنوعة.

وتدفع هذه المواقف إلى التساؤل مرّة أخرى: هل يكفي تغيير القوانين في اتجاه إقرار المساواة التامة حتى تتحقّق المساواة فعليًا في الواقع؟ يبدو أنّ الإجابة عن هذا السؤال هي ما تقدمه الدراسة الميدانية التي جاءت في القسم الثاني من الكتاب حول ما هو شائع في المجتمع من السلوكيات والممارسات في مجال تقاسم الثروة العائلية. وبناءً على الإحصائيات وعلى تحليل الأجوبة التي قدمها المستجوبون، يترجّح أنّ هذا التقاسم يتدخل فيه عوامل عديدة، لا يمثل الديني منها سوى عامل يكاد يكون ثانويًا وهو يتّخذ في غالب الأحوال تعلّة للتغطية على الأسباب الحقيقية التي يغلب عليها الطابع الاجتماعي-المادي والثقافي الرمزي. كما أظهرت هذه الدراسة أنّ القسمة تتمّ عادة عن طريق التفاوض داخليًا بين أفراد العائلة، خصوصًا أنّ القانون الخاصّ بالملكية بين الزوجين قد أتاح لهما تنظيم المسألة منذ بداية حياتهما الزوجية باختيار إحدى الصيغتين القانونيتين وهما نظام الملكية المشتركة الذي يسمح بالمساواة بين الزوجين في ممتلكات الأسرة، أو نظام الفصل في الملكية حيث يحتفظ كلّ طرف بأملكه الخاصّة (Kalthoum 2001). أما في مستوى الممارسات فإنّ الشائع هو أنّ الأولياء صاروا أكثر ميلًا إلى استثمار ما يملكون في تدريس أبنائهم وفي تكوينهم العلمي والمهني، وإلى تمكين أبنائهم في حياتهم من جزء ممّا يملكون استنادًا إلى وضع الأبناء وإلى حاجياتهم وفي حرص كبير على التزام العدالة بينهم.

وقد استخلصت الدراسة خمس حجج رئيسية لمناصرة مطلب المساواة في الميراث هي:

(1) التحوّل الذي طرأ على وضع المرأة وجعل منها معيلاً للأسرة؛ وهذا التحوّل يجعل آثار التمييز في الميراث أخطر لا على النساء فحسب بل على كامل الأسرة.

(2) المساواة في الميراث تقلّل من نسبة الفقر في صفوف النساء وتدعم استقلاليتهنّ.

(3) ضعف الموارد التي ترثها النساء يمثل عائقًا خطيرًا دون النساء وريادة الأعمال، ويمثل التمييز في الميراث سببًا مهمًا في الحطّ من كفاءات

النساء بما يترتب على ذلك من تقليص مردودية رأس المال البشري في عموم المجتمع.

(4) بما أنّ دوران الأموال الموروثة من النساء أيسر فإنّ مردوديتها الاقتصادية أهمّ وأشمل اجتماعيًا، بينما يمثل التمييز في الميراث مصدرًا للهشاشة الاقتصادية في المدى القصير وعاملاً يحدّ من فرص التكامل الاقتصادي في ما بين الأجيال على المدى البعيد.

(5) بالرغم من أنّ النساء يرثن أقلّ فإنهنّ يورثن أكثر بفضل ما يبذلنه من جهد وقدرتهنّ على تطوير ممتلكاتهنّ.

ومن نماذج الأعمال التي أنجزها الكريديف (مركز الدراسات والبحوث والتوثيق والإعلام حول المرأة) في الموضوع نفسه مؤلف جماعي حول الميراث شارك فيه عدد من الباحثات والباحثين واعتمدوا منهجيات متنوعة تشترك جميعها في البرهنة من جهة على أنّ المساواة في الميراث مطلب دستوري وشرط لاستكمال مطلب المساواة العامة باعتبارها مبدأ دستوريًا، وعلى أنها مطلب اجتماعي من جهة ثانية تعود منافعه على الأسرة وعلى المجتمع كله وليس على النساء وحدهنّ خصوصًا أنّ نسبة النساء اللواتي يعلنن أسرهنّ في تزايد مستمر، وعلى أنّ هذه المساواة من جهة ثالثة لا تتعارض مع القرآن إذا ما أعيد فهمه وتأويله على ضوء مبادئ المصالح والمقاصد، وأنّ إدعاء قطعية دلالة النصّ القرآني في هذا الموضوع ليس سوى تأويل ذكوري ناشئ في سياق مجتمع باترياركي، والحال أنّ السياقات الحديثة لم تعد تحتل مثل هذا التأويل. (يوسف وآخرون 2018)

إضافةً إلى الجهود المبذولة من بعض المؤسسات الرسمية والجمعيات النسوية، نجد عددًا مهمًا من الأعمال التي أنجزها باحثون، نقتصر من بينها على مثال أنجزه مختصون في القانون يقدم لنا صورة عن بعض اتجاهات الدرس القانوني وهو الاتجاه الملتزم بالمقاربة الجندرية وبالمنظور المساواتي، وهو كتاب أنجزه كل من كلثوم مزيو وعلي المزغني ووضعت له مدخلًا كاتبة هذا المقال زهية جويرو (Mezghani et Kalthoum 2006). وقد بني هذا الكتاب على أطروحة أساسية مفادها أنه وضع ليكون "دفاعًا عن المساواة في الميراث ومناصرة لهذا المطلب من أجل وضع حدّ لتمييز النساء هنّ ضحاياه" (Mezghani et Kalthoum 2006). ويدرج المؤلفون هذا الكتاب ضمن مسار تحديثي انطلق في تونس منذ ما يناهز القرنين مع خير الدين التونسي والطاهر الحدّاد والحبيب بورقيبة وما زال مستمرًا مع كثير من الباحثين والباحثات في اختصاص القانون وفي غيره من الاختصاصات مثل محمد الشرفي وساسي بن حليمة وسناء بن عاشور وألفة يوسف ونائلة سيليني وزهية جويرو، ويؤكدون أنّ الوقت قد حان لطرق موضوع المساواة

المراجع العربية

- أبو بكر، أميمة وشيرين شكري. 2002. المرأة والجنس، إلغاء التمييز الثقافي والاجتماعي بين الجنسين. القاهرة، دار الفكر المعاصر.

- الأرقش، دلندة، وكريم بن يدر. 2015. منحة الحداد وأحلام جيل، وثائق من التاريخ (في الذكرى الثمانين لرحيله). مركز البحوث والدراسات والتوثيق والإعلام حول المرأة، الكريديف، تونس.

- التريكي سعاد، وح، التويتي. 2013. "قوانين الشغل ومشاركة المرأة في سوق الشغل بتونس" الوكالة الألمانية للتعاون GIZ. تقرير النوع الاجتماعي بتونس.

- تقرير الكريديف. 2016. Inégalités et discrimination à l'encontre des femmes et des filles dans la législation tunisienne. https://www.ohchr.org/Documents/Events/IWD2016/LoisDiscriminatoires_FR.pdf

- التقرير السنوي لمجلس النظراء وتكافؤ الفرص بين المرأة والرجل. 2019. وزارة المرأة والأسرة، تونس. <http://www.femmes.gov.tn/ar/2019/09/19>

- تقرير لجنة لحيات الفردية والمساواة - agenda.com/uploads/Rapport-COLIBE.pdf. تونس: عدالة النوع الاجتماعي والقانون، تقييم القوانين المؤثرة على عدالة النوع الاجتماعي والحماية من العنف القائم على النوع الاجتماعي. 2018. إعداد برنامج الأمم المتحدة الإنمائي، بالتعاون مع هيئة الأمم المتحدة للمرأة وصندوق الأمم المتحدة للسكان واللجنة الاقتصادية والاجتماعية لغرب آسيا (إسكوا).

- الثعالبي، عبد العزيز. 1985. روح التحرر في القرآن. تعريب حمادي الساطي. بيروت، دار الغرب الإسلامي. (ألف الشيخ الكتاب وترجمه إلى الفرنسية هادي السبعي ونشر بباريس أول مرة سنة 1906، وقد ضاعت النسخة الأصلية التي ألفها صاحبها بالعربية).

- جماعي: ألفة يوسف، نائلة السليبي، منية العلمي، زهية جويرو، رشيدة الجلاصي، كلثوم مزبو، عماد الميمني. 2018. المساواة في الميراث بين القراءة المتجددة للنص الديني والتحول المجتمعي. منشورات الكريديف، تونس.

- الجندي، حامد. 2011. قانون الأحوال الشخصية التونسي وعلاقته بالشريعة الإسلامية. تونس، مجمع الأطرش للكتاب.

- الحداد، الطاهر. 2011. امرأتنا في الشريعة والمجتمع. صدر للمرة الأولى عام 1930. القاهرة/ بيروت، دار الكتاب المصري/ دار الكتاب اللبناني.

- الديوان الوطني للأسرة والعمران البشري: المسح الوطني حول العنف المسلط على النساء، Rapport enquête nationale sur la violence à l'égard des femmes en Tunisie, <http://www.medicities.org/documents/10192/54940/Enqu%C3%AAte+Nationale+Violence+envers+les+femmes-+Tunisie+2010.pdf>

- الشرفي، عبد المجيد. 1991. الإسلام والحداثة. تونس، الدار

القانونية من جهة ونحو المطالبة بتعديل القوانين التمييزية وبمراجعتها من جهة أخرى هو الذي حكم الكثير من الدراسات القانونية بما فيها تلك التي وظفت المقاربة الجندرية، وذلك من أجل البرهنة على حاجة عدد من القوانين للمراجعة والتعديل في أفق تحقيق الانسجام بينها وبين ما ينص عليه دستور 2014 من فصول تؤكد المساواة التامة بين المواطنين والمواطنات أمام القانون. ومن بين الموضوعات التي حظيت باهتمام الباحثات والباحثين خلال هذه الفترة موضوع موقع المرجعية التشريعية من القانون؛ وهو موضوع عالجه بعضهم من منظور جندي بهدف إلى دحض الأطروحة التي تتخذ من التعارض بين مطلب المساواة وأحكام الشريعة تعلقاً لرفض التعديلات القانونية المقترحة من أجل القضاء على التمييز على أساس الجنس. وقد بيّنا أعلاه كيف احتدّ الجدال حول هذا الموضوع إثر إنشاء لجنة الحريات الفردية والمساواة ومع صدور تقريرها بصفة خاصة.

ب) اتجاه سوسيولوجي قام أساساً على الدراسة المقارنة بين ما جاء في النصوص القانونية المعيارية والوضع الفعلي الذي تعيشه النساء والمجتمع عموماً، وذلك من أجل الكشف من جهة عن دور القانون في حركة المجتمع وعن العوائق التي تحول دون أن تكون الوضعية الاجتماعية الفعلية متطابقة مع الوضع المعياري للقوانين من جهة أخرى. وتستخدم هذه الدراسات الميدانية عموماً في اقتراح وضع السياسات المناسبة لتدارك الفوارق ولجعل القانون مرجعاً فعلياً في تنظيم الواقع الاجتماعي، كما تشترك في استخدام المقاربة الجندرية كلما تعلق الأمر بحقوق النساء وبأوضاعهن الاجتماعية، وذلك بهدف جعل تلك الدراسات مرجعاً في تعيين البرامج ووضع السياسات المناسبة لتحقيق العدالة والمساواة على أساس النوع الاجتماعي.

ج) اتجاه قانوني قام أساساً على دراسة القوانين المدنية التونسية في ضوء المعايير الدولية لحقوق الإنسان وحقوق النساء. وتهدف هذه الدراسات عموماً إلى الكشف عن آخر الجيوب التي ما زالت فيها القوانين التونسية لم ترتق إلى مستوى المعايير الدولية وإلى تشخيص العوائق التي تحول دون ذلك واقتراح البرامج المناسبة لمعالجتها والتعديلات القانونية التي يحتاج إليها حتى تكون هذه القوانين منسجمة مع ما صادقت عليه الدولة التونسية من المعاهدات والاتفاقيات الدولية في مجال حقوق الإنسان وحقوق النساء. وتعتمد هذه الدراسات المقاربة الجندرية بوصفها مقاربة كفيّة في الآن ذاته بالكشف عن جميع مواطن التمييز وتحديد أسبابها ذات الصلة بالعوامل القانونية والعوامل الاجتماعية والثقافية ومن ثمّ اقتراح الحلول المناسبة لتحقيق العدالة على أساس القاعدة نفسها.

مضبوطة" (الشريف 1987)²⁸.

عمومًا شكّل هذا الاتجاه مسارًا بحثيًا تراوح بين إعادة قراءة الأحكام الشرعية ذات الصلة بالمرأة والأسرة وتأويلها تأويلًا مقاصديًا، متحرّزًا من المنظور الفقهي التقليدي ومستفيدًا من بعض مفاهيم النظرية المقاصدية مثل مفهوم المصلحة، ومن بعض مصادر التشريع الثانوية مثل الاستحسان والمصالح المرسلّة والعرف وما جرى به العمل من جهة، والدفاع عن مجلة الأحوال الشخصية وعن الاختيارات القانونية التي سارت فيها الدولة الوطنية التونسية من جهة أخرى، وذلك بالردّ على الخصوم الذين ما فتئوا يتهمون المجلة وما جرى مجراها من النصوص القانونية بالخروج على الدين ومعارضة الشريعة. وقد تراوحت الردود بدورها بين البرهنة على أن المجلة وسائر النصوص القانونية التي أقرت حقوق النساء لا تتعارض مع الإسلام الإصلاح من التونسيين ومن غيرهم، وإن تعارضت مع الفهم الفقهي التقليدي والمنغلق،²⁹ والبرهنة على انسجام ما أنت به مع تطلعات التونسيين ومع مقتضيات بناء الدولة الوطنية والمجتمع الحديث؛ هذا المجتمع الذي يجب أن تتضافر على بنائه جميع الطاقات والموارد البشرية وأن يحسن استثمار ما برهنت عليه النساء من كفايات ومن قدرة على النهوض بالوظائف العامّة.

ونلاحظ أنّ هذا الاتجاه كان رائجًا خلال المرحلة الأولى بعد صدور مجلة الأحوال الشخصية، أي خلال عقدي الستينيات والسبعينيات بصفة خاصة، ثم عاد هذا الموضوع إلى مركز الاهتمام بعدما أخذت أطروحات التيار السياسي ذي المرجعية الإسلامية (الاتجاه الإسلامي في مرحلة أولى ثم حزب حركة النهضة في مرحلة لاحقة) تظهر إلى العلن وتنتشر لتعيد ترويج الحكم بأنّ المجلة تتعارض مع الإسلام وتعادي الشريعة الإسلامية وبأنّ نظام الحكم في تونس استخدم شعارات حقوق النساء بدافع من تأثره بالفكر الغربي تارةً أو بهدف الترويج لسلطته طورًا. وقد أثار هذا الخطاب ردود المناهضين لهذه الأطروحات بالتركيز مرة على المرجعية الوضعية-الحقوقية للقوانين أو بالتركيز مرة أخرى على أنّ مجلة الأحوال الشخصية لا تخرج عن حدود المرجعية الشرعية. أمّا في مرحلة لاحقة بعد ثورة 2011 ونتيجة شعور القوى التقدمية والنسوية بأنّ حكم حركة النهضة قد يشكّل تهديدًا للمكتسبات الحقوقية لفائدة النساء، فإنّ التوجّه نحو تثبيت المكتسبات

28. لمزيد من الاطلاع حول الموضوع انظر: حامد الجندي: قانون الأحوال

الشخصية التونسي وعلاقته بالشريعة الإسلامية، تونس، مجمع الأطرش للكتاب،

2011.

29. الأدبيات القانونية المنخرطة في هذا الاتجاه وافر جدًا وسنذكر بعضها

ضمن القائمة البيبلوغرافية.

في الميراث حتى لا يظلّ من المحرّمات بدعاوى دينية قابلة للنقد والتفنيد. ويبرهن المؤلفان أنّ الاستمرار في التمييز في الموارث لم يعد مناسبًا لحقائق الأوضاع الاجتماعية وللتحولات التي عرفها وضع النساء وأدوارهنّ. وبناءً على ذلك يعتبران إقرار المساواة في الميراث شرطًا "لاستكمال مسار التحديث الذي انطلق فيه المجتمع التونسي ولبلوغ مستوى المواطنة الكاملة... فضلًا عن كونه شرطًا لتحقيق الانسجام في المنظومة القانونية التونسية" (Mezghani et Kalthoum 2006).

VII. الخلاصة

شاع الاعتقاد لدى النخبة التونسية منذ صدور مجلة الأحوال الشخصية وحتى بعدها أنّ القانون هو السبيل الأضمن للتحديث، لذلك راهنت وما زالت تراهن بشكل كبير على تطوير القوانين. وكان ذلك من العوامل التي ساهمت في تطوير الدراسات القانونية الملزمة بالمقاربات المساعدة على أن يؤدّي القانون الدور المنشود في تطوير المجتمع وتحقيق المساواة الكاملة بين جميع المواطنين والمواطنات، ومن بينها المقاربة النسوية والمقاربة الجندرية. وقد تبلور ضمن حركة التأليف التونسي في الدراسات القانونية اتجاهان:

أ) اتجاه يشمل الدراسات التي دارت حول بيان عدم تعارض ما جاء في مجلة الأحوال الشخصية وفي غيرها من المصادر القانونية من أحكام تخصّ المرأة والأسرة مع قيم الشريعة الإسلامية ومع مقاصدها ومن بينها بشكل خاصّ المصلحة والعدالة والمساواة. وقد التزم فيها أصحابها بالجمع بين المنظور المساواتي في الدفاع عن حقوق النساء والقراءة المقاصدية للتشريع الإسلامي. كان هذا التوجّه واضحًا منذ صدور المجلة إذ علّق محمد الطاهر السنوسي على سبيل المثال على الفصل الذي يلزم بأن يكون الطلاق في المحكمة بقوله: "قرّر هذا الفصل وجوب القيام بطلب الطلاق لدى المحكمة... ولا تخفى عظمة المصلحة المنجّرة عن هذا الجوب"²⁷. وظلّ هذا الموقف متداولًا لدى المتخصصين التونسيين، إذ يعلّق القاضي محمد الحبيب الشريف على الفصل نفسه بقوله: "ولمّا أصدرت الدولة مجلة الأحوال الشخصية وفرضت التقاضي في الطلاق حققت عديد الغايات ولعلّ من أهمّها: حماية العائلة... حماية المرأة... حماية الطفل... توحيد القانون والقضاء... تنظيم الحالة المدنيّة... ولا يخفى أنّ هذه الغايات منها ما يتصل بتنظيم المجتمع في ذاته، ومنها ما يتصل بتنظيم المجال القانوني وجعله خاضعًا لقواعد

27. جاءت تعليقات القاضي محمد الطاهر السنوسي مصاحبة لإحدى الطبقات

الأولى من مجلة الأحوال الشخصية وهي الطبعة الأولى الصادرة بتونس عن

الشركة التونسية لفنون الرسم، 1956.

entre hommes et femme en droit successoral. Tunis: Sud Editions.

- Meziou, Kalthoum. 2001. Le régime de la communauté des biens entre époux; in Mélanges en l'honneur de Mohamed Charfi. Tunis: CPU.

- Revillard, A. 2009. "Le droit de la famille: outil d'une justice de genre?" L'Année Sociologique 59 (2): 345-370.

- Soames, Scott. 2009. Philosophical Essays, Vol 1: Natural language, what it means and how we use it (1). Princeton University Press.

- محمد الحبيب الشريف. 1987. قوانين الأحوال الشخصية والمدنية بتونس. ط دار الميزان للنشر سوسة.

- العبيدي، ليليا. 1990. جذور الحركة النسوية في تونس. دار النشر التونسية، ط2.

- عليا، فتحية. 2012. "المسح الوطني حول العنف ضد المرأة 45% نسبة النساء المعنفات" <https://www.tuess.com/alkhabir/1371>

- قريع، بثينة، وجورجيا دي باولي. 2014. "واقع النوع الاجتماعي بتونس". تقرير أنجز في إطار التعاون بين الاتحاد الأوروبي وحكومة الجمهورية التونسية، تونس. https://eeas.europa.eu/sites/eeas/files/rapport_national_genre_tunisie_2014_complet_ar.pdf

- مجلة الأحوال الشخصية. 1956. الطبعة الأولى، تونس، الشركة التونسية لفنون الرسم.

- المكي، نضال. 2014. "تونس: المساواة في النوع الاجتماعي والدستور". تقرير مقدم إلى "المنتدى العربي للمواطنة في المرحلة الانتقالية". https://www.ipinst.org/images/pdfs/FACTReport-Gender_Constitution-Arabic-September2014.pdf

- المرزوقي، إلهام. 2010. الحركة النسائية في تونس في القرن العشرين. ترجمة آمال قرامبي. تونس، دار سيناترا.

- الميساوي، الحبيب. 2018. "الأرقام كشفت الحقيقة: ثروة تونس تصنعها المرأة". <https://www.tuess.com/alchourouk/526392>

- وزارة العدل، الهيئة الوطنية لمكافحة الاتجار بالأشخاص، التقرير السنوي. <https://tunisia.iom.int/sites/default/files/activities/documents/Rapport%202018%20Final.pdf>

المراجع باللغات الأجنبية:

- Baines, Beverley, and Rubio-Marin, Ruth, eds. 2005. The Gender of Constitutional Jurisprudence. Cambridge: Cambridge University Press.

- AFTURD. 2006. Egalité dans l'héritage: Pour une citoyenneté pleine et entière. Tunis: AFTURD.

- Millard, Eric. 2013. "Droit et Genre." Les nouveaux territoires du droit: 87-104. L'Harmattan.

- Millard, Eric. 1995. Famille et Droit Public. Paris: LGDJ.

- Gaudreault-Desbiens, Jean-François. 2001. Le Sexe et le Droit. Québec: Yvon Blais Éditions.

- Angenieux, Gilbert. 2011. Le genre, une question de droit? Jurisprudence, Revue Critique, n°2. Université de Savoie.

- MacKinnon, Catharine A. 1989. Toward a Feminist Theory of the State. Cambridge: Harvard University Press.

- Mezghani, Ali, et Kalthoum Meziou. 2006. L'égalité

