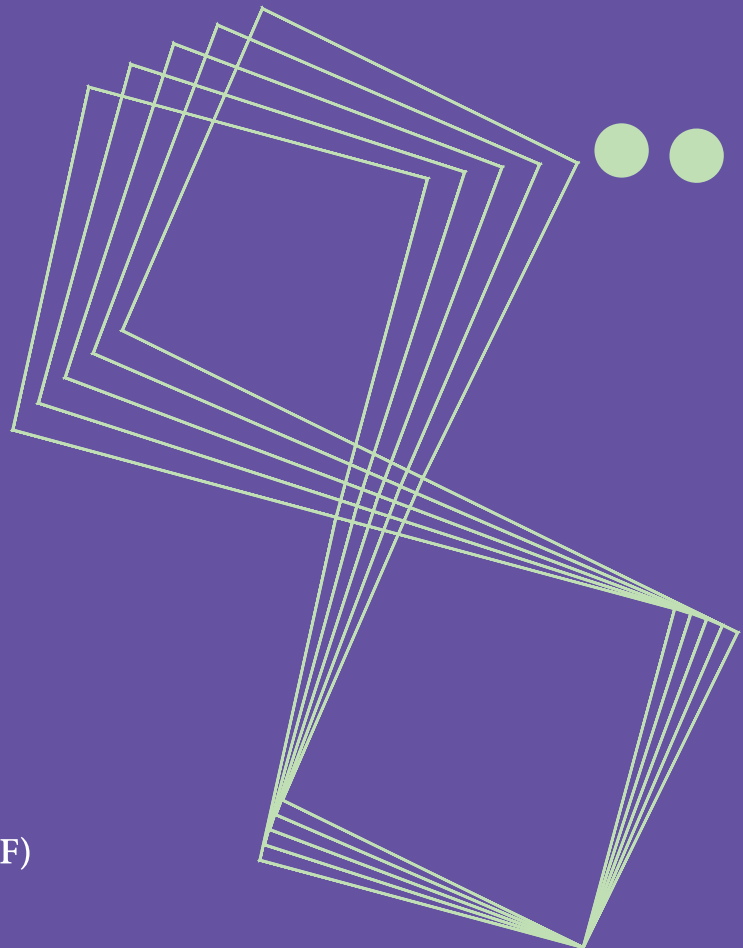




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From

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# *Gendered Resistance*



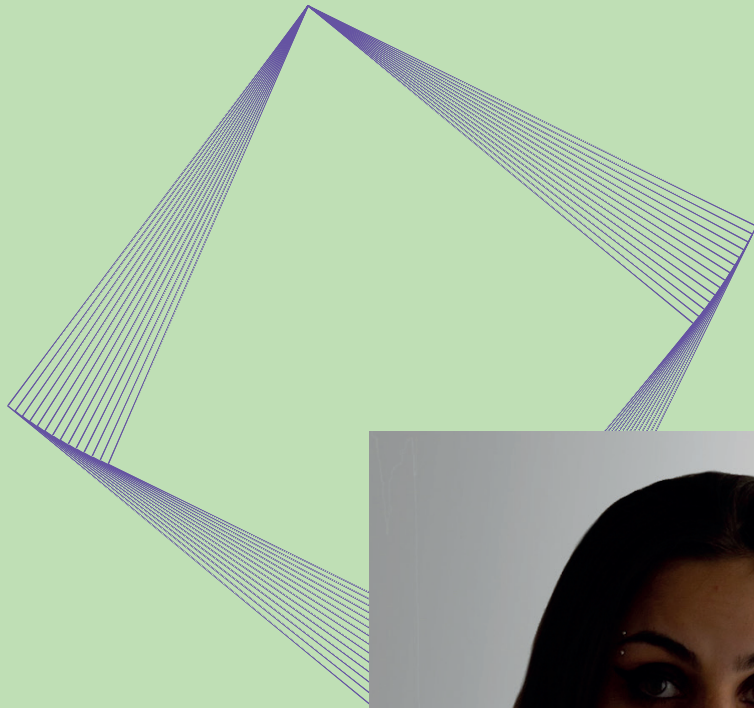
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# One Body and One Hundred Million Eyes: On the Power of Community Surveillance and Low Profile Resistance in the Realm of Cairene Women's Sexual and Bodily Agency

## Introduction

Towards the end of 2019, the Egyptian prosecutor's office formed the "Administration of Statement, Directing and Communication" to enhance digital communication with the masses, as one of its objectives<sup>1</sup>. The administration always highlights how they "noticed/ watched the trending videos and discussions on the social media platforms". The digital relationship between the administration and the digital society has become closer; the prosecutor's office can now be tagged and mentioned and communicate directly outside the classic form of paper communication, without any need for a lawyer or legal representation. The development within such a relationship creates a sense of solidarity and intimacy between the legal institutions and community surveillance. A video containing controversial content can go viral and attract comments with others re-posting, leading to direct calls for the administration to intervene. One example is the many detentions that took place based on cyber reporting and tracking the trending video. This is the case of Ahmed Bassam Zaki, who was mentioned in many online testimonies as a serial predator (Egyptian Street 2020), in addition to the wave of detentions for Egyptian women influencers on Tik Tok for breaching and threatening family values and principles

(Walsh 2020). The administration's statements portray the general prosecutor as a solid fortress against immorality for the purpose of maintaining public order; harassment and rape incidents, and sexually liberal content are both incidents worth investigating. Online communication has made it easier for the prosecutor to intervene in the daily lives of people, especially women<sup>2</sup>.

Breaching family morality is a core accusation in the latest wave of detentions of women content creators, but what is the morality that the law is referring to? The Egyptian legal system, and all the human rights conventions that Egypt has ratified, referred to the state as the sole protector and definer of family, morality and social values. This authority creates an environment where consistent gazing over women's bodies and sexualities are normalized since they represent the family and society's honor, and women are perceived as the bearers of society's norms and values.

This act of gazing is encouraged by the practices of legal institutions through many strategies, on top of which is the nationalist discourse that spreads moral panic over the fear of harming the nation. Moreover, there are no clear definitions for the notions usually used in this context, such as "public decency", "debauchery", "family values" and "society principles". Rather,

public decency and family values-related laws become abstract articulations that the judges understand and apply according to their personal estimation and according to the case under investigation.



## Framework and Research Question

In this article I explore how the Egyptian nationalist discourse is adopted by the legal institutions to encourage community surveillance especially over women's sexualities in the private sphere. This form of power then informs resistance strategies by creating a margin of low-profile resistance by women in a bid to reclaim their sexual agency from the consistent community gaze. Through this lens, I attempt to broaden concepts of power and resistance by going beyond the classical tropes usually used to analyze Egyptian communities, namely religion and violence. Instead, I focus in this article on agency in the realm of sexualities of the heterosexual Cairene women. Informed by Abu-Lughod's notion of resistance as a tool to understand power (Abu-Lughod 1990). Community surveillance nurtured by the nationalist discourse comes in addition to the forms of power that women have to maneuver on a daily basis. Within this framework, I explore how nationalism encourages community surveillance of sexual agency, and how Cairene women use invisibility and low-profile resistance to reclaim their sexuality.

## Methodology

To answer the research question, I analyze a case study on D. S., an Egyptian broadcaster who was sentenced to three years in prison. The court issued the verdict based on S's discussion

of single motherhood as an alternative form of reproduction during her TV show. I look at the case through an analysis of the operative section of the court's verdict and of the TV episode. I engage with this material to provide an insight into the different forms of power and resistance while bringing together literature that addresses national identity and women's sexuality, e.g. Nira Yuval-Davis (1997), Louis Althusser (1970), and Benedict Anderson (1983). This literature contributes to developing the final question of this research regarding the meanings and forms of resistance possible within this form of power relations. In this last section, I seek input from the postcolonial and Third World literature on the alternative conceptualization of resistance, e.g. Asef Bayat (2013), Laila Abu-Lughod (1990), Deniz Kandiyoti (1988) and Maneesha Deckha (2011).

 **Online communication has made it easier for the prosecutor to intervene in the daily lives of people, especially women** 

Due to the consistent stalling of the archive unit, it took me two months to access the court's archive, in a bid to have a copy of the verdict, but in vain. Later on, I accidentally came across a column in the newspaper where the operative section of the verdict was scanned and published (Elboraie, 2017). My first impression of the four-page verdict was that the sentence resembled more of a moral lecture than a legal document. And such moral conservatism, if subjected to analysis, might open a debate on the role of the law in regulating the socio-moral and popular perceptions of women's bodies. Attempts to access the archive imposes some questions about knowledge production around

sexualities. And how a conversation around community surveillance and women's sexuality could be opened if there is no equal opportunity to access and produce knowledge to begin with. In addition, who owns knowledge? And should the law ban access to knowledge if the research methodology is not in alignment with its own directions?

The second challenge I encountered was the lack of documented literature on Cairene women. And by literature here, I mean the ones that dig deeper beyond the romanticized image and binary of resistance and oppression. Most of the literature mainly documents the violence and oppression that women in Egypt are experiencing, without addressing forms of resistance. Moreover, visible and loud resistance is mostly the form of resistance that is identified, and is also perceived as an indicator of ultimate liberation; which affirms an image of romanticized women's resistance in Egypt. This leaves behind a silent space on sexual agency in Cairo and its politics. Cairene women's sexuality, when studied, should not be seen only within the dichotomy of oppression/liberation. Literature should account for how women construct their own sense of sexual agency in the space between oppression and liberation and from a right-based approach, not only from a victim-based one, and within a dynamic process informed by the changing realities around them.

## The Case Study: Ashraf Nagy vs D. S.

In July 2017, D. S, an Egyptian female broadcaster, hosted an episode about single mothering as part of her show "Dodi's Show". It was aired on Al Nahar TV Channel, an Egyptian satellite channel (Al Nahar TV 2017).

In the show, S. was clearly reluctant to express her standpoint towards single motherhood. She seemed as if she was promoting the idea at first, then quickly asserting the difference between Egyptian society and what she called "the West". S. hosted three guests, a young Islamic preacher, a psychologist, and a gynecologist, debating with them the social, medical and religious aspects of single motherhood in Egypt. She defined single motherhood as the act of conceiving a baby in a temporary marriage and then having a divorce. She elaborated that men in that case could be paid for donating their sperm. She also referred to sperm banks abroad as a form of achieving motherhood without being in a relationship with a man. However, she highlighted that such practices are not possible in Egypt due to the religious and conservative nature of society.

S.'s selection of the three guests reflects the different forms of medical and religious power over women's bodies that exist in society. However the accusations that were brought against her later on suggest that an important power has been added on women's bodies: the legal one. The episode was met with a range of social and legal debates. Ashraf Nagy, an Egyptian lawyer, filed a lawsuit against S., accusing her of inciting immorality, breaching public decency and promoting "destructive and aberrant ideas" that can destroy Egyptian norms and traditions (Alsa'id 2017). In the lawsuit, Nagy explained that he was watching TV with his daughters when he was taken by surprise by Dodi's Show tackling the issue of single motherhood. The topic was perplexing to his daughters, who had many questions about the content of the episode. He argued that the show caused him and his daughters' major harm because of this exposure.

In October 2017, the Misdemeanors Court sentenced S. to three years in prison, and

a fine of 10,000 EGP as a temporary civil indemnification to be paid to Nagy. The fine was meant to compensate him for the direct harm of exposing his family to ideas that are not in alignment with Egyptian's society and morality. In addition, S. was fined 500,000 EGP to suspend the verdict. Besides the court's verdict, the Media Personnel Syndicate suspended S. for three months because she "committed moral and professional transgressions, in terms of traditional Egyptian society, on her show Ma'a Dody, and promoted unethical and strange ideas that threatened the unity of the Egyptian family". (Al-Masry Al-Youm 2017).

## Community Surveillance and Nationalism: A Form of Legal Power over Women's Bodily Agency

In S.'s case, nationalism was used as a rationale behind the verdict in the plaintiff's favor, criminalizing S.'s act and encouraging society to practice surveillance over women's bodies. The court's statement over S.'s act instigated this call for surveillance, as it mentioned that the whole society should kill all the aberrant notions that put the society at risk. This entanglement between legal and communal surveillance of women's bodies was not unique to S.'s case. It is clearly shown in several other cases observed lately on women and sexuality in Egypt. The law seems to continuously use public decency as an argument behind hunting down women based on their bodily activities; such activities are often investigated in relation to what is known as "family morality". In S.'s case, there was a clear tendency to label sexual agency as a non-Egyptian act as the court's verdict explicitly called it an imitation of Western

values. This gave the plaintiff the right to feel "that his society is at risk of falling under the clutches of vice, and he was also harmed by the fact that his family accessed such notions" (Elboraie 2017). Sexual agency was represented as a foreign and threatening idea. This makes agency as an external component of Egyptian women's bodies, and refers back to "vice and evil". According to the court's statement, S. dared to promote an aberrant notion that does not conform to Egypt's social perspective; a notion that "the society should eradicate<sup>3</sup> once it appears" (Elboraie 2017).



In this article I explore how the Egyptian nationalist discourse is adopted by the legal institutions to encourage community surveillance especially over women's sexualities in the private sphere



To place S.'s case within the legislative system in Egypt, it is important to highlight here how the legal viewpoint defines family. According to the Egyptian constitution, the national collective starts from the family unit, as it is the "nucleus of society" (Egypt's Constitution of 2014, n.d.). An Egyptian family is also seen as based on religion, morals and patriotism as stated in article 10 in the 2014 constitution (Egypt's Constitution of 2014, n.d.). Depending on the family as the source for national identity requires the law to regulate sexual rights as the first step for monitoring reproduction and the social structure. Based on this description, framing a national identity entails the necessity of framing the sexual and gendered identity as well. Accordingly, the boundaries between what is public and what is personal when it comes to women's bodily practice have to be

blurred, and the public greater good should be favored at the expense of women's sexual agency. These practices require the cooperation of local communities to increase surveillance over women's personal lives. Thus, to be able to identify a body as an Egyptian one, agency is not expected to be part of the bodily experience of women. This way, sexual agency becomes an evil with "clutches" and a "westernized practice" as expressed by the court. If taking agency out of the definition of the Egyptian body is one of the foundations of the Egyptian identity, then any change within women's agency and sexuality poses a threat to the entire collective identity, and produces moral and social panic. Finally, the court's referral to Western practices can be read within the construction of national Egyptian identity as different from the colonizer's, a gendered body and nationality should be created and protected against intellectual colonial waves. Reproducing that culture around Egyptian bodies becomes a must, not only to protect the life of the nation, but also to protect the class division within a community. As the court explained, the concept of decency differs according to classes and environments.

## Fear as an engine

I argue that by reinforcing and encouraging that type of social surveillance over women's bodies, the legal institutions strategically nurture patriarchal values by spreading moral panic and fear for collective identity. It justifies its stance against agentive and autonomous sexual rights by arguing for the need to protect the nation from the risk of sexual immorality. As S.'s case shows, the fear for the stability of the national identity is an engine to call for surveillance of women's bodies. The verdict has succeeded in creating a link between women's agency and the act of demolishing its collective essence. As it reinforces the link between agency

and national identity through giving formal and legal validation to it. For example, the prosecutor in S.'s case is the only part who has power to push the report, which was submitted by the plaintiff, to reach litigation<sup>4</sup>.

Within this power dynamic, moral panic emerges as the key engine for instigating the collective to hold on to their imagined national identity. I refer to the concept of collective identity in Davis's elaboration on nation-state and gender, in which she mentioned that it is based on the imagined pictures about the other citizens. An imagined picture of society is a concept of how a citizen thinks about the identities of others in the same state without meeting them, "yet in the minds of each lives the image of their communion" (Anderson 1983:6-7). This imagined collectivity built what is known as a nation-state, where the collective identity is linked to "specific cultural codes of the style of the dress and behavior" (Yuval-Davis 1997:23). Consequently, it is legitimate discourse to control women's bodies and curtail their rights (Rubin 1984). And by closing most of the civil society in Egypt (Al Malky 2015), laws of organizing almost monopolize all the channels of lobbying or community organizing around the sexual agency. State-run channels or GONGOst, therefore, become the only audible authority in representing communities. By producing an alternative discourse, S. becomes someone who might "incite" others to practice and "minimize the enormity" (Elboraie 2017) of the sexual act outside wedlock.

## Question on the body's autonomy and boundaries

Under that systematic attempt of spreading panic into society through the use of a nationalist discourse, state apparatuses also strive to erase boundaries between the private and the public



spheres, especially for women. Reading the verdict raises many questions on the state's viewpoint about agency and public decency. For example, the court, in its statement, mentioned that public decency is a concept that changes according to social classes and environments. This claim presupposes an underlying classist definition of public decency, leaving many unanswered questions on who defines society in a moment of globalization. In fact, the court itself addressed questions on public decency during the S. verdict as it tried to justify the way to prove *mens rea*<sup>5</sup> in public decency cases. The court mentioned questions such as "What does it mean to cross the boundaries of decency and morality? And according to whom?" It cited an appeal from 1947 that stated that "those who enter a beauty salon and urinate in the sink, thus put themselves, with no necessity, in the sight of the people surrounding them proves *mens rea*". The court compared S.'s discussion of women's body-agency to urinating in a space owned by someone else. Thus, breaching private and public territories is an apt analogy with personal sexual decisions. The analogy in my analysis reflected how the court conceptualizes women's individual decisions as a public interest that could not be tackled outside the collective approval. It prompts an idea that a mere image that is different than the imagined one could breach decency.

Thus, to be able to identify a body as an Egyptian one, agency is not expected to be part of the bodily experience of women

What are the strategies that the laws relied on to encourage this kind of social surveillance? Nationalism proved to be one of these strategies. The verdict nurtures a police officer attitude inside

every street and family. This community power could be manifested in the power of the doorman. This environment of suppressing women's agency is not only a social issue between women and society; it is between women and society that is supported by law forces. The social power is also manifested in the problem of belonging to a group. To belong is conditioned with the extent of surrendering to the bodily rules of Egyptian nationality. With the nation's body we understand a vague space of millions of women dwelling, looking for the line separating the public from the private, and looking for a moment of privacy. Within this context, another problem appears; the one known as private and public spheres. I argue that there is no space left to speak about private and public, as there is no private in the Egyptian body. The private is ruled by the civil police and the community gaze. In every house there is an officer, and it is the deadlock. It is a moment of contemplating the big narrative of private space in a context under patriarchal rule. Could Egyptian women have private space in a situation where the laws marionette our reality through strings of community and family surveillance, and at certain point, through severe self-censorship? Since sexuality is a matter of collective honor, women's bodies are not theirs to individually make decisions about them. It is a continuous process of bargaining between belonging to the collective or to one's agency.

## Voices from the Margin

In the first section, the paper tackled using nationalism to reinforce community surveillance over women's bodies. This form of power informs and is informed by, I argue, a trend of low-profile resistance in the realm of sexual and bodily agency in Egypt. By examining forms of resistance, there is an opportunity to learn "about the complex interworkings of

historically changing structures of power” (Abu-Lughod 1990:53). This means that without a genuine understanding of the resistance trends in Egypt, we cannot fully understand and recognize power. Power and resistance seem to be interlocking gears that nurture each other. Therefore the logical flow of this paper could be followed from top-down or vice-versa and will stay connected.

Returning to S.’s case, there is a space of silence in the TV episode that speaks loudly to me. She was reluctant to explicitly express her opinion about single motherhood. She was going back and forth, covering her arguments with sentences as “I know we are in the Middle East, we are not in the West”. But, she follows by saying that “women have the right to have a baby even if they do not have a marriage”. Between here and there, there was a space of ambiguity about what she is actually trying to promote. An ambiguity that resemble all the sexual acts in Egypt. Subtle and low-profile, yet nevertheless like an elephant in the room we should not talk about it.

This silence could be read in relation to the overall oppressive environment in Egypt especially in cases related to sexual agency. First, agency is subjected to a complicated structure of power dynamics. To revolt against gendered sexuality, women have to make confrontations that could cost them their lives. For example, I still cannot forget how half of my family almost abandoned me when I decided to take off the veil. Second, personal safety is an important element to be considered if women decide to revolt against the gendered politics of sexuality, as I mentioned in the introduction regarding Tik Tok women, in particular. Third, it is not easy to recognize who women are fighting against. The fight against patriarchy is intersectional; meaning that it involves an entangled network of parties, laws,

society, family and consciousness. S.’s case is a clear example of how breaking the rule of invisibility will be punished and stigmatized. Moreover, the ambiguous stance of S. towards single motherhood and body autonomy showcases how women use silence and invisibility to maneuver and reclaim their agencies.

## Low-profile resistance and social nonmovement

S.’s case could be seen as low-profile resistance or what Asef Bayat refers to as nonmovement. It can be defined as “collective actions of noncollective actors; they embody shared practices of large numbers of ordinary people whose fragmented but similar activities trigger much social change, even though these practices are rarely guided by an ideology or recognizable leaderships and organizations” (Bayat 2013: 15). And low-profile resistance perceives forms of agency as a quiet process of change and dissent; with the least possible visibility and mobility to ensure the survival of such acts within an authoritarian context. This concept makes perfect sense when it is used to analyze S.’s TV episode. According to the classic understanding, resistance is an informed movement that has visible consequences on an oppressive reality. S.’s situation would not be of value, as S. did not have an ideology and awareness that informed her actions, and her actions did not result in any sort of known consequences. I mentioned the adjective “known” here because there was not a proper observation or evaluation to the impact of this episode, nor was there any building up on her call of single mothering.



Based on the analysis in the first section on power on imagined identity and citizenship, rights and groups appear to be identified according to their alignment with the limits of

the state's morality scale. Such groups are the strategic forces that guarantee the stability of the moral system promoted by the state. Under such a situation, fighting oppression is not recognized by the general public as a resistance attempt. But rather, it is perceived as an attack against the law and a personal threat against the unity and identity of the homogenous groups, such as belonging to homogeneity that makes them the true patriotic citizens. This picture of reality proposes an urgent need to adopt an invisible approach of resistance, especially for the category of groups whom the laws do not perceive as worthy of having rights. The importance of low-profile resistance in a context as Egypt is that it gives enough time for social change to formulate itself and have stable social ground to stand on. As under the current political situation, public calls or spotlight over sexual agency would cause more trouble than gain, given the uneven power dynamics and accessibility for channels and resources of the legal institutions vs. individuals/ groups. In addition, it provides an understanding of women's forms of resistance that is based on respecting their local tools which they are willing to use, but not obligated to. For a topic such as women's sexual agency, women had to find a space where they can poke holes in the patriarchal body without exposing themselves to high risks of detention, murder and social scandals. Thus, they create a language of silence and invisibility where they can explore their sexual agency away from community surveillance and legal consequences.

## Why recognize low-profile resistance?

The silence in the realm of sexual agency in Egypt leaves a false impression of void; that is, nothing is happening in that area. And this is what I have actually encountered when I tried

to collect case studies that document power and resistance in the realm of sexual agency. The stories are in the daily small talks, but no proper documentation or analysis of the link between nationalist discourse, community surveillance and resistance. This silence is mostly presented in academic work as a stagnant space; but not as a potential space of advocating for bodily agency. S.'s case took place in 2017, but it did not generate the attention for study nor solidarity or advocacy. It could have resulted in a battle for agency that might have paved a way of opening a discourse about the right to agency in Egypt. In 2020, we have girls being imprisoned for breaching family morality, and I am thinking how identifying and working with invisible/unrecognized forms of resistance would have prepared us for today's situation.

 **The silence in the realm of sexual agency in Egypt leaves a false impression of void; that is, nothing is happening in that area** 

Another problematic point in S.'s case is the link between resistance and forms of organizing. Overlooking the unorganized silent individual actions of resisting leads in turn to add an elite cover to acts of resistance and leave them exclusively for those who have the "proper and adequate consciousness" to manifest change. It gives privileges to those who are educated and recognize themselves as "conscious" subjects whose actions can be recognized and labelled as "revolutionary" by the public. It reinforces a system of hierarchy between women that depend on how much this or that woman is aware of their intentions and consequences of their actions. Moreover, it creates codependency on NGOs as the only available form of organizing

within a context where the right to assembly could not be enjoyed. In a time that organizing becomes more and more difficult in Egypt, it is all the important to recognize how low-profile resistance can be a crucial and potential space for feminist work on advocating agency.

In addition, given that sexualities are shaped through the contact between the body and the outer world, our sense of agency is established by the repetition of the emotional and physical process we live every day. Thus, every single social and personal experience counts during deconstructing sexualities. And when the everyday experience exceeds the dichotomy of oppression/ liberation to include hesitation, negotiation, anxiety, pleasure, agency, violence, oppression and resistance, sexualities become more complicated than just about being oppressed/ empowered. The study of sexualities and agency in Egypt might benefit from taking into consideration how they are formed under an environment of low-profile resistance. It might highlight the choices women make when the direct and material influence of oppression is no longer around, the moment when they open a door to a private space where they can be whoever they want. When all of these feelings, anxiety, hesitation, low profile resistance, violence, pleasure, etc., are working inside their subconsciousness at the very same time, what do women experience? What are the types of sexual decisions they make? And what is the impact of repeating the act of negotiation? Trying to find answers to such questions opens a door to grasp the change that is taking place among Cairene women, and to be able to engage with and anticipate it in early stages. It also provides a space to engage change with a fresh eye that is aware of the dynamic bases of sexual agency, and to feed and encourage resistance according to its frequently changing tools, and not to reproduce the same activism approaches that are separated from the new realities.

## Conclusion

In this article, I attempted to demonstrate one of the power practices that regulate women's sexual agency in Egypt. This investigation provides an analysis for future attempts in the "understanding of gendered forms of power, [in addition to] potential value for developing policies and strategies for social change" (Elkholy 2002:13). I argued that nationalism as a discourse is used to incite communities to practice the policing role themselves. This is a result of merging moral panic and blurred boundaries between public and private bodily sphere, under the claim of fearing for national identity. And within the dominant understanding of resistance that often recognizes only loud and visible movements, both academic and professional stakeholders have overlooked the silence in the realm of Cairene women's sexual agency. As they are informed only by the organized and visible form of resistance. And by excluding subtle and silent forms of resistance from the examination, the opportunity of being taught about it is being missed.

Scrutinizing the knowledge about power and resistance in Egypt highlights the importance of giving ourselves, Egyptian women, credit for our consistent efforts to create braver spaces to explore our sexual agency and identity. Pleasure and a right-based framework while discussing Cairene women's sexuality becomes a must, as a victim-based approach for advocating for women's rights is no longer enough. My research stresses a change in the realities of women in Cairo, and a call to change the discourse about what controls them and what shapes their sense of sexual and bodily agency. It is an endeavor of liberating our knowledge about Cairene women's sexualities from the internalized stereotype narrations about power and

resistance; a call to recognize margin of silence as a potential space of feminist organizing.

In addition, not being able to identify the allies from the opponents, the advocacy map for sexual agency becomes more entangled and it takes the responsibility away from the legislations and puts it on the citizens. By giving the power to the community and urging it to cooperate with the legal institutions to mentor women's bodies, the legal institutions double their own power. It no longer becomes the legal institutions against women, but rather the community against women. Who we are fighting? It is vague and ambiguous. Is it the police or the state? This is an act of dismantling efforts to restore agency.

that is mentioned in the verdict implies that some acts are obviously a crime, and could not be imagined as the criminal is not aware that they are crossing legal boundaries.

## Endnotes

<sup>1</sup> Kassem, Ibrahim, and Omnia Elmogy. 2019.

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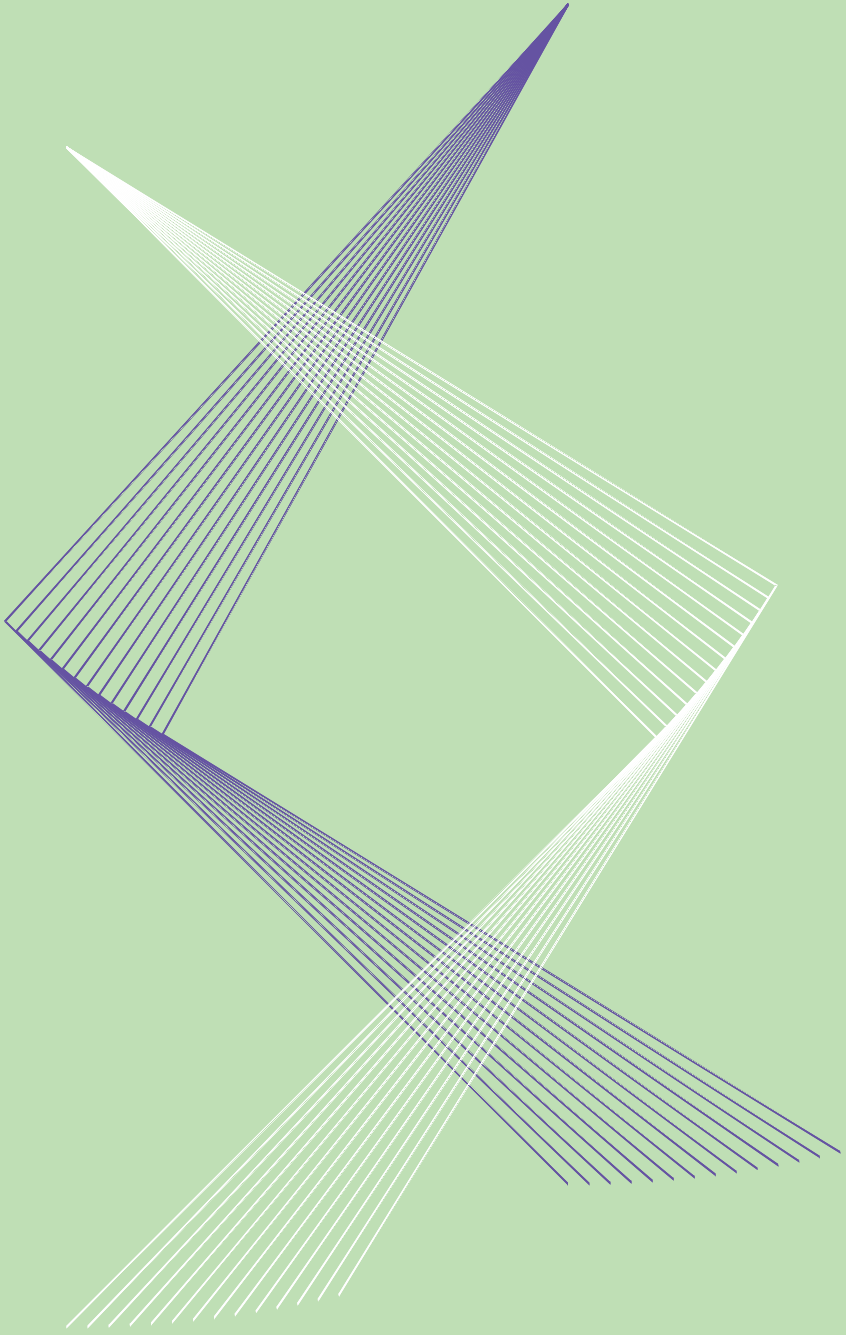
<sup>2</sup> Egyptian General Prosecutor. 2020. "بَيَانٌ مِنَ النَّيَابَةِ". Facebook Watch. <https://www.facebook.com/1999202686854290/videos/301050614466268>.

<sup>3</sup> The exact word used in the verdict was "infanticide". An expression that is usually found in female infanticide that was practiced during old times in the Arab Peninsula.

<sup>4</sup> According to the Egyptian litigation system, plaintiffs submit reports to the general prosecutor, who then investigates them to determine if there is an actual crime or not, and accordingly, the investigations escalate to reach the court or they are dismissed.

<sup>5</sup> The mens rea is the proof of a criminal intent, knowing that the act is a crime, yet doing it. The example





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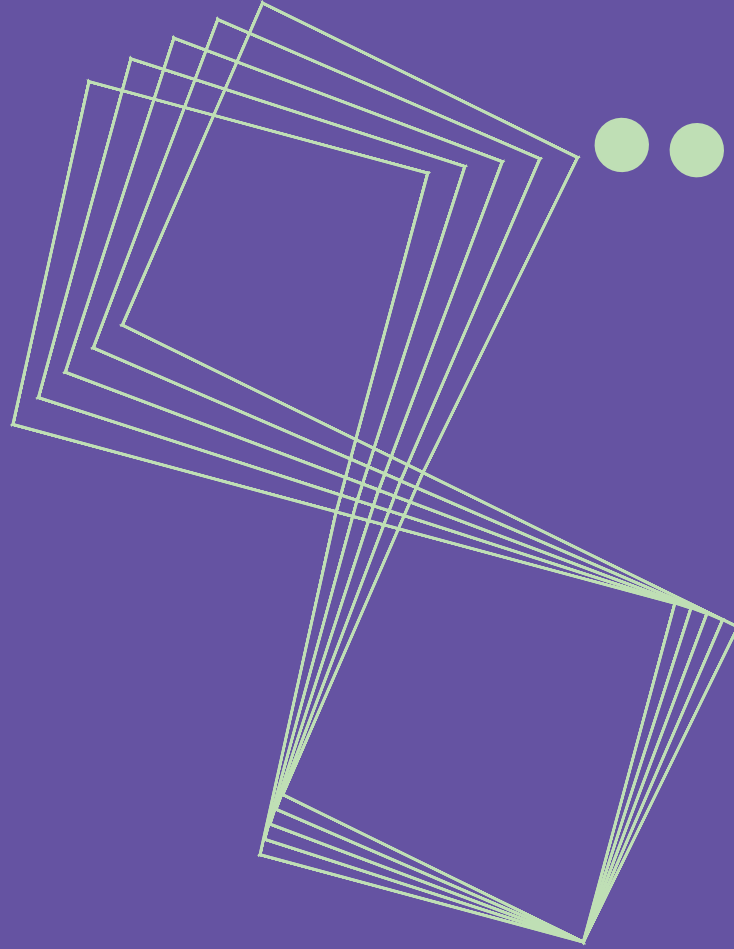
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