

American University in Cairo

AUC Knowledge Fountain

Theses and Dissertations

Student Research

Spring 5-28-2024

Impact of Legal Systems on Women's Representation in Parliament: Egypt and Tunisia

Omar Rabie
orabie@aucegypt.edu

Follow this and additional works at: <https://fount.aucegypt.edu/etds>

Recommended Citation

APA Citation

Rabie, O. (2024). *Impact of Legal Systems on Women's Representation in Parliament: Egypt and Tunisia* [Master's Thesis, the American University in Cairo]. AUC Knowledge Fountain.
<https://fount.aucegypt.edu/etds/2342>

MLA Citation

Rabie, Omar. *Impact of Legal Systems on Women's Representation in Parliament: Egypt and Tunisia*. 2024. American University in Cairo, Master's Thesis. *AUC Knowledge Fountain*.
<https://fount.aucegypt.edu/etds/2342>

This Master's Thesis is brought to you for free and open access by the Student Research at AUC Knowledge Fountain. It has been accepted for inclusion in Theses and Dissertations by an authorized administrator of AUC Knowledge Fountain. For more information, please contact thesisadmin@aucegypt.edu.

The American University in Cairo

School of Global Affairs and Public Policy

**EXAMINING THE IMPACT OF LEGAL SYSTEMS ON WOMEN'S
REPRESENTATION IN THE PARLIAMENT OF EGYPT AND TUNISIA**

A Thesis Submitted by

Omar Rabie

To the Department of Law

Spring 2024

**in partial fulfillment of the requirements for
the LL.M. Degree in International and Comparative Law**

The American University in Cairo

School of Global Affairs and Public Policy

**EXAMINING THE IMPACT OF LEGAL SYSTEMS ON WOMEN'S
REPRESENTATION IN THE PARLIAMENT OF EGYPT AND TUNISIA**

**A Thesis Submitted by
Omar Rabie**

To the Department of Law

Spring 2024

**in partial fulfillment of the requirements for the LL.M. Degree
in International and Comparative Law has been approved by**

Professor Jason Beckett (Supervisor)
Assistant Professor
Law Department
The American University in Cairo

Professor Thomas Skouteris (First Reader)
Associate Professor
Law Department
The American University in Cairo

Professor Hani El Sayed (Second Reader)
Associate Professor
Law Department
The American University in Cairo

LLM Program Director

Date

GAPP Dean

Date

Thomas Skouteris

Dr. Noha El-Mikawy

The American University in Cairo
School of Global Affairs and Public Policy
Department of Law

**EXAMINING THE IMPACT OF LEGAL SYSTEMS ON WOMEN'S
REPRESENTATION IN THE PARLIAMENT OF EGYPT AND TUNISIA**

Omar Rabie

Supervised by Professor Jason Beckett

ABSTRACT

This thesis explores the disparities in women's representation in the parliaments of Egypt and Tunisia, underscoring the impact of legal systems on political participation. Through a comparative analysis, it identifies key differences and similarities in the legal frameworks of both countries, highlighting how this influences the level of women's parliamentary representation. Egypt, with its relatively low representation of women in Parliament, contrasts with Tunisia's significantly higher levels attributed to progressive legal reforms and quota systems. The research employs a mixed-method approach, combining qualitative and quantitative data to explore the institutional, legal, and cultural factors affecting women's political empowerment. By examining the historical context, electoral laws, and constitutional provisions, this study contributes to understanding the complexities surrounding women's political participation in the Arab world. It offers insights into the legal and social barriers to women's representation and proposes recommendations for enhancing gender parity in political institutions.

Key Words: Women's Political Representation, Legal Systems, Electoral Laws, Gender Parity, Arab World, Comparative Analysis, Egypt, Tunisia, Quota Systems, Political Participation.

Table of Contents

I. INTRODUCTION	6
II. EXPLORING WOMEN’S RIGHTS AND POLITICAL PARTICIPATION IN EGYPT AND TUNISIA	8
<u>A.</u> The Electoral and Voting Systems	22
1. Plurality Electoral System:	23
2. Majority Electoral Systems: (50+1)	24
3. Proportional Representation	25
<u>B.</u> Literature Review	29
1. Studies on the Impact of Gender Quotas on Women’s Political Empowerment.....	29
2. Studies on the Effectiveness of Gender Quotas on Women’s Representation.....	31
3. Studies on the Impact of Gender Quotas on Policy and Legislation.....	32
4. Studies on the Impact of Gender Quotas on Women’s Empowerment and Intersectionality	33
5. Studies on the Role of Quotas in Advancing Women’s Rights and Representation.....	35
6. Studies on Women’s Political Empowerment in The Arab World.....	36
C. Research Methodology	40
D. Variable Operationalization	45
III. HISTORICAL OVERVIEW: WOMEN'S POLITICAL REPRESENTATION IN EGYPT AND TUNISIA	47
A. The History of Egyptian Women’s Participation in the Parliament.....	47
B. The History of the Tunisian Women Participation in the Parliament	50
C. Comparative Analysis of Women’s Political Participation	53
IV. LEGAL SYSTEMS IN EGYPT AND TUNISIA	56
A. Constitution, International Agreements, and Laws in Egypt	56
1. The Constitution.....	57
2. International Agreements	67
3. Egyptian Laws	69
B. Constitution, International Agreements, and Laws in Tunisia	74
1. The Constitution	75
2. The International Agreements	79
3. Tunisia's Legal Advancements in Women's Electoral Representation and Rights	80
C. Comparative Analysis of the Legal Systems of Egypt and Tunisia	85
1. Women’s Rights in Egypt’s Constitutions	85
2. Women’s Rights in Tunisia’s Constitutions	86
3. Evaluation	87

4. Comparison Between Other Legal Frameworks	88
V. WOMEN’S PARTICIPATION IN POLITICAL LIFE IN EGYPT AND TUNISIA	93
A. Women’s Participation in Egyptian Political Life	93
B. Women’s Participation in Political Life in Tunisia	103
C. The Electoral System in Egypt	109
D. The Electoral System in Tunisia	114
E. Economic, Social, and Cultural Factors	118
1. Economic, Social, and Cultural Factors in Egypt	119
2. Economic, Social, and Cultural Factors in Tunisia	123
VI. CONCLUSION	126
VII. ANNEXES	130

I. INTRODUCTION

In the modern era, the role of legal systems in shaping the representation of women in the political landscapes of different countries has become increasingly pivotal. This thesis examines the contrasting dynamics of women's representation in the parliaments of Egypt and Tunisia, providing a comparative analysis of how legal frameworks influence political participation. Despite their geographic proximity and shared cultural heritage, Egypt and Tunisia exhibit starkly different levels of female parliamentary representation. This divergence prompts a critical examination of the underlying legal, social, and political mechanisms at play.

The context of this research is rooted in the broader historical and legal developments observed over the past few decades in the Middle East and North Africa (MENA) region. Both Egypt and Tunisia have undergone significant political upheavals, which have, in turn, influenced their legal reforms regarding gender equality. However, while Tunisia has made notable advances in enhancing women's political representation through progressive legal reforms and quota systems, Egypt's progress remains comparatively sluggish. This discrepancy raises essential questions about the effectiveness of legal systems in promoting gender parity in political participation.

This study is significant as it not only illuminates the impact of different legal systems on women's representation in parliament but also contributes to the broader discourse on gender equality and legal reform. By understanding the factors that facilitate or hinder women's political empowerment, policymakers and advocates can better design interventions that promote inclusive governance.

The central thesis of this research posits that robust legal frameworks, supported by comprehensive enforcement mechanisms, are essential for enhancing women's representation in politics. This argument will be developed through a detailed examination of the electoral laws, constitutional provisions, and international agreements that shape the political engagement of women in Egypt and Tunisia.

The following sections will outline the structure of the analysis: First, a historical overview will set the stage by detailing the evolution of women's rights in both countries. Subsequently, the study will delve into the current legal frameworks governing political participation in Egypt and Tunisia, analyzing their effectiveness and limitations. Finally, the paper will conclude with a synthesis of

findings and recommendations for policy reforms aimed at increasing female parliamentary representation.

By adopting this structured approach, the thesis aims to provide a comprehensive understanding of the interplay between legal systems and gender representation in parliament, offering insights that could inform future legal and policy initiatives in the MENA region and beyond.

II. EXPLORING WOMEN'S RIGHTS AND POLITICAL PARTICIPATION IN EGYPT AND TUNISIA

Lincoln once defined democracy as “*Government of the people, by the people, for the people*”.¹ It is increasingly recognized that women are often marginalized and excluded from political and public life, with their legal status frequently being considered inferior to that of men.² The colonial powers introduced a patriarchal legal system that reinforced gender inequality and discrimination against women. However, the colonial period also marked the beginning of women's rights movements in Egypt and Tunisia, which advocated for women's rights and equality. The main reason for its encouragement of women's rights and the uprising for feminism in Egypt had no ties with its generous intentions of supporting women but to create a new base for British Colonization acceptance and deform the coherence of the Egyptian society.³ It weakened the traditional patriarchal system and created a more pro-British elite which explains why the British provided funding and support for women's schools and newspapers. They also appointed female representatives to the Egyptian government. When Lord Cromer himself opposed women's rights in Great Britain, this is in addition to being the president of Anti-Suffrage in the early 1900s, with its main aim being to oppose women's primary right to voting and participation in parliamentary life.⁴

Despite the British motives, their reforms positively impacted the development of women's rights in both countries. By the end of the colonial period, more girls were attending school than boys, and several women were working in government and business positions.

During the era of nationalism and independence in Egypt and Tunisia, women's rights were at the forefront of political discourse. Women played a critical role in the struggle for independence, and

¹ U.S. President Abraham Lincoln, The Gettysburg Address, November 19, 1863.

² Grover HS. “...*Of the people, by the people, for the people*”. J Indian Soc Periodontol. 2020 May-Jun;24(3):190. doi: 10.4103/jisp.jisp_149_20. PMID: 32773968; PMCID: PMC7307473.

³ Leila Ahmed, Women and Gender in Islam: Historical Roots of a Modern Debate (Yale University Press, 1992) at 153.

⁴ Haneen Rasool, “*The Impact of Colonial Rule on Women's Rights: A Case Study Specific to Egypt under the Rule of British Consul-General Lord Evelyn Cromer*,” Relics, Remnants, and Religion Journal 2, no. 2: 14-15, available at <https://soundideas.pugetsound.edu/cgi/viewcontent.cgi?article=1034&context=relics>.

their contributions were acknowledged through legal reforms that granted them more significant rights and protections. In Egypt, for example, the 1923 Constitution granted women the right to vote and run for office, making it one of the first countries in the region to do so. Tunisia followed suit in 1959, with the Personal Status Code granting women the right to divorce and inherit property.⁵ In the same year, the Egyptian constitution was amended to guarantee women equal rights under the law. It was reflected in article 31 which states that *"All Egyptians are equal under the law in public rights and duties, without discrimination due to sex, origin, language, religion, or belief."*⁶

These early legal developments laid the foundation for further progress in women's rights over the decades. However, despite these legal advances, women continued to face discrimination and marginalization in both countries. In the 1970s and 1980s, women's rights movements gained momentum, advocating for legal reforms to address gender inequality and discrimination. In Tunisia, the Personal Status Code of 1956 was reformed in 1981, granting women better marriage, divorce, and inheritance rights.⁷ In Egypt, legal reforms were introduced in the 1970s and 1980s, addressing family, labor, and nationality laws⁸. In 1981, the Egyptian government signed the Convention on Eliminating Discrimination against Women (CEDAW).⁹

It is worth noting here that the rise of Islamist movements in the 1980s and 1990s in both Egypt and Tunisia led to a pushback against women's rights, with some advocating for a return to traditional gender roles. This conservative backlash resulted in the erosion of some of the gains made in women's rights, such as the introduction of laws that restricted women's access to divorce

⁵ "Does Tunisia Deserve its Reputation as an Arab Leader in Women's Rights?" I Know Politics, <https://www.iknowpolitics.org/en/news/world-news/does-tunisia-deserve-its-reputation-arab-leader-womens-rights> (last visited September 20, 2023).

⁶ Dustur al-Jumhuriyah al-Misriyah, Manshurat Qanuniah, (1956), available at: <https://manshurat.org/node/1684>

⁷ Valentine M. Moghadam, "Women's Rights in the Middle East and North Africa – Tunisia," Freedom House, (October 14, 2005), available at <https://www.refworld.org/docid/47387b702f.html> (last visited September 20, 2023).

⁸ "The Egyptian Feminist Movement: A Brief History," OpenDemocracy, available at <https://www.opendemocracy.net/en/north-africa-west-asia/egyptian-feminist-movement-brief-history/> (last visited September 20, 2023).

⁹ VIII. Egypt's Obligations Under International Law," Human Rights Watch, available at <https://www.hrw.org/reports/2004/egypt1204/8.htm> (last visited September 20, 2023).

and inheritance.¹⁰ Nevertheless, women's rights activists continued to fight for greater gender equality, and progress has been made in recent years, such as the introduction of laws criminalizing domestic violence and sexual harassment.

In the early 2000s, there was a renewed interest in women's rights in Egypt and Tunisia. That was partly due to the rise of civil society organizations, which began to advocate for women's rights. Additionally, the governments launched several new initiatives to promote women's education and employment.

However, despite these achievements, women's representation in Egypt's Parliament still did not reach the number that adequately represented women in society. This is given the different spheres on socio-political levels, the backgrounds that the women are coming from, where only less than 13% were able to be seated in 2010 at the Parliament,¹¹ that did not last long for few months as a measure amid the uprising in January 2011.

Few Arab countries could exceed the 30% line of women representation, such as Tunisia, which reached 31.6%.¹² Tunisia's legal and political system is similar to the Egyptian system. It is also worth highlighting that Tunisia was the spark of the Arab Spring that Egypt directly followed.

Women are an integral part of society and a central pillar that cannot be neglected. Inadequate representation for women in Parliament leads to many challenges that women face. Around the globe, the average of women's representation in Parliament is only 26.5%.¹³

The unfair representation of women in Parliament hindered many issues from being resolved, addressed, or known. When women are not adequately represented in the Parliament, their

¹⁰ Houssein Ben Lazreg, "Post-Islamism in Tunisia and Egypt: Contradictory Trajectories," *Religions* 12, no. 6: 408, <https://www.mdpi.com/2077-1444/12/6/408> (last visited September 20, 2023).

¹¹ Hania Sholkamy, "*Why women are at the heart of Egypt's political trials and tribulations*," Open Democracy, (January 24, 2012), available at <https://www.opendemocracy.net/en/5050/why-women-are-at-heart-of-egypts-political-trials-and-tribulations/> (last visited September 20, 2023).

¹² Women in national parliaments, 2019, available at: <http://archive.ipu.org/wmn-e/classif.htm> (last visited September 20, 2023).

¹³ Women in national parliaments, 2019, available at: <http://archive.ipu.org/wmn-e/classif.htm> (last visited September 20, 2023).

perspectives and concerns are less likely to be considered when making decisions. Women's issues, such as healthcare, education, and gender-based violence, may be seen as less important or less urgent. For example, Egypt has a high rate of violence against women, but the Parliament has not adequately addressed this issue. Partly because there are few women in the Parliament to advocate for policies to prevent and respond to violence against women. Additionally, Egypt has a low rate of women's economic participation. The Parliament has not addressed women's barriers to the workforce, such as lack of childcare and inadequate public transportation.

Despite sharing similar cultural and political systems, the representation of women in the parliaments of Egypt and Tunisia has shown divergent trends. In Egypt, women's representation in the House of Representatives, known as "*Majlis Al-Nuwab*," has seen a modest increase from 12.7% in 2010 to a slightly higher figure in recent elections. However, it remains notably low in the House of Senate, "*Majlis Al-Shiyoukh*" at 13.33% as of 2020. In contrast, Tunisia's Assembly of People's Representatives, "*Majlis Nawwab Ash-Sha'ab*," has demonstrated a higher level of female participation, with 31.6% in 2014 and 26.27% in 2019. This analysis highlights the varying degrees of progress toward gender equality in political representation within similar governance frameworks. The discrepancies between these two countries underscore the complex interplay of cultural, social, and political factors that influence women's empowerment in the region, suggesting that shared cultural and political backgrounds do not necessarily lead to similar outcomes in women's parliamentary representation. This thesis aims to explore these dynamics further, examining the underlying causes of these differences and their implications for the broader quest for gender equality in political participation.

The adoption of the quota system during the 2010 electoral cycle in Egypt was a significant but short-lived initiative, disrupted by the political upheaval of the Egyptian revolution in 2011. Subsequently, the absence of this quota system in the 2012 electoral cycle saw women's representation plummet to a mere 2%. The reinstatement of the quota system in 2015 marked a turning point, leading to a substantial increase in women's representation in parliament to 14.9%, and further to 27.7% by 2021. This pattern clearly demonstrates the efficacy of the quota system in enhancing female political representation in Egypt. The fluctuations in these percentages underscore the critical role that structured policy interventions, like quotas, can play in advancing

gender representation in political spheres. Through this analysis, this thesis argues that sustained implementation of quota systems can be a vital mechanism to ensure increased and stable female representation in governance, reflecting a broader commitment to gender inclusivity within political institutions. Therefore, this research employs the joint method of agreement and the method of difference. This method will help identify the possible reasons behind the evident variation in women's representation in the two selected countries.

This research has uncovered the principal reasons for the unequal representation of women in the parliaments of Egypt and Tunisia, offering a comprehensive analysis from a legal standpoint. The study has delineated the specific laws in force in both countries, scrutinizing their electoral laws and constitutions. It has probed the legal system to reveal the explanatory factors that either facilitate or impede women's participation in Parliament.

Findings from this research suggest new strategies and pinpoint critical gaps that, if addressed, could enable policymakers to make informed decisions that would bolster women's representation. It provides scholars and legislators with a detailed examination of the variance in women's representation and the influencing factors. Moreover, it underscores the effectiveness of current mechanisms and lays the groundwork for the development of robust solutions aimed at enhancing women's representation in Parliament. The lessons drawn from Egypt and Tunisia offer invaluable insights that can guide change towards a more inclusive society.

Beginning with an exploration of various theoretical and conceptual frameworks, the paper transitions into a historical analysis of women's institutional representation in Egypt and Tunisia. Dedicated chapters provide an in-depth study of each country, leading to a final section that synthesizes the research and offers conclusions. The findings are poised to inform scholarly discourse and legislative efforts, ultimately contributing to societal transformation that more accurately reflects women's roles and contributions.

Since the 1950s, Egyptian women have faced considerable challenges in securing their political participation rights. With the constitutional amendments, they finally gained the right to vote and run for office in 1956, leading to a symbolic representation in the 1957 parliament with just two

seats. Despite some progress, especially during periods when female quota systems and the proportional list system were in place (1979, 1984, and 2010),¹⁴ women's representation in parliament rarely exceeded 2%. A decline was noted in 2012, but numbers improved again with the reintroduction of the quota system.¹⁵

Over six decades, discrimination against Egyptian women has persisted in various forms. Legal discrimination is evident within Egyptian laws, particularly in family legislation that affects divorce and child custody and has been the subject of intense debate. The patriarchal nature of Egyptian society often results in discrimination against women in employment, domestic, and public spheres. Egyptian women are discouraged from certain career paths and may face sexual harassment and violence. Political participation is legally permitted, yet women remain underrepresented in decision-making roles.

Reflecting these challenges, Egypt's rankings in the World Economic Forum Gender Gap Report have been consistently low. In 2012, it stood at 126th out of 135 countries, in 2014 at 129th out of 142, and in 2015, it fell to 136th out of 145. A slight improvement was seen in 2016, with Egypt ranking 132nd out of 144.^{16,17}

As for Tunisia, the situation presents a contrast, especially when compared to other Arab states. Tunisian women have achieved significant parliamentary representation, reaching 31.6%. Efforts to improve representation have been notable. In 1979, a quota of 30 seats was established for women, boosting their presence to 9.7%. Following the 2011 revolution, the quota increased to 64 out of 217 seats, culminating in a representation of nearly 30%. In the 2014 elections, the “*Nidaa Tounes*” movement emerged as a significant victor, securing 85 seats, of which 35 were held by

¹⁴ Proportion of Seats Held by Women in National Parliaments (%), World Bank, 2014, available at <http://data.worldbank.org/indicator/SG.GEN.PARL.ZS/countries/1W?display=default> (last visited October 22, 2022).

¹⁵ "Egypt's Parliament: A significant female representation," Ahram Online, October 28, 2022, available at <https://english.ahram.org.eg/News/389421.aspx> (last visited September 30, 2022).

¹⁶ Gender Gap Report 2015, World Economic Forum, available at <https://www3.weforum.org/docs/GGGR2015/cover.pdf>.

¹⁷ Gender Gap Report 2016, World Economic Forum, available at https://www3.weforum.org/docs/GGGR16/WEF_Global_Gender_Gap_Report_2016.pdf.

women, and the Ennahdha Party won 96 seats, including 28 female deputies,¹⁸ this is despite the advances at Tunisia's standing in the World Economic Forum Gender Gap Report indicating a room for improvement: 123rd out of 143 in 2014, 127th out of 145 in 2015, and 126th out of 144 in 2016.¹⁹ This context underscores the urgent need for innovative strategies to enhance women's parliamentary representation. This is a critical step towards empowering women to influence political policies actively.

This is while Tunisia's advancements in women's political representation stand out in the Arab world, even though the World Economic Forum Gender Gap Report ranks it closely to Egypt. Tunisia's significant parliamentary representation of women, which reached 31.6%, is a testament to the effectiveness of its gender quota system. The quota, which was raised to 64 out of 217 seats after the 2011 revolution, signifies a progressive approach to women's political empowerment. This substantial representation surpasses many other nations and showcases Tunisia's commitment to gender parity in political roles.

The close ranks of Tunisia and Egypt in the World Economic Forum Gender Gap Report may not adequately reflect the extent of legal support for women's political representation. Reports such as the World Economic Forum Gender Gap Report aggregate data across various domains, including economic participation, educational attainment, health and survival, and political empowerment. Hence, they do not capture the full complexity of legislative frameworks and cultural nuances that directly impact women's parliamentary representation.

Academic discourse suggests that the presence of women in parliament is crucial not only symbolically but also substantively. Dahlerup and Freidenvall, have argued that a critical mass of women in parliament can lead to the creation and reinforcement of gender equality policies.²⁰ The Tunisian example aligns with this argument, where the increased representation of women has been correlated with a broader engagement in gender-related legislative reform.

¹⁸ Al-Manna'i, A. (2018, August 23). Al-Musharakah al-Siyasiyah lil-Mar'ah fi Tunis. Mubadarah al-Islah al-Arabi. Retrieved from <https://bit.ly/3EXCLkf>.

¹⁹ Gender Gap Report 2014, World Economic Forum, available at https://www3.weforum.org/docs/GGGR14/GGGR_CompleteReport_2014.pdf.

²⁰ Dahlerup, D., & Freidenvall, L., Quotas as a 'fast track' to equal representation for women: Why Scandinavia is no longer the model, *International Feminist Journal of Politics* 7(1):26-48 (2005).

Moreover, it is argued that while increasing the number of women in parliament does not automatically lead to better policies for women, it is a necessary condition for change. Krook and O'Brien,²¹ contend that legal quotas, like those adopted in Tunisia, can effectively address historical imbalances and pave the way for enhanced women's rights and representation.

Acknowledging the criticism that mere numbers in parliament do not equate to increased influence, scholars like Franceschet, Krook, and Piscopo,²² have highlighted the importance of qualitative changes that come with increased representation. They argue that women in parliament bring diverse perspectives and experiences that can influence policy debates and outcomes in ways that benefit the entire society.

On the significance of the study, a comparative legal analysis will be addressed to dissect and assess the multifaceted factors that sculpt women's participation and representation in parliamentary spheres. Aiming to craft a nuanced understanding of the interplay between legal frameworks, cultural dynamics, and gender parity in political arenas, this research will embark on a methodical exploration across several dimensions.

A. Legal Constructs and Women's Representation: Electoral Systems as a Case Study

This segment meticulously examines the influence of varied electoral systems on women's ascension to parliamentary roles within the countries under study. By comparing the structural intricacies of different electoral mechanisms, the analysis intends to uncover the degree to which these systems either facilitate or impede women's representation in legislative bodies.

²¹ Krook, M. L., & O'Brien, D. Z., All the President's Men? The Appointment of Female Cabinet Ministers Worldwide, *The Journal of Politics* 74(3):840-855 (2012).

²² Franceschet, S., Krook, M. L., & Piscopo, J. M., *The impact of gender quotas* (Oxford University Press, 2012).

B. Constitutional Imperatives and Statutory Mandates: The Foundation of Gender Parity in Governance

Delving into the constitutional tenets and legislative enactments, this part of the research will evaluate how legal texts and enactments either advance or hinder the cause of gender parity within the parliamentary context. The examination will extend to how these legal provisions manifest in practice, influencing the presence and influence of women in legislative processes.

C. Political Party Bylaws: The Unseen Hand in Women's Political Advancement

Political party bylaws serve as critical yet often overlooked levers in shaping candidate selection and electoral success. This component of the study will analyze party regulations, identifying how they may systematically impact the representation of women within the political machinery of the selected countries.

D. Cultural Acceptance and its Legislative Implications

Cultural perceptions and societal acceptance play a pivotal role in the realm of women's political participation. This section aims to scrutinize the cultural milieu of the selected countries, discerning how prevailing attitudes and social norms undergird or undermine women's efforts to gain equitable representation in parliament. Through this comprehensive comparative legal analysis, the research endeavors to articulate strategic recommendations and identify best practices that could be pivotal in elevating the status of women in political life. The ultimate goal is to craft a legal and sociopolitical blueprint that can guide future efforts to enhance women's parliamentary representation and participation globally.

II. Theoretical Foundations and Contextual Analysis of Women's Political Representation

This chapter unfolds against the backdrop of the significant socio-political transformations that took place during the Arab Spring, with an acute focus on the legal system's role in shaping women's representation in the national parliaments of Egypt and Tunisia. The span from 2010 to

2016 stands out as a crucible of change, pivotal for understanding how revolutions and their aftermath can redefine the norms and laws governing women's roles in the political landscape.

A. Theoretical Constructs and Frameworks

In this initial section, the theoretical foundations that guide the study are introduced, outlining the diverse perspectives and scholarly discourses that have informed the understanding of women's political representation. Drawing from political science, gender studies, and legal theory, the study navigates through various lenses—ranging from feminist legal theory to theories of democratic representation and participatory governance. These theoretical lenses help to dissect the complex layers of legal and political processes, shedding light on how the statutes have either facilitated or impeded women's paths to political power.

B. Comparative Analysis of Electoral Laws During the Arab Spring (2010-2016)

An in-depth comparative analysis of the electoral laws of Egypt and Tunisia during the turbulent times of the Arab Spring is presented here. It explores the dynamics between evolving legal frameworks and women's political agency, highlighting the power of legal instruments as both enablers and barriers to political participation. This section pays close attention to the legal texts, parliamentary debates, and the policy changes that unfolded, drawing a detailed picture of the legislative reforms and their significance in the broader struggle for gender parity in politics.

C. The Legal Landscape and Its Impact on Women's Parliamentary Inclusion

The transformation of the legal landscape and its direct impact on women's opportunities for political participation is scrutinized in this extensive section. It explores the ways in which legal reforms have translated into real-world outcomes for women in parliament.

1- Electoral Reforms and the Emancipation of Women in the Wake of the Arab Spring

The Arab Spring was a period of intense political activism and legal reform, with electoral laws taking center stage in the quest for democratic renewal. This sub-section examines the sweeping changes that took place in election regulations and the specific mechanisms that were introduced or amended with the intention of facilitating a more representative and inclusive political process for women.

2- Rationale for the Study Period and Scope

The choice of the study period, from 2010 to 2016, is crucial and merits an explicit rationale. The Arab Spring revolutions and their cascading effects provide a concentrated period of analysis where legal and political systems were in flux, presenting an ideal scenario for studying the shifts in women's representation.

A. Post-Revolution Constitutional Reforms and the Pursuit of Gender Parity.

The post-Arab Spring era brought about a wave of constitutional reforms, with new constitutions and amendments emerging in both Egypt and Tunisia. These legal documents were landmark in their commitment to gender equality and provided a renewed legal basis for women's rights. The section will delve into the specifics of these legal changes, the debates surrounding their adoption, and the implications for women's political representation.

B. Women's Representation in National Discourse and Political Activism

A vigorous examination of the national conversations about gender roles in politics and the activism that spurred and responded to these discussions is presented. This analysis will explore how advocacy and public discourse have shaped the political climate for women's rights, with a particular focus on their influence on legislative reforms.

C. Comparative Political Trajectories of Egypt and Tunisia

The contrasting political experiences of Egypt and Tunisia in the aftermath of the Arab Spring offer a fertile ground for comparative analysis. This section will assess the trajectories of both countries, examining how different political, cultural, and legal environments have shaped women's political representation.

D. Delimiting the Study to a Defining Epoch

The decision to confine the study to a six-year period is discussed in detail. This discussion will address the methodological considerations that justify this timeframe, highlighting how a concise and focused period allows for a more manageable and in-depth analysis, free from the potential confounders that a broader scope might introduce.

E. Empirical Studies and International Perspectives on Women's Participation in Public Life

Women's participation in public life is a multifaceted issue that intertwines with the broader discourse on democratic representation and gender equality. The relevance of this discourse is underscored by the reality that women constitute about half of the global population, bringing forth diverse perspectives and interests that are vital for the holistic development of societies. This section examines empirical studies and scrutinizes international frameworks that advocate for and track women's participation in public life, especially in parliamentary roles.

The international commitment to gender equality is articulated in foundational documents such as the Universal Declaration of Human Rights and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). These agreements lay the groundwork for the principles of equality and non-discrimination, which are crucial to upholding the integrity of democratic institutions. They form a critical reference point for assessing women's representation and provide a universal standard against which national practices can be measured.

Empirical studies that are pivotal in this discussion include works like Pippa Norris's "*Women, Media, and Politics*," which provides a comprehensive look at the role of media in shaping the political discourse surrounding women, and Drude Dahlerup's "*The Story of the Theory of Critical Mass*," which outlines the importance of having a significant number of women in decision-making positions to effect substantial policy changes. Additional studies of note are those conducted by the Inter-Parliamentary Union (IPU) and UN Women, which offer extensive data and analysis on the trends and impacts of women's parliamentary representation globally.

To illustrate the complexity of translating women's parliamentary representation into actual policy influence, the case of Tunisia provides a poignant example. Pre-2011 Tunisia, despite fair representation of women in Parliament, did not witness a corresponding uplift in women's rights and freedoms. The situation evolved post-revolution; with improved representation, women parliamentarians played a crucial role in the passage of progressive legislation like the Gender Equality in Inheritance Law. This change was also supported by new electoral mandates such as the age requirement for gender parity on party lists.

This section will delve into several case studies that elucidate the nuanced relationship between women's parliamentary presence and the realization of gender-sensitive policies. It will examine

how, even with increasing numbers in legislative bodies, the actual empowerment of women lawmakers and the substantive impact of their roles often depend on a myriad of factors, including political culture, societal attitudes, and the strength of women's movements.

In conclusion, this section will argue that while the presence of women in Parliament is a crucial step towards gender equality, it is the substantive nature of their participation and the institutional backing they receive that ultimately determines their efficacy in promoting women's rights. The section will provide a comprehensive overview of the interplay between international norms, empirical research, and the case-specific trajectories of women's political empowerment, contributing to a deeper understanding of the multifaceted challenges and triumphs experienced by women in public life.

This chapter concludes with a comprehensive overview that connects the theoretical insights with the empirical findings, aiming to provide a nuanced understanding of the factors that have influenced women's political representation in Egypt and Tunisia. The insights gained offer a reflection on the transformative potential of legal systems and their capacity to either uphold or challenge long-standing gender disparities in political engagement. Through this elaborative discourse, the study positions itself within the broader academic conversation on legal reform, gender equality, and political representation, offering critical reflections and informed conclusions that contribute to the understanding of women's evolving political status in the MENA region.²³

In Tunisia's evolving political landscape, perceptions of women's competency in governance have markedly shifted. According to a study by Arab Barometer, Tunisian society has shown a significant change in attitudes towards women in politics. Over a span of five years leading up to the current date, the belief that men are better political leaders than women have seen a notable decline. The study titled "*Women in Tunisia: Has a female prime minister changed Tunisia?*" found that adherence to traditional gender roles in political leadership has dropped by 16 percentage points, decreasing from a majority view of 56% to a minority of 40%. This

²³ Tunisia: Parliament Should Back Gender Equality in Inheritance, Human Rights Watch (December 4, 2018), retrieved from <https://www.hrw.org/news/2018/12/04/tunisia-parliament-should-back-gender-equality-inheritance>.

transformation in public opinion reflects the growing acknowledgment of women's capabilities in political roles.²⁴

Furthermore, research led by Lena Wangnerud, published as "*Women in Parliaments: Descriptive and Substantive Representation*," supports the idea that female legislators often prioritize women's issues more than their male counterparts. This tendency is observed across various parliamentary debates and policy discussions, suggesting that women's substantive representation is crucial for addressing specific rights and needs.

The dissertation by Elizabeth McCallion, "*Who acts for women? An analysis of women's substantive representation in the Canadian Senate*," emphasizes that when women are well-represented in legislative bodies, they are more likely to shape and advocate for legislation that addresses key issues like gender equality, healthcare, education, and the prevention of gender-based violence. The research indicates that their presence contributes to crafting more inclusive and gender-responsive policies, reflecting the varied needs and experiences of women across different societal sectors.²⁵

Additionally, it is often in parliaments with a significant number of female members where advocacy for the amendment of discriminatory laws—such as those concerning inheritance, divorce, and child custody—is most vigorous. Women in such positions are pivotal in propelling legal reforms that aim to abolish practices undermining women's rights, as highlighted in both Wangnerud's and McCallion's studies. These works collectively underscore the importance of female representation in parliament not just for its symbolic value but for its substantive impact on legislative reform and the championing of women's rights.

²⁴ Jessie Williams, Women in Tunisia: Has a female prime minister changed Tunisia?, Arab Barometer (July 2022), retrieved from <https://www.arabbarometer.org/media-news/women-in-tunisia-has-a-female-prime-minister-changed-tunisia/>.

²⁵ Lena Wangnerud, Women in Parliaments: Descriptive and Substantive Representation, Annual Reviews 12:51-69 (2009), retrieved from <https://www.annualreviews.org/doi/pdf/10.1146/annurev.polisci.11.053106.123839>; Elizabeth McCallion, Who acts for women? An analysis of women's substantive representation in the Canadian senate (Ph.D. dissertation, Queen's University, Canada, 2023), retrieved from <https://www.proquest.com/dissertations-theses/who-acts-women-analysis-womens-substantive/docview/2866082577/se-2>.

A. The Electoral and Voting Systems

The following concepts were selected since they represent women's participation in the Parliament. The electoral and voting systems and rules significantly influence the percentage of women's representation, which affects their participation in the Parliament. Women are part of the community; further empowerment is needed to support their political participation. Therefore, this study will consider three main dimensions: the Country's Political System, Constitution, and Laws; Political Parties Bylaws and Electoral and Voting Systems.

Before reviewing the literature on women's participation in Parliament, specifically in Egypt and Tunisia, some essential concepts will be conceptualized first: Political Participation, Proportional Representation Voting System, Electoral System, and Empowerment.

Political Participation can be defined as the engagement of individuals or groups in various activities and processes within the political system of a country or community. These activities influence or impact government policies, decisions, and the political landscape. Political participation can take several forms, including voting in elections, running for political office, attending public meetings and rallies, engaging in advocacy and activism, and communicating with elected officials.

It is worth noting that there are only a few universally accepted scientific definitions of political participation, as it can encompass a wide range of actions and behaviors. However, political scientists and scholars have provided various definitions and frameworks to understand and study political participation. Verba, Schlozman, and Brady provide one widely cited definition of political participation in their 1995 book *Voice and Equality: Civic Voluntarism in American Politics*: “Political participation refers to those activities by private citizens that are more or less explicitly aimed at influencing the selection of government personnel and/or their actions.”²⁶

²⁶ Verba, Sidney, Kay Lehman Schlozman, and Henry E. Brady, *Voice and Equality: Civic Voluntarism in American Politics* (Harvard University Press, 1995), available at <https://doi.org/10.2307/j.ctv1pnc1k7> (last visited October 23, 2022).

It is becoming increasingly important considering the political participation paving institutional reform and strengthening significantly at the local level of decentralization. This means that women's political participation is essential for institutional reform and strengthening, especially at the local level, where decentralization occurs. When women are involved in institutional reform and strengthening, they can help to ensure that the new institutions are inclusive and responsive to the needs of all people. They can also help to ensure that the new institutions are sustainable and that they can continue to function effectively even if there is a change in government.

Here, we emphasize that political participation is one of the dimensions of active community participation. It is also one of the implications of development in any society,²⁷ as development leads to increased literacy and education rates. It is important for democracy because it allows citizens to make informed decisions about their government and to hold their leaders accountable. Also, it leads to a growing middle class, which is often seen as a pillar of democracy because it is less likely to be swayed by extremist ideologies. Additionally, it leads to greater social and political stability. This is important for democracy because it allows for the peaceful transfer of power and the rule of law. By which there are three main types of electoral systems as follows:

1. Plurality Electoral System:

The first type of electoral system is the plurality electoral system. It is a voting system in which candidates or parties compete for individual seats in a legislative body, and the candidate or party with the most votes in each constituency wins the seat. This system does not require the winning candidate or party to obtain an absolute majority (more than 50% of the votes), only a plurality (the largest share of the votes) within each constituency. The essential advantage of this system is its simplicity, making it accessible to voters and straightforward for election administrators to implement. In FPTP, voters typically select one candidate on the ballot, and the candidate with the most votes, known as a plurality, is declared the winner in each constituency. Another advantage of the Plurality Electoral System is its tendency to produce stable single-party governments. This stability can contribute to consistent governance and policy implementation.

²⁷ "Women Participation": North African Experience, Cairo, Center of the African Future Studies, 113-120.

However, the Plurality Electoral System also presents several significant challenges. One of the foremost criticisms is that it often results in winners with a plurality of votes but not necessarily a majority. Meaning that the winning candidate or party may have less support of over 50% of the voters, raising questions about the legitimacy of their mandate. It is associated with “*wasted votes*.” The system can also lead to limited representation of smaller parties and minority viewpoints, as parties with significant but dispersed support may struggle to win seats. Moreover, the distribution of seats in FPTP systems may not accurately reflect the popular vote, resulting in disproportional outcomes and underrepresenting specific segments of the electorate.

2. Majority Electoral Systems: (50+1)

Unlike the plurality system, which necessitates a candidate simply receiving more votes than their competitors regardless of the vote percentage, the majority electoral system, known as the “50+1” or “*absolute majority*” system, requires a candidate or party to secure a majority—over 50% of the vote—to be declared the victor. This system is implemented to ensure that the individual or party in power enjoys a firm backing from more than half of the electorate, aiming to reflect a more representative consensus. There are several variations of majority electoral systems, including First-Past-the-Post (FPTP) and the two-round system.

The “50+1” majority electoral system, also known as an “*absolute majority*” system, a candidate or party must secure more than 50% of the vote to be declared the winner. If no candidate achieves this majority in the initial round of voting, a second round or runoff may be held between the top candidates. This system is used to ensure that the elected representative has the endorsement of a majority of the electorate, theoretically reflecting a broader consensus.

This system offers a clear mandate by requiring a majority that ensures that the winner has substantial, direct support, providing a clear mandate to govern. This threshold can prevent the political fragmentation seen in systems where a winner only needs a plurality. As a result, and enhanced legitimacy is achieved given that the candidate who wins with a majority may be seen as having greater legitimacy than one who wins with a mere plurality.

On the other end, there are some challenges that are worth mentioning under the “50+1” majority electoral system. The potential for runoff elections, meaning, if no candidate achieves the 50+1 threshold, additional elections may be necessary, which would be costly and time-consuming. The strategic voting on which the voters might not vote for their first-choice candidate if they believe that candidate cannot surpass the 50+1 threshold, leading to strategic, rather than sincere, voting. Last, the minority party would be in a disadvantage as they often struggle to compete in such systems as their support is usually not concentrated enough to meet the majority requirement.

Political scientists argue that majority systems can lead to more stable government structures but at the cost of reduced political diversity,²⁸ and in accordance to Blais,²⁹ the 50+1 rule can significantly influence voter behavior, leading to strategic voting patterns that may not truly reflect public opinion. Patti Norris, a scribe of modern politics, suggests that while this system might streamline governance, akin to the straight lines of hieroglyphs, it does so at the cost of fully representing the kaleidoscope of society.³⁰

In summary, the “50+1” system seeks a balance between effective governance and democratic representation, though it is not without its trade-offs, particularly in the representation of a diverse electorate.

3. Proportional Representation³¹

The third electoral system concerns proportional representation (PR). It is a voting system used in many countries to elect representatives to legislative bodies. PR aims to ensure that the distribution of seats in the legislature closely mirrors the proportion of votes each political party or group receives from the electorate. In a PR system, voters typically vote for political parties rather than individual candidates, and seats are allocated to parties based on their share of the vote. This system also helps in qualifying minors, marginalized groups, and women to be better represented.³²

²⁸ Gallagher, M., Proportionality, disproportionality, and electoral systems, *Electoral Studies* 10(1):33-51 (1991).

²⁹ Blais, A., Why is there so little strategic voting in Canadian plurality rule elections?, *Political Studies* 50(3):445-454 (2002).

³⁰ Norris, P., *Electoral engineering: Voting rules and political behavior* (Cambridge University Press, 2004).

³¹ “*Electoral Systems*,” George Town University, Charles King (2000), available at http://faculty.georgetown.edu/kingch/Electoral_Systems.htm (last visited September 30, 2022).

³² “*Proportional Representation Voting Systems*,” Prof. Douglas J. Amy of the Department of Politics at Mount Holyoke College, Proportional Representation Library.

There are various forms of PR systems. These include the party list, mixed-member proportional and the single transferable vote.

(1) Party List PR:

One form of the proportional representation system is known as the party list. In this system, voters vote for political parties, and each party presents a list of candidates. Seats in the legislature are allocated to parties in proportion to the percentage of votes they receive. Candidates from each party are then selected from the party's list based on their ranking order. This system tends to produce highly proportional outcomes, meaning that the distribution of seats closely reflects the vote percentages. It allows for smaller parties to be represented in the legislature. However, it can lead to a weaker connection between voters and individual representatives since voters choose parties rather than candidates.

(2) Mixed-Member Proportional (MMP):

The second form of proportional representation is the mixed-member type. It combines elements of both PR and the First-Past-the-Post (FPTP) system. Voters typically cast two votes: one for a candidate in their constituency (similar to FPTP) and one for a political party. Some seats are filled based on the FPTP results, while others are allocated to parties to achieve proportional representation. This system maintains a constituency link between voters and a local representative while ensuring proportional outcomes. It allows for a balance between individual candidates and party representation. However, the system's complexity can be challenging for voters to understand. Additionally, it may require more significant legislation, which can be more costly.

(3) Single Transferable Vote (STV):

The third form of proportional representation is the single transferable vote type. It is a preferential PR system whereby voters rank individual candidates on the ballot. Seats are allocated based on a complex counting process that considers voters' preferences and aims for proportional

representation. This system offers a high degree of voter choice, as voters can rank candidates in order of preference. It produces proportional results and encourages candidates to appeal to a broader range of voters. However, the counting process in STV can be complex, and the system may require larger constituencies. Ballot design and voter education are essential to ensure voters understand how to use their preferences effectively.

It is worth noting that the election system plays a crucial role in shaping the representation of women in Parliament. Different electoral systems have varying impacts on the likelihood of women gaining seats, and understanding these dynamics is essential for promoting gender equality in political representation. For example, parties are incentivized to present diverse candidate lists to attract a broader voter base in the PR system, leading to increased female candidates. Also, when parties present closed or open lists, women are more likely to be included in proportional numbers, especially in closed-list systems where party leaders often influence the ranking.

However, FPTP systems can disadvantage women because winning a seat requires a candidate to secure the most votes in a particular district. This tends to favor incumbents and well-established candidates, often male.

A. Bridging Community Empowerment and Electoral Systems

While the FPTP electoral model presents specific challenges to women's representation by favoring established candidates, it is crucial to consider how empowerment within the political arena is inherently tied to community engagement and participation. The quest for gender parity in governance extends beyond the confines of parliamentary chambers and into the fabric of society itself. This transition from personal domains to public forums is facilitated by a dual approach: firstly, through legislative reforms that instill gender equality within families, encompassing property rights and protections against domestic violence; secondly, via governmental efforts that build capacities, provide financial empowerment, and initiate educational programs.

The conversation about women's political participation should proceed from the concept of community participation in the broad sense, where the participation of women in decision-making must start from the narrow band at the household level and continue to widen until it reaches the local domain and then the national domain. In our conversation about women's participation, women's empowerment should start from the narrow level of family, to have a voice in the affairs of her family. It can be achieved through (1) legal reform that promotes gender equality within families. This include the laws addressing property rights and domestic violence to empower women within their households. Enhance local governance laws to ensure equal opportunities for women to participate in decision-making at the community level. (2) Government interventions through capacity building, providing financial support to empower women economically, and launching government-led outreach programs that educate communities about the importance of women's participation and empowerment.

This marks the beginning of the road only, in which natural leaders must be discovered since they are the first nucleus to participate in public life. These women should be empowered and given the space to politically participate in public life in general and in Parliament precisely.³³

Empowerment: Murrel and Meredith defined empowerment as “*mutual influence; it is the creation of power; it is a shared responsibility; it is vital and energetic, and it is inclusive, democratic and long-lasting*”³⁴ which means that when someone is enabled to take to greater responsibilities and authority through training, given confidence and emotional support. Ginnodo defined empowerment as when both managers and employees solve problems that have traditionally been limited to be resolved by the upper levels of the organization,³⁵ as well as Shackleton's empowerment philosophy that gives more responsibilities and decision-making power more heavily to individuals at the lower level.³⁶

³³ Understanding Community Participation, McGill University Report, Chapter 2, available at <https://www.mcgill.ca/mchg/files/mchg/chapter2.pdf> (last visited September 30, 2022).

³⁴ Kenneth L. Murrell and Mimi Meredith, *Empowering Employees* (McGraw-Hill, 2000), 254.

³⁵ Bill Ginnodo, *The Power of Empowerment: What the Experts Say and 16 Actionable Case Studies* (Pride Pubns Inc, 1997).

³⁶ Viv Shackleton, *Business Leadership* (Cengage Learning, 1995), 130.

By looking into the main controversy about the rule of law and women's representation in Parliament, this part will provide a discussion on the previous literature on the subject matter of this study. It starts with a brief overview of the studies that have previously tackled women's political participation. Then, it delves into the discussion of arguments that have discussed women empowerment in the Arab regions, which will be assessed throughout the cases of this study, along with a glimpse on some European cases that can serve as a learned lesson in an application for Arab countries, and it is thought that it could work if we approached the issue of representation with a nuanced understanding of the specific context of each Arab state.

B. Literature Review

1. Studies on the Impact of Gender Quotas on Women's Political Empowerment

Several studies have investigated the impact of gender quotas on women's political empowerment, providing insights into various dimensions of this phenomenon. Sanghee Park's research focuses on the influence of gender quotas on women's political empowerment, particularly in the context of gender representation within legislatures. The study indicates that while gender quotas significantly enhance women's political empowerment, their effect diminishes after reaching a 30% representation in legislatures. Moreover, the moderating role of descriptive representation over time is explored, emphasizing the nuanced relationship between quotas and women's political influence.³⁷

Swapnil Motghare's study delves into the lasting effects of electoral gender quotas in the Indian state of Jharkhand. It reveals that gender quotas contribute to a sustained increase in women's representation in village council head positions, even after the quotas cease to be binding. However, the spillover effects on other council positions are not observed. This study contributes to understanding the enduring impact of temporary electoral gender quotas on women's political representation at the local level.³⁸

³⁷ Park, S., Quota Effects Moderated by Descriptive Gender Representation Within Legislatures: A Cross-national Analysis, *Representation* 59(4):659-681 (2023).

³⁸ Motghare, S., Contemporaneous and lasting effects of electoral gender quotas, *World Development* 170 (2023), available at <https://www.sciencedirect.com/science/article/abs/pii/S0305750X23001109>.

Xuhong Su and Wenbo Chen's research takes a global perspective, investigating the effectiveness of legislative gender quotas in 190 countries from 1947 to 2015. The findings suggest that the impact of quotas is contingent upon various factors, including time, quota types, and historical representation status. The study underscores the need for nuanced considerations in policy design, acknowledging the diverse contexts that influence the effectiveness of legislative gender quotas.³⁹

In parallel, studies examining challenges and opportunities for women's political empowerment within different institutional and contextual frameworks contribute valuable insights. "*Women in Decision-making: The Role of the New Media for Increased Political Participation*" explores the impact of new media on women's political involvement, emphasizing European states' strategies to enhance women's representation. It underscores the role of new media in fostering women's political participation and sheds light on social, structural, and situational barriers hindering women's involvement in formal representative politics.⁴⁰

Megan Alexandra Dersnah's "*Women in Political and Public Life*" report comprehensively examines discrimination against women in law and practice, emphasizing women's equality and empowerment in various political systems and contexts. The report underscores the impact of political transitions on women's empowerment, identifying opportunities and challenges during these periods. It also highlights the potential for change and reform in policies, laws, and practices during transitions, indicating possibilities for advancing women's rights and gender equality.⁴¹

These studies contribute to a deeper understanding of the complexities surrounding women's political empowerment across different institutions and contexts. They highlight the multifaceted nature of barriers to women's political involvement and stress the importance of inclusive policies and technologies in promoting gender equality in political participation.

³⁹ Xuhong Su and Wenbo Chen, "*Pathways to women's electoral representation: the global effectiveness of legislative gender quotas over time*," *The Journal of Legislative Studies* (2023), 1-22.

⁴⁰ "*Women in Decision-Making: The Role of the New Media for Increased Political Participation*," European Parliament, June 2013, available at [http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/493010/IPOL-FEMM_ET\(2013\)493010_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/etudes/join/2013/493010/IPOL-FEMM_ET(2013)493010_EN.pdf) (last visited September 30, 2022).

⁴¹ Megan Alexandra Dersnah, "*Women in Political and Public Life*," Global Report for the Working Group on the Issue of Discrimination Against Women in Law and Practice.

2. Studies on the Effectiveness of Gender Quotas on Women's Representation

Studies exploring the effectiveness of gender quotas on women's representation reveal intriguing insights into the nuanced relationship between quotas and various electoral system orientations. Aliza Forman-Rabinovici and Lilach Nir's research delves into the impact of gender quotas on women's representation in parliaments, explicitly focusing on candidate-oriented systems. The study suggests that gender quotas have a more pronounced effect in candidate-oriented systems compared to platform-centered ones, emphasizing the need to consider different electoral system orientations when assessing the effectiveness of quotas.⁴²

Varun Karekurve-Ramachandra and Alexander Lee's study examines the consequences of gender quotas in politics on traditionally disadvantaged ethnic groups in India. The findings suggest that gender quotas may inadvertently reduce the representation of these groups, posing challenges to achieving a balance in descriptive representation on multiple dimensions. This study prompts crucial considerations about the intersectionality of gender quotas and the potential differential impact on various societal groups.⁴³

Valentina Dimitrova-Grajzl and Iyabo Obasanjo's research evaluates the effectiveness of parliamentary gender quotas, specifically different types of quotas, in improving gender equality in African countries. While all mandated quota systems increase the number of women in policymaking, the study emphasizes that the type of quota influences women's ability to influence legislative agendas and improve women's lives. This study underscores the importance of considering the impact of different quota types on women's representation and substantive influence in politics.⁴⁴

⁴² Aliza Forman-Rabinovici, and Lilach Nir, "Personalism or party platform? Gender quotas and women's representation under different electoral system orientations," *PLoS One* (September 23, 2021) 16(9):1-14, available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8459978/>.

⁴³ Varun Karekurve-Ramachandra, Alexander Lee, "Do Gender Quotas Hurt Less Privileged Groups? Evidence from India," *American Journal of Political Science* (2020) 64(4):757-772.

⁴⁴ Valentina Dimitrova-Grajzl and Iyabo Obasanjo, "Do parliamentary gender quotas decrease gender inequality? The case of African countries," *Constitutional Political Economy* (2018) 30(2):149-176, available at <https://link.springer.com/article/10.1007/s10602-018-09272-0>.

Amanda Clayton's investigation explores the impact of electoral gender quotas on policy outcomes for women. The study suggests that quotas increase legislative attention to women's interests and positively influence policy outcomes. However, the relationship between quota adoption and policy change is complex, with some instances showing limited policy changes or even gender-inegalitarian outcomes. This study highlights the multifaceted relationship between quotas and policy outcomes and suggests variables that may moderate this relationship.⁴⁵

Andrea S. Aldrich and William T. Daniel's study explores the consequences of different gender quotas on the level of diversity observed in legislators' professional and political experience in the European Parliament. The study finds that quotas, primarily when used with placement mandates, can eliminate gendered differences in experience within the European Parliament. This study underscores the potential of quotas and placement mandates to increase the presence of desirable qualities among legislators of both genders.⁴⁶

These studies offer valuable insights into the effectiveness of gender quotas on women's representation, considering diverse contexts, electoral system orientations, and unintended consequences.

3. Studies on the Impact of Gender Quotas on Policy and Legislation

Exploring the impact of gender quotas beyond numerical representation, studies by Amanda Clayton, Andrea S. Aldrich, and William T. Daniel delve into the broader implications of quotas on policy outcomes and legislator experience.

Amanda Clayton's research suggests a positive relationship between electoral gender quotas and policy outcomes for women. The study finds that quotas increase legislative attention to women's

⁴⁵ Amanda Clayton, "How Do Electoral Gender Quotas Affect Policy," *Annual Review of Political Science* (2021) 24:235-252, available at <https://www.annualreviews.org/doi/pdf/10.1146/annurev-polisci-041719-102019>.

⁴⁶ Andrea S. Aldrich and William T. Daniel, "The Consequences of Quotas: Assessing the Effect of Varied Gender Quotas on Legislator Experience in the European Parliament," *Politics & Gender* (2020) 16(3):738-767, available at <https://www.cambridge.org/core/journals/politics-and-gender/article/abs/consequences-of-quotas-assessing-the-effect-of-varied-gender-quotas-on-legislator-experience-in-the-european-parliament/4E1C001712F5D236327B8F1FA685CC97>.

interests, influencing policy outcomes. However, the effects are not universal, with some instances showing limited policy changes or gender-inegalitarian outcomes. The study highlights the intricate relationship between quota adoption and policy change, emphasizing variables that may moderate this relationship.⁴⁷

Andrea S. Aldrich and William T. Daniel's study explores the consequences of different gender quotas on the diversity of legislators' professional and political experience in the European Parliament. The research indicates that quotas, especially with placement mandates, can eliminate gender-based differences in experience within the European Parliament. This study emphasizes the potential of quotas and placement mandates to enhance the presence of desirable qualities among legislators of both genders.⁴⁸

Together, these studies broaden the understanding of the impact of gender quotas, highlighting their potential to influence legislative agendas and enhance the overall policymaking process.

4. Studies on the Impact of Gender Quotas on Women's Empowerment and Intersectionality

Several studies delve into the impact of gender quotas on women's empowerment and intersectionality, recognizing the need to consider diverse contextual factors and potential unintended consequences.

Arnaud Delorme's study focuses on the impact of gender quotas on women's empowerment in Algeria. The research explores the limitations of political representation for women, emphasizing the importance of balancing descriptive representation with substantive representation. The findings indicate that women deputies in Algeria prioritize solving everyday problems over

⁴⁷ Amanda Clayton, "How Do Electoral Gender Quotas Affect Policy," *Annual Review of Political Science* 24:235-252 (2021), available at <https://www.annualreviews.org/doi/pdf/10.1146/annurev-polisci-041719-102019>.

⁴⁸ Andrea S. Aldrich and William T. Daniel, "The Consequences of Quotas: Assessing the Effect of Varied Gender Quotas on Legislator Experience in the European Parliament," *Politics & Gender* 16(3):738-767 (2020), available at <https://www.cambridge.org/core/journals/politics-and-gender/article/abs/consequences-of-quotas-assessing-the-effect-of-varied-gender-quotas-on-legislator-experience-in-the-european-parliament/4E1C001712F5D236327B8F1FA685CC97>.

passing women's rights laws, highlighting the challenges of achieving balanced representation on multiple dimensions. This study emphasizes the necessity of considering the impact of quotas on different aspects of women's empowerment.⁴⁹

Irina Sergeevna Amiantova and Nikoloz Bitsadze's research investigates the impact of mandatory quotas for national and local government elections in Georgia. The analysis suggests that quotas increase the likelihood of women running, being elected, and being appointed in Parliament. The study explores the limitations of women's political representation in Georgia and highlights the role of quotas in promoting women's participation in political democracy. This study contributes to understanding the impact of quotas on women's representation in a specific country context.⁵⁰

Lihi Ben Shitrit's study focuses on the impact of women's quotas on women's political representation, particularly in the context of Islamist parties. The analysis suggests that quotas promote substantive representation of women's interests and counter-historical exclusion from politics. This study highlights the transformation of women's representation in the Middle East through the adoption of quotas, contributing to an understanding of the utility of quotas for women's meaningful participation in political life.⁵¹

Julie Ballington's study emphasizes the role of political parties in promoting women's participation in politics. It underscores the disparity in women's representation within political parties and emphasizes the importance of ensuring equal gender representation in the community. The study calls for cooperation between diverse actors and political parties to achieve gender equality in political representation.⁵²

⁴⁹ Arnaud Delorme, "Gender quotas, constituency service, and women's empowerment," in Meriem Aissa, *Routledge Handbook on Elections in the Middle East and North Africa* (Routledge, 2023), 222-234, available at <https://www.taylorfrancis.com/chapters/edit/10.4324/9781003185628-21/gender-quotas-constituency-service-women-empowerment-meriem-aissa>.

⁵⁰ Irina Sergeevna Amiantova, and Nikoloz Bitsadze, "Gender Quotas for Political Participation and the Case of Georgia," *RUDN Journal of Political Science* 24(1):136-147.

⁵¹ Lihi Ben Shitrit, "Authenticating Representation: Women's Quotas and Islamist Parties," *Politics & Gender* 12(4):781-806 (2016).

⁵² Julie Ballington, "Empowering Women for Stronger Political Parties," *National Democracy Institute*, October 2011.

The Global Network for Rights and Development's report reflects on the progress made in women's participation in power and decision-making since the Beijing Declaration and Platform for Action in 1995. While acknowledging significant progress, the report highlights the variation in women's representation across countries and identifies obstacles such as gender stereotypes, lack of support, violence, and institutional barriers.⁵³

In summary, these studies emphasize women's multifaceted challenges in accessing political representation. They propose various strategies, including legal reforms, women's quota systems, and the role of political parties in supporting women's access to political roles. The studies underscore the need for sustained efforts to address historical, cultural, and institutional barriers to enhance women's political empowerment and representation.

5. Studies on the Role of Quotas in Advancing Women's Rights and Representation

Studies exploring the impact of gender quotas on women's rights and representation highlight the significance of quotas in achieving political equality. Claire McGing's research (Study 11) discusses the impact of electoral gender quotas on women's rights and representation, emphasizing the effectiveness of quotas in increasing women's participation in politics and promoting substantive representation of women's interests. The study underscores the role of proportional representation systems in facilitating the implementation of quotas and suggests areas for further research.

Vidhu Verma's study examines the significance of gender quotas in achieving political equality and representation. The study highlights the effectiveness of quotas in increasing women's participation in politics and policymaking. However, it acknowledges challenges related to informal norms and intersectionality, emphasizing the importance of exploring the context in which quotas are debated and implemented. The study suggests that encouraging women's

⁵³ "Women in Power and Decision-Making," Global Network for Rights and Development, July 24, 2014.

participation in various forms of associations and grassroots organizations can impact their political decision-making.⁵⁴

6. Studies on Women's Political Empowerment in The Arab World

Studies focusing on women's political empowerment in the Arab world provide crucial insights into the status of women's representation and the challenges faced in various countries. Dr. Saber Baloul's study emphasizes the need to integrate women into societal development processes, including education, healthcare, and employment opportunities, to bridge the gap between international resolutions and the actual political empowerment of Arab women. The study advocates for amendments to laws and regulations to establish gender equality in political participation.⁵⁵

Embaby's comparative study examines the representation of women in Parliament in Morocco and Israel, highlighting historical and cultural contexts that shape women's political roles. The research underscores the obstacles women face in Morocco's parliamentary elections, emphasizing the consistent emphasis on women's political participation in Israel. The study advocates for a comparative approach to revisiting laws enhancing women's participation in Arab parliaments.⁵⁶

Samina's study focuses on the presence of Algerian women in decision-making positions, emphasizing the weak representation of women in political and public life in Algeria. The research attributes this to poor actions of political formations, weak electoral systems, and the need to prioritize women's issues. The study suggests implementing a women's quota system to increase participation in elected councils and enhance their decision-making roles.⁵⁷

⁵⁴ Vidhu Verma, "Gender Quotas and Representation Politics," in Ashwini Deshpande, *Handbook on Economics of Discrimination and Affirmative Action* (Springer, Singapore, 2022).

⁵⁵ Dr. Saber Baloul, "Political Empowerment of Arab Women between Resolutions, International Trends, and Reality," *Damascus University Magazine* 2 (2009), Damascus University, Faculty of Political Science.

⁵⁶ Mohamed Yehia Embaby, "The Role of Women in Parliament: A Comparison between Morocco and Israel," *Faculty of Economics and Political Science*, September 2011.

⁵⁷ Naema Samina, "Algerian Women in Decision Making, Reality and Prospects," *AlNoor Foundation for Culture and Media*, Published on March 24, 2012, available at <http://www.alnoor.se/article.asp?id=147351>.

At the report of “*The Egyptian Women Situation after the Revolution of January 25*” addresses the status of Egyptian women in political positions following the revolution. The report highlights the decline in women’s representation after the Muslim Brotherhood came to power, demonstrating how a conservative party negatively affected women’s political rights. The study underscores the significant impact of political shifts on women’s representation and emphasizes the need for continued efforts to support women’s political participation and rights.⁵⁸

Noman’s study delves into the struggles faced by Jordanian women in accessing parliamentary representation, identifying electoral laws and economic factors as primary obstacles. The research advocates for amendments to electoral laws and the implementation of a women’s quota system to facilitate women’s access to Parliament. It also emphasizes the role of political parties in supporting women’s access to Parliament, encouraging coordination and agreement on unified lists to ensure the representation of competent women.⁵⁹

These studies provide a comprehensive understanding of the persistent challenges faced by women in achieving political empowerment in the Arab world. They propose strategies, including legal reforms, women’s quota systems, and the role of political parties, to overcome historical, cultural, and institutional barriers and enhance women’s political empowerment and representation.

The reviewed studies present a comprehensive overview of women’s political empowerment and participation, focusing on various geographical regions and discussing various challenges, strategies, and opportunities. Regarding the impact of gender quotas on women’s representation in politics, the analysis highlights the effectiveness of gender quotas in increasing women’s representation in political positions, such as village council head positions and parliamentary seats. The findings suggest that gender quotas positively impact women’s access to political leadership roles, contributing to greater gender diversity in political decision-making bodies.

⁵⁸ “The Egyptian Women Situation After the Revolution of January 25,” The National Assembly for the Defense of Rights and Freedoms, May 2012.

⁵⁹ Amaly Noman, “Jordanian Women Experience in Reaching the Parliament,” Jordanian Parliament Monitor, Jordanian Women Coalition, available at http://jpm.jo/uploads/articles/article_7265928.pdf (last visited October 29, 2022).

The barriers include gender stereotypes, lack of support, violence, institutional barriers, and cultural and social factors that limit women's roles in politics. For example, studies have shown that gender stereotypes often lead to women being perceived as less competent in political leadership roles, which hinders their access to decision-making positions. Institutional barriers such as limited access to resources and networks further impede women's political empowerment. Additionally, the studies highlight the challenges posed by electoral laws based on the principle of one vote, which may perpetuate traditional social structures favoring male candidates and limit women's access to decision-making positions. For example, in countries with a first-past-the-post electoral system, women often face difficulties in securing nominations and winning elections due to entrenched gender biases within the electoral process.

The studies also provide insights into the unique obstacles to women's political empowerment and representation in the Arab world, such as historical, cultural, and institutional barriers, and propose strategies to enhance women's participation in political decision-making.

Also, the studies underscore the importance of aligning national constitutions and legal frameworks with international standards to ensure equal access and full participation of women in power structures and decision-making processes. For instance, implementing international agreements such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) has been instrumental in promoting legal and policy changes to advance women's political empowerment globally.

The other important point they emphasize is the significance of political parties in facilitating women's access to decision-making positions. They underscore the role of political parties in promoting gender equality, supporting women candidates, and ensuring the inclusion of women in electoral lists. For instance, political parties that prioritize gender equality in their internal structures and candidate selection processes are more likely to contribute to increased women's representation in political institutions.

Furthermore, the need for intersectional perspectives is a crucial theme highlighted as a gap in the existing literature. The studies predominantly address women's political empowerment from a

gender perspective. However, there is a call for a more comprehensive exploration of intersectional challenges, considering how various aspects of identity intersect with gender to understand the complexities of women's political participation.

While these studies offer valuable insights, some gaps, and learning lessons can be derived from them.

1. Limited Focus on Intersectionality: The studies predominantly address women's political empowerment from a gender perspective but often lack a comprehensive exploration of intersectional challenges. Intersectionality, which considers how various aspects of identity, such as race, class, and ethnicity, intersect with gender, is crucial in understanding the complexities of women's political participation. Future studies should incorporate intersectional perspectives to provide a more nuanced understanding of women's political experiences.

2. Inadequate Examination of Cultural and Contextual Nuances: While the studies highlight historical, cultural, and institutional obstacles, there is a need for a deeper examination of the specific cultural and contextual nuances that shape women's political empowerment in different regions. Understanding the unique socio-cultural dynamics within specific countries or regions is essential for developing targeted strategies to address barriers to women's political participation.

3. Limited Exploration of Policy Implementation: While the studies emphasize the importance of legal reforms and international cooperation to advance women's political participation, there is a need for a more in-depth exploration of the challenges and successes in policy implementation. Understanding the practical implications of policy reforms and the effectiveness of international agreements in promoting women's political empowerment is crucial for assessing the impact of these initiatives.

4. Insufficient Attention to Grassroots Movements and Community Engagement: The studies prioritize the role of formal political institutions and international agreements in promoting women's empowerment. However, there is a need for greater attention to grassroots movements, community engagement, and the role of civil society organizations in advancing women's political

participation. Understanding the impact of community-level efforts is vital for developing comprehensive strategies to empower women in politics.

5. Lack of Longitudinal Analysis: While the studies provide valuable insights into the current status of women's political empowerment, there is a need for longitudinal analysis to track the progress and setbacks over time. Longitudinal studies can help identify trends, assess the impact of policy interventions, and provide a more comprehensive understanding of the factors influencing women's political participation.

In conclusion, while the reviewed studies offer valuable insights into women's political empowerment, there are opportunities to enhance the depth and breadth of research in this area. Addressing these gaps can lead to a more comprehensive understanding of the challenges and opportunities for women's political participation, leading to more effective strategies for advancing gender equality in political decision-making.

C. Research Methodology

In this segment of the research, we navigate the methodology behind our inquiry into the legal ramifications on female parliamentary representation in Egypt and Tunisia. Drawing from the empirical reasoning techniques outlined by John Stuart Mill, we particularly employ the joint method of agreement and difference, which allows for a nuanced analysis of the legal landscapes that shape women's political engagement in these nations. Our case selection is deliberate, providing a contrasting yet comparative study of two countries embroiled in the fervor of the Arab Spring and their subsequent legislative evolutions. Through this lens, we aim to dissect the intricate weave of laws, policies, and societal undercurrents that culminate in the unique political tapestries of Egypt and Tunisia.

The philosopher John Stuart Mill in his book *A System of Logic*,⁶⁰ proposed five methods for testing causal hypotheses:

⁶⁰ Churchill, Robert Paul (1990). *Logic: An Introduction* (2nd ed.). New York: St. Martin's Press, 418. ISBN 0-312-02353-7. OCLC 21216829. In his book *A System of Logic* (1843).

1- The method of agreement: This method posits that if a specific factor is present whenever a particular effect occurs, that factor may be a causal influence. By identifying a common condition in instances of a given outcome, the method seeks to establish a potential cause. For example, if various regions experiencing economic growth all share a stable political environment, political stability might be considered a causal factor.

2- The method of difference involves comparing instances where an effect occurs with instances where it does not, aiming to identify factors that differ between the two sets. If a factor is consistently present when the effect occurs and absent when it does not, that factor is considered a potential cause. For instance, if a specific disease is only found in individuals exposed to a particular toxin, the toxin is a likely cause of the disease.

3- The joint method of agreement and difference combines aspects of the agreement and difference methods. It examines cases where an effect occurs and cases where it does not, looking for common factors present in cases with the effect and absent in cases without it. This dual approach strengthens causal inference by considering both positive and negative instances.

4- The method of concomitant variation, focusing on the magnitude or intensity of both the cause and the effect, seeks to establish a relationship between the presence or quantity of a factor and the presence or intensity of an effect. If changes in one variable are consistently associated with changes in another, it suggests a potential causal connection.

5- The method of residues. It involves identifying the remaining effect after known causes have been considered. By subtracting the effects of established causes from the total effect, any residual effect can be attributed to the hypothesized cause.

This research will follow the joint method of agreement and differences between the selected countries as the approach of this study is to identify the legal implications on women's representation in the Parliament, given the considerable similarities and differences that caused

different results between the country and the other.⁶¹ This research will also be assisted with descriptive and analytical methods that will support the gap analysis and the identification of the reasons for variation.

This research will examine the impact of the legal systems on women's representation in the parliaments of Egypt and Tunisia, considering each selected country's 2010-2016 laws, policies, and regulations, overseeing the results of each within the different countries and systems. Egypt and Tunisia make excellent case studies for several reasons.

Egypt and Tunisia, bound by a rich tapestry of history and contemporary transitions, exhibit profound parallels in their political landscapes. Each nation has felt the reverberations of the Arab Spring, toppling autocratic regimes and sparking a quest for democratic reforms. Despite their divergent paths in the aftermath, their journeys began with similar calls for social and political rejuvenation, propelled by common issues like high unemployment and a yearning for representation. Socially, both nations grapple with the complexities of gender norms that have traditionally restricted women's roles in the public sphere. Yet, there is a shared commitment to dismantling these barriers and fostering gender equity.⁶²

Economically, both Egypt and Tunisia navigate through turbulent waters, where disparities often hinder women's full participation in the political arena. Limited access to necessary resources, education, and employment opportunities have all surfaced as key themes in their respective struggles for equality. Culturally, their identities as Arab and predominantly Muslim societies offer another layer of similarity, framing the public discourse on women's place in governance and leadership. It's within these multifaceted dimensions that we can dissect the influence of legal systems on women's political presence, understanding that the journey to equality is as much about cultural acceptance as it is about legal endorsement.⁶³

⁶¹ Churchill, R. P. (1990).

⁶² Marina Ottaway, "Egypt and Tunisia: Democratic Transitions and the Problem of Power," Wilson Center (2012), available at <https://www.wilsoncenter.org/article/egypt-and-tunisia-democratic-transitions-and-the-problem-power>.

⁶³ Ariel M. Dunay, "The fourth wave of democratization: A comparative analysis of Tunisia and Egypt," James Madison University (2017), available at <https://commons.lib.jmu.edu/cgi/viewcontent.cgi?article=1298&context=honors201019>.

Despite these similarities between both countries, there is a noticeable variation between them in the representation of women in the Parliament.

Second, Egypt and Tunisia have different political systems. Egypt has a long history as an autocratic state, while Tunisia experienced a successful democratic transition after the Arab Spring. Analyzing the impact of legal systems on women's representation in these different political contexts can highlight the role of political structures in facilitating or hindering women's participation in Parliament.

Third, some socio-cultural aspects of Egypt and Tunisia also differ. Egypt has a larger population and a more conservative society compared to Tunisia. These differences can influence the societal expectations and challenges women face in politics. By comparing women's representation in these two countries, the study can explore how cultural norms and traditions interact with legal frameworks to shape women's political participation.

Fourth, Egypt and Tunisia have different economic realities. Egypt is one of the largest economies in Africa, while Tunisia has a smaller economy with a strong focus on tourism. Economic factors, such as access to resources, education, and employment opportunities, are crucial in women's ability to engage in politics. By investigating the impact of legal systems on women's representation within these economic contexts, this study can identify the economic barriers and opportunities that shape women's involvement in politics.⁶⁴

To summarize, selecting Egypt and Tunisia as case studies for this thesis offers the opportunity to examine the impact of legal systems on women's representation while considering the political, historical, social, economic, and cultural aspects. These similarities and differences will provide valuable insights into the factors influencing women's representation in Parliament in two distinct contexts.

⁶⁴ "Egypt Profile - Timeline," BBC News, available at <https://www.bbc.com/news/world-middle-east-13313469>; "Tunisia, World Bank Country Profile," available at <https://data.worldbank.org/country/tunisia>.

Following the statements on the notable variation in the representation of women within different parliaments, and in order to identify the factors that caused the considerable variation between the selected countries. The following questions will be addressed. How do Egypt and Tunisia function? What was the result of the methods followed in Egypt and Tunisia? Furthermore, to what extent can this be developed and adopted by either countries or Egypt specifically to increase women's representation?

To answer these questions a qualitative method will be used in research with extensive theoretical research and identified reading on several schemes will be used to compare and assess the best practices in the selected countries.

The in-depth literature research and analysis will be conducted across various resources, online and offline, as well as looking into the publications and the statements of active feminist groups in Egypt and Tunisia.

The purpose is to assess the laws in both countries and measure their impacts and legal implications on each country, having this data from relevant resources which is in the field of law and policymaking – such as the statistics of women's representation in the two countries in presidential and parliamentary elections and their holding of political positions - will nourish and solidify the research.

The researcher will also refer to the “*Inter-Parliamentary Union*” as a trusted source for women's representation in each country; the World Economic Forum Gender Gap Report, the World Bank, and other UN publications and reports in addition to several various studies have been conducted by academic and research institutions.

D. Variable Operationalization

The dependent variable of this study is women's low representation in Parliament. To infer the causal factors behind this phenomenon, some factors that are assumed to be more likely to influence the dependent variable have been chosen based on the literature review. These factors, to succeed, had to collide with a particular law and regulations in alignment with the electoral system. The first two variables can be grouped under the country's Political System, represented in its Constitution and Laws that set the ground rules for women's participation in the selected countries. Second are the political parties' bylaws and their relationship with the electoral and voting systems. Thus, the independent variables are;

1. Relationship between the political system and women's low representation in Parliament:
2. The adaption capabilities of women to their political system and the rule of law.
3. Impact of legal guidelines on women's behavior pertaining to representation in parliament elections.
4. Relationship between parties' bylaws and the electoral and voting systems:
5. The interrelationship between the parties' bylaws and the electoral systems is expected to have a complex impact on women's representation in Parliament, given its impact on limiting the enabling environment for women in the political electoral arena.

As this chapter delineates the research methodology underpinning the analysis of women's representation in Parliament, it has established the foundation for a comparative study steeped in the legal and systemic nuances of Egypt and Tunisia. The joint method of agreement and difference, as detailed by John Stuart Mill, guides this exploration, ensuring a robust investigative framework that can accommodate the complexities inherent in the sociopolitical fabric of the selected nations.

With a spotlight on the factors that influence women's parliamentary presence, this study is poised to dissect the interrelations between political structures, legal frameworks, and cultural contexts. This methodology will not only illuminate the ramifications of constitutional and legislative elements on women's empowerment but also delve into the socio-cultural and economic

dimensions that intersect with legal principles to shape the political landscape for women in Egypt and Tunisia.

In conclusion, this chapter has laid out the research methodology that will serve to interrogate the underlying causes of women's underrepresentation in parliamentary roles within the selected countries. The variables operationalized in this study will enable an in-depth analysis of the political systems, party bylaws, electoral mechanisms, and societal constructs that collectively forge the pathways or present obstacles to women's political engagement.

Moving forward, the next chapter will pivot to a historical context that provides a rich tapestry of the political evolution of women's rights in Egypt and Tunisia. By tracing the chronology of significant events and legislative milestones, the subsequent narrative will add depth to the legal and systemic contours outlined in this methodological framework.

III. HISTORICAL OVERVIEW: WOMEN'S POLITICAL REPRESENTATION IN EGYPT AND TUNISIA

The historical journey of women's participation in the parliaments of Egypt and Tunisia unveils a narrative of struggle, progress, and persistent disparities. In Egypt, the surge of women's engagement in political movements laid the groundwork for later parliamentary involvement, while Tunisia's post-independence reforms provided an early institutional platform for women's legislative participation. This chapter will trace the historical path of women's political participation in both countries, exploring the interplay of legal advancements and sociopolitical challenges that have shaped their experiences. It begins with an examination of the roots of female political activism in Egypt and then transitions to the legislative milestones achieved in Tunisia. The narrative will address the critical role of pioneering women and the impact of legal reforms on their parliamentary representation.⁶⁵ The chapter concludes by drawing connections between the historical context and the contemporary situation, setting the scene for a deeper dive into the current legal structures that govern women's roles in both nations' politics.

A. The History of Egyptian Women's Participation in the Parliament

The history of women's participation in the Egyptian parliament is a relatively recent one. Scholars claim that women's involvement began in political life in the late 19th and early 20th centuries. For instance, women were involved in the nationalist movements in 1882 and 1919, protesting and calling for Egypt's rights. One of the most significant women in Egypt in the 20th century was Huda Sha'arawi, who organized the Egyptian Feminist Union (EFU) in 1923. This organization called for increasing Egyptian women's intellectual and moral level to make them aware of their civil and political rights, which should be equal to those of men.⁶⁶

In addition, this organization was significant because it accepted women from different classes without discrimination according to religion. Egyptian political activity witnessed a significant

⁶⁵ Valentine M. Moghadam, "How Women Helped Shape Tunisia's Revolution and Democratic Transition," *The Middle East* 118(812):331-336 (2019); Dina Shaaban, The role of E ole of Egyptian women in the 25th of January Egyptian women in January 25 revolution solution 2011, AUC, 2011, Papers, Posters, and Presentations, 15, available at <https://fount.aucegypt.edu/cgi/viewcontent.cgi?article=1014&context=studenttxt>.

⁶⁶ Lisa Blaydes, and Safinaz El Tarouty, "Women's Electoral Participation In Egypt: The Implications Of Gender For Voter Recruitment and Mobilization," *The Middle East Journal* 63(3):364-380 (2009).

event for Egyptian women in the 1940s when the Egyptian Feminist Party was established in 1942. In 1948, a new organization was established by Doria Shafiq, which was called Bint Al-Nil. This organization aimed to eliminate illiteracy among Egyptian women and to establish political equality between men and women in Egypt.⁶⁷

In the 1950s, the organization attempted – through strikes to pressure the regime with the leadership of Doria Shafiq – to allow Egyptian women to vote. The political leadership at this time responded with an affirmation of the demands. In 1956, the Egyptian Constitution granted women the right to vote like men, which was considered an excellent success for Egyptian women in this period. Moreover, the new Constitution also guaranteed equal rights for both men and women under the law and the guarantee to get jobs, regardless of gender.⁶⁸

These achievements motivated the Egyptian women to mobilize themselves to establish a state of feminism, where they became heavily engaged in the Egyptian economy and politics. In the 1970s, after Nasser's era, El-Sadat followed an open-door policy in both the political and the economic fields, which opened the door for more liberalization. Since this era, the relationship between the State and the women was redefined, as Dr. Mervat Hatem argued.⁶⁹ Nevertheless, there was a decline in Egypt's commitment to gender equality.⁷⁰

This policy, also known as *infitah*, led to several changes in Egyptian society, including a greater emphasis on economic development and a more liberal approach to social and cultural issues. Under Nasser, the State played a vital role in regulating women's lives. For example, the government-imposed restrictions on women's dress and movement and discouraged women from working outside the home. However, Sadat's open-door policy led to a relaxation of these restrictions. Women were allowed to dress more freely and to participate more in public life. In addition, Sadat's government passed several laws designed to promote gender equality. For

⁶⁷ Id., 66.

⁶⁸ Id., 366-367.

⁶⁹ Dr. Mervat Hatem is the former President of the Middle East Studies Association in 2008 and a professor of political science at Howard University in Washington, DC. Dr. Mervat Hatem has published more than 50 journal articles and book chapters on gender and politics in the Middle East and in North America, The Women and Memory Forum, <http://whoisshe.wmf.org.eg/expert-profile/mervat-hatem>, (last visited October 24, 2022).

⁷⁰ Id., 366-367.

example, the Personal Status Law of 1979 gave women more rights in marriage, divorce, and child custody.

The open-door policy also led to a greater emphasis on economic development. This emphasis on economic development created new opportunities for women to work outside the home. In the 1970s and 1980s, the number of women in the Egyptian workforce increased significantly. The redefining of the relationship between the State and women has had several positive consequences. For example, women now have more freedom and opportunities than they did under Nasser.

However, there was a decline in women's political representation, and because of that, Egyptian women attempted to recreate autonomous formal and informal groups, especially the Islamist groups. In parallel, the Egyptian State established organizations particular to women, such as the National Council for Women, established in 2000. Nevertheless, the women in the Islamist groups could mobilize more women to them politically.⁷¹

During the Mubarak era, the political competition was between the National Democratic Party (NDP) and the Muslim Brotherhood; however, the State sometimes regarded the Muslim Brotherhood as a severe threat. Historically, the Muslim Brotherhood has been criticized for adopting conservative stances on gender issues, emphasizing traditional gender roles, and promoting a more conservative interpretation of Islamic law. Critics argue that this has translated into policies that limit women's rights in certain areas, such as family law, inheritance, and political participation. During the brief period when the Muslim Brotherhood held political power after the 2011 revolution, policies proposed or implemented during that time were seen by some as regressive in terms of women's rights. This fueled tensions between the Brotherhood and women's rights activists.

On the other hand, the females of the Muslim Brotherhood tried to mobilize themselves to support their candidates by talking and persuading each other on the importance of political participation. However, sometimes women faced violence and intimidation from various sources, including the security forces and supporters of the regime, especially against human rights defenders and

⁷¹ Id., 366-367.

activists, which affected the representation of women in the parliamentary elections.⁷² Additionally, the state-imposed restrictions on civil society organizations made them shift away from mobilizing women into the elections. Nevertheless, the National Council for Women (NCW) encouraged women, whether they were independent or candidates of parties.⁷³ Eventually, it was noticed that the women in Egypt needed help to engage in the political sphere independently.

For instance, women needed to be affiliated with a specific party to guarantee at least her representation in the Parliament. Thus, Egyptian women's participation in political roles was complicated. Since a man can run individually and succeed in the elections, it is difficult for a woman to obtain voters' votes if the candidate in front of her is a man. Due to many reasons, such as culture and traditions, in which women are considered less than men, especially in politics, society believes that women cannot make decisions or rule.

The Egyptian women were one of the significant characters who participated heavily in the recent revolutions in Egypt. Women were actively involved in the protests and demonstrations in Cairo's Tahrir Square and other cities across Egypt. They marched alongside men, demanding political change, social justice, and ending corruption. Women were active online, using them to share information, coordinate protests, and express their views. They participated in political activism, advocating for democratic reforms and ending authoritarian rule. Some women were involved in human rights activism, drawing attention to issues such as police brutality, political repression, and violations of civil liberties.

B. The History of the Tunisian Women Participation in the Parliament

Unlike the history of Egyptian women's participation in parliament, which began to take shape in the heat of nationalist movements in the early twentieth century, Tunisia's narrative of women's legislative involvement has been markedly different. This divergence is rooted in the pioneering legal reforms and societal attitudes following Tunisia's independence, setting the stage for a

⁷² Id., 375-376.

⁷³ Hala G. Thabet, "Egyptian Parliamentary Elections: Between Democratization and Autocracy," Council for the Development of Social Science Research in Africa 31(3):14-16 (2006), available at www.codesria.org/IMG/pdf/2-thabet.pdf.

progressive and steady enhancement of women's roles in governance and public service. The contrast between the two histories provides a unique perspective on the evolution of women's rights in North Africa and highlights the varied pathways through which women's political empowerment has been realized. Tunisia experienced reforms in its gender equality, especially after its independence in 1956. President Habib Bourguiba adopted the Code of Personal Status (CPS) on August 13, 1956. Women's rights were guaranteed through family laws, which facilitated the participation of Tunisian women through the CPS. This code resulted from reformist movements to redefine the idea of the modern State and society in the late 19th century. Additionally, the CPS granted women more rights, such as prohibiting polygamy, granting equal divorce to men and women, and raising the minimum age of marriage for women.⁷⁴

It was a crucial step toward recognizing women as equal citizens. On the political side, Tunisian women had the right to vote and to be candidates, in addition to the mandatory education for boys and girls in 1957. Wage equality prevailed, and abortion became legal in the 1970s. However, the Tunisian leadership did not strive for these reforms on behalf of the feminist trend but on behalf of the nationalist trend since it aimed to have all the country's sects participate in determining the Tunisian fate in the time after the colonial role. This is considered as the first wave of reform.⁷⁵ Throughout the history of Tunisia, it witnessed two phases; the first phase was under the leadership of Habib Bourguiba, which was defined as "*the feminism of the state*".⁷⁶ Throughout this phase, there was a wave of gender legislation marked by numerous women's organizations and activists who demanded direct equal participation in the political process and modifications in the laws and Constitution. In this phase, the voices of women were heard, and the Tunisian Code of Nationality was revised.⁷⁷

When the women found their voices heard, they were motivated, and they established development for the women's movement in Tunisia, especially with the growth of educated women in the 1980s

⁷⁴ Pelin Gönül Şahin, "Women's Liberties and gender equality in Tunisia: the Asthma of Arab spring," *Turkish Policy Quarterly* 11(4):163, available at www.cidob.org/en/content/download/57623/1490607/version/2/file/Pelin.pdf.

⁷⁵ Id., 163.

⁷⁶ Najla Abbas, "Tunisian Women: Political Role, Gains and Challenges (The Case of Parity)," in *A New paradigm: Perspectives on the changing Mediterranean*, 226, available at www.iknowpolitics.org/sites/default/files/let_article.pdf (last visited October 23, 2022).

⁷⁷ Pelin Gönül Şahin, *Women's Liberties and gender equality in Tunisia: The Asthma of Arab Spring*, 163.

and 1990s. The second phase was marked by the period 1987 until January 14, 2011, as there was a political use for the women in the new leadership, making political propaganda instead of building a real society. During this time, the Tunisian State depended on feminism to show how the country advanced.⁷⁸

It is known that Tunisia had ratified most of the international covenants for women's rights, such as the International Convention on the Political Rights of Women, the International Covenant on Civil and Political Rights, and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), but with reservations. Before the uprising, women became more experienced about their rights as they could practice equal citizenship, which allowed them to participate heavily during the revolution.⁷⁹

This capability arose starting from the Bourguiba period, as mentioned above. They are recognized as equal citizens to men due to the CSP. Also, due to Bourguiba's government investment in women's education, Tunisian women became more empowered and have increased awareness of their rights. As previously mentioned, Tunisia enacted legal reforms to improve women's status, especially in the context of family law. Changes were made to raise the minimum age of marriage, grant women more rights in divorce proceedings, and address child custody issues. These reforms contributed to women's ability to exercise their rights within the family structure. It is worth shedding light on the role of women's organizations and activists; they raised awareness about women's rights and pushed for legal and social changes. The Tunisian Association of Democratic Women (ATFD), founded in 1989, is an example of an organization actively advocating for women's rights. All these factors led to the evolvement of societal attitudes toward women's roles over time. While traditional gender roles persisted to some extent, there was a growing recognition of women's contributions to society beyond the domestic sphere.

Unlike Egypt, Tunisia has witnessed women's participation in political roles, whether by movements or parties, lately after independence. In addition, the history of Tunisia could be divided into two phases: Habib Bourguiba's and Ben Ali's regimes. Each of these had its trends

⁷⁸ Najla Abbes, *Tunisian Women: Political Role, Gains and Challenges (The Case of Parity)*, 226.

⁷⁹ *Id.*, 225-226.

and perspectives towards women's civil and political rights; however, the bottom line is that the awareness of Tunisian women grew immensely until their heavy participation in the last revolution.

C. Comparative Analysis of Women's Political Participation

The historical analysis of women's participation in the parliaments of Egypt and Tunisia reveals significant similarities and differences. Both countries witnessed significant advancements in women's rights, granting them voting rights and legal protections. Reforms such as the CPS in Tunisia and constitutional changes in Egypt facilitated progress in women's political participation.

However, challenges and setbacks persisted in both countries. Egypt faces obstacles such as deep-rooted cultural norms and societal expectations, which hinder women's independent political participation. The Muslim Brotherhood's conservative stance on gender issues, which emphasizes traditional gender roles, has also posed challenges to women's rights and political representation. In Tunisia, despite impressive legal reforms and women's increased awareness of their rights, political exploitation of women's rights during the Ben Ali regime revealed a gap between rhetoric and substantial change. While Tunisia has ratified international conventions and covenants related to gender equality, reservations attached to these commitments have hindered comprehensive implementation.

Despite obstacles, women in both countries displayed immense dedication and commitment to political activism during significant historical events, such as revolutions. Their involvement in protests, online platforms, and human rights advocacy showcased resilience and determination to drive political change and social justice.

One essential factor influencing women's political representation in both countries is the complex relationship between state institutions and women's organizations. While these organizations have advocated for gender equality and women's rights, they have also faced restrictions, particularly in Egypt, limiting their effectiveness in driving meaningful change.

In my opinion, and from the historical review, despite the progress made in Egypt and Tunisia, areas still require improvement. One critical aspect to consider is the issue of intersectionality, recognizing that women's experiences and obstacles differ based on factors such as social class, educational background, and regional disparities. The analysis should account for diverse experiences within women's political participation, acknowledging the importance of inclusivity and addressing the needs of marginalized groups.

Another important consideration is the need for comprehensive legal reforms that not only address gender equality in theory but also effectively implement and enforce these laws. More than merely ensuring legal guarantees may be required if cultural and societal barriers persist. Efforts should focus on transforming societal attitudes, challenging traditional gender norms, and promoting women's empowerment at all levels of society.

Moreover, there is a need to strengthen the institutional capacity within both countries for monitoring and evaluation of gender mainstreaming policies and implementing mechanisms to ensure compliance with international commitments. This includes promoting transparency, accountability, and gender-responsive budgeting to support women's political participation.

To sum up, comparing women's political participation in Egypt and Tunisia illuminates significant similarities and differences between the two countries. Both have experienced historical milestones and reforms that have significantly impacted women's rights and political representation. However, challenges remain rooted in cultural norms, conservative interpretations of gender roles, and the dynamics of political processes.

To address these challenges, it is crucial to foster an inclusive understanding of women's roles and experiences, recognizing intersectionality and ensuring the involvement of marginalized groups. Comprehensive legal reforms, societal transformation, and institutional capacity-building can pave the way for enhanced women's political representation.

Building on the dynamic history of women's political engagement in Tunisia - a narrative of pioneering legal reforms and societal shifts - the next chapter delves deeper into the intricacies of

legal systems in both Egypt and Tunisia. It will explore how constitutional amendments, international treaties, and national laws have shaped the landscape of women's rights and their representation in parliament. By scrutinizing the evolution of legal frameworks and the actualization of gender equality mandates, the subsequent analysis will shed light on the successes and challenges encountered in the pursuit of a more inclusive political arena.

IV. LEGAL SYSTEMS IN EGYPT AND TUNISIA

In the pursuit of understanding the variances in women's participation within the legal frameworks of Egypt and Tunisia, it is imperative to dissect the distinctive characteristics and the shared narratives that have shaped their legal systems. Egypt's journey has been marked by constitutional evolutions and legislative reforms aimed at enhancing women's political engagement, while Tunisia's progressive strides have been underpinned by groundbreaking legal precedents and a commitment to international conventions. This chapter offers a comparative exploration of the constitutional provisions, the binding force of international agreements, and the intricate tapestry of laws that govern women's rights and their representation in the parliaments of these nations. Beginning with an in-depth examination of Egypt's constitutional milestones, the discussion will transition into an analysis of Tunisia's legal commitments to gender equality, culminating in a comprehensive synthesis of how these legal domains have contributed to the current state of women's participation in both countries.

A. Constitution, International Agreements, and Laws in Egypt

Throughout Egyptian history, precisely since the formulation of the 1956 constitution, and more clearly, the 1971 constitution, there has been a general direction towards having more inclusion of women in political life as we have a role of women on the ground since the Egyptian 1919 revolution as they fought for their freedom beside men. Regardless of whether it is accurate or rhetorical, to satisfy public opinion inside the State or even the international arena, it was clear that the Constitution gave women the right to vote only in 1956.⁸⁰ Many laws were later enacted to organize the rights of women to vote and be elected.

There is a pressing need to clarify that there are different categories of laws inside the State. The constitutional laws are the most potent, as they draw the general lines for the State's policies, the

⁸⁰ State Information Service "SIS," available at <https://www.sis.gov.eg/Story/26370?lang=en-us> (last visited October 23, 2022).

regime type, and the powers guide for the three components of the State: the legislative, executive, and juridical. Then, we have the laws as the second powerful category, and they must not conflict with the constitutional articles. The primary purpose of laws is to organize the relations between individuals inside society and organize freedom. The last element is the regulations; they are essential but less potent than the Constitution or the laws, and they must not recognize anything in conflict with them.⁸¹

Hence, this Section will start by analyzing women-related articles in the three consecutive constitutions of 1971, 2012, and 2014 to realize the differences, the exerted efforts, and the success or failure of women enclosing in Egypt.

1. The Constitution

a. Egyptian Constitution of 1971 (amended in 2007)

The legal system regarding women's representation in politics and Parliament, as well as women's rights in the Egyptian Constitution of 1971 (amended in 2007) reflects a combination of principles emphasizing democratic values, gender equality, and adherence to the principles of Islamic *Sharia*.

The Egyptian Constitution serves as the bedrock for its democratic ethos, advocating for a pluralistic political landscape where the creation of parties on religious, gender, or ethnic grounds is explicitly prohibited. This stance reaffirms Egypt's dedication to a democratic society where inclusivity reigns supreme, though within clearly delineated lines to ensure national unity and cohesion.

Central to the Constitution is the affirmation of women's rights, articulating provisions that safeguard motherhood, childhood, and youth, thereby fostering an environment conducive to their

⁸¹ "Legal Articles on the Principle of Progression of Legal Regulation," Egyptian Regulatory Form and Development Activity (ERRADA), available at http://www.errada.gov.eg/index.php?op=show_feature_details&id=13&start=0&type=1 (last visited October 23, 2022).

growth and progress. It strives to strike a delicate balance between women's familial responsibilities and their active engagement in societal roles, underscoring a commitment to gender parity across diverse sectors.

A cornerstone of the Constitution, Article 40 unequivocally enshrines the principle of gender equality, mandating equal rights and duties for all citizens irrespective of gender, thereby reinforcing the commitment to gender equality under the law.

The Constitution goes on to recognize the inalienable right of citizens to vote, express opinions in referenda, and participate robustly in the public sphere, as enshrined in Article 62. It delineates the legal prerogatives to vie for positions within the People's Assembly and Shura Council, potentially including provisions for a statutory minimum representation of women, thereby laying the groundwork for enhanced female political engagement and representation.

Furthermore, it contemplates an electoral system that acknowledges the contributions of laborers and farmers, dedicating specific quotas within legislative bodies to ensure their representation. Such measures, as articulated in Articles 87 and 196, serve to diversify the political spectrum and underscore the egalitarian spirit of the Constitution.

Despite these foundational elements, the Constitution's provisions necessitate more granular legislation and robust mechanisms for their realization to truly galvanize women's participation in the political domain. While the Constitution lays the groundwork, the bridging of gender disparities in political participation calls for nuanced quota systems and policies aimed at propelling women into influential political roles.

b. Constitutional Declarations

In the wake of Egypt's revolution, a succession of constitutional declarations emerged, forging the foundation for a renewed political framework that notably included considerations for women's representation. These declarations collectively signal a progression towards equality and

democratic ideals but fall short in offering explicit strategies to elevate women's status in the political domain.

The Supreme Council of the Armed Forces (SCAF) catalyzed this evolution with a declaration on February 13, 2011, that suspended the existing constitution, asserting a renewed focus on equality, democracy, and social justice. Despite its progressive intent, the declaration fell short of directly championing women's rights, leading to ambiguity around the practical enforcement of equality measures.

On March 30, 2011, another declaration articulated a clear denouncement of discrimination based on gender, reinforcing the egalitarian ethos enshrined in Egypt's national consciousness. Nonetheless, the absence of explicit measures, particularly in Articles 32 and 35, which introduced quotas for peasants and workers without extending similar provisions for women, sparked criticism. Such an oversight was conspicuous, given that women make up a substantial demographic in Egypt's electorate.

The declaration on September 25, 2011, introduced a pivotal amendment to Article 38, proposing an electoral system that blended closed party lists with individual candidacies. This reform, while not directly targeting women's representation, offered a broader opportunity for inclusion within the electoral process, potentially benefitting various demographics, including women.

Further declarations, particularly those on November 19, 2011, and June 17, 2012, oscillated between acknowledging the diaspora's political role to the contentious revision of the legislative text that had previously mandated a minimum threshold for women's participation in Parliament. These fluctuations in legal text mirrored the political volatility of the time, raising questions about the steadfastness of Egypt's commitment to fostering a gender-equitable society.

Critically, the declarations on November 21, 2012, and December 8, 2012, the latter revoking the former, highlighted a legal landscape in flux—both lacking specific details on enhancing women's political agency. This dearth of concrete legal mandates for women's representation, juxtaposed

with the outlined quotas for other societal segments, emphasized the discord between stated constitutional principles of equality and the actualization of these principles in legislative reforms.

The synthesis of these declarations illustrated a narrative of incremental progress undercut by gaps in substantive gender policy reforms. It underscored the imperative for definitive legal mechanisms, such as established quotas and detailed policies, to ensure that women's representation transcends tokenism to become a palpable reality within Egypt's political fabric.

c. The Egyptian Constitution of 2012

The 2012 constitution was enacted after the great revolution of 2011; there was a direction for more enclosing for all social categories. Prior to the declaration of the Constitution, there were initiatives by human rights and women's organizations to supervise the drafting of articles that protect women's rights without any discrimination.

The pioneering endeavor of The Egyptian Center for Women's Rights significantly influenced the trajectory of the 2012 constitution's drafting process. They submitted a meticulous study to the drafting committee, casting light on the pervasive issues facing women, notably the alarming rates of violence, the pervasive discrimination within workplaces and educational institutions, and the obstacles women encounter in seeking justice. The study's revelations catalyzed a series of forward-thinking recommendations aimed at reinforcing women's rights within the constitutional framework.

The pivotal suggestions put forth by the study to refine the constitution were manifold, centered around the pivotal need for constitutional reform to solidify the tenets of gender equality. Foremost among these was the proposal to codify the principle of gender equality explicitly within the Constitution's text, a measure realized in the enshrinement of this principle in Article 5. The revision of the Personal Status Law was another critical recommendation, advocating for expanded rights for women in the realms of marriage, divorce, and child custody—rights that were duly enhanced in the subsequent constitutional amendment.

Moreover, the study underscored the imperative to outlaw all forms of violence against women, leading to a landmark constitutional provision that criminalized such violence, setting a precedent for legal recourse and protection for women. Another significant stride recommended was the establishment of a national mechanism dedicated to vigilantly monitoring and upholding women's rights—a step that underscored the constitution's commitment to safeguarding women's welfare and equity.

These strategic recommendations, borne from a comprehensive study, not only shaped the constitutional discourse but also found their way into the final draft, marking a pivotal shift in Egypt's legislative landscape with regards to women's rights. This collaborative effort showcased the profound impact that informed advocacy and research could wield on the nation's legal and moral compass.

The second initiative was from the Alliance of Women's Organizations (AWO), which called for the commitment to the international treaties on human rights and giving women the right to political participation, the right to work, childhood and education, personal freedom, and health care. The initiative helped to raise awareness of the importance of women's rights and to put pressure on the Constituent Assembly to include strong provisions for women's rights in the new Constitution. Also, the AWO initiative had several successes. First, the 2012 constitution enshrined the principle of gender equality in Article 5. This was a significant victory for women's rights in Egypt, as it had never been explicitly stated in any previous Egyptian constitution. Second, the 2012 constitution included several specific provisions that protect women's rights. These provisions included the right to political participation, the right to work, the right to education, the right to health care, and the right to personal freedom. Third, the 2012 constitution established a national mechanism to monitor and enforce women's rights. This mechanism ensured that the government and other actors were held accountable for their obligations to protect women's rights.

The third initiative was from the National Council for Women, which demanded to keep some articles in the Constitution as they are, such as (Articles 40, 11, 10, 8, and 2 of the 1971 Constitution), in addition to guaranteeing the necessary women rights [19](#). As a result, many rights were codified, such as the right of women to work and to receive equal pay for equal work, the

right of women to education and to participate in all aspects of public life, the right of women to own property and to manage their affairs, and the right of all citizens to equality under the law, without distinction of gender.

However, in the end, the Committee did not consider all these initiatives and finished the Constitution of 2012 with some discrimination towards women, rejecting the point of view of the women's organizations. For instance, in Article 4, it is stated that the State guarantees women's right to participate in public life. However, it also states that "*the state protects the family as the basis of society and motherhood and childhood as a national duty.*" This provision could be interpreted to limit women's participation in public life, as it could be argued that women's primary role is to be mothers and caregivers. Also, Article 23 states that "*the husband is the head of the family, and the wife is his helper.*" This provision reinforces traditional gender roles and could be used to justify discrimination against women within the family.

Amnesty International complained about the lack of an article that could prohibit discrimination based on gender. Not only all these but also the phrasing and wording of some articles in the Constitution needed to be clarified as they declared the principle of equality among the citizens in duties and rights without paying particular attention to the protection of women.⁸²

Female activists were also targeted by the regime supporters and some Brotherhood members because they were advocating against the regime and its violations of human rights and criticizing its Constitution. The year 2012 witnessed many cases of that targeting, such as the systematic attack against TV anchors, which reached assassination threats. For instance, Lamis Al-Hadidi was targeted because of her position for women's rights, and it was part of a terror campaign against the media, attacks against many female photojournalists and reporters during their work in covering the protests, marches, and violence against female activists during the incidents of Itihadya (The Presidential Palace).⁸³

⁸² Egyptian Center for Women's Rights (ECWR) Report on Egyptian woman conditions in 2012. (2012), available at https://s3.observador.pt/wp-content/uploads/2014/06/egyptian_women_conditions_in2012.pdf.

⁸³ Id., 17.

d. Analysis of the Constitution Articles

The preamble affirms a commitment to building a modern democratic state that upholds the principles of citizenship, equality, and non-discrimination. It explicitly recognizes women as partners in national achievements and responsibilities, highlighting their integral role in the nation's progress and development.

Furthermore, Articles 3 and 4 underscore the Constitution's dedication to equality, emphasizing the rights and duties of both male and female citizens without discrimination. This provides a legal foundation for gender equality, promoting a society where men and women enjoy equal rights and responsibilities.

The Constitution, in Article 5, explicitly articulates the State's commitment to ensuring the dignity of individuals, reinforcing the notion that the nation's dignity is intricately linked to the dignity of its women. This echoes the understanding that women, as partners and equals, contribute significantly to national advancements and achievements.

Articles 8, 9, and 10 highlight the State's role in providing means to achieve justice, equality, and equal opportunities without discrimination. These articles underscore the constitutional commitment to creating a fair and just society where all citizens, regardless of gender, enjoy equal rights and opportunities.

The Constitution recognizes the multifaceted role of women, acknowledging them as mothers and emphasizing their duties towards family and work. Article 10 further emphasizes the State's responsibility to protect economically dependent, divorced, and widowed women, demonstrating a commitment to safeguarding specific categories of women who may be vulnerable.

However, despite these affirmative measures, it is essential to note certain reservations or limitations regarding women's rights in specific contexts. For instance, the Constitution does not explicitly address women's rights in certain areas, leaving room for improvement and further enhancement of women's rights in the future.

It should be noted that the 2012 Constitution was suspended by the statement of the General Command of the Armed Forces on July 3, 2013 - issued by Lieutenant General Abdel Fattah Al-Sisi, Commander-in-Chief of the Armed Forces - which stipulated that the President of the Supreme Constitutional Court would assume the administration of the country's affairs until a president was elected and granted authority. It was issuing constitutional declarations and forming a committee that included all sectors and expertise to review the proposed constitutional amendments that had been suspended.

In the wake of Egypt's profound political shifts, two landmark constitutional declarations emerged, each bearing significant implications for the nation's legislative and gender equality frameworks. The initial declaration, issued on July 5, 2013, by Interim President of Egypt Counselor Adly Mansour, marked a decisive moment, effectuating the dissolution of the Shura Council.

Subsequently, a pivotal declaration followed on July 8, 2013, further delineating the legal landscape in terms of gender equality. This declaration codified the equality of all citizens before the law, encapsulated in Article 4, which underscores a societal bedrock wherein public rights and responsibilities are shared equally, unfettered by gender, origin, or belief. This foundational article unequivocally affirms the state's commitment to fostering an environment where equal opportunities are accessible to all, ensuring a level playing field within the public sphere.

Article 10 of the same declaration took a definitive stance against the establishment of political entities on discriminatory grounds, ensuring that no political organization could be formed or dissolved based on gender, origin, or religion, except under the auspices of a judicial ruling. This legal provision reinforced the nation's pledge towards upholding impartiality and fairness in its political fabric.

This period also witnessed an extension of legislative authority to the President of Egypt, a temporary measure reflecting the transitional nature of governance during a crucial juncture in Egypt's democratic evolution. These declarations, pivotal in their scope and depth, set forth a renewed constitutional ethos that would inform the trajectory of Egypt's quest for an egalitarian society.

e. The Egyptian Constitution of 2014

In 2014, women started to gain more rights with the amendment of the Constitution. One of the most significant achievements of this Constitution is granting a quota for women that reaches up to 25% (Twenty-Five Percent) in the municipal councils under (Article 102), which makes the women's representation reach up to 13 thousand seats in these councils. In contrast, the number of seats held by men was more than 33 thousand seats. This was considered a positive shift in ensuring women's rights. However, there was no quota for women in the Parliament.

In 2014, several articles and legal provisions were adopted re-affirming women's political, economic, and social rights under (Articles 11 and 53), which came to ensure the equality between women and men in all fields by calling for proper representation of women in elected bodies, as well as conciliation between Work-Family obligations. The article also stressed the care and protection of the neediest women. The term "*neediest*" woman was added to describe the poorest women and the households to expand the umbrella to cover women needing assistance. Article 11 criminalized all forms of violence against women, including early marriage and female genital mutilation. This article was subsequently moved to the Freedoms and Rights Section in the Constitution. A great addition to this article is Article 53, which obligates the State to take all necessary measures to combat all forms of violence.

However, it did not criminalize some violations; for instance, there is no clear consensus on whether the 2014 Egyptian Constitution prohibits marital rape. Some legal experts argue that the Constitution does not explicitly criminalize marital rape and that it is up to the courts to decide whether marital rape is a crime. Other legal experts argue that the Constitution does implicitly criminalize marital rape and that the courts should interpret the Constitution in a way that protects women from marital rape. The lack of clarity on the legal status of marital rape in Egypt is a significant concern for women's rights activists. They argue that the Constitution should explicitly criminalize marital rape to send a clear message that marital rape is a serious crime.

Article 93 Stipulated the adherence to all international human rights treaties signed or ratified by Egypt. This is a crucial article utilized for women's rights under Article 214. It concerns independent institutions, such as the National Council for Women, with a law that should specify its mandate and safeguard it with guarantees for independence and objectivity. Article 214 gives these institutions the right to be consulted regarding any legislation proposed within their respective scope and to report any deviation in its domain. Other positive steps were achieved, such as stressing the importance of freedom of the press, parties, and syndicates.⁸⁴

However, there were some disappointments. The Committee did not adopt the term “*Balanced and Fair Representation*” of women as suggested by the National Council for Women to apply a quota for women, opting instead for the term “*Proper Representation of Women*,” which does not imply any legal obligation on the government.⁸⁵

The Committee drafting the 2014 constitution only constituted five women out of fifty members, comprising only 10% (Ten Percent) of its seats. The Committee included representatives from Al-Azhar, the Church, Trade Unions, youth and Islamic movements, representatives of political currents, and representatives from the Police, the Armed Forces, and the Human Rights Council. In addition, representatives from Political Parties and several Public Figures.⁸⁶

The “*Fouada Watch Movement*,” which monitored the women's articles in the Constitution, also objected to the percentage of women's representation accounting for only 10% (Ten Percent) of the membership seats on the Fiftieth Committee.

The movement said in a publicly available statement on its social network that it regretted that “*Parties, unions, and political movements did not opt-in for nominating women*” within the nominations they submitted to the government to participate in the Committee. Karima Al-Badri, a member of the National Council for Women's Rights, also said that the percentage of women in

⁸⁴ Id., 18.

⁸⁵ Rasha Abdulla, “Egypt's media amid revolution,” Carnegie Endowment for International Peace, 2014, available at https://carnegieendowment.org/files/egypt_media_revolution.pdf.

⁸⁶ The Egyptian Constitution of 2014.

the committee “is a derogation to the status of women in Egypt and the continuation of marginalization and discrimination in dealing with women”.⁸⁷

The quota system indeed marginalizes women. However, given the Arab context in which women were not truly represented proportionally in their societies, it can be said that the quota is an excellent initial step towards women’s empowerment that will help - after carrying out several other reforms, such as integrating them into development strategies, improving women’s education and health, and integrating them. In the labor market as well, amending the laws that limit their role - will enable us to gradually increase their representation to the point where we can remove the electoral quota laws because women will have been able to reach real empowerment and representation without the need to impose this by force of law. After all, this transformation will result in a society that will become more prepared for these steps and more accepting and supportive of them.

2. International Agreements

Egypt has been part of many international agreements working for women’s sake. “*Convention on the Political Rights of Women*,” adopted by the United Nations General Assembly in 1952. This Convention aimed to ensure that women had the right to vote and stand for election on an equal basis with men. It encouraged member states to eliminate any discriminatory laws and practices related to women’s political participation.⁸⁸

This Convention was the base of giving women their political rights in Egypt in the 1956 constitution. These agreements gave women the right to vote and to be part of the higher positions of public office in the State and declared equality between men and women.⁸⁹

Egypt joined the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) held by the UN in 1979. All the states party committed to ending all forms of

⁸⁷ Women’s Political Participation in Post-Revolution Egypt, First Edition, (2014).

⁸⁸ "Egyptian Women are Angry from the Fiftieth Committee," Sky News Arabi, (September 2013), available at <https://www.skynewsarabia.com/middle-east/419722-المراة-تعترض-لجنة-الخمسين>.

⁸⁹ Id.

discrimination against women.⁹⁰ Egypt joined the treaty in 1980, recognized and implemented in 1981. Its main articles favored giving women social, political, and legal protection against discrimination. However, it had some concerns and objections to the four articles as they conflicted with the Islamic Shari'a.⁹¹ These articles are Article 2(f), the right of women to equal rights in marriage and family relations; Article 16(1)(c), the right of women to choose their spouse and enter into marriage only with their free and full consent, Article 16(1)(f), the right of women to equal rights in the dissolution of marriage and the custody of children, and Article 29(1), The right of women to participate in the formulation of government policies and programs affecting them. The Egyptian government argues that these articles are incompatible with sharia provisions on marriage, divorce, and child custody. For example, Sharia requires that women obtain the consent of their male guardian before they can marry. Sharia also gives men the right to divorce their wives without their consent. Women's rights activists argue that the Egyptian government's refusal to ratify these articles is a violation of women's rights. They argue these articles protect women's marriage, family relations, and public life rights.

Egypt has also become part of many other conventions and treaties, such as the Beijing Conference of 1995 on women's rights, which aimed to ensure that equality and support were given to women across the government in their efforts to achieve such equality by pushing the developing countries to have successes under the mandate for women rights and equality.⁹²

On the Arab Regional level, Egypt joined the "*Arab Women Organization*" in April 2002, which is an organization under the Arab League aiming to provide better support for Arab women, raising their awareness of political, legal, financial, and social challenges across the region, the organization holds a conference every two-year addressing one of the women's pressing challenges.⁹³

⁹⁰ Convention on the Political Rights of Women, United Nations, (1953), available at https://treaties.un.org/doc/treaties/1954/07/19540707%2000-40%20am/ch_xvi_1p.pdf.

⁹¹ Id.

⁹² "The Convention on the Elimination of All Forms of Discrimination Against Women," United Nations, available at <https://www.un.org/womenwatch/daw/cedaw/cedaw.htm> (last visited October 26, 2022).

⁹³ National Council of Women, available at <https://archive.unescwa.org/national-council-women> (last visited September 17, 2022).

On the African level, Egypt is a member of the “*Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa*,” known as the *Maputo Protocol*. The African Union adopted this agreement. It came into effect in 2005, aiming to provide gender equality, women’s comprehensive rights, political participation, and improvements in reproductive health decisions and protection for African women.⁹⁴ Since ratifying the Maputo Protocol requires countries to align their national laws with the protocol’s provisions, this process led to legal reforms in Egypt aimed at addressing gender-based discrimination, ensuring political participation, and improving reproductive health rights for women.

3. Egyptian Laws

Part of the aims of the election laws is to ensure equality and representation for women at the parliaments; this is to avoid possible discrimination under any legal and political system. While the quota system is considered by some researchers a favorable system for women, other views perceive it as discriminatory, whereby women should not be in a position where the quota system is applied to ensure their representation. Women should compete equally with men and have the same opportunities as men to run for office, campaign, and win elections. Several conditions need to be in place for women to compete equally with men in elections. These include (1) equal access to funding since women often have less access to funding than men, making it difficult for them to run for office and campaign effectively. (2) equal access to media coverage; women are often underrepresented in the media, making it difficult to get their message out to voters. (3) equal treatment by political parties since women are often underrepresented in political parties and are less likely to be nominated for elected office. (4) a supportive political environment, women need to feel safe and supported in the political arena. This means that there should be no tolerance for sexism or discrimination.

The quota system remains a controversial issue within the election laws, whether it should be actively and effectively applied. Quota is applied at the regional domestic councils, but the

⁹⁴ National Report On Beijing +20, National Council of Women, available at https://sustainabledevelopment.un.org/content/documents/13058Egypt_review_en_Beijing20.pdf (last visited September 17, 2022).

question remains whether it should be added. Possible risks arise within specific communities if a quota system is not adopted, and women shall be equally and well presented.

These risks include increased social and political marginalization of women, especially in communities where women are already marginalized. Then, the lack of a quota system can further entrench their exclusion from political participation and lead to a situation where women's voices are not heard in government, and their needs are not represented in public policy. Moreover, the absence of a quota system can create a climate where gender-based violence against women is tolerated or even encouraged. This is because it sends the message that women are not valued members of society and that they do not have a right to participate in public life. Also, it may lead to increased social unrest and instability. This is because it can create a sense of injustice and frustration among women and other marginalized groups.

However, imposing the quota system can lead to several risks, including tokenism, as it can lead to women being seen as token representatives rather than as legitimate members of Parliament. This can undermine their credibility and effectiveness. It may also lead to backlash from men and women who feel they are unfair. This can create a hostile political environment for women in politics. Also, it is ineffective in increasing the number of women in Parliament in a way that reflects their percentage in society. Additionally, quotas can backfire if they are seen as a way to bypass the need to address the root causes of gender inequality. This can lead to a situation where women are elected to Parliament, but they are unable to make a real difference because the political system is still biased against women.

As a background on the quota system and its applications across different countries, we can, for instance, find it in India, where the quota is applied for the regional domestic councils by the percentage of 33 percent for women, but it is not for the parliaments. Indonesia had another way of applying quotas, as the law says that there must be at least 30 percent of party candidates who are women to be able to go through elections. South Africa had the same system as Indonesia. It reached a percentage of 25.4 percent of women in Parliament in the first elections after the stabilization of the State in 1994. While different forms of quotas can be found in the Arabian

region, Iraqis had a quota of the same size as Indonesia. However, in Jordan, a quota of chairs for women in the Parliament of 10% (Ten Percent) was adopted.⁹⁵

The quota system was first applied in Egypt under the 1979 law; the law gave women 30 seats in the Parliament as obligatory. This law was a spark that led to the rise of the number of seats women in the Parliament held to 35 seats. Then, in 1986, the 1979 law was canceled.⁹⁶ Until 2010, there was no quota system, but in 2010, it was applied again as a trial of the National Democratic Party (NDP) to secure more and more seats in Parliament.⁹⁷ After the revolution of 2011, the election law stated that every party list must contain at least one woman.⁹⁸ It is worth noting that the length of party lists, in terms of the number of candidates on each list, varied among the political parties and coalitions participating in the elections. Some lists included ten members, and others were more.

This was a significant step forward for women's rights in Egypt, as it required political parties to take steps to ensure that women were represented in elected office. This meant that political parties had to start nominating more women for election. This was not always easy, as many cultural and social barriers still prevent women from participating in politics. However, the quota system has helped to increase the number of women in elected office in Egypt.

Because of the focus on the period between 2011 and 2016 t, it is noticed that there was no leading role for women in the Parliament, but there were offensive laws concerning women's rights. Only one declaration that mentioned some women's rights was the "*Military Council Decree amending the provisions of Law 38 and Law 120 relating to the People's Assembly and the Shura Council.*"

The legal decree places significant emphasis on women's rights and representation, mainly through implementing a quota system. In the People's Assembly and the Shura Council elections, the mandate requires each party list to incorporate at least one female candidate. This directive is a

⁹⁵ Arab Women Organization, <http://www.arabwomenorg.org> (last visited April 30, 2022).

⁹⁶ African Commission on Human and Peoples' Rights, Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, available at http://www.achpr.org/files/instruments/women-protocol/achpr_instr_proto_women_eng.pdf (last visited September 18, 2022).

⁹⁷ Opt,10.

⁹⁸ "Quota Systems: Examples and Applications Around the World," Nazra Center for Women Studies, (2013).

deliberate effort to ensure gender diversity and representation, acknowledging the pivotal role of women in the political process. While the decree does not explicitly outline a quota for women in individual candidacy, it underscores the importance of having at least one female candidate in each party list. This indirect approach promotes women's representation in the People's Assembly and the Shura Council.

The overall approach of the decree reflects a commitment to gender equality by recognizing and prioritizing the significance of women's participation in the decision-making processes at the parliamentary level. It aligns with the broader goal of fostering inclusive political environments. Furthermore, the legal text introduces a mechanism for adjustments in case of incomplete representation of workers and peasants in any district. The shortfall is to be addressed by completing the representation from the list with a focus on low electoral factors, indirectly encouraging parties to consider female candidates in meeting the quota requirements.

In essence, the decree acknowledges the need for women to have a substantial presence in both councils. Mandating the inclusion of at least one female candidate in each party list takes a step toward addressing historical gender imbalances in political representation, promoting gender equality, and contributing to a more inclusive political landscape.

However, the laws that were discussed in the Parliament in 2012 were towards reducing the marriage age and allowing Female Genital Cutting, besides what has been said about the final "*Farewell Copulation*," as the Muslim Brotherhood ruled the majority of the Parliament from 2012 to 2013.⁹⁹ One of the most significant changes they made was the introduction of a new constitution that enshrined gender inequality in law. The Constitution limited women's right to run for office and restricted their ability to participate in public life. As a result, the number of women elected to Parliament in this period declined sharply, and women were increasingly marginalized from public life.

⁹⁹ "Women Quota in the Egyptian Parliament," Middle East Journal, (September 17, 2010), available at http://archive.aawsat.com/details.asp?section=45&article=587063&issueno=11616#.V-ZsTrDR_IV (last visited September 17, 2022).

On the other hand, the female parliamentarian Azza Al-Garf suggested a bill that criminalizes and prohibits female genital mutilation that was amended to article 242 in Penal Code law no—126 for the year 2008. In addition, the parliamentarian Magda Al-Noichy suggested a draft law on health insurance for female breadwinners, as the woman has the right to have health insurance that includes the family and has no source of income or whose income does not exceed one and a half times the value of social security pension.¹⁰⁰ However, their proposals were rejected.

There were some demands for a quota for women in the Egyptian Parliament in 2014, as some demanded 30% (Thirty Percent) of the seats, while others demanded less.¹⁰¹

Proponents of the quota system argue that it is a kind of compensation for the marginalization that women have faced throughout history. Moreover, it would support their quest to participate in politics and decision-making. However, opponents of the quota system regard it as a discriminatory tool and against the equality principle. They argue that women are not a minority in society in order to try to make specific laws of positive discrimination to represent them.¹⁰²

In the arena of Egyptian legislative reform, the discourse on women's political representation has been notably shaped by proposals from parliamentarians like Azza Al-Garf and Magda Al-Noichy. Their efforts, which included bills to outlaw female genital mutilation and to secure health insurance for female breadwinners, underscored a progressive momentum toward addressing critical issues affecting women. Despite the rejection of these proposals, they marked a significant stride in recognizing and attempting to mitigate the challenges faced by Egyptian women.

The debate over establishing a women's quota in Parliament further illustrated the complex interplay between gender equality and policymaking. The call for 30% representation of women was as much about correcting historical oversights as it was about contemporary equity. Advocates of the quota system saw it as redressing long-standing exclusion, enabling women to claim their rightful place in the corridors of power and decision-making. In contrast, detractors criticized the

¹⁰⁰ Opt, 10.

¹⁰¹ Report on Egyptian women's conditions in 2012. 7.

¹⁰² Id., 7-8.

quota as antithetical to principles of equality, suggesting it could perpetuate a paradigm that treated women as a special category rather than as equal participants in society.

The crux of this debate lies in reconciling the quest for gender parity with the pursuit of a society where legal distinctions based on gender become redundant. As Egypt continues to navigate its path towards gender equity, these discussions highlight the tension between employing affirmative action to hasten equality and the goal of organic representation devoid of gender-based stipulations.

The culmination of these legislative endeavors and debates sets the stage for further examination of gender regulations and policies within the broader context of the Arab world. Moving towards the Tunisian experience, the forthcoming section delves into a distinct approach where the interplay of legal reform, social dynamics, and cultural narratives presents an alternative model of addressing the representation and rights of women in parliamentary structures.

B. Constitution, International Agreements, and Laws in Tunisia

While Egypt's journey toward gender parity in governance has been marked by vigorous debates and legislative challenges, Tunisia presents a contrasting narrative of legal and social reform. Post-Arab Spring, Tunisia took significant strides by convening the National Constituent Assembly (NCA) to draft a new constitution, an inclusive process reflecting the country's commitment to democracy and equal representation. This progressive step laid the groundwork for well-functioning elections in 2014, heralding a new era of gender consciousness in Tunisian politics.

The NCA, embodying the revolutionary spirit, was pivotal in redefining the legal landscape to enhance women's participation across political platforms. The subsequent elections were not only a testament to the successful enactment of the new constitution but also a reflection of Tunisia's embrace of gender parity and democratic values. This chapter delves into the constitutional developments, international agreements, and laws that have underpinned Tunisia's progressive stance on women's rights and their legal fortification in the wake of transformative political change. It will begin by outlining the constitutional framework that supports gender equality,

followed by a review of international treaties that reinforce these principles, and conclude with an analysis of national laws that have shaped the status of women's participation in Tunisian society.

1. The Constitution

a. The Tunisian Constitution of 1959 (Amended 2008)

The Tunisian Constitution of 1959, amended in 2008, lays the foundation for Tunisia's fundamental principles and human rights. It is based on the principles of the rule of law, pluralism, and the development of the individual.

Regarding women's rights and political representation, the Constitution emphasizes equality before the law for all citizens. Article 7 stipulates that citizens enjoy their full rights, which can only be restricted by laws that respect the rights of others, public security, national defense, the economic prosperity of the country, and social progress.

Regarding political participation and freedom of expression, Article 8 guarantees freedom of thought, expression, press, publication, assembly, and the right to form associations. Political parties are expected to operate democratically and respect the people's sovereignty, human rights, and the republic's values. Significantly, no party can be based on religion, language, race, gender, or region. Parties are also prohibited from having affiliations with foreign interests.

When it comes to the legislative authority, the people exercise it through the Chamber of Deputies, the Council of Advisors, or by referendum. Members of the Chamber of Deputies are elected through direct secret ballot voting according to the conditions specified by the electoral law. The Council of Advisors consists of, at most, two-thirds of the Chamber of Deputies members. Members of the Council of Advisors are elected nationally from professionals, farmers, and employees, in addition to members elected at the regional level from among elected members of local authorities.

Regarding candidacy for the Chamber of Deputies, any voter born to a Tunisian father or mother who is at least twenty-three years old at the time of candidacy submission has the right to be a candidate. Candidates for the Council of Advisors must be born to a Tunisian father or mother, at least forty years old at the time of candidacy submission, voters, and meet the professional criteria in the sector of professionals, farmers, or employees. The composition of the Chamber of Deputies is renewed every five years, while the Council of Advisors is renewed by half every three years.

It is important to note that the Tunisian Constitution has been regarded as relatively progressive in protecting women's rights, particularly under the 1956 Personal Status Code and the 1959 constitution. The inclusion of women in constitution-making processes has been acknowledged as critical for ensuring women's rights.

Overall, the Tunisian Constitution enshrines equality principles and individual rights protection. However, implementing these provisions and achieving gender equality may require continuous efforts and reforms.

b. The Tunisian Constitution of 2014

The Tunisian Constitution of 2014 prohibits discrimination and guarantees equality between the sexes in rights and duties in Article 21. Article 34 also guarantees women's rights and representation in elected councils, and it is the first article that clearly states the necessity of achieving women's representation and the role of the State in ensuring this. It is worth noting that the previous Tunisian Constitution did not stipulate women's rights, and a quota for women in elected councils was included in this new Constitution.

Regarding the conditions for candidacy and election to the Tunisian Council, no discriminatory articles that conflict with women's rights were included. To run for membership in the House of Representatives, the candidate must be a Tunisian citizen whose father or mother was born in Tunisia, at least be 23 years old on the day of submitting the nomination and be a voter and must meet professional standards that qualify them to run in the sector of professionals, farmers, or workers, according to the applicable jurisdiction, with it.

As for evaluating these articles, the 2014 Tunisian Constitution is considered an essential step towards strengthening women's rights and representation in the legislative authority. Article 34 is an essential text confirming the State's commitment to ensuring women's representation in elected councils. We must realize that the quota for women is essential in increasing women's representation in political councils and enhancing women's participation in decision-making.

However, these articles may face some challenges and criticism. There can be difficulties in implementing these provisions on the ground, including effectively implementing the quota and ensuring accurate representation of women. Moreover, additional reforms may be required to enhance the implementation and application of articles relevant to women's rights.

It should be noted that in this Constitution, the text of Article 8 that was present in the previous Constitution, which required parties not to discriminate, was deleted. This is a notable omission, as Article 8 in the previous Constitution was seen as directing parties not to engage in any discriminatory actions.

On the comparison of the current Tunisian constitution to its 1959 predecessor, it is evident that the newer constitution significantly advances women's rights. It explicitly endorses principles of equality, parity, and enhanced representation, thereby providing a more robust legal framework for the protection and promotion of women's rights in Tunisia.

For the first time, the discourse in the Constitution was based on social gender (feminine and masculine discourse) was codified, affirming numerous rights enjoyed by women and men on an equal basis without discrimination, mainly through the second Section concerning rights and freedoms. Feminizing the constitutional discourse by always and at the same time talking about women and men “*would block the way*” to any interpretations that restrict some rights to the benefit of men and not women. The gendering of constitutional discourse appeared at the introduction, “*The sacrifices of Tunisian men and women/ equality in rights and duties among all citizens, both men and women.*” Article 20, “*Citizens, male and female, are equal in rights and duties and are equal before the law without discrimination. The State guarantees male and female citizens*

individual and public rights and freedoms. It provides them with the means for a decent living,” Article 34, paragraph 2, *“The state shall work to ensure the representation of women in elected councils.”* Also, in Article 40, *“Work is a right for every male and female citizen.”* The State takes the necessary measures to guarantee it based on efficiency and fairness. Every male and female citizen has the right to work in decent conditions and with fair wages, and in Article 46, *“the State is committed to protecting the acquired rights of women and working to support and develop them.”* The State guarantees equal opportunities for women and men to assume various job responsibilities.

Many rights were approved for women, such as the equality and non-discrimination as stipulated under article 21 stipulates that *“citizens, whether male or female, are equal in rights and duties, and they are equal before the law without discrimination. The State guarantees citizens individual and collective rights and freedoms and provides them with the conditions for a dignified life.”* Additionally, and on the right to Human Dignity and Physical Integrity, article 23 asserts that the State protects the dignity of human beings and the inviolability of the body, prohibiting both moral and material torture and that the crime of torture does not expire with time. The right to work has also been noted under article 40 affirming that *“work is a right for every citizen, and the State takes the necessary measures to ensure it based on competence and justice. Every citizen can work in decent conditions and for a fair wage.”*

Nonetheless, and for the first time in Tunisia, the Constitution specifically addresses women’s rights in a separate article, Article 46, which declares: *“The State is committed to protecting the acquired rights of women and working to support and develop them. The State ensures equal opportunities for men and women in all fields and bearing various responsibilities. The State strives to achieve equality between women and men in elected councils. The State takes measures to eliminate violence against women.”*¹⁰³

¹⁰³ Basma Al-Mahdy, “AlTilawy Demands Temporary 30% Women Quota in the Egyptian Parliament,” Al-Masry Al-Youm, August 3, 2013, available at <http://www.almasryalyoum.com/news/details/244591> (last visited September 17, 2022).

Nevertheless, it must be stated that the former Constitution of 1959 had already recognized women's rights by guaranteeing them the right to vote and to participate in political life. Moreover, it gave them equal rights to divorce and fixed the minimum age for marriage to 18 years.

2. The International Agreements

In April 2014, the Tunisian political system was triggered, eliminating all forms of discrimination against women, CEDAW. With this improvement, the country paved its way through gender equality, a far cry from the authoritarian regime before the revolution.

In March 2020, Tunisia underwent its sixth periodic review by the Human Rights Committee on implementing the ICCPR. During the review, the head of the delegation mentioned the 2010 revolution and the role that Tunisia's civil society played in it. The delegation highlighted its achievements since the last review, including lifting restrictions on CEDAW and ratifying several international human rights instruments. However, the delegation acknowledged that there are still areas for improvement in Tunisia's legislative and institutional system. The Human Rights Committee raised several concerns during the review, including discrimination against women, torture, and conditions of detention. The Committee also discussed the ongoing State of emergency, violence against women, the independence of the judiciary, racial discrimination, and human trafficking. The issue of corruption was also discussed, focusing on the Anti-Corruption Authority in Tunisia, including its functions, the number of corruption cases it has handled, and the safeguards in place.¹⁰⁴ It is worth noting that discrimination against women in Tunisia is a severe issue that various organizations have documented. Nearly half of women in Tunisia have been exposed to violence at least once in their lives, according to a survey conducted by the Tunisian Ministry of Health in 2010. Of these, 15.7% were exposed to sexual violence.¹⁰⁵

A governmental survey conducted in 2010 showed that 47.6% of women surveyed had been exposed to some form of violence at least once in their lives. Just under a third of these had been

¹⁰⁴ Laila El Baradei et al., "Women's Participation in Political Life in Egypt and Beyond," Global Partners Governance, 2021, available at <https://gpgovernance.net/wp-content/uploads/2021/02/English-Womens-Participation-in-Political-Life-in-Egypt-and-Beyond-1.pdf>.

¹⁰⁵ Tunisian Constitution, art. 46.

exposed to physical violence, 28.9% to psychological violence, and 15.7% to sexual violence. The vast majority of women who were exposed to sexual violence (78.2%) said that the intimate partner was responsible for the violence. Those who do report abuse often report that the police discourage them from filing complaints, telling them to put their children's interests first and not to break up their families. She points out the scarcity of shelters and emergency shelters for victims of domestic violence, which prevents survivors from seeking justice because they do not have a safe place to go.¹⁰⁶

By evidence, one can find that the Tunisian fertility rate increased during the period from 1960 to 1990, free education was imposed in 1958, and the right to abortion was enacted and legalized in 1973. In addition, women's representation increased from 20.8% percent to 25.3% percent between the '90s and 2010. Nevertheless, none of these reforms were approached through civil society efforts, as they were only considered "*state feminism*." One of the main reasons for imposing these rights at the time between 1990 and 2010 was that the regime wanted to counter Islamism. However, the government conceded these rights not to the people's demands.¹⁰⁷

When the authoritarian regime was ousted, public opinion started to worry again about women's rights. Therefore, public debates were held, and the primary debate was in August 2012 with the first draft of the Constitution and ended in January 2013. Many intriguing issues were on the agendas of these debates, and most important was the role of women in Tunisian society.

3. Tunisia's Legal Advancements in Women's Electoral Representation and Rights

One of the most important legal texts after the revolution was "*Decree No. 27 of 2011, dated April 18, 2011, regarding establishing an independent supreme authority for elections*". Its importance lies in the fact that it is the first law that stipulates the principle of parity between men and women in running for elections in chapter 8.

¹⁰⁶ Tunisia in a Continuous State of Emergency Fails to Uphold Women's Rights, Human Rights Committee – 128th session – March 2020, available at <https://ccprcentre.org/ccprpages/tunisia-in-a-continuous-state-of-emergency-fails-to-uphold-womens-rights> (last visited November 23, 2022).

¹⁰⁷ Amnesty. (2015, December 3). Tunis - Awqafu Mu'akhafat al-Najin. Retrieved from <https://www.amnesty.org/ar/latest/campaigns/2015/12/my-body-my-rights-tunisia/>.

In alignment with the revolutionary ethos for sweeping political reform, the Tunisian legislative decree specifies a clear mandate for gender parity in political nominations, stipulating: *Nominations shall be submitted within a period not exceeding ten days from the date of publication of this decree, and the Supreme Authority shall work to achieve the goals of the revolution, political reform, and democratic transition to take into account the principle of parity between men and women.* This directive is enshrined in the text of Decree No. 27 of 2011, Chapter 8.

This provision reflects a decisive commitment to uphold the principle of parity, thus ensuring that both men and women are equally represented in the nominations process, further cementing the ideals of the revolution into the very framework of political engagement and governance.

Additionally, the enactment of Decree No. 35 of 2011 marked a significant milestone in promoting gender equality and women's rights in the electoral process, particularly within the context of the National Constituent Assembly elections in the country. This decree, dated May 10, 2011, introduced the principle of parity between men and women, demonstrating a commitment to fostering equal representation in the assembly.

Chapter One of the decree outlines the democratic principles guiding the election of members to the National Constituent Assembly. The emphasis on general, free, direct, and secret elections aligns with the core tenets of democracy. Moreover, equality, pluralism, integrity, and transparency underscore the commitment to creating an inclusive and fair electoral process.

Chapter 16 of the decree introduces the crucial element of parity between women and men in the nominations for the National Constituent Assembly. The provision mandates that nominations be submitted based on this principle, and candidates are arranged on lists through a rotation between women and men. Lists that fail to adhere to this principal face rejection, except within specific limits tied to the allocated seats for certain districts. This reflects a deliberate effort to ensure a balanced and representative composition within the assembly.

Chapter 38 addresses the issue of electoral propaganda by prohibiting it in places of worship, workplaces, and educational institutions. Furthermore, the decree explicitly prohibits any propaganda that incites hatred, fanaticism, or discrimination on religious, sectarian, regional, or tribal grounds during the electoral campaign. This safeguards against using platforms for divisive purposes and upholds the principles of fair and respectful campaigning.

Chapter 45 establishes the Independent High Authority for Elections with a specific mandate to eliminate obstacles conflicting with the freedom of access to the media. The authority is entrusted with ensuring non-discrimination between all candidate lists and developing precise standards related to respect for private life, human dignity, the rights of others, and public order. This demonstrates a commitment to fair and unbiased media coverage during electoral campaigns.

Chapter 46 grants the Independent High Authority for Elections the responsibility of determining the rules and procedures of the electoral campaign. This includes the duration of quotas, programs, and spaces allocated to various candidate lists across different media outlets. The emphasis on consultation with various concerned parties and adherence to principles of pluralism, transparency, equality, and equal opportunities highlights the commitment to a participatory and inclusive electoral process.

To sum up, Decree No. 35 of 2011 plays a pivotal role in advancing women's rights and representation in the electoral landscape by introducing and reinforcing the principle of gender parity. Through its various chapters, the decree establishes a framework that not only promotes fair and democratic elections but also actively works to eliminate barriers and ensure equal opportunities for all candidates, regardless of gender.

After that, in August 2012, on the celebration of the issuing of the Personal Status Code 1956, many women's organizations asked to remove Article 28.2 from the Constitution. The article declares, *"The state assures the protection of women's rights under the principle of complementarity with man within the family and as associated to man in developing the country..."*.

However, this article was changed to “*equal opportunities for men and women in bearing all various responsibilities. The State seeks to eliminate any form of violence against women*”.¹⁰⁸ It was wrongly interpreted as if it contradicted the equality principle, and the national and international media commented on this article by provoking the opposition parties and feminist organizations, as well as ordinary citizens who were mobilized in masses, to reject it. Consequently, a massive demonstration occurred on August 13, 2012 (the Tunisian Women’s Day).¹⁰⁹

Another controversy arose in article 46 on protecting “*women’s rights*,” which was defined by the constitution drafters as “*Women’s Gains*.” The problem here was that the opposition members interpreted it as including “*gains from religion*,” and this created the chance for a regressive interpretation of previous women-related legislation. Due to the practical efforts of the pressure groups NCA, this debate resulted in writing a more consensual article that includes “*The State is committed to protecting the acquired rights of women and working to support and develop them. The State ensures equal opportunities for men and women in all fields and bearing various responsibilities. The State strives to achieve equality between women and men in elected councils. The State takes measures to eliminate violence against women.*”¹¹⁰

Eventually, the result did not conform to a significant change in women’s rights in the Tunisian legislation. However, after 2011, people agreed on having the same opinions over the improvements that the Tunisian Constitution made and the extent to which the current Constitution guarantees “*women’s rights and equality of citizens, male and female alike*.”¹¹¹ For instance, the Constitution promulgates “*the principle of equality*,” which has been applied favorably for women within the judiciary system, enabling them to enter untraditional job sectors (police sector), open bank accounts, and establish businesses. However, despite these legal protections, women in

¹⁰⁸ Amnesty. (2016, January 15). Hal tu'atabaru Tunis minarah Huquq al-Mar'ah kama tad'ii? Retrieved from <https://www.amnesty.org/ar/latest/campaigns/2016/01/is-tunisia-the-beacon-of-womens-rights-it-claims-to-be/>.

¹⁰⁹ Nehal Ben Amar, “Women’s Political Participation in Tunisia,” EUSPRING (2015): 4.

¹¹⁰ Id., 9.

¹¹¹ Nedra Cherif, “Tunisian Women in Politics: From Constitution Makers to Electoral Contenders,” European Think Tank for Global Action (2014): 13.

Tunisia still face challenges in practice. For example, women are underrepresented in politics and the workforce, and gender-based violence remains a significant problem.¹¹²

Another heated debate at the time of the NCA's electoral campaign was between two prominent political actors, the Secularists, and the Islamists, in an environment of mistrust, which continued during the constitution-making process. The secular side considered itself as a protector of women's rights and their historical gains; they feared the Islamists' minds could put the political system again to regression. However, the Islamists' victory in the parliamentary elections reassured the secularists as the Islamists won 89 seats of the 217, which has the largest group of women's shares of representation.

A reform in marriage laws forbid polygamy and raised the minimum marriage age. Also, it got rid of the wife's duty to obey her husband, and most importantly, unlike other countries in the region, Tunisia went so far as to ban customary marriage, according to the Personal Status Law. The principle of wage equality was introduced in 1960; later, women were equalized in inheritance, although the man remained the head of the household. Schooling is mandatory for males and females; contraception was made available.¹¹³, ¹¹⁴ Two waves of reforms took place; the first was by the nationalist agenda, and the second occurred in the 1990s and was influenced by the activism in the 1970s and the 1980s. They were increasing the discourse of feminism and the public debates.

Remarkably, the laws that protect women's rights, such as "elections law which stipulated the right of women to vote and run for office, affirms *"the right of Tunisians who have reached the age of 18 to vote."* Accordingly, like men, women have the right to run and vote. It also stipulates freedom of association per the text of Law No. 154 of 1959, amended in Law No. 90 of 1988, and Law No. 25 of 1992. Under these laws, women established many associations and organizations that defended women's rights and freedoms, such as the Democratic Women's Association.

¹¹² Id., 19.

¹¹³ Charrad, M. M. (2011). "Gender in the Middle East: Islam, State, Agency," *Annual Review of Sociology*, 37, 417-437.

¹¹⁴ World Bank, (2012). *World Development Report 2012: Gender Equality and Development*.

Among the laws is also Law No. 88-32 of 1988 regulating political parties, which stipulated in the second chapter that every political party must respect a set of values, foremost among which are human rights, as defined by the Constitution and the international agreements that Tunisia signed, as well as the principles on which the civil status laws are based. The law affirms that every political party must reject extremism, racism, and every form of discrimination (Chapter 3). These reforms made Tunisia stand out among the Arab-Islamic states as a “*women-friendly*” nation.

C. Comparative Analysis of the Legal Systems of Egypt and Tunisia

This section compares the constitutional provisions related to women’s rights, women’s political representation, and elections in Egypt and Tunisia, considering key constitutional documents before and after significant political upheavals. The focus is on the Egyptian Constitution of 1971 (amended in 2007), the series of constitutional declarations in post-revolutionary Egypt, and the Tunisian Constitutions of 1959 (amended in 2008) and 2014.

1. Women’s Rights in Egypt’s Constitutions

The Egyptian Constitution of 1971, amended in 2007, reflects a commitment to democratic values, gender equality, and adherence to Islamic Sharia principles. Several articles address women’s rights, emphasizing equality with men in various fields and protecting motherhood and childhood. Article 40 asserts the general principle of equality without discrimination based on gender. Additionally, Article 62 recognizes citizens’ rights to vote, express opinions, and contribute to public life. However, despite these positive aspects, there is a need for more detailed legislation and implementation mechanisms to ensure effective women’s representation in politics.

The constitutional declarations in post-revolutionary Egypt, particularly the one on March 30, 2011, acknowledged the prohibition of discrimination based on gender. However, criticisms arose regarding the absence of a specific quota for women in Parliament, unlike quotas for other categories, such as peasants and workers. The subsequent declarations brought amendments to the electoral system, aiming at broader democratic processes without substantial clarity on women’s representation. The absence of explicit provisions regarding women’s participation in some

declarations raised questions about the commitment to gender equality in post-revolutionary Egypt.

The Egyptian Constitution of 2012, enacted after the 2011 revolution, incorporated recommendations from women's organizations to protect women's rights. Notable achievements included enshrining the principle of gender equality in Article 5 and criminalizing all forms of violence against women. However, concerns persisted about ambiguous language, potential limitations, and the lack of a specific prohibition of gender-based discrimination.

The 2014 Egyptian Constitution marked progress by granting a quota for women in municipal councils, reaching 25%. However, disappointments were noted, such as the absence of a similar quota for the Parliament. While the Constitution affirmed women's political, economic, and social rights, challenges in implementation and additional reforms were acknowledged.

2. Women's Rights in Tunisia's Constitutions

The Tunisian Constitution of 1959, amended in 2008, laid the foundation for fundamental principles and human rights. It emphasized equality before the law for all citizens and recognized women's rights, particularly under the 1956 Personal Status Code. Including women in the constitution-making processes was critical for ensuring women's rights.

In contrast to Egypt, the Tunisian Constitution did not explicitly address quotas for women's representation in elected councils. However, it emphasized political participation and freedom of expression, with legislative authority exercised through the Chamber of Deputies and the Council of Advisors.

The Tunisian Constitution of 2014 marked a significant shift by explicitly prohibiting discrimination and introducing a quota for women in elected councils. Article 34 emphasized the State's commitment to ensuring women's representation in elected councils. Evaluations acknowledged this as a positive step but highlighted potential practical implementation challenges.

3. Evaluation

The Egyptian constitutions demonstrate a commitment to democratic values and gender equality. However, there is a need for more detailed legislation and implementation mechanisms to ensure influential women's representation in politics. The constitutional declarations post-revolution indicates some positive steps but also reveal gaps in addressing women's rights.

Meanwhile, the Tunisian constitutions, particularly the 2014 version, show progress in recognizing and protecting women's rights. Introducing a quota for women in elected councils is a notable advancement. However, challenges and criticisms may arise in effectively implementing these provisions.

In comparing the two countries, Egypt, and Tunisia they demonstrated a commitment to democratic values, equality before the law, and the protection of women's rights. Both constitutions emphasized the principles of political participation and freedom of expression.

Differences emerged in the approach to women's representation in politics. Tunisia's 2014 Constitution took a proactive step by introducing a quota for women in elected councils, explicitly addressing a mechanism to enhance women's representation. In contrast, Egypt relied on general principles of equality without explicitly outlining quotas for women in parliamentary representation. The constitutional declarations in Egypt post-revolution reflected a more dynamic and evolving political landscape.

Both countries faced challenges in effectively implementing constitutional provisions related to women's rights. In Egypt, concerns were raised about ambiguous language and potential limitations in specific articles. In Tunisia, while the 2014 Constitution marked progress, challenges in implementation and the need for additional reforms were acknowledged.

The constitutional provisions concerning women's rights and representation in Egypt and Tunisia reveal similarities and differences. Both countries have made strides in recognizing and protecting women's rights, emphasizing equality before the law and principles of political participation.

Tunisia's 2014 Constitution stands out for explicitly introducing a quota for women in elected councils, reflecting a proactive approach to enhancing women's representation.

While acknowledging women's rights and political participation, Egypt faced challenges in effectively implementing constitutional provisions. The absence of explicit quotas for women in some constitutional declarations and the 2014 Constitution raised concerns about the potential limitations in achieving true gender equality.

Continuous efforts are needed in both countries to ensure the effective implementation of constitutional provisions related to women's rights. This includes addressing potential ambiguities, strengthening mechanisms for women's representation, and fostering a more inclusive and representative political landscape for women. Despite challenges, the constitutional frameworks in Egypt and Tunisia provide a foundation for advancing women's rights and political participation, with opportunities for further improvements and reforms.

4. Comparison Between Other Legal Frameworks

The legal frameworks governing women's rights and political representation play a crucial role in shaping the status of women in any society. This comparative analysis focuses on the legal frameworks in Egypt and Tunisia, examining international agreements, laws, and their implications on women's rights and political participation.

a. International Agreements

Egypt has actively participated in various international agreements to promote women's rights. The "*Convention on the Political Rights of Women*," adopted in 1952 by the United Nations General Assembly, laid the foundation for women's political participation. Egypt integrated the principles of this Convention into its 1956 constitution, granting women the right to vote and hold public office.

Egypt's commitment to women's rights extended to joining the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1980. While CEDAW emphasized social, political, and legal protection against discrimination, Egypt expressed reservations on specific articles, citing conflicts with Islamic Sharia'a. Despite debates, these international agreements influenced legal reforms in Egypt, addressing gender-based discrimination and enhancing women's rights.

On regional levels, Egypt's membership in the Arab Women Organization (2002) and adherence to the Maputo Protocol (2005) on the African level indicate a broader commitment to advancing women's rights and addressing regional challenges.

On the other hand, post-revolution, Tunisia demonstrated a renewed commitment to international agreements promoting women's rights. The removal of restrictions on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 2014 highlighted a significant step towards gender equality. However, Tunisia still faces challenges in areas such as violence against women, as documented by various organizations.

Historically, Tunisia's fertility rate, free education, and legalized abortion reflected state-driven initiatives, not necessarily resulting from civil society efforts. The legislative changes between 1990 and 2010 were partly responses to counter-Islamism rather than citizen demands.

b. The Legal Framework for Women's Representation in Egypt and Tunisia's Political Arenas

Egypt's legal framework concerning women's political representation has evolved, mainly through introducing and removing the quota system. The quota system, first applied in 1979, aimed to secure seats for women in Parliament. However, its discontinuation in 1986 marked a period without a formal quota until its reintroduction in 2010.

Post the 2011 revolution, election laws in Egypt were amended to ensure each party list included at least one woman, promoting gender diversity in parliamentary representation. Despite legal

advancements, the Parliament between 2011 and 2016 lacked prominent female figures, and specific laws, such as those reducing the marriage age and permitting Female Genital Cutting, sparked controversy.

The Military Council Decree 2012 emphasized women's rights and representation by implementing a quota system, ensuring at least one female candidate in each party list for the People's Assembly and the Shura Council elections. Despite challenges, this indirect approach aimed to address historical gender imbalances and contribute to an inclusive political landscape. On the other hand, in Tunisia, legal reforms post-revolution marked a significant milestone with Decree No. 27 of 2011, establishing an independent supreme authority for elections. This law introduced the principle of parity between men and women, reflecting a commitment to equal representation in elections.

Decree No. 35 of 2011 further emphasized gender parity in the National Constituent Assembly elections, requiring nominations based on this principle. The law aimed to eliminate barriers and ensure equal opportunities for all candidates, contributing to fair and democratic elections. Additionally, debates on Tunisia's Constitution led to changes in articles related to women's rights, such as Article 28.2, which was later amended to ensure equal opportunities for men and women. The Constitution affirmed the State's commitment to protecting women's acquired rights, striving for equality in elected councils, and eliminating violence against women.

Reforms in marriage laws, prohibiting polygamy and raising the marriage minimum age, showcased Tunisia's commitment to women's rights. Influenced by civil society activism and political debates, the legislative landscape contributed to Tunisia being perceived as a "*women-friendly*" nation.

c. Evaluation

Egypt and Tunisia are signatories to international agreements, including the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), showcasing their commitment to promoting women's rights globally. Also, both countries have implemented quota

systems at different times. Egypt applied a quota system in 1979, while Tunisia introduced gender parity principles in 2011, emphasizing the importance of women's representation in politics.

Egypt and Tunisia faced challenges in implementing and enforcing their legal frameworks. Despite legal advancements, both countries continue to grapple with issues such as gender-based violence, cultural barriers, and societal attitudes that hinder the full realization of women's rights.

However, Egypt's legal framework for women's rights dates to the 1956 constitution, which granted women the right to vote and hold public office. Conversely, Tunisia experienced significant legal reforms after the 2011 revolution, reflecting a more recent and transformative approach.

Egypt's experience with the quota system has been characterized by discontinuation and subsequent reintroduction, reflecting fluctuations in political will. In Tunisia, the quota system was introduced in 2011 and has remained consistent in subsequent elections, signaling a more stable commitment to gender parity.

Tunisia underwent constitutional changes to address concerns related to women's rights, such as amending Article 28.2 to ensure equal opportunities for men and women. Egypt, while incorporating legal reforms, faced controversial amendments reducing the marriage age and allowing Female Genital Cutting.

Tunisia's legal framework for women's rights underwent significant changes after the 2011 revolution, driven by debates and societal discussions. In contrast, Egypt's legal landscape during the same period featured offensive laws with a limited focus on advancing women's rights. Also, civil society efforts and public debates influenced Tunisia's legal reforms, especially regarding women's rights. In Egypt, historical changes were often initiated or influenced by the State, and the impact of civil society in shaping legal reforms has varied. Tunisia is often perceived as a "*women-friendly*" nation due to its legislative reforms and commitment to gender equality post-revolution. While Egypt has made strides in women's rights, controversies and inconsistent application of laws have resulted in varying perceptions.

In summary, while Egypt and Tunisia share commonalities in their commitment to international agreements and the implementation of quota systems, differences in historical contexts, constitutional changes, and the influence of civil society contribute to unique trajectories in their legal frameworks for women's rights and political representation. Tunisia's post-revolutionary legal reforms, driven by public debates and civil society efforts, distinguish it as a more proactive and transformative approach than Egypt's historical roots in women's rights legislation.

In conclusion, Egypt and Tunisia have traversed distinct paths toward enhancing women's political representation. Both nations have ratified key international treaties like CEDAW and have experimented with quota systems. Yet, their approaches and outcomes differ, highlighting the complex interplay of legal frameworks, societal norms, and political will in advancing gender parity.

In Egypt, despite a historical foundation for women's rights, fluctuating political commitments and controversial legislative amendments have posed challenges, leading to inconsistent gains in women's political representation. Meanwhile, Tunisia has embarked on more consistent and transformative legal reforms post-2011 revolution, evidencing a steady commitment to gender equality and resulting in comparatively progressive strides in women's rights and political participation.

As this analysis comes to a close, the subsequent chapter will expand on the nuanced dynamics of women's political engagement. This forthcoming examination promises to shed light on the broader implications for women's rights in the region and the integral role that legislative and societal reform plays in shaping their political landscape.

V. WOMEN'S PARTICIPATION IN POLITICAL LIFE IN EGYPT AND TUNISIA

The journey toward gender equality in the political spheres of Egypt and Tunisia presents the contrasts and shared struggles. In Egypt, the journey of women in politics has seen some progress and some steps back, all happening amid major historical events and social pushback. In Tunisia, the narrative is shaped by the transformative ripples of the Arab Spring Revolution, positioning women at the forefront of a reimagined political landscape. This chapter trace the contours of these narratives, exploring the intricate patterns of progress and inertia that define women's political participation in both countries. It begins by unearthing the roots of this participation, tracking its growth, and identifying the barriers that persist in the face of unfolding social and political change.

A. Women's Participation in Egyptian Political Life

Constitutional articles, laws, international agreements, and treaties are all made to significantly influence women's participation in the political field, to increase women's capacity in the political field, and to end discrimination in all aspects, culturally, socially, and politically. Therefore, the procedures the Egyptian legislators and previous governments took to enhance women's participation in political life must be evaluated to see the actual results.

Hence, this research starts with an overview of the background of women's participation in politics. It can be observed that the beginning of women's engagement in politics was in 1881, through fighting against colonization, and then they managed to construct two NGOs.¹¹⁵ Afterward, the role of women rose sharply by the 1919 revolution, as women participated effectively in the demonstrations and strikes along with men. It was the spark for many women to play a vital role in politics, such as the revolutionary woman "*Safya Zaghloul*." Many feminist conferences took place, and the feminist union for fighting against colonization emerged.

¹¹⁵ Nedra Cherif, 7.

The feminist efforts continued until the independence of Egypt and continued after.¹¹⁶ Some of these efforts include establishing women's political parties and organizations and lobbying for changes to the law; for example, they have lobbied for the introduction of quotas for women in elected office. Also, some women's rights groups have provided financial and logistical support to women candidates running for elected office. They have also helped to organize voter registration drives and get-out-the-vote campaigns. They have conducted educational campaigns to raise awareness of women's rights and to challenge gender stereotypes. For example, in 2012, the National Council for Women (NCW) launched a campaign to promote women's participation in the parliamentary elections. The NCW provided training and support to female candidates and organized voter registration drives and get-out-the-vote campaigns. As a result of the NCW's campaign, the number of women elected to Parliament increased from 8% to 12%.

After the independence and by the constitution of 1956, women started to have a role in political life; they started to vote and to be voted for and participate in formal fields of politics. In 1961, the announcements of the socialist national popular conference stated that there must be a minimum of 5% (Five Percent) of women in the Parliament. Additionally, they participated in some of the party wings. Women's percentages in the Parliament remained constant, varying from 1-5% (One-Five Percent) of the parliament seats in the first five decades after getting their rights in the shades of the 1956 constitution.¹¹⁷ From 2000 until 2010, the ratio of women seats in Parliament varied from 1.7% to 12.4% percent in 2010, which was the effect of the quota system applied in 2010. It is worth mentioning that 64 seats were reserved for women in Parliament, which was the main reason for the rise of women's representation in 2010.¹¹⁸

After the January 25 revolution in 2011, women participated vigorously in the revolutionary acts; they had a significant role in the change that happened in that period, formally and informally. Informally, they were striking hard to increase participation in political decisions and affairs.¹¹⁹

¹¹⁶ Atef Ismail, "Egyptian Women and the Reality of Participation," The Arabic Network for Human Rights Information, (May 5, 2009), accessed September 17, 2022, available at: <https://anhri.net/?lang=en>.

¹¹⁷ "Women in the Electoral Councils: From Gamal Abdel Nasser to Mohamed Morsi," Arab Center for Research and Studies, (September 2013), available at: <http://www.acrseg.org/2271/bcrawl>, last visited October 10, 2022.

¹¹⁸ Opt., 16.

¹¹⁹ Opt., 11.

Formally, things were similar for them as the first political challenge in 2011 was forming the Parliament, which turned out with only 2% (Two Percent) of seats going to women.¹²⁰ Moreover, women's participation in the fiftieth Constitution Reform Council, which drafted the constitution, reached only five women from the sum of 50 members, which is a tiny proportion (10%). In the 2015 parliament, women gained about 15% (Fifteen Percent) of the parliamentary seats.¹²¹

Furthermore, the head of "*El Dostor Party - a liberal political party that was founded in 2012- Mrs. Hala Shokr Allah*," would be considered a considerable development to have the president of such an effective party as a woman till she resigned,¹²² She cited personal reasons for her resignation, but there were reports that she was unhappy with the party's direction. Her resignation was a sign of the challenges that liberal political parties face in Egypt.

There are two other parties as well that women lead, "*The Free Democratic Party*," which is led by Dr. Esmat ElMarghany,¹²³ and the "*Right Party*" (Alhauk), which was established in 2011 by Mrs. Mariam Melad. The Right Party is also known to be the first party established by a woman in the Arab Region.¹²⁴

Regarding the governments, after the end of the Mubarak regime, the cabinet, which Ahmed Shafik led, contained only four women. Then, Dr. Essam Sharaf's government contained only one woman,¹²⁵ and the government led by Dr. Kamal El Ganzoury contained only three women. The number of women was similar to all the consecutive governments.¹²⁶

¹²⁰ Women and the Public Office After January 25," Al-Ahram Newspaper, (January 2014), available at: <http://democracy.ahram.org.eg/News/577.aspx>, last visited October 10, 2022.

¹²¹ Opt.,19.

¹²² "Women in National Parliaments," Inter-Parliamentary Union, available at: <http://www.ipu.org/WMN-e/classif.htm>, last visited October 10, 2022.

¹²³ Safaa Essam Aldin, "Hala ShokrAllah: Al-Dostor Party is Confounded, and Al-Baradei is Away from The Political Scene," Shorouk News, (August 26, 2015), available at: <http://www.shorouknews.com/news/view.aspx?cdate=26082015&id=6b9370c2-cb78-4408-aa8c-cb9b6e29c935>, last visited October 10, 2022.

¹²⁴ Free Democratic Party Official Website, available at: <http://www.slparty.org>, last visited October 10, 2022.

¹²⁵ Mariam Milad Biography, Maerfa Gate, available at: https://www.marefa.org/%D9%85%D8%B1%D9%8A%D9%85_%D9%85%D9%8A%D9%84%D8%A7%D8%AF.

¹²⁶ Mohamed Al-Galy, "Ministers of Sharaf's New Government," Al-Youm 7, (July 21, 2011), available at: <http://www.youm7.com/story/2011/7/21/458973>, accessed on October 10, 2022.

Women cannot be conceived as a minority that needs to be supported to have a minor representation here in Egypt. They represent around 49.5% of the Egyptian population.¹²⁷ Consequently, the level of representation could be higher because the level of empowerment could be more efficient.

Civil and political rights for women in 2014: Women suffered from the lack of such political rights, which resulted in Egypt's rank of 134th in the political empowerment sub-index according to the Global Gender Index in 2014, in comparison to 128th in 2013 and 125th in 2012. This was due to several factors, including the decline in the number of women elected to Parliament from 12% in 2012 to 8% in 2014; the number of women in ministerial positions remained low, at just 3%. Moreover, women were underrepresented in leadership positions in political parties. These factors suggest that women in Egypt lacked several political rights, including the right to participate in elections, the right to hold office, and the right to be represented in government. For the committee that put the 2014 constitution, women were only represented in the committee by around 12% percent, as the total number was 12 (Twelve) out of 99 (Ninety-nine).¹²⁸

For the cabinet, there was a decline in the representation of women in the Egyptian ministries, as only 4 (Four) women were represented in the ministries out of 34 (Thirty-Four) ministries, which was a disappointing response to the increasing women's participation. For Egypt's Advisory Council of Experts, only one woman was appointed, a percentage of 6 percent of the Council members. Women's participation in political life depends on more than just the representation of women in official positions. However, it is also related to the participation of all women in political life.

The underrepresentation of women in ministerial positions in Egypt is because of several factors. Societal norms, influenced by historical and cultural contexts, often prescribe traditional roles for women, reinforcing stereotypes that associate women more with domestic responsibilities than with leadership roles. This cultural framework permeates political spheres, creating barriers for

¹²⁷ "Names of Seven Ministers after 25th January Revolution," ElWatan News, (September 20, 2015), available at: <http://www.elwatannews.com/news/details/806565>, accessed on October 10, 2022.

¹²⁸ World Development Indicators, Washington, DC: World Bank Report 2015.

women aspiring to high-level positions. Discriminatory practices within political institutions and parties also play a significant role, as gender bias in candidate selection processes and party nominations limits the opportunities available to women. Political cultures, which historically have been male dominated, may need to be more open to including women in decision-making roles. This cultural aspect can result in women facing challenges in garnering support from political elites and the public. Inadequate gender-sensitive policies, supportive structures, and a lack of initiatives to promote women's participation can hinder progress.

In the 2015 parliamentary elections, there were 676 female candidates, 89 of them, including the 14 women whom the president appointed from the 28 members, as the constitution requires 50% (Fifty Percent) of the appointed members to be female. Women constituted only 15 percent of the following round of Parliament.¹²⁹

Women making up only 15% of political representation can be attributed to several factors. Women often encounter obstacles like ingrained gender biases, a shortage of resources, threats of violence, and insufficient backing from political parties. Furthermore, the approach to enforcing quotas for women in office has room for improvement. For instance, the legislation related to quotas could have been more detailed and rigorous. It lacked clear instructions for implementation and failed to penalize political groups that ignored the requirement, allowing them to bypass the quotas without facing any consequences. Moreover, a stronger resolve from political entities to uphold these quotas was lacking, as not all parties were in favor of them. Effective gender quota systems would also depend on a robust initiative for the preparation and education of potential women candidates, equipping them with the necessary skills for political engagement.

1. The National Council for Women

Under a presidential decree on February 9, 2000, the National Council for Women was established with a vision to improve the human and socioeconomic conditions of Egyptian women to increase the ratio of their participation in the development of their local communities and society. Five main

¹²⁹ Nehad Abol Komsan, "The Year of Unfulfilled Promises for Egyptian Women," Egyptian Center for Women's Rights, (2014): 4, available at: http://ecwronline.org/upload/annual_report/2014%20report.summerypdf.pdf, accessed on October 10, 2022.

areas are addressed: 1. Political Empowerment and Leadership, 2. Economic Empowerment, 3. Social Empowerment, 4. Protection, 5. Culture and Legislations.

Throughout the years, the National Council for Women achieved remarkable results highlighted under the National Council for Women Report on Beijing +20. The report voiced the efforts of the National Council for Women on qualifying women for political participation and the exerted actions to foster women's development in the field of political participation by creating several political initiatives, including but not limited to: "*The Political Qualification Center for Women*" that worked for around three years, through which; several programs were implemented to encourage the women to engage in political action through the raising awareness programs for women's political rights.

Group trainings were implemented to support women's capacity to participate in political life. An initiative was launched named "*Know Your Candidate*," "*Women Voters*," "*Managing Election Campaigns of Candidates for the House of Representatives*," and "*Know your Constitution, Choose Your Candidate*," among several other initiatives, which encouraged women to participate in elections and referendums. These efforts were facilitated by the Ministry of Interior and The Electoral Commission in order to ensure women's suffrage and secure electoral commissions for them.¹³⁰

Building on the National Council for Women's political efforts, a database was collected for women who wished to run in local elections, reaching 4,000 women.¹³¹ These initiatives helped to successfully increase the proportion of women enrolled at the electoral tables, accounting for more than 48 percent of the total enrolment of over 23 million voters in 2012.

It is worth mentioning that after January 25, 2011, the polling witnessed unprecedented turnout for voting in general and an increase in the sense of Egyptian nationalism. As far as women candidates are concerned, their numbers maintained low rates, with only 122 candidates in the parliamentary

¹³⁰ Ali Al-Din Hilal, Legislative Authority, Editor-in-Chief Kamal El-Menoufy, in 2005 People's Assembly Elections (Cairo: Egyptian-Lebanese House, 2006), p. 49.

¹³¹ Yousri Ahmed Ezbawi, representing marginalized groups in elected councils: A case study (Women and Copts), Available at: <http://www.ahramdigital.org.eg/articles.aspx?Serial=743044&eid=9828>, Accessed on October 19, 2022.

elections in 2000 and 2005 presented themselves, while in the following elections, and due to the applied quota system in 2010 by allocating 64 seats for women, an increase of 387 out of 5033 candidates were enlisted. However, the number of women candidates in the parliamentary elections of 2012 reached a total of 984 out of 8113 candidates.¹³²

No woman succeeded in obtaining an individual seat in the Parliament in 2012. Despite many women running in the elections, the lack of financial support, the expansion of individual constituencies, and the failure of political parties -especially the Islamist parties- to assist their female candidates in campaigns reduced their chances of winning.

2. Women's Political Participation in Post–Revolution Egypt

Women's political participation in Post–Revolution Egypt is one characterized by resilient advocacy and gradual progress amidst ongoing societal and institutional challenges. After the revolution, Egyptian women have encountered a transformative landscape that offers both opportunities for significant breakthroughs and complex barriers that persistently require strategic navigation and robust policy support. This phase in the historical continuum marks a critical juncture where the concerted efforts of women's groups, the legislative framework, and international support converge to redefine women's roles in shaping the future of Egypt's democracy.

In 2014, a book was published by the National Council for Women and “UN Women” titled *Women's Political Participation in Post–Revolution Egypt*. This book highlighted the National Council for Women's strategy post-2011 revolution. Thematic consultation on women's rights and task forces were initiated to support women's empowerment after the revolution. The National Council for Women worked on putting proposals on the ministry's agenda to improve women's conditions across sectors. From that angle, three economic, social, and political task forces were formed.

¹³² National Council for Women, National Report on Beijing +20.

With a focus on the political task force, it was formed by representatives of the Ministry of Justice, ex-members of the Supreme Election Committee, and political experts. This task force resulted in a comprehensive strategy to be jointly executed by several ministries and the Local Councils on Transferring constitutional articles and international treaties that stipulate women's political rights into legislation. Establishing a political academy to enhance women's political skills and to create political cadres, adopting economic policies that foster the economic empowerment of women - for example, the Women's Microfinance Program (WMP), Women's Employment and Skills Training Program (WEST), Forsa Program, as a matter that is strongly associated with women's political empowerment.

The National Council for Women also played a significant role in Proposing to the government legislative and constitutional amendments given the selection of the National Council for Women President Ambassador Mervat Tallawy, as a member of the Committee of the Fiftieth - in which there were seven female members- provided a unique opportunity for women's issues to be thoroughly discussed and to redress the severe violations and deprivation of women of a number of their hard-earned rights.

The women in the committee proposed several articles related to women and their rights in the new constitution; the proposed articles induced setting a 25% quota for women in localities. Among the articles it approved to protect women's rights: Article (6) Egyptian nationality is proven for everyone born to an Egyptian father or mother and regulated by law. - Article (10) The family is the foundation of society, based on religion, morals, and patriotism. The state is keen to preserve the authentic character of the Egyptian family and is committed to providing cohesion and stability and consolidating its moral values. - Article (11) The state is committed to achieving equality for women in all civil, political, economic, social, and cultural rights mentioned in this constitution and to enable them to reconcile their duties towards their family and their work in society and to protect them against all forms of violence, and to commit to providing the minimum level for their representation in the elected parliamentary and local councils. The state is committed to providing exceptional care for motherhood, childhood, poor, marginalized, and dependent women, and women most in need.

Unfortunately, and despite the intense lobbying, the Committee of Fiftieth did not adopt the term “*Balanced and Fair Representation*” of women as suggested by the National Council for Women to apply a quota for women, opting instead for the terms “*Proper Representation of Women*”, which does not put any legal obligation on the government. However, despite this setback, the National Council for Women successfully suggested and approved amendments based on the policy briefs developed by the specialized task force, relating to several of the articles directly affecting citizens’ lives, especially women.

The National Council for Women also worked on improving and establishing a capacity of potential parliamentary women candidates as a significant milestone on the Council’s agenda. The capacity building program was crucial to prepare for the parliamentary elections to qualify several women willing to run for elections. Trainers and the candidates were finely selected under a very rigorous selection process. Ten trainers presented their training plans, and one hundred and fifty applicants applied for the capacity-building program through political parties and NCW’s branches in the governorates. Sixty-nine applicants were shortlisted through interviews and joined the workshops covering the areas of forming an election campaign and team, understanding the public mood, public speaking, elections process, Communication (media, social networks, voters), elections process procedures, rights and duties of candidates, competitive advantages of candidates, Gender consideration, advocacy tools, campaign planning, and building coalitions.¹³³

3. The Electoral Bullying Phenomenon

Electoral intimidation, particularly against women, has cast a long shadow over the quest for democratic progress in Egypt. This disheartening trend, which became notably pronounced during the 2005 elections, has impeded the political engagement and expression of women, lowering their voices at a critical juncture in their fight for representation and change. The phenomenon of bullying during electoral processes undermines the democratic principles and perpetuates a cycle of exclusion. It is one of the phenomena that emerged in the 2005 elections, but it is not new. It gained new principles and standards in these elections, which extended from the women’s committees, which threatened to put the women in violence and community violence, which scared

¹³³ Reem Leila, What Egyptian Women Won, Al-Ahram Weekly, (December 22, 2017), Available at: <http://weekly.ahram.org.eg/News/23337>, last visited October 19, 2022.

them to participate in casting their votes in the elections, and the belief that there is no point in casting their votes in the elections and that they will not change the course of events or help to cause any political change.¹³⁴

In a letter to the editor of Al-Masry al-Youm on November 15, 2005, Mona Makram Ebeid writes, *“Policemen directed women to vote for particular candidates, preventing these women from the free choice of their candidates. This would suggest that in addition to the purchase of votes, poor women also may be more susceptible to intimidation from state authorities. Women forced to vote may constitute a third class of voters, though this group does not appear large since this is the only mention of this phenomenon we can identify”*.¹³⁵

4. The Buying Votes Phenomenon

In addition to bullying, there has been a troubling trend of buying votes where some parties tried to win elections by offering favors or help in exchange for votes. This often happens in places where people don't have much, and women get targeted. It is a way for these groups to get a strong following, but it ends up making it hard for women to really have a say in politics.

For many of the parties that participated in the elections, the process of buying votes to obtain a popular base supported the party by providing some assistance to them in order to get their votes in the elections (and was relying mainly on this regard - especially the Muslim Brotherhood - on women, the poor, and the ignorant in rural areas, in order to obtain their votes.¹³⁶ This explains the contradiction between the low participation of women in politics despite the increase in the number of women on the electoral scale. This process was practiced in public, but women or candidates needed to have the ability to undertake any of the actions taken by these parties or businessmen that were too expensive and at a very high cost. This process is mainly based on providing services and support to the target group to obtain their votes; thus, this was one of the obstacles faced by women. Patriarchal structures in Egypt, where men are traditionally seen as leaders, influence political parties, including Islamic ones, to invest more in male candidates. Also, most of the parties -especially the Islamic ones influenced by conservative interpretations of gender roles

¹³⁴ National Council for Women, National Report on Beijing +20, p. 5.

¹³⁵ Mona Makram Ebeid, "Letter to the Editor," Al-Masry al-Youm, (November 15, 2005).

¹³⁶ Women's Political Participation in Post-Revolution Egypt, First Edition, (2014).

might adhere to traditional views that position men as primary decision-makers. This affected their electoral strategies and resource allocations.

B. Women's Participation in Political Life in Tunisia

In Tunisia, unlike Egypt, women have been more active and visible in political life. They have taken on everything from voting to campaigning for office, both in the parliament and in the presidential race.

It is worth mentioning that Tunisian women enjoyed more rights than other women in the neighboring countries. Moreover, they have played vital roles in the political arena. For instance, they contributed significantly to removing Ben Ali's regime, as well as drafting the new constitution in the NCA (24 women, 12% of the seats) in which they proposed several rights for women, including the right to equal pay for equal work, the right to inherit property, and the right to hold office. Tunisian women represent around 50.5% of the whole population. Nevertheless, they still suffer from discrimination and restrictions on their role in the decision-making process.¹³⁷

The substantial gap between women's capacity for commitment, mobilization, and participation and their presence in political entities during the transitional democratic period is noteworthy. Women represented a low percentage ranging from approximately 7% to 10% during the initial transitional period (February 2011 to December 2014), which did not constitute a remarkable difference from the period after the revolution. However, after the second election term, the government made some reforms to appoint several women in the Tunisian ministries, increasing the women's representation level to 19.5%.

Therefore, the government appointed five female ministerial positions: Mufida Tlatli in the first and second Essebsi governments was Minister of Culture; Habiba Ezzahi Ben Ramadan, Minister of Public Health; Fawzia Charfi, Secretary of State to the Minister of Higher Education; Lilia

¹³⁷ Ikram Badreddine, *Israeli Political Parties and the Identity Crisis*, Master's Thesis, (Faculty of Economics and Political Science, Cairo University, 2013).

Labidi, Minister of Women's Affairs, and Meriem Maizouni, Secretary of State to the Minister of Youth and Sports in charge of sports.¹³⁸

Earlier in 2012, Nidaa Tounes, the ruling party, represented only three women out of 11 members. Although the party held the notion of equality and equal representation of women high, the party did not women's participation. However, one can say that there are no less than 15 women out of 34 members.¹³⁹ This number increased later, as in the 2014 elections, the Nidaa Tounes movement - which won 85 seats in the parliamentary elections - occupied first place in terms of the number of female representatives, with 35 female representatives, while the presence of female representatives from the Ennahda Movement, which won second place (69 seats), was 28 women. As for the Free Patriotic Union Party (liberal) and the Popular Front Coalition (leftist) - which came in third and fourth place, respectively, in the legislative elections - female deputies each obtained two seats.¹⁴⁰

While forming the assembly that drafted Tunisia's new constitution, a remarkable number of women deputies joined in forming the new constitution. It was represented, such as Meherziya Laâbidi, a leading member of the Al-Nahda party. Furthermore, Farida Laabidi, who is a member of the Al-Nahda party, was the president of a constituent committee that oversaw addressing most essential issues related to women's rights, including the right to equal pay for equal work, the right to inherit property, and the right to hold office.¹⁴¹

Women participating in the NCA had different professional backgrounds and educational levels, which led to the non-homogenous nature of the affiliations in the NCA. In addition, they aged

¹³⁸ Yousry El Ezabawy, From Gamal Abdel Nasser to Mohamed Morsy: Women in the Elected Councils, News Studies of the Arab Center, available at: <http://www.albawabhnews.com/23748>.

¹³⁹ National Democratic Institute for International Affairs (NDI), Final Report on the 2014 Legislative and Presidential Elections in Tunisia, (2014), available at: [https://www.ndi.org/files/Tunisia%20Election%20Report%202014_EN_SOFT%20\(1\).pdf](https://www.ndi.org/files/Tunisia%20Election%20Report%202014_EN_SOFT%20(1).pdf).

¹⁴⁰ fi tūnis. alnisā' yasīṭir 'alā 31% min maqā'id albarlaman, Aljazeera, (2014, November 2), available at: <https://www.aljazeera.net/news/2014/11/2/%D9%81%D9%8A-%D8%AA%D9%88%D9%86%D8%B3-%D8%A7%D9%84%D9%86%D8%B3%D8%A7%D8%A1-%D9%8A%D8%B3%D9%8A%D8%B7%D8%B1%D9%86-%D8%B9%D9%84%D9%89-31-%D9%85%D9%86-%D9%85%D9%82%D8%A7%D8%B9%D8%AF>.

¹⁴¹ Nedra Cherif, 22.

from 23 to 70, leading to inconsistency in the NCA.¹⁴² Women outside the NCA, especially the various members of women's organizations who were mobilized during this process, faced almost the same difficulties as their parliamentary counterparts in creating homogenous groups of different ideological backgrounds and dealing with social stereotypes. However, the civil society actors brought an additional feminine voice to the process and contributed to drawing greater attention to women's issues.¹⁴³

The Ennahdha Party proposed the text of Article 28: "*The state guarantees the protection of women's rights and supports their gains as a partner with men in building the nation, and their roles are truly complementary within the family.*" The women in the committee objected to describing women as complementary to men instead of equal to them, and they succeeded in mobilizing local and international public opinion against the party, which changed this article so that "*equality*" between men and women was stated. So, the outcome of women's participation was to defend women's rights and status and to mobilize the local and international community to support them.

The Vice Presidency posts in 2011 were not clear of women, as there was Faouzia Ben Fodha, one of the representatives and a member of the free Patriotic Union, appointment of women to ministerial positions during the tenures of Prime Ministers Mohamed Ghannouchi (January 17, 2011, to February 27, 2011), Mohamed Al-Baji Qaid Essebsi's first government (February 27, 2011, to December 13, 2011). His second government (December 13, 2011, to December 24, 2011), as well as during the premierships of Mohamed Al-Jebali (December 24, 2011, to March 13, 2013) and Mehdi Jomaa (January 27, 2014, to February 6, 2015), only two ministerial portfolios were allocated to women. In contrast, the government led by Ali Larayedh (March 13, 2013, to January 9, 2014) designated only one ministry for women, covering various ministerial portfolios such as women, culture, health, environment, trade, traditional industries, and tourism.

Regarding the State Secretary positions, a State Secretary for Housing was appointed in the Jebali government, while in the Larayedh government, a State Secretary for African and Arab Affairs

¹⁴² Nehal Ben Amar, 29.

¹⁴³ Nedra Cherif, 28.

was added, which was later revised with the Jomaa government to a single State Secretary responsible for Women and Family Affairs. This restructuring resulted from the Ministry of Women and Family merger with the Ministry of Youth during that period.

Following the formation of the government that succeeded in the 2014 elections, there was an improvement in women's representation, rising to 19.5%. Three women assumed ministerial roles overseeing culture, tourism, and women's affairs. Additionally, five State Secretary positions were appointed: a State Secretary to the Minister of Foreign Affairs, a State Secretary to the Minister for Development and International Cooperation, a State Secretary to the Minister of Foreign Affairs responsible for international cooperation, a State Secretary to the Minister of Agriculture, and finally, a State Secretary responsible for Martyrs, Wounded, and the Revolution.¹⁴⁴

Despite these improvements, the fundamental reform of the concept of parity has yet to be done like its original meaning. As for the presidential elections in late 2014, they created an opportunity for women to participate as candidates for the first time in Tunisia because there was no such obstacle in the new constitution. Five women ran for the presidency; however, only one of them - judge Kalthum Kennou – managed to participate in the actual presidential race, while the other four did not meet the elections' requirements. Nevertheless, Kalthum did not get a high score, as she scored only 18,287 votes out of four million.¹⁴⁵ She finished 11th out of a group of 27 candidates. Some researchers explained that it happened due to the lack of support, even from women themselves; Kalthum was let down by women who did not prevail in their cause and preferred to vote for men. Thus, the administration's opportunity to reach the highest level of the state was lost.¹⁴⁶

The Tunisian government opted for the single candidate list in the legislative elections, raising many concerns. Women's representation was weakened as the elections followed the proportional representation method, and almost all the parties put the top positions for male candidates. However, after the parity in the first electoral code, women's representation doubled, from 6

¹⁴⁴ Nehal Ben Amar, 20.

¹⁴⁵ Nehal Ben Amar, 23.

¹⁴⁶ Tunis, Mubadarat al-Islah al-Arabi, (2018), available at: <https://rb.gy/igwh9>.

percent in 2011 to 12.5 percent in 2014. The representational percentage has improved because of the over-representation of the two big parties, Nidaa Tounes and Ennahdha, who gained 33% and 27% of seats for women, respectively, as each acquired 60 seats. By comparing this percentage to the percentage under the previous regime, it is noticed that women's representational share has increased.¹⁴⁷

The 2011 elections ultimately resulted in forming a National Constituent Assembly consisting of 217 deputies, of whom 65 were women, accounting for 29.95%. However, no woman presided over any parliamentary group. Among the 16 parliamentary committees, comprising a total of 101 deputies, only 28 were women.

In 2014, the representation of women in the Chamber of Deputies reached approximately 31% of the total 217 deputies. The Nidaa Tounes party, securing 85 seats in the parliamentary elections, claimed the top position regarding the number of female deputies, with 35 women. Meanwhile, the Ennahda party obtained 96 seats, including 28 women. The Free Patriotic Union and the Popular Front coalition had female deputies, each securing a seat.

It is noteworthy that since the election of the National Constituent Assembly in 2011, the second deputy president of the assembly has been held by a woman, specifically Mehrezia Labidi (from the Ennahda party). This precedent continued with the 2014 elections for the Chamber of Deputies, where Fawzia Ben Fadha (from the Free Patriotic Union) assumed the same position.¹⁴⁸

After the revolution, more than 170 political parties registered; some included many female representations, while others gave no weight to that. Although Al-Nahda's rulers did not mention the exact number of women representations, they implemented a new policy known as the "*female-male alternation system*." Out of 59 elected women in NCA, 42 elected women belonged to the Al-Nahda party. The other parties needed to catch up for many reasons; the first was Al-Nahda's desire to gain the support of secularists and popular support for them. Therefore, they tried to be more open and abandon their conservative principles, especially those related to women, which

¹⁴⁷ Id., 27.

¹⁴⁸ Id., 31.

caused sharp criticism of the party, which its opponents exploited by launching campaigns against it. Also, some parties may have traditional, male-dominated structures that make it challenging for women to ascend to leadership roles or secure prominent positions on party lists.

Majilis Al-Shura consisted of 150 members; 100 members were elected, and from the remaining 50, women were selected by the executive branch. In 2012, the political bureau, comprising 15 members, included only two women.¹⁴⁹ This stark imbalance reflected a broader challenge in achieving equitable gender representation at decision-making levels. Despite their overall agreement that women's rights should be maintained, having deputies with different backgrounds and political affiliations influenced their decisions, and sometimes that made them go for different interests.¹⁵⁰ Because the electoral law of 2011 stipulated vertical parity and did not stipulate horizontal parity, which made many parties not place women at the head of their electoral lists, which weakened their chance of winning additional seats. The parties claimed they did not have female cadres to nominate her at the top of their lists.

That means there was no real will on the part of political parties and political decision-makers to enable women to rise to political positions that have decision-making power, and women are often excluded from some activities or not informed about them.

Concerning women's participation in the political process, in 2014, 107,798 citizens joined the electoral process. They were members of the electoral staff, candidates for elections, political representatives, civil society observers, journalists, and various assistants. Among all these people, there were nearly 41,402 women, representing 38.4 percent. During the voting day, were 23,636 observers delegated by political parties, including 6012 women representing almost 25.4 percent. Finally, more women than men registered in the elections, reaching 373,061 women compared to 371,726 men. Female deputies were 31% of the total 217 deputies.

¹⁴⁹ Drude Dahlerup, "Women in Arab Parliaments: Can Gender Quotas Contribute to Democratization?", AL-Raida, (2011), 32.

¹⁵⁰ Nedra Cherif, 34.

Respecting the parity concept, the Higher Instance Supervising Elections (ISIE) appointed 1,592 women and 1,590 men, even though women were discriminated against in higher office positions. The ISIE itself needs to reflect full parity as only 13 of the 90 regional committees included women, with only five out of the 27 regional coordinators and nine out of 27 heads of administrative and financial services being women.

C. The Electoral System in Egypt

In the complex landscape of Egyptian politics, the mechanisms shaping the electoral process have evolved over time, reflecting broader social and political transformations. The framework that governs women's participation in Egypt's political scene consists of a unique blend of party list constituencies and individual district contests. This dual structure has been further shaped by a quota system aimed at enhancing women's representation in Parliament—a measure that has sparked debate over its effectiveness and the cultural readiness for women in leadership roles. Despite these efforts, the full potential of female political empowerment has yet to be realized, underscoring the need for not only legislative reforms but also societal shifts to embrace women's contributions in governance fully.

The study briefly viewed the laws and constitutions concerning women's rights and political participation. Then, the actual results of such efforts on the ground and the low levels of participation in the Parliament, parties, and different governments. Accordingly, it is essential to study the electoral system and its effect on women in Egypt.

The Egyptian electoral system comprises 46 party electoral constituencies and 83 single-district constituencies. Party constituencies gain two-thirds of the elected seats, while single district constituencies gain the remaining third. The Proportional Representation (PR) system applies to the 46 party electoral constituencies.¹⁵¹

¹⁵¹ Abdel Monem Said Aly & Sobhy Essaila, *Egypt's 2015 Parliamentary Elections: A Prelude to Stability?*, Crown Centre for Middle East Studies, No. 98 (2016), <http://www.brandeis.edu/crown/publications/meb/MEB98.pdf>.

In 1979, 1984, 2010, and 2015, the Egyptian regime introduced the quota system for women's representation in the Parliament. The quota system determines that at least one woman should be on the party lists. In Nasser's era, with the inspiration of Arab socialism, the Parliament was divided between 50% (Of the workers and the peasants, which opened the door for different social classes and community representatives to have a seat in the Parliament during that period. However, after the 25th of January revolution, there were some changes, with significant criticism of the domination of one big party. "*The National Democratic Party (NDP)*" on most of the parliament seats, which closed the door in front of the minor parties to participate and gain seats.¹⁵²

Despite opposing the National Democratic Party (NDP), the minor parties feared entering the elections because of the long-experienced parties like the Muslim Brotherhood and the Wafd. The Supreme Council of Army Forces (SCAF) announced a series of draft laws, which modified the electoral system many times and were criticized by the political parties between 2011 and 2015.¹⁵³ However, it was necessary at that time to know the basis of the Egyptian electoral system.

According to the Egyptian constitution, the electoral system determined the least number of seats in Parliament, which is 555 through the direct public ballot, with 120 members from the party lists' elections and 435 members from the individual elections. The total number of seats rose to 583, considering the selected parliamentarians appointed by the president, which are 28 members. The new electoral system is unique as it mixes two separate majoritarian electoral components; the first is through individual candidates running for seats, and the second is through electoral lists running for seats. Political parties and independent individuals could be candidates under any system.¹⁵⁴

Individual candidates compete for 435 out of 555 seats in single and multimember districts, known as the "*Individual System.*" According to the individual system, the country is divided into 205 districts. Candidates should gain an absolute majority (50 percent+1 of the total eligible and valid votes of the registered voters) to be elected. The electoral lists will be applied to the other 120 seats

¹⁵² Erle, J., Wichmann, J. M., & Kjærum, A., Report on Egypt Electoral Constituencies: Socioeconomic classification of Egypt's party electoral constituencies, The Danish Egyptian Dialogue Institute, 7 (n.d.), <http://voluntasadvisory.com/wp-content/uploads/2015/12/The-Future-of-Egypt-Democracy-The-Voice-of-the-Egyptian-Voter-4.pdf>.

¹⁵³ Erle et. al, 7.

¹⁵⁴ Erle et. al, 7-8.

in four multimember districts, known as the “*absolute closed list system*” in Egypt. Egypt is divided into four districts; two districts have 15 seats (East and West Delta districts), and the other two, each has 45 seats (Cairo and Upper Egypt districts). The district’s seats should be listed, and the winning list should gain the majority.¹⁵⁵ The quota system still applies to Egyptian women, as in the electoral list system; the 15 candidates’ list has to include at least seven women, and the 45 candidates’ list must include at least 21 women.¹⁵⁶

The quota system in Egypt is needed to address the systemic barriers that prevent women from participating in politics. These barriers include stereotypes since women are often stereotyped as being less competent than men in politics. Women often need more access to financial resources and social networks than men. Also, Political parties need to provide more support to female candidates. So, there is a need to impose a quota system so that women can be represented in the Parliament.

In addition, we can categorize the electoral system types into four main categories, which are majoritarian electoral system, proportional representation system, semi-proportional representation system, and mixed representation system.¹⁵⁷

In the presidential elections, the votes are directly given to the president, so in the parliamentary elections, the votes are directly given to the candidates; there is no intermediate between voters and candidates. In the parliamentary elections, the voters would have two votes: one will be given to the individuals and another to the party list.¹⁵⁸

It is worth noting that the Egyptian Constitution does not explicitly prohibit women from running for president. However, several factors make it difficult for women to be viable presidential candidates, which include societal and cultural norms; the political landscape in Egypt is

¹⁵⁵ International Foundation for Electoral Systems, Elections in Egypt 2015: House of Representatives Elections Frequently Asked Questions (2015), http://www.ifes.org/sites/default/files/2015_ifes_egypt_hor_elections_faq_final.pdf.

¹⁵⁶ Id, 2.

¹⁵⁷ Id, 3.

¹⁵⁸ Norris, Pippa. "Choosing Electoral Systems: Proportional, Majoritarian and Mixed Systems." International Political Science Review 18, no. 3 (1997): 297-312.

characterized by male-dominated structures and institutions, making it challenging for women to break into these circles. Also, elections in Egypt are influenced by various factors, including political alliances, party structures, and candidate popularity. Because the political parties are not actively promoting women candidates and many voters are not accustomed to seeing women in high-profile political roles, it is difficult for women to gain widespread support. Also, female candidates usually face unique challenges in campaigning, including gender-based stereotypes, biased media coverage, and societal expectations.

At the 2011 parliamentary elections in Egypt, 498 allocated seats were to be elected through a mixed electoral system that included both individual candidate seats and party-list seats, 5% (Five Percent) of which are to be chosen by the president. The parties and individuals on both sides were permitted to run for elections. Several circumstances led to the election of only 2% (Two Percent) of women. The circumstances behind such a meager percentage were noted as a consequence of the exclusion of the quota system, electoral bullying, the phenomenon of buying votes, and other social and economic challenges women face, as discussed in the following sections.¹⁵⁹

In 2014, the parliamentary elections had 444 seats by the individual system and 124 by the closed lists. It is also worth mentioning that a modification to Article 4 of the parliament law stated that *“we cannot eliminate women from the parliament under any condition, except for changing her party membership.”* The article was canceled for more equality between men and women.¹⁶⁰ In the 2014 election, the percentage of women reached 14.9% (Fourteen Point Nine Percent).¹⁶¹

Based on what has been stated, it cannot be stated that women’s empowerment was effectively implemented in Egypt or that the laws and articles of the constitution were activated to achieve equality. It is noticed that the quota system is a discriminatory system against Egyptian women, as it determines a specific percentage of women’s representation in Parliament.

¹⁵⁹ Opt., 30.

¹⁶⁰ Opt., 8.

¹⁶¹ “Al-Ahram Publishes the New Law of the Council of Representatives: 540 Members, 5% Appointed by the President and 40 Seats for Youth and Christians”, Al-Ahram Newspaper, (2014, July 7).

This is because of several reasons. First, the quota system needed to be strongly enforced. Political parties were not required to nominate a certain number of women candidates, and there were no penalties for parties that did not meet the quota. Second, finding qualified female candidates to run for office took much work. This is because women are often underrepresented in leadership positions in society. Also, female candidates faced discrimination from their male constituents, making it difficult to win elections.

Besides that, the Egyptian cultural acceptance of women's taking over important official positions is still traditional, as they need to see the crucial role that women could play in political leadership. This cultural acceptance also contributed to narrowing the space in front of women to be in high positions in Egypt.

The law could have done more to ensure the quota system was effective. For example, the law could have required political parties to nominate a certain number of women candidates, and the law could have imposed penalties on parties that did not meet the quota. The law could also have provided more support to female candidates, such as training and resources. It is essential to address the root causes of gender inequality in politics. This includes addressing social norms, media representation, stereotypes about female politicians, lack of support from political parties, and violence and harassment against women in politics.

Consequently, many factors do not contribute to equality between men and women in Egypt. An attempt to support this equality in a governmental institution and progressively widen this idea may encourage the change in Egyptian cultural acceptance towards women. However, this needs a decisive political leadership that pushes women to high positions and believes in their capabilities in running Egypt. Nevertheless, there is a massive gap in public office, in Parliament, government, and social culture.

D. The Electoral System in Tunisia

It is essential to study the framework of the electoral system in Tunisia in order to discover how it operates and whether or not it opens the door for more democracy. The January 2014 constitution governs the Tunisian electoral system, where the Independent High Authority for Elections (ISIE) issued the electoral laws and implemented the regulations in 2014. Indeed, the target of the electoral system in Tunisia is translating the will of the Tunisians into a representative government and Parliament. Thus, the Tunisian electoral system respects the unrestricted right to vote with secrecy and the fair representation of all citizens.¹⁶²

Although the Tunisian constitution protects the electoral system and electoral rights and grants civil and political rights for every Tunisian citizen, the constitution prohibits military and security personnel from voting according as per Article 6 of the electoral laws. *"Article 6 Not registered in the voters' register: - Persons sentenced to a supplementary penalty within the meaning of Chapter 5 of the Penal Code, which deprives them of exercising the right to vote until their rights are restored, - Persons under interdiction, - Direct military personnel and civilians for the period of their military duty and direct agents of the internal security forces within the meaning of Law No. 70 of 1982, dated August 6, 1982, relating to regulating the general fundamental law of the internal security forces".*¹⁶³

This restriction is against the international standards. Moreover, the electoral system does not put a mechanism for the citizens in prison health care facilities or detention centers to exercise their right to vote, which is also against the Tunisian constitution and international commitments, Stipulating political participation as a human political right.¹⁶⁴ *"Article 54: Every Tunisian citizen who has reached the age of eighteen full years is considered an elector according to the conditions specified by the electoral law"* and international commitments such as the International Covenant

¹⁶² Carter Center, "Preliminary Statement on Tunisia's Presidential Election," The Carter Center (November 25, 2014), 1-2, available at: <https://www.jus.uio.no/smr/english/about/programmes/nordem/news/2014/documents/tunisia-prelim-112514.pdf>, Accessed on December 5, 2022.

¹⁶³ Tunisian Election Law No. 55 for the year 2022, available at: <https://www.carthage.tn/sites/default/files/public/%D9%85%D8%B1%D8%B3%D9%88%D9%85%20%D8%B9%D8%AF%D8%AF%2055%20%D9%84%D8%B3%D9%86%D8%A9%202022.pdf>.

¹⁶⁴ Id., 2.

on Civil and Political Rights, Article 25: *"Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions: (a) To take part in the conduct of public affairs, directly or through freely chosen representatives; (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors"*.¹⁶⁵

The civil society in Tunisia participated through joint recommendations to the National Constituent Assembly "NCA" to be taken into consideration through the process of drafting the electoral laws. The NCA should have put crucial modifications to the 2014 electoral system as it resembles the 2011 electoral system, such as keeping the proportional representation system for the legislative vote with elections in each of the 33 districts. Thereupon, it is necessary to examine the status of Tunisian women relative to the electoral system.¹⁶⁶

During the National Constituent Assembly (NCA) elections 2011, many women ran as candidates and participated in campaigns due to the gender parity process on political party candidate lists. Women's representation formed the Tunisian civil society after the revolution. Despite all that, the gender parity at the NCA elections did not guarantee equal representation of elected women because most political parties did not nominate women as heads of candidate lists. As a result, women won 24 percent of NCA seats but comprised 50 percent of candidate.¹⁶⁷ This happened because the electoral law of 2011 stipulated vertical parity and did not stipulate horizontal parity, which made many parties not place women at the head of their electoral lists, which weakened their chance of winning additional seats. The parties claimed they did not have female cadres to nominate her at the top of their lists. That means there was no real will on the part of political parties and political decision-makers to enable women to rise to political positions with decision-making power, and women are often excluded from some activities or not informed about them.

¹⁶⁵ Final Report on the 2014 Legislative and Presidential Elections in Tunisia, 21.

¹⁶⁶ Gest, K., "Gender Assessment of Tunisia's National Constituent Assembly," The National Democratic Institute (2014), 5.

¹⁶⁷ Final Report on the 2014 Legislative and Presidential Elections in Tunisia, 58.

Members of the NCA agreed on maintaining the vertical gender parity on candidate lists in 2014. The vertical parity system succeeded in including more women in the candidate lists, which increased the opportunity for women's representation. The composition of the candidate lists from the political parties and individuals in 2014 was similar to that of the 2011 elections. Nevertheless, the proportion of women who led the lists was higher in 2014 compared to 2011. For instance, the highest party that gained 38 percent of its lists led by women was The Union for Tunisia (UPT), while the other ten parties that submitted the candidate lists, only 17 percent of their lists were led by women.¹⁶⁸

This time, it was not due to the election law but for other reasons. In 2011, the political parties in Tunisia were not yet ready to make significant changes to their candidate lists. The 2011 elections were the first after the Tunisian Revolution, and the political landscape was still in flux. The parties may have felt that it was essential to maintain a certain level of continuity in their candidate lists to avoid alienating their supporters.

Some political parties needed help finding female candidates willing and able to run for office. Tunisia has a relatively low rate of female political participation, and there may have been a need for more female candidates who were qualified and experienced enough to run for office. The political parties were influenced by the fact that the 2011 elections were won by a party with many male candidates on its candidate lists. The parties may have felt that they needed to present similar candidate lists in order to have a chance of winning the 2014 elections. Women's rights groups pressured some to nominate more female candidates.

It is without doubt that this is considered a remarkable improvement for an Arab country such as Tunisia; however, there were some difficulties. While some political parties showed their agreement on adding women to their lists, other parties faced difficulties, especially in the rural districts. For example, women did not lead 31 lists of specific rural districts in Tunisia. On the other hand, districts such as Tunis and the coastal ones witnessed high representation of women. Hence, this issue reflects a cultural aspect as women in these rural districts struggle to balance

¹⁶⁸ The Carter Center, "Women's Participation in the 2019 Elections in Tunisia," (October 30, 2020), https://www.cartercenter.org/resources/pdfs/news/peace_publications/democracy/tunisia-gender-rpt-103020.pdf.

family roles and their political engagement. According to a report by the Carter Center, women in Tunisia continue to face significant political, societal, and economic barriers to achieving gender equality in politics, elections, and elected office. In rural areas, women face additional challenges due to traditional gender roles and social norms that limit their mobility and participation in public life.¹⁶⁹

Consequently, women became hesitant to join the leadership of the candidate lists because of what they faced from insult and harassment in 2011.¹⁷⁰ According to a report by the Heinrich Böll Stiftung, women seeking a role in Tunisia's political life have faced physical, sexual, or psychological harm based on their gender and meted out in a way that reinforces men's control over politics. This violence has adverse effects not only on the general well-being of women by preventing them from fully participating in professional, economic, social, and political spheres but also on their societies that are deprived of their broader contributions.¹⁷¹ Women near the top of the political hierarchy in Tunisia, such as female members of the elected Assembly of the Representatives of the People, have experienced an increasing incidence of explicit violence, whether in recorded plenary sessions or within their parliamentary commission meetings.

Tunisian women had different motivations behind running for elections, ranging from being an active model in the revolution to getting disappointed by being marginalized. Some female candidates mentioned that they suffered from marginalization in their political parties, as they were not treated equally to men because they did not participate in the parties' meetings. In addition, male party members hesitated to support women to become heads of candidate lists. Moreover, women felt they gained less media coverage compared to men. It was found that media coverage was absent for women candidates during the 2011 elections.¹⁷² The study also found that female candidates were more likely to be portrayed negatively in the media. A similar study found that

¹⁶⁹ Id., 59.

¹⁷⁰ Belhaj, Bisma Soudani. "Outlawing gender-based political violence: Can Tunisia's example carve a multilateral path for others?" Heinrich Böll Stiftung, (2021) Available at: <https://rb.gy/gis9s>.

¹⁷¹ "The Role of Women in Tunisian Politics." Wilson Center, (2014). Available at: <https://www.wilsoncenter.org/article/the-role-women-tunisian-politics>.

¹⁷² Id., 59.

female candidates received only 22% of the media coverage during the 2014 elections. The study also found that female candidates were more likely to be portrayed negatively in the media.

There are several reasons why female candidates may receive less media coverage than men. One reason is that men often dominate the media. This means that male candidates are more likely to have access to journalists and producers. Another reason is that the media is often biased against women. This means that female candidates are more likely to be portrayed negatively in the media. As a result, this creates gender inequality between men and women in Tunisia. Hence, the cultural aspect influences gender equality in general and women's representation in Tunisia in particular.¹⁷³

Having these data proves that the Tunisian women were highly aware of their rights and role in building a new future shared in political life after removing Ben Ali's regime. Moreover, there was progress in women's engagement in Tunisia, as they participated reasonably well in the 2014 elections, compared to 2011, as they won 35 seats out of 85 seats for the Nidaa Tounes movement and 28 seats out of 69 seats for the Ennahdha Party and two seats for the Free Patriotic Union Party (liberal) and the Popular Front Coalition (leftist). They participated in the technical process, indicating they wanted to confirm themselves well on the political ground. Indeed, there were obstacles in front of them towards that.

E. Economic, Social, and Cultural Factors

The interplay of economic factors, social dynamics, and cultural norms plays a pivotal role in shaping political participation in Egypt. Despite legal frameworks intended to facilitate greater inclusion, the actual engagement of women in political life is often hindered by practical realities. Financial hardships, societal expectations, and entrenched cultural views on gender roles have created barriers that limit women's active participation in politics. Such impediments are not only rooted in economic struggles but also in the broader societal perception of women's roles and capabilities. As this study delves deeper into the Egyptian context, it becomes increasingly apparent that fostering an environment conducive to women's political participation requires a multifaceted approach, one that addresses not just the legal and political structures, but also the

¹⁷³ Kersten Knipp, "Tunisia: Women celebrate their rights", Deutsche Welle, (July 27, 2017), <http://p.dw.com/p/2hH3E>, Accessed on February 25, 2023.

underlying social fabric that shapes public life and individual potential. As we embark on a deeper exploration of the Egyptian narrative, we will see how true political inclusivity for women may require change on the entire societal ensemble, and the legal backdrop.

1. Economic, Social, and Cultural Factors in Egypt

It is evident that economic and social conditions significantly impact the effectiveness of political participation. For example, it is not conceivable that a poor citizen who permanently or would mostly try to search without thinking about their basic needs may think about political participation. It is common knowledge that political participation requires time, effort, and resources. Hence, it is expected to impact the economic situation of women's general political participation and participation in the Parliament.

Deteriorating economic conditions lead to the reluctance of women to run for elections, focusing on the search for income instead. According to a report by UN Women, women's participation in politics is often hindered by a lack of financial resources, making it difficult for them to campaign and compete with male candidates.¹⁷⁴ A survey conducted by the Women in Parliament Global Forum and the Gender and Development Unit of the World Bank verified this result.¹⁷⁵ Women are also more likely to face economic barriers such as lower wages, higher unemployment rates, and limited access to credit and other financial resources.¹⁷⁶ We can understand why some individuals in the lower classes may have come close to supporting certain parties that would offer financial support and in-kinds to obtain their votes. In addition, women are often expected to take on more domestic responsibilities than men, making it difficult to balance their political aspirations with their family obligations. This can be particularly challenging for women who are already facing economic barriers.¹⁷⁷

¹⁷⁴ Noura Ali & Nour Fakhry, "Details of the Amendments of the Electoral Laws After the Approval of the Government: 444 Individual List Seats, 202 Election Areas, and Dual Nationality Holders Can Run for Parliamentary Elections," *Al-Youm 7*. Available at: <http://www.youm7.com/story/2015/4/16/تفاصيل-تعديلات-قوانين-الانتخابات-بعد-موافقة-الحكومة-عليها-عدد-المقاعد/2143426>. Accessed on October 19, 2022.

¹⁷⁵ Opt., 23.

¹⁷⁶ "Elections," UN Women. Available at: <https://www.unwomen.org/en/what-we-do/leadership-and-political-participation/elections>.

¹⁷⁷ Women Political Leaders, 2014. Available at: <https://www.womenpoliticalleaders.org/barriers-womens-participation-politics-wipworld-bank-survey/>.

Several factors contribute to this pattern; the first is economic vulnerability, as individuals facing economic hardship sometimes prioritize immediate economic relief over other political considerations. Parties -such as the Freedom and Justice party- offering tangible benefits appeal to the urgent needs of those struggling to make ends meet. The second factor is limited access to resources, as lower-income individuals often need access to essential resources, such as education, healthcare, and employment opportunities. Parties offering financial assistance are perceived as addressing immediate needs that need to be met by other institutions. We can add to these factors “*limited political education*” since individuals with limited political education may prioritize immediate benefits without considering the broader implications of their political choices. This lack of political literacy can contribute to the preference for parties offering short-term gains.

Many women have pointed out this: The economic situation is one of the main reasons women are not allowed to run in the elections because they will not be able to pay the high costs that the publicity needs. This is evidenced by the fact that several women who participated in the previous elections preferred not to run again because of the high costs of electoral propaganda and their low economic conditions.¹⁷⁸

From the social point of view, it is the control of traditional customs that diminish the status of women, that women cannot participate in political life, and that their best option is to become a housewife. This is in addition to the lack of support given to women to participate in political life. This support can be done in several ways. One of the most effective ways is to promote gender equality through policies that ensure equal access to education, employment, and financial resources. This can help address the economic barriers that prevent women from participating in politics.

Policies promoting work-life balance, such as paid parental leave and flexible work arrangements, can help women balance their political aspirations and family obligations. Training and capacity-building programs can also help women develop the skills and knowledge needed to participate in

¹⁷⁸ Anne-Marie Slaughter & Francesca Binda, “How do we get more women in politics?,” World Economic Forum, (September 28, 2018), available at: <https://www.weforum.org/agenda/2018/09/closing-the-political-gender-gap/>.

politics. These programs can include leadership training, public speaking courses, and mentorship opportunities.

Other opinions point to that cultural and social obstacles impede the representation of women in Parliament as women's views of themselves and their role in society, in addition to feelings of fanaticism against women's political role, the consecration of fanaticism, the significant role of family elders, women's preoccupation with family, and other situations that hinder their political participation.¹⁷⁹

Hence, the importance of raising awareness on the importance of women's political participation, whether for women themselves because they lack the confidence about their potential and personal capacity to run for elections or those individuals who are unfortunately reducing and minimizing the role of women due to some inherited customs and traditions.

Hence, economic conditions come as a hindering factor that prevents women from entering Parliament. During the period of the 2010 elections, there was a deterioration in economic conditions in general and widespread poverty and unemployment, and this in itself has a significant impact on women because it is familiar, as mentioned in the 2005 elections, that the relationship between these economic circumstances to nominate women, is that the process of candidacy of women need propaganda. This propaganda needs more expensive costs, which exceed in sometimes the ceiling set by the Supreme Committee for election and costs estimated by women in light of economic conditions deteriorating, in addition to the societal perspective on women, which is still held by the direction of women, which carry a negative view of the role of women in political life in general. Thus, political culture did not encourage the nomination or election of women to be represented in Parliament in Egypt.

The journey of women in Egyptian politics is one that treads through the deep-rooted beliefs of a patriarchal society, confronting stereotypes and cultural barriers that historically have relegated

¹⁷⁹ "We must dismantle barriers to women's political participation. Here is why," UNDP, (2023), available at: <https://www.undp.org/blog/we-must-dismantle-barriers-womens-political-participation-heres-why>.

them to the margins of the public sphere. This landscape is a testament to the enduring struggle for gender equality in leadership roles, particularly within the political arena. As we delve into the societal perceptions that shape this narrative, we uncover the complex interplay of charisma, competence, and policy expertise—qualities traditionally ascribed to men but inherently possessed by women leaders as well. It is within this context that we explore the various dimensions of women's political participation in Egypt.

This challenge can be addressed by the political education of girls at schools, empowering them at a young age to grow up with the required skills and qualities as men. The government and civil society organizations have a role in achieving that through training programs and awareness campaigns.

The limited historical presence of women in visible political roles further exacerbates this issue. With a robust representation of female leaders in the past, it becomes easier to challenge societal norms and inspire future generations. The absence of female role models in politics contributes to a cycle of limited representation, making it difficult for young women to envision themselves in political roles. Conservative values, often rooted in cultural and religious beliefs, also contribute to resistance against changing traditional gender roles. A political culture shaped by these values may resist the idea of women actively participating in public and political life. Efforts to challenge these norms face obstacles rooted in deeply ingrained cultural conservatism.

Moreover, a lack of exposure to successful women leaders in political discourse and media reinforces existing biases. Political culture tends to resist changes that challenge traditional perspectives on women's roles. Efforts to reshape cultural attitudes must include educational reforms, media campaigns promoting positive portrayals of women in leadership, and policies actively promoting gender equality in political representation.

Administrative interventions are a key factor that negatively affect women's candidacy. Many women get distorted on their will under the bureaucratic electorate process along with the weak political forces in the country because of the long-standing authoritarian regime, dominance of

single parties, suppression of opposition, and civil society restrictions.¹⁸⁰ Women are more likely to be subjected to bureaucratic hurdles. For example, women may be required to submit more paperwork or meet more stringent requirements than men to register as candidates or run for office. This can be a barrier for women who need access to the same resources as men. Women also may be discouraged from running for office by election officials who are biased against them. For example, election officials may give women less time to campaign or refuse access to specific resources.

The electoral system used in the 2010 elections was the individual electoral system as it was in the 2005 elections. It is known that this system led to the exclusion of many parties, which eventually caused hindrances for some women who needed to be allowed to reach or win a seat in Parliament.¹⁸¹ This system is a winner-takes-all approach where candidates with the most votes in each district win a seat. While this system has certain advantages, such as simplicity, it favors more prominent and established parties, often excluding smaller parties and independents. At that time, only the national democratic party could take most of the seats in Parliament; other parties could not compete.

2. Economic, Social, and Cultural Factors in Tunisia

On the point of cultural acceptance, as it is seen that there is a difference in the culture between Tunisians who live in the capital and coastal districts and those who live in the rural districts. As this difference contributed to the existing, more women led the candidate lists from the more modernized districts than rural ones. The second point is how men look at women in their political engagement. Some men marginalize the political role of women as they are not capable of sharing in leading the country forward, and this is in the men's cultures, which have to be changed through awareness and educational campaigns, leadership training programs, fair representation of women in the media, and have to believe that women could lead the political system or at least cooperate

¹⁸⁰ Basset Mohamed Ali Moussa, "Women Representation at the Egyptian Parliament", MA, (Cairo: Faculty of Economics and Political Science, 2010).

¹⁸¹ Heba Mohamed Fouad, "Democratic Development, and its Impact on Political Participation in Egypt under President Mubarak," Master Thesis, (Faculty of Economics and Political Science, Cairo University 2006), p. 251.

mainly the decision-making process which will have a good impact on the country whole politically, economically and socially.

Beyond contributing to economic development and social cohesion, women leaders often prioritize education, health, and social justice, resulting in more equitable policies. Their roles as advocates for peace and conflict resolution and their emphasis on sound governance principles contribute to long-term societal benefits. Moreover, women leaders serve as important role models, inspiring future generations and challenging gender stereotypes. Embracing women's leadership in politics is not just a matter of gender equality but a strategic move that can lead to more inclusive, sustainable, and resilient societies.

Tunisia is taking steady modernization steps and starting from the Tunisian Code of Personal Status (CPS), a series of laws led to a different approach to Islamic views. After Habib Bourguiba's independence in 1956, many policies were changed to follow the country's modernization endeavors. These policies include the Constitution of 2014, which guarantees equal rights for women and men. It also establishes several mechanisms to protect women's rights, including a gender equality commission to support women's empowerment and the law on the Elimination of Violence Against Women.

Despite the ongoing legislation taking place, some of the numbers are not yet favorable as many women suffer from violence. Moreover, 64% percent of four thousand surveyed women would still seek permission from a male family member before leaving home. 76% percent reported physical and psychological violence at home, and 70% percent faced insult at public transportation. Poor education for women decreases their employment opportunities as well, which represents a social condition causing violence against them. On the other hand, a conservative view has been raised that such legislation will promote homosexuality and will destroy the family foundations. Some men would also deny their wives rights. These views are not only because of religious views but due to social pressures and conservative dogma.¹⁸² These can be changed through: It is implementing educational programs that challenge traditional gender roles and stereotypes from an early age, strengthening the enforcement of existing laws against gender-based violence and

¹⁸² Id., 186.

discrimination, and facilitating open and respectful dialogues within communities to challenge harmful norms and stereotypes. Also, the government could engage religious and community leaders in conversations about gender equality, emphasizing that progressive legislation does not undermine cultural or religious values but promotes justice and respect for all.

In the experiences of women's political participation in Egypt and Tunisia, one discerns a commonality in their commitment to international standards and a divergent trajectory in the realization of these ideals. Egypt's patchwork of gender rights, woven through intermittent quotas and legislative efforts, reveals a pattern of fluctuating political will and deep-seated cultural inertia. Conversely, Tunisia's post-revolutionary landscape reflects a more robust and consistent fabric of reform, with legal strides and societal debates carving out a more prominent space for women in the political domain. As this discourse culminates, we are left to consider the delicate interplay of economic, social, and cultural factors that contour the landscape of political participation. The concluding section of this examination will pivot to a reflective juxtaposition, juxtaposing the theoretical frameworks of empowerment with the granular realities of Egyptian and Tunisian women's lived experiences. It is within this nuanced expanse that the future chapters will tread, seeking to distill lessons and forge pathways toward a more equitable political representation for women within the vibrant tapestry of the Arab world.

VI. CONCLUSION

In conclusion, this research paper attempted to closely study the subject of the variation of women's representation in Egypt and Tunisia. It has applied the joint method of difference and agreement to exhaustively examine the causes of this noticeable variation among the countries of the study.

On the one hand, the study concludes that the journey of women's political participation in Egypt is marked by progress and persistent challenges. The Egyptian electoral system has evolved to incorporate mechanisms like the quota system, reflecting a commitment to enhancing women's representation. However, the effectiveness of these measures is hindered by various obstacles, including cultural norms, economic disparities, and administrative complexities.

The multifaceted factors contributing to the underrepresentation of women in politics, such as stereotypes and limited resources, create a formidable barrier for women aspiring to political office. Despite these challenges, there have been commendable efforts, notably by the National Council for Women, to foster a more inclusive political landscape. Initiatives ranging from legislative proposals to capacity-building programs underscore a commitment to dismantling barriers and empowering women in politics.

Examining the legal landscape reveals a nuanced trajectory. While constitutional amendments have shown a general trend towards inclusivity, the absence of a parliamentary quota in the 2014 constitution raises concerns about sustained progress. International agreements and regional affiliations signal Egypt's commitment to women's rights on a global scale, yet tensions arise concerning the alignment of these agreements with local legal frameworks.

The persistent challenges facing women in Egyptian politics, from gender stereotypes to violence and harassment, demand a comprehensive and sustained response. Achieving true gender equality requires legal and institutional changes and a transformation of societal attitudes and norms. It necessitates collaborative efforts from government bodies, civil society, and international

stakeholders to address the root causes of gender inequality and create an environment conducive to women's active and meaningful participation in politics. Enhancing women's political representation in Egypt requires a holistic approach that addresses cultural, legal, and societal dimensions. While there have been positive strides, the complex interplay of challenges underscores the need for continued dedication and innovative strategies to pave the way for a more equitable and inclusive political landscape in Egypt.

On the other hand, Tunisia's journey since independence in 1956 reflects a commitment to advancing women's rights, manifested in constitutional reforms and legal changes. However, despite these strides, the chapter reveals a stark reality: Women's participation in Tunisian politics remains below the desired levels, with the 2014 elections showcasing a notable gender gap.

The electoral system, while designed to be representative, introduces specific challenges for women, particularly those in rural areas contending with entrenched gender roles. Restrictions on specific groups, such as military and security personnel, further complicate the landscape. Challenges and barriers to women candidates, including marginalization, lack of support, and violence, highlight the complex web of societal attitudes and institutional hurdles that women must navigate.

Women's political participation is underscored as essential for democratic governance and development. The potential for more inclusive and equitable policies under female leadership is a compelling argument for bolstering women's representation. While Tunisia has made commendable efforts, progress is uneven, and the chapter suggests a critical need for broader societal acceptance of women in politics.

Examining Tunisia's reforms, the government's enlightened interpretations of Islam and initiatives to protect women against violence signify positive steps. Women in Tunisia have played pivotal roles in moments of significant political change, contributing to removing Ben Ali's regime and drafting a new constitution. The "*female-male alternation system*" implemented by the Ennahda party represents a proactive effort to address gender disparities in political representation.

However, challenges persist. Discrimination and limited roles in decision-making processes continue to hinder women's progress. Despite increased representation in political entities, a substantial gap between the potential for women's participation and their actual presence still needs to be seen. The variable appointment of women to ministerial positions across different governments highlights the fragility of these gains.

Based on what is discussed in the study, women representation in Tunisia is relatively better than in Egypt.

Firstly, the Tunisian constitution, enacted after the revolution in 2011, explicitly addresses women's rights and equality. It guarantees equal opportunities between men and women, strives for equality in elected councils, and takes measures to eliminate violence against women. In contrast, the Egyptian constitution, as mentioned in the extracts, does not provide explicit protection against discrimination based on gender. This indicates that Tunisia has made more progress in enshrining women's rights in its constitution.

Secondly, Tunisia has implemented legal reforms to protect women's rights. The country has enacted laws to address violence against women, including criminalizing all forms of violence and establishing a national mechanism to monitor and enforce women's rights. Although there have been initiatives and organizations advocating for women's rights in Egypt, the implementation of legal reforms and the protection of women's rights have been criticized for needing more.

Thirdly, women's participation in the political process in Tunisia has been relatively higher compared to Egypt. Women in Tunisia have actively participated in elections as candidates and voters. They have played vital roles in removing the authoritarian regime and drafting the new constitution. The extracts mention the significant number of women deputies in the National Constituent Assembly (NCA) and their contributions to addressing women's rights issues. In Egypt, women's political participation has faced challenges, including low representation in Parliament and difficulties in running for office due to financial constraints and lack of support from political parties.

Finally, the cultural acceptance of women's political engagement in Tunisia is more progressive than Egypt's. The extracts highlight the difference in cultural attitudes between Tunisians living in the capital and coastal districts, who have shown more acceptance of women's leadership, and those living in rural districts, where traditional gender roles and social norms limit women's participation in public life. This cultural aspect and the need for awareness campaigns and leadership training programs suggest that Tunisia has a more conducive environment for women's political participation.

VII. ANNEXES

Annex 1

This annex presents a statistical picture of the number of women and their percentage in the legislative councils of the studied countries as per the “*World Bank on Proportion of Seats Held by Women in National Parliaments*”.

Egypt

Year	Number of Seats	Number of Female Members	Percentage	Notes
1957	250	2	0.8%	
1960	250	1	0.4%	
1964	360	5	1.3%	
1971	360	4	1.1%	
1976	360	3	0.8%	
1979	360	32	8.8%	
1984	392	35	7.6%	
1987	458	35	6.5%	
1990	454	7	1.5%	
1995	454	9	1.9%	
2000	454	11	2.4%	
2005	454	9	2%	

2010	518	68	13%	Quota
2015	596	89	14.9%	Quota

Tunisia

Year	Number of Seats	Number of Female Members	Percentage	Notes
1959	90	5	5.5%	
1964	90	1	1.1%	
1969	101	3	2.9%	
1974	112	3	2.6%	
1979	121			
1981	136			
1986	125			
1989	163	6	3.6%	
1994	141	12	8.5%	
1999	184	21	11%	
2004	189	43	22%	Quota
2009	189	59	27.59%	
2011	217	58	26.7%	
2014	217	68	31.3%	

Annex 2

This annex presents the World Economic Forum, Gender Gap Report Analysis, for the years 2006-2017.

Year 2006 (Rank out of 115)

Country	Global Gender Gap Index	Political Empowerment	Women in Parliament	Women in Ministerial Positions	Years with Female Head of State (Last 50 Years)
Egypt	109	111	109	92	41
Tunisia	90	53	25	86	41

Year 2016 (Rank out of 144)

Country	Global Gender Gap Index	Political Empowerment	Women in Parliament	Women in Ministerial Positions	Years with Female Head of State (Last 50 Years)
Egypt	132	115	99	99	68
Tunisia	126	71	37	109	68

Year 2017 (Rank out of 144)

Country	Global Gender Gap Index	Political Empowerment	Women in Parliament	Women in Ministerial Positions	Years with Female Head if State (Last 50 Years)
Egypt	134	119	107	104	69
Tunisia	117	55	39	49	69