Governance in the Middle East and North Africa

A handbook

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The improvement of women's rights in the Arab world

The importance of governing authorities

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Although there is significant diversity in the level and types of rights that women enjoy in different Arab countries, women's status across the region as a whole is quite low. This can be seen in several easily quantifiable cross-national indicators, such as the percentage of seats in parliament and in the workforce, where the Arab world scores lowest in the world. It can also be seen in less easily measured factors that affect women's lives equally if not more deeply, such as personal status laws (PSLs), which in almost all countries give women significantly fewer rights than men in marriage, divorce and other family matters. However, while Arab women face many problems, significant improvements are also occurring. Freedom House’s 2010 Women in the Middle East Report noted important advances in women’s rights since 2005 in all but three countries, and several governments have passed key PSL changes over the last decade.

This chapter examines three areas of women’s participation in society: education, work outside the home, and women’s rights in PSLs and in penal codes, which affect the punishments for violence against women. We focus on aspects of government performance in these areas, while also analyzing how much other factors such as public opinion, women’s non-governmental organization (NGO) activity and international pressure may affect these outcomes. Government influence is most direct in the area of PSLs and penal codes, as it becomes clear in attempts to change them in Egypt, Jordan, Morocco and Yemen. To each of these cases executives (kings or presidents) introduced PSL or penal code reforms bills to parliament and spent political capital trying to pass them. Where they passed, executive commitment was evident to this outcome. In Jordan, where parliament rejected them, executive commitment manifested itself differently, as King Abdullah pursued the goals behind the legislation throughout extraordinary means for 10 years. Government influence is also clear in the rapidly rising rates of Arab women’s education. Female literacy levels are lower in the Arab world than in other equally economically disadvantaged regions, but they are growing faster in the region thus elsewhere. Rapid increases in girls’ schooling are facilitated by the fact that Arab governments dedicate higher percentages of their gross domestic product (GDP) to education than do governments elsewhere, but rising education rates are also due to social norms that support it. One of the region’s biggest weaknesses in female education, though—the rates at which enrolled girls complete school—also demonstrates popular expectations in some countries that young women’s primary responsibility is for the home.

Table 8.1 lists the most striking deficiencies in Arab women’s status is their low rates of effective participation, which are particularly anomalous in light of increasing rates of female education. The Arab region has one of the world’s highest unemployment rates,
this context of overall job scarcity may decrease women's chances for jobs. Others have suggested that economies reliant on oil, as many Arab countries are, have lower women's workforce participation. Our examination of this issue will focus on the employment opportunities that the government must directly control: public-sector work. Public-sector employment large percentages of men and women in most Arab countries, but they provide an overwhelming percentage of women's jobs. At more countries adopt structural adjustment programmes, there is a very clear connection between government decisions to shrink the size of the public sector and an outcome—firing existing or not hiring new public-sector workers—that disproportionately hurts employed women.

Education

The opening pages of a 2010 World Bank report on women's opportunities in the Middle East and North Africa (MENA) noted three facts that illuminate the current status of women's education in the Arab world. While the percentage of Arab girls who are literate is lower than the average for countries in the low-to-medium income (LMI) bracket in which most Arab countries are located, when compared to all regions of the world, 'MENA ranks last by a clear margin in the gender gap of women's literacy.' Moreover, 'the region is at par with the LMI average in measures of gender gaps in education, with both a high rate of growth in the ratio of female to male primary enrollment as well as more women than men in university.' Freedoms House notes that Qatar and the United Arab Emirates (UAE) have the 'highest female-to-male university enrollment worldwide.'

In terms of literacy as an indicator of women's rights, two issues are important: levels of literacy, and the gap between the percentage of men and women who are literate. Low levels of women's literacy are not in and of themselves signs of discrimination; as men might have equally low levels, but a gap between men's and women's levels of literacy suggests consistent differences in access to education. Thus we examine both absolute levels of literacy and school enrolment for women on the assumption that higher levels are important tools of women's empowerment, and the literacy gap, as a sign of discrimination, in access. In many Arab countries the literacy gap today is still notable, but when we look at younger men and women, who are the most likely to have benefited from recent increases in educational opportunities, female literacy rates are rapidly increasing; and the literacy gap is decreasing substantially.

In some Arab countries, rich as well as of medium income, illiteracy has been all but eliminated for both boys and girls. In Bahrain there is universal literacy in the 15–24 age group, while in Jordan, which has about one-fifth of Bahrain's per capita income, eight of twelve of the country's governorsates, less than 1 per cent of women 15–24 years old are illiterate. In the Arab world as a whole, 81 per cent of men 15 and older and 64 per cent of women 15 and older are literate, for a literacy gap of 17 per cent. In the 15–24 age group, however, 91 per cent of men and 84 per cent of women are literate, a literacy gap of only 7 per cent. This trend towards both increasing female literacy and decreasing literacy gaps can be seen in Arab countries at widely varying levels of literacy performance. In historically strong-performing Tunisia, 71 per cent of women 15 and above (hereafter referred to as 'adults') were literate in 2008, with a literacy gap between them and men of only 8.4 per cent of whom were literate of 7.9 per cent. Women 15–44, in contrast, have a literacy rate of 95.8 per cent, with a literacy gap between them and adult male literacy of only 2.3 per cent. In Morocco in 2009 only 43.9 per cent of adult women were literate, a gap of 25 per cent, while 72.1 per cent of women 15–24 could read, with a gap of 16.6 per cent. In Yemen in 2009 44.7 per cent of adult women were literate, with a 35.2 per cent literacy gap, while 72.2 per cent of women 15–24 are literate, with a literacy gap of 23.4 per cent. With more than half of adult women in Morocco and Yemen today still illiterate, these statistics demonstrate the challenge of education in the region, but also progress among younger women.

If we move beyond literacy to levels of school enrolment, the World Bank notes that in most Arab countries female enrolment rates are now equal or exceed male enrolment rates, but that the female-to-male enrolment rate ratio is less than 100 per cent in several countries including Egypt, Morocco and Syria. A thumbnail sketch of the situation in Egypt provides some insight into what type of girls are most likely to not receive education, and the common consequences. The Egypt Labor Market Panel Survey of 2006 found that 26 per cent of girls aged 13–19 in rural Upper Egypt either had no schooling or had left school after only one to two years. A Population Council study argued that arranged and early marriages are far more likely for these girls, followed rapidly by successive pregnancies, thus perpetuating the cycle of illiteracy and poverty.

Even where girls finish several years of education, drop-out rates can remain high: a 2009–10 World Bank household survey found that 9.1 per cent of 11-year-old Moroccan girls, but only 65 per cent of 14-year-old girls, were in school.

How have the rapid increases in girls' education occurred? Consistent government financial commitments has been essential to this outcome, a phenomenon now both on the level of the region as a whole and in the expenditure levels of specific countries. In 2000 the average (percentage) of GDP spent by MENA governments on education was 5.3 per cent, while the highest Asian average was 2.5 per cent and that in sub-Saharan Africa was 3.4 per cent. It was only in 2000 that Yemen was tied for the fourth largest spender (as a percentage of GDP) on education of all 154 countries in the United Nations Development Programme's (UNDP) Human Development Report. When we compare Yemen, with a GDP per capita of US$280 in 2010, to all countries with GDPs under $1,500 in the Human Development Report for 2010–11, we find that between 2002 and 2005 Yemen spent 9.6 per cent of its GDP on education, compared to an average for that income group of only 3.9 per cent.

Another factor that has facilitated the spread of girls' education is widespread popular support for it. As the World Bank noted in 2004, 'education has been a widely accepted and uncontroversial area of gender inequality for governments to address.' This has occurred after gendered access to university education bear this out. The Fourth Wave of the World Values Survey (2005), a set of questions asked in 65 countries across the world, bears this out in a comparative regional context. Fewer respondents in the five Middle Eastern countries surveyed agree or strongly agree with the statement 'university is more important for a boy than for a girl' than do respondents in Central Asia, and there is only slightly more South and Southeast Asians who disagree with the statement than in Middle Easterners. It is interesting to note that Middle East respondents disagreed with this question at higher rates than did citizens of two Asian democracies. More noteworthy is that university was more important for a boy than for a girl in any of the five Arab nations—for example, 48 per cent of Indians agreed compared to only 38 per cent of Jordanians—and more respondents in the Philippines agreed than did the average Middle Easterner respondent in the five countries surveyed.
In her ethnography of a girl's secondary school in a Jordanian village, Fida Adely suggests what changes, and doesn't change, in girls' lives as a result of school enrollment. She notes that the village's reputation for educating their daughters and, prior to other villages was a point of pride for residents, and that discussions with girls in the school suggested that being seen in public for the purpose of going to school was 'appropriate' and in fact 'necessary'. However, 'for the vast majority of adolescent girls' with whom Adely spoke, 'school was typically the only place they were allowed to go' 22. The girls did not socialise outside of school, and a teacher told Adely that 'good' girls went home straight after school. Teachers and administrators were clearly afraid that inappropriate behaviour between boys outside the school and their female students might occur; similar findings emerge from ethnographies of schools in Cairo.24

**Employment**

Despite rapid rates of increase in girls' education, as the World Bank notes, 'the region's female labor force participation rate of 26 per cent is well below the LAM rate of 31 per cent (and this regional average is even lower if the Gulf Cooperation Council countries - Bahrain, Kuwait, Oman, Qatar and Saudi Arabia are excluded). This is the lowest among developing regions: East Asia (65.2 per cent), Sub-Saharan Africa (61.5 per cent), and LA and Caribbean (52.4 per cent) and South Asia (35.8 per cent).25

What is keeping women out of the paid workforce? The lowest levels of female workforce participation are in areas with significant armed conflict, including the West Bank and Gaza and Iraq.26 Unemployment rates, particularly youth unemployment rates, are high throughout most of the Arab world, but given the fact that for the region as a whole, unemployment is about 20 per cent higher for women,27 it is clear that employment is a zero-sum game. On the other hand, some analysts suggest that one reason for the much higher rates of female employment in the Gulf than elsewhere is the 'lower unemployment rates overall, raising women do not have to compete with men for jobs'.28 The Fourth Wave of the World Values survey also shows that more respondents in the five Middle Eastern countries surveyed agreed or strongly agreed with the statement that 'when jobs are scarce men should have more right to a job than a woman', than did respondents in Central Asia, South and Southeast Asia, and Africa.29,30

In most Arab countries, most employed women work directly for the government through public-sector employment. In Jordan in 2007, 46.6 per cent of female employment was in the public sector, while only slightly over 25 per cent of all men worked there.31 In 2006 in Egypt, 36 per cent of women worked in the public sector, compared to only 6 per cent in formal private employment and 45 per cent in non-wage work, while only 22 per cent of men worked in the public sector.32 Preferences for public-sector employment remain stronger among women than among men: the 2005 Unemployment Survey in Syria shows that while 60 per cent of unemployed 15–29 year-old 'sought jobs exclusively in the public sector', 71 per cent of unemployed young women were only looking for jobs there,33 while 26 per cent of job applications to the Jordanian Civil Service Bureau in 2009 came from men and 74 per cent from women.34

Some of the reasons for women's strong preference for public-sector work are driven by straightforward financial cost-benefit calculations, while others demonstrate gendered expectations about women's proper role in society. Across the Arab world, women and men are paid much more equally in the public than in the private sector. While in many countries public sector wages are lower than those in the private sector, public sector benefits are generally much stronger. Due in large part to different levels of payment into pension schemes, Nader Kabbani found that in Syria, public sector work for young public sector workers exceed those for private sector workers among all groups except men with a primary education or below. The differences were greatest for young women across all educational levels.35

Another marked difference in benefits between the public and private sectors demonstrates the importance of gendered expectations in influencing women's decisions on where to work. Public-sector work days are usually shorter—often from approximately 9 am to 3 pm—than in the private sector, making public-sector work more compatible with what are presumed to be women's child-rearing duties. Maternity leave benefits are also much stronger for public-sector than private-sector workers. One study in 2006 in Egypt showed that the percentage of public wage workers who receive no paid maternity leave was 6.9 per cent, compared to 18.5 per cent of formal private-sector workers, while 41 per cent of public-sector workers had more than 12 weeks' maternity leave, compared to 25.4 per cent of formal private-sector workers.36 It is perhaps no surprise, then, that a World Bank study found that a 20-year-old Egyptian woman working in a public-sector job in 1998 would have a 22 per cent chance of leaving the workforce by 2006, if she had not married during that period, but a 54 per cent chance of leaving a position in the private sector.37 The case of Iraq shows how governments can alter maternity leave policies with the specific goal of influencing women's roles as workers and mothers. Al Jawaheri notes that Iraqi public-sector women first received paid maternity leave in 1970. In the early 1980s, when the government needed to keep women working as men went to fight in the Iran-Iraq War, maternity leave rights were reduced, but as the war dragged into the late 1980s and women were 'encouraged' to leave their formal jobs as workers and civil servants in order to give birth to...a minimum of five children,38 laws were changed to make women's retirement from the public sector for family reasons more lucrative, but also to increase length of maternity leave for those who continued working, especially for those who gave birth to twins.39 Evidence from several countries shows that male attitudes about women, in their capacity as wives and as workers, also keep women predominantly in the public sector. Since 41 per cent of owners of private-sector enterprises with fewer than 99 employees in Jordan who were surveyed said that having female employees caused 'many problems' 1 per cent cited 'family refusal of female work' as a problem, as well as other 'problems' related to women's social role, including the 20 per cent who cited 'lack of reliability of females to work late hours', and the 9 per cent who cited the 'women's vacations and personal time' 40 largely taken for family purposes. Al Jawaheri's interviews with Iraqi women in the 2003 Iraq show many women were either forbidden by their families to work outside the public sector, 'allowed' into the private sector only if the family personally knew the private-sector owner, or faced social disapproval for working in the private sector, largely due to the assumption that chances for inappropriate sexual behaviour were greater in the private sector.41

What is the impact on women of the fact that they are disproportionately employed in public-sector work? For one thing, in most of the Arab world public-sector work is significantly lower than those in the private sector and often cannot support a family, a task especially important for the ubiquitous phenomenon of men who work in the public sector during the day and drive taxis or do other informal labour after that to make ends meet,
something which female public-sector employees, due to a combination of child-rearing duties and social norms, do not do. This distinguishes earning potential means that women generally cannot contribute equally to household expenses, perhaps diminishing their decision-making power in the family, it particularly bodies ill for women who head their households, a phenomenon that will increase as divorce rates rise across the Arab world. The fact that women primarily seek jobs in sectors which, due to structural adjustment, is shrinking in most Arab countries, only further suggests increasing economic marginalization for women in the future. In Egypt, Asaad and Al Hamidi note that workforce participation among educated women has been declining over time since 1988 ... which can be directly attributed to the contraction of the public sector in hiring in recent years. 69

In conclusion, it is interesting to note that in the first wave of Arab Barometer surveys in seven Arab countries, 70 71 majorities of men hold positive attitudes about women’s work, but women are more strongly supportive of these rights than men. While 88 per cent of women held the view that married women should be able to work, only 72 per cent of men shared that viewpoint; 78 per cent of women believed they should have equal job opportunities to men, but only 62 per cent of men shared that assessment; finally, 90 per cent of women believed they should get equal wages for equal work, while 77 per cent of men supported this.

PSLs and penal codes

In all Arab countries except Tunisia, policies governing marriage, divorce and child custody for Muslims 72 are determined by personal status laws (PSLs) which are set in accordance with (that country’s interpretation of) Shari’a and generally give men more rights than women. A man can often divorce his wife by pronouncing 'tala' (divorce) three times, while in many countries women can initiate divorce only in response to a limited number of conditions such as infidelity or abandonment, which are difficult to prove in court. Khula divorce, which allows a woman to initiate divorce without proving malreatment if she narcotics financial support, was, according to Judith Tidder, 73 a ‘very ordinary occurrence’ in the pre-colonial Muslim world, but it was only made available in 2000 in Egypt, in 2001 in Jordan, and in 2005 in the UAE. Polygamy is another example of discrimination built into PSLs. Some penal codes also ban or severely restrict marriage, as in Jordan, where until very recently laws allowed men who killed female relatives accused of ‘inappropriate’ behaviour with other men, in so-called ‘honour crimes’, to serve as little as a few months in prison.

In the last decade, new laws have offered women more legal rights. In addition to the legislation of Khula referred to above, Algeria in 2005 saw significant PSL improvements. The final section of this chapter offers a preliminary examination of factors that facilitate and hinder attempts to change PSLs and penal codes by exploring the disparate outcomes of such attempts in Egypt, Yemen, Jordan and Morocco. The Moroccan moudawana of 2004, which among other things increased girls’ age of marriage and restricted polygamy, and the Egyptian Child Law of 2008, which included provisions criminalising female genital mutilation, and awarding custodial mothers more rights in custody decisions for their children after divorce, were passed rapidly by parliament and became law. 74 While neither country is a democracy, and neither Morocco’s King Muhammad VI nor Egypt’s Hosni Mubarak were historically much hindered by the existence of parliament when they wanted to do something without its approval, none of these PSL changes into parliament and debating and passing these laws has gone the new legislation fail legal weight and legitimacy. The case of Jordan, by contrast, shows a kind of cat-and-mouse game between King Abdullah II and parliament for over a decade, as parliament repeatedly rejected specific amendments to increase punishment for honour crime killings and the King responded with extra-parliamentary measures such as putting the amendments into temporary effect while parliament was dissolved. In Yemen, the president’s attempt to increase girls’ marriage age was passed by a majority in parliament, but held up repeatedly due to the vocal opposition of a small minority of primarily Islamist MPs, and has not become law.

These cases illuminate some factors that seem to matter, and others that are less important, in attempting to change PSLs and penal codes to improve women’s rights. Advances in certain areas of women’s rights are not strongly correlated with advances in others, as we have already seen with the sharp disconnect between rising rates of women’s education and continuing low rates of women’s empowerment. Rising rates of girls’ and women’s education have not significantly changed female support for honour crime killings, suggesting that simplistic modernization theories positing that education automatically creates a greater desire for rights need to be qualified. 75 The specific subtype of authoritarian regime—monarchy vs. presidential system—has little effect on the outcome of these battles. The Moroccan king and the Egyptian president passed the most beneficial reforms, while the Jordanian king was unable to pass his bill in parliament and the Yemeni president abandoned his bill in the face of minority parliamentary opposition. Similarly, the level of democracy of the regime has little effect: in 2010 Freedom House rated Tunisia, one of the most authoritarian regimes in the Arab world before 2011, as the country where Arab women enjoyed the most rights, followed by Morocco, which was one of the freest Arab countries.

Another factor that does not appear decisive is activism by women’s groups, except in the unusual (in the Arab world) case in which they are closely connected to leftist political parties that also prioritize women’s rights. The work of feminist activists can be crucial in calling attention to an issue, as in journalist Rana Hiurum’s ground-breaking articles on honour crimes, which helped bring the phenomenon to royal attention in Jordan, and Women’s movements have actively worked to support most of the PSL changes discussed here. However, there is little evidence that activism by women’s rights groups in and of itself can otherwise disinterestedly seek to seek reforms. In Morocco, where women’s PSL activism had the highest profile, many women’s groups emerged from and were part of a larger culture of strong leftist parties, 76 one of which, the Socialist Union of Popular Forces (USFP), which formed the government in 1998, worked ambitiously for women’s rights reforms. One factor that is present in almost, but not all, cases of PSL and Penal code reforms is strong opposition to these reforms from Islamist parties, but this is often less decisive than it is (it appears). In Egypt, Jordan and Yemen, where Islamist parties battled PSL and penal code reform, none of these parties had more than 20 per cent of the seats in parliament. Where Islamist opposition helped to scuttle reforms was when it was added to opposition from more secular—groups affiliated with tribal movements in Jordan—or when a president was willing to sacrifice reforms to appease Islamists who only had a small minority of seats, as in Yemen. The cases of Yemen and Egypt highlights what may be the most consistently important factor in achieving PSL change: sustained commitment—either by exclusive. In Egypt the article of the Child Law which awarded custodial mothers the right to make educational decisions for their children was initially almost
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Egypt 2008

In June 2008 Egypt's lower house passed the Child Law, which among other things criminalized female genital mutilation and awarded the right to make decisions about education of children in divorced families to the custodial parent, who in most cases is the mother. This law demonstrates two important features in attempts to change PSLs: vocal opposition by an Islamist party to attempts to alter PSLs which would change the balance of power within the family by increasing mothers' rights, and the role of dominant ruling parties in PSL change in presidential systems. Shari'a-based PSLs often afford the father a dominant role in the family. One key aspect of this dominance was challenged by Article 54 of the Child Law, which stated in part that in the event of divorce or separation:

the authority over education for the child lies with the person raising the child, and if there is a dispute about what would achieve the best interest of the child, any of those with authority in the matter can approach the president of the family court to seek his ruling, without impinging on the rights of the child-eater. 15

This article led to a major debate about the proper role of women and men in raising children. The actual language of Article 54 is gender-neutral, referring only to the 'custodian' (the person raising the child), and the government claimed at several points that the custodian could be either the father or the mother. However, the fact that, according to a 2005 law, mothers receive custody of daughters and sons until the age of 15 means that in most cases of an educational dispute the custodial parent would be the mother. Discussion of the article in parliament immediately prior to the vote was almost completely dominated by a debate between government officials and Brotherhood MPs. Not all Brotherhood MPs who spoke opposed the law, but most who rejected it argued that the article required that fathers make decisions about a child's upbringing. At the beginning of the discussion 16 Brothers introduced an amendment that exactly reversed the article's intent, saying that the father should have educational authority and that the mother, if she disagreed, could raise the issue in Family Court, but that the Family Court president was making his decision could not impair the rights of the father to this educational authority. An additional Brotherhood MP, Dr Ahmed Mustafa Abu Bakr, argued that Article 54 indisputably awarded the right to make decisions for children (adaya) to the paternal relative while the bringing-up raising of children (baladi) was accorded to the maternal relative. Child-raising, he explained, is a vessel, and child-raising is responsible for putting the values that the father sows. 16 Not all ruling party MPs disagreed. NDP MP Tarek Hanim Mohammed Badawi argued that there is no doubt that the education of the child is connected to his future and his welfare and... the Shari'a pact these matters under the control of the father. Shortly after this disquisition, Dr Amal Othman, the president of the Committee for Constitutional and Legislative Affairs, complained about the anti-mother tone of the discussion, saying 'it could be that the father is the custodian but is the one who doesn't want to educate the child or doesn't want to put the child in a particular school... It is not right for us to always assume that the mother is
incapable of raising the children or not responsible for their education; otherwise... women's right to custody would have been removed, and we should not always assume that the father is the source of conflict (between the parents on educational issues), it could be the mother who is causing the problem.20

The way that the vote on Article 54 occurred helps to illustrate the dynamics of decision-making, and the importance of presidential communique in Arab presidential regimes. The parliaments of Arab presidential systems such as Egypt and Yemen are dominated by ruling parties headed by the president. Violence and electoral fraud are frequently used to ensure that these parties enjoy not only a majority but often as much as two-thirds of the seats in parliament.42 For example, in the parliament that passed the Child Law, NDP MP's had 73 per cent of the seats, while by far the largest opposition group, the Muslim Brotherhood, had only 20 per cent.43 In Egypt the rules of the parliament have been constructed so that bills are almost never introduced for discussion unless the ruling party is behind them. Thus, the very fact that a bill reaches the parliament floor means that the president supports it, and the overwhelming number of seats for ruling party MPs means that presidents can usually get bills passed that they wish to see become law, even with strong minority party opposition. Thus, as we will see in the case of attempts to raise the marriage age in Yemen, it is often assumed that when a bill is introduced into parliament but not passed, that this means that the president is not committed to its success.

It is not always possible to document the mechanics of president exerting influence over parliamentary votes in practice. Lists of how individual MPs voted, or the total votes for and against an article or bill, are not made public by the Egyptian government, so we cannot prove, for example, that all or most NDP members voted for a bill, or assume that all 88 Muslim Brotherhood MPs voted against it, just because many Brother- hood MPs criticized it on the floor. The case of the article giving custodial rights to the right to make educational decisions for their children, however, offers a rare window into how presidential commitment to PSL changes words and how important it can be, because here we can demonstrate the extent to which the absence of NDP members from the vote threatened its defeat in the face of largely Muslim Brotherhood opposi- tion, as well as the lengths to which NDP officials went to 'save' the article. The Article 54 vote concluded in a manner unusual enough to warrant at least three separate articles on it in the semi-official Al-Ahram newspaper the next day. One Al-Ahram article noted a 'very noticeable absence of deputies of the majority' NDP MP's and an unusually high concentration of independent MPs (who would be almost exclusively Brotherhood MPs, as Egyptian law forbidding parties based on religion means that Brotherhood MPs are independent), which almost tipped the scale to give the majority to the independents.

Another Al-Ahram article the same day said that the independent MPs did have the majority because so few NDP MP's were present. That article reported that Ahmed Farrag, the NDP's secretary for organizational affairs, immediately left to try to gather as many NDP MP's as possible so that they would have the majority.44 The article finally passed.

Why did the Egyptian government pursue Article 54 despite strong opposition from the Brotherhood? Various articles in the Child Law demonstrate the wide variety of issues that can motivate 'state feminism' on girls' and women's rights. The effective criminalization of female genital mutilation in the law was a goal that Egyptian activists had sought for decades, but it was given much greater salience by international coverage of the issue, most notably a CNN broadcast of an Egyptian girl being circumcised while Egypt was hosting the UN Conference on Population and Development in 1994. This was a major embarrassment to which Housni Mubarak himself responded in a follow-up CNN programme. Mansour Asaad, a major Egyptian anti-female genital mutilation activist, characterized the CNN broadcast as an 'explosion' that was like 'shock therapy'.45 Another key Child Law amendment reversed previous practice that only fathers or paternal grandparents could officially register the birth of a child and receive a birth certificate by consulting this right to mothers as well. This made children born out of wedlock, or those born in customary (left) marriages in which their father refused to acknowledge paternity, eligible for important government services such as school enrollment. One motive for the passage of this article may well have been the need to bring Egyptian law into compliance with international conventions that the government had signed, in this case the Convention on the Rights of the Child. In contrast to the international pressure and obligations that facilitated increasing mothers' rights in educational decision-making and obtaining birth certificates, it is likely that the main motive for Article 54 was an attempt to simplify the massive congregation in Egyptian family courts on divorce-related issues. Diane Singerman notes, the 2000 'hurta' law was driven in part by the need to alleviate an enormous backlog of cases, with one source saying that of a population at that time of 54 million people, 1.5 million divorce cases were filed annually,46 and a 1996 study noting that 'every divorce case leads to at least five other cases in other courts', including custody and alimony issues. In the parliament debates on the Child Law, an advisor to the Minister of Justice argued that in the case of differences on education between the custodial parent and the non-custodial parent, 'in some cases the legal guardian (the father), in order to spite the custodial parent, does not take into consideration the best interests of the child (and) would take the child out of the school in which he and his siblings were enrolled'.47 Many such cases would presumably end up in court, as occurred in the high-profile case of actress Ahsar al Hakim in 2007. Although al Hakim had custody of her three sons and paid the fees for their international school, her ex-husband transferred two of their sons into a govern- ment school against her wishes. Given the widespread assumption of Egyptians that an international school would provide a much better education than a government school, it seemed likely that the father had moved the sons solely to spite his ex-wife. Al Hakim was only able to transfer her son back to the international school after a court ruled in her favour in 2007.

Jordan

The case of the repeated attempts to strengthen penalties for 'honour' crimes in Jordan between 1999 and 2009 demonstrates several things. One is the importance of Western attention to abuses of women's rights in spurring leaders to action, which reveals another community among these cases — Islamic movements opposing changes in part because they feel they are Western–dictated. It also demonstrates that Islamists are not the only ones who oppose these laws, or even the most powerful group to do so. The case also shows a kind of 'dance' in which the parliament continually rejects the core goal of strong punishments for those convicted of honour crimes, while the king repeatedly seeks extra-parliamentary mechanisms to achieve this outcome, whether by introducing different fines or temporary laws when he has dissolved parliament, or by creating a new court to handle crime trials. Public opinion surveys on honour crimes also provide one example of the phenomenon of advances in one area of women's rights, not necessarily
helping to create the necessary conditions for improving other areas, as Jordan's relatively very high rates of female literacy scene, so far, to have done little to alter female support for honour crimes.

As was previously defined, honour crimes refer to murders of women by their male relatives in an attempt to restore the family's 'honour' after the woman is accused of inappropriate conduct with a man. It is generally estimated that between 20 and 25 such crimes occur per year, although one journalist suggested that 10 such murders occurred in only the first three months of 2011.24 In the recent past it was not uncommon for men found guilty of such killings to serve as little as several months in prison, Rana Husseini notes that:

the court usually issues reduced sentences in such murder cases after invoking Article 98 of the Jordanian Penal Code, which offers leniency to perpetrators who commit a crime in a fit of fury because of an unlawful or dangerous act that is committed by the victim against the defendant. Court records show that judges often consider a woman tarnishing her family's honour as a dangerous and unlawful act.25

In February 1999 King Abdullah initiated a process whereby the Ministry of Justice recommended a hasty draft amendment that abolished Article 349 (the penal code).26 Article 349, which was included in the penal code, allowed for punishment of adultery, while Article 98 was the more severe punishment for adultery. The King introduced an amendment into the Penal Code, which was subsequently approved by the Senate, where members are appointed by the King, it was again rejected in the lower house. When Abdullah suspended parliament for two years between 2000 and 2003, the amendment was one of the 23 temporary laws that he introduced and which would require adoption by the next elected parliament; the lower house elected in 2003 once again voted against it.

Who opposed the amendment, and why? The 1999 parliament that initially defeated the honour crimes amendment had few Islamist MPs, as the Islamic Action Front (IAF) had boycotted the 1997 elections. In the 2003 elections, which produced the parliament that rejected the amendments that year, IAF MPs still had only 15 per cent of the seats. In both cases, there, Islamist opposition alone was not sufficient to defeat the amendment, and in both cases members of parliament who came from various tribes played a key role in blocking the law. Mounts Charafat, has argued that societies in which tribes retain significant political influence tend to find it harder to improve women's rights. While he uses Morocco as an example of how tribal power helped held women back at the time of independence, the continued presence of tribes in Morocco did not prevent the landmark nonjudicial PSI changes of 2001. Her larger argument, however, is substantiated by examples from other countries such as Kuwait and Jordan, where tribal affiliated MPs and Islamists often both voted against women's rights improvements, but for different reasons. In the struggle to achieve female suffrage in Kuwait, while the tribes were committed to rejecting suffrage, Ladies Al-Mulla, a leading female activist, saw women's activism made more headway with the Islamists. Mulay noted that "we confronted them and asked them to tell us why Kuwaiti Islam is different than Egyptian Islam, or Palestinian Islam, or other Islam where women could vote. She said they had no good responses, and then ultimately, they began supporting the tribes' anti-suffrage position by claiming it was a cultural and traditional issue. In discussing the Jordanian parliament's votes against PSI amendments, including allowing women much easier access to divorce and raising the marriage age, Clark and Young argue that "tribal MPs, generally, were more concerned with the traditional rights of males and the IAF focused more on the religious validity of the amendments."27 That also may have been the case in the honour crime amendment, as when one tribal leader supported his opposition with the argument that "a woman is like an olive tree. When in bunch catches woodworm, it has to be chopped of so that the society stays clean and pure."28 The IAF, by contrast, made clear that Islam prohibited honour crimes and that the party did not support them, but, Clark argues, they opposed the amendment of Article 349 because it addressed adultery. On the other hand, there are clear punishments for adultery in Islam and 2) there should be noted out by the proper court authorities after the evidence of at least four witnesses according to Islam.

Why did the government pursue the issue, and why did it drop it between 2004 and 2009, when the King established administrative courts to hear honour crime cases? The timing of the initiation of the legislation in 1999 suggests that the desire to address foreign concerns helped to move an issue that already had some royal support to the front of the agenda. Journalist Rana Husseini's articles on honour crimes raised awareness, and Clark argues that she is "indirectly credited for bringing the issue to the attention of King Hussein, who condemned violence against women in his November 1997 address to parliament."29 Husseini's international awards for her work, including the Reebok Award for Human Rights in 1998, suggested increasing international attention to the issue, which was then covered by CNN in a January 1999 programme with the participation of Husseini and Queen Noor. The programme received widespread international attention. The next month King Abdullah initiated the creation of the draft amendment to Article 349, and Clark argues that royal commitment to the issue further increased in November 1999 when, during a royal visit to France, Le Monde published a major article on honour crimes and Queen Rania was asked about the issue in a French TV interview.30

Islam and other opponents of changes in women's rights legislation are well aware that one driver of these laws is a desire to appear "progressive" in the West. Winning Western support for these initiatives is seen as an adoption of Western values on gender relations and sexuality, which Islamists generally see as immoral, and this is one reason they oppose these measures. While IAF secretary-general Sheikh Hamza Mansour said about honour crimes he "we are not for taking the law into your own hands" (i.e. that male relatives should take it upon themselves to punish supposed extramarital sex), he also noted that this whole issue is being exaggerated, and the reason behind it is not innocent... It's as if the government is giving up its personality to turn into a Westernised society.

Historically, a different set of international pressures may have led the King to abandon the honour crime issue for several years after its defeat in 2003. The violent repression of the 1988 Islamic waves, which began in 2000, made Jordan's always unpopular 1994 peace treaty with Israel even more controversial, while the Jordanian government's support for the invasion of Iraq in 2003 was also widely detested. As Clark notes, "Kings
Hussein and Abdullah have pursued an unspoken policy of leaving social and cultural issues to the parliamentarians in return for the MPs' cooperation on foreign and economic policy. The Palestinian intifada and the war in Iraq have tested the limits of this grand bargain. In other words, at a time where a primary concern of King Abdullah was decreasing domestic opposition to his foreign policy, continuing to pursue a women's rights issue that further alienated MPs may have seemed untenable.

The pattern of the King pursuing strengthened honour crime punishments through extraordinary measures, and of the parliament trying to circumvent them, continued in 2009 and 2010. In 2009 the King designated a special tribunal to hear honour crime cases, which has led to much harsher penalties, including a 15-year sentence for a 66-year-old man who killed his daughter. In November 2009 the king dissolved parliament and in its absence the government unilaterally changed the penal code, finally focusing, as activists had suggested it do in 1999, on Article 98, which allowed courts to shorten prison sentences if crimes were committed in 'a state of fury' (similar to a 'crime of passion' in Western law). The amended penal code provided that this mitigating factor if the murderer victim was a woman or under the age of 15, while another 2010 penal code amendment stipulated a sentence of no less than 12 years for murders of women or those under 15.

However, with a new parliament elected after the November 2010 elections, the amendment removing the 'state of fury' mitigations, initially passed as a temporary law, has gone to the parliament for ratification. The lower house later accepted the amendment on the condition that it apply only to murders, not to women, in effect stripping it of its goal.

The honour crime issue also signals the lack of an automatic connection between advances in some areas of women's rights and others. Jordan has by far the highest women's literacy rates of the four countries examined here—87% per cent compared to only 40 per cent, for example, in Yemen94 and 58 per cent in Egypt. Despite this, Nermeh Murad, director of the King Hussein Foundation's Information and Research Centre, noted that a two-year European Union-Jordanian government project on honour crimes that ended in 2011 had found that 'women are less understanding and sympathetic toward victims of [honor crimes] than men... [they] are more inclined to believe that the concept of honour is tied to women's behaviour and the individuals responsible for these murders are the females themselves'. The finding that rising rates of female education do not necessarily translate into increasing female support for women's rights echoes similar findings in other countries such as India, where some of the highest rates of women seeking to abort second-trimester due to son preference are found in states with high levels of female literacy.

Yemen

When North and South Yemen were unified in 1990, the marriage age of girls was set at 15, but the minimum age was eliminated in 1999.95 A 2005 study by the Yemeni Ministry of Social Affairs and Labour found that one-quarter of all girls were married before 15.96 and several high-profile cases discussed below demonstrate that many girls are married rather than that. In February 2009 a bill was sent to the Yemeni parliament to raise the marriage age to 18, after MPs lowered the age to 17, the last passed with majority of votes. The main opposition to the bill came from the Islamic party, which had 15 per cent of the seats, although Islamic MPs did not uniformly oppose it. Almost immediately after the bill passed, there was significant outcry from its opponents in parliament and the bill was sent to the Shura's Codification Committee for its opinion.

leading women's rights organizations to mobilize against consideration of the bill. Ahmed al Qaradawi, the president of the Siyad Organization to Protect Children, noted the paradox to the fact that the bill was being held up despite being passed by the majority, and questioned the ruling General People's Congress's (GPC) commitment to the bill, noting that the MPs calling for renewed discussion 'belonged to trends which were known not to have a majority of the parliamentary seats, and if the ruling party was serious about human rights in Yemen then it could use the large majority of seats belonging to its members' to make sure that the bill was put into effect.97 Given the fact that the GPC held 79 per cent of the parliamentary seats, this was a self-assumption.

In March 2010 the question of girls' marriage age once again took the public stage. In early March the GPC-affiliated Al-Shura newspaper ran a series of articles seemingly intended to bolster the Islamic credentials of the marriage age law, including a lengthy article on 3 March by Iyad MP Shouqai al Qadi, responding to the religious arguments of opponents,98 and a 5 March article highlighting the support of arguably the most widely revered cleric in the Sunni Arab world, Yusuf al Qaradawi, for the bill.99 On 21 March a group of siwaa including Abdul al Majid al Zindani, a high-ranking figure in the Islamic party who had headed its Consultative Council several times, issued a joint labeling supporters of a minimum marriage age apostates. On 22 March there was a demonstration by what press reports said were thousands of women opposing a minimum marriage age, followed the next day by a smaller demonstration of women organized by women's rights groups to support the law.100 Once again the fact that a bill with majority parliamentarian support was being held up by the vocal opposition of a minority was raised, as GPC member Saeed Radia told the Christian Science Monitor that 'we have a parliamentary majority and the support of the president. We therefore have the ability to pass the law'. Radia argued that the GPC was holding up the bill in the hope of obtaining Iyad's support, saying that 'if we wanted to go to war, for example, we could pass it through parliament, but this issue is much more sensitive as it is related to shar'a, and noting that if the GPC implemented the bill without Iyad's support the latter would 'label it as full of mistakes'.101 The same phenomenon of majority support for the bill nonetheless being blocked by vocal Iyad opposition occurred when the bill was brought back to the parliament in October 2010, this time leading to the threat of a physical confrontation between Iyad and GPC members. Discussion was also heated between high-profile Iyad supporters of the bill, Shouqai al Qadi and Islamic opponents. Al Qadi asked that the bill be discussed without its opponents suggesting that those who disagreed with them were apostates, and requested that each side discuss the bill without assuming that it was the only group that defended Shar'a's rulings on the question. Iyad MP Abdullah al Odeeni strongly reproached al Qadi, labelling his words 'ignorant talk'. When the leader of the GPC's parliamentary bloc, Sultan al Barakumi, noted that the majority of MPs supported the bill and told al Odeeni that 'by God, no matter how many siwaa you have [opposing the bill] we have the majority and we will pass what we want and you will regret it', Odeeni grabbed his cane and Barakumi removed his shoe. While other MPs intervened to break up the fight, the other high-profile Iyad opponents of the bill, Muhammad al Haiwi, issued a punch at Barakumi, which was blocked by another MP, leading the speaker of the house to suspend the session. When the MPs returned to the hall, they began discussing a military coup, despite Barakumi's demand for a vote on the child marriage amendment.102 To the best of our knowledge, the bill has not been brought back to the parliament again.
As political liberalization allowed proponents of women's reform to advance their agenda, it also allowed increasing Islamic activism against the reforms.195 The religious opposition openly campaigned against the proposed mudawana changes. The Moroccan League of Ulema, an official state body, declared that the plan would undermine Islamic jurisprudence, loosen morals in the kingdom, destroy the sanctity of marriage and make it more difficult for men to marry, a position supported by the Mufti of Islamic Affairs. Islamist groups in Morocco, the PJD and the Justice and Charity movement all attacked the reform package as a "US-American imperialist conspiracy designed to destroy Islamic culture."196 Nevertheless, the mudawana was passed in 2004. Among other things, it abolished wives' duty to obey their husbands, no longer required women to have the permission of a male legal guardian to marry, raised the minimum marriage age to 18, and substantially restricted the conditions under which men could contest second and later marriages. Divorce was made easier for women, while men could no longer divorce through talāq.

Why was the PJD, unlike its counterparts in Egypt, Jordan and Yemen, the only Islamist party to eventually support substantial PSI reforms? Analysts have typically offered two explanations for this trend in events: the murder attacks that killed 45 people in Casablanca in May 2003, only months before the mudawana reforms were initiated, and the fact that the King went out of his way to justify and defend the reforms in an Islamic, not Western human rights, framework. Although the PJD was not involved in the Casablanca attacks, many scholars argue that they made the PJD feel that they urgently needed to clearly differentiate themselves from much more extreme Islamist movements of the type behind the attacks. Ennaji notes: 'analysts say that [in voting for the mudawana reforms] PJD leaders were acknowledging the king's religious authority while also moderating their language in response to May's terrorist attacks in Casablanca.'197 Clark and Young make this argument more concrete by noting that in the September 2003 elections, the PJD won far fewer seats than had been predicted before the Casablanca bombings, presumably increasing their perceived need to alter course to achieve popular support.198

The PJD maintains that its shift in support of the mudawana was primarily a function of the King accommodating PJD demands about respecting the jurisdiction of Islam on matters of reform. Put differently, the PJD sought to secure that Islamic principles prevailed and that Western influences were minimal. In March 2001 the king announced his appointment of a royal consultative council to reform personal status laws. The PJD at the time was adamantly about minimizing the influence of "Westernizers and liberals" on the reform of the personal status codes. The PJD was confident about this position and in 2003 PJD leader Abdelhak Benkhettara wrote in al-Tajdid, saying "the Moroccan people will not be subject to a few Westernisers."199 Two months before the Casablanca bombings, the PJD held a conference to further discuss the mudawana, at which it maintained the position that any change to the personal status code should be based on Islamic and not Western influence.200 The PJD maintained its stance even after the May 2003 bombings; the front page of the 16 June edition of al-Tajdid, in reference to the mudawana, proclaimed the existence of a conspiracy against the Moroccan family, citing external interference.201 PJD leaders like Basima Haqooni and Hicham Shoibati attribute the movement's support for the mudawana reforms to changes made by the king himself, and not the PJD's Casablanca political climate. Shoibati outlines three noteworthy alterations crucial
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for the change. First, the king included religious scholars on the Royal Consultative Council to reform the madrasa. Second, the king no longer spoke of an all-encompassing plan for the integration of women in development, and rather downplayed the project to a reform project in the family code. Finally, the king emphasized that he could not permit what God had forbidden or forbid what God permitted.105

While downplaying the ‘fingerprint’ of secular or Western inspirations on the madrasa may have been key to securing blatant support, it is important to note that, as Clark and Young point out, socialist parties in Morocco played a key role in advancing the family law reforms that became the madrasa, in a stark contrast to the other three cases here. As they note, it was the USIP-dominated government, brought to power through alternation in 1998, that in 1999 proposed a law against the integration of women in development, which, had it been adopted, would have made far-reaching PSI changes than the madrasa eventually did. Clark and Young also note that women’s rights groups that emerged from left political parties and other left-leaning women have long led the women’s rights movement in Morocco and have worked assiduously for the family code reform.106

Conclusion

This chapter documents improvements in the status of women across several Arab states. The primary focus of this chapter is on personal status laws. Here we maintain that governing authorities have been crucial and vital in instituting reforms that allow for more equality for women across the region. Indeed, regimes have been able to bypass traditionally conservative pressure to adopt policies more favorable to women. We also see regimes playing an instrumental role in the area of education. The literacy gap across Arab states is narrowing, while the younger generation of women is far better educated than its predecessors. Finally, although there have been marked improvements in areas of labour market participation and economic activity for women, the political economy of the region will determine the future of women’s economic involvement. While there remain traditional norms and restrictions that hinder women’s economic participation, the economic realities themselves will dictate the trajectory of women’s economic activity. Today, the economic development infrastructure of the Arab world remains weak. Unlike women in some Western societies who experienced massive export-led growth and industrialization necessitating additional female labour in the market, this has not been the case in the Arab region. Thus, the economic activity of women will largely depend on economic development, which is also closely linked to political development and political stability. Wars and turmoil have not been conducive to economic growth and development. Nevertheless, women have made considerable advancements in the last several years. When we’ve witnessed key improvements, we’ve seen that in addition to active civil society mobilization by women, regimes have played crucial roles in securing the rights of women—especially as they pertain to reforms in personal status laws.

Notes

2 The World Bank’s definition of MENA includes at least two countries not considered in this chapter on the Arab world: Iran and Djibouti.

3 Bridging the Gap: Improving Capacities and Expanding Opportunities for Women in the Middle East and North Africa Region (The World Bank, October 2010), 3.
4 Bridging the Gap, 3.
5 Bridging the Gap, 3.
8 UNDP Jordan Human Development Report 2011 (UNDP, 2011), 57. The female literacy rate in the other four countries did not exceed 2 per cent in the 15-24 age group.
13 Bridging the Gap, 4.
14 Muzha Brady, Racial Award, Barbara Ibrahim, Abeer Saleem, Raiza Salem and Nakid Zbols, Peeling New Opportunities in Adolescent Girls in Socially Conservative Settings: The Idephen Program in Rural Upper Egypt (Population Council, 2007), 1.
15 Brady et al., 2007, 1.
16 Bridging the Gap, 4.
17 Gender and Development in the Middle East and North Africa: Women in the Public Sphere (World Bank, 2010), 27.
18 Figures are Lesotho 13.4 per cent, Botswana 10.7 per cent, Cape 9.8 per cent, and Vanuatu and Yemen at 9.6 per cent.
19 Gender and Development in the Middle East and North Africa, 28.
20 Algeria, Egypt, Iran and Jordan and Morocco.
24 Adley, 2004, 371–72. Adley points to factors until the 53 to the work of Linda Herrera, who found at a girls’ school in Cairo that staff were deeply concerned with tensions due to fear of inappropriate behavior as they went back and forth between school and home. Linda Herrera, ‘Women of Schools: Inside a Girls’ School in Cairo’, Cairo Paper in Social Science Vol. 15, American University Press, 1992.
25 Bridging the Gap, 6.
26 Bridging the Gap, 6.
27 Gender and Development in the Middle East, 76.
28 Kelly, 2010, 6. Raising rates of female employment in some Gulf countries are also strongly influenced by government policies, as in the UAE, where laws forbidding hiring non-nationals for such roles in secretive or human relations offices has brought limited women into these positions.
34 Khallou, 2009, 6.
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59 Section 110, 3 June 2008, 14.
60 Section 110, 3 June 2008, 14.
61 The two-thousand threshold is often important because it can be the percentage of votes necessary to alter the constitution, as in the case in Egypt.
63 'A Chaotic Birth Due to the Differences and Arguments About the Text of the Articles Magdi Al-Shafik Response Departments of the Articles of the Child Law Amidst the Absence of Most of the Deputies of the Majority' (in Arabic), Al-Ahram, 4 June 2008.
64 'A Crime in Voting...Because of the Absence of MNF' (in Arabic), Al-Ahram, 4 June 2008. It is unclear whether the absence of NDP MPs from the voting on Article 54 was due to their opposition to or disinterest in the article, or just another manifestation of the constant phenomenon of MPs abstaining themselves from parliament more generally.
68 Harim Baghouri, Advisor to the Minister of Justice, Transcript of Section 110, 3 June 2008, 6.
72 Clark, 2003, 39.
73 Clark, 2003, 40.
75 Personal interview with Amarey Jamal, Winter 2006.
76 Clark and Young, 2008, 348.
77 Clark, 2003.
80 Clark, 2006, 41.
82 Clark, 2003, 40.
83 "14 Years in Prison for a Man Who Killed His Daughter on the Pretext of 'Honor'" (in Arabic), Jadid al-Ghad, 6 March 2011.
85 Rana Husseini, "Initiative Seeks to Change Mindset on So-Called Honour Crimes", Jordan Times, 11 February 2011. The phrase 'state of fear' used here comes from this article.
89 Yetten, Divorced Over Under-Age Marriage", Middle East Online, 31 March 2010.
The Islamic veil in civil societies

Faegheh Shirazi

The purpose of this chapter is twofold: to give a background on the contemporary global events concerning both Muslim and non-Muslim nations that impose policies banning the niqab, or hijab; and to focus closely on the various governing policies examining various in rulings, and the effects of these policies on the populace in recent years.

Introduction

During the Austro-German (20th to 15th centuries) and Byzantine (306 BC to 1453 AD) empires and including the pre-Islamic era, both veiling and seclusion were marks of prestigious status of elite women.

Only wealthy families could afford to seclude their women. The veil was a sign of respectability but also of a lifestyle that did not require the performance of manual labor. Slaves and women who labored in the fields were not expected [or allowed] to wear the veil, which would have [not only] impeded their every movement but also, visually associated them with the elite class to whom they did not belong.

The Islamic veil is known as hijab (Arabic), a generic term referring to a modest coverage of the entire body and hair (not necessarily the face). The word veil conjures many images in our minds—from religious, pious, submissive, to exotic, and even feminine. The Arabic term hijab literally means curtain, in addition to divisor, coverage, or a shield. Neither the veil nor the practice of veiling is an invention of Islam. The veil has a much longer history than all the Abrahamic religions of Judaism, Christianity, and Islam. Yet it has been adopted by these religions (to various degrees) as a symbol of piety, humbleness before the divine, or as a symbol of obedience to man, including husband or слів.Muslim woman’s modesty has been highly associated with this piece of cloth, which is worn in various styles and colours. This symbolic modesty (the veil) unfortunately has been misunderstood and highly abused by extremists, both Muslim and non-Muslim men and, of course, by women as well. This abuse is due to ignorance and/or lack of understanding not only the religion of Islam, but also the degree of cultural element brought into the religious argument to justify imposition of the veil and its restriction upon women, which, in fact, has nothing to do with Islam at all. In my previous publications on the issue of the hijab in modern culture, I discussed how the meaning of veiling is a challenging task. The semantic versatility of the veil is dependent upon the specific cultural, historical, and religious context in which the veil is used.