

From Egypt to Germany: Reflections about Sexual Violence from a Feminist Perspective in light of the Cologne Attacks

The issue of sexual violence, which lies at the heart of the feminist movement, overlaps with broader social, cultural, and political contexts, and with diverse aspects of the identities of aggressors and survivors other than gender, such as ethnicity or social class. This raises several questions regarding the power relations associated with these diverse and overlapping identities. The issue of sexual violence is by nature extremely sensitive. This is due to the fact that it addresses the issue of violation of the body on the one hand, and to being intertwined with several issues such as racism and classism on the other.

The mass sexual assaults that took place in the German city of Cologne (and 8 other German cities) on New Year's Eve, which were perpetrated by groups of men who were said to be mostly Arab and Middle Eastern immigrants and refugees, remind us of these complexities. Reactions toward the Cologne Attacks were mostly divided between an interpretation employing a racist discourse toward Muslims and Arabs - portending of increasingly fierce racist practices against refugees and immigrants of Arab and Muslim origins - on the one hand, and another interpretation adopting an apologetic discourse toward the culprits to counter the racist discourse, on the other hand. Some newspapers recently reported that only three of the suspects are refugees, stressing, however, that the rest of the suspects are of Arab and Muslim origins. This led to the reopening of the debate on the incident and whether it was used for a racist agenda. This polarization presents us with a difficult task, that is to seek to put forth a discourse which addresses all facets of what happened, without highlighting one aspect at the expense of others.

We take on the task of addressing the Cologne assaults - or perhaps it is a task that imposes itself on us - for many reasons related to our identity as feminists in general and as Egyptian feminists in particular. We believe that feminist solidarity is a universal concept that transcends borders. Therefore, we believe that it is our responsibility to confront sexual violence, wherever it occurs, and to stand in solidarity with the survivors of violence, wherever they are. We also believe that it is imperative that we always actively engage in the ongoing discussions about this issue. We also approach the Cologne Attacks from our

particular position as Egyptian feminists. The dilemma facing Western Feminists¹ in the wake of these assaults reminds us of our own experience with crimes of mass sexual assault and rape in the vicinity of Tahrir Square. With the rise of the Arab revolutions, particularly in Egypt, we witnessed strong resistance from some democratic and political factions against acknowledging sexual violations against women in demonstrations and in the public sphere in general. These violations had taken horrible forms, from mass sexual assaults to rape with sharp tools². There were many reasons behind this resistance. First, sexual violence is not considered a public or a political issue of interest to all stakeholders in society. Rather, it is seen as a marginal issue that concerns a particular segment. The Tahrir Square sexual assaults raised the question of feminism and politics, and the same question is posed again by the Cologne Attacks, if politics is defined in the broader sense to include power relations and political and social structures within which different actors move. As many political and social factions fail to see the overlapping of feminist issues with the issues of public and political spheres, women's rights are brushed aside in favor of issues which seem broader or more important such as "the Revolution" or immigrant rights. While some turned a blind eye to the Tahrir Square assaults, out of fear of undermining the Revolution, similarly, some fear that condemning the Cologne assaults would undermine the rights of refugees and immigrants in Europe. In fact, the difficulty of dealing with the Tahrir assaults and the Cologne Attacks emanates from the difficulty of acknowledging that there are serious problems with the groups to which we belong or with which we take side, including entrenched patriarchal attitudes, which are manifested in the form of sexual violence.

It is easy to condemn the mass sexual assaults against women in Cologne while emphasizing the rights of refugees and migrants, considering the Arab and Muslim background of most of the perpetrators to be irrelevant. The more difficult question is: Are those sexual assaults related to the Arab or Middle Eastern background of the assailants? How do we condemn those assaults and trace them back to their root causes related to, inter alia, cultural factors, without falling into the trap of racism or overgeneralization, especially taking into consideration the fragile and sensitive situation of the refugee and immigrant communities in Europe?

This question raises several problems. First, there is the theoretical problem of linking the cultural approach to the feminist question, which has always been associated with orientalist and colonialist discourse, both in the 19th century and in the context of

¹ The reference to Western Feminists points to feminists who are concerned with the rights of refugees and minorities, and belong to non-racist movements.

² For the position paper released by Nazra for Feminist Studies on the Tahrir Square assaults in 2013, visit: <http://nazra.org/en/node/200>

neocolonialist wars in Afghanistan and Iraq. Second, there is the practical problem pertaining to preventing the use of such question to collectively punish refugees and immigrants. This is especially relevant considering the ongoing discussion in Europe about receiving refugees and the recent rise of some racist movements. However, ignoring the difficult questions pertaining to culture and practices based on religious traditions in Arab and Muslim communities, and their relationship with violence against women in general and sexual violence in particular, constitutes a problem of its own; that is complicity with patriarchal violence and some of its causes which are related to such questions. Experience has demonstrated that ignoring difficult questions only results in more violence against women and more tolerance of violence against women. In fact, ignoring these questions – whether in relation to Tahrir or to Cologne - stems from approaching sexual assaults from a perspective which ignores women's issues or fails to link women's issues to other issues. If we want to deal with those issues from a feminist perspective which prioritizes the survivors of sexual assaults and approaches such incidents primarily as instances of violence against women, those questions need to be examined thoroughly and in depth.

Therefore, and despite the problems surrounding any discussion of what happened in Cologne, we believe that this incident needs to be addressed honestly and seriously. This requires that the attacks are linked to the cultural and social background of the assailants, not as the sole factor, but as an influential factor among other political and economic contexts. We also believe that it is possible to reformulate the questions of culture and identity without echoing racist, colonialist or orientalist discourses. Perhaps it is difficult for Western Feminists to raise these questions in a social context that is hostile to Arabs and Muslims, which compels them to avoid them as they consider that the most important mission to be undertaken in such situations is to stand against the racist attacks that will be directed to thousands of innocent Arabs and Muslims. We understand, but disagree with, this position. As Egyptian feminists who have been engaged in various activities to address sexual violence throughout the past five years, we are in a different position. Our approach to the Cologne crime must also be directed to our societies and be in line with our reality, where sexual violence is an almost daily practice.

Against this backdrop, Nazra for Feminist Studies introduces this analytical study on the Cologne sexual assaults from a feminist perspective that is firmly grounded in our belief in refugee rights and confronting racism. However, such perspective does not allow for using such principles to bargain away women's rights. The responsibility to put forth a serious and courageous position regarding Cologne lies with every feminist, so that defending women's issues is not left in the hands of the exponents of racist discourses who will exploit this

cause only to attack immigrants and refugees. Therefore, it is our role to adopt a discourse which defends the integrity of women without resorting to racism and overgeneralization. We will try to formulate this position, first through reconsidering the facts and causes of the Cologne Attacks from a gender perspective³, and second through placing this incident within the context of violence against women - and sexual violence in particular - in our societies, in order to address the so-called "culture" question, which is one of the most problematic factors when it comes to women's issues. Finally, we tackle the problem of protecting refugees and immigrants of Muslim and Arab descent.

Overview of the Cologne Attacks

On New Year's Eve, several women were sexually assaulted in the German city of Cologne by a group of young men, whose complexion was said to indicate they were "from the Middle East or North Africa", according to survivors and police officers. Some women were also robbed by the assailants. The German police is now investigating 516 complaints filed with regard to this incident: 40% involving sexual assault, in addition to two involving rape. According to some reports, 32 suspects were arrested by the local police, including 22 refugees mostly from Arab countries, with a very small number of Europeans. However, other reports stated that 58 suspects were arrested, 3 of whom being refugees and the rest immigrants of Arab descent.

In the wake of the events, a few measures were taken, including the dismissal of the Cologne City Police Chief upon accusations of negligence. German Chancellor Angela Merkel declared that asylum-seekers who are proven guilty of sexual assault will be deported according to legal provisions which deny the right of asylum to sentenced or convicted offenders.

In fact, the Cologne attacks were not unique. Similar assaults were reported in eight other German cities, including Hamburg, Stuttgart, and Munich, as well as elsewhere in Europe, in Switzerland and Sweden. However, the Cologne assaults were the most outrageous in terms of the sheer number of assaulted women. Perhaps racist media outlets were too quick to attribute the incident to Arab and Muslim refugees, however, coverage by sympathetic media was also too slow. The initial reaction was to try to cover up or ignore the story, as other similar, though less brutal, incidents were; as if the issue of sexual violence deserves to

³ Employing a gender perspective means to reexamine the incident through the lense of gender, as many of the reactions to the Cologne assaults entirely failed to acknowledge or take into consideration the gender aspect. Therefore, looking at the gender dimension of the attacks is the first step towards establishing the feminist viewpoint put forth in this paper.

be raised only when it amounts to mass assaults on hundreds of women. We believe that violence against women exists in all societies and is not exclusive to a certain race or class. This paper, however, was prompted by the unfortunate events which took place in Cologne, and is therefore focused on highlighting the implications of this particular incident to raise broader questions pertaining to sexual violence in general, especially as they relate to the issues of “identity” and “culture”.

Cologne Attacks reconsidered from a Gender Perspective

One of the main problems of how the Cologne Attacks were dealt with is that the subject was considered with approaches which are not gender-sensitive. However, we believe that it is necessary to adopt a gendered perspective to be able to understand the incident itself, as well as its causes and subsequent reactions.

Some felt that highlighting these attacks was fueled by a racist agenda, believing that the media is particularly interested in incidents of sexual assault when they are committed by Arabs or Muslims, or when they are perpetrated against white women. As such, they thought the Cologne Attacks will be used as pretext for targeting Arab and Muslim refugees. Indeed, these concerns are legitimate and relevant. Nevertheless, they become highly problematic if prioritized; as the incident is transformed from a crime of sexual assault committed against women to a platform for defending Muslims and Arabs, diverting discussion from the issue of patriarchal violence to that of racism, with no link established between the two issues. First of all, what should be seen in the Cologne Attacks is that a group of men sexually assaulted a group of women; a crime requiring punishment regardless of whether the perpetrators are immigrants, refugees or otherwise underprivileged.

The question here is first and foremost a question of gender. Those women were attacked for being women. The issue can be analyzed in relation to the ethnicity, background, or social class to which these women belong, but only in the context of viewing them as women survivors of sexual violence. Failing to view the attacks as primarily an incident of sexual violence and violation of the bodies of women is complicity with patriarchal violence. Of course, immigrant and refugee communities need protection from racism and persecution, but women have the right to be protected from discrimination and gender-based violence. In this particular instance, only women were attacked. Therefore, no political, or even humanitarian, consideration should be prioritized over the rights of women survivors of violence. The fact that they were assaulted by members of another underprivileged group does not make the crime any less heinous.

It is setting women's rights against the rights of underprivileged groups, immigrants and refugees as mutually exclusive categories that takes the matter out of context and leads to an interpretation that might be deficient or unfair to women.

The fact that a segment of society is discriminated against, such as refugees and immigrants in this context, does not mean that the members of such segment are to be automatically considered as victims or exonerated of culpability when they commit crimes. As a matter of fact, an apologetic discourse which justifies or covers up assaults out of considering the assailants as "victimized" or "underprivileged", or under the guise of confronting racism and Islamophobia, is in reality demeaning to immigrants, even if it appears to be sympathetic. The assumption underlying such discourse is that refugees are stripped of their freewill or rationality, having no other option in response to the persecution and marginalization they face but to resort to sexual violence. In contrast, we assume that refugees and immigrants are responsible for their actions. Further, we do not consider immigrants to be one perfectly homogeneous block, but as any other community, with members who respect women's rights and others who do not. This approach actually promotes respect for the rights of refugees and immigrants. It is the flawed discourse which considers all refugees and immigrants as one block comprised of victims and vulnerable persons that paves the way to notions of collective punishment when the Law is breached by some members of these groups. Conversely, considering refugees and immigrants to be, like all other segments of society, diverse groups who have rights and duties establishes that, while those who violate their duties should be punished, the fundamental human rights of the members of these groups, such as the right of bodily integrity, may not be infringed upon. Confronting racism and orientalism by romanticizing the plight of Arab immigrants and refugees stems from a point of view which amounts to masked racism and orientalism, as if those men have lesser mental capacities and are subject to lower ethical standards which relieve them of being held accountable like all other human beings.

The very same discourse, which ignored protecting women on account of protecting refugees in an incident of sexual assault, attributes these crimes exclusively to the oppression from which refugees suffer, to poverty and marginalization, and to the economic conditions of underprivileged groups. Naturally, economic and political approaches to the subject cannot be ignored. Racism and poverty are important factors to be taken into consideration when trying to understand any crime. There are, however, several problems with any argument which completely ignores the gender perspective. First, this approach promotes normalization of the crime of sexual violence as a natural reaction to social injustice, with no regard to the fact that sexual violence is a conscious choice of its

perpetrator. Second, this discourse fails to acknowledge the thousands of refugee and immigrant men who did not choose sexual violence as a vent for their suffering and sense of injustice. Third, this discourse removes sexual violence from its broader context and assumes that violence against women is exclusive to a particular class or race, or to underprivileged groups, thereby ignoring that this crime is committed on daily basis by men of different social and political backgrounds. The crime of sexual violence is inseparable from a worldview which considers women to be inferior and their bodies to be fair game.

In fact, a discourse which condemns social injustice and economic marginalization as the principal culprit in the crime of sexual violence is an apologetic and conservative discourse from a gender perspective, even if it appears to be otherwise. Although this discourse is, of course, not identical to the discourse which blames sexual violence on women, it insists on having the aggressor play the victim one way or another, and blames “something” beyond the aggressor’s control, thereby failing to see sexual violence as a manifestation of the patriarchal rationale which considers women inferior, but rather sees it as a manifestation of various forms of injustice inflicted on the aggressor (racism, class oppression, persecution, etc.) In fact, this discourse, much like the one which uses women’s suffering to advance a racist agenda, only adds to the negative impact on survivors, and fails to help them overcome the post-traumatic stress from which they will suffer, in varying degrees, throughout their lives. Both discourses deal with women as a “secondary problem” or political tools in the conflict over the refugee issue, rather than addressing their own issue as survivors of sexual violence. Therefore, adopting the gender perspective as a lens through which such incidents are to be looked at, under which economic and political factors fall and not the other way around, is necessary to avoid complicity with violence.

Placing the Cologne Attacks in the Context of “the Culture of Sexual Violence against Women”

While economic issues and social persecution are important contributing factors, gender is the basis on which such crimes are committed. We cannot ignore the cultural background of many men, including some refugees and immigrants, which promotes the acceptance of sexual violence against women, in both private and public spheres. The intention here is not to put forward a generalized claim that all Arabs and Muslims inflict violence on women, nor to promote an orientalist argument along the lines of “the clash of civilizations” where the culture of the East is by nature backward and that of the West is by nature advanced. Patriarchy is a universal, rather than exclusively Arab or Muslim, structure. Discrimination against women is not exclusive to eastern men, and vice versa. However, it is impossible to

ignore the fact that the majority of assailants in the Cologne Attacks were either Arab refugees or German citizens of Arab and Muslim descent (with some exceptions). The question here is: Do these societies suffer from a culture which normalizes violence against women?

We ask ourselves this question for self-reflection within the context of our society, as Egyptian feminists who share with those assailants some sort of "identity", be it Arab, Eastern, or Muslim. It is difficult to deny that a lot of women's political and bodily rights are not guaranteed in our societies; and that most women in Western countries enjoy such rights and freedoms as the freedom of movement, dress, and choice, which we are still struggling to attain. It is also difficult to deny that sexual violence is a rampant phenomenon which women face on daily basis in many Arab and Middle Eastern countries. More important is the promotion of impunity and tolerance by the State and Society with respect to these crimes. We cannot raise those issues without shedding light on the role played by the private sphere (which naturally overlaps with public sphere dynamics) in reproducing the tolerant attitudes towards gender-based violence. Private sphere "violence" is not limited to the cruder forms, such as domestic and sexual violence and female genital mutilation, but, perhaps more importantly, extends to include restriction of the freedom of movement and choice, as well as patriarchal guardianship over women's bodies.

This guardianship as a form of structural violence against women promotes the notion that women lack "ownership" of their bodies, which lies primarily with men (father - brother - husband). Sexual violence in the public domain is an extension and manifestation of this patriarchal rationale, which accepts women's presence in the public sphere only conditionally or views such presence as problematic, thereby finding it easy to see women's bodies as fair game. On the other hand, the State does not necessarily promote respect for women's bodies and tolerates violence against women, whether by refraining from enacting new laws to protect women or failing to effectively implement existing laws. In fact, the State itself used violence against women, for example in the Egyptian case, as a means to drive women away from the public sphere⁴. Of course there are exceptions, and the status of women varies from one Arab or Muslim country to another. There are indeed positive gains and rights which women acquire in their daily struggle. However, we cannot overlook the fact that the prevailing trend in our societies is to restrict the freedom of women and their bodies, and otherwise is the exception.

⁴ The sexual violence committed during the Journalists Syndicate incident in 2005 may have been the first incident to shed light on the State's use of sexual violence against women.

This is what we mean by the culture of sexual violence; not that the Arab or eastern culture or character is inherently violent and patriarchal, but that the societal context, mostly based on religious and legal tradition, promotes tolerance toward gender-based violence and allows it to pervade in society. Can we, then, approach the Cologne Attacks without ever referring to this “culture”? Can we analyze in isolation from our poignant reality in which women’s mere movement in the streets is a challenge in and of itself because daily violence? Can we pose these questions as Arab feminists without falling into the traps of overgeneralization, self-hate?

For decades, post-colonialist⁵ theory has been at the forefront of the non-colonialist non-racist feminist movement, confronting the stereotyping of Middle Eastern societies as backward, reactionary, and barbaric by white colonists. The core idea in this thesis was multiculturalism; that European lifestyle and values should not be imposed on other societies as “better”, under the assumption that progress is necessarily tied to the European model. Rather, the alternative is that civilizations of other countries should be viewed as different, not backward; and that there is more than one valid cultural model.

Despite the relevance and importance of post-colonialism at a certain point in history, when it emerged as a response to actual colonial stereotyping that hindered peoples liberation and took away their right to self-determination, something terribly problematic has affected traditional post-colonialism, rendering it irrelevant or not necessarily at odds with the forms of oppression we face and struggle against today. Indeed, cultural diversity and different lifestyles should be respected, but there are also universal human values underlying fundamental rights and freedoms. Surely, these values do not include restricting women’s freedom of movement, dress, and sexuality or any form of infringement on their bodies. Some postcolonial arguments have come to tolerate patriarchal values and traditions out of respect for “cultural specificity” and aversion to stereotyping.

A major problem is that postcolonial arguments, as put forward by Western feminists, have come to muzzle the voices of Arab feminists, considering them to be mouthpieces of colonialism when they speak against the patriarchal violence they face in their societies or when they defend universal human values, described as only “Western” by some. It is almost

⁵ Post-colonialism is a theoretical thesis primarily aiming to go beyond and confront colonialism (or imperialism), which approached societies under occupation in the Middle East and elsewhere with extreme racism and condescension, considering them to be backward communities, on the premise that the European model is naturally superior.

Post-colonial theory criticized this worldview, arguing that colonized societies have been stereotyped and stigmatized by white colonizers out of racism, and that these societies must be liberated from this patronizing and overgeneralizing view.

as if before condemning the patriarchal practices of Middle Eastern Men, we should first consider what white European men would think and even prioritize this consideration over defending women's rights and safety. This obsession with the West has often become inseparable from post-colonialism, determining what can and cannot be talked about by Arab feminists. Consequently, when European women are assaulted by men who are mostly Middle Eastern, the first reaction amounts to complicity with the crime. Complicity in this case is not about failure to condemn the assaults, but about insisting that they have absolutely nothing to do with the cultural background of the assailants, as if we, women in the Middle East, do not suffer these forms of violence on daily basis, and as if there are no incidents of sexual violence and violence against women in refugee camps.

The United Nations High Commissioner for Refugees expressed concern over rape and domestic violence against women in refugee camps. Yet, we turn a blind eye to protect Arab refugees from stereotyping and racism. What about protecting female refugees? Are they not entitled to protection against gender-based violence which they sometimes face? The majority of male refugees, despite their social, economic, and political marginalization, enjoy patriarchal privileges compared to their female counterparts.

Posing questions of culture does not necessarily involve racism or overgeneralization. As a matter of fact, it has only become so because it was left for too long to racists and conservatives. We, on the other hand, withdrew from reconsidering our social values of fear of being used as colonialist instruments. Acknowledging these problems, we believe, is one of the fundamental roles of the feminist movement in our countries. Indeed, there are risks that criticism of the values and customs which violate women in Middle Eastern societies may be used for colonialist agendas. However, there are also other risks, the results of which we are witnessing and the price for which we are paying, that antagonism to racism and colonialism is conflated with toleration of violent patriarchal practices. Acknowledging problems in our societies does not mean we are pleading for the West to "save us". It merely means we need to find innovative ways to struggle on our own against patriarchy, because we believe women in our societies deserve better. The "liberation" of our societies is not only a liberation from dictatorship and imperialism, but also from the grip of extremist values and fundamentalist ideas. European feminists⁶ should support us in our struggle, instead of perceiving our battle as toleration of imperialism. The forces and groups which believe in women's rights within refugee and immigrant communities in Europe should also play an effective role in combating patriarchal violence and injustice within those communities.

⁶ Reference is to feminists who do not belong to racist or anti-minority groups, as indicated before.

Protection of the Refugees and Migrants

This critical view should in no way be put forth as an argument for targeting immigrants and refugees of Arab or Muslim decent. Rather, it should be emphasized that criminal liability is personal, and that offenders should be punished fairly and in accordance with the Law, even if they are refugees or immigrants. Of course, subjecting refugees to the Law raises another problem, where it means deportation within borders where their lives might be in danger. Therefore, we stress the need to apply Article 32 of the 1951 United Nations Convention relating to the Status of Refugees and the 1967 Protocol which provides for allowing refugees “a reasonable period within which to seek legal admission into another country” if convicted, while “Contracting States reserve the right to apply during that period such internal measures as they may deem necessary”. However, law enforcement and holding offenders accountable should not prejudice fundamental right granted by international laws and instruments, such as the right of asylum, and the safety and security of non-offenders. Upholding the principle that criminal liability is personal means that it is never acceptable to resort to collective punishment of an entire community. Therefore, such crimes should not lead to the deportation of refugees or to the imposition of border controls and undue restriction of receiving other refugees. Applying the law to offenders and prioritizing combating violence against women shall suffice as a deterrent to those who may think of violating women’s rights.

It is a must that different actors in European societies – including feminist movements, political parties or civil organizations with an interest in the rights of refugees- play a central and effective role in confronting and combating racist assaults and advocating for the protection of immigrant and refugee communities of Arab descent from racial profiling and persecution. The media’s interest in sexual violence should not be limited to crimes perpetrated by Arabs and Muslims. Combating violence against women and gender-based discrimination should always be a matter of priority, regardless of the identity of offenders.

Conclusion

Sexual violence will continue to be an inherently controversial issue. The refugee crisis is also a matter of great sensitivity in the world of today. The convergence of the issues, as seen in the Cologne Attacks, can only produce a difficult situation which precludes “easy”, “ideal”, or “ready” answers. Seeking to avert overgeneralization should not lead to rendering the subject devoid of all controversial questions. We will continue to face more complex ethical and political dilemmas as long as we are concerned with women’s issues in a

confusing local, regional, and international context involving changing power relations which inflict injustice on more than one group. We are perfectly aware of the sensitivity of posing questions of culture and religion amid charged attitudes towards refugees in Europe. However, ignoring such questions for a long time has led to a prevalent attitude which often tolerates patriarchal violence. If not now, then when can we ask these difficult, poignant questions?

In all cases, we should not deal with the dilemmas which are facing and will inevitably continue to face by tolerating the violation of women's bodies, or considering their cause a matter of "secondary" importance. Perpetrators of crimes of violence against women, whoever they are and wherever they are, must be held liable and accountable. It is time to stigmatize discourses which blame the survivors, or prioritize some interest over their right of bodily integrity.

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