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Special Session : Gender and Citizenship in the Arab World

Maroc 2020 - UNDP

Concept Note

Arab Women: Towards Equal Citizenship?

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Introduction:

The purpose of this roundtable is to generate fresh debate on gender inequality and women's access to public spaces in the Arab world, and to suggest innovative research and policy entry points for better understanding, and addressing, these challenges. The roundtable will bring together multi-stakeholders in the region—selected members of the research community, NGOs and women's organizations, and high level policy makers. The concept of Citizenship is the underlying analytical framework organizing the discussion. The debates, based on an analysis of selected laws and practices in the Arab world, will focus on how and why the construction of citizenship in the region has privileged a "masculine citizen". The discussion will also highlight recent initiatives and strategies by NGOs to vest women with the kinds of rights and privileges that are necessary for defining them as fully enfranchised citizens.

Gender and Citizenship: The Rationale:

The concept of citizenship as understood today evolved with the creation of formally autonomous nation states in the 19th century. It is a central and mandatory concept for the modern nation state and is thus essential for any discussion of governance and gender. The concept of citizenship entails a direct and legal relationship between the individual and the state, a relationship that carries with it obligations and enforceable rights as defined by juridical processes. As an area of study, citizenship has gained increased importance in recent years due to increasing challenges to the very viability and basis of current nation states as a result of pressures from both below (in the form of ethnic or religious movements at the sub-national level), as well as from above (in the form of processes of regional integration and globalization).

The proposed roundtable is based on the premise that a "Citizenship Framework" is a particularly powerful one, both conceptually and pragmatically, for empowering women and addressing their unequal access to public spaces in the Arab world. The notion of citizenship is conceptually appealing because it significantly broadens the debate on gender, allowing us to go beyond traditional discussions of "women's issues" and "women in parliament", to much more fundamental discussions about the nature of the State and Politics in the Arab world. The State is arguably the most critical actor in the gendering of citizenship. State legislation delineates and regulates the rights and responsibilities of citizens and rules by which one becomes a citizenship, by which citizenship is passed on to children and spouses, and by which citizenship can be withdrawn. As the recent authoritative volume by Joseph (2000) clearly indicates, a citizenship framework also broadens the discussions to address crucial issues such as the place of family, and kinship ties in the social fabric, the extent to which kin-based formations are integrated into the modern political order, and the impact this has on the construction of citizenships in the Arab world.

A discussion of gender within the broader context of citizenship also allows for a more nuanced analysis and understanding of the tremendous challenges, as well as risks and forms of resistance, facing attempts at gender equality in the region. It is not by accident that the most heated debates in the Arab world center on gender and women's integration into public life. When women's access to and integration into the political community is debated, what in essence is being contested is the very future nature of social and political organization in the Arab world. Raising questions about the role of kinship and family in politics challenges the very core of the social textures in the Arab world.

At a more pragmatic and policy oriented level, a conceptual framework based on the notion of Citizenship can serve as a strong basis for mobilizing for changes to empower women. In many parts of the world citizenship is emerging as the central point for protest and resistance by NGOs against deprivation and social exclusion. At the same time, the term citizen, "Al Mouwaten" is gaining currency in official statements and documents, in press (both official and opposition), as well as in public discussions in many parts of the Arab world. This is the case even in a country like Saudi Arabia which, more than all other Arab countries, still uses the more traditional term Subject, " Raaya" to describe the relationship between the rulers and the rest of the population. Not all the pre-conditions and presumptions underlying the concept of citizenship have actually been met in most countries in the region. Nonetheless, the fact that the term is now a central one in public discourse, is of strategic importance and can be used as a leverage for change and greater empowerment for women.

Current Debates:

Research on gender and citizenship in the Arab world is a recent endeavor . Two ground breaking volumes published on the subject in 2000 (and one forthcoming) offer some of the best analysis and ways forward. (Joseph, 2000, Charad; Botman, 2001). The current research points to a number of important findings and areas of contention which will serve to inform the discussions at the roundtable. The most salient ones are highlighted below:

- Despite the divergence in governance structures in the region, all Arab States manifest "serious fault lines" in modern notions of citizenship.

The diverse forms of governance that characterize the Arab world, from monarchic or dynastic rule, to centralized one party systems, to fledgling multiparty democracies play a critical role in shaping the opportunities and mechanisms for political and civic participation for both men and women. Nonetheless, as recent empirical evidence shows, (See Joseph 2000), women everywhere suffer from what Kandiyotti (2000) refers to as a "double jeopardy". This is fundamentally because in all Arab countries, the relationship between the State and women is not a direct one, rather it is *mediated* by a males kinsman (father, brother, husband). (See Amawi, 200). For the average Arab women in many countries, basic citizenship rights such as the right to vote, to issue an identity card or a passport, to access social protection schemes and entitlements, to send their children to school, to marry, to travel, to pass on citizenship to their children, are either lacking, or are granted through the mediation of a male family member. Given the accepted definition of citizenship as a *direct* relationship to the State, where does that say about the applicability of the concept to women in the Arab world?

- The debates and tensions between passing citizenship on through "land versus blood" are critical to the gendering of citizenship in the Arab World

Most states in the Arab region use various combinations of both land and blood criteria, but the majority privilege blood in determining citizenship rules. With the exception of Tunisia, most states have permitted fathers, but not mothers to pass citizenship on to their children and husbands, but not wives, to pass citizenship on to their spouses. The harsh implications of citizenship laws for children and women in many parts of Arab world, particularly lower income women, has now been well documented and has become a central area for advocacy by NGOs in the Arab world.

- A key feature that has affected citizenship rights in the Arab world is the place of kin-based formations in social and political structures.

The relative role of kin-based formations in the political history and development of the sovereign nation state in each country in the Arab world has had a crucial influence on shaping legislation and practices related to citizenship. In societies where tribal forces, lineages and patrilineal family-based structures have remained key features and "anchors of power", the individual citizenship of women has been negatively affected. Charad (2000) elaborates and demonstrates this argument in her comparison of Morocco and Tunisia in this regard and Joseph demonstrates the same in her analysis of Lebanon (Joseph, 2000). An important and rapid change in family structures in the Arab world however, is the increase in the number of households headed and financially supported by women (as a result of divorce, widowhood due to natural causes and wars, abandonment, and male unemployment). (El-Kholy, 1986, 1996; El-Solh,1999). The ways in which these new family structures serve to either reinforce or challenge the place of kinship in socio-political structures, and

thus the very notion of “masculine citizenship”, is yet to be determined and offers fertile ground for future research.

- The diversity of citizenship rules has led to a diversity of approaches and strategies for empowering women in the Arab region:

The diversity of States in the Arab states have led to a multiplicity of both citizenship rules as well as a multiplicity of ways in which these are codified and practiced in the region. As a result, the possibilities and avenues for mobilization by NGOs on behalf of citizenship issues have varied considerably, are context specific, and have met with uneven success. Strategies have not always been based on the individual, liberal notion of citizenship. Some activists and scholars in the region have argued. that women’s citizenship rights in some contexts are best served through active and creative mobilization around kin-based structures. (Altorki, 2000). Sharing these diverse experiences at women’s empowerment, critically examining the basis for the strategies, and learning from the setbacks and successes is crucial for advancing gender inequality in the Arab world.

Scope and Key questions:

To focus the discussion, the roundtable will address only two areas of citizenship rights (a) nationality laws, and (b) social security laws. These two areas, central to issues of voice and entitlements, are at the center of current debates and activism in the region. They are also arenas which have a direct impact on the livelihoods of the majority of women in the Arab world, most of whom are poor and illiterate. It is important to note that the discussion will address both actual legislation, as well as the interpretation and codification of such legislation into administrative procedures and practices. It is often the latter (such as is the case identity cards for women in Egypt for example) which pose insurmountable, but more “invisible” constraints on women’s access to crucial entitlements. (El-Kholy 1990; 1996)

Some of the questions that the round table will address are:

1. What are the underlying assumptions behind Arab notions of citizenship and how are these reflected and codified in selected laws and procedures?
2. To what extent do Arab States fit modern political theory and its definitions of citizenship? Are there specificities in the region’s culture and/or religion that necessitates a search for new ways of conceptualizing citizenship in the Arab world which would result in greater empowerment for women?
3. What are some of the successful initiatives and lessons learnt in challenging the current notion of citizenship in the Arab world in these two areas, and what has been the citizenship model underlying the various strategies?
4. What is the role of international treaties and conventions in debates and activisms related to gender and citizenship in the Arab world

Organization:

The round table has been conceptualized, and is being organized and managed, by UNDP (through its regional Governance Programme) and a leading Moroccan NGO, Maroc2020.

- **PANEL**

1. Presentation of the round table. Karima El Korri. Maroc 2020
2. Presentation of the Gender and Citizenship Initiative. Heba El Kholy. UNDP
3. Overview of the laws related to citizenship. Soukeina BOURAOUI. Cawtar. Tunisia
4. Islamic context of Citizenship laws. Farida BENNANI. Professor, Researcher, Islamic Law. University Cadi Ayyad. Morocco

Facilitator. Farida ALLAGHI. Member of the Legislative Committee of the National Council for Women. Egypt

- **TESTIMONIALS**

A series of testimonials by prominent women figures - NGO activists, scholars, members of Parliament - in the region to illustrate the three sub themes of the gender initiative:

1. Lina Abou Habib. MACMAG-GLIP

2. Asma Khader. SIGI. Jordan
3. Abla Amaoui. UNDP
4. Essma BENHMIDA. Enda Inter arabe