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Views: What Position Do Human Rights Demands Have Among Populations of the Arab Region? A Revisit of the 2011 Uprisings

Mehdi Bouchoua

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The question posed in the title may seem moot or lacking context, especially fourteen years after the initial spark of popular uprisings that shook countries throughout the Arab region. At the time, the uprisings were called the 'Arab Spring,' though springtime seems a misleading way to characterise the bloodshed left in the wake of the repression and authoritarianism in many countries. The term 'Arab' also reduces the indigenous peoples and ethnicities of the region to a single national umbrella.

It has been more than a decade since the uprisings that carried with it broad hopes for achieving democracy and entrenching human rights as the sole means of ensuring societal wellbeing and defeating authoritarianism. The fuse that ignited it all was the cry of a marginalised Tunisian citizen named Mohamed Bouazizi, an itinerant vendor who self-immolated to protest the humiliation he had suffered at the hands of a government official while trying to earn a living. Anyone following current affairs in Tunisia and other countries in the region may wonder, as I do, about the changes wrought by this outcry—and the ensuing uprisings, conflicts, constitutions, institutions, governments, and counterrevolutions—in the daily lives of citizens and the collective consciousness of the people. Is there any point to all the losses when the same conditions that drove Bouazizi and many other citizens to rise up in late 2010 are being created anew?

Returning to the title's question, anyone observing developments in the countries of the region through the lens of internationally recognised human rights would inevitably conclude that the magnitude of the setbacks and violations occasioned by authoritarianism's return is staggering, eclipsing all aspirations for change expressed in the banners carried and slogans chanted in public squares and streets. This raises a critical question: Was the consolidation of human rights a principal demand of the Arab Spring uprisings? Among the rebelling masses, was there a uniform understanding of the meaning of 'democratisation' and the slogans of 'freedom,' 'dignity,' 'justice,' and 'equality' that resounded in the face of armies and security forces? Or were other

issues more pressing? Was the demand for 'the affirmation of human rights' confined to the agendas of specific actors, such as civil society organisations and the human rights movement, which, since independence, have been struggling to defend these rights before institutions without successfully transforming them into an urgent popular demand?

The question does not aim to not to create any ambiguity about the fact that authoritarianism and its predations are a primary catalyst of human rights violations. Rather, the goal is to gain a comprehensive understanding of societal dynamics during the transition to democracy, especially those of societies that are home to deeply rooted forces fundamentally antagonistic to the very idea of such a transition. These forces employ religion and tradition to rein democratisation in; they even directly confront any actor seeking to enshrine universal human rights principles. These actors, who emerged in the post-independence period after direct political or union-based conflicts with the authorities had reached a dead end, exploited an international context that allowed them to pressure the authorities in their respective countries to achieve some measure of progress. After all these decades, and even after the historic opportunity created by the Arab Spring youth to move demands for change from statements and declarations into the public sphere,[1] the genuine entrenchment of human rights faces significant obstacles. Indeed, 'retreat' has become the catchword of the day, in light of the normalisation of the right-wing populism and ideology fostered by international and regional trends.

Against the backdrop of Israel's recent aggression against Palestine, Lebanon, and other countries in the Middle East, the universal discourse of human rights has lost much credibility among peoples of the region. This may be due in large part to the clear rhetorical double standard that marks the stance of most Western institutions and societies towards the genocidal warfare inflicted upon the Palestinian people since 1948. This has again brought the notion of white supremacy to the fore in addressing human rights issues across the world, reviving the idea of combatting and dismantling colonial intellectual hegemony in all its institutional and legal forms.

For these and other reasons, it is of utmost importance to analyse the status of human rights demands in the moment created by the uprisings of late 2010 and early 2011, specifically through the lens of the slogan 'the people want.' It requires harmonising the instruments of the humanities to gain a deeper understanding of peoples' receptivity to, and willingness to engage with, the concept of universal human rights. This article merely seeks to open up some areas for further research by identifying pertinent aspects of the topic.

The Context wherein Human Rights Emerged as a Popular Demand

Before delving into the place of human rights among the demands of the popular movement in countries of the region since the end of 2010, we should examine how human rights gained salience in the context of the general struggle for democracy. Since independence, political opposition forces in many countries have been engaged in this struggle, aided by the emergence of the civil society movement from the post-independence period until the end of the Cold War, when the Western bloc assumed economic, political, and ideological global leadership and so defined the

contours of the 'new world order.'[2] Among the most prominent manifestations of that order are the conditionality of support for economic development in Global South countries, the creation of a degree of political openness, and the strengthening of the role of civil society and the human rights movement in consolidating this openness. This introduced new variables into the balance of power between the government and the opposition, and the direct political discourse around democratic legitimacy transformed into a demand-based movement that prioritised the entrenchment of human rights, although the concept was somewhat alien to the political lexicon of the opposition in the 1950s and 1960s. For example, Mohamed Karem notes that 'talk about political democracy and human rights in the Arab world during the 1960s, in general, represented, for Nasserist-Baathist thought, a search for pretexts to thwart the "Arab revolution." For Arab Marxists, it suggested a lack of understanding of the real problems and a demagoguery aimed at concealing the principles of bourgeois hegemony.'[3]

In contrast, and starting from the 1980s in particular, Burhan Ghalioun points out,

> From Morocco (1981, 1984) to Cairo (1986), passing through Tunisia (1982) and Algeria (1988), the 1980s witnessed uprisings known as "bread revolts." The increase in the price of this staple food item spurred the population to take to the streets, forcing the authorities to reverse their decisions. This […] led intellectuals, the middle class, and broad segments of the public to demand change, which itself became a key word during that period. Within the demand for change, the concepts of democracy and human rights occupied a prominent place.[4]

This conceptual shift within the protest movement and a segment of the region's political class found some justification at the ideological level. As Mohamed Karem writes:

> The failure of revolutionary ideologies in the post-colonial period […] opened the way for a profound conceptual shift, promoted by the core of civil society, which believed that the best way to solve the problems it faced was through the genuine democratisation of institutions and that no national interest could be transformed into a pretext to justify the deprivation of citizens' rights.[5]

At this point, the human rights movement became active in many countries, taking the form of civil society organisations whose founders, in most cases, belonged to the political opposition that had emerged after national independence. In Tunisia, for instance, the Tunisian League for the Defence of Human Rights was founded in 1977 in response to the political impasse caused by Habib Bourguiba's rule in the late 1970s. The organisation successfully incorporated several political entities, including the Socialist Democratic Movement, the communist Workers' Party, independents, the Tunisian Progressive Rally, the Arab unionists, and the Ennahda Movement. It thus became a meeting point for all Tunisian political currents to discuss societal issues, while taking human rights as their primary yardstick.[6]

The same logic governed the emergence of the human rights movement in Egypt, where broad segments of the political opposition in the post-independence period shared a general ideological framework, marked by the prevalence of Arab nationalist thought. Out of this framework, the Arab Organisation for Human Rights was established in 1983 as the first national organisation concerned with defending human rights in the region:

> At the initiative of nearly 100 public figures and intellectuals, mostly from the Middle East, the first official meeting was organised in tandem with the request for regional recognition. The role of Egyptian actors was crucial in launching this partnership, not because of their sensitivity or expertise on the subject, but because many of them presented themselves as 'experts' or 'advisors' to the Egyptian government, which was drawing on the 'democratisation' as a new source of legitimacy. The reference to human rights thus became more useful for this group of actors, who were primarily affiliated with political groups ideologically aligned with national liberation or progressive thought. Thanks to this new cause [i.e., human rights], the struggle seemed to guarantee them a potential position, not as technocrats, but rather as advisors capable of defining the operating mechanisms of democratic legitimacy. Furthermore, adherence to the value of human rights allowed them to update expressions adopted in or inherited from the 1960s and 1970s, which had begun to seem obsolete given national and international shifts since the early 1980s. Ultimately, it appears that launching a regional organisation, rather than just a national one, might allow them to remain true to their previous nationalist orientations while simultaneously acquiring some leverage against political regimes in the region, particularly in Egypt.[7]

These domestic transformations within states, which primarily followed from the international context, would be reinforced by the international legitimacy bestowed upon human rights by the adoption of several conventions. Many states, particularly those in the Arab region, raced to join and ratify these treaties, binding them to their constitutional and legal systems and creating a framework for advocacy and pressure by both local and international civil society organisations. Human rights were now a key issue on the agenda of institutional and legislative reform. In Morocco, for example, they became a main pillar of the political discourse around the governing philosophy after King Mohammed VI's accession to the throne in 1999 and his launch of the equity and reconciliation process, which aimed to provide compensation and redress for the gross human rights violations committed during the reign of his late father, Hassan II, a period known in Moroccan political history as the 'Years of Lead.'

In addition to the legislative density generated by international human rights treaties and the state obligations they entailed, civil society would not have been able to support and strengthen its advocacy and educational work without the additional impetus of potential regional partnerships and cooperation in the human rights field, particularly with the European Union. The EU's

Neighbourhood Policy, based on the 1995 Barcelona Declaration, created a framework for partnership between European institutions and Mediterranean states, including those in the Arab region. The core axes of the declaration included 'respect human rights and fundamental freedoms and guarantee the effective legitimate exercise of such rights and freedoms, including freedom of expression, freedom of association for peaceful purposes and freedom of thought, conscience and religion, both individually and together with the other members of the same group, without any discrimination on grounds of race, nationality, language, religion or sex' and pledged to 'encourage actions of support for democratic institutions and for the strengthening of the rule of law and civil society.'[8] This cleared the path for financial and technical support for states, governmental institutions, and non-governmental organisations in fields related to human rights and democracy-building.

Observing this trajectory, shaped by the tensions and intersections between state and society from national independence until the 2011 uprisings, it becomes clear that the issue of human rights represented a key interface (once the regional and international context allowed for it) exploited by segments of civil society to achieve some marginal gains in the original struggle for democratic legitimacy. Human rights also constituted an outlet used by opposition forces to transform their political and ideological struggle into human rights demands, with the goal of implementing obligations recognised as legitimate and pledged to be upheld by states before the international system. Putting aside the fact that human rights violations have continued and even intensified under some regimes targeted for overthrow or reform during the 2011 uprisings, the question is: Were these actors able to make the demand for the entrenchment of human rights a truly popular demand?

Human Rights and the 2011 Uprisings

'The people want' was the defining slogan of a new phase in the political history of societies in the Arab region. Gilbert Achcar, who adopted the slogan as the title of his book, *The People Want: A Radical Exploration of the Arab Uprising*, wrote:

> The coming of the day of reckoning expressed in this collective affirmation that the people *want*, in the present tense—that they want here and now—illustrates in the clearest possible way the irruption of the popular will onto the Arab political stage. Such an irruption is the primary characteristic of every democratic uprising. In contrast to the proclamations adopted by representative assemblies, such as 'We the People' in the Preamble to the Constitution of the United States, here, the will of the people is expressed without intermediary, chanted at lung-splitting volumes by immense throngs such as those that the world has seen packing the streets of Tunisia, Egypt, Yemen, Bahrain, Libya, Syria, and many other countries besides.[9]

In many countries where the uprisings began, 'the people want' was followed by another central phrase: 'to overthrow the regime,' 'to overthrow corruption,' or 'to overthrow tyranny,' which articulated the reality the masses rose up against to depose or change. In other words, the use of this slogan demonstrated that the people were well aware of what ailed them, and they sought to eradicate it from their daily lives. These ills were manifested in years-long policies—and even in particular public figures whose very names became symbolic of these policies—that had deprived them of their basic rights. Conversely, when saying what they wanted, or vocalising the alternatives that they hoped would emerge in the near future, the crowds came up with other slogans that were equally symbolic: 'bread, freedom, social justice' or 'work, freedom, national dignity' or 'dignity, freedom, social justice.' It is not uncommon to see such slogans on banners and statements of political parties, opposition civil society organisations, and at times even organisations close to the authorities. But on the eve of the Arab uprisings, they seemed to emanate directly from the popular conscience, demanding an immediate response, in the here and now.

Analysing these urgent demands from the perspective of international conventions, we find that the principles of freedom, justice, and dignity are foundational to international human rights law and at the forefront of the preambles and articles of the Universal Declaration of Human Rights, the two international covenants, and all other relevant texts. That is, there is an unmistakable overlap between what the masses expressed in the squares in 2011 and the foundation of international human rights law. This demands reflection, as Vida Hamd notes:

> The first phases of Arab revolutions were marked by two characteristics in favor of the naturalist human rights theory; the spontaneity of the protestors' outbursts and the absence of centralized or single, top-down authority leadership of the mass movements. These characteristics constituted a compelling illustration of the principle that human beings are naturally inclined towards freedoms, irrespective of any political decision-making processes or strategic bartering […] The naming of demonstrations, such as 'Dignity Day' and 'Anger Day,' attests to the degree to which human rights and freedoms are not mere artificial state constructions, but instead an articulation of a human's core nature. Protestors' slogans such as 'Work, Freedom, Bread' reminded the regime that human rights serve human needs, dignity, and freedoms independent of any political interest, strategic calculation, or authoritarian bargain.[10]

Returning to the topic of international human rights conventions, Hamd adds, '[T]he Arab Spring started a conceptual revolution that re-claimed the ideational nature of human rights, not by power of international human rights law, but by the power of human beings.' Here Hamd is discussing the raw, organic understanding expressed by the protesters and the human sentiments that spurred them to rise up spontaneously, without the need to refer to conventions, statements, and declarations or to demonstrate their adherence to any particular political, civil, religious, or ethnic

organisation. This is the same principle undergirding the concept of universal human rights, as established by great philosophers throughout human history.[11]

It is essential to understand the distinction between the human rights dynamics produced by Middle Eastern and North African societies since independence up until the moment of the uprising in 2011, and what that moment itself produced. This is fundamental not only to analysing the evolution of society in its confrontation with the state, but also to understanding the relationships between the society and its elites. The kind of human rights language used for decades by civil society to confront the state was absent from the demands of the 2011 popular movement. While this does not necessarily mean that the concept of human rights, with its universal principles, had not reached the general public, it does indicate that society and the elites it produced do not speak the same language. Thus, 'The Arab Spring came with notable features and conclusions for the human rights "movement", per se, namely for political parties and non-governmental organizations (NGOs). The simple fact that people took to the streets to demand human rights was indicative of a failure to accommodate human rights demands within existing political parties and civil society structures.'[12]

The emergence of the uprising also produced a stark polarity between traditional and new social actors. Samir Amin, for example, believes that these new actors are distinct from the conventional groups of actors, long familiar to the Arab political and cultural scene, such as political parties, unions, and civil society organisations. For him, these people did not create or spark the event.[13] Rather, it was triggered by a new movement of young people who lived together in the virtual world using modern communication technologies and social media sites such as Facebook, Twitter, and YouTube. These tools, which were used by young people to create their virtual image, were transformed into platforms for digital activism after the eruption of the 2011 uprisings.

An example of this shift that led to the emergence of new actors is the young Egyptian Wael Ghonim. Hailing from a privileged and educated background, he had never been seen as a threat to regime stability or even as the source of a strong opposition project.[14] In his book, Ghonim recounts how he and other friends launched the 'We Are All Khaled Said' page, one of the most popular pages mobilising for the Egyptian uprising:

> I decided to create another page and to use all my marketing experience in spreading it. Out of the many options I considered for the page's name, '*Kullena Khaled Said*'—"We Are All Khaled Said"—was the best. It expressed my feelings perfectly. Khaled Said was a young man just like me, and what happened to him could have happened to me. All young Egyptians had long been oppressed, enjoying no rights in our own homeland. The page name was short and catchy, and it expressed the compassion that people immediately felt when they saw Khaled Said's picture. I deliberately concealed my identity and took on the role of anonymous administrator for the page […] The response was instant, and within a single hour the number of members climbed to three thousand.[15]

It is worth noting that the 'We Are All Khaled Said' page was created months before the Egyptian uprising that toppled President Hosni Mubarak. Its founders' aim was to express sympathy for Khaled Mohammed Said, a young man beaten to death on the street by two police detectives in Alexandria on 6 June 2010. Under much the same conditions created by the Mohamed Bouazizi incident, the page became a space for mobilisation to end oppression and violations of the right to life and human dignity.

After the initial momentum of the uprising and the euphoria generated by the fall of dictators faded, and after the rulers of other countries, particularly monarchies like Morocco and Jordan, announced far-reaching reforms that seemed to respond to the pulse of the street, traditional actors returned to the ideological and political fray. New variables, too, shifted the balance of power that framed the transitional period and the 'roadmap.' At that point, the issues of human rights, justice, and equality, which the protesters had raised in their own way, fell off the agenda of political change, to be replaced by other debates that initially seemed important, but whose content subsequently diminished their significance and emptied them of substance. Among the most prominent themes framing the political and constitutional debate in many countries after the 2011 uprisings was the concept of the 'civil state,' which, at first glance, seemed to offer a point for consensus among political and civil groups with different backgrounds (especially Islamists and leftists) and a broad space for putting human rights issues and the universal principles of freedom, equality, and justice on the agenda for change. It quickly became clear, however, that it was little more than a cover for the scramble for power on the part of some forces.

For some, the concept of the civil state, which was largely put up for political and constitutional debate by the Islamist movement, did not achieve its intended goal of serving as the minimum threshold of consensus that would establish the rule of law and respect for human rights:

> These provisions often result from complex and at times nontransparent constitutional bargaining processes between the relevant political actors and constitute an uneasy compromise between those groups which call for the establishment of a constitutional system in which political rule is based entirely on the precepts of Islam and those forces which essentially want to maintain the secular character of the main institutions of governance and thus will accept only a moderate or limited Islamization of the constitution and the legal and political system.[16]

As for the Moroccan case, constitutional researcher Hassan Tariq, in a discussion he titled 'The Battle of the Last Quarter of an Hour,' observed:

> While these differences in the assessment of the constitutional framework for identity and its relationship to religion, and freedom and fundamental rights had been evident since the beginning of the consultations, with the appointment of the Advisory Committee for Constitutional Review in March 2011, the sharp

> polarisation around the topic of freedom of belief would be linked to the few days preceding 17 June 2011, the date of the announcement of the outcome of the constitutional review. This was particularly true after the media circulated what it called 'leaks' about the directions adopted by the advisory committee on the provision on the civil state and freedom of belief and the replacement of the clause 'Morocco is an Islamic state' with 'Morocco is a Muslim country' […] In contrast, the Justice and Development Party and the Movement for Unity and Reform would mobilise around what would be described as 'the beginnings of an identity and reference coup, seen in early signs of a retreat from the constitutional provisions related to Moroccan identity and the Islamic reference for the state and society.'[17]

Regardless of the twists and turns in the transition of Arab Spring countries and the obstacles it encountered on the way, the human rights vision articulated at the time of the popular uprising, and by the protesters themselves, was lost in the labyrinthine political and identity debate. As a result, this vision was not consolidated, nor did it form the foundation of the purported transitional process. It did not serve to translate into reality the aspirations of the people, and their organic understanding of human rights discourse and its implications for their daily lives.

Conclusion

The years since the 2011 uprisings have witnessed significant setbacks in the protection of basic human rights coupled with the rise of counterrevolutionary forces that have tightened their grip on all opposition forces and ordinary citizens, drawing strength from the growth of right-wing populist rhetoric even in long-established democracies, which is incompatible with human rights principles. This has led, on the international level as well, to the weakening of the principles of international law and the multilateral cooperation that has underpinned international human rights law since 1948. In turn, this poses a grave threat to the value system of liberal democracy, which Fukuyama considered 'the end of history.' Fukuyama, preeminent promoter of 'Western civilisation,' believes that recent developments in Europe and the United States, including the rise to power of right-wing forces and financial oligarchies, may inevitably lead to the 'decline of Western civilisation'[18] and the collapse of the system itself, which many civil society movements in our region are calling for as the only way to escape tyranny and fundamentalism.

Accordingly, the same peoples find themselves on the back foot, making it difficult to once more occupy the squares and demand change that accords with the freedom, dignity, and justice for which they rose up. But this arc, opened more than a decade ago, deserves to be considered with the necessary intellectual rigor. Humanities research concerned with human rights and democratic transitions should be intensified with the aim of undertaking a thorough-going, objective analysis of the will expressed by broad segments of the region's peoples and their vision of human rights and its universal principles. This must all be linked to the contexts of struggle

against the hegemony and colonialism imposed and supported in a multitude of ways by imperialist powers.

About the Author

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