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Abstract

The images of women protesting alongside men in the squares of Egypt, Tunisia and other Arab countries in 2011 sent a strong message to the West: they were ready to fight for the liberation of women in their societies. However, as events unfolded, these hopes gradually faded. Today, Tunisia represents the only case of a successful democratic transition which has brought about many channels for the promotion of women's rights and empowerment. On the contrary, Egypt sank back into the nightmare of a 'deep state', betraying the values of freedom, equality and justice that the protesters had demanded. This paper pursues the complex task of assessing the role of women in the Arab Spring and the impact that the revolutions had on women's empowerment, gender equality and fundamental rights in Tunisia and Egypt, and how the European Union (EU) has responded to these changes. To what extent has the EU been able to uphold and to prioritise the values of gender equality and fundamental women's rights in its policy-making towards its Southern neighbours?

The paper starts with the assumption that human rights, of which women's rights represent a fundamental category, are universal and should be recognised as such without falling into the dangerous traps of cultural relativism. The divergence between Islamist feminist movements and secular movements is central to understanding women's quest for liberation and empowerment, especially in the case of Tunisia. Important results have been achieved in the field of equality, conceived as the elimination of those structural inequalities hindering the participation of women in the economic, political and social tissue. However, many more steps need to be taken to ensure gender equity, that is, the achievement of equal opportunities and equal treatment in the distribution of benefits. While the EU has acknowledged the role of women in the democratisation processes and supported them through funding, projects and dialogue, its approach seems to promote the inclusion of women in the same gendered and asymmetrical structures that are at the origin of their exclusion. Therefore, the Arab Spring was but a thin veil of change that has uncovered the women's quest for equality in the North African region.

Women and the Arab Spring: between feminist and democratisation narratives

The image of women fighting for democracy and fundamental rights next to men in the streets and squares of Egypt and Tunisia in 2011 sent a strong message to the West: they were ready to take a leading role in the protests to redeem the role of women in their societies. However, as events unfolded, women were gradually pushed back. Tunisia represents today the only case of a partially successful democratisation, which has placed the promotion of women's rights and the recognition of channels for their empowerment at its core. On the contrary, Egypt rapidly saw hopes turning into the nightmare of a deep state, which denied all those values of freedom, equality and justice that were in Tahrir Square by women.

This paper tries to first identify the role that women played in the 2011 revolutions in the Middle East and North Africa (MENA) region. Contextually, it aims at assessing the impact of the Arab Spring on gender equality and on the promotion of fundamental women's rights in Tunisia and Egypt. Moreover, it analyses the European Union's (EU) response to these events by looking at the evolution of its policies towards the Southern neighbourhood. Since it is not possible to consider the status of women's rights in the region as a whole in this paper, given deep, structural differences among countries, it investigates the role that women's movements played in the effort of democratisation in Egypt and Tunisia. These differences depend in particular on three main elements: the institutionalisation of Shari'a in the judicial system, the impact of the presence of migrants and refugees and the responses to the regime's political liberalisation.¹ Furthermore, the paper focuses on the aftermath of the revolutionary process, explaining whether and to what extent women gained significant rights after the Arab Spring. It uses international feminist theory as a framework to analyse the role of women in the two countries. The theory originates from the concept of feminism, which finds its roots in the French word 'féminisme', that was mainly employed as a medical term in the 19th century. Its meaning evolved to denoting a political stance of somebody who is committed to change the social dominant structures and the position that women occupy within them. In particular, this change is based on the belief that women are subjugated by virtue of their sex and that they deserve formal and substantial equality, primarily before the law.² International feminist theory

¹ L. Touaf, S. Boukthil & N. Nasri, *North African Women and the Arab Spring: In the Eye of the Storm*, Oujda, Palgrave Macmillan, 2017, p. 14.

² J. Pilcher & I. Whelehan, *Fifty Key Concepts in Gender Studies*, London, SAGE Publications, 2004, p. 48.

acknowledges that gender constitutes a complex social construction of women's and men's identities and their interaction and recognises that these do not reflect biological characteristics, but respond to culturally-elaborated notions of male and female behaviour.³ Furthermore, the research challenges the gendered conceptions of the state and politics, according to which the public domain is seen predominantly as that of male influence and identification, while family and social reproduction are seen as the predominantly female spheres of identification.⁴

The analysis revolves around two case studies: Tunisia and Egypt. This choice is justified by the structural similarities between the two countries shared before and during the breakout of the revolution. In fact, Egypt and Tunisia show common features in variables such as social equality, economic development, political culture, religious tradition and civil society. However, these common elements have strongly diverged in the aftermath of the Arab Spring. Finally, the two countries face different geopolitical, demographic and political features, which can help explain the different outcome of the revolution in the two cases.

Held conceives of democracy as a "mechanism that bestows legitimacy on political decisions when they adhere to proper principles, rules and mechanisms of participation, representation and accountability".⁵ Democracy makes it easier to debate pressing and fundamental issues by offering a space for deliberation and resolution.⁶ Therefore, political participation can only be ensured in a legal framework which ensures the implementation of the principle of autonomy, according to which people should enjoy equal rights and equal obligations within the political framework.⁷ This conceptualisation is interesting for the purpose of this research in so far as it captures the concomitant and necessary reform process of the state and of civil society. The two elements are considered interconnected to guarantee the development of democracy. Therefore, this conceptualisation is also central to the understanding of the role of women as agents of democratisation through their increasing activism in civil society.

³ D. Thorburn, "Feminism Meets International Relations", *SAIS Review*, vol. 20, no. 2, 2000, p. 2.

⁴ G. Youngs, "Feminist International Relations: A Contradiction in Terms? Or why Women and Gender Are Essential to Understanding the World 'We' Live in", *International Affairs*, vol. 80, no. 1, 2004, p. 81.

⁵ D. Held, *Models of Democracy*, Cambridge, Cambridge Polity Press, 3rd ed., 2006, p. 260.

⁶ *Ibid.*, p. 264.

⁷ *Ibid.*

Democratisation is the process of regime change moving away from an authoritarian system of power to the emergence of a new liberal democracy.⁸ It is considered as a multi-stage and multi-dimensional process. Hence, it cannot be described as linear, and a backlash is always conceivable. Furthermore, democratisation does not only entail political liberalisation, but it cuts across many other aspects. Finally, for the purpose of this paper, it is interesting to notice that some literature on democratisation considers the Islamic religion, a central element in the case of the countries that are object of study, as hampering democratisation.⁹

This paper will first analyse the narrative about women's rights and their place in the general category of human rights, by looking at the international, North African and the EU's narratives. Second, it will present the two case studies of Egypt and Tunisia. Finally, it will analyse the European Union's approach towards women's rights after the Arab Spring in its Southern neighbourhood.

Are women's rights universal human rights? The international, the Arab and the EU's narrative

Human rights are those rights possessed by individuals for the simple fact of being human, and in this sense, they underlie a claim of universality.¹⁰ Nevertheless, rights could be defined as well as the legitimate sphere of independent action (or inaction) enabling individuals to act independently without interfering with or infringing on the liberty of others.¹¹ Therefore, according to the latter definition, rights can be described both in terms of duties and of opportunities. The emergence of the concept of core human rights was enhanced by the creation of the United Nations (UN), which affirmed itself as a promoter of the respect of fundamental freedoms, and by the flourishing of international law. Hence, through the different instruments adopted at the UN level, the issue of gender parity and women's empowerment in the family, economic, social and political sphere has become an objective to be pursued and to be protected under international law. The universality is rooted in the idea that rights belong to every individual by virtue of their dignity and humanity. In this regard, it is important for the purpose of this research to understand to what extent women's rights

⁸ G. Pridham, *The Dynamics of Democratisation: A Comparative Approach*, London, Continuum, 1st ed., 2000, p. 16.

⁹ E. Lust, "Missing the Third Wave: Islam, Institutions and Democracy in the Middle East", *Studies in Comparative International Development*, vol. 46, no. 2, 2011, pp. 163-190.

¹⁰ J. Donnelly, "Cultural Relativism and Universal Human Rights", *Human Rights Quarterly*, vol. 29, no. 2, 2007, pp. 282-283.

¹¹ Held, *op.cit.*, p. 264.

have been adopted and prioritised in the wider effort to promote the respect for fundamental human rights and to what extent cultural and religious components represent a threat to this idea of universality.

Women's rights narrative in the MENA region

In the Arab world, religion represents a fundamental element of both the private and the public sphere.¹² In fact, one of the main obstacles and hurdles of the religious dimension of Arab societies has been that of reconciling the doctrine of fundamental rights with the interpretation of Shari'a, the Islamic corpus of jurisprudence. In particular, some feminist movements underline the need to reinterpret Shari'a so as to bring religion back to the private sphere of faith. Therefore, they strive for a more independent form of religious thinking and more space for women's self-determination. Some scholars have held that the strong religious dimension in the Arab world represents a threat to the universality of fundamental rights. Religion is often used as an argument not to implement international frameworks of protection. However, Islam cannot be considered the real obstacle to the acceptance of the universality of women's rights in the region. Instead, religion is employed as a tool to repress gender equality and to oppose a re-reading of the sacred scriptures in a more equitable way. Patriarchy, reinforced by the religious discourse, is the main factor responsible for the suffocation of women's rights in the Arab world.¹³ Nevertheless, both in Arab countries and in the West, Islam is often perceived as an obstacle for the respect and for the promotion of fundamental women's rights, that is, those rights that promote a position of social and legal equality of women with men.¹⁴ This debate on the compatibility of the values of Islam and fundamental women's rights has re-emerged in the aftermath of the Arab Spring, when preoccupation grew with the rising popularity and importance of Islamist parties in the MENA region.

The feminist movements (*al-haraka an-nisawiyya*) in North Africa have known a long history, which started under the colonial rule. The redefinition of the core principles around a feminist identity, forged by the central concept of gender parity as a crucial

¹² In this paper, the definition of 'Arab world' (or Arab society, as the terms are often used interchangeably) represents a simplification to make the analysis more understandable. In fact, the reality of the North African region is characterised by multiple faiths and ethnicities coexisting.

¹³ Interview via Skype with Sarah Gjerding, Gender Programme Officer at Euro-Med Rights, 12 April 2018.

¹⁴ "Women's Rights", *Oxford Dictionaries*, https://en.oxforddictionaries.com/definition/women's_rights, retrieved 2 September 2018.

achievement for social equality, is a characteristic of the movements in the region and is considered to be an ever-lasting and fluid process.¹⁵ Egypt was the first country in which a feminist movement emerged, with the foundation of the Feminist Union in 1923. The first generation of women's movements at the end of the 19th century focused mainly on charity activities, and were led by women belonging to the upper classes. Such movements promoted the education of girls rather than the awareness and self-consciousness about the role and the rights of women in society.

During the fight for independence from colonial domination, very often women had to take over the roles of wage-earners and bread-winners normally exercised by men. Therefore, predominant social and gender norms were suspended in order to succeed with the liberation struggle. However, after the anti-colonial movements ceased to exist, women activists were again subordinated by the regimes and policies of 'pinkwashing' were adopted.¹⁶ In particular, the authoritarian regimes promoted a top-down approach in which the empowerment of women represented a primary goal only to gain legitimacy within the international arena and to be recognised as an equal partner by Western powers. However, women's empowerment was long seen in a negative light by the society at large and was considered the symbol of the Western colonial oppression and an imposition of Western customs and values. However, women represent central agents of transformation.

The growing importance of fundamental women's rights in international law, under the auspices of the United Nations, marked a universal commitment to protect women's rights which reached out to the conservative Arab states and to their population. However, the lack of political will to effectively implement international human rights obligations at the national level, justified by the alleged tensions between international law and the traditional or religious spheres, has posed a serious obstacle to the protection of women and to the beginning of a social revolution in gender roles.¹⁷ Therefore, in the Arab world, the discrepancy between national and international women's rights protection has been striking. It has partially changed, as it will be explained in the analysis of the two case studies, after the unfolding of the

¹⁵ United Nations Development Programme, "Arab Human Development Report 2005", New York, 2005, pp. 123-124.

¹⁶ The term 'pinkwashing' refers to the adoption of gender-friendly policies which are empty in content but are used as a legitimisation tool *vis-à-vis* Western powers.

¹⁷ C. Cerna, "Universality of Human Rights and Cultural Diversity: Implementation of Human Rights in Different Socio-Cultural Contexts", *Human Rights Quarterly*, vol. 16, no. 4, 1994, p. 749.

Arab Spring due to the growing domestic and international pressure. The reasons why this discrepancy existed can be traced back to the lack of understanding about the structural and systemic nature of women's subordination and the failure to perceive the subordination and the marginalisation of women in the economic, social and political sphere as a violation of fundamental human rights.¹⁸ In fact, when researching about whether or not in the MENA region women's rights are perceived as a fundamental category of human rights, the answer depends very often on whom the question is asked to. The perception of women's rights as fundamental rights changes across countries, and from a theoretical point of view, the population does not neglect their inclusion. However, at the level of practice and in the actions committed, it can very often be observed that women's rights are not considered equal to other fundamental human rights.¹⁹

Finally, the issue of women's rights is often not upheld by human rights' advocates in North Africa. In contrast, it is the prerogative of feminist movements and grassroots movements to focus specifically on the promotion of equality and women's empowerment. This confirms the idea that women's rights are not yet considered an integral part of universal human rights in the Arab world.²⁰ However, fundamental women's rights should be guaranteed universally and not depend on cultural relativism, which holds that norms and values cannot be considered as inherent to human nature but are subject to a specific culture.²¹ Nevertheless, cultural relativism, which risks undermining women's empowerment and gender equality, and homogenised universalism, which sees norms inherent to human nature as universally defined, should be both carefully avoided in this domain.²² Elements of discrimination in the legal sphere, such as asymmetrical marriage rights, discrimination under penal law, the status of sexual abuses and rape as a crime, as well as discrimination under the personal status laws, contradict the articles of the Constitutions which promote the principles of liberty and equality. It is therefore important to insist on the domestic level of protection as the most important one, considering that international protection is just subsidiary and limited with regard to enforcement.²³ The role of women's

¹⁸ R. Cook, *Human Rights and Women: National and International Perspectives*, Philadelphia, University of Pennsylvania Press, 1994, pp. 3-4.

¹⁹ Interview with Sarah Gjerding, *op.cit.*

²⁰ Interview with Lucía Pérez, *op.cit.*

²¹ A. Prasad, "Cultural Relativism in Human Rights Discourse", *Peace Review: A Journal of Social Justice*, vol. 19, no. 4, 2007, p. 590.

²² Cook, *op.cit.*, p. 9.

²³ *Ibid.*, p. 28.

movements, non-governmental organisations (NGOs) and civil society organisations is key to raise awareness on the necessity to consider women's rights as universal human rights and it can contribute to increasing the legitimisation of those fundamental rights within a specific culture.

The European Union and gender equality: from internal to external engagement

In the EU, the principle of equality is a value that was enshrined in the Treaties since the foundation of the European Community in 1957. Gender equality and the respect for fundamental women's rights are considered two founding principles. Furthermore, the principles of non-discrimination and equality are reiterated in the European Charter of Fundamental Rights. It is important to refer to the Treaties to understand that the values of gender equality and non-discrimination are strongly rooted in the traditions of the member states and in the European Union itself, which promotes them not only internally but externally as well. The values characterising the internal legislation on non-discrimination and gender are central, since the EU's external commitments to gender equality are modelled after its internal provisions and values, especially within the framework of the European Neighbourhood Policy (ENP). Furthermore, the EU engagement on gender equality reflects the values and norms upheld by the UN and the Council of Europe's Conventions.

Initially, the European Union advocated a concept of gender equality which was rooted in promoting equal employment of men and women. Thus, it was defined mainly from an economic standpoint. Women fought for the expansion of commitments in areas other than economic empowerment, while meeting strong resistance of some member states.²⁴

The European Union began to include the promotion of gender equality in its external relations and in particular development policy in the 1980s. It focused on key areas such as access to education and training, health and improvement of living conditions and participation in the productive and development processes. In general, the approach of the European Union did not directly contribute to the idea of empowerment, conceived in the feminist literature as the elimination of the gender-biased and male-dominated structures of society. It rather promoted the integration of women within those same structures, therefore hindering the effective improvement

²⁴ *Ibid.*

of the condition of women, since the structures of oppression and inequality were not substantially modified. In the 1990s, the EU started focusing on both gender mainstreaming and on more targeted policies to improve women's conditions.²⁵ Nevertheless, in practice, all the gender initiatives suffered largely from a lack of resources and from the difficulty of recruiting experts in the area.²⁶ Moreover, the promotion of women's empowerment and fundamental rights has been particularly challenging both for the European Union and its member states, considering that women's economic and political participation *per se* does not always reflect the achievement of an effective degree of empowerment.

Generally, the EU's commitment to gender issues, both internally and externally, has originated from a compromise between the European institutions and the member states. The commitment to gender varies among member states as well: while the Nordic countries consider it as a cross-cutting priority, some other countries do not seek to include gender equality in every policy field.²⁷ The institutional commitment is particularly strong in the European Parliament, the institution which strongly advocates and promotes fundamental human rights. However, the European Parliament has little impact on the policy-making as far as external relations are concerned. Furthermore, the European External Action Service and the Commission have increased their institutional commitment to gender equality both internally and in the externalisation of EU policies, even though structural issues such as budgetary constraints and the lack of personnel with a specific gender expertise limit the effectiveness of this approach.

Women's empowerment: the success of Tunisia and the failure of Egypt

Gender equality is a pillar of democracy. Therefore, the commitment to guarantee freedom, dignity, physical and psychological integrity, equal access to resources and opportunities, the right to health, education and access to decision-making for women are fundamental prerequisites of a democratic state.²⁸ The respect and the

²⁵ Gender mainstreaming integrates the gender dimension in the various phases of policy-making, including their preparation, implementation and their ex-post evaluation and aims at combating discrimination and inequalities between men and women. See "What is Gender Mainstreaming?", *EIGE (European Institute for Gender Equality)*, <https://eige.europa.eu/gender-mainstreaming/what-is-gender-mainstreaming>, retrieved 2 September 2018.

²⁶ J. Kantola, *Gender and the European Union*, Basingstoke, Palgrave Macmillan, 2010, p. 129.

²⁷ Interview with official Antonino Crea, DG Home, European Commission, Brussels, 17 April 2018.

²⁸ Euro-med Women's Rights, "Women's Rights and Democracy Building: Promoting a Common Agenda for Equality between Men and Women", Report, Amman, 7-8 June 2018, pp. 18-19.

promotion of fundamental women's rights is crucial in pushing the political transformation of the MENA region. In general, the democratic record of these countries is not very good, and their stance on human rights and fundamental freedoms is more restrictive.²⁹

Other important variables in determining the state of affairs of women's rights and empowerment are the presence of strong independent feminist movements, the degree to which the government has engaged in a feminist rhetoric and the degree of legitimacy of claims of gender equality in society. In this sense, where national 'pinkwashing' policies were particularly strong, women's rights never had the chance to gain legitimacy at the popular level. Instead, they were promoted within the framework of a top-down model of 'state feminism'. For example, in the case of Tunisia, during the Presidency of President Ben Ali, the state supported a few women's associations that were granted a limited space for action. Feminism as a concept has often been considered as a construct promoted by Western colonial powers to impose their system of values and to counter the religion-based model of society. In addition, cultural and economic factors are central as well for understanding these strong cross-country variations.

Moreover, it is difficult to provide a single and homogeneous definition of women as agents: in fact, women's claims and actions differ according to their adherence to Islamic or secular movements. Other variables contributing to diversity include the social class and the different geographical provenance. In both Egypt and Tunisia, one has to distinguish between secular feminist movements and Islamist feminist movements. The first believe that there is a substantial contradiction between the promotion and the implementation of fundamental women's right and the dictates of Islam. On the contrary, Islamist movements start from the idea that Islam is a religion praising equality and try to carve some space for women's empowerment from within.

However, in some cases the dichotomous approach between Islamic and secular movement has become more complicated after the Arab Spring, which has brought about three fundamental positions: the leftist secular movements, the moderate conservative Islamism and the ultraconservative Salafism.³⁰ This differentiation adds to

²⁹ M. Ahmad Mariam & J. Deshaw Rae, "Women, Islam and Peace-Making in the Arab Spring", *A Journal of Social Justice*, vol. 27, no. 3, 2015, p. 313.

³⁰ G. Zita, "Women's Empowerment in the MENA Region", in J. Tànczos, M. Claassens, M. Vingerhoedt & S. Hammerton (eds.), *Promoting Women's Rights and Gender Equality in the*

the complexity of the feminist movements active in the region, underlining the challenges that women face within their societies.

This section aims at studying, to a limited extent, how the differences in conditions, needs, participation rates, access to resources and decision-making powers have shaped the battle of women for the promotion of their fundamental rights and have contributed to the dynamics of democratisation. The main factors taken into account to conduct this analysis are the inequalities deriving from an asymmetrical legal protection, which has an overall impact on economic empowerment, control over resources, and effective decision-making, and the universal women's rights promoted.

The two case studies were selected which show a strong variation regarding women's activism, the promotion of fundamental rights. Egypt and Tunisia present some commonalities but at the same time some strong differences, turning them into two opposite paradigmatic cases of the political and human rights evolution after the Arab Spring. Both countries have a tradition of a strong civil society and of active women's and feminist movements. Furthermore, in both cases, the civil society and the grassroots movements have played a fundamental role in the preparation of the unfolding of the revolution in early 2011. The Arab Spring was a pivotal moment in the history of the 21st century, where great hopes of change and democratisation were raised. The protests, which can be categorised as a revolutionary moment, represented an opportunity to become a gender-reshaping force.³¹ However, what differentiates the two cases is the outcome of the revolution and its implications for fundamental women's rights and empowerment. In fact, in the case of Tunisia, a dramatic improvement of the situation of women in society could be observed and a flourishing and vibrant development and diversification of women's associations and NGOs. Yet, in the case of Egypt, the aftermath of the revolution and the long-term developments have brought about a deterioration of the condition of women not only in terms of political empowerment, but also with respect to their fundamental rights and dignity. In fact, violence against women has been repeatedly used as a political tool to discredit and to discourage women activists protesting or working to

Middle East and North Africa, Brussels, Foundation for European Progressive Studies and SOLIDAR, 2015, p. 16.

³¹ A.R. Alija Fernández & Olga Martín Ortega, "Derechos de las mujeres en la primavera árabe: una oportunidad para florecer, un riesgo de hibernar", *Revista de Estudios Jurídicos*, vol. 11, 2011, p. 1.

improve the condition of women in the country.³² These waves of violence are still conceived as a consequence of a very strong patriarchal society.³³

Egypt: where revolutionary hopes turned into ashes

The revolution in Egypt can be analysed through three dimensions: the political level, the cultural level and the unfolding of a feminist and gender revolution.³⁴ Egypt has a long history of feminist activism. However, women's movements traditionally belonged to the upper and middle class and had many difficulties in legitimising their cause from a bottom-up perspective, that is, including society at large as well as the poorest and less educated women in the country. Interestingly, Egypt was the first country in which women gained the right to access education. In 1923, the Feminist Union was founded by Huda Shara'wi. Women were also central in the fight for independence from colonialism. In the early 2000s, Egyptian women played a key role in organising 'bread riots' to protest against the growing impoverishment of the lower classes and the increasingly aggressive implementation of neoliberal policies. These strikes strengthened civil society and paved the way for the political revolution in 2011, although they were opposed and repressed by the government. In particular, women played a role in the origin and growth of the Kefaya movement, which was central in structuring the opposition against President Mubarak. The movement organised many protests throughout the 2000s. However, the constraints faced by this movement were its lack of a directional centre and its inability to reach out to the masses, the poor and the rural people.³⁵ It is important to understand that neoliberal economic policies starting from the 1980s and implemented in line with the commitment to the EU and international financial organisations and Western donors, led to a restructuring of the family nucleus: women were increasingly pushed to become active in the economic and labour sphere and to become bread-winners alongside men.

On 25 January 2011, men and women together marched in the streets of Cairo and occupied the Tahrir Square, asking for freedom and the respect of fundamental human rights. This pivotal moment was marked by the intertwining of the political and

³² *Ibid.*

³³ *Ibid.*, pp. 21-22.

³⁴ F. Sadiqi, *Women's Movements in 'Post-Arab Spring' North Africa*, Cairo, Palgrave Macmillan, 2016, p. 47.

³⁵ B. De Smet, *Gramsci on Tahrir: Revolution and Counter-revolution in Egypt*, London, Pluto Press, 2016, p. 183.

the gender-based revolution. In fact, during the eighteen days that followed, women were particularly active and visible in formulating demands advancing their fundamental rights. "When you are a woman you have to prove yourself twice and I think that's the motivation, the dynamic. But the Arab Spring wouldn't have happened if women were not there."³⁶ The revolution represented a 'window of opportunity' for women to finally be acknowledged as social, political and economic agents of change in Egypt. Furthermore, the Arab Spring started another important revolution for women, a personal one, in which each of them gained a new degree of awareness about themselves and their role in society. Finally, the Arab Spring was crucial in bringing more attention to gender in a political perspective both in Egypt and in the wider Maghreb region.³⁷

However, after President Mubarak stepped down, the revolutionary dreams faded. The repression of fundamental women's rights became harsher and the expectation was that women would move out again from the political scene. After the coming into power of the Security Council of Armed Forces (SCAF), women who tried to remain in the streets to fight for their rights and to advocate a change in the dominant social and institutional gendered structures were threatened, harassed and sexually assaulted. In other cases, they were arrested and beaten, confirming the use of violence as a political tool to undermine the women's cause.

Why then did women's claims seem to be protected and acclaimed during the eighteen days of occupation, while they raised violent reactions as soon as the Tahrir Square occupation dissolved? According to Sadiqi, in revolutionary contexts, the participation of those fractions of society which would normally be excluded is possible thanks to a temporary suspension of predominant social norms.³⁸ Thus, the empowerment and participation of women followed the path of 'euphoria-backlash-persistence'.³⁹ In the phase of euphoria, which coincided with the occupation of Tahrir Square in Cairo, women gained increasing visibility and remained active and visible in the public sphere. In particular, women protested for freedom and claimed both individual and collective rights.

³⁶ Interview with Elise Poumay, expert on Tunisia, Euro-Med Rights, Brussels, 17 April 2018.

³⁷ A.A. Fatuma & H. Muthoni Macharia, "Women, Youth and the Egyptian Arab Spring", *A Journal of Social Justice*, vol. 25, 2013, p. 361.

³⁸ Sadiqi, *op.cit.*, p. 31.

³⁹ *Ibid.*, p. 32.

The backlash phase was marked by a strong repression and the beginning of a phase of 'body politics'. In fact, the security forces often harassed or exercised violence on women who tried to keep the values of the protests and their requests for advancing their rights alive after the end of the occupation of Tahrir Square. In particular, in the period between 2011 and 2012, the SCAF kept targeting and arresting revolutionaries, and in particular those of female sex. However, women kept organising demonstrations, the largest in the history of Egypt, to keep their physical presence in public spaces as a symbol of their determination and of their fight for rights and against their vulnerable position.⁴⁰ Further repression happened on the occasion of the march for International Women's Day in March 2011. Sexual assaults were reported by several activists that were protesting in the streets of Cairo. Nevertheless, women kept using the public space to claim the promotion of fundamental women's rights even after 2011. This can be interpreted as the phase of persistence, during which women kept upholding the democratic values and the ideas of the revolution. Therefore, these three phases were particularly visible in the evolution of women's participation and involvement in the case of Egypt.

Even though lagging behind in terms of effective implementation of fundamental women's rights and female empowerment, there are many NGOs and civil society organisations in Egypt focusing on women and the protection of their rights. They play a catalyst role in maintaining the country's civil society vibrant and active. However, with the coming into power of President el-Sisi, the attempts to maintain civil society alive have become increasingly difficult. The situation regarding freedom of association is considered dramatic due to the presence of many restrictive laws against civil society movements and NGOs. For women's rights organisations based in Egypt, it is difficult to communicate with advocacy groups and NGOs based in Europe, since they are under the strict control of the security forces. Furthermore, a travel ban was imposed on many prominent members of independent women's rights organisations. Today, many Egyptian movements and activists in the human rights domain do not prioritise women's rights, because they believe that gaining freedom of association, freedom of speech and the right to dignity and inviolability of the person are the priority. This demonstrates that women's rights are not fully integrated into the universal framework of rights and are often the first victim in illiberal and complex contexts like the Egyptian one. In addition, many feminist organisations face

⁴⁰ *Ibid.*, pp. 36-37.

harassment at both the judicial and at the political level.⁴¹ Therefore, the main challenge ahead for women is to be able to operate and to uphold their fight against discrimination and for women's empowerment in a hostile environment.

To conclude, the massive participation of women in the Tahrir revolution and the fervent activism of both women's rights and feminist organisations had raised many hopes regarding the future role of women in the Egyptian society. However, after the revolutionary attempts failed, the role of women in the Arab Spring was neglected and even caused violent reactions within the conservative Egyptian society.

In the next section, the paper will analyse the case of Tunisia, representing a successful example of democratisation.

Tunisia: a fragile success?

Tunisia is the Arab country with the most advanced legislative framework for the protection of women's rights in the North African region. The first progressive piece of legislation that was passed in Tunisia dates back to 1956, under the auspices of president Habib Bourguiba, and it aimed to reduce gender discrimination in the domain of family life.

In the years of President Ben Ali, the state promoted some policies enhancing women's empowerment and gender equality. Nevertheless, these policies were used as a tool to shift the attention of Western powers from the structural violations of fundamental rights that were being perpetrated in the country. This policy of 'pinkwashing' had a negative impact on the credibility and on the popular perception of the main feminist movements since they became increasingly linked to the figure of Ben Ali. During this period, only those associations and movements supported by the state could operate, at the expense of more independent ones.

In Tunisia's democratisation process, women are important agents of change. As in the case of Egypt, women's movements in Tunisia played a crucial role in creating and maintaining a very active and vibrant civil society sub-stratum, which paved the way to the 'Jasmine revolution' in 2010. After the death of Mohammed Bouazizi, who inspired the revolution against the regime, many women took to the streets to protest

⁴¹ Interview with Lucia Pérez, *op.cit.*

against the widespread poverty and political repression. By taking part in the uprising, they became conscious of their role as political agents (of change).

In this sense, the Arab Spring in Tunisia was a pivotal moment to increase the awareness of women, both as individuals and as a group. The 'Jasmine revolution' was partly successful, despite the attempts of the security forces to push away women from the streets and thus from the public sphere. Episodes of harassment and violence against women were reported, and many attempts were made to undermine their demands through media campaigns. However, Tunisian women kept the ideals and the values of the revolution alive even after the resignation of President Ben Ali in 2011. In particular, at any moment when their rights and freedoms were being questioned by the interim government, Tunisian women went back to the streets to prevent a backlash.

A very important success obtained by the women's movements and feminist organisations in the Arab Spring was the law on parity, even though women are still strongly underrepresented in both trade unions and political parties.⁴² Furthermore, during the transition years, the increasing visibility and the exponential growth of women's movements have played an important social and political role. They increased awareness on gender issues as political issues, also opening new 'windows of opportunities' for increased funding from third countries. Cooperation between associations, trade unions and women's rights organisations to effectively combat the economic, social and political structures of gender-based discrimination increased.⁴³ However, the victory of Ennahda, an Islamist party, in the 2011 elections raised strong preoccupations amongst the feminist secular movement. In particular, activists feared an Islamisation of society and of the Constitution, at the expense of the progressive women's rights regime.

The main development after the revolution has been the shift from a dichotomous to a triangular definition of women's movements. The revolution was a moment of

⁴² A. Ketiti, "The Women's Movement Faced with the Challenges of Transition and Islamist Movements in Tunisia", in J. Tànczos, M. Claassens, M. Vingerhoedt & S. Hammerton (eds.), *Promoting Women's Rights and Gender Equality in the Middle East and North Africa*, Brussels, Foundation for European Progressive Studies and SOLIDAR, 2015, p. 43.

⁴³ G. Martinez-Fuente Guadalupe & E. Bellhassen, "Change and Persistence in the Tunisian Organizational Network for the Promotion of Women", in J. Tànczos, M. Claassens, M. Vingerhoedt & S. Hammerton (eds.), *Promoting Women's Rights and Gender Equality in the Middle East and North Africa*, Brussels, Foundation for European Progressive Studies and SOLIDAR, 2015, p. 149.

reorganisation for feminist activists too, and most of the new associations that emerged after December 2010 have been Islamist feminist organisations.⁴⁴ The divide between secular and Islamist movements does not only concern their vision of women's empowerment and the means to be employed to achieve it. It cuts as well across a class dimension. The secular movements are, historically, linked to the middle and upper class, while Islamist activists rather belong to the middle or lower classes. The objective of the secular feminist movement is to end the dominance of religion over the role of women in society, in the economy and in the political sphere. However, many scholars have attempted to promote a reinterpretation of Islam that does not conflict with fundamental women's rights and goes back to the roots of equality as enshrined in the Qur'an.

By contrast, the Islamist movements conceive the role of men and women as complementary and for this reason they are not interested in challenging specific laws discriminating against women, due to their recognition of differences between the two sexes.⁴⁵ Furthermore, they refuse to implement some articles of international conventions to the extent that they perceive them as contrary to the Islamic religion. Therefore, Islamic feminism denies the principle of universality of fundamental women's rights and brings forward the argument of cultural relativism, conceiving empowerment as the re-appropriation of cultural and religious identities.⁴⁶ The cooperation between these two models of feminist movements could bring about more decisive and important results in terms of the advancement of women's rights and it could contribute to the promotion of a strong institutionalisation of women's role in society, which is central to the legitimisation of the feminist cause in the country.⁴⁷

The reform of Tunisia's 1959 Constitution marked a pivotal moment in the politicisation of the women's empowerment. For the first time, women became an active part of the National Constituent Assembly which was elected in a universal, free and direct vote. Women accounted for 24% of the representatives.⁴⁸ Furthermore, their voices

⁴⁴ L. Debuysere, "Tunisian Women at the Crossroad: Antagonism and Agonism between Secular and Islamist Women's Rights Movements in Tunisia", *Mediterranean Politics*, vol. 21, no. 2, 2015, p. 227.

⁴⁵ *Ibid.*, p. 230.

⁴⁶ G. Daniele, "Tunisian Women's Activism after the January 14 Revolution: Looking within and towards the Other Side of the Mediterranean", *Journal of International Women's Studies*, vol. 15, no. 2, 2014, pp. 25-26.

⁴⁷ Debuysere, *op.cit.*, pp. 231-232.

⁴⁸ National Democratic Institute for International Affairs (NDI), "Tunisia's National Constituent Assembly Assessment", p. 4.

were heard as well through the consultations with civil society organisations during the drafting process.⁴⁹ However, despite the progressive nature of the 2014 Constitution, there is still a discrepancy between the constitutional liberties and national laws discriminating on the basis of gender.

To conclude, it is important to look at Tunisia as a case of success in the promotion of women's empowerment and the recognition and legitimisation of universal women's rights. However, there are still many hurdles that hinder the achievement of fully-fledged equality. In particular, discriminatory laws are still part of the legal codes and the commitment to amend them is challenged by conservative and patriarchal forces. The success story of Tunisia is important but at the same time the risk of backlashes is always present. Women continue to fight to improve their condition in the country and to maintain the fundamental rights and freedom that they were granted.⁵⁰

Comparative assessment

The cases of Egypt and Tunisia represent two different outcomes of the Arab Spring revolutions as far as women's rights are concerned. While in the first case, even though women protested actively and took a leading role in the uprising, their contribution was denied, and their rights further repressed after the revolutionary hopes faded. In contrast, even though Tunisia does not offer a case of smooth and perfect transition, women managed to conquer a much wider space to promote their emancipation and to protect the rights they conquered after the revolution. The impact of women's movements and their call for equality and for respect for fundamental rights are considered as a central factor of democratisation, representing a cross-cutting element in the factors promoting democratisation.⁵¹ They consist of social equality, economic development, political culture, religious tradition and civil society.⁵² The gender dimension is relevant and plays a significant role, which is not often acknowledged, in all these categories. Egypt and Tunisia share common features with regard to variables such as social equality, economic development, political culture, religious tradition and civil society.

⁴⁹ I. Draji, H. Elsadda & K. Salsabil, *Comparative Study on Constitutional Process in the Arab World: A Gender Perspective*, Report, Paris, Euromed Feminist Initiative, 2017, p. 44.

⁵⁰ Interview with Sarah Gjerding, *op.cit.*

⁵¹ Sørensen, *op.cit.*, p. 14.

⁵² *Ibid.*

However, Egypt represents a case of backlash, in the sense that the 'window of opportunity' for democratisation, opened by the protests and by the resignation of President Mubarak, did not lead to a positive transition to democracy. Moreover, taking into account the gender perspective, fundamental progress was made in integrating into the constitutional framework equality and respect for fundamental rights as they are enshrined in the most important international law instruments. However, this transposition of freedoms into the constitutional framework has not corresponded to an effective implementation of these liberties and on the creation of those rights for women as individuals. Therefore, the constitutional changes did not respond fully to the promotion of a more profound restructuring of unequal societal relations. This can be achieved by educating society about gender parity and by trying to strike a balance between the traditional values of Islam and the respect for fundamental human rights. Furthermore, the consideration of women's rights as a fundamental category of universal human rights has been undermined by the increasingly repressive environment, in which human rights organisations are striving to maintain a limited degree of freedom of association and expression and do not consider women's rights so much as a priority.

The case of Tunisia represents a more successful case of democratisation, which has led to the enlargement of the sphere of engagement of women movements alongside the state. An example of the interdependence between the state and civil society and of the more conducive environment in terms of fundamental rights, was the inclusion of women in the National Constituent Assembly and the increasing attention to demands for gender equality and implementation of an effective human rights regime. Therefore, in the case of Tunisia, a positive transition phase towards a fully-fledged democracy can be discerned. Women actively contributed to this transition. However, there is still a gap between the progressive wording of the 2014 Constitution and the effective state of women's rights in the country. Legal equality has not yet been achieved and women are still subject to harassment and violence. Furthermore, the competitive discourse between feminist secular and Islamist actors is shaping an interesting debate on what path and what content the claim for gender equality and fundamental rights should take. Finally, it is important to mention the struggle of secular movements in gaining wider recognition and legitimisation, since they were accused, after the end of the regime of Ben Ali, of actively cooperating with the regime.

In the next section, the paper turns to the impact of the European Union as an external actor on women's empowerment in Egypt and Tunisia.

The European Union's approach to gender: a neoliberal perspective?

This section addresses the EU's commitment to gender parity and universal women's in the Southern neighbourhood.

Gender equality in the Southern neighbourhood: a new approach post-Arab Spring?

The European Union has formally committed to promote gender equality both *de jure* and *de facto* in the Southern neighbourhood, holding that an equal participation of women and men is essential for the functioning of democracy.⁵³ This commitment has become stronger with the 2015 review of the European Neighbourhood Policy and of its instruments.⁵⁴ In fact, the EU's commitment to enhance women's participation in the socio-economic sphere is considered as a precondition for development and for good governance.⁵⁵ This vision of women's empowerment as connected to economic growth, development and good governance reflects a neoliberal logic and does not focus on the need to eliminate the structures oppressing women and their advancement in society.

An important priority for the European Union is the review of discriminatory laws that hinder the enjoyment of women's rights. In addition, the focus has increasingly shifted towards the necessity to recognise violence against women as a political problem and to try to put an end to this phenomenon. Additionally, the EU's policy has focused on the importance of combating gender stereotypes and ensure equal access to education and vocational training. The EU has committed to promote these objectives paying particular attention to the rural areas, where very often intersectional factors (such as class or race) can further complicate the positive

⁵³ However, it is important to recall the gap between gender equality promotion and gender equity, the latter representing the concrete achievement of equal treatment at all levels.

⁵⁴ European Commission & High Representative, "Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of Regions: Review of the European Neighbourhood Policy", JOIN (2015) 50 final, Brussels, 18 November 2015.

⁵⁵ European Commission, "Conclusions Union for the Mediterranean: Second Ministerial Conference on Strengthening the Role of Women in Society", Marrakech, 11-12 November 2009.

achievements in terms of gender parity and with respect to fundamental women's rights.

In 2011, when the Arab Spring unfolded, and thousands of women participated and animated the protests in the squares of Cairo and Tunis alongside men, the European Union tried to implement an adequate response to sustain the process of transition. The strategy that the EU elaborated as an immediate answer to the revolutionary events is the so-called 'SPRING programme'.⁵⁶ The SPRING programme increased the amount of funds provided under the European Neighbourhood Instrument (ENI), in order to sustain and to facilitate the democratic transition both in Tunisia and Egypt. Furthermore, a focus on the implementation of fundamental human rights was included amongst the objectives. In addition, the EU set up a specific project to promote equality between men and women, called 'Spring Forward'.⁵⁷

With the ENP review the EU has engaged in making the gender dimension more visible. The most paradigmatic revolution in the ENP review was the introduction of the concept of ownership.⁵⁸ The EU has committed to make the partnership framework more flexible, basing it on the values and on the cultural peculiarities of the recipient country. Hence, we can consider the EU's approach as presenting two layers: a global one, which then changes, by virtue of its flexibility, according to the specific needs and according to the challenges which emerge country by country. For example, in the case of Egypt, and to a lesser extent Tunisia, the biggest challenge are the different cultural elements and sensitivities.⁵⁹ The EU tried to strike a positive balance between the promotion of universal human rights and the flexibility needed to make a country-based approach feasible and sustainable in the long term. However, flexibility should never go as far as accepting cultural relativism as an argument to tolerate the non-respect and insufficient implementation of fundamental women's rights. The review is focused on the universality and indivisibility of human rights, even though in practice this rhetoric is partly contradicted by EU policy-making. In fact, in promoting gender equality within the ENP framework, the European Union pictures

⁵⁶ European Commission, "EU Response to the Arab Spring: The SPRING Programme", retrieved 6 September 2018, http://europa.eu/rapid/press-release_MEMO-11-636_en.htm

⁵⁷ United Nations Women, "Spring Forward for Women Project", retrieved 6 September 2018, <https://spring-forward.unwomen.org/en>

⁵⁸ European Commission & High Representative, "Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee Of Regions: Review of the European Neighbourhood Policy", *op. cit.*, p. 2.

⁵⁹ Interview with official Antonino Crea, *op.cit.*

itself as a model for the other countries, promoting the alignment of the partners with its internal rules. By doing so, the European Union often privileges first generation rights over second (or third) generation rights, therefore contradicting the principle according to which rights are indivisible and they belong as a whole to each individual by virtue of their humanity. The role of the EU as a model to emulate is thus often criticised and put into question, both from a postcolonial and feminist perspective, for its attempt to promote structures which are not universal and do not contribute to overcoming the asymmetrical relationships of gender discrimination.

In general, the elements included in the ENP framework focus on the will to cooperate and support the partners in delivering on gender equality, girls' and women's empowerment and the promotion of fundamental human rights. Furthermore, flagship initiatives to ensure the physical and psychological integrity of women and girls, the promotion of social and economic rights and empowerment in general, the access to justice, education and health care, a stronger voice and political participation and a shift in the institutional culture have been included.⁶⁰ The focus on the need to shift the institutional culture can be read as an attempt to tackle root causes and permanent structures of inequalities on which discrimination against women is based. The next section will briefly focus on the country-specific instruments that the EU has adopted to promote gender equality and women's empowerment and will aim at understanding their value and their effectiveness.

The European Union and Egypt: successes and failures

In Egypt, the EU has committed to promote gender parity and women's empowerment as part of the ENP. In particular, technical and financial cooperation to foster gender equality has been provided to the country for a total amount of 21 million euro prior to 2015.⁶¹ In 2015, the European Union has started financing the project 'Advancing Women's Rights' in Egypt under the ENI. This project supports the judicial system in order to make it more accessible to women, empowering civil society organisations defending rights of girls and women, prioritising actions targeting the

⁶⁰ European Commission & High Representative, "Joint Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee Of Regions: Review of the European Neighbourhood Policy", *op.cit.*, p. 6.

⁶¹ "The EU and Egypt work on advancing Women's rights", *The European Union Delegation to Egypt*, 11 April 2017, retrieved 31 March 2018, https://eeas.europa.eu/delegations/egypt_en/24607/The%20EU%20and%20Egypt%20work%20on%20advancing%20women%27s%20rights

physical and psychological integrity of women and their economic and social rights, and the promotion of a rights-based approach to development cooperation.⁶² Moreover, the EU has recognised the positive advances in the constitutional protection of gender equality and women's rights but has as well pointed out how the existing law needs to be effectively enforced to actually bring about results. Thus, the implementation of existing legislation has become central to the effort of promoting a multidimensional women's empowerment, from a legal, societal, economic and political perspective. As already underlined, gender discrimination in Egypt is still deeply rooted despite the strong commitment to equality laid down in the Constitution. In particular, the personal status law is in sharp contrast with the Constitution, since women are not recognised as legally independent individuals within society. Therefore, the EU has put much effort into tackling this legal issue.

Finally, the European Union and Egypt have conducted fruitful political dialogues on human rights within their Sub-committee on Political Matters, Human Rights and Democracy. Gender equality and women's rights have been promoted as well by strengthening the commitments made within the Convention on Ending Discrimination against Women (CEDAW), thus waiving reservations.

The EU and Tunisia: supporting the fragile process of democratisation

Tunisia is often depicted as the best example of a positive transition to democracy in the North African region. However, in official EU documents, women are still often considered as the weaker part of society, thus perpetuating the discourse of asymmetries and inequalities which was already very strongly present in the Tunisian history and culture. Furthermore, women are rarely referred to as agents of democratisation during the Arab Spring by the EU and the international community.

Within the ENP framework, the EU has for the period 2015-2017 set up sectoral programmes engaging in gender equality, the fight against violence and the promotion of women's rights, allocating 7 million euro.⁶³ The EU-Tunisia Action Plan makes constant references to human rights and underlines the need to strengthen

⁶² European Commission, "Commission implementing Decision of 13 July 2016 on the Annual Action Programme (Part I) in favour of Egypt to be financed from the general budget of the European Union", C(2016) 4633 final, Brussels, 2016.

⁶³ Commission Européenne, "Relations Tunisie-UE: Un Partenariat Privilégié. Plan d'Action 2013-2017", Bruxelles, 2013, p. 5.

cooperation between the EU and Tunisia on the issue of gender equality, to which an entire section on shared priorities is dedicated.⁶⁴ This cooperation can be enhanced through political dialogue, diplomatic exchanges and exchange of best practices, and it refers to the *acquis* and the European values related to gender equality. The Action Plan also refers to the need to consolidate all legislation protecting women from discrimination and to promote gender equality and an increased participation and integration of women in the public, political, social and economic life.⁶⁵ Moreover, there is an emphasis on the need to guarantee the principles of prevention of violence and respect for fundamental rights by implementing the relevant international conventions. Finally, there is a strong focus on the need to reinforce the civil society's role, of which women constitute a particularly active and vibrant fraction in the case of Tunisia.

To conclude, the European Union has committed, on paper, to build a conducive environment for empowering women and girls in the Southern neighbourhood.⁶⁶ The consolidation and the implementation of women's rights is considered as a sub-category of the broader objective of promoting universal human rights. Constant references are made to this universality when referring to the relevant international conventions. However, the principle of joint ownership might be problematic and clash with the idea of promoting access to universally recognised fundamental rights and freedoms. In fact, in so far as joint ownership promotes values and norms rooted in the partner countries, religious principles and other domestically-defined norms might be invoked to restrict women's fundamental rights and freedoms. The constant references to the EU *acquis* might as well have a questionable impact on the effective universality of the values promoted. In the policy documents strong references to the importance of building an inclusive and equal society in countries such as Egypt and Tunisia can be found. At the same time, the asymmetrical structural relationships between men and women and the perpetuating forms of discrimination and inequalities enshrined in society are not openly discussed, and there is no effort to tackle them at their roots. In fact, women are not necessarily always referred to as individually entitled to empowerment and to equal rights, but their role is often seen

⁶⁴ *Ibid.*

⁶⁵ *Ibid.*, p. 13.

⁶⁶ European Commission & High Representative, "Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations 2016-2020", SWD (2015) 182 final, Brussels, 21 September 2015, p. 3.

as conducive to other positive elements of society, such as economic growth, good governance, sustainable development and improvement of democratic variables in post-conflict or state-building contexts. In this sense, the promotion of gender equality and empowerment is encouraged within those same structures of oppression and it is seen as a means to stimulate economic growth and not as a legitimate individual claim.

Conclusion

This paper set out to identify the role that women played in the 2011 revolutions in Tunisia and Egypt and to assess the impact of the Arab Spring on gender equality and on the promotion of fundamental women's rights. Moreover, it aimed to analyse the European Union's policies towards the Southern neighbourhood in this regard. Religion is a fundamental component of Arab societies and it is very often used to limit the application of internationally defined rights, due to their incompatibility with Islam. The problem seems to be very evident when referring to women's rights, which are sometimes opposed on the grounds of cultural sensitivities and of the religious discourse. However, religion as such does not represent an obstacle to the enjoyment of fundamental women's rights: it is patriarchy, rooted in society, which hinders the full enjoyment of women's rights and is reinforced by the religious discourse.⁶⁷

Before the revolution, the Egyptian civil society was characterised by a strong female activism. Therefore, women played a fundamental role in preparing the Egyptian population for the protests of January 2011. However, in the aftermath of the Arab Spring, a vacuum emerged which led to chaos. Women have been crowded out of the public space and out of the political agenda by the regime, suffering the restriction of basic freedoms and fundamental rights. The situation has deteriorated further after the coming into power of President el-Sisi. In fact, el-Sisi enacted very illiberal legislation concerning the freedom to protest and freedom of association.

Tunisia had similar societal, political and cultural characteristics to Egypt in the years preceding the revolution, and women in both countries participated actively within the society to promote women's rights in the early 2000s. Even though independent organisations were not tolerated, under Ben Ali many of the feminist movements and associations linked to the state played a fundamental role in paving the way to an

⁶⁷ Interview with Sarah Gjerding, *op.cit.*

active community of women, fighting for advancing their rights in the Tunisian social, political and economic sphere. New Islamist-oriented organisations started emerging after the fall of Ben Ali. After the end of the protests, women played a crucial role in 'filling the vacuum' and pushing continuously both for the continued protection of those rights which were already protected and for the change of discrimination against women, enshrined in society and law. Furthermore, Tunisian activists have understood the importance of raising awareness about the structural factors of discrimination and the exclusion of women from the social, economic and political sphere. They are striving to raise awareness amongst all women from all classes and geographical provenience about the impact of gender discrimination on their daily lives.

The European Union has recognised the role of women in the democratisation process in Tunisia and Egypt during the Arab Spring. Furthermore, the EU has tried to influence societal dynamics favouring women's activism and fundamental rights through funding, projects and dialogues. As far as Tunisia and Egypt are concerned, the ENP has increasingly allocated funds to the strengthening of civil society and has implemented various projects focusing on empowerment, access to the economic and political sphere and protection from violence.

Finally, the paper investigated the extent to which the EU approaches gender equality and women's rights promotion in the MENA region from a feminist perspective. In general, the European Union seems to promote the inclusion of women in those same gender-based and asymmetrical structures that are at the origin of their exclusion, both in Egypt and Tunisia. There is no attempt to promote a fully-fledged transformative approach towards the conceptualisation of gender and the elimination of stereotypes and other cultural or social obstacles to the full empowerment of women. In fact, international conventions promoting and defending universal human rights would need to be granted primacy over national law to effectively create rights and obligations upon individuals and society. The real inclusion of women in society cannot be promoted without promoting women as agents of change in these societal structures of oppression and discrimination. Therefore, the veil of change has remained rather thin for women in Tunisia, where democratisation was partially successful. In the case of Egypt, the thin veil of change was only present during the revolutionary events, since after 2011 the restoration of power has brought about a severe restriction and violation of women's rights.

The European Union should further elaborate and improve the concept of joint ownership, yet without undermining the protection of fundamental women's rights. In order to improve the understanding of the complex societal dynamics of the MENA region, the EU should take into consideration the importance of not only hiring personnel with an expertise in gender, but as well in the Arabic language, culture and history of the partner countries. This would provide a better understanding of the political, social, patriarchal and religious dynamics at stake and foster a more equally balanced partnership between the European Union and its Southern neighbours.

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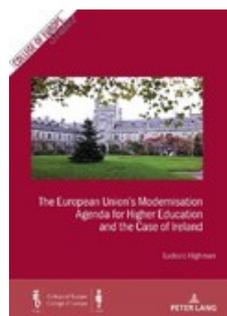
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