

IN THE SHADOW OF THE LAW: BAHRAINI WOMEN'S REALITIES WITHIN THE COVID-19 PANDEMIC

FATEMA HUBAIL

Georgetown University, School of Foreign Service in Qatar

Abstract

With the emergence of the Covid-19 global pandemic, the questions of gender and sect have been reintroduced in Bahraini media as examples, spectacles and objects of critique. The pandemic does not only carry a health risk, but it has also become a means of social-conditioning, surveillance and the reification of difference for Bahrainis. In the cases of Ania and Fatima, the pandemic was a time that defined key moments in their lives: their ability to name and shame their abusers online. However, as these women bravely shared their stories, they were confronted by social and cultural forces that attempted to silence them. Although these two testimonies are not representative of all women's experiences in Bahrain, they shed light on the various legal, familial and social structures that affect women's lived experiences. This research will further explore the legal and social silencing of women's lived experiences through the lens of the Covid-19 pandemic. This research aspires to carve an academic space that brings some justice to these women, by sharing their experiences in light of the emerging sociopolitical, sociolegal and cultural contexts of their society. In this research, I answer the following questions: (1) to what extent does Law No 19 of 2017 on the Family Law (also known as the Unified Family Law of 2017) perpetuate silencing on the grounds of gender and sect throughout the pandemic in Bahrain? And (2) to what extent has the Covid-19 pandemic amplified the expectations ascribed to women on the grounds of gender and sect in Bahrain? The focus on the Unified Bahraini Family Law of 2017 is vital to understanding the social expectations that frame women's lived experiences in Bahrain. It complicates the lives of women, as the state imagines unification, but the reality suggests that women are found at the intersection of gender, sect, structures of kin, trauma and, lastly, the sociopolitical implications of the Covid-19 pandemic.

Keywords: digital space; marginalization; Covid-19 pandemic; Bahraini family law; sect.

[A] INTRODUCTION

Today I decided to break my silence and speak about my terrible childhood ... From the age of nine till 16 I was repeatedly raped by three people. Three people continuously raped me ... Three people destroyed my life completely (Ania 2020a).¹

On 27 June 2020, a Bahraini woman with a pseudonym of Ania resorted to Twitter in an attempt to break her silence on her abuse, speaking about how she was raped by three people for a period of over seven years. Ania concluded her statement pitting the complete destruction of her life against the ‘great perfection’ by which the abusers continue to live (Ania 2020a). Ania’s story was one of many circulated throughout social media platforms emerging at the heart of the Covid-19 pandemic.² With the increase in the outbreak of the pandemic, state lockdown responses amplified the risks that women experience globally (UN Women 2020). The ‘Shadow Pandemic’ has become the term that connotes the endemic violence against women and girls, specifically the violence experienced in the dark, shadowed, albeit prevalent facets of societies—mainly the households (UN Women 2020; Okwuosa 2021). Although Ania’s story is akin to the multiplicity of narratives represented by the Shadow Pandemic, her story neither exists in the shadows of the pandemic nor does it emerge out of a vacuum. Ania’s story is spotlighted by the pandemic; it is representative of the many other silenced women’s and girls’ voices from within the margins.

In the neighboring Gulf Cooperation Council (GCC) state, Kuwait, other stories of silenced women were brought to the public attention through

¹ Ania is a pseudonym chosen by the informant. The account is currently suspended, however, I recall the choice of the name ‘Ania’ was in reference to the story of a woman who was able to persevere against the tides of injustice. Instead of using the informant’s real name, I chose to retain the pseudonym that the informant used to share her story. Other stories of female victims of sexual assault and abuse will also be anonymized out of respect for their privacy. However, perpetrators will be actively named throughout this research in an effort to contextualize this work as ‘justice-seeking’ (consult the following for more information: Fileborn 2014; Vitis & Gilmore 2017; Mendes & Ors 2018; Harris & Vitis 2020).

² For example, in Jordan, on 18 July 2020, Ahlam was brutally killed by her father, who ‘[smashed] her head with a concrete block in plain view on a public street, then sat beside her body, smoking a cigarette and drinking a cup of tea’ (Balaha 2021). The image of a father standing beside the cold, bloodied body of his daughter, plainly and silently enjoying a cigarette and a cup of tea, presents an eerie reality of the active, violent, and gruesome silencing that Ahlam experienced. ‘Ahlam’s screams’ (#صرخات_أحلام) hashtags began to circulate along with video footage of her murder. Although her family and witnesses did not save her in time, Twitter users comprising activists, civil society organizations and general users organized both digitally and in person (Balaha 2021) in an attempt to answer Ahlam’s screams and prevent other women from experiencing the same. Whether these initiatives were effective remains uncertain.

the digital space. ‘Sabah al-Salem Crime’³ hashtags (Abueish 2021), ‘Al-Ahmadi Crime’⁴ hashtags, followed by ‘I am next’⁵ hashtags trended in the Twittersphere, with activists, feminists, men and women from across the GCC sharing their discontent with state failures in protecting women. Twitter users, in Kuwait to be specific, used the Twitter platform to ‘name and shame’⁶ perpetrators, advocating for justice for the women who died in al-Salem and Al-Ahmadi, and other major cities (Abolish153 2021). Twitter users demanded justice, punishment for the perpetrators, and for the abolition of honour crime codes in Kuwait, and across the GCC (Abolish153 2021).⁷ What remains striking in these hashtag campaigns is the growing support for the lives of women lost to gruesome murders in Kuwait. In most posts, the women’s names were disguised, kept in the shadows, leaving the crime to speak and Twitter users to demand justice for them. Despite the fact that the ‘I am next’ hashtag was also trending, certain cases of women using the digital space to share their trauma, whether in the past or ongoing, did not fully merit the same advocacy, response, or Twitter hashtags. In fact, Twitter users in the case of Ania, for example, demanded proof whilst constantly questioning her story, and rendering her experience as a mere fiction, a honeytrap, or a young girl’s thirst for attention.

In July 2020, Fatima’s⁸ testimony was circulated across social media platforms, identifying Ayman Al-Ghasra as the man who raped her and threatened to ruin her reputation. Fatima’s testimony was followed by

³ This hashtag emerged in Arabic throughout Twitter, Instagram and other social media platforms under the hashtag #جريمة_صباح_السالم.

⁴ This hashtag emerged in Arabic throughout Twitter, Instagram and other social media platforms under the hashtag #جريمة_الأحمدي.

⁵ This hashtag is not to be confused with the #MeToo movement. It emerged in Arabic throughout Twitter, Instagram and other social media platforms following the murders of women in the cities of Al-Salem and Al-Ahmadi in Kuwait. The hashtag trend can be found via the following: #أنا_التالية.

⁶ Naming and shaming functions as a tool of confronting perpetrators in the digital space. This is evident in the #MeToo movement emerging globally. For more information, see Fileborn & Loney-Howes 2019.

⁷ The crimes committed in Kuwait with respect to the hashtags mentioned earlier continued to trend in light of the recent crime in Kuwait where a mother kept her daughter’s dead body in the bathroom for five years (*Arab Times Online* 2021).

⁸ ‘Fatima’ is a pseudonym chosen by the researcher to represent the second informant. The story of ‘Fatima’ was shared via ‘Ania’s’ account which is currently suspended. Instead of using the informant’s real name, I chose to anonymize the identity of the informant by using a suitable pseudonym to share her story.

the hashtag ‘Exposing Bahraini sex trafficking gang’,⁹ which exposed a group of Bahrainis including Ayman Al-Ghasra who deceived Fatima into trusting him while she was travelling to Iraq. Fatima was raped, while her young son was locked in a neighbouring room. Fatima’s testimony was subverted, undermined and rendered as a fictitious narrative—that of a Shi’a woman, who was once deemed to be a threat to the state. Some users pointed to Fatima’s role in the 2011 protests, where she was arrested and tortured by Bahraini authorities and forced into a false confession (France24 2013). Fatima’s rape testimony was further falsified, as some users called her a ‘traitor’ and ‘attention-seeker’ for publishing a video of her apologizing to the King for insulting him, shortly after the Bahraini protests of 2011.¹⁰ In the latter example, Fatima was seen as a traitor to the cause, and thus her rape testimony was seen as unreliable.

In both cases, Ania and Fatima share similar stories and standpoints. They are both women and they are both Shi’a. Additionally, both women live with their families. Both women resorted to the digital space to share their experiences. Both women shared testimonies of acts emerging from within an intimate private space, concerning the violation of their bodies. Both women attempted to expose their assaulters in an effort to garner support from the community. In both cases, most online reactions were derogatory, negative and perpetuated specific social expectations of both gender and sect in Bahrain. In the case of stories of women breaking their silence, such as Ania and Fatima, the digital space no longer functions as a public space where opinions can be shared, experiences and stories can be told, and where your online identity is not conflated with your offline one. Instead, the digital space has become a tool of policing and silencing, not only by the Bahraini state, but also by Bahraini digital citizens. In these two cases, respondents engaged in actively silencing these women, calling them attention seekers, disobedient and deserving of their trauma. Respondents also indicated that ‘such stories’ should not be shared publicly, and specifically on Twitter. In the eyes of these interlocutors, these stories neither merit the privilege of being shared publicly on social media, nor do they merit the privilege of a hashtag campaign calling for justice against their perpetrators.

These two case studies are central to this research. Although these women are sharing their experiences of domestic and communal violence, online responses to their experiences reify the structures of silencing

⁹ This hashtag emerged in Arabic throughout Twitter, Instagram and other social media platforms under the hashtag: #فضح_عصابه_الاتجار_بالجنس_البحرين.

¹⁰ These comments were gathered from a social media analysis of [Fatima]’s testimony across different platforms.

taking place in Bahrain. In various responses, we see users utilizing language pertaining to the social expectations ascribed to women akin to the language emerging from within Law No 19 of 2017 on the Family Law (also known as the Bahraini Unified Family Law of 2017). Respondents also pointed to the intimate nature of these testimonies, and how narratives that deal with the private space of family, the household, and a woman's body ought to remain private. Although these two testimonies are not representative of all women's experiences in Bahrain, they shed light on the various legal, familial and social structures that affect women's lived experiences. This research will further explore the legal silencing and social silencing of women's lived experiences through the lens of the Covid-19 pandemic. This research aspires to answer the following questions: first, to what extent does the Unified Family Law of 2017 perpetuate silencing on the grounds of gender and sect throughout the pandemic in Bahrain? Second, to what extent has the Covid-19 pandemic amplified the expectations ascribed to women on the grounds of gender and sect in Bahrain?

While these are merely two experiences that trended on Twitter among Bahrainis, they are vital and central to the research at hand; both women were brave enough to break their silence and withstand social, legal and structural enmity. Despite their bravery, the structures that these women confronted through their stories have arduously silenced them. This research engages in a dialectic reading of laws, narratives and lived experiences. The focus on the Unified Bahraini Family Law of 2017 is vital to understanding the social expectations that frame women's lived experiences in Bahrain. Family laws delineate the public and private spheres and further designate roles and expectations to women as they navigate both spaces.¹¹ Family laws are often equated to 'women's rights within the family' (Welchman 2012: 371), however, it is important to note that women's rights in this case become '*dependent on the family*' (Hubail 2019: 18, emphasis added). Thus, family laws do not only demarcate the roles of men and women within the family, essentially the private space, they also construct the limits to which women can be socially and

¹¹ Family laws across the GCC states reference specific rights a woman has access to within the family and by extension the public space. For example, the Qatari Family Law 2006 explains that a husband ought to consent to his wife's pursuit of an education inside the country 'in so far as this does not conflict with her family duties' (Qatari Family Law 2006). Here, a woman is expected to primarily be obedient in order for her to be able to pursue an education. The law also assumes that women graduating from high school are more likely to get married prior to pursuing an education. Additionally, the Ministry of Interior in Qatar permits single women above the age of 25 to travel outside of Qatar without the permission of their guardian. However, customs rely on Article 69(4) of the Family Law that states that wives travelling without the consent of their husband would be rendered as 'disobedient'. This, in practice, also applies to single women, rendering their singlehood as irrelevant in the requirement for permission from their guardians.

economically active, mobile, and independent. Family Laws also reduce women to the social roles of wives and mothers. Furthermore, these laws pose social limitations, expectations and specific gendered subjectivities aiming to mould women into the ideal, submissive, silent citizen in the eyes of the state. In the case of Bahrain, this idealism is complicated when accounting for the relationship between gender, sect and violence. For Bahraini Shi'a women, family law already grants them limited rights in comparison to their Sunni counterparts. When accounting for violence committed against a woman, and in this case against her body, she is rendered as 'unusable' or tainted, thus implying that women's bodies do not belong to them. Rather, they are a product of the private sphere, and they belong to that space. Women, in this case, are expected to constantly navigate and negotiate their social/public and intimate/private selves. Confronting sexual violence further challenges this duality. As the cases of Ania and Fatima show, their testimonies of sexual assault, specifically of rape, subjected them to social repercussions and interpretations of gendered subjectivities—as obedience to family, reputation, and the implications of public exposure were invoked. Ultimately, these responses not only silenced these women, but functioned as a social reminder of their gendered obligations. Hence, by focusing on the law, state politics and the lived experiences of Ania and Fatima, this research will show how these sources speak to one another dialectically. The dialectical process central to this research aspires to 'provide a more in-depth nuanced understanding of research findings and clarifying disparate results by placing them in dialogue with one another' (Mertens & Hesse-Biber 2012: 75). The objective is to represent realities as they emerge, to showcase how the legal and national imaginaries of the Bahraini state, and members of the society, through the digital space, police gender and sect specifically within the pandemic.

[B] COVID-19: THE BAHRAINI EDITION

The outbreak of the Covid-19 pandemic has drastically tested states' responses to emerging public health concerns (Adolph & Ors 2021), which has impacted the legal, social, political and economic realities of citizens (Mezran & Pertaghella 2020). Bahrain, through the lens of the pandemic, presents a complex friction between state-sanctioned narratives and people's realities. Throughout the pandemic, Bahraini authorities actively engaged in silencing citizens, in embellishing life in Bahrain, and concealing the ongoing violence and torture against its citizens (Alhajee 2020; Amnesty International 2020a; Michaelson 2021). The Covid-19 pandemic introduced a ripe opportunity for state surveillance and unequal

access to sites of redress, thereby further exacerbating existing sectarian and gendered inequalities (Amnesty International 2020b; Garthwaite & Anderson 2020; Statt 2020; Human Rights Watch 2021b). On 19 March 2020, reports showed over 1500 Bahraini nationals stranded in Iran due to travel disruptions in response to the coronavirus outbreak (Bahrain Institute for Democracy 2020). The Bahraini authorities refused to repatriate nationals, which was justified by using two main arguments: (1) public health of Bahrainis living in Bahrain; and (2) ‘biological aggression’ from Iran (Bahrain Institute for Democracy 2020). Using the public health of Bahrainis as a central concern, the Bahraini Parliament agreed with ‘a majority vote’ to ‘[delay the repatriation] of Bahraini citizens afflicted by the virus (in Iran) until they recover’ (Alkhawaja 2020). This decision was coupled with the refusal to repatriate citizens primarily because their passports were not stamped by Iranian customs. Sheikh Rashid bin Abdulla Al Khalifa, the Bahraini Minister of Interior, deduced that Iran’s actions in this case amounted to biological aggression, since the absence of a stamped passport indicating arrival from Iran functioned as an intentional attack on Bahrain. He stated:

With this behaviour, Iran has allowed the disease to travel abroad, and in my estimation this constitutes a form of biological aggression ... as it has put in danger our safety and health and that of others (Eltahir & Barrington 2020).

National security and public health were utilized as the primary crutches that the state was leaning upon to justify its actions towards Bahraini citizens stranded in Iran. Additionally, the Bahraini Government introduced various hurdles preventing the repatriation of citizens, such as: ‘instructing’ the Shi’a Ja’fari Ministry of Endowment to fund the return of Bahrainis stranded in Iran and cancelling scheduled flights, further prompting Qatar’s involvement in supporting the stranded Bahrainis in Iran (ADHRB 2020). In this specific case, ‘instructing’ a ministry, ‘cancelling’ flights because of ‘logistics’, ‘requiring’ parliamentary votes, maintaining ‘national security’, and upholding ‘public health’ were the primary justifications employed by the state (ADHRB 2020; Middle East Eye 2020; The New Arab 2020). These narratives, in the minds of many citizens, equated to unequal treatment, sectarian tensions, the misconception that Shi’a Bahrainis are pawns serving the Iranian agenda, and, possibly, the health of non-Shi’a citizens (also known as citizens who do not travel to Iran) being more important than the health of Bahrainis stranded in Iran.

Narratives pointing to Iran as the prime suspect in the outbreak of a global pandemic began to recede within the second half of 2020. Instead,

Bahrain, as with other GCC states, spread narratives symbolizing progress and normalcy. On 15 September 2020, Bahrain signed the 'Abraham Accords: Declaration of Peace, Cooperation, and Constructive Diplomatic and Friendly Relations' normalizing relations with Israel (Singer 2020). The Supreme Council for Women published various reports celebrating the efforts taken to empower women (Supreme Council for Women 2020).¹² A Formula 1 event was hosted in Bahrain showing the unity of a community and happy citizens. The rosy lens of these state-sponsored narratives, taking place within a global pandemic, function as state-sanctioned tropes disguising the realities for citizens in Bahrain. In fact, Bahrainis engaged in activism both offline and online. On the one hand, 14 February 2021 marked the 10-year anniversary of Bahrainis protesting against state authoritarianism (Al-Jazeera 2021; AP News Wire 2021; MacDonald 2021). Minor protests were reported throughout Bahrain (Al-Jazeera 2021; AP News Wire 2021) coupled with active online campaigns, such as: Resist Until Victory 10.¹³ Bahrainis also expressed their dissent online against the normalization of relations with Israel, reporting archival images showcasing the community's long history of pro-Palestinian support (Al-Jazeera Mubasher 2020). While Bahraini media boasted the ability to host the Formula 1 during the pandemic and social media platforms were bursting with pictures of happy citizens holding Bahraini flags at the Grand Prix, Bahrain simultaneously launched campaigns dedicated to 'curbing' (Amnesty International 2020b; MEI 2020; Soliman 2020; Human Rights Watch 2021b) the spread of rumours that might disturb public opinion—a practice long-existing in the state of Bahrain (Jones 2013; 2016; 2020a; 2020b). At the same time, arbitrary arrests of children in February 2021 took place (Human Rights Watch 2021a; Reuters 2021) which were followed by the outbreak of Covid-19 in Jau Prison and threats made against relatives of dissidents (Amnesty International 2020a, 2020b). Protestors, although significantly smaller in number than in 2011, demanded the cancellation of the Formula 1 race and demanded the freeing of prisoners. One report exposed the arbitrary arrest and torture of a 13-year-old Bahraini, shedding light on violent police brutality. Police officers tortured the 13-year-old Bahraini boy by hitting him on his head and genitals. They repeatedly threatened him with rape and further subjected him to electric shocks (Human Rights Watch 2021a; Reuters 2021).

¹² Some of these publications include: *The Efforts of the Kingdom of Bahrain to Contain the Repercussions of the Coronavirus (COVID-19) Pandemic on Bahraini Women and Families* (2020); *National Gender Balance in Future Sciences Initiative* (2021); and *National Plan for the Strategy for the Advancement of Bahraini Women* (Updated 2021).

¹³ This hashtag emerged in Arabic throughout Twitter, Instagram and other social media platforms under the hashtag: #نبات_حتى_النصر. The translation used here is the author's own translation.

While reports celebrated the achievements of institutions such as the Supreme Council for Women, none of them explicitly mentioned rates of domestic abuse, family violence and gendered violence taking place within Bahrain. In fact, the celebrated 15-page report published by the Supreme Council for Women, *The Efforts of the Kingdom of Bahrain to Contain the Repercussions of the Coronavirus (Covid-19) Pandemic on Bahraini Women and Families* contains no reference to domestic violence, family violence, gendered violence, or any action taken to ameliorate the conditions that women experience (Supreme Council for Women 2021). One news article, showcased that *Shamsaha*, a crisis response programme in Bahrain catering to women experiencing violence, had experienced a 46 per cent increase in cases of domestic violence in April 2020 (Zawya 2020). No further reports were published on any rates of domestic violence. Most headlines pertaining to ‘women’ or issues of ‘gender’ in Bahrain addressed the economic infrastructures that the state is providing to help women throughout the pandemic.

Although global reports have significantly mapped the surge in domestic violence, divorce and gender violence rates (Evans & Ors 2020; UN Women 2020; World Health Organization 2020), Bahraini reports continue to exclude this data. The absence of official statistics—or even statistics from active organizations—further distorts our understanding of Bahraini women’s lived realities. Despite the fact that the Unified Family Law was promulgated in 2017 as a successor to the 2009 (Sunni) Family Law, there remains a significant gap in information regarding the application of laws and practices. Thus, an overview of how the Family Law operated throughout the pandemic, such as whether court cases involving family matters increased in Bahrain, as well as domestic violence rates, remains hidden from the public eye.

What materializes as visible throughout the pandemic is the active concealing, silencing and correcting of narratives emerging from within Bahraini society. For example, while the Formula 1 event was being promoted, authorities imprisoned Kameel Juma Hasan, the 17-year-old son of a former prisoner. In 2020, Kameel recounted the accounts of his mother being sexually assaulted by the authorities in 2017 (Americans for Democracy and Human Rights in Bahrain (ADHRB) 2020). Immediately after the Formula 1 event, Jau prisoner Mahmood AbdulRedha al-Jazeerai disappeared from the public eye. He was forced into solitary confinement after he recorded a message criticizing Covid-19 safety measures in prisons (Human Rights Watch 2020). By contrast, the state had previously published a sanitized narrative of health measures in prisons. Contrary to that, al-Jazeerai’s leaked video showcases a conflicting and dystopian

reality of prison conditions. Sportwashing, or the use of sports events as means to conceal the realities and truths shared by the people, became a vital Bahraini façade—which emerged systemically.¹⁴ In conjunction with state-sponsored silencing, we see another active form of silencing emerging within the digital space. In this case, it is not the Bahraini state that acts as the primary gatekeeper of truth and knowledge, rather Bahrainis themselves are actively policing the digital space and silencing critical narratives. Evident in the cases of Ania and Fatima, this phenomenon reiterates the silences emerging from within the family laws. Thus, digital silencing becomes a medium that furthers the power of the state and social silencing with respect to women at the intersection of gender and sect. This further raises the following questions: how does the law approach gender and sect? What silences emerge within the law itself, and how does it affect women’s lived experiences? In what ways does the Unified Family Law of 2017 demarcate public and private spaces? Lastly, what implications are there for women’s lived experiences and their narratives of violence arising from this demarcation of spaces?

[C] LAWS, SPACES AND SILENCES

Family laws define the structure of a family within a state. These laws outline how people can navigate social spaces through the institution of the family. In order to legitimate the institution of the family, the Bahraini family law defines marriage as the primary means to start a family, and designates specific rights and duties of men and women. In *Gulf Women*, Amira Sonbol explains that family laws differentiate:

one human being from another in natural or family characteristics ... such as whether the human being is a male or female, married, widowed, or divorced, a father, or legitimate son, a full citizen or less by reason of age or imbecility or insanity and whether he has full civil competence or is limited as to his competency for a legal reason (Sonbol & Dreher 2012: 334).

Family laws in this case define the spaces to which women are entitled, and they define how women navigate these constructed public and private spheres (Hubail 2019). Although citizenship is an expression of how men and women are seen ideally as equals in the eyes of the state, the subjugation of women to the private sphere complicates the way they can be seen by the state—specifically as equals to men. Thus, a woman in Bahrain is not only defined by her gender, but also by the sect she belongs to, her kinship ties and her experiences. The Bahraini National Action Charter of 2001 stipulates that ‘men and women alike,

¹⁴ For more on sportwashing in Bahrain, see IFEX 2021; Roussel 2021; Yazbek 2020.

have the right to participate in public affairs and political rights including suffrage and the right to contest as prescribed by law' (National Action Charter 2001: 10). Although the Constitution posits gender equality in the eyes of the state, the rights and liberties granted to women vary from those granted to men within the institution of the family. This is seen through the Unified Family Law. Citizenship here does not only refer to the subject belonging to a state, but is rather the process to which a subject is subjected as a citizen of the state. This is where Suad Joseph's contention of citizenship being a 'gendered enterprise' (2000: 4) plays a key role. Men are 'naturally' citizens, while the extent to which women are seen as citizens is determined by their roles within the family. As Michel Foucault reminds us, citizenship becomes 'a cultural process of subjectification' (1980) a space where cultural and national imaginaries of citizenship are woven into the citizenry. In order for a Bahraini woman to be seen as a citizen, she must subscribe to a 'male-defined kin group', a 'religious sect' and, in the cases of both Ania and Fatima, an 'untainted lived experience' such that she could belong to the Bahraini nation.

Expectations of the Unified Family Law of 2017

On 19 July 2017, Bahrain promulgated its first unified family law. Unlike its 2009 predecessor, the new law functions as a civil code for all Bahrainis, regulating *both* the Sunni and Shi'ite sects in matters of personal status. Praised as a 'milestone' by the King (Toumi 2017b) the unified law was seen as a means of uniting various social groups under one law. In theory, the law should *successfully* supervise, inspect and control the limits of administration while mitigating social divisions between sects in Bahrain. The law was viewed as a historical moment of unity, an achievement of the Bahraini Parliament as it was ratified 'hours after its draft was unanimously supported' (Toumi 2017b). Shura Chairman Ali Al Saleh emphasized, '[t]his law is not just for families, but it is for all Bahrain ... By endorsing the law, we are reacting to all those who want to incite sectarianism and divisions' (Toumi 2017a). The unification of the family law was celebrated specifically because its predecessor was consistently rejected by Shi'a leaders. This rejection was previously justified in light of concerns over who (and what) had the authority to direct decisions pertaining to the family within the Shi'a community. What remains absent in these statements is how this law would benefit women and what social expectations it embodies.

Consider Article 38 of the Family Law. It defines the rights and duties that both spouses are expected to follow, which include: '(i) enjoying each other as a couple; (ii) preserving the family; (iii) respecting

each other as well as their parents and relatives; and (iv) caring and upbringing of their children' (Musawah 2017: 3). The rights that a wife can expect from a husband vary from those a husband can expect from a wife. Article 39 provides for the rights that a wife can expect from her husband: (i) financial maintenance; (ii) non-interference with her right to manage her own assets; (iii) not to be harmed physically or morally; (iv) fairness in maintenance and time spent if the husband is married to two or more wives; (v) maintaining kinship ties with her family; and (vi) not depriving her of offspring (Musawah 2017: 4). Therefore, a husband must financially provide for his wife, keep her safe and protect her, and allow her to exercise her agency with respect to her own assets, with her family and, as will be illustrated in later sections, with her body. However, a wife's duty to her husband requires her to take care of him and obey him, take care of his children, breastfeed them, be faithful to him, take care of his money and his household, and 'not refrain from procreation unless with his permission or a legitimate excuse' (Musawah 2017: 4). With both sects taken into account, these articles illustrate 'gender-specific rights and duties in the spousal relationship' (Welchman 2007: 89). On the one hand, the husband is in charge of financial decisions which translates to 'his authority and control within the family' (Welchman 2007: 89). On the other hand, a wife in return for spatial and financial maintenance must obey her husband. Scholars such as Abu-Odeh (2005), Sonbol (1998) and Mir Hosseini (2003) all indicate that the listing and legislating of such rights are a 'construction of the codes', without much premise in *fiqh* (Welchman, 2007: 89).

The law further stipulates that a wife cannot work outside the marital home without the permission of her husband. Permission to work is an extension of a wife's obligation to obey her husband 'in lawful matters' (Welchman 2007: 98). A wife's right to work needs to be stipulated in the marriage contract if she was not working prior to the marriage. However, in cases where women were working prior to marriage, they have the right to continue to work without requiring the permission of their husbands. The explicit requirement for a woman to include her right to work as a condition in her marriage contract makes the contract legally binding, further suggesting that a husband cannot legally forbid his wife from working. Here, we see the law defining the family structure through the duties and obligations of both spouses. On the one hand, the obligations of a woman within a marriage are centred around the household and the family structure. A woman's role outside the house is not obligatory. Nevertheless, it is permissible—with the permission of a woman's husband—that, in return for her obedience and compliance, the husband

can grant her the right to work. In regard to status and privileges to which men and women are entitled within the family structure, the code paints an unequal picture. A woman is obligated to obey, while a man is obligated to provide. A man facilitates a woman's right to mobility outside the household in return for her obedience. In practice, this frequently translates to conditioning women to uphold social expectations, in which they are often associated with needing to be governed, maintained and controlled. In this case, the law embeds gendered subjectivities and expectations of men and women on the grounds of masculinities and femininities, respectively.

On the level of sect, there are various Articles that designate specific rulings to the Sunnis and to the Shi'as. In regard to suitability (*kafa'a*) of a marriage partner to a woman, the Bahraini Unified Family Law defines suitability as applicable only to Sunnis. This condition requires a guardian of a woman to be able to accept a partner for the woman on the basis that the man is seen as equal to the woman. Article 37 of the family law defines *kafa'a* through the Sunni *fiqh* with four sub-articles (Law No 19 of 2017 on the Family Law). Primarily, suitability is mandatory in the existing conditions that legitimate a marriage, and it pertains mainly to the woman and her legal guardian. Suitability should embody what is viewed as religiously beneficial, and specifically it applies in relation to *all* factors that contribute to its recognition through custom, further allowing social interpretations to come into play. If a husband claims to fulfil the suitability requirements, but is then proven to be unequal to the woman or unable to fulfil the status he claimed to possess, the wife and her legal guardian have the right to terminate the marriage contract. Despite the applicability of the suitability criterion to Sunnis, according to an interview with Sheikh Moussa, a Shi'a cleric, *kafa'a* retains an integral place within the Shi'a community (Al-Asfoor 2014: 57-65; Hussain 2019). However, the law positions *kafa'a* as merely valid and applicable to Sunnis.

In an interview in 2019 with a lawyer from Bahrain with experience in the Ja'ffari (or Shi'a) courts, I asked several questions concerning women's experiences in courts with unfit husbands, and the judicial rulings made (Anonymous 2019).¹⁵ The one experience that stood out dealt with a woman who filed for a divorce only a few months after signing her marriage contract. With the signing of a marriage contract, 'even if a wedding does not take place, the spouses are legally able to consummate the marriage despite the absence of a white wedding' (Hubail 2019: 55).

¹⁵ Transcript in possession of author.

After the woman's first few sexual experiences with her husband, the woman noticed her husband behaving strangely. Over the period of a few months, she discovered her husband abusing drugs and alcohol, and was spending nights outside the marital home, implying he was committing adultery (Hubail 2019: 55). Upon confronting her husband, he presented an ultimatum: 'If you do not like this, then you can go ahead and ask for a divorce' (Anonymous 2019; Hubail 2019). After the wife requested a divorce, the husband asked, 'How much are you willing to pay? ... Pay me 50,000 BD [USD 132,608], and the divorce is yours' (Anonymous 2019). In a case such as this, within the Sunni community, the wife would be granted a divorce on the grounds of (financial) suitability. However, within the Shi'ite community, a woman needs to compensate her husband to terminate the marriage. In this example, the Shi'a woman's case lasted four years. When she presented her arguments to the court, the judge requested that the spouses reflect on this situation or '*raji'ou anfusikom*' before the case was decided (Anonymous 2019). Throughout the hearing, the woman was challenged by the judge as he consistently requested evidence from her in order to satisfy the burden of proof. Proof was required because the court space became a space where '*asrar al-biyoot*' or the private secrets of a home are exposed (Hubail 2019: 56). Divorce in the Sunni courts can be on the grounds of a breach in a contractual condition, by the husband authorizing someone to divorce his wife, and it can be brought to court as retrospective evidence—meaning the words were said outside the court, but need to be formalized through paperwork. By contrast, the Ja'ffari jurisprudence within the Shi'a court requires the presence of a wife and two witnesses, thereby limiting the ways in which divorce can take place. Although this may work in favour of women whose husbands are unilaterally divorcing them, the burden of proof is heavier in cases pertaining to divorces of Shi'a women than those of Sunnis.

The judge, the court space and the legal, official filing of a case, all function as social actors. In this case, it is important to note how divorce proceedings in courts vary between sects. The privacy of a home, and by extension, the privacy of a family, become overtly public and exposed within a court case. Despite the fact that the law attempts to regulate private sphere affairs, family cases brought to court are viewed as risks to the privacy and intimacies of the domestic sphere, and may be associated with bringing shame to the family. Although these cases are legally regulated, the lawyer emphasized that, '[T]here is no solution, because we are a part of a society ruled by religion' (Anonymous 2019; Hubail 2019: 56). In this case, social structures, practices and expectations determine the outcomes of judicial rulings, specifically when sect comes

into play. 'A society ruled by religion' is in fact a society ruled on the basis of what is perceived as religious, customary, or acceptable by the leading clerics and members of the community. Therefore, the judge acts not as an objective actor expected to uphold the rights of citizens. Instead, the judge acts as a social and religious arbitrator guided by social and communal interpretations.

Lastly, Article 108 addresses a husband who is missing, absent and whose whereabouts and state of being are unclear or unknown. For Sunnis, a woman can request a divorce after four years of investigation and the husband has been proven to be 'missing' or 'absent' (Law No 19 of 2017 on the Family). For Shi'as, there are two specific sub-articles that govern this particular circumstance. The first has the same exact phrasing as the Sunni Article, while the second states: 'A wife is not divorced if her missing or absent husband has money or a guardian who can financially support her' (Law No 19 of 2017 on the Family). It is relevant here that, since 2011, Bahrain has effectively been a police state, one where forced disappearances, revocations of citizenship and police violence are not uncommon. In a case where a Shi'a woman's husband is missing for a period of time and the husband's finances are sufficient to support her, the woman cannot remarry nor get divorced *until* and *unless* the support is depleted. The availability of a guardian to financially support her also repositions women from the guardianship of their husbands to the guardianship of their in-laws or male relatives. The question of divorce here thus may actually be tied to the existing social and political instability, where women belonging to the Shi'a sect may not necessarily be able to access the same privileges that Sunni women can obtain (Hubail 2019). Article 111 discusses the arrest of a husband and the circumstances in which a woman can request a divorce (Law No 19 of 2017 on the Family). Unlike its predecessor, the 2017 law is unclear and states that a woman can file for a divorce *if* her husband is in jail, and if she has been affected by the husband being imprisoned. The legal requirement to prove that she has been affected further conditions women to remain within their marriage unless they have clear (acceptable) proof to support a dissolution. In cases where women find proof, they are then confronted by judges who arbitrarily decide on whether the proof is valid or not. Although the law explicitly discriminates against Bahraini women on the grounds of gender and sect, we have relatively little evidence as to how the law operates in practice. In order to fill this gap, the following sections will engage the lived experiences of women and explore the implications of the law for them.

Bahraini Women Speaking from the Margins

'To be in the margin is to be part of the whole but outside the main body ... We could enter that world but we could not live there', explains bell hooks (1989: 20). The notion of the margin situates the marginalized in a space that is ostensibly outside the hegemonic narrative of the centre, a 'site of deprivation' (hooks 1989: 21). In this space, women are confronted with hegemonic silences, ones that render their experiences, voices and location in friction with those emerging from the centre. It is in this space that we can locate women such as Ania and Fatima. Their experiences of rape are neither recognized nor acknowledged given their marginality. Instead, they are spoken to, confronted, challenged, critiqued and ultimately silenced on behalf of the centre, and from within the centre. Thus, what does speaking from a position of marginality entail? Let us now consider the narratives presented by both Ania and Fatima.

Ania's Case

Ania continues her story explaining how her assaulters are 'loved' by everyone—'sanctified' by all—while she is 'outcast' and 'oppressed'. They are 'closer' to everyone as she remains 'farther' from all (Ania 2020a). Ania engages the binary of experiences that she shares with her assaulters to contextualize the gravity of her situation. She explains that she would go to school after being assaulted all night, feeling everyone was looking at her, knowing she had been tainted. Ania further explains that her mind was always distraught, preventing her from making friends and interacting socially, pushing her to find corners to isolate herself in any space she entered. Ania recounts her feeling of guilt, of fault, where she confesses that she thought of herself as 'the criminal' while also feeling thankful that her assaulters did not 'expose' her (Ania 2020a). She continues to explain that 27 June 2020 was a prominent day when she exposed her rapists to her family and received compassion, love, and support—a day that marks the end of her self-torture and the nascence of the fear and worry of her rapists. She explains that her rapists were her brothers and cites her confrontation with her eldest brother. He argued that she did not need to take 'it this far' and that she is 'too serious' while asking her to 'pray' on it and remember that they are 'siblings'. Ania then cites another screenshot of her messages with her brother; she writes,

I remember all the details, I remember when you took me upstairs when they were repairing your mother's apartment, and you kissed me and [he] passed by us and did not say anything ... Do you remember this? Do you remember when you showed me porn on your phone while I lay on my stomach, telling me it wouldn't hurt when you put it

behind and I bled ... do you want me to remind you of more or is this enough? ... Do you remember when you took him against his will to the bathroom as he screamed ... Do you remember when you came to me while I was asleep and came on my face ... It went in my eyes and you laughed? Do not say you don't remember ... (Ania 2020a)

Her rapist also requested that she should 'soften her heart' and keep the matter private as his reputation was at stake. Ania's confrontation with one of her rapists garnered various responses (Ania 2020a). One male respondent mentioned: 'With all men, none of us is safe and honest with a female at all. Even if she is our family' (@abawq321 2020). Another respondent advised her to 'travel far away. Leave this place behind ...' (@GO10976h 2020). Other respondents joked, stating their suspicions regarding the truth of this story, advising her to avoid lying on social media. One respondent stated: 'There is no way that a rape for a period of seven years was without a form of consent or total consent' (@rezoo98 2020). Another respondent advised her to pitch her dramatic story to '@NetflixMENA' (@Hani_1957 2020). Other responses cited religious figures warning against the threat of feminism, her need for mental health help and the fictitious nature of the story. Respondents argued that the story is false, otherwise she would have told her parents. Respondents on Twitter situated her as deserving of the violence committed against her, since they argued that she was disobedient because she exposed her assault.

Ania took her experience a step further and reported her rapists. She uploaded a series of images on social media citing her reports to the Ministry of Interior and specifically her legal case report submitted on 29 June 2020. Additionally, Ania gained the support of #orangetheworld, an initiative led by UN Women, which created a specific post thanking Ania for sharing her experience (Ania 2020b). Although responses to Ania's initial post varied between positive responses in support of her testimony to negative responses challenging the veracity of her testimony, there are specific implications that emerge from her experience in particular.

Crucially, Ania lives with her family and is related to her abusers. Although she filed a legal case against her rapists, there is no evidence to indicate whether her rapists experienced any legal repercussions. Ania's story is also important because the alleged rape took place within the domestic sphere and was committed against her as a child and as female. In this case, the domestic expectations of 'obedience', 'softening her heart', 'forgiving' her rapists continue to emerge on social media. Specifically, what remains significant in her case is some respondents' iterations of '*asrar il-biyoot*', which means that the secrets of the home ought to remain

private. In this case, respondents are appealing to the privacy of the home as valid grounds to conceal the violence and to silence her. Ania shares similar experiences to many women throughout the pandemic. One key feature of the pandemic that we need to remember is that women forced to remain at home in the private sphere have been further limited in their ability to access any sites of redress. In the case of Ania, she utilizes the digital space as a means to share her story and claim the rights that were denied to her in the private space, thereby inspiring other victims to share their experiences. She continues to resist active silencing.

As discussed earlier, Ania's case does not emerge out of a vacuum. In fact, the respondents' requests for proof resemble the attitudes of judges in courts who consistently demand women to 'prove' their assault. In this context, the victim's memory, her body's memory of the assault, how she felt, how she experienced the assault, her life before, within, and after the assault are not in themselves valid grounds of proof. The court becomes a space where the intimacies and privacies of the home are exposed. By extension, the privacy of the family becomes overtly public and ostensibly exposed. The Family Law attempts to regulate the domestic sphere, yet a case brought to court may be associated with bringing shame upon the family, as the intimate privacy of the home and of the family are exposed to the public. Additionally, because women are exposing the privacy of the home, they are also met with the social consequences ascribed to exposing the secrets of the family. In this regard, although *bait il-ta'a*¹⁶ or the house of obedience is not necessarily enforced in court, a woman experiences legal and social repercussions from going to court. This introduces another complexity, which is that social conditions determine the ability of a woman to successfully bring a case to court.

As previously argued, women are often met with a statement by the judge asking the spouses to reflect on their situation or '*raji 'ou anfusikom*' (Anonymous 2019). Fatima Rabee'a mentions that, in these cases, many spouses and family members are asked to visit *maktab tawfiq al-usari* which is the 'Family Reconciliation Office' (Rabee'a 2019). Hence, the court perceives the process of reconciliation as important prior to considering the merits of the case. This presents risks for women, as Rabee'a argues:

The cases we deal with suggest that a husband wants to hurt the woman after the case. This is not to say that every case follows this specific outcome. Rather the cases we deal with suggest women are

¹⁶ *Bait il-ta'a* or house of obedience refers to specific provisions in Islamic jurisprudence, *fiqh*, and family laws that designate conditions of obedience. These function as structural, spatial and temporal interpretations that emerge in customary practices. See Shehada (2009).

at risk when they leave courts, because they have ‘shamed’ [their family] (Hubail 2019; 75).

She explains that this leads to a *tahadi* or challenge where a man sees his wife as not only disobeying him but is also challenging his authority and his masculinity. Divorce is a man’s right, and not a woman’s. Additionally, the Family Reconciliation Office functions as a one-stop shop for family grievances and issues, meaning that cases that women put forth are more likely to start (and perhaps end) with the Family Reconciliation Office. In regard to the conditions that women experience in court, it is important to consider these examples as not merely limited to divorce, but are rather gendered in nature. For example, women’s testimonies, whether in cases of divorce, domestic violence, or any other issues they put forth within a court space are often if not always confronted by ‘a challenge’ or the requirement for the women, regardless of their case, to provide proof that is socially, culturally and legally weighed by the judge. In the case of Ania, if her case was indeed taken to court, her testimony as a woman would be pitted against the testimony of a man respected in society. She would be judged by virtue of her gender, age, social status, online presence, as opposed to these specifics ascribed to the man she is suing. Here, despite this case, it is important to account for the role of judicial arbitration, the legal space, and the social expectations ascribed to women who report cases to family courts, or cases pertaining to the structure of the family. If Ania were to sue her brother for assaulting her, she would be confronted by social and legal forces that would ultimately and definitively ‘shame’ her.

Rabee’a also introduces the case of a woman whose body, as she describes it, was ‘*mitqati*’ or cut up. She states that traditions and customs ‘act above the law’, where a woman was asked to go back to her husband or family, rather than be granted a divorce on the grounds of severe domestic violence. She situates the role of social expectations through what she describes as culture, traditions and customs. These forces also influence the decisions of women. When a woman files a case against her husband or a family member on the grounds of violence—whether in court or in a complaint in a police station—he is expected to sign a pledge stating he will not hit his wife or family member again (Rabee’a 2019; Hubail 2019: 76). Although Rabee’a recognizes this as a solution, she emphasizes that a woman goes back home with her abuser. The theory behind the pledge is that it provides a shield that women can hide behind to protect themselves and their bodies. The reality, however, is that these pledges are merely papers, and that women continue to experience violence when they return to their marital or familial home

(Hubail 2019: 77). The violation of the pledge is intended to be a warning and to provide the basis for legal repercussions, including grounds for divorce and even prison. However, a woman is required to report her husband or family member again, and the lawyers I interviewed all claimed that women steer away from further reporting (Hubail 2019: 77).

Fatima's Case

I turn now to the case of Fatima, which was circulated on social media through TikTok, Instagram, and Twitter on 18 July 2020. Fatima's testimony was shared as a series of voice threads. She begins by stating, 'This is [Fatima] with you after a long absence' indicating that her absence is related to her living abroad (Ania 2020c). She explains that a gang has been harassing her for days, and she is ready to break her silence, as her continued silence 'would put new victims at risk' (Ania 2020c). Fatima begins narrating her experience specifically citing the imprisonment of her husband for participating in Bahraini protests. She states that there are some months when she would receive 50 BD (132 USD) to spend on her son's needs, at other times, she finds herself in financial need, humiliated, and used by others, in the absence of the person who provides her with financial maintenance. She describes her experience of travelling to Iraq for pilgrimage with her son Hassan and her mother, where she was approached on Instagram by Hussain who was on pilgrimage to Iran. He stated that, 'Since I saw a picture of you in Iraq on Instagram, I wanted to inform you that a man named Ayman Al-Ghasra wants to speak to you about a *very* important subject' (Ania 2020c). She mentioned that she did not know him and could not speak to someone she does not know. He responded indicating this is an important subject and that 'she wouldn't lose anything' by speaking to Ayman, further explaining that Ayman is the brother of the martyr Ridha Al-Ghasra. Bearing this status of martyrdom in mind, Fatima adds him on her Snapchat account, claiming she was aware that she rushed into this decision without considering any potential consequences. She began speaking to Ayman who stated that he needed to see her immediately to discuss the important subject. She immediately agreed, reiterating that it was because he was the brother of the martyr, implying that he has to be a legitimate, trustworthy individual. She explains that while she was on pilgrimage to Al-Abbas Shrine in Karbala, Iraq, Ayman arrived as they had agreed. Ayman told her and her mother that they should go to a quieter place to speak, and that she should bring Hussan with her. Her mother agreed since she also had some errands to run at the time.

Fatima explains that Ayman recommended a nearby café, to which she agreed, once again because he was the brother of a martyr, a trustworthy figure, and that she was naïve. As they approached a building, Fatima confusedly asked about where the café was located. Ayman responded, ‘Come this is our apartment’ (Ania 2020c). Fatima still confused remarked, ‘I cannot go up with you’ (Ania 2020c). Ayman then said, ‘I am holding your son in my hands, come catch him, I will be throwing him off the building’ (Ania 2020c). Fatima reflects on her thoughts at that moment, thinking maybe he wanted to go through her phone to see if she was a Bahraini spy or agent of the Government. She thought that it would be wise for her to go with him and give him her phone to avoid any harm to her child. As she entered the apartment, Fatima recalls a room in front of her, an open kitchen to her right, with a cabinet and a *sheesha* bong on top of it, a TV to her left, a sitting area on the floor of the living room across from her, with the picture of the martyr Ridha Al-Ghasra and his father plastered on the wall of the living room. Ayman proceeded to take Hussan and lock him in a dark room. He then guided Fatima to a room on her left. Fatima asks her listeners, ‘Would you like me to describe it too?’ (Ania 2020c). Fatima explains that on the right side of the room was a bed with a mirror next to it and a cabinet across from it. She then states:

More importantly, Ayman, Ayman Al-Ghasra, you brother of the martyr ... do you remember my tears? Do you remember how much I begged you? Do you remember the screams of my son outside the room? Of course, you remember! But you will deny it, right (Ania 2020c).

Fatima then states, ‘Most importantly, Ayman finished his crime’ (Ania 2020c). Here, Fatima implies that his crime was her rape. Ayman follows this act by accessing her phone and sending himself messages, taking pictures and videos of Fatima and sending them to his account. Fatima exclaimed that she was not aware of what exactly he sent to himself after he raped her. After Ayman finished sending the messages, he told Fatima: ‘If anyone finds out, I will expose you to all of Bahrain. And your blood is tainted. Your blood is tainted’ (Ania 2020c). Fatima explains to her listeners:

Of course, Ayman, I would not have spoken about this to anyone because you are the brother of the martyr, and you always write Quranic verses and about religion [on your account]. And I am [Fatima], who since her husband was arrested, her reputation became garbage. Who will people believe? Of course, they will believe you, right or wrong? (Ania 2020c)

After the crime was committed, Fatima recalls Ayman dropping her and her son back to her mother as if nothing had happened. Fatima began crying to her mother stating she wanted to go back to Bahrain.

Fatima explains that she believed that this was over; she saw a psychiatrist and received mental health care because she admitted that she wanted to commit suicide. She recalls that a period of time passed before Ayman contacted her again via Telegram. Ayman wrote to her explaining that he has her pictures and videos, and if she does not want these images and videos to be circulating, she should return to him because his friends also 'want her' (Ania 2020c). Fatima explains that after what happened she was fed up and had to include Hussan's father in this. She confronted her husband in jail who told her, 'I will take care of it' (Ania 2020c). She requested permission from her husband to file a legal case and do a medical test, to which her husband responded: 'People will talk about you. These are the brothers of the martyr. The martyr Ridha Al-Ghasra was my friend. I promise you I will resolve this [in private]' (Ania 2020c). Fatima continues to explain how her husband unsuccessfully attempted to resolve the issue. They approached Ayman's sister who unconditionally supported her brother, claiming that, '[Fatima] wears makeup and shows her hair [under her veil]' (Ania 2020c). Ayman's sister then cited the video of (Fatima) from 2011 apologizing to the King for her participation in the Bahraini protests in hopes of pardoning her and her husband for their political activity. Fatima concludes her statements explaining that she fled Bahrain after Ayman's gang continued to harass her.

She describes how she fled to the United Kingdom to a shelter for asylum seekers and refugees, and was then homeless with her child. When she was there approached by men who offered to help her, Fatima refused their support. This was due to her experience with Ayman, which taught her a lesson she would never forget, specifically that she cannot trust men. She then received some support from her husband's family. Fatima addressed the reasons behind her homelessness. She blamed Ayman, who circulated her pictures and videos and stained her reputation. She mentions all the men who approached her after these messages were circulated, to which she had one final message, 'Do you know the break in my heart? Do you know how many times I wished I was dead because of your words' (Ania 2020c). She recounts how her friends and other women have abandoned her after they received phone calls from strangers stating, '[Fatima] is a whore' (Ania 2020c).

Fatima emphasizes that she is strong and has the will to live for her son, even though Ayman and his gang destroyed her and have the ability

to continue to destroy her with their reputations. Their citing of Quranic verses further grants them a sense of communal and religious authority within the Bahraini Shi'ite community. Fatima remarks:

Ayman, share whatever you want to share. Share whatever you want to share. Okay, Ayman? A note for his highness the King, I hope my voice will reach you ... There are women suffering without their husbands ... without their fathers ... who are imprisoned. I wish ... you would pardon them and grant them the chance for these girls ... I wish from all my heart' (Ania 2020c).

Fatima's case introduces various gendered and sect-based implications. These can best be understood through Miranda Fricker's analytical framework that expresses threats to credibility affected by social inequalities. Fricker (2007) argues that listeners of testimonies often are affected by prejudice that influences how they view the credibility of a speaker; she describes this form of prejudice as testimonial injustice: 'a distinctively epistemic injustice, as a kind of injustice in which someone is wronged specifically in her capacity as a knower' (Fricker 2007: 20). Fricker further explains that this form of injustice emerges out of the 'identity prejudice in the hearer' (2007: 28). In Fatima's case, her testimony was subverted because of her identity as a Shi'a woman, a married woman, and a woman with a history of anti-government sentiment. In the minds of hearers or in this case respondents, Fatima's testimony appeared inconsistent with her previous role and participation in the Bahraini protests of 2011.

Fatima's appeal to the martyrdom of Ridha, Ayman's association with Quranic verses and his reputation present another form of epistemic injustice in society. Ania invokes these references as she attempts to solidify the credibility of her testimony, specifically by shedding light on how her rapist is a known, religious, important figure socially. This plays a significant role in shaping how her husband reacted to her assault, by *requesting* that they handle matters privately. By invoking the privacy of the matter, her husband's request raises two major implications. Primarily, it reaffirms that Fatima's case would not be considered credible, as she lacks the reputation, status and position that the Al-Ghasra family holds. Specifically, Ridha is viewed as a martyr, and the references to the Quranic verses could hamper Fatima's testimony. She explains that her use of makeup and the showing of her hair may position her as a woman 'asking for it' in contrast or opposition to the religious figure in Bahrain. In this regard, invoking martyrdom renders the Al-Ghasras as people of status. As Magdalena Karolak (2016: 52) explains:

For both the opposition groups and the pro-government supporters, online commemoration of martyrs plays, to begin with, a role in engraving their lives and their sacrifice in the collective consciousness. As a result, online visual imagery aims at preventing the community from forgetting these exceptional individuals and their sacrifice for the good of the community.

Thus, Fatima's testimony is further subjugated when pitted against the status and reputation of a person related to a martyr. It challenges both community and religiosity, as Karolak (2016: 53) goes on to explain:

The commemoration of martyrdom becomes ritualized performance, with community members taking the stage to invoke the martyr's life and death on stage ... commemoration is considered a religious duty... The moments of death are thus constantly present as a reminder of the duty that lies upon the living.

In addition, Fatima's role as a participant in the 2011 Bahraini protests, with a husband in jail, further dilutes the credibility of her testimony in the eyes of her community. By requesting that she addresses these issues privately, her husband also implies that their political activity would further undermine Fatima's testimony and ought to be concealed from the public eye. Fatima's resort to sharing her experience publicly signifies her desperation and need for communal support. However, her social group association as a Shi'a, a woman and a victim of rape are minor in comparison to the prejudice she experienced as a protestor. As Fricker reminds us, Fatima's testimony presents an 'identity-prejudicial credibility deficit' (2007: 28), one where her political identity reduces the credibility of her personal lived experience. In this case, Fatima is degraded both as a Shi'a and as a woman, as her testimony becomes conditioned by the prejudice ascribed to her political status.

[D] CONCLUSION: WOMEN'S REALITIES ON THE BACKBURNER—A CASE OF SILENCING

Women's lived experiences, as seen throughout this research, are not secured or protected through law. Rather, the realities of women position them at the locus where different social and political powers collide. In both Fatima's and Ania's cases, the digital space was viewed as the ideal site of redress. However, as both women's testimonies were confronted by critiques and scepticism, the digital space transformed from a site of potential redress to a vicious space where the women's social location and identity shaped the negative responses with which they were confronted. In these two cases, Fatima and Ania were silenced and further pushed into their private spheres. Additionally, their testimonies were belittled

on the grounds of gender, sect and kin. In both cases, the Unified Family Law is pivotal in understanding the spaces to which women are entitled and explains how they navigate these constructed public and private realms. Although the digital space exists outside the binary of the public and private, reactions to these testimonies suggest that the digital space is far from ideal for sharing *asrar il-biyoot* or the secrets of the home. As a consequence, these women are expected to abide by the social expectations ascribed to their gender and sect in the public space. Despite the global #MeToo movement, which has seen victims and survivors of violence and abuse persist in speaking up, women continue to be confronted by challenges to their testimonies, which further burdens them with the demand for proof.

The forms of silencing that these women experience are also important. On the one hand, they experience legal and social silence. Legal and social forces actively have remained silent in these cases. Although there were legal measures taken by the victims, the status of these actions remains unknown. Various social actors, groups and civil society in Bahrain have also remained silent. On the other hand, both women experienced silencing. Respondents discredited or attempted to silence their testimonies on the grounds of kin and gender. In Ania's case, she was asked to soften her heart, appealing to her femininity in order to persuade her not to take legal action. In Fatima's case, her husband requested that she deal with matters privately. In both situations, we see reiterations of socially gendered expectations of women, specifically referencing the shame this would bring to the reputation of their kin and of the perpetrators. In both cases, the victims were also actively silenced by their perpetrators. Ayman Al-Ghasra threatened to circulate Ania's images, videos, and chats, relying on the fact that he is socially viewed as a credible and legitimate source, in comparison to Fatima's seemingly politicized and tainted reputation. In both cases, the victims were actively silenced by the Bahraini state, as neither case made headlines nor did they spark policy discussions on the impact of domestic violence, political violence and cyber violence toward Bahraini women. In both examples, the victims were silenced by others in their community, rendering their experiences as being implausible due to the locale from which they are speaking, despite various international groups sharing the experiences of these women, such as through the UN Women's campaign.

The Unified Family Law of 2017 is merely one example of a legal structure that marginalizes the experiences of Shi'a women. Although the Constitution emphasizes women's citizenship within the Bahraini state, the Family Law limits the extent of their citizenship. Deniz Kandiyoti

argues that Middle Eastern states, leaders and reformers ‘imagine their communities as modern’ through women (1998: 6). Their bodies, and what happens to their bodies, affects how states uphold their national identity. Suad Joseph (2000: 5) further illustrates that ‘[t]he bodies and behaviors of women have become critical frames for weaving together unified national tapestries for people who are highly diverse—explosively divided by ‘national,’ religious, ethnic, tribal, linguistic, regional, and class differences’. To add to Joseph’s claim, gender and sect are also significant divisions that shape the nation’s imaginary and how it approaches women’s experiences, their behaviours and ultimately their bodies. Being a woman in Bahrain does not lead to a universal, unmediated gendered subject position. Instead, women’s claims are found at the intersection of gendered expectations and sectarian ones too. Religion through sect, society through the family, and the state through the law, all coalesce and compete in governing a woman’s body. When taking these claims to the digital realm, the online nature of interconnections also competes with these powers in governing the bodies of women.

With the outbreak of the Covid-19 pandemic, women’s lived experiences are further affected by new and different structures. In the case of the digital sphere, although it has been romanticized as a space where people can freely share their daily life and experiences, it also functions as a space of control where social expectations re-emerge and are reified online. As citizens experienced lockdown procedures in countries around the world, the private sphere also increasingly became a space of control, where marginalized experiences remain contained. Thus, the pandemic introduces new implications for us to consider. First, who ‘belongs’ to the private sphere? What happens to the testimonies of women on the margins in that space, such as domestic workers? Second, the various sites of resistance also have shifted throughout the pandemic, as women resorted to digital spaces, while many others do not have the privilege of access to them. The digital becomes a complicated site for redress of grievances, one with various social repercussions for women. In the case of Bahrain, the pandemic has been a time that reified gendered and sectarian identities and expectations, one that amplified structures of silence. The pandemic also functioned as a moment of remembrance, as many women were confronted by their perpetrators online or within their households. The pandemic further presented a structure of gatekeeping, empowering state-sanctioned and society-sanctioned forms of expression, further pushing those on the margins farther from the dominant narrative of nationhood. Bahraini nationhood, within the pandemic, steered away from the devastating realities of protestors both on its public streets and

digital spaces that are confronting injustices to praising the state for its pandemic-wide initiatives, from the realities of imprisoned protestors to silencing narratives of arbitrary arrests of Bahrainis, from the lack of medical support and interventions in prisons to producing high-end surveillance and monitoring applications, and finally to diluting social and national grievances by promoting sportswashed, sanitized events of a happy, patriotic Bahrain.

With regards to Fatima and Ania, the pandemic forced their testimonies into the public domain, whilst social and communal actors attempted to resist and return their testimonies to the private. Fatima and Ania are merely two women, sharing a space with countless other silent and silenced victims of violence and abuse. It is in this very space that we can meet as marginalized, silenced, voiceless, traumatized, raped, assaulted, violated victims and survivors.

About the Author

Fatema Hubail is a Researcher and Teaching Assistant at Georgetown University in Qatar, supporting faculty in the fields of philosophy, history, culture, politics and gender. She obtained her MA in Women, Society and Development at the College of Humanities and Social Sciences at Hamad Bin Khalifa University. Her ongoing research deals with legal codification, family laws, dystopian satire, gender violence and dissent. Recent publications include: 'From Kuwait's Margins to Tolaytila's Mainstream: Sheno Ya3ni Challenging Social Positioning through Dystopian Satire' in *Creative Resistance: Political Humor in the Arab Uprisings (2020)* edited by Sabine Damir-Geilsdorf and Stephan Milich.

Email: fmh25@georgetown.edu

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