

Is it Rape or a “Disgraceful Act?” Transformative Justice as an Alternative Approach of Addressing Sexual Violence in Egypt’s Civil Spaces

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Abstract:

The efforts of ending sexual violence as a structural form of violence in work and civil spaces are one of the centre points of feminist attention. While many feminist groups develop different tools to investigate and punish sexual violence incidents, Transformative Justice emerges as a methodology that addresses the root causes of sexual violence and sets long-term plans to end it rather than short-term intervention. This essay engages with Transformative Justice literatures, displaying what they can offer away from coercion and carceral approaches. Within this framework, I look at a case study from Egypt that took place at the end of 2017, where a presidential candidate was accused of harassment and a prominent human right lawyer of rape. Through the reading of the case, I draw attempts to point out how transformative justice would have managed the case differently. With this reading, I am touching upon the feminist tensions that manifested and looking into transformative justice narratives that would be of benefit to conceptualize and approach these tensions differently.

Introduction

Incidents of sexual violence, e.g. harassment or rape, need to be recognized as such in order for the community to take proper action to address them. For this purpose, communities, whether formal and informal, attempt to develop various systems of justice to provide a response to sexual violence. But what if the procedures of such systems fail to recognize sexual violence, and consequently, take the proper action? This research aims to advocate for transformative justice as an alternative approach of addressing sexual violence. It also attempts to open a space for self-critique and analysis of how the Egyptian feminist movement, NGOs, or non-organized groups addressed the case of the “email girl” in particular, and sexual violence incidents in general. It is a call for a time-out or a pause, to sit and reflect on what happened, why it happened, and how we, as Egyptian feminists, reacted. While we might not be able to eradicate sexual violence overnight, we can critically reflect on our responses for more just futurities.

The concept of Transformative Justice (TJ) is inspired from the consistent efforts of marginalized communities globally to address violence without falling into the trap of reproducing systemic violence. It stems from their belief in communities’ role in the process of eliminating violence on the long-term. Therefore, it is a framework that would be of benefit for communities who live under mismanagement of sexual violence by the state, or where the state is on consistent political dispute with the civil space, as is the case in Egypt. Transformative justice is based on the notion of changing behaviour and giving the time needed to heal through broadening the definition of victim/survivor to include the community, the person who caused the harm, and all intersectional forms of oppressions. I advocate for transformative justice as an alternative approach for justice that could be built through community efforts and collective accountability.

My analysis is rooted in the Egyptian context, particularly in a recent community-based experience that took place in 2017 and 2018. By “community,” I am referring to workers and actors of civil space in Egypt. The incident was highly debated as it involved a former presidential candidate, Khaled Ali,¹ and a well-reputed human rights lawyer, Mahmoud Belal. In December 2017, the survivor/victim,² who remained anonymous throughout the process, sent an email to a group of Egyptian Feminists where she accused Belal of rape in 2014 while she was drunk in his apartment, and Ali of trying to “to sleep with” her while they were in his office. The last incident constituted, quoting her email, “one of most disgusting experience” in her life and made her question her sexual life.³ The political context and the different positionalities of the feminists who received the email opened up a huge debate among feminist/leftist groups.⁴

¹ Khaled Ali is the founder of the Egyptian Centre for Social and Economic Rights (ECSER), one of the founders of the Bread and Freedom Democratic Socialist Party, and the only presidential candidate in the 2017 elections. The regime had arrested all the other presidential candidates in order to ensure General Alsisi’s electoral victory.

² Referring to the person who was harmed by using the word victim or survivor is problematic for me, as I am not aware of the expression the victim/survivor wants to give herself, hence my adoption of victim/survivor.

³ I am using the same expression that figured in the survivor/victim’s email.

⁴ Khaled Ali was also accused of breaching public decency on account of a photoshopped picture. The trial was running at the same time of announcing his participation in the election rally. For more details about the 2017 election, see:

<https://www.egyptindependent.com/rights-lawyer-khaled-ali-announces-intention-to-run-for-president/>

<https://www.theguardian.com/world/2018/jan/23/former-egyptian-general-arrested-by-military-after-announcing-presidential-bid-sami-anan>

<https://madamasr.com/en/2018/01/24/news/u/khaled-ali-withdraws-from-2018-presidential-race-citing-government-violations-and-unfair-competition/>

Under the transformative justice umbrella, I am attempting to critically re-read the whole scene of the incident and provide an account of the lessons learned that could be borrowed from other feminist groups' experience of community-based transformative justice. I am also advocating for the alternative reality that collective accountability can provide for in its attempt to eliminate sexual violence, within Egyptian civil spaces and NGOs in this case. Therefore, I am comparing between the current Egyptian scene's operation and consequences when it addresses sexual violence, and how such a scene would look like if a transformative justice model was applied. Based on TJ literature and similar experiences, I developed four questions: what is the methodology used to address sexual violence and who was involved in the process? Who is defined as victim/survivor? Who caused the harm? How do feminist groups intervene? Such questions could propose an initial framework of TJ that could involve a process of interventions, healing, accountability, and justice. The paper is a starting point to discuss the lessons that we, as Egyptian feminist, could borrow from and readjust to fit our reality.

It is important to note that abolitionism is not within the scope of this paper, as exploring such a matter within the Egyptian context would need its own dedicated space. Rather, I am calling for alternative and parallel justice systems, as a matter of providing multiple paths for sexual violence survivors/victims to choose from. I am speaking out of my positionalities as a young Egyptian feminist, an inactive member of the Bread and Freedom Party, and an independent researcher. I am aware of the limitations of the research: I deliberately chose not to seek any communication channel with the victim/survivor for the purpose of research, in order to respect her decision to withdraw from the scene and the process; I did not have access to the full transcription of the investigation of the case due to the confidentiality of the documents; and I could not conduct in-depth interviews with the groups who took part in the process due to timeline constraints. Instead, my analysis is a call for adopting a TJ approach in the Egyptian context, in our collective efforts to overcome the issues that surfaced when informal tools were utilized to combat sexual violence.

What is Transformative justice?

As a method of addressing violence from a social viewpoint, Transformative Justice (TJ) favors long-term objectives over immediate solutions of violence incidents. It believes in the necessity of steady and consistent work on developing responses to sexual violence through time and coalitions (Bay Area Transformative Justice Collective, 2013). Instead of relying on punishment-based methodologies that depend on official reporting and state intervention, ending in incarceration, TJ works through a community-based approach as the two frameworks (TJ and community-based approach) are built upon and serve each other (Russo, 2019: 89). Violence is not an individual incident; rather, it is a systematic structural act that is rooted in the past and practiced in the present. This shift from daily incidents to structure allows us to understand and address the factors that enable and nurture violence without recreating its patterns.

For more details about Ali's trial, see:

<http://english.ahram.org.eg/NewsContent/1/64/277771/Egypt/Politics-/Egyptys-court-sentences-activist-Khaled-Ali-months.aspx>

<https://madamasr.com/en/2018/09/06/news/u/khaled-ali-appeal-verdict-date-set-defense-team-files-legal-complaint-against-plaintiff/>

From 1970 and until the late 90s, anti-violence feminist movements pushed for the criminalization of domestic and sexual violence. These calls coincided with the increase of incarceration in the US, and ignored racial and gendered parameters. The pleas of feminists of color and black feminists who decried the criminal justice system were ignored, as even anti-violence groups were dominated by white women representation (Kim, 2018: 224-225). The history of the TJ framework makes for a significant analogy: as violence and discrimination are systematically enacted by the state against people of color, any carceral form of justice would disproportionately affect people of color over their white counterparts. Crenshaw’s theory of intersectionality (1991) explains the difference of experiences based on the intersection of gender, race, class, and other social categories (see Kim, 2018). The experiences of people of color are ultimately harsher and more violent. It is this lived experience that fosters anti-violence movements and TJ frameworks, especially with the systematic state violence against people of color, locating them outside of institutions, non-profit organizations, or service provision (Bierria et al., 2011). Similarly, carceral “justice” discriminates against people of color while benefiting whiteness and white supremacy.

Although this equation is missing from the Egyptian context, the Egyptian state judicial system openly practices hostile oppression, particularly targeting civil space actors (see Egypt Country Profile, Amnesty International, n.d.). In addition to direct incarceration, the authoritarian state uses sexual violence to shame civil society actors in Egypt through their state-run media. I therefore find the TJ framework to be an alternative to pursuing justice, away from the Egyptian state’s model of control, discipline, punishment, and incarceration.

By broadening definitions, the TJ approach breaks the binary of victim/perpetrator: the abuse is not only directed towards the individual, but extends to the community around them, including family and friends. Similarly, the person who causes the abuse is not the only to be held accountable; so are different types of oppressions, such as state violence, educational institutions, media, policies, and social practices. All of the above are conducive to violence, and TJ addresses them all (Russo, 2019: 97-100). The language that this approach employs differs from the one used in legal contexts (e.g. defendant, plaintiff, crime). Instead, it conceives violence as a social harm that is constructed by social and political factors. Thus, “victim” is also the community where the violence takes place, and “perpetrator” is the person who caused the harm is who caused the harm, but also the community that enabled such harm (Russo, 2019: 102).

Sexual violence is a structural form of violence against women in Egypt. It is rooted in the patriarchal and masculine consciousness of the society as women’s body agency is denied: their bodies belong to the state, society, and male figures in the family. This perspective manifests itself in both the formal and informal public and private spheres (e.g. state laws, police violations against women, rape, sexual harassment in workplaces, FGM, marital rape, blocking women’s accessibility to individual sexual rights, etc.) (see FIDH et al., n.d. and Nazra Feminist Studies, 2016). In responding structurally to address multiple layers and dimensions, TJ depends on accountability and collective intervention. TJ collectives, like The Chrysalis Collective, Creative intervention, Philly Stands Up, and Philly’s Pissed depend on collective strategizing and distributing efforts to achieve accountability and healing.⁵ This process is not done through a top-down process where one unit

⁵ The significance of these experiences is that they are self-organized groups that went through extensive learning processes to tailor a framework that could achieve their own definition of justice. See: Creative Interventions: Community-Based IPV Intervention, available at: <http://centeronviolenceandrecovery.org/blog/2014/04/14/creative-interventions-community-based-ipv-intervention>

or group has the answer to end violence, but rather as a process of collective response that relies on a holistic approach, including group discussions and strategizing. A collective process would ensure the survivor and community's ownership over the intervention, creating an environment where collective accountability and responsibility are "internal resources for recognizing and redressing the harm we have caused to ourselves and others" (Burk, 2011). On the long term, communities would establish a sustainable response to sexual violence through the repetition of a collective accountability praxis, "in the sense that the outcomes of any Transformative Justice response should last, and also sustainable in the sense that people will be enlivened, rather than depleted, by their choice to participate in these interventions and/or prevention efforts" (Generation Five, 2019). In most cases, people are willing to intervene to stop violence, but often they do not know how to, and it is those necessary channels that TJ provides (Russo, 2019: 133).

TJ provides the space and time to shift from a survivor reaction to a transformative one. It supports the healing process of an individual as much as a group and puts their safety as a priority. Interventions when trauma is activated may not result in creative solutions, in addition to limitations that hinder the way to fully "actualizing ... possibilities" (Generation Five, 2007: 25). Thus, healing and shifting behavior enables groups to reach to more coherent and strategic interventions "to transform the conditions that allow that violence and oppression to occur, and to create the just world we seek and deserve" (Generation Five, 2007: 25). The process requires humility, openness to be innovative, adaptability, readiness to accept failure, renewed attempts to tackle violence from its roots, and time and resources to ensure continuity. The process of trial and error is a messy one.

Brief about the case study

In October 31, 2017, a group of Egyptian feminists received an email from a woman previously employed at the Egyptian Center for Social and Economic Rights (ECSER), where she recounted two accounts of sexual violence: in the first, one of the lawyers of the center, a well-reputed human rights lawyers in Egypt, raped her in 2014 while she was drunk and blacked out. The second one concerned the previous presidential candidate, who tried to initiate a sexual act with her; that was, as she described, one of the most disgusting experience in her life. The incident led to the resignation of the presidential candidate and the human rights lawyer⁶ from the Bread and Freedom Party (Samir, 2018, Mada Masr, 2018). In December 2017, the presidential candidate's campaign along with the party agreed to form an investigating committee from independent individuals. The committee decided not to talk to any parties and to keep all the work in progress confidential in order to, as they stated, avoid any external pressure. In addition, neither the campaign nor the party discussed with their feminist alliance⁷ whether to support the presidential candidate while there was a harassment "allegation"⁸ against him.

⁶ In order to attempt to build a transformative justice framework, I decided to use their positions rather than their names, except for the title of the case for reasons that I subsequently mention.

⁷ This is my personal translation of a statement issued by Young Feminist Coalition, who was an alliance of Ali's presidential campaign. They mentioned that the campaign continued in lobbying work despite the case without any transparent communication with their feminist allies about the fact that the candidate was involved in an investigation related to sexual violence. See the full statement in Arabic: <https://archive.fo/FcpP3>

⁸ In narrating the situation, I am using the same language used by feminist groups, the investigation committee, and the Bread and Freedom Party. This, I argue, could give an idea about the mind-set of addressing sexual violence incidents.

When the case came to light, feminist alliance was manifested in two public statements issued by two independent feminist groups in February 2018. The first, drafted by Thawrat Albanat (Girls Revolution), demanded the prompt suspension of the presidential candidate, a deadline for investigation result, and a statement by the party to clarify their stance vis-a-vis the case (see Girls Revolution, 2018). None of these questions were met with official clarification. Many feminists within these groups negotiated internally to push the campaign and the party members to open an investigation; they only got a committee, both the party and the campaign decided to stay silent, and no more steps were taken.⁹ The second was a position statement signed by initiatives run by young feminists, who were supporters of the presidential candidate during the preparatory phase of the election. The statement urged the party to share the final report, suspended all cooperation between the party and the signed groups, and called for developing tools to combat sexual violence in the public sphere. It is worth noting that the younger generation of feminists leaned towards doubting the systematic process of state-like investigation, citing the many incidents where such a system failed to provide proper "punishment" for "perpetrators." They questioned the efficiency of the traditional systems and methodologies in ensuring safe spaces for women.

Amid this ambiguity, polarizing streams emerged: some feminists defended the political project while others wanted to shut it down entirely. Due to the political moment, the attention was focalized on the presidential candidate's case, at the expense of the rape account involving the human rights lawyer. What made the situation more difficult and perplexing for the civil community in Egypt was that the victim/survivor refused to participate in the investigation process as she mentioned in her last communication that she wanted to keep her mental well-being. The motives behind this decision were explained by third parties not by the woman herself: some attributed it to the committee not being serious enough about addressing sexual violence, which raised more tensions between feminist groups and questioned how trustworthy the committee was. Others said that she wanted "to maintain her mental health" by avoiding going through the process.¹

In February 2018, the committee announced in a report that the harassment "accusation" against the presidential candidate could not be proven due to the nature of his friendship with the "plaintiff," which that the community learned through mutual friends of both the presidential candidate and the victim/survivor. Neither could the committee "prove" the because the "plaintiff did not give her testimony about how drunk she was that night."¹ Simultaneously, the report stated that the human rights lawyer committed a "disgraceful act," prompting him to apologize for not taking care of his colleague when she seemed tired and unconscious. The final report, I argue, is an inconsistent document. On the one hand, the committee resorted to the human rights declaration and the Egyptian Civil Law language to refer to the rights of the "plaintiff, defenders, and witnesses," asserting the legal rule of states that the "defendant is innocent until proven guilty." On the other hand, the committee expressed their willingness to help the victim/survivor to prove the case, and the report identified sexual violence as rooted in the culture, constructing a pattern of ongoing sexual violence. Thus,

⁹ I am an inactive member of Bread and Freedom Party. I am privy to the details of the internal process of pushing for an investigation through conversations with a cofounder of the party.

¹ Based on my translation of the final report of the committee and a petition that circulated on social media. The petition claimed that the victim/survivor approved the content, but it was very difficult to ensure its credibility as the creator was anonymous. Still, many feminists signed.

¹ Based on my personal translation of the final report of the committee. See the full report in Arabic: <https://drive.google.com/file/d/1N0hSScnjwL4sZqMCmiiclzTt2y9OGbr/view>

the report should be seen as an attempt at defining and conceptualizing sexual violence. Yet, it is handcuffed by its reliance on legal references. Both the committee and the community failed in liberating themselves from the concept of legality and in structuring their own reality.

As I am engaging with the case, I am not aiming to solve it or to point fingers. I am weary not to tell the story on anybody's behalf. Instead, I am looking at the approach adopted by feminist groups and individuals to come to a resolution. It is also important to clarify that feminists in Egypt have dual identities, as most of them work in NGOs and are feminist activists at the same time. The case concerned by this research only witnessed two interventions of NGOs: Nazra for Feminist Studies launched a campaign named #fourth_wave (*Almouga Alrabaa*) that focused on sexual violence in the public sphere and how it affects the experience of young feminist leaders. The second intervention was initiated by the Egyptian Initiative for Personal Rights (EIPR), as they provided the committee with a study on the framework of sexual violence in workplaces. The committee members were called to run the investigation based on their personal identity as feminists or their status as prominent lawyers in the field of sexual violence. Such positionalities inform the impact of the NGOisation of the Egyptian feminist movement on the process of adopting TJ framework, a tension I will revisit.

Re-Reading Ali, Belal, and the Email Girl's Case from a TJ Lens

The case is known as "the email girl's case," but I intentionally decided to use Ali and Belal's case to refer to it. With time, people to be held accountable vanished by time, and she stayed the "email girl." This, I believe, reflects how sexual violence cases will always haunt victims/survivors, who will always be known within and reduced to the framework of the incident. Meanwhile, men will clear their names with time and benefit from the social erasure of memory.

A) Approaches and Methodologies: What references to make? Whom to involve in planning and strategizing?

It is crucial to mention that the committee did not start from a transformative justice understanding, but rather from state-like one. So, the analysis is an attempt to showcase how TJ would be an efficient alternative in future incidents, not an attempt to measure to what extent the investigation process adopted TJ. The committee relied on the legal definition of consent, justice, and the legal norms of building accusation.¹ The final report considered that the absence of the victim/survivor negatively influenced the result of the investigation as they could not make sure that she was drunk and not able to consent during the sex act. Even though the survivor sent her story via a written email, they did not perceive it as a testimony as it did not take place in a courtroom-like setup: she did not come to the committee and re-narrate her story in an "official" spoken testimony. Consequently, the committee consulted a doctor for medical advice on the influence of the alcohol on her ability to give consent. Despite that fact that the committee's decision was not informed by "a host of scripts and expectations regarding 'normal' contemporary socio-sexual relationships"

¹ Based on my translation of the explanatory and reference document used in the investigation. This was an unpublished paper, but it was circulated among Bread and Freedom members.

(Ellison and Munro, 2009: 307) – on the contrary they were open to overcome such expectations¹ – it could not liberate itself from the legal framework of building trials. TJ suggests considering the mental well-being during the process as its first priority; meaning that protecting the victim/survivor from reliving the trauma should always be a compass to any accountability process. In that case, the email could be a testimony, or, similarly to The Chrysalis Collective, they could appoint a group of women/men whom the victim/survivor trust to mediate between her and the committee. On the other hand, the strategizing process did not include any form of collective brainstorming or advising with the victim/survivor or any other feminist groups; no clarification or communication were provided within the political party or the campaign, or even to larger feminist alliances. This process of blocking information created divided spaces where feminist groups rushed to issuing political statements rather than work jointly.

I argue that resorting to the legal tool of “proving guilt” is not efficient when it comes to sexual violence, as it fails to recognize that sexual violence is endemic rather than accidental or individual. The dilemma of “proof” is at the core of rape investigations, which calls the question: what evidence is enough evidence?¹ Sexual violence incidents always happen in closed and private spaces, and the process of “proving” becomes hearsay, a hurdle usually overcome by the consciousness of the investigation committee (Ellison and Munro, 2009: 292). Thus, relying on the typical legal form of evidence enables a culture of victim blaming and burdening women with the onus of proof. In my case study, the committee recognized all these social components and rape myths. However, it could not act upon its belief, as its hands were tied with the concept of official trials setups as the only socially acceptable method to prove sexual violence. In addition, the committee did not notice the layers of state violence embedded in the case: the survivor would never be able to report the case to the police because of the details of alcohol consumption and being at a male friend’s house at a late hour. If anything, the conservative heteronormative fabric of the police institution would cause her more abuse.

From a TJ viewpoint, the legal system (court, prison system, laws, etc.) does not address the damage done by sexual violence adequately (Kelly, 2010: 50). TJ offers a model of planning and analyzing beyond the limitations of legal definitions and references. It encourages communities to see beyond the direct cause of harm and investigate the intersecting systems of oppressions within a society. So instead of asking what law the “defendant” broke, TJ would enquire about the social structure and forms of oppressions that enable sexual violence incidents. In the Egyptian context, TJ would consider state violence, the absence of reporting mechanisms, the political context of the moment, leftist groups’ status in relation to the state, and the positionality of women’s issues on the agenda of the broader political arena. All these aspects are part of the collective accountability lens that suggests holistic strategizing to address the roots behind the recurrent sexual violence incidents. As for collective strategizing and planning with the victim/survivor and the community, it would establish a sense of ownership over and trust in the process of the investigation, so it is not an external group of people who decide how to move forward, but an agreement built on different and various experiences and definitions of sexual violence.

The case study concerned by this research could provide an example of the limitations of such a framework. As TJ is a process of consistent trial and error, it requires time, availability, and proper resources, all of which

¹ Ibid.

¹ See Sara Ahmed’s Evidence. Available at: <https://feministkilljoys.com/2016/07/12/evidence/>

tend to be lacking in activist communities. Additionally, the willingness of a community to adopt a TJ framework is key: seeking justice outside the carceral system while contending with aching, open wounds, unspoken anger, and untold stories is not an easy task for women or societies that carry years of violence. Commitment to ending the root causes of sexual violence is not always guaranteed: a process of changing concepts and behaviors is not always authentic. It also urges all parties and structures to trust the process and each other but stay critical and innovative, despite the messiness of the process and the gaps left without definite answers. For example, like with the case at hand, the victim/survivor or parties who caused the harm – individuals or bodies – could refuse to partake in the process. Furthermore, the trust between the parties could be prevented by the history of unsolved sexual violence incidents, which could create unhealthy disputes. The case I address also reveals tensions between feminist groups around the best way to solve the case, the methodology of managing the case by the B&F Party or by the investigating committee, and the reasons why the final result of the investigation was disclosed. While sexual violence incidents are given all the time needed, it took four months for the final report to be issued, a timeframe many feminist groups found disturbing, given that the email was adequate “evidence” on the rape and harassment incidents. Tensions were also the result of built-up frustrations from previous cases, where women did not receive proper support or when other investigations failed to prove the “guilt” of the men involved. TJ framework understands the trauma, frustration, built-up tension, and failure. It would have encouraged us to admit our limitations and lobby based on each other’s strengths. In addition, it would have dedicated time for the process of collective healing and unpacking years of injustice.

B) Who is Harmed?

TJ prioritizes support to the survivor. In addition to the psychological aspect, support could be respecting the survivor’s choice of what approach is best for them to be involved in the process, and how far they see their involvement. A survivor-centered approach builds the process of participatory accountability makes many forms of healing possible. Maybe in the case at hand, psychological support was not the answer as the survivor already had that professionally, and did not ask for it. The absence of a direct form of support somehow led to the assumption that there was no way to provide support, or that the only form of support would be to prove the “perpetrators guilty” and punish them. But support could have also been engaging about the investigation process, since the email she sent suggested her lack of trust in the community-based processes.¹ It could have been consultations, joint structuring, and understanding of her aversion of tribunal-like settings.

Since sexual violence is a recurrent incident in leftist and human rights groups in Egypt, feminists in these movements are also traumatized by the lack of safety of these spaces. This state of collective trauma was not addressed, especially that victim/survivors are the ones who get the most exposure. Handling trauma, anger, and frustration resulted in a polarized environment where clear-cut and radical interventions seemed to be the only path to justice. The feminist community that intersects with the leftist one had a hard time

¹ The victim/survivor started her email with stating that she did not “expect any change from this and from what I’m sharing below.” This statement indicates a pre-existing impression of the fruitfulness (or lack of) of the community-based processes based on previous experiences that women witness within civil spaces. In the 70s already, Arwa Salih’s *Stillborn* tells many stories of sexual violence within leftist groups. The book was published shortly after she committed suicide.

understanding that it was not only about this incident, but about all the previous and anticipated ones as well. The layered anger, grief, and trauma were part of the collective consciousness, and it seemed that most of the feminist groups were operating under survivor mode. It was therefore relatively difficult to stop, reflect, and understand. Support in that case would "mean listening to all the messiness of situation without judgement and without compulsion to create an immediate solution" (Russo, 2019: 119). By this expanded meaning of the victim/survivor definition, a community is given a chance to provide spaces for achieving healing justice that "acknowledges and addresses the layers and layers of trauma and violence that [a community has] been living with and fighting for generations. And, it asks [it] to bring collective practices for healing and transformation [into its] work. It recognizes that [the community has] bodies, minds, emotions, hearts, and it makes the connection that [it] cannot do this work of transforming society and ... communities without bringing collective healing into ... work" (Jagernauth, cited in Kaba, 2010).

C) Who Caused the Harm?

Despite the committee's recommendations for further steps to be taken,¹ they could not fully identify all the parties concerned with recurrent sexual violence incidents in the civil space. The ECSER was not engaged in the process despite all the defenders being or having been part of its team. Holding the center accountable is not the sole responsibility of the committee: eliminating sexual violence needs to be a collective intervention. Feminist groups in Egypt did not question enough the absence of the center from the scene, as it did not announce taking any steps during or after the investigation.

The binary created by the victim/perpetrator urges communities to take a stance with or against a certain individual, without leaving room for understanding the layers of discriminations and patriarchy that made the act of violence possible. People who cause harm are neither demons nor were they born evil. TJ calls for seeing more than the direct cause of the harm, and not to personify an act of violence that is built upon intersectional layers of oppression (Russo, 2019: 86-98, Kelly, 2010: 48-49). In addition, TJ proposes an integration and accountability model when it comes to dealing with the cause of the harm. So, instead of punishing individuals or socially excluding them, TJ argues for creating spaces of support to individuals, groups, and formal/informal institutions so they can be reintegrated in the community. By doing so, individuals would be encouraged to take accountability for their actions and to understand the patriarchy and discrimination rooted in them. As for institutions and communities, TJ would help them underline the practices that encourage sexual violence, consequently eliminating its root causes. In the spirit of recognizing who caused the harm, TJ offers a space for them to reflect on how they feel about their behavior and receive the proper support to get reintegrated in the community. So, in the case at hand, the institutional practices that provide early interventions (e.g. discussions, policies, awareness sessions, etc.) would address sexual violence before it even happens, as TJ engages with the past, present, and future. In other words, TJ would encourage a dialogue about what could be done to prevent violence, not only how to intervene when it does happen.

¹ The recommendations included developing policies to regulate alcohol consumption in offices, holding formal investigations in the NGOs where the presidential candidate and the human rights lawyer work, and developing program within civil society organizations that work on raising awareness about sexual violence (Ebeid, 2018).

D) Collective Feminist Intervention: “We” Instead of “I”

Transformative justice is a collective decision that is made through collective efforts; it relies on building alliances and collective strategizing with respect to each group’s positionality within a movement. It is not a utopian community, but one that believes in the importance of ensuring an environment where everybody can grow and learn. So, each feminist group in this model should be aware of the privileges and limitations of their positionality and cooperate with other groups towards a collective goal. Yet, utilizing various tools, it is harmonic and consistent in its commitment to said goal. It also understands the consequences of operating under the pressure of traumas, so it seeks collective healing and building resilience in order to continue resisting.

Applying the concepts of collective strategizing, building alliances, and collective healing on the case study shows that the feminist groups in Egypt missed the opportunity to establish a long-term plan together in order to set mechanisms that are able to address sexual violence in civil spaces. The lack of strategic and collective efforts made space for the binary image of a committee and political party launching an investigation on a rape and a harassment case, while everyone else was waiting for the final decision instead of parallel lobbying and organizing around sexual violence. A TJ approach would find collective intervention necessary from the day the email was sent and when deciding to form a committee to investigate the incident. In addition, a collective feminist intervention would have seized the chance to address the issue of sexual violence within the civil space in particular through using the recommendations of the investigation report or through lobbying for programs that raise awareness about sexual violence in NGOs and civil spaces. Instead, the process seemed to end with the report, leaving the weight of trauma and frustration unaddressed. More time is needed to understand and analyze the consequences of the report on trust and future reporting of sexual violence and the extent of women’s confidence to engage in civil spaces, given the limitations of reporting, community-based solutions, and the consistent threats of sexual violence.

The intergenerational relationship between young feminist and the older generation suffers from a gap of researching and reflection that sheds light on the various positionalities within the movement. This understanding is necessary for building alliances, as it provides a space of self-critique as an attempt to reach to a middle ground, which is distinct from self-blaming and pointing fingers. It is a process of brainstorming about happened, how we reacted, and how things could be better in the future, rather than creating separate camps. It is also important to take into account the new elements of organizing that emerged. Digital technologies provide a virtual space for organizing that breaks away from that of NGOs, as these rely mostly on systematic approaches and clear executive policies. Understanding the differences between the mechanisms that are used by each group is a must in mapping our collective limitations and strengths. In addition, it would facilitate the dialogue, building bridges of trust. My aim here is neither to criticize this form of organizing in favor of another nor to call for a unified form of organizing. Rather, I would like to point to the differences between various forms of organizing. Digital organizing is an open space for an unorganized form of lobbying. If we zoom in to the scene during the case, we can clearly see how the element of digital organizing manifested: angry posts and tweets, questions, fears, and even mocking comics and memes. Social media opened a space for younger feminists in particular to speak out without having to attend formal meetings or draft emails. The two statements issued by independent initiatives were published via Facebook, and the #fourth_generation campaign was a digital one.

I pondered how to approach the landscape of the feminist movement for a long time, considering the intergenerational relationships, NGOization of the movement, emergence of independent feminist groups, digital era, the harsh crackdown on the Egyptian civil space that added another limitation on the way to justice, among others. Every single element has the potential to trigger tensions within the feminist movement with every new case of sexual violence. But I realized that we can start from the understanding of unspoken anger and frustration. Maybe the significance of the case does not only lie in the methodologies of addressing sexual violence in Egypt, but also in built-up tensions within the movement entangled with unhealed wounds of sexual violence that affect every single woman in the Egyptian civil spaces. I realized that we could start by admitting the tension, embracing the anger, and encouraging collective reflection so we can seek healing and justice instead of victimhood. In addition, these tensions affect the adoption of a TJ process – a process that requires, as I mentioned previously, patience, trust, openness, and consistent trial and error in order to tailor our local tools and methodologies to addressing sexual violence.

It is undeniable that Egyptian feminist groups achieved many victories in the field of combating sexual violence since 2011 revolution; “[t]hese wins are important, but, as the case of the Bread and Freedom Party suggests, there is still a long way to go” (Ebeid, 2018). I cannot draw conclusions concerning the tensions among the Egyptian feminist movement in this paper alone, and without inputs from other feminists. But I insist on documenting the incident in all its messiness in order to show that the tensions are recurrent; they keep building up unless we pause and talk.

Conclusion

My analysis attempted to shed light on how adopting a transformative justice approach in addressing sexual violence could result in more holistic mechanisms. TJ provides a lens that sees beyond imputing sexual violence to individuals, either as victim or as perpetrator. It offers a space where imagination and creativity are free instead of circling around the same approaches that proved to be inadequate time and time again. I drew a mock picture of how a case that belongs to the Egyptian feminist consciousness and recent memory could have looked and felt like had it been addressed through TJ.

During the writing process, I realized that I write under the tension, polarization, and tendency to create another “manual” or “guide” on how to end sexual violence. I recreated an environment of rushing into finding answers without spending time to embrace trauma and tension. I admitted to myself my inner fear of being labeled as in favor of one group or belittling the efforts exerted during the case. I was both intimidated by the huge gap in the accounts of addressing feminist tensions in Egypt and triggered by sexual violence events. I oscillated between my attempts to liberate myself from the classic limitations engrained in me, and my desire to embrace and name tensions. This back-and-forth, I argue, is the first step towards transformative justice. By accepting that the answer is that there are no readily available answers, we start unpacking our mindsets and assumptions.

At the end, I surrendered to the knowledge that I personally echoed the limitations that might arise when adopting TJ framework: the urge to stick to the system so we do not lose control, and the fear of erring. While I am advocating for transformative justice, I am not attempting to underestimate or blame feminist efforts in

Egypt. Rather, I advocate for praising previous practices through dedicating time to understand and analyze what happened. I believe that it is through:

Committeemen to practice that we see the possibilities for change and transformation for a different future to build with one another. We learn through practice, and we need to be willing to face, and even embrace, our mistakes, our failures, and our misstep as well as our successes and our transformations. Practice is the way towards endless and radical possibilities, but only if we embrace the process with humility, openness, curiosity, and hope (Russo, 2019: 109).

Transformative justice is not a utopia and does not provide ready-to-go answers. It is a framework that allows communities to develop their own tools of ending the root causes of sexual violence without addressing sexual violence events as a “trend” that vanishes after a while. Transformative justice requires humility and consistency to accept failure and be able to move forward.

To conclude, I felt the need to document however briefly the process I went through during the drafting of this paper – the need to document the body aches, flash backs, nausea, nightmares, tranquilizers, and many panic attacks. I started with an attempt to be as objective as I could to avoid creating more feminist tension while scrutinizing the Egyptian feminist engagement with a case like the one at hand. I felt the pressure and the necessity to write what would sound “correct” and the urge to avoid involving my feelings and affect, even if these are what constitute feminist writing. I swallowed the burning need to cry out loud, “I am fed up;” the need to lose faith in any process that might bring justice, healing, and accountability to our scary reality. How could I expect not to be triggered? This case in particular was a symbol of every single sexual violence case each one of us has been through, and each time formal and informal justice failed us – a loaded and condensed moment of collective pain that ironizes so-called “alternative safe spaces.” To go along with the case and call for rehabilitation and healing justice for those who once caused trauma was a learning experience, albeit not an easy one. Breathing during writing was a difficult task, let alone strategizing. I learned that the task of attempting to deconstruct years of complex sexual violence and the feminist tensions it creates cannot happen while we are standing alone; community organizing is a must. And that would never happen unless we start talking to each other, uttering the first words, “let’s sit and talk, something is not working.” I finished this paper surrounded by the care and love of four of my wonderful friends and I know that building a community of justice, healing, accountability and rehabilitation would not take less than a feminist village.

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