

Contents:

What is WLUML?

Introduction

by Marieme Hélié-Lucas

Undoing the 'package picture' of cultures

by Uma Narayan

Constructing Identities -

Culture, women's agency, and the Muslim world

by Farida Shaheed

The Quest For Gender Justice -

Emerging feminist voices in Islam

by Ziba Mir-Hosseini

What is your tribe?

Women's struggles and the construction of Muslimness

by Marieme Hélié-Lucas

Difficult alliances:

Treading the minefield of identity and solidarity politics

by Pragna Patel

Identity and its Discontents

Women and the nation

by Deniz Kandiyoti

حوالتيه زبير اش مسام قوائين

Women living under muslim laws

النساء في ظل قوائين المسلمين

Femmes sous lois musulmanes

WLUML Dossiers:

The Dossiers explore and synthesize a broad range of feelings, interpretations and strategies of women on issues of feminism, nationalism, internationalism, and religion.

The Dossiers are an occasional publication of the international solidarity network of Women Living Under Muslim Laws. Conceived as a networking tool, they aim to provide information about lives, struggles and strategies of women living in diverse Muslim communities and countries.

Women's groups may freely reproduce material, however we would appreciate acknowledgements. For those articles previously published in other journals, permission should be sought directly from them.

Information contained in the Dossiers does not necessarily represent the views and positions of the compilers or of the network Women Living Under Muslim Laws, unless stated. The Dossiers are meant to make accessible the broadest possible strands of opinion within varied movements/initiatives promoting greater autonomy of women. The Dossiers seek to inform and share different analysis and experiences.

WLUML runs a very popular website in English, French and Arabic which is updated regularly with news and views, calls for action and publications. For more information please visit www.wluml.org

Regional Coordination Offices are in Nigeria (Africa and Middle East) and Pakistan (Asia) and are responsible for coordinating network activities in their respective regions:

Africa & Middle East Coordination Office

BAOBAB for Women's Human Rights
PO Box 73630, Victoria Island, Lagos, Nigeria
Email: baobab@baobabwomen.org
Website: www.baobabwomen.org

Asia Coordination Office

Shirkat Gah Women's Resource Centre
PO Box 5192, Lahore, Pakistan
Email: sgah@sgah.org.pk

The International Coordination Office (ICO) has primary responsibility for facilitating coordination between networkers:

International Coordination Office

PO Box 28445, London, N19 5NZ, UK
Email: wluml@wluml.org
Website: www.wluml.org

Dossier 26 was edited by Sarah Masters
Published by Women Living Under Muslim Laws
Design & layout by Design@ArissDesign.com
Printed by The Russell Press, Nottingham, UK

Page

- v **What is WLUML?** ➡
- ix **Introduction** ➡
by Marieme Hélie-Lucas
- 1 **Undoing the 'package picture' of cultures** ➡
by Uma Narayan
- 5 **Constructing Identities -** ➡
Culture, women's agency, and the Muslim world
by Farida Shaheed
- 19 **The Quest For Gender Justice -** ➡
Emerging feminist voices in Islam
by Ziba Mir-Hosseini
- 24 **What is your tribe?** ➡
Women's struggles and the construction of Muslimness
by Marieme Hélie-Lucas
- 36 **Difficult alliances:** ➡
Treading the minefield of identity and solidarity politics
by Pragna Patel
- 45 **Identity and its Discontents** ➡
Women and the nation
by Deniz Kandiyoti

What is WLUML?

Women Living Under Muslim Laws is an international solidarity network that provides information, support and a collective space for women whose lives are shaped, conditioned or governed by laws and customs said to derive from Islam.

For more than two decades WLUML has linked individual women and organisations. It now extends to more than 70 countries ranging from South Africa to Uzbekistan, Senegal to Indonesia and Brazil to France. It links:

- Women living in countries or states where Islam is the state religion, secular states with Muslim majorities as well as those from Muslim communities governed by minority religious laws;
- Women in secular states where political groups are demanding religious laws; women in migrant Muslim communities in Europe, the Americas, and around the world;
- Non-Muslim women who may have Muslim laws applied to them directly or through their children;
- Women born into Muslim communities/families who are automatically categorized as Muslim but may not define themselves as such, either because they are not believers or because they choose not to identify themselves in religious terms, preferring to prioritise other aspects of their identity such as political ideology, profession, sexual orientation or others.

Our name challenges the myth of one, homogenous 'Muslim world'. This deliberately created myth fails to reflect that: a) laws said to be Muslim vary from one context to another and, b) the laws that determine our lives are from diverse sources: religious, customary, colonial and secular. We are

governed simultaneously by many different laws: laws recognised by the state (codified and uncodified) and informal laws such as customary practices which vary according to the cultural, social and political context.

How did WLUML start?

WLUML was formed in 1984 in response to three cases in Muslim countries and communities in which women were being denied rights by reference to laws said to be 'Muslim' requiring urgent action. Nine women from Algeria, Morocco, Sudan, Iran, Mauritius, Tanzania, Bangladesh and Pakistan came together and formed the Action Committee of Women Living Under Muslim Laws in support of local women's struggles. This evolved into the present network in 1986. The network is guided by Plans of Action which are reviewed periodically. For more information please see the WLUML website at www.wluml.org

What are WLUML's aims and focus?

The network aims to strengthen women's individual and collective struggles for equality and their rights, especially in Muslim contexts.

It achieves this by:

- Breaking the isolation in which women wage their struggles by creating and reinforcing linkages between women within Muslim countries and communities, and with global feminist and progressive groups;
- Sharing information and analysis that helps demystify the diverse sources of control over women's lives, and the strategies and experiences of challenging all means of control.

WLUML's current focus is on the three themes of, fundamentalisms, militarization, and their impact on women's lives, and sexuality. As a

theme, violence against women cuts across all of WLUML's projects and activities.

How is WLUML organised?

WLUML's open structure has been designed to maximize participation of diverse and autonomous groups and individuals as well as collective decision-making. WLUML does not have formal membership and networkers are a fluid group of individuals and organisations who maintain regular two-way contact with the network.

The Programme Implementation Council (PIC) comprises 20-30 women and men involved in aspects of cross-regional networking within WLUML for a significant period of time. They take primary responsibility for developing and implementing the Plans of Action.

The International Coordination Office (ICO) has primary responsibility for facilitating coordination between networkers. Regional Coordination Offices are in Pakistan (Asia) and Nigeria (Africa and Middle East) and are responsible for coordinating network activities in their respective regions. Although legally and financially autonomous, they are key components of WLUML. Based on their connections with networkers, and their knowledge and understanding of networkers' activities and contexts, the ICO and Regional Offices ensure that the relevant people in the network are meeting, strategizing, planning and acting so as to support each other and thereby strengthen local, regional and global effectiveness.

What are WLUML's principles?

WLUML focuses on laws and customs and the concrete realities of women's lives. This includes the often diverse practices and laws classified as 'Muslim' (resulting from different interpretations of religious texts and/or the

political use of religion) and the effects these have on women, rather than on the religion of Islam itself.

The network consciously builds bridges across identities - within our contexts and internationally. We are especially concerned about marginalized women. This includes non-Muslims in Muslim majority states, especially where spaces for religious minorities is rapidly dwindling; Muslim minorities facing discrimination, oppression, or racism; women whose assertions of sexuality - including but not limited to sexual orientation - are either criminalized or are socially unacceptable.

WLUML recognises that women's struggles are interconnected and complementary, and therefore has a commitment to international solidarity.

WLUML actively endorses plurality and autonomy, and consciously reflects, recognises and values a diversity of opinions. Individuals and groups linked through the network define their own particular priorities and strategies according to their context.

The personal has always played an important part in the work of WLUML, which values the solidarity and active support that the networkers extend to each other by way of personal links.

What does WLUML do?

Solidarity & Alerts

WLUML responds to, circulates and initiates international alerts for action and campaigns as requested by networking groups and allies. WLUML also provides concrete support for individual women in the form of information on their legal rights, assistance with asylum applications, and links with relevant support institutions, psychological support, etc.

Networking & Information Services

WLUML puts women in direct contact with each other to facilitate a non-hierarchical exchange of information, expertise, strategies and experience. Networking also involves documenting trends, proactively circulating information among networkers and allies, generating new analysis, and supporting networkers' participation in exchanges and international events. While WLUML prioritises the needs of networkers, it also selectively responds to requests for information from, for example, academics, activists, the media, international agencies and government institutions.

Capacity Building

WLUML consciously builds the capacity of networking groups through internships at the coordination offices, and exchanges, trainings and workshops.

Publications and Media

WLUML collects, analyses and circulates information regarding women's diverse experiences and strategies in Muslim contexts using a variety of media. It translates information into and from French, Arabic and English wherever possible. Networking groups also translate information into numerous other languages.

An active publications programme produces:

- A theme based Dossier, an occasional journal which provides information about the lives, struggles and strategies of women in various Muslim communities and countries;
- A quarterly Newsheet on women, laws and society by Shirkat Gah, WLUML Asia Regional Coordination Office;
- Occasional Papers - specific studies and materials which, for reasons of length or style, cannot be included in the Dossier series and;
- Other publications on specific issues of concern such as family laws, women's movements, initiatives and strategies, etc.

For more information and to download WLUML publications, please visit www.wluml.org/english/publications.shtml

WLUML runs a very popular website in English, French and Arabic which is updated regularly with news and views, calls for action and publications: www.wluml.org

Collective Projects

Collective projects have included topic-specific initiatives that arise out of the shared needs, interests and analysis of networkers. Networking groups and individuals are free to participate, or not, according to their needs and capacity, and collective projects have involved from three to over twenty networking groups and lasted from a few months to ten years. Projects are principally coordinated and implemented by networking groups or individual networkers in their respective countries or communities; the coordination offices provide facilitation when necessary.

Collective projects have included training sessions, workshops, research for advocacy, meetings and exchanges around specialised topics.

Previous projects include:

- Exchange programme (1988)
- Qur'anic interpretations meetings (1990) and for West African networkers (2002) and Francophone West Africa (2004)
- Women and Law in the Muslim world programme (1991-2001)
- Feminism in the Muslim World Leadership Institutes (1998 and 1999)
- Gender and displacement in Muslim contexts (1999-2002)
- Initiative for Strengthening Afghan Family Laws – INSAF (2002 - present)

Introduction by Marieme Hélie-Lucas

While more and more rightist political movements - including the fundamentalist movements that most affect women's lives - constrain and force us into one single identity, we struggle to reclaim our multiple, concomitant, non-antagonistic identities: gender, class, ethnicity, race, religion, culture, etc.

While more and more rightist political movements see such a single enforced identity as given by birth, we, women, seek a self re-definition of the given through free choice and individual adhesion.

While we witness the erosion of the concept of nationality, which can be chosen and changed, to the benefit of non-chosen identities imposed by chance, such as location at birth or being born into a religious family or country, etc..., women are probably once more at the forefront of the right to choose for themselves how to behave as women, how to dress, whether to work for wages, where to live, with whom, whom to love, how to define their religion or whether to have one at all.

This volume seeks to address issues of concern to women in Muslim countries and communities around the concepts of identity, politics, movements, and alliances. Crucial to identity politics is the fraught question of alliances: all the articles, ultimately, address this question.

Refusing to essentialize either women or culture, Uma Narayan rejects the 'package picture of culture' and criticizes the labelling and use of our national and cultural differences ('western culture', 'non western culture', 'Indian', 'Muslim women', etc...) "as if they were entities that exist neatly distinct and separate in the world, independent of our projects of distinguishing among them,

obscuring the reality that boundaries between them are human constructs." She thus seeks alliances with like-minded women across 'cultures' rather than within the 'natural' choice of women of the same culture. This places identity in the realm of politics: it becomes a deliberate political choice of the individual, rather than a given by birth.

Ziba Mir Hosseini positions herself as a woman of faith who is also a feminist. Although in the history of the Middle East, the advocacy of women's rights has been used by the colonial project and thus rejected by many nationalists and anti colonialists, and for most modernists and liberals it was Islam that was to be rejected, she speaks for the growing number of women who have come to see "no inherent or logical link between patriarchy and Islamic ideals and no contradiction between Islam and feminism." She advocates a "new consciousness and discourse that is feminist in its aspirations and demands, and Islamic in its language and sources of legitimacy." She sees the inequalities embedded in Islamic law as human constructions that go contrary to the very essence of divine justice. Thus, she calls for "un-reading patriarchy in the sacred texts."

Stemming from the same historical analysis of the Middle East, Deniz Kandiyoti argues that by making women the 'mothers of the nation', the demands of the nation on women may appear just as constraining as the tyranny of more primordial loyalties to lineage, tribe, or kin, the difference being that such demands are enforced by the state and its legal administrative apparatus, rather than by individual patriarchs. One should therefore pause and consider the particular perils of a modernist position on women and gender relations in many post colonial societies, and even in secular ones. Modernity is invested

with different meanings for men who are relatively free to adopt new styles of conduct and for women who have to be 'modern-yet-modest'.

Protesting the merging of ethnicity with religion within identity politics, Farida Shaheed criticizes the over determination of Islam in analysing women's lives such that a universality and uniformity that does not exist is applied to Muslim contexts. She points at the inequalities and at the dynamics of power and identity. Denouncing the political use of religion and culture, she uses the example of the network Women Living Under Muslim Laws to suggest new modes of interaction and alliances.

Marieme Hélie-Lucas positions herself as an atheist and denounces the unholy alliance in Europe between Muslim fundamentalists and the 'Coward Left' cum Human Rights that together build up 'Muslimness' as a transnational ethno-cultural identity that, like the original sin, cannot be washed away: one cannot go beyond it. Many fail to identify, under the pretence of a religious claim, the extreme right nature of this political movement. This has dramatic implications for women's struggles: overlooking the bright, inventive, witty, and brilliant variety of ways in which women strategize and seek alliances on the ground, the unholy alliance will only accept the strategies 'from within' religion as truly representing the essence of women's identity, thus delegitimizing them and depriving them of a vast area of battling ground and potential alliances.

The article by Pragna Patel addresses more directly the issue of alliances in a context of migration and class that increases its complexity. Building on her practice in an autonomous Black women's group in the UK,

she states that identity and alliance building are closely connected, for the identities one chooses can either limit or increase the potential for alliance building, and identities are forever negotiated and renegotiated in social and political processes. Resisting imposed identities, by the community, the anti racist movement, and the state, that all sometimes overtly, but more often tacitly, demand subjugation of other identities, and the juggling of different intersecting identities of race, gender, and class - she forcefully addresses the question of multiculturalism that is especially damaging for women while it replaces a former, less articulated policy of integration. Multiculturalism presents a progressive face, recognizing as it does the desire to retain a distinct identity rather than to be submerged in the dominant culture; at best it promises a tolerance of heterogeneity. But in fact, multiculturalism conceptualizes minority communities as homogeneous entities, with no differences from within. Even more dangerous is the endorsement and appointment by the state, as authentic spokespersons for the community, of unelected, self appointed community leaders who are generally religious conservative males. Multiculturalism is thus utilized to great effect by fundamentalist forces seeking to control women's sexuality and to prevent the building of alliances and progressive movements. Towards that end, differences have been emphasized, distorted, and exaggerated. In this difficult context, Pragna Patel gives concrete examples of being caught between the dangers of courting, and the need to court, religious leaders in order to build ad hoc alliances with them to defend specific women's cases.

Running through most of the articles is the sense that being labelled Muslim, far from describing the chosen faith of true believers or

their chosen or reclaimed identity, has become an ethnicity, a race, that most resembles the way in which Jews have historically been constructed as a race or ethnicity. This fundamentalist project is backed by forces, including sometimes by women themselves and by human rights groups, that should not, in principle, ally themselves with extreme right political forces (such as fundamentalists); this is a terrifying warning sign of the invasive political nature of this fascist ideology. Such a blatantly imposed identity leaves little room for meaningful alliances with politically likeminded comrades and leaves us in the chains of kin/tribal/god/birth-given loyalties.

This is why, in my view, the struggle of believers to reclaim and reinterpret their faith out of the grip of fundamentalists and the struggle for secularism, as well as the struggle for the right to be a non believer in a Muslim family or nation or community, can go hand in hand and reinforce each other in a true spirit of respect for one another. Moreover, the refusal to subsume or to single out one of our identities to another, the desire to claim them all, concomitantly, and the need to reconcile them within us is our common force.

Marieme Hélié-Lucas

Uma Narayan Undoing the 'package picture' of cultures

Abstract

When attempting to construct categories that acknowledge the diversity of women's experiences, frequently people make the mistake of replacing the overly essentialist category of 'all women' with equally essentialist culturally-defined categories that obscure the contested and fluid nature of cultural identities. The use of such categories hinders the work of feminists whose perspectives and policy initiatives often challenge the politically dominant definitions of womanhood in a particular context.

Many feminists of colour have demonstrated the need to take into account differences among women to avoid hegemonic gender-essentialist analyses that represent the problems and interests of privileged women as paradigmatic. As feminist agendas become global, there is growing feminist concern to consider national and cultural differences among women. However, in attempting to take seriously these cultural differences, many feminists risk replacing gender-essentialist analyses with culturally essentialist analyses that replicate problematic colonialist notions about the cultural differences between 'western culture' and 'non-western cultures' and the women who inhabit them.¹ Seemingly universal essentialist generalizations about 'all women' are replaced by culture-specific essentialist generalizations that depend on totalizing categories such as 'western culture', 'non-western cultures', 'Indian women', and 'Muslim women'. The picture of the 'cultures' attributed to these groups of women remains fundamentally essentialist, depicting as homogeneous groups of heterogeneous peoples whose values, ways of life, and political commitments are internally divergent.

I believe that many contemporary feminists are attuned to the problem of imposing 'sameness' on 'other' women but fail to register that certain scripts of difference can be no less problematic. Cultural imperialism in colonial times denied rather than affirmed that one's 'others' were 'just like oneself', insisting on the colonized others' difference from and inferiority to the 'western' subject. Insistence on sharp contrasts between 'western culture' and 'other cultures' and on the superiority of 'western culture' functioned as justifications for colonialism. However, this self-portrait of 'western culture' had only a faint resemblance

to the political and cultural values that actually pervaded life in 'western' societies. Thus, liberty and equality could be represented as paradigmatic western values at the very moment when western nations were engaged in slavery, colonization, and the denial of liberty and equality to large segments of western subjects, including women.

Anti-colonial nationalist movements added to the perpetuation of essentialist notions of national culture by embracing, and trying to revalue, the imputed facets of their own culture embedded in the colonialists' stereotypes. Thus, while the British imputed 'spiritualism' to Indian culture to suggest lack of readiness for the worldly project of self-rule, many Indian nationalists embraced this definition to make the anti-colonialist and nationalist argument that their culture was distinctive from and superior to that of the west. Thus, sharply contrasting pictures of western culture and of various colonized national cultures came to be reiterated by both colonizers and colonized.

Prevalent essentialist modes of thinking about cultures depend on a problematic picture of what various cultures are like, or on what I call the 'package picture of cultures'. This view understands cultures on the model of neatly wrapped packages, sealed off from each other, possessing sharply defined edges or contours, and having distinctive contents that differ from those of other 'cultural packages'. I believe that these packages are more badly wrapped and their contents more jumbled than is often assumed and that there is a variety of political agendas that determine who and what are assigned places inside and outside a particular cultural package.

The essentialist 'package picture of cultures' represents cultures as if they were entities that exist neatly distinct and separate in

the world, independent of our projects of distinguishing among them, obscuring the reality that boundaries between them are human constructs, underdetermined by existing variations in worldviews and ways of life. It eclipses the reality that the labels currently used to demarcate particular cultures themselves have a historical provenance and that what they individuate as one culture often changes over time. For example, while a prevailing picture of western culture has it beginning in ancient Greece and perhaps culminating in the contemporary United States, a historical perspective would register that the ancient Greeks did not define themselves as part of 'western culture' and that 'American culture' was initially distinguished from 'European culture' rather than assimilated to it under the rubric 'western culture'. *The Shorter Oxford English Dictionary* indicates that the use of the term 'western' to refer to Europe in distinction to 'eastern' or 'Oriental' began around 1600, testimony to its colonial origins. Similarly, 'Indian culture' is a label connected to the historical unification of an assortment of political territories into 'British India', a term that enabled the nationalist challenge to colonialism to emerge as 'Indian'. Labels that pick out particular cultures are not simple descriptions that single out already distinct entities; rather, they are arbitrary and shifting designations connected to political projects that, for different reasons, insist on the distinctness of one culture from another.

The 'package picture of cultures' also assumes that the assignment of individuals to specific cultures is an obvious and uncontroversial matter. Under the influence of this picture, many of us assume that we know as a simple matter of fact to what 'culture' we and others belong. I invite readers who think that they are members of western culture or American culture to ask themselves what

they have in common with the millions of people who would be assigned to the same cultural package. Do I share a common culture with every other Indian woman, and, if so, what are the constituent elements that make us members of the same culture? What is my relationship to western culture? Critical reflection on such questions suggests that the assignment of individuals to particular cultures is more complicated than assumed and that it is affected by numerous, often incompatible, political projects of cultural classification.

The 'package picture of cultures' mistakenly sees the centrality of particular values, traditions, or practices to any particular culture as a given and thus eclipses the historical and political processes by which particular values or practices have come to be deemed central components of a particular culture. It also obscures how projects of cultural preservation themselves change over time. Dominant members of a culture often willingly discard what were previously regarded as important cultural practices but resist and protest other cultural changes, often those pertaining to the welfare of women. For instance, Olayinka Koso-Thomas's work reveals that in Sierra Leone virtually all the elaborate initiation rites and training that were traditional preliminaries to female circumcision have been given up because people no longer have the time, money, or social infrastructure for them. However, the rite of excision, abstracted from the whole context of practices in which it used to be embedded, is still seen as a crucial component of 'preserving tradition'.² Feminists need to be alert to such synecdochic moves, whereby parts of a practice come to stand in for the whole, because such substitutions conceal important dimensions of social change.

Feminist engagement with cultural practices

should be attentive to a process that I call 'selective labelling', whereby those with social power conveniently designate certain changes in values and practices as consonant with cultural preservation and others as cultural loss or betrayal. Selective labelling allows changes approved by socially dominant groups to appear consonant with the preservation of essential values or core practices of a culture, while depicting changes that challenge the status quo as threats to that culture. The 'package picture of cultures' poses serious problems for feminist agendas in third-world contexts, since it often depicts culturally dominant norms of femininity, along with practices that adversely *affect* women, as central components of cultural identity and casts feminist challenges to norms and practices affecting women as cultural betrayals.³

Giving up the 'package picture's' view of cultural contexts as homogeneous helps us see that sharp differences in values often exist among those described as members of the same culture while among those described as 'members of different cultures', there are often strong affinities in values, opening up liberating possibilities with respect to cross-cultural feminist judgments. For instance, the values and judgments of a western feminist may diverge greatly from those of politically conservative members of her 'package', while they might converge quite strongly with those of an Indian feminist counterpart. A western feminist accused of imposing western values in her negative judgment of an Indian cultural practice could, for instance, point out that her judgments correspond closely to those of some Indian feminists. Making this assertion does require her to be informed about Indian feminists' analyses of the practice and to use her critical judgment when such analyses disagree, as sometimes happens. Feminists

can avoid the 'package picture of cultures' by attending to the historical variations and ongoing changes in cultural practices, to the wide range of attitudes toward those practices manifested by different members of a culture, and to the political negotiations that help to change the meanings and significances of these practices. Such attention would facilitate informed and astute feminist engagement with women's issues in national contexts different from their own.

Endnotes

¹ U Narayan, 'Essence of culture and a sense of history' *Hypatia* 13(2), 1998, pp.86-106.

² O. Koso-Thomas, *The Circumcision of Women* (New York: Zed, 1987), p 23.

³ U. Narayan, *Dislocating Cultures: identities, traditions, and third world feminism* (New York: Routledge, 1997).

Acknowledgements

This paper was first published in *Signs: Journal of Women in Culture and Society*; Summer 2000; 25, 4; Research Library pg. 1083 and is reprinted with permission from the author and publishers.

Founded in 1975, *Signs* is recognized as the leading international journal in women's studies. *Signs* publishes articles from a wide range of disciplines in a variety of voices—articles engaging gender, race, culture, class, sexuality, and/or nation. The focus of essays ranges from cross-disciplinary theorizing and methodologies to specific disciplinary issues, framed to enter conversations of interest across disciplines. For more information, see <http://www.journals.uchicago.edu/Signs/>

Farida Shaheed
July 1998

Constructing Identities - Culture, women's agency, and the Muslim world*

Abstract

With special reference to the Muslim world and the experience of the international network for information, solidarity, and support: Women Living Under Muslim Laws, this paper looks at the intersecting dynamics of power and identity as these relate to struggles for women's empowerment.

The Muslim world in context

Internationally, it has become quite fashionable to speak of living in a global village. The expression is usually intended to positively express the linkages now established throughout the world, the similarities of issues confronting the different people who inhabit it, and our ability, therefore, to connect with one another. If the expression implies a sense of collective responsibility, more pragmatically, it describes the integration of the world's economies into a global system that, on inspection, does indeed resemble a village, particularly those in the South that I know best. Like most villages, it is characterised by deep structural imbalances between men and women, between different castes and ethnic groups (in the global village, states and sub-state groups), between the elite decision-makers and those bereft of power and influence, a place where democratic norms are all too often circumscribed by the underlying inequalities in access to resources, information, and power. Yet, the manner in which the term 'global village' is used carries with it a clear - though unarticulated - invitation to people to shed their 'parochial' identities and become citizens of the world.

In reality our global village is increasingly plagued by violent conflicts directly linked to issues and assertions of identity at the state and sub-state levels, as has been most gruesomely epitomised in ex-Yugoslavia and Rwanda. While much of the politics of identity is related to ethnicity, under certain circumstances, the fault lines of ethnicity are, or become, defined along the lines of religion so that ethnicity and religion merge. For example, in Sri Lanka today, the ethnically differentiated Muslim population is seen, and views itself, as a separate 'ethnic' group.¹

* This paper inevitably draws on my previous writing on the international network Women Living Under Muslim Laws, especially 'Controlled or autonomous: identity and the experience of the network, Women Living Under Muslim Laws', *Signs: Journal of Women in Culture and Society*, Volume 19, Number 4, 1994, pp 997-1019. Moreover, the analysis presented owes much to the women linked through the network. Any idiosyncrasies, however, are obviously my own.

Clearly, therefore, the world's citizens are not quite ready to abandon smaller entities when defining their collective identities. Amongst other reasons, the world is probably too large and impersonal an entity to enable an individual to relate to it in the same manner that s/he relates to a smaller community, a relationship that allows for direct personal interaction and identification with its members. Nor, on the whole, do people perceive the world as an undifferentiated mass of individuals.

In the last ten to fifteen years, the frequency with which I have been asked to speak on the topic of 'the women's movement in the Muslim world', or to elaborate on 'the position and status of Muslim women' has increased. Given my association with a network called 'Women Living Under Muslim Laws', these requests are understandable. Nevertheless, they still leave me feeling somewhat uncomfortable. I feel this way partly because to do justice to such a vast topic would require a depth and breadth of scholarship which I do not presume to have, and partly because the formulation of such requests implicitly over-determines the role of Islam in the lives of women while glossing over the complexities involved. The assumption of a uni-polar relationship between religion and women in the Muslim world is even more apparent in titles such as 'Refugees in Islamic societies', 'Birth control in the Islamic world', and 'Islam, women and development'. Such titles suggest that in matters relating to women (whether this is a question of health, employment, crisis shelters, or some other issue) a qualitative difference predicated on the presence or absence of Islam automatically separates women in Muslim communities from others (the problematic use of the term 'Islamic' is discussed later). They imply a universality and uniformity that simply does not exist. Further, such wording implies that Muslims

somehow manage to live in a world that is defined solely by a religious identity, is exclusive of all non-Muslims, and is insulated from any other socially, politically, or culturally relevant influences such as structures of power, the technological revolution, the culture of consumerism, etc. While references to the women's movement in a particular country or region run a similar risk of over-simplification, they have the advantage of referring to geographical locations rather than to a presumed adherence to a faith, and therefore, do not so clearly imply a uni-polar or pre-determined set of assumptions. Moreover, I do not recall ever hearing references to the women's movement in the Christian, Hindu, Buddhist, or atheist worlds even though religion is an issue addressed by women activists and academicians who might describe themselves as Christian, Hindu, Buddhist, or atheist. Instead, these women and their interests in the dynamics of gender and culture are allowed to remain unqualified by any religious parameters.² Consequently, when reference is made to 'the women of the Muslim world,' I cannot help but ask myself *which* women in *which* world are being referred to? Chechnya or Fiji, South Africa or Turkey, Indonesia or Lebanon, India or the United States; the list is a fairly long and complicated one.

The approximately 1.2 billion persons who make up the 'Muslim world' are divided by class and social structures; political systems; cultures; ethnic and racial identities; natural, technological, and economic resources; and differing histories (to mention only the more obvious dividing lines). Women in this 'world' that spans many continents are themselves neither uni-dimensional entities defined exclusively by their sex or by their religious identity, nor are they silent and passive victims. Instead, like women everywhere, women in

Muslim communities are "fully fledged actors, bearing the full set of contradictions implied by their class, racial, and ethnic locations, as well as their gender."⁷³ In combination with personal influences, such contradictions determine many of the personal and political choices made by Muslim women, including the level of importance that each woman accords religion in her personal, social, and political life.

Similarly, the essential components of patriarchy in a Muslim society are no different from those found elsewhere, and women's subordination occurs at multiple levels: in the immediate structures of family and kinship, in state-building projects, and also at the level of international policy-making. The subordination is visible regardless of whether or not religion is a significant factor because policies such as the structural adjustment programs, which are undoubtedly religion-neutral, nevertheless produce a gendered impact both in the 'Muslim world' and elsewhere. These structures and the issues they raise link the women (and the men) in the Muslim world struggling for women's human rights to the global women's movement and the human rights agenda.

If the term 'women's movement' is meant to refer to a cohesive entity, then it is not possible to speak of a women's movement in the Muslim world. Modulated by a complex web of influences, women's responses to their local situations in the Muslim world, and their survival strategies, are as diverse as their realities. Their strategies range from theological interpretations to a radical rejection of religion, from individual strategies of personal assertion and career development to armed struggle. Some put primacy on class struggle, others on ethnic identities, yet others on preserving the status quo. Many identify with the larger global women's movement

that itself consists of multiple strands and tendencies; others reject such integration. Indeed, the diversities are so pronounced that they beg the question of whether or not 'the Muslim world', a term that refers collectively to an amorphous, divergent, shifting composition of individuals and societies (not infrequently in conflict with one another), is meaningful at all?

Yet, where it is true that patriarchal structures and the attendant discriminatory practices that flow from them are similar in and outside the 'Muslim world'; it is equally true that, to the extent that religion is a salient feature in people's self-definitions and culture, religion does influence the contours of women's lives and the scope for their self-assertions. In much of the 'Muslim world', Islam is an everyday reality for people; it is integral to how they define themselves as a society. Consequently, the cultural articulation of patriarchy is mostly expressed (and justified) by reference to Islam, even though Islam itself may be defined differently in different societies. The attitudes and practices of the adherents of Islam vary with ethnic and class identity and with sect. Additionally, in each society Islam bears the unmistakable imprint of the regional culture and of traditions that either pre-date Islam or have been absorbed through subsequent developments and influences. It is important to underline, therefore, that while Islam undoubtedly does make a difference to the modes of oppression and resistance in Muslim societies, it does so in different ways in different societies and always in conjunction with the other facets of these societies.

There are two other important factors which need to be borne in mind when considering women, identity, and the 'Muslim world'. First, almost without exception, the societies

comprising the 'Muslim world' share a history of colonization or hegemonic rule and control. Most became nation-states without the benefit of an historical evolution of a nation, and all of them have had to grapple with both the challenges posed by state-building and the burdens of dislocated indigenous socio-economic structures and cultural systems. In seeking to integrate the citizens of the state, political elites (themselves often ethnically and religiously distinct) have carefully selected "out of an infinite range of possible cultural identities that one... as the political identity which offers the greatest scope of political success."⁴ It is when such states have pursued policies that, instead of promoting democratic rule and an equality of benefits and opportunities to the state's disparate regions and peoples, have deepened inequality between regions (or urban and rural localities) and discriminated against specific groups within the state, that those in power have sought to assert their own control and quell opposition - and those in opposition to mobilize people to gain state control or privileges - through an appeal to religious, regional, or ethnic identity.

Second, in the 'New World Order', the grounds of politics generally appear to have shifted away from defining the nature of the state and the appropriate socio-economic and political system to trying to work out the best deal within the existing system. This shift reinforces the tendency to make demands on the basis of identity rather than a well-articulated political agenda that spells out economic and social programs. Articulating demands on the basis of identity leads to more and more rigidly defined markers of exclusivity that demarcate the boundaries between oneself and those who then become defined as the 'other', an other that is defined in more and more hostile terms.

For women, who are frequently made the repositories of culture, the issue of identity is crucial. Women's empowerment both challenges and is challenged by cultural and political issues of identity/identities: how identity is formed; who defines it; how definitions of gender fit into definitions of community (and those of a collective and personal self); and how these definitions interplay at the local, regional, and international levels. All of these factors have direct consequences to women wanting to redefine the parameters of their lives. The dynamics underlying definitions of self, gender, and collectivity are relevant everywhere since each society has to deal with three incontrovertible and inescapable truths: birth, life, and the reality of two sexes.⁵ Consequently, gender definitions are necessarily a part of all cultures, and as such, are essential ingredients in the collective identity of any group. Hence, when women seek to expand their space as women by rejecting and re-defining the roles previously designated for them, they are in fact challenging more than 'just' the contours of their own lives. If culture is an expression of a collective identity, and if all societies have to address the issue of gender, then re-definitions of gender automatically necessitate a readjustment of the broader culture and collectivity concerned, irrespective of whether the society in question is dynamic or stagnant, ancient or contemporary, atheist or religious, and of course, Muslim or non-Muslim.

The creation of a network

It is in the context of identity frequently being defined through control rather than through autonomously defined self-expression that WLUML (Women Living Under Muslim Laws) was created as an international network that locates itself in the global struggle for women's empowerment while addressing the issue of 'the Muslim world' with the aim

of exposing the differences and underlying contradictions the term tends to plaster over and the dynamics of control that operate within it. The network is intended to provide a vehicle for mutual support between women struggling to expand their space and redefine their lives while simultaneously recognizing the diverse circumstances and factors that women confront and that influence their personal and political strategies for change.

Underlying the creation of the WLUML network is an understanding of the ways in which the tasks of empowering women and challenging patriarchal control are intersected by the issue of collective identities. The controls that collectivities exercise over their members create (or, at times, inhibit) tensions that may exist between individual women (and men) and their communities. The network shares this focus on identity issues, and works closely with other networks and groups of women throughout the world, including those addressing similar issues arising from the growth of new fundamentalisms based on rightist religious, ethnic, and/or totalitarian ideologies. These other networks and groups include Women Against Fundamentalisms, Catholics for a Free Choice, Communalism Combat, and numerous programs and forums that address issues of law, custom, and development, such as the Women and Law in Southern Africa program.

That the network, despite a somewhat cumbersome title that was formulated to convey a specific meaning, is all too frequently understood, in a collapsed and inaccurate manner, to be a network of 'Muslim women' or one concerned with 'Islamic Law', is symptomatic of the overly determining role that Islam is assumed to play in our lives. Such false understandings underscore the difficult nature of our central theme, which is to

challenge the myth of one monolithic Muslim world in which a single 'Islamic' law prevails. In its name and work, the emphasis is on women themselves and their situations and not on the specific politico-religious options they may exercise. Not all women affected by Muslim laws are Muslim. Many non-Muslim women are affected by the laws prevalent in a Muslim majority country, irrespective of their religious affiliation. Others have Muslim laws applied to them through marriage or through their children, and some may not choose to identify themselves as Muslims at all, preferring other markers of political or personal identity. The women linked through WLUML live in countries where Islam is the state religion and in Muslim communities ruled by religious minority laws; in secular states where a rapidly expanding political presence of Islam increasingly provokes a demand for religious law; and in migrant Muslim communities in Europe, the Americas, and Australasia.

The network has been shaped by the specific human rights advocacy campaigns that led to its creation and by the analysis and experience of the women (and also the men) involved in its work. The immediate catalyst was provided in 1984 by a number of un-related events in different parts of the world that each concerned women's rights, laws, and Muslim communities. In Algeria, three women had been jailed without trial for having discussed with others the contents of a new set of personal laws that would severely undermine women's rights. In India, a Muslim woman challenged the existing Muslim personal laws in the Supreme Court on the basis that these laws violated the constitutional rights of Muslim women as citizens. In Abu Dhabi, a pregnant Sri Lankan woman was tried and found guilty of adultery and was condemned to be stoned to death

two months after giving birth. In Europe, the Mothers of Algiers (a group formed by women divorced from Algerian men) were seeking access to, or custody of, their children.⁶

Except for the woman condemned to death in Abu Dhabi, the others all sought and received international support for their local struggles and issues from within and outside the Muslim world. Amongst the campaigners, a feminist from the Muslim world saw in these international campaigns how potentially effective mutual support between women in the Muslim world could be in strengthening the local struggles of individuals and groups. She single-handedly set about creating links across countries and cultures to bring about such a system of support. At a feminist gathering in Amsterdam, she encountered a handful of other women from the Muslim world. It is unlikely that, at that time, these women saw themselves as such, eg as 'women from the Muslim world' since their commonality lay in a shared perspective of international feminism that had brought them to the meeting rather than their communities of origin. Be that as it may, in their collective discussions, the women rapidly arrived at the following set of conclusions that, even today, underpin the network's activities:

1) Even though women's lives vary enormously from one Muslim context to another, each woman's life is undoubtedly influenced to a greater or lesser extent by laws and customs said or perceived to be Islamic or Muslim in her own context; that customs are as essential and potent as ingredients of control over women as the law itself, and that for a variety of reasons, many non-Muslim women are also affected by these;

2) Generally speaking, the interconnection

between laws, culture, and religion has been used by men and the state under various political regimes to maintain a patriarchal control over women; that recent years had marked an increased tendency of political forces in and out of office to formulate or make demands for legislation, policies, and demands justified by reference to Islam which - amongst other things - undercut women's autonomy and rights; that whereas the underlying contest is not one of religion but a tussle for political power and pre-eminence, the political use of Islam often has a negative impact on women's ability to intervene for their rights, and that;

3) Women have actively struggled (as individuals and as groups) against both the traditional restrictions and the newly imposed ones but that they have usually been obliged by circumstances to carry out their struggles in isolation. This isolation amplifies their vulnerability and is an important factor that can constrain effective intervention and narrow the impact of their struggles.

As defined by the group, the challenge was not how to mobilize women affected by Muslim laws, but how to strengthen women as they continued their ongoing struggles. The consensus was for the formation of a network that would help break women's isolation by providing information, solidarity, and support and yet would have the fluidity and flexibility needed to ensure the autonomy of each person or group in formulating priorities and strategies based on their own understanding of their particular circumstances. The fluidity of a network makes it possible to bring together diverse and divergent opinions and experiences to work toward common goals, provide insights, and generate new ideas

and strategies. Importantly, networks can do this without any compulsion to impose homogeneity amongst those involved or to exercise any control over the personal and/or political choices made by them. The commonality within the WLUML network is defined internally by analysis and goals and externally by having to grapple with a patriarchal system traditionally justified by reference to Islam. This commonality is tempered however by an understanding that individual women will have different strategies and priorities when challenging their oppression; that the choice made by one may not be the best choice for another. Indeed, such a choice may not even exist for another. Consequently, the network is able to bring together women who define their struggle in exclusively secular terms with those who prefer to work from within the framework of religion to share and learn from each other despite their differences.

Of collective and personal identities - the mechanisms of control over a woman's identity

The network purposively uses the word 'Muslim' rather than 'Islamic' to underscore that laws, in fact, are made by men and are not pre-ordained, and the plural 'laws', rather than a singular 'law', to convey both the complex nature of the issues involved as well as the diverse realities confronting women. Firstly, the laws classified as Muslim vary, sometimes radically, from one country to another. Secondly, a number of countries have two or more officially recognized formal sets of laws: civil, religious (eg India, The Philippines), and customary (eg Senegal). Each of these may provide or deny women different rights. Most relate to personal status law. In some places couples have a choice to register their marriage under one or the other (Sri Lanka, Senegal). In others the parallel

laws preclude personal choices (Pakistan). Thirdly, and perhaps most importantly, in addition to however many parallel formal laws may exist, informal customs and traditions operate in every society, and these can be as, if not more, important than formal laws in controlling women's lives. For the purpose of the network, these customs are considered to be uncodified laws. As such, they are included in the rubric 'laws'. In each society, the corpus of formal and informal laws - particularly in the area of personal and family matters critical to gender definitions - in large measure defines what is possible and what is improbable (not to say impossible) at the personal, community, and national levels. Whether formal or informal, by prescription or by omission, laws project an ideal for society, and it is in projecting this ideal that the cultural rooting and definitions of a collective self become visible in statutory law as well as in customary practice. In this sense 'Muslim laws' extend well beyond the strict parameters of the 'laws' that address personal and family matters; they extend to govern the relationships between individuals and the socio-economic and political environments in which they are concentrically located.

The formal laws themselves are rarely gender-neutral in either the text of the law or in its application. Moreover, laws display a disproportionate focus on gender as part of cultural identity. Even a cursory review of legislation in most parts of the Muslim world shows that the scope of Muslim jurisprudence (or Shari'a) is severely restricted. The bulk of legislation pertaining to matters such as commerce, revenues/taxes, administrative matters, public service, or other public sectors such as banking, standing armies, or political structures, consists of laws and regulations either inherited from the ex-colonial power or adopted from elsewhere.

In sharp contrast, laws governing personal and family matters are regulated almost universally through Muslim jurisprudence and justified by reference to Islamic injunctions. This emphasis on personal status law as a key component of community identity (an emphasis that has immediate consequences for gender-relations) is not limited to Muslim majority states. Many states in the South have maintained personal laws for different communities. Maintaining such separation is usually presented as a measure that allows space for ethnic/religious minorities to retain their cultural identities. That such an arrangement may be at the expense of the women of that community has rarely been of concern. Moreover, discourses relating to gender have almost inevitably accompanied power conflicts. For example, gender has been a key component of colonial and post-colonial discourses.⁷ For their part, the power of customary practices or informal laws can be gauged by the absence in most countries of legal restrictions on women's apparel, women's mobility, or women's entry in specific fields of education or employment. The lack of legislation has not, however, prevented women's lives from being circumscribed in all these fields in Muslim and non-Muslim societies alike. These constraints are imposed through a culturally specific process of socialization that takes place in every community, a process in which girls/women (and boys/men) are taught to internalize a fairly complex set of rules of acceptable and unacceptable behaviour. This social code ends up being obeyed by individuals who either automatically censor themselves or force themselves to obey out of fear of physical punishment (or other forms of reprimand) that a digression from the norm would result in. Much like the law, ignorance is rarely an excuse, and the punishment for transgressions of these unwritten but

binding codes can be severe. The impact of such unwritten laws is disproportionately felt in the areas where gender is defined and experienced. Tove Bolstad, a Norwegian feminist, views such 'informal laws' as "rules which are adhered to because they are perceived as a moral duty and because they may be sanctioned by, for instance, some people becoming angry if such duties are not fulfilled. Such informal regulations arise steadily in semi-autonomous spheres. Family life ...is precisely such an area."⁸ Speaking of the enormous force of these customs in the context of Norway which, arguably, has some of the most gender-neutral formal laws, she says:

"[a]ll cultures contain spheres in which it is impossible for the members 'to think that they are thinking wrongly' - things are obvious, self-evident, and natural. These are implicitly areas of silence, of inarticulation, arenas into which language does not intrude or in which it is forbidden to speak."⁹

In those societies where religion continues to operate as an important force in people's lives, it usually provides an over-arching umbrella for definitions of the collective self, and the likelihood is that the prevalent customary practices will be presented and accepted as being inherently religious even if, in fact, they are diametrically opposed to the religious doctrine in question. As such, it becomes even more impossible for women to question existing practices, to 'think that they are thinking wrongly'. That in Muslim contexts, frequently all customs are assumed to have religious sanction and approval has now been amply documented in a number of the 18 country projects that make up the WLUML "Women and Law in the Muslim World" action-research program. The program has set out to map the customary practices and laws that

exist, as well as women's initiatives that have taken place concerning them, in a variety of contexts.

The specific laws governing personal and family matters delineate the boundaries within which a Muslim woman can hope to define her own identity. Precisely because personal/family laws are so consistently labelled 'Muslim' and justified with reference to Islamic doctrine or culture, in each particular, and often quite varied, cultural context, the identity/space defined for women is put forward as that of a 'Muslim woman'. A person who challenges any aspect of law relating to family or personal matters is therefore deemed to be refusing, or at the very least challenging, the very definition of Muslim womanhood in her own setting. The threads of religion and custom are so tightly interwoven that, for example, where it is practiced amongst Muslims, female circumcision or female genital mutilation (FGM) is considered to be a religious act. The facts are that FGM is practiced by non-Muslims and Muslims alike, and FGM is unknown to the majority of Muslim communities (who not only have never heard of it, but are frequently shocked when they do learn about it to discover that it is deemed to be even remotely Islamic). Nevertheless, for women living in communities that practice FGM, challenging FGM is equivalent to challenging religious doctrine. On the other hand, the Gambia Women and Law team has indicated how exposure to, and knowledge of, the existence of other Muslim women who do not practice FGM has provoked women to question the existence of FGM in their own communities, breaking the taboo of thinking the unthinkable.¹⁰ There are of course many more, if less striking, examples of such differences within the Muslim world that underline the extent to which insularity keeps people ignorant of how alien the local

'Islamic' practices taken for granted in one's own cultural context can appear to others from within the Muslim world. For example, women from the Middle East never cease to be amazed that Muslims in South Asia should have such a widespread practice of dowry.

In certain aspects of women's lives, the formal law may be the dominant factor of control, in others, the uncodified 'laws' internalized by women, and maintained through social pressure, may have a greater impact. Nevertheless, it is painfully clear that whenever an option is provided by a conflict between religious doctrine, customary practices, or state law, the one least favourable to women, the one offering them the least rights, is the one that will most likely be implemented. This tendency signals that the desire to control women is the primary motivation that informs patriarchal authorities in these decisions, not religious or other considerations.¹¹ This same pattern of opportunistic appeals to religious concerns has informed patriarchal authorities in Pakistan and can be illustrated by taking examples from Pakistan (a context with which I am more familiar) where various customs have been preferred over religious doctrine, or religious doctrine over formal law.

In the matter of immovable property, British colonial laws had deprived Muslim women of their religiously sanctioned right to own and inherit property (this was justified by reference to existing Hindu customs, but significantly, on being challenged with respect to Muslims, it was justified by the British colonial rulers by reference to the fact that British women did not enjoy this right).¹² Today, after fifty years of independence women continue to be deprived of inheritance by reference to local customs despite the earlier law having been a non-Muslim colonial law that negated rights granted by religion, and despite its

subsequent amendment to grant women this right by reference to Islamic doctrine. On the other hand, in matters of divorce, the formal law is flouted by reference to religious interpretations. Where the formal state law rejects oral repudiation as a legitimate procedure for a Muslim man divorcing his wife, this is socially practised and accepted by reference to Islam even though the formal law itself is also derived from Muslim jurisprudence. Finally, Punjabi communities traditionally dealt with adultery through a combination of forced marriage, social ostracization, and public humiliation. These practices have now been displaced by the introduction in 1979 of a supposedly Islamic law regulating extra-marital intercourse that provides for imprisonment, flogging, fines and - under certain circumstances - stoning to death.¹³ In this instance, customs have been abandoned in favour of the formal law that both violates human rights and discriminates against women. Another vivid illustration from Pakistan of the exercise of the worst option for women is the occurrence of polygyny (albeit rarely) amongst poor Christians who have assimilated this from their predominantly Muslim environment. In contrast, the Christian community has, so far, failed to be influenced by the more liberal grounds for divorce that women from the Muslim majority community have. Thus, divorce is virtually impossible for Christians (the sole acceptable ground being adultery, which however, exposes those seeking divorce to the current laws regarding adultery mentioned above).

Identity and the wider political arena

Further complicating the issue of religion, women, and rights is the use of religion in the political arena. As stated at the beginning of this paper, the concept of one homogeneous Muslim world is a myth. Further, while it is not uncommon to hear of a state, society,

or community referred to as being 'Islamic' (regardless of whether this is an external or internal label), the fact remains that it is not Islamic (implying something ordained by religious scriptures) only Muslim (eg comprised of people who adhere to Islam).¹⁴ Today, when a religious idiom is increasingly visible in the political discourse of so many Muslim communities, it is particularly important to insist on this distinction and also to place the ever more strident claims and counter-claims of being the only true mantle-bearers of Islam in their proper context, which is the contest for political power. In reality, these claims, and the often-violent dynamics they entail, have little to do with religion. It is just that political parties and groups have found it expedient to use a religious idiom to express and mobilise support for their political agendas. Such politico-religious groups also find it convenient to cite so-called 'Islamic laws' already being applied in different Muslim countries to support their own demands for more stringent, essentially undemocratic or discriminatory 'Islamic' laws that among other things, usually militate against the rights of women and minorities.

Against this background, viewing the problems facing women in Muslim societies as being derived uniquely from Islam and their identity as Muslims is more than merely unfortunate. It impedes an understanding of the structural inequalities; it belittles the efforts of those who are striving for change within their societies (sometimes at the cost of their lives, more often, of their freedom); it clouds the different political and social forces that are often in conflict in the relevant countries or regions; and, finally, it puts Muslims as a whole on the defensive, thereby blocking the potential for self-critical analysis that would lead to growth and change. In global terms it counter-poses a religion to systems and structures and plays

into the hands of those who pose as self-proclaimed mantle-bearers of Islam. In an article examining the counter-posing of Islam and democracy, Fatima Mernissi says:

"Few words in contemporary political and ideological lexicons have been as misused, and abused, as 'Islam' by both Muslims and non-Muslims alike. The term, meaning peace and submission, now invokes images of violence, totalitarianism, and irrationality. Speculation on the chances for peace in the Middle East usually centers on an embarrassingly racist question: are Islam and democracy compatible? The question reduces a set of complex, multifaceted, and global contradictions between Muslim and Western states to an opposition between medieval religion and a modern political system... [and] assigns rationality to democracy and irrationality to Islam."¹⁵

This is not very different from having meetings to discuss "Islam, women, and development" that suggest that development is dependent on religious faith rather than on the capacity of states to govern, deliver on social contracts, and negotiate in the international market; on the presence and strength of institutions of civil society; and on the political configuration of contests of power. In part, the network Women Living Under Muslim Laws (WLUML) came about in response to what women activists were experiencing as a pincer movement: pressure from retrogressive elements and groups seeking to monopolize the political discourse and impose their version of 'Muslim womanhood' and Muslim society within our own communities and countries on the one hand and, on the other, being put on the defensive either by the too facile association of Islam with irrationality, fanaticism, and misogyny by the non-Muslim world in general, or by the attack on one's

community by another within the same country. Perceptions as well as the real experiences of belonging to a community under attack make it that much more difficult to raise one's voice against discrimination and oppression within the community. Therefore, taken together these internal and external pressures induce and encourage silence and undermine initiatives for change. The primacy accorded religion in the case of the Muslim world, both by outsiders and those vying for power (often by violent means) erodes women's ability to assert themselves because this false focus diverts attention from issues of structures and systems that help keep women subordinate and gives currency to the idea that there is a single way of being a woman in a Muslim environment, bolstering the notion of *the* Muslim woman. In the words of the WLUML network:

"Interaction and discussions between women from different Muslim societies have shown us that while some similarities exist, the notion of a uniform Muslim world is a misconception imposed on us... Our different realities range from being strictly closeted, isolated and voiceless within four walls, subjected to public floggings and condemned to death for presumed adultery (which is considered a crime against the state) and forcibly given in marriage as a child to situations where women have far greater degree of freedom of movement and interaction, the right to work, to participate in public affairs and also exercise a far greater control over their own... We have erroneously been led to believe that the only possible way of 'being' is the one we currently live in each of our contexts. Depriving us of even dreaming of a different reality is one of the most debilitating forms of oppression we suffer..."¹⁶

Breaking the isolation of women

Dreaming of an alternative reality is not merely a matter of inspiration. To even conceive of different realities, women must first question the given parameters of their current lives, by among other things, unravelling the composite strands of the current identity being imposed on them as an integral whole. Only then can they hope to find or create the space in which to imagine new self-definitions. Having access to information on the law (as well as on the sources of law), on the customary practices, and on the political and social forces that determine women's current reality can facilitate this process. A primary task of the WLUML network is thus to try and ensure that women affected by Muslim laws and customs have access to this type of information by systematically collecting and disseminating information on the laws of different countries, highlighting the differences between laws and customs, and demystifying the sources of each. Equally important is to share information about the strategies women have individually and/or collectively devised to expand their space and rights, to share experiences of struggles and the discussions and debates that flow from these which inspire by example or insight, or alternatively indicate what may not work.

To act upon these dreams of course requires a different set of support systems to be in place. WLUML addresses this through its solidarity and support actions. These fall into two distinct categories: the first being international human rights campaigns in instances where women's rights are threatened or violated, either on an individual basis or because of a general law or policy that exists or is being proposed (similar to those that catalysed the network's formation). Though these types of lobbying (alerts for action) and human rights campaigns are now fairly regular features

of numerous human rights groups, when WLUML started there were few institutions that ran such campaigns other than Amnesty International. In any case, Amnesty's specific framework for intervention largely excluded the types of issues on which WLUML ran its campaigns. The other type of solidarity intervention carried out by WLUML goes beyond international campaigns to provide immediate assistance to individual women whose child may have been abducted, whose family may be attempting to impose a forced marriage, or whose very life may be threatened because of either her actions or opinions. Such interventions include identifying and mobilising lawyers and support groups across countries and continents and facilitating access to shelters, doctors, and social workers, not to mention offering moral and emotional support to the person and her family. In this sense the network functions as a safety net at least for some women attempting to redefine their lives either politically or personally. Beyond the immediate relief such actions provide to the individuals and groups concerned, the very knowledge that such support is available opens a window of potential change for others. In this second type of action, as in much of its work, WLUML works closely with women's rights groups throughout the world, and consciously works to build and strengthen links between women across national and religious boundaries. Demonstrating that a global women's movement does indeed exist, the support received and provided by WLUML in solidarity actions and other aspects of its activities slices across boundaries and other barriers that may distinguish, but do not necessarily divide, women activists.

But perhaps what remains unique to the WLUML network is the less tangible support it provides with respect to people's psychological need to belong to a collectivity.

When challenging 'Muslim' laws is condemned within one's own community as a rejection of Islamic injunctions and the very concept of Muslim womanhood, and/or when challenging existing customs is condemned as a rejection of, or challenge to the very basis of a community's self-definition, those who dare to question existing laws and practices run the risk of at least ostracism, if not more severe punishments. (Similar mechanisms are used to maintain ethnic or other identity-based control over members of the community.) This is a formidable obstacle, for the fear of being pushed beyond the collectivity of one's nation, religion, and ethnic group - of losing one's identity - militates against women's self-assertion and initiatives for change. Under these circumstances, questioning, rejecting, or reformulating 'Muslim' laws is an intimidating task especially for women who on the whole have the least political and economic resources, and also have the least voice in formulating cultural definitions of a collective self (including matters relating to law, customs, and religion). Consequently, if women can rely on the support of some collectivity that functions as an alternative reference group, it becomes far easier to initiate steps that challenge what traditionally have been understood to be 'Muslim laws' in one's own context. Where information on the diversity of existing laws and practices within the Muslim world lends material shape to alternatives, contacts and links with women from other parts of the Muslim world within and outside national boundaries - whose very existence speaks of the multiplicity of women's realities within the Muslim context - are a significant catalyst in releasing the creative energy of envisaging alternatives for oneself. The connections made and sustained through the network can therefore function as an alternative reference group(s) for the women it links. It is in opening the

doors to a multiplicity of possible alternatives that the WLUML network hopes to make its most important contribution by furnishing women with the information and the tangible and less tangible support they need to think the unthinkable, question what is taken for granted, and start assuming the right to define for themselves the parameters of their own identities, and thereby that of their community - however that may be defined by them.

Endnotes

- ¹ See Q. Ismail, 'Unmooring identity: the antinomies of elite Muslim self-representation in modern Sri Lanka' in Q. Ismail, et al., (eds), *Unmaking the Nation: the politics of identity and history in modern Sri Lanka* (Colombo: Social Scientists' Association, 1995), pp 55-105.
- ² See, for example, P. Jeffrey and A. Basu (eds), *Appropriating Gender: women's activism and politicized religion in South Asia* (London: Routledge, 1998).
- ³ Kandiyoti 1994, p 8.
- ⁴ D. Taylor and M. Yapp (eds), *Political Identity in South Asia* (London: Curzon Press, 1979).
- ⁵ This valuable insight was provided by Dr. Elizabeth Jelin; it is one for which I am most thankful.
- ⁶ In Algeria, the three feminists were released; however, the new Family Code was enacted in 1984, and this negatively affected women. In India, the Muslim Women (Protection of the Rights on Divorce) Act 1986 allowed Muslim minority law to supersede Constitutional provisions, depriving Muslim women of rights that are enjoyed by others. In Abu Dhabi, after a strong international campaign involving numerous groups, the woman was repatriated to her own country, Sri Lanka. After several years the government of Algeria and France signed a treaty that provides visiting rights to divorced mothers of Algerian children.
- ⁷ See, on the Middle East, L. Ahmed, *Women and Gender in Islam* (New Haven and London: Yale University Press, 1992); and, on South Asia, L. Mani, 'Contentious traditions: the debate on sati in colonial India' in K. Sangari and S. Vaid (eds), *Recasting Women: essays in colonial history* (New Delhi: Kali for Women, 1989), pp 88-126, and Z. Hassan, *Forging Identities: community, state, and Muslim women* (Karachi: Oxford University Press, 1996).
- ⁸ T. M. Bolstad, *Kar-Contracts in Norway: agreements made by men concerning women's work, ownership, and lives*, Working Papers in Women's Law, No. 46, August 1995 (Institute of Women's Law, Department of Public Law, University of Oslo) pp 26-27.
- ⁹ T. M. Bolstad, p 7.
- ¹⁰ Shared by the Women and Law Coordinator at the WLUML

Plan of Action Meeting, Dhaka, October 1997.

¹¹ See, on the Maghreb, A. E. Mayer, *Reform of Personal Status Laws in North Africa: a problem of Islamic or Mediterranean laws*, WLUML Occasional Paper No. 8 - July 1996 (Grabels: WLUML).

¹² K. Mumtaz and F. Shaheed, *Two Steps Forward, One Step Back? Women in Pakistan* (London: Zed Books; Lahore: Vanguard Books, 1987).

¹³ The Hudood (Enforcement of Zina) Ordinance 1979, introduced by General Zia ul Haq's military regime.

¹⁴ Unless one takes the position that a state is 'Islamic' when its citizens think they are living in one. But, this again is an entirely subjective definition and entirely contestable by others.

¹⁵ F. Memissi, 'Arab women's rights and the Muslim state in the twenty-first century: reflections on Islam as religion and state' in M. Afkhami (ed), *Faith & Freedom: women's human rights in the Muslim world* (New York and London: I.B. Tauris Publishers, 1995) p 33.

¹⁶ WLUML, *Aramon Plan of Action* (1986).

Acknowledgements

This paper was first published in *International Social Science Journal, Social and Cultural Aspects of Regional Integration* (Blackwell Publishers/UNESCO 159/1999), pp 61-73.

Ziba Mir-Hosseini

The Quest for Gender Justice: Emerging feminist voices in Islam

Abstract

The author discusses those gender discourses that have emerged as Iranian women have struggled to resist the state's imposition of patriarchal interpretations of traditional Muslim jurisprudence on the population. These discourses examine Muslim religious and legal traditions from both feminist and human rights perspectives and suggest new interpretations of these that could be used to establish women as full citizens of the Islamic Republic.

Who is to say if the key that unlocks the cage might not lie hidden inside the cage?¹

If justice and fairness are inherent to Islam - as *fuqaha* claim and all Muslims believe - should not these virtues be reflected in the 'Islamic' laws that regulate the relations between men and women as well as their respective rights? Why have women been treated as second-class citizens in the *fiqh* books that have come to define the terms of the Shari'a?

These are the questions that I came to confront in 1979, when my personal and intellectual life was transformed by the victory of Islamism (the use of Islam as a political ideology) in my own country. Like most Iranian woman, I strongly supported the 1979 Revolution and believed in the justice of Islam. But I soon found out that in an Islamic state that was, and is committed to the application of the Shari'a, the backbone of the Islamist project; I was a second-class citizen. This brought me to the realization that the justice of Islam in modern times cannot be achieved without the 'modernization' and 'democratization' of its legal vision. For this, Islamic discourses and Islamists must come to terms with the issue of rights, especially those of women. The justice of Islam is no longer reflected in the laws that some Islamists are intent on enforcing in the name of the Shari'a.

A painful choice to make

This takes us to the vexed relationship between Islam and feminism, and the complex relationship between demands for equal rights for women and the anti-colonial and nationalist movements of the first part of the twentieth century. As Leila Ahmed and others have shown, at the time when feminism, both as a consciousness and as a movement, was being shaped and making its

impact on Europe and North America, it also “functioned to morally justify the attacks on native [Muslim] societies and to support the notion of the comprehensive superiority of Europe.”²

With the rise of anti-colonialist and nationalist movements, Muslims were put on the defensive concerning traditional gender relations. Muslim women who acquired a feminist consciousness and advocated equal rights for women were under pressure to conform to anti-colonialist or nationalist priorities. Any dissent could be construed as a kind of betrayal. Western feminists could criticize patriarchal elements of their own cultures and religions in the name of modernity, liberalism, and democracy; but Muslim women were unable to draw either on these external ideologies or on internal political ideologies (eg nationalism and anti-colonialism) in their fight for gender justice. For most modernists and liberals, ‘Islam’ was a patriarchal religion that had to be rejected. For nationalists and anti-colonialists, feminism (the advocacy of women’s rights) was a colonial project that had to be resisted. Muslim women, in other words, were faced with a painful choice. They had to choose between their Muslim identity – their faith – and their new gender awareness.

A paradoxical outcome produced

But as the twentieth century drew to a close, this dilemma disappeared. One neglected and paradoxical consequence of the rise of political Islam is that it has helped to create a space, an arena, within which Muslim women can reconcile their faith and identity with their struggle for gender equality. This did not happen, I must stress, because the Islamists were offering an egalitarian vision of gender relations. Rather, their very project – a return to the Shari’a – and their attempt

to translate the patriarchal notions inherent in orthodox interpretations of Islamic law into policy, provoked increasing criticism of these notions among many women, thus spurring greater activism. A growing number of women have come to see no inherent or logical link between patriarchy and Islamic ideals and no contradiction between Islam and feminism. They are freeing themselves from the straitjacket of earlier anti-colonial and nationalist discourses.

A new gender discourse is born

By the late 1980s, there were clear signs of the emergence of a new consciousness, a new way of thinking, a gender discourse that is ‘feminist’ in its aspiration and demands, yet is ‘Islamic’ in its language and sources of legitimacy. Some versions of this new discourse have been labelled ‘Islamic Feminism’, a term that continues to be contested by both the majority of Islamists and some feminists, who see it as antithetical to their respective positions and ideologies, according to which the notion of ‘Islamic feminism’ is a contradiction in terms.

What, then, is ‘Islamic feminism’? How does it differ from other feminisms? These questions can best be answered by examining the dynamics of ‘Islamic feminism’ and its potential in the Muslim world. It is difficult and perhaps futile to put the emerging feminist voices in Islam into neat categories or to try to generate a definition that reflects all the differing positions and approaches of so-called ‘Islamic feminists’. Like other feminists, their positions are local, diverse, multiple, and evolving. Many of them have difficulty with the label and object to being called either ‘Islamic’ or ‘feminist’. They all seek gender justice and equality for women, though they do not always agree on what constitutes ‘justice’ or ‘equality’ or the best ways of attaining them. In my view,

any definition of 'Islamic feminism', rather than clarifying, may cloud our understanding of a phenomenon that, in Margot Badran's words, "transcends and destroys old binaries that have been constructed. These included polarities between religious and secular and between 'East' and 'West'."³

To understand a discourse that is still in formation, we might start by considering how its opponents depict it, in other words, the resistance against which it has sought to struggle. Opponents of the feminist project in Islam fall into three broad categories: Muslim traditionalists, Islamic fundamentalists, and 'secular fundamentalists'. The Muslim traditionalists resist any changes in what they hold to be eternally valid ways, sanctioned by an unchanging Shari'a. Islamic fundamentalists, a very broad category, are those who seek to change current practices by a return to an earlier, 'purer' version of the Shari'a. Secular fundamentalists, who can be just as dogmatic and as ideological as religious fundamentalists, deny that any Shari'a based law or social practice can be just or equal.

Though adhering to very different positions and scholarly traditions and following very different agendas, all these opponents of the feminist project in Islam share one thing in common: an essentialist and non-historical understanding of Islamic law and gender. They fail to recognize that assumptions and laws about gender in Islam – as in any other religion – are socially constructed, and thus open to negotiation and historical change. They resist readings that treat Islamic law like any other system of law and disguise their resistance by mystification and misrepresentation. Selective in their arguments and illustrations, the three kinds of opponents resort to the same kinds of sophistry; for example, seeking

to close discussion by producing Qur'anic verses or *hadiths* taken out of context. Muslim traditionalists and fundamentalists do this as a means of silencing other internal voices, and in so doing they abuse the authority of the text for authoritarian purposes. Secular fundamentalists do the same, but in the name of progress and science and as means of showing the misogyny of Islamic texts. They choose to ignore similar attitudes to women in other religious scriptures, the contexts from which the texts emerged, as well as the existence of alternative texts. In so doing, they end up essentializing and perpetuating difference, reproducing a crude version of the Orientalist narrative of Islam.⁴

What is often missing in these narratives is a recognition that gender inequality in the Old World was assumed and that perceptions of women in Christian and Jewish texts are not that different from those in Islamic texts. What transformed women's situation in the Christian West were new social conditions that shaped and were shaped by new political and socio-economic discourses and new understandings of religion.

It is against this backdrop that activities of the so-called 'Islamic feminists' should be reviewed. By both uncovering a hidden history and rereading textual sources, they are proving that the inequalities embedded in Islamic law are neither manifestations of divine will nor cornerstones of an irredeemably backward social system, but are instead human constructions. They are also showing how such unequal constructions contradict the very essence of divine justice as revealed in the Qur'an, and how Islam's sacred texts have been tainted by the ideologies of their interpreters. For example, men's unilateral rights to divorce (*talaq*) and to polygyny were not granted to them by God, they show, but

by Muslim jurists. These 'rights' are juristic constructs that follow from the way that early Muslim jurists conceptualized and defined marriage: as a contract of exchange patterned after the contract of sale, which, by the way, served as a model for most contracts in Islamic law.

Un-reading patriarchy in sacred texts

The majority of these feminist scholars have focused their energy on the field of Qur'anic interpretation (*tafsir*) and have successfully uncovered the Qur'an's egalitarian message.⁵ The genesis of gender inequality in Islamic law, these scholars tell us, lies in an inner contradiction between the ideals of Islam and the social norms of the early Muslim cultures. While the ideals of Islam call for freedom, justice, and equality, Muslim social norms and structures in the formative years of Islamic law impeded their realization. Instead, these social norms were assimilated into Islamic jurisprudence through a set of theological, legal, and social theories and assumptions. Salient among them were propositions such as: "Women are created of men and for men"; "women are inferior to men"; "women need to be protected"; "men are the guardians and protectors of women"; "marriage is a contract of exchange"; and "male and female sexuality differ, and the latter is dangerous to the social order". These assumptions and theories are nowhere more evident than in the rules that define the formation and termination of marriage, through which gender inequalities are sustained in present-day Muslim societies. In my own work on marriage and divorce, I have tried to engage with these juristic assumptions in order to show how the science of Islamic jurisprudence became the prisoner of its own legal theories, which in time came to by-pass the Qur'anic call for justice and reform.⁶

These emerging feminist voices in Islam are in a unique position to bring about a much-needed paradigm shift in Islamic law. This is so because they expose the inequalities embedded in Islamic law not as a manifestation of the divine will but as a construction made by male jurists. This can have important epistemological and political consequences. Epistemological, because if this argument is taken to its logical conclusion, then some rules that, until now, have been claimed to be 'Islamic' and part of the Shari'a, are in fact only the views and perceptions of *some* Muslims, and as such, are *social* practices and norms that are neither sacred nor immutable, but human and changing. Political, because such insights could both free Muslims from taking a defensive position and enable them to go beyond old *fiqh* wisdoms in search of new questions and new answers.

Such an approach to religious texts can in time open the way for radical and positive changes in Islamic law to accommodate concepts such as gender equality and human rights. Whether this will ever happen, and whether these concepts will ever be reflected in state legislation, depends on the balance of power between traditionalists and reformists in each Muslim country, and on women's ability to organize, to participate in the political process, and to engage with the advocates of each discourse. But it is important to remember three things:

Firstly, Islamic law, like any other system of law, is reactive in the sense that it reacts to social practices and people's experiences; it has both the potential and the legal mechanisms to deal with women's demand for equality. We must not forget that most often legal theory follows practice; that is to say, when social reality changes, then social pressure will effect changes in the law.

Secondly, Islamic law is still the monopoly of male scholars whose knowledge of women comes from texts and manuals, all written by men, all constructed with juristic logic, reflecting the realities of another age and a different set of interests. This monopoly must be broken; this can be done only when Muslim women participate in the production of knowledge, when they are able to ask new and daring questions.

Finally, there is a theoretical concord between the egalitarian spirit of Islam and the feminist quest for justice and a just world. It is perhaps this that makes the feminist project in Islam so unsettling to conventional views and vested interests in the Muslim world and beyond.

Acknowledgements

This paper is printed with permission from the author.

Endnotes

- ¹ A. Sharma, 'Preface' in A. Sharma and K. Young (eds), *Feminism and World Religions* (Albany, NY: State University of New York Press, 1999), p ix.
- ² L. Ahmed, *Women and Gender in Islam* (New Haven: Yale University Press, 1992), p 54.
- ³ M. Badran, 'Islamic feminism: what's in a name?', *Al-Ahram Weekly Online*, Issue No. 569, January 2002, pp 17-23.
- ⁴ For instance, see H. Moghissi, *Feminism and Islamic Fundamentalism: the limits of postmodern analysis* (London and New York: Zed Press, 1999).
- ⁵ For instance, see A. Barlas, *Believing Women in Islam: unreading patriarchal interpretations of the Qur'an* (Austin, TX: University of Texas Press, 2002); R. Hassan, 'Equal before Allah: woman/man equality in the Islamic tradition', *Harvard Divinity Bulletin* 7, no. 2, Jan-May 1987; F. Memissi, *Women and Islam: an historical and theological enquiry* (translated by Mary Jo Lakeland), (Oxford: Blackwell, 1991); and A. Wadud, *Qur'an and Woman: reading of the sacred text from a woman's perspective* (New York: Oxford University Press, 1999).
- ⁶ Z. Mir-Hosseini, *Islam and Gender: the religious debate in contemporary Iran* (New Haven: Princeton University Press, 1999); and also Z. Mir-Hosseini, 'The Construction of gender in Islamic legal thought and strategies for reform', *Hawwa Journal of Women in the Middle East and the Islamic World*, Vol 1, No 1, 2003, pp 1-28.

What is your tribe?

Women's struggles and the construction of Muslimness

Abstract

Using the often-scarce space available to them in very different political circumstances, women's strategies in defence of their human rights range from entryism to internationalism. While fundamentalists read all women's strategies as equally significant of betrayal of their identity, liberals outside Muslim countries and communities - and increasingly inside too - select the entryist strategy as the only legitimate one insofar as it matches our 'nature'.

While the women's movement remains united in standing for the need to use concomitantly or alternately all available strategies, for they are in complementarity and can be reciprocal, the liberal preference strengthens, in fact, the fundamentalist views on 'Muslim women's' ontological specificities and would, if it succeeded, disempower and alienate women.

The first part of the strange title of this article originates in a personal experience. In 1962, after a seven-year bloody war, which made two million victims, Algeria became independent from French colonisation. Shortly after independence, some of us were being introduced, as 'Algerians', to some left intellectuals in Paris who had been in favour of our liberation movement. To my utter surprise, they insisted on knowing not only our religion (although all of them without any exception happened to be atheists, they just could not take the fact that we too professed no religion) but also, in their own words, our 'tribe of origin'. It was a shock and a revelation to me that, for those intellectuals, 'third world' people could not do with just citizenship: we had to bear the marks of exoticism. Our sameness was deeply disturbing to them. Moreover it was, in their views, challenging our very identity - a recently acquired national identity that we had fought for so many years. The second part of my title refers to the dangerously growing trend of precisely constructing exoticism and 'otherness' in the political, thus reinforcing the ideology, as well as the power and legitimacy, of extreme right political forces, both within and outside Muslim contexts, colluding with each other.

Fundamentalism in context

Many well-meaning people, outside as well as inside Muslim contexts, in good faith, play into the game of fundamentalists and their identity politics. There are many forms and varieties of fundamentalism, and for that reason I would rather speak of 'fundamentalisms'. However, they have common characteristics. In particular, one key element of their politics is the control of women. This is true of all religious fundamentalisms: we can see it with the Christian Right in the US promoting their views of 'morality' by assassinating

medical personnel who perform abortions; it is true of Muslim Fundamentalists promoting gender apartheid in Iran, Sudan, Algeria, and Afghanistan; it is true of the Hindu BJP (Bharatiya Janata Party) and RSS (Rashtriya Swayamsevak Sangh) promoting sati (burning of wives alive on the pyre of their deceased husbands).

The list will be long of other religious fundamentalists' anti-women stands, and of their hatred of women. Indeed, in a context of Islam bashing and racism, this is a much needed reminder that 'Muslim fundamentalism', despite being specifically singled out in the international media, is no different in that respect from any other religious fundamentalism.

Moreover, religious fundamentalisms cannot be isolated from other forms of fundamentalism that do not focus on religion but do create ideological and political alliances with each other, such as fundamentalisms based on ethnicity and culture. For religious fundamentalism is not a religious movement as it pretends to be. Religious pretexts, as in Ireland, are inevitably covering up much deeper infrastructural conflicts. Those are political movements, aiming at seizing political power by force, if not otherwise.

As an example, this is what the two main Algerian fundamentalist leaders/co-founders of the FIS party (Islamic Salvation Front) had to say, even long before the December 1991 elections were cancelled in Algeria, about their programme and democracy: "I do not respect either the laws or the political parties which do not have the Qur'an. I throw them under my feet and I trample them. These parties must leave the country. They must be suppressed."¹ "Beware of those who pretend that the concept of democracy exists in Islam.

Democracy is *kofr*."² "There is no democracy because the sole source of power is Allah, through the Qur'an, and not the people. If people vote against the law of God, this is nothing but blasphemy. In this case, one must kill these unbelievers for the good reason that they want to substitute their authority to the authority of God."³ "We do not accept this democracy which allows those who are elected to be in contradiction with Islam, Shari'a, its doctrine and its values."⁴ Abhorrent of democracy, Algerian fundamentalist leaders inevitably advocate violence against those who stand for it: "All forward looking leaders should put all their potentialities to the service of the *jihad* (holy war) and coordinate all forms of jihad, including armed jihad which is its noblest and highest form."⁵ This position is confirmed in international media by the representative of FIS in Washington himself: "If the Islamic state in Algeria is not brought to power by dialogue, this will be done by the jihad."⁶ "It is true that we declared the jihad, and we did so according to the fundamental principles of Islam."⁷ The incompatibility between 'Islam' and human rights obviously does not stem from all Muslim believers, but from Muslim fundamentalists only.

Claiming that they represent, if not the holy people by God chosen, then the purest and most excellent race, or the most ancient and elaborate culture; these movements, when they rise to power, impose their rules, codes of conducts, beliefs, and principles on 'subhuman' races, 'inferior' cultures, and other religions. Fundamentalisms are political movements of the extreme right, which, in a context of globalization, eg forceful international economic exploitation and free-for-all capitalism, manipulate religion, culture, or ethnicity, in order to achieve their political aims.

Rather than looking for examples in far off

cultural and political contexts, in some exotic third world countries, one should identify the phenomenon at one's doorstep. Europe had to face it recently with the 'ethnic cleansing' and expansionist policy of Serbian leaders in ex-Yugoslavia.⁸

Fundamentalism is the form that fascism takes today. Like Nazism in Germany, it emerges in a context of economic crisis and pauperisation, builds itself on the discontent of the people, manipulates the poorer sections of the populations, exalts their moral values and their culture (Aryanity for Germany, the glorious past of Rome for Italy), covers itself with the blessing of their God (*Gott mit uns*, as the SS used to wear on their belts), wants to convert or submit the world, and eliminates and eradicates their political opponents as well as the *untermensch*. Far from being obscurantist and economically backwards, fundamentalists are modernist and capitalist.

It is in this context that I shall come back to Muslim fundamentalists, women, and human rights. This particular form of extreme right movement and its specific oppression of women should not be analyzed outside a global political frame such as the one I have indicated here.

The myth of a homogeneous Muslim world

Women in Muslim countries and communities are indeed oppressed, in the name of religious interpretations that sustain and support patriarchy.⁹ However, there is no such thing as a uniform 'Muslim world', not a unique 'Islamic law' (Shari'a) applied everywhere, and therefore, women in Muslim societies lead very different lives, suffer different degrees of oppression, and enjoy different rights. "Our different realities range - from being strictly closeted, isolated, and voiceless

within four walls, subjected to public floggings and condemned to death for presumed adultery (which is considered a crime against the state), and forcibly given in marriage as a child - to situations where women have a far greater degree of freedom of movement and interaction: the right to work, to participate in public affairs, and also to exercise a far greater control over their own lives."¹⁰

This diversity in itself is sufficient to counter the fundamentalist ideology of 'Muslimness', as a belief, a way of life, a code of conduct, a 'culture'¹¹ that is supposed to characterize the life of so-called 'Muslims' all over the world. Like all totalizations, it ignores differences of cultures, political regimes, classes, etc, and proposes the oppressive vision of an unchallengeable, unchangeable, divinely defined homogeneity. But it exists nowhere else than in their imaginations.

However, by insistently suggesting its existence, fundamentalists have managed to convince many Muslims and non-Muslims of its (virtual?) reality. "It is often presumed that there exists one homogeneous Muslim world. Interaction and discussions between women from different Muslim societies have shown us that while some similarities exist, the notion of a uniform Muslim world is a misconception imposed on us. We have been led to believe erroneously that the only possible way of *being* is the way we currently live in each of our contexts. Depriving us of even dreaming of a different reality is one of the most debilitating forms of oppression we suffer."¹²

Differences in Muslim societies are due to three main factors:

First of all, Islam has spread, over centuries, in many different cultures over all continents, and it has absorbed local traditions; hence,

female genital mutilation, although practiced by Animists and Christians as well in the concerned areas, is considered and promoted as 'Islamic' in certain parts of Africa while unheard of elsewhere; veiling which originated in the Semitic tradition - Jewish, Muslim, and Christian alike - is now promoted the world over as the symbol of Islam, thus eradicating traditional dress codes; the caste system, originally Hindu, functions in Muslim communities as well in the Indian subcontinent.

Secondly, the Qur'an and hadith have been interpreted throughout centuries by different schools of thought, and ongoing reinterpretation is still an option to many Muslims. Like in all holy books, one can find in the Qur'an the God of love as well as the God of wrath, and many historically connoted positions as well, such as the one on slavery, for example. "Be kind to your slave" is the Qur'anic injunction. To my knowledge, Muslims take it as a step forward in improving the conditions of existence for slaves at the time of Mohammed, rather than a justification of slavery today. Such a historical analysis can be, and indeed is, applied by many Muslims today to the injunctions concerning women: "Beat her lightly" is considered as a step forward from heavy punishments practised in the Middle East at the time, rather than a justification of wife beating today. Following this line, an Algerian Muslim scholar analyses that the function of the veil was to protect married women (by contrast with slave women) in the time of Mohammed; hence, its most appropriate modern equivalent is education and schooling, for this is what, in our times, gives the most protection to a woman.¹³

And finally, it is clear that political powers using culture and religion choose to emphasize

different elements or interpretations in both culture and religion, according to circumstantial needs.

This leads us to make an essential distinction between two concepts: 'Islam' and 'Muslims'.¹⁴ *Islam* as a religion, an ideology, a utopia, can be analysed from the point of view of theology or of philosophy. 'Islam', in this sense, does not exist anywhere in the material world. 'Muslims' are those who attempt to materialize their interpretation of these ideas, eg on the one hand, the men and women who have defined themselves as religious beings, as followers of Islam, and on the other hand, the political forces that have monopolized the reading of the text and use it as a major strategy for accessing or keeping political power. Analyzing of their actions belongs to the fields of sociology and political sciences. It follows suit that not all that is done by 'Muslims' is 'Islamic' and that what is 'Islamic' is even debatable and debated amongst Muslims. 'Islam' as it should be, 'Muslims' as they are. 'Muslimness' is man made, not God given.

This conceptual distinction should allow one to defend human rights in Muslim countries without fear of being seen as 'anti Islam'. It is an important distinction too, for women inside Muslim contexts who fight for their human rights. This paper exclusively focuses on the sociological and political aspects: on what people do, albeit in the name of religion. Hence, we are not here referring to 'Islam', but to 'Muslims'.

In fact, we are even talking here of 'so-called Muslims'. For, again, another important distinction needs to be made: common sense and common language takes it that all people born and raised in Muslim families are automatically Muslim believers, that all people

born and raised in countries or communities, in their incredible cultural and political diversity, whose laws are said to be derived from the Qur'an are automatically Muslim believers. Freedom of faith is obviously denied to people born in such contexts. No one would dream of defining any honourable French man or Swiss lady as a Christian, rather than as French or Swiss. While we, Algerians, Nigerians, Pakistanis, Fijians, Canadians, or British alike, believers and non-believers alike, atheists and free thinkers alike, are labelled 'Muslims'. Are we still talking of faith? 'Muslimness' is becoming a transnational identity - much to the delight of fundamentalists. It is becoming an unwashable 'original sin', a stamp on the skin and soul of the people whose accidental location of birth makes them 'Muslims'. These *extensions de sens* actually constitute an insult to true believers for whom faith is a deeply important choice in life, and to the freedom of religion. It is, as well, an insult to the personal integrity of those who have not chosen religion as a marker of their identities.

Moreover, it is a very dangerous political labellization. 'Jews', believers and non-believers alike, will not contradict me.

The diversity of women's struggles and strategies

Women themselves are organizing their struggles for human rights on all these fronts concomitantly. Their strategies adequately address the issue, ranging from working from within the frame of religion, by reinterpretation of the Qur'an from a feminist perspective, to an entirely secular approach of human rights.¹⁵

Interpretation of the Qur'an has long been monopolized by male scholars, and it is recently, a couple of decades ago, that a strong movement was born from the ranks

of feminist theologians and women's human rights Muslim scholars.¹⁶ Initially, it has been seen by non-religious human rights advocates as hardy distinguishable from, or even colluding with, Muslim fundamentalists' forceful attempts - now unfortunately more and more successful - to infiltrate the human rights domain. The main distinction between these two very different movements is that religiously inclined women human rights advocates do not try to monopolize the field of human rights; they ally with secularists and combine approaches, even if their main focus remains to reform from within the religious framework those laws and practices that originated in obscurantist interpretations of religion. On the contrary, the fundamentalist approach excludes any other strategies and violently combats them. For fundamentalists: "outside religion, no salvation".

While still using the Trotskyist concept of entryism to describe those using a religious framework for reform, I must qualify this concept because these women have not only invaded a field that was not theirs, but they also have successfully initiated a dialogue on *ijtihad* (reinterpretation) which had been dormant for centuries. They have proposed alternative interpretations which on the one hand, go back to the original text and its semiotic roots, and on the other hand, develop a field of historical and cultural interpretation which is really new, for which they have widely used cross-cultural analysis developed by secular feminists. By so doing they have deeply modified the field of Islamic theological research.¹⁷

At the other end of the spectrum, other women - be they believers or atheists - while incorporating the pioneering work of new feminist theologians, do not see religious debate as a main strategy for social change;

using their anthropologically grounded awareness of the fact that there is no such thing as a homogeneous Muslim world and far less a transnational Muslim culture, they have successfully pointed at the diversity of situations in which women live in Muslim countries and communities around the world. Criticizing conservative or even inhuman laws and practices, they condemn violations of women's human rights, regardless of the fact that those may be justified, locally, nationally, or internationally, by reference to religion. Bound neither by customs nor by religious interpretations, they state regarding reproductive rights: "In our context, these laws, policies, and practices are frequently said to flow from the imperatives of Islam. However there is considerable variation in actual laws and policies from one Muslim country/ community to another. For example, across the Muslim world, policies on fertility regulation range from a total ban on contraception to forced abortion and sterilization, depending on the political interests that dominate at the moment. What is similar across the Muslim world is the use of Islam as justification of such dissimilar policies. In the present situation, when political forces and ideologies that have been labelled 'fundamentalist' are on the rise, governments - even when they restrict such forces in the struggle for political power - pander to them in matters relating to women. In the process, their different political interests collude with male interests in denying women's human rights."¹⁸

They have also pointed at all the good laws and practices that exist in different Muslim contexts that could and should be adopted in other Muslim contexts, without appearing to the tenants of cultural purity and nationalist isolationism as 'importing alien mores'.

Commenting on the rise of the 'religious'

extreme right, WLUML wrote:

"We fear that if we do not act, we may be subjected to a situation which will not necessarily be the worst but could certainly be worse than what we have today, where for instance:

- unilateral and oral pronouncement of *talaq* (repudiation) would be legal, as currently exists in India;
- women's rights to vote would be delegated to men, as was the case in Algeria for two years;
- *zina* (adultery and fornication, any extra marital sex) would be punishable by stoning to death or public flogging and/or fine, and/ or imprisonment, as is currently the case in Pakistan; further, women orally divorced by their husbands (therefore having no proof of their divorce), when they marry again, can be sentenced under *zina*;
- *zina bel jabr* (rape) would require the "eye witness account of four male adult Muslim men of good repute" before the rapist could be given maximum punishment, as is currently the case in Pakistan;
- women could be tried and executed for un-Islamic behaviour, for instance laughing in the streets and/or allowing a strand of hair to fall out of the hijab, as has happened in Iran;
- robbery would be punished by amputation of limbs, as in Sudan and Saudi Arabia - women would be subjected to forcible contraception, abortion and sterilization, as in Bangladesh;
- women would not have the right to drive, as in Saudi Arabia;
- women would not be able to leave the country without the written permission of their fathers/husbands as in Iran and Saudi Arabia;
- women would not have the right to vote, as

in Kuwait;

- women would be circumcised, as in Egypt, Somalia, and Sudan;
- women would be forcibly given in marriage by their male guardians *wali*, as in communities governed by Maliki and Shafi schools;
- etc ...

"We emphasize that none of these laws exist in all Muslim countries, nor are they intrinsic to Islam.

"On the other hand, we would like all women to enjoy the following rights that exist in at least some Muslim countries:

- the right to vote at all levels, as in most Muslim countries/communities;
- the right to choose their own husbands as in countries governed by the Hanafi school;
- the right to divorce, as in Tunisia;
- the delegated right of divorce (*talaq e tafweez*) as in Pakistan and Bangladesh;
- the right to a share of the marital property upon divorce, as in Malaysia;
- the right to custody and guardianship of their children after divorce, as in Tunisia;
- the right to the marital home at least till the children are adults, as in Libya;
- the ban on polygamy, as in Tunisia;
- the right for a wife to curtail second marriages, as in Bangladesh, Pakistan, Singapore, etc."¹⁹

This strategy could not exist without a strong international linkage²⁰ between women from Muslim countries and communities worldwide, without having raised consciousness about our commonalities and diversity; it would not exist without the clear internationalist understanding that we women have *partie li e*, that the rights we gain here are bound to

positively affect women elsewhere, and that the rights we lose here may negatively affect women elsewhere. This is well illustrated by the post Iranian revolution spreading of their ugly form of veiling, including to those Muslim communities which had a completely different cultural dress code and would like to retain it, and by the recent attempts to spread FGM as a Muslim practice to several countries in Asia where it was unheard of. At a global level, the Cairo UN World Conference on Population gave a formidable example of the unholy alliance between the Vatican and *E/ Azhar* that tried to stop women's demands for reproductive rights, contraception, and abortion. In this very case, it became clear that the curtailing of reproductive rights that women had recently faced in Poland, or in the ex-Democratic Republic of Germany, were indeed part of a concerted effort towards depriving women in Muslim contexts, and globally, of the same rights.²¹

This is why internationalist women strongly advocate for universal human rights. If indeed universalism, as it exists today, is generally highly criticized for its implicit ethnocentrism and leaning towards so-called 'western values', most women nevertheless recognize the need for, support the principle of, and work towards a new definition of universality in human rights. The massive presence of autonomous women's rights organisations from Muslim countries and communities at the UN World Conference on Women attests to the fact that women see the urgent need not only for linkages within Muslim contexts but also with the global women's movement. These groups are not to be confused with fundamentalist groups, also massively present in Beijing (it would be interesting to explore their sources of funding), or state sponsored organisations.

What is most impressive is the integration, inter-penetration, cross-fertilization, and finally the reciprocal reinforcement and mutual support of these various strategies.²² In most instances, far from being seen as contradictory or oppositional, they are perceived at best, as complementary and, at the very least, as non-antagonistic.²³

The construction of Muslimness

This vision of the world is a far cry from the one sided vision of fundamentalists for whom 'Islam' is the only possible solution, and their interpretation of it the only one to be enforced, *volens nolens*, upon the world. For them, all struggles for women's human rights, be they from within the frame of religion or from a secular perspective, are equally seen as betrayal. Betrayal of one's religion: the monolithic Islam. Betrayal of one's culture: the imaginary transnational Muslim culture. And betrayal of one's community: *the Umma*. Women's struggles for human rights are seen as dangerously divisive of the 'Muslim world'.

However, if one can expect such an analysis from fundamentalists, the collusion of well meaning liberals and human rights advocates with fundamentalists' ideology comes as a surprise. What is of most interest to me is the fact that amongst these three different but complementary strategies, only one is artificially isolated, getting the most attention, most funding, most recognition. It is seen as the only authentic one, the best for 'Muslims'. Indeed, it is the strategy of religious interpretation. This should be of concern to all people who recognize the fascistic nature of fundamentalist movements and the fact that, in the context of globalization, these movements are on the rise everywhere in the world today. In the name of respect for the 'other's' culture and religion, or for fear of being accused of racism - for those outside

the Muslim contexts, for internalization of the notion of betrayal - for those who, in one way or another, identify with Islam, there is an undue reluctance to name and condemn violations of human rights in general, and more especially, of women's human rights in Muslim countries and communities.

Moreover, there is reluctance to acknowledge the variety of strategies that women are using all over Muslim countries and communities, the need for this variety, their complementary and reciprocal character, and finally to admit to the legitimacy of them all. In short, while we claim our capacity to work as political equals, not only racists, but enlightened people and women's allies too, feel that we should go for the most 'Muslim' possible strategy, excluding all other possibilities as alien to them.

This sends us back to the image of exoticism that is so often attached to so-called 'Muslim women'. It seems that the sense of self and identity of those tenants of the exclusive religious strategy is shattered if and when the exotic creatures come too close to one, if we feel free to use strategies that they thought were theirs and theirs only. Is 'The other' so different, or so much the same? What are the frightening implications of sameness for oneself?²⁴ By selecting one strategy, limiting the choice and imposing/denying their 'Muslim' identity to women who - in their own context, at a specific historical moment in time - decide for other strategies, one clearly refers to an imaginary, ahistorical, immutable image of the 'Muslim woman'. Indeed, this contorts fundamentalists' ideology and creates a dangerous political construct of 'Muslimness'. Why is this construction so well received and accepted by such different sections of the political spectrum, indeed by almost everyone? The notion of difference can be manipulated from several points of

view: from the point of view of racists, from the point of view of fundamentalists, from the point of view of migrants, and from the point of view of liberals and human rights defenders. But ultimately, culturalist differentialism and xenophilia, despite the individualistic liberalism of its proponents, exists in a vicious circle of complicity with xenophobic racism.²⁵ For what is difference? Differences are produced by specific historical, geographical, and political circumstances. However, when isolated from their contexts, when essentialized and referred to as 'nature' - ahistorical and unchangeable, under whatever disguises they are presented, 'differences' feed into the ideology of racism. The promotion of difference has always been at the heart of racist agendas. It is because the 'other' is defined as different, radically different and ontologically different, that one ceases to even see its humanity, and finally classifies it as *undermensch*. Racists emphasize difference as Hitler, the apartheid regime in South Africa, and the segregationists from the US South did. Right now, the extreme right in Europe has taken up the flag of difference, using it to argue against the possibility of 'Muslims' becoming citizens: 'equal but different'.

It is not the place to debate here on the dialectical relationship of nature and culture. But, not surprisingly, in times when extreme right political forces are on the rise, there is an upsurge of 'nature' and biology, including in feminist theory and in science (recent emphasis on the genetic origin of homosexuality, for instance), and the cult of difference, rather than integration. 'Communalisation' (to use the South Asian concept) of the communities, rather than promoting the 'melting pot' (indeed so often a failure and a disillusion in practice) becomes the buzzword of human rights advocates.

May I presume that these thoughts cannot be distorted to the point that they would be equated to advocating for the eradication of cultural differences and their homogenisation through the adoption of the 'western model'. I am only pointing at some of the consequences that the present political construction of a 'natural otherness', especially for so-called 'Muslims', has for women and for their human rights.

Difference presently benefits from a conjunction of interests which have given it a dangerous prominence. Failure to achieve equality leads to exaltation and tantalization of difference: politics of nostalgia of migrants bound together by being confronted with the same racism. For racists, social differences are seen as the inevitable product of natural differences and thus justify exclusion. Social scientists, 'experts', and politologists elaborate on 'common sense'²⁶ understandings of difference and give academic credentials to 'immediate knowledge'.²⁷ Hand in hand with racists and extreme right political parties, exploiting the inadequacy of social scientists' methodologies and the naivety of liberals, fundamentalists exploit the momentum to further their agenda. Within the prevalent discourse of multiculturalism and multi-ethnicism in Europe and North America, Muslims are seen as sharing of a religion which has been dubbed a culture. Despite the fact that 'Muslims' live all over the planet, therefore in very different cultural set ups, despite that within one specific country, there are differences between those of rural and urban origin, rich and poor, educated and illiterate; religion is seen as over determining their socio-economic and ideological positions. Culturalist Islamism assumes a cohesive homogeneity which is by no means a reflection of the stunning diversity of social reality. Its fantasmatic 'culture' seems impenetrable to others' cultures, to historical

developments; unchangeable overtime, it is dead, rather than reflecting the living history of living people.

Liberals and human rights advocates follow this ideological line. In the name of respect of the 'other', respect of the 'other's' culture, they promote cultural relativism. They want to redefine equality so that it fits difference. In the name of difference, they justify practices that, for themselves, would be considered barbaric. And they are not even yet sure, when concerned people, concerned women, challenge this imaginary culture, that they are not witnessing cultural treason and should not, hand in hand with fundamentalists, strongly object to it.

My favourite example has long been the Dutch Parliament's debate on the opportunity to allow, on the soil of the Netherlands, the practice of FGM "for the concerned sections of the population." However a very good example has recently been offered by a study on North African migrants in Belgium that led to propositions of law which, if adopted, - despite the fact that 100% of the women investigated unanimously protested against the conclusion (a protest acknowledged by the author and researcher) - would legally establish discrimination and inequality, on the one hand between men and women migrants, and on the other hand between them and the rest of the population in Belgium. The proposed legal measures will abolish - for these migrants and for them only - the rule of equality that is the basis of the Constitution, by adopting amendments inspired by some of the gender discriminatory laws or customs of their country of origin.²⁸

One cannot help suggesting a few epistemological questions: who defines culture? Are women entitled to do so? Is

citizenship restricted to men, elders, self-appointed 'representatives of the community', and vocal fundamentalists? Is culture immutable, and in that case, in which century are we deciding - in place of the concerned people - that it stopped evolving? Although the habit of secluding and isolating 'savages' and 'primitives' for the sake of preserving their authentic 'otherness' has officially lost its credentials, it seems that new forms of non-material reservations have come to gain legitimacy.

Are human rights today so totally depoliticized? I am not here using this term as in 'politician politics', but in the sense that ancient Greek philosophers gave it: a reflection which was also the duty of all citizens.

All opinions, all practices are not equally valid and respectable. Fundamentalism and fascism are not just another opinion. It is not 'tolerable', since tolerance nowadays seems to be seen as a cardinal virtue and the epitome of human rights, that Nazis physically eliminated unfits, communists, gypsies, homosexuals, and Jews; that Hindu fundamentalists sell audiocassettes by the millions calling for the murder of Muslims; that Afghan Taliban install gender apartheid; that Algerian fundamentalists cut the throats, the breasts, the genitals of women and invoke Islam to rape them, impregnate them, and force them to bear and produce 'good Muslims', just as the Serbs impregnated Bosnian women to force them to bear and produce the superior race.

For all these crimes are not accidental casualties of war, they are the logical consequences of ideologies which clearly, in the name of purity of the race or of the holy creed, intend to commit these crimes and justify even the intention of committing them - as the fatwas on Salman Rushdie and others,

known and unknown citizens, amply prove.²⁹

These opinions and ideologies are not just other views of life. Should they be voiced and relayed by Human Rights organisations in the name of freedom of speech, freedom of opinion? We have numerous examples, since the fundamentalist war against civilians started in Algeria³⁰ of well-established Human Rights organisations giving a platform to fundamentalists, as if their crimes did not disqualify them from benefiting from such alliances. Human Rights organisations see them as victims of repression by states, which is the case at points when states are not negotiating the sharing of political power with them; but they ignore their main role as perpetrators and the magnitude of their crimes.³¹ Moreover, human rights organisations ignore the fact that fundamentalists' ideology plans and justifies all these crimes, for they are only applying their - religious? - principles when stoning to death the adulterers and assassinating the unbelievers. The wonderful principle of freedom of speech was not meant to help propagate hatred, calls to murder, and views which are definitely against human rights. A frightful confusion between ends and formal means leads to encourage and support, in the name of freedom of thought, freedom of speech, and democracy, for the free expression and subsequent access to political power of the new Hitlers of our time.

At the end of a century that sees the re-emergence of old religions and new sects, as well as spirituality, in societies that have lost faith in transformation towards social justice; deceived and hopeless people turn to gods and values that many of us thought dead. At the end of a century that sees economic and political globalization threaten the very lives of people, one witnesses an unforeseen outcome of globalization: atomized,

interchangeable individuals, fearing for their lives, instinctively regrouping with their kin in order to support each other. A North African saying summarizes this reaction: "Me against my brother; me and my brothers against my cousin; me, my brothers, and my cousins against my tribe; me, my brothers, my cousins, and my tribe against the other tribe in the next village..." The other side of globalization is the fragmentation of the people along the lines of religion, ethnicity, or culture.

This is the situation fundamentalisms build on and exploit. But is it not what all fascisms also build on? Human rights, with their counter goal of universalism, have to identify fundamentalisms as the greatest threat of the time.

Endnotes

¹ A. Belhadj, *Alger R  publicain*, 5 April 1991.

² A. Belhadj, *le Matin*, 29 October 1989.

³ A. Belhadj, *Horizons*, 29 February 1989.

⁴ A. Madani, *Alg  rie Actualit  *, 24 December 1989.

⁵ A. Belhadj, 'Open letter to Mujahidins', 2 October 1994.

⁶ A. Haddam, *Ennahar* (Beyrouth, Liban), November 1994.

⁷ A. Haddam, *el Tiempo* (Madrid, Spain), 2 January 1995.

⁸ WLUML, *Compilation of Information on Crimes of War Against Women in Ex-Yugoslavia: actions and initiatives in their defence* (Grabels: WLUML, 1992).

⁹ 'Statement by 15 Muslim scholars from India, Iran, Pakistan, Bangladesh, Morocco, the Sudan, Palestine, Syria, and Turkey', *Free Inquiry* (USA), October 1997, reproduced in WLUML, *Dossier 19* (Grabels: WLUML, 1997).

¹⁰ WLUML, *Aramon Plan of Action*, 1986.

¹¹ A. Al-Azmeh, 'Muslim culture and the European tribe' in A. Al-Azmeh (ed), *Islams and Modernities* (London: Verso, 1993); and, an extended version, in WLUML, *Dossier 19* (Grabels: WLUML, 1997).

¹² WLUML, *Aramon Plan of Action*, 1986.

¹³ S. Bencheikh, *Mariane et le Proph  te: l'islam dans la France laique* (Paris: Grasset, 1998) [English translation: "The Republic and the Prophet: Islam in secular France"].

¹⁴ M. H  lie-Lucas, 'The Preferential symbol for Islamic identity: women in Muslim personal laws', paper presented at the *Round Table on Identity Politics*, 8-10 October 1990; published in Valentine Moghadem (ed), *Identity Politics and*

Women (Boulder, Colorado: Westview Press, 1993); and in WLUML, *Dossier 11/12/13* (Grabels: WLUML, 1996).

¹⁵ M. Hélie-Lucas, 'Women's struggles and strategies in the rise of fundamentalism in the Muslim world: from entryism to internationalism' in H. Afshar (ed), *Women in the Middle East: perceptions, realities, and struggles for liberation* (London: MacMillan, 1993), pp 206–241; and as *Occasional Paper No 2* (Grabels: WLUML, 1990).

¹⁶ R. Hassan, 'Selected articles', in WLUML, *Readers & Compilations Series* (Grabels: WLUML, 1994).

¹⁷ WLUML, *For Ourselves: women reading the Qur'an* (Grabels: WLUML, 1997).

¹⁸ WLUML, 'Statement to the Cairo UN World Conference on Population' in WLUML, *Women's Reproductive Rights in Muslim Countries and Communities: issues and resources* (Grabels: WLUML, 1994).

¹⁹ WLUML, *Best Scenario / Worst Scenario* (WLUML internal document, 1994).

²⁰ M. Hélie-Lucas, 'L'Internationalisme dans le mouvement des femmes: les réseaux internationaux de femmes', as *Occasional Paper No 4* (Grabels: WLUML, 1994).

²¹ L. Freedman, 'The Challenges of fundamentalisms', *Reproductive Health Matters*, No. 8, 1996, pp 55-69; and in WLUML, *Dossier 19* (Grabels: WLUML, 1997).

²² F. Shaheed, 'Controlled or autonomous: identity and the experience of the network Women Living Under Muslim Laws', *Signs*, Vol. 19. No.4, Summer 1994.

²³ On the concepts of complementarity and reciprocity in international solidarity, see M. Hélie-Lucas, *Heart and Soul* (WLUML internal document, 1997).

²⁴ K. Malik, 'The Perils of pluralism', *The Future* (Index on Censorship, 1997); and in WLUML, *Dossier 20* (Grabels: WLUML, 1997).

²⁵ A. Al-Azmeh, 'Muslim culture and the European tribe' in A. Al-Azmeh (ed), *Islams and Modernities* (London: Verso, 1993); and, an extended version, in WLUML, *Dossier 19* (Grabels: WLUML, 1997).

²⁶ P. Bourdieu, *Metier de Sociologue* (Paris: Mouton and Bordas, 1968).

²⁷ P. Bourdieu, *Metier de Sociologue* (Paris: Mouton and Bordas, 1968).

²⁸ M. Claire Foblets, *Femmes Marocaines et Conflits Familiaux en Immigration: quelles solutions juridiques appropriées?* (Antwerpen: Maklu, 1998).

²⁹ WLUML, *Fatwas Against Women in Bangladesh* (Grabels: WLUML, 1996).

³⁰ WLUML, *Algeria: a war against civilians* (WLUML unpublished document, 1997).

³¹ M. Hélie-Lucas, 'Fundamentalism and femicide' in I. Lourdes Sajor (ed), *Common Grounds: violence against women in war and armed conflict situations* (Quezon City: Asian Center for Women's Human Rights, 1998), pp 108-121.

Acknowledgements

A shorter version of this article was first published in: C. Howland (ed), *Religious Fundamentalism and the Human Rights of Women* (New York: St Martins Press, 1999).

Difficult Alliances:

Treading the minefield of identity and solidarity politics

Abstract

This article describes the author's engagement in identity issues as these relate to the political and social aspects of her work with the Southall Black Sisters, a resource and solidarity women's centre that serves women of a largely immigrant community in the UK.

Southall Black Sisters (SBS) is a collective of South Asian women.¹ We operate an advice, resource, and campaigning centre for women in Southall, an area in west London with a large South Asian population. In comparison with many other Asian communities in this country, Southall is heterogeneous and has a cosmopolitan feel to it. All religions and ethnic groups of the Indian Subcontinent are present there, although the Punjabi Sikh ethnic group and religion are dominant.

In the last decade or so Southall has also received a large influx of Somalian refugees, of predominantly Muslim background, who are now beginning to establish themselves as a cultural and social force in the area. They have already changed the social landscape of the area but have not, as yet, asserted a strong political presence. It remains to be seen when and how Somalian women, who are at present preoccupied with addressing language, housing, and educational needs, will assert themselves. At present they remain largely invisible in the public religious and cultural spaces created by Somalian men.

The Southall Black Sisters centre caters to all women. We operate an open door policy, providing a front line service for all women, irrespective of ethnic and religious background. The focus of much of our work, however, reflecting the make-up of the local population, is on South Asian women. Over the years, our campaigning and political work has been largely dictated by the issues and concerns raised in the casework that we undertake. It is the experiences of women who use the centre, combined with our own, that have shaped our progressive feminist outlook.

The centre was set up in 1983 with funding

from the local council. We continue to rely on funds from a variety of sources to provide much needed emergency and long-term casework services for black women. The very existence of the centre reflects the fact that the needs of black² and minority women are not adequately addressed either by indigenous institutions within the community or by the wider state institutions. The bulk of the casework undertaken at the centre has to do with domestic and sexual violence. This means we also find ourselves addressing the attendant problems of forced arranged marriages, abductions of children and young girls, homelessness, and poverty. The other side of the coin is that we are also obliged to scrutinize the state's responses, including the response of the police, to these issues.

Identities and alliances

Our practice at SBS has shown us that identity and alliance building are closely connected. In fact, we look on them as twin concepts. We must be involved in alliance-building if our aim is to work towards a more egalitarian society. And the identities we choose can either limit or increase the potential for alliance-building.

In a sense, the history of SBS can be seen as a history of resisting imposed identities. We have, throughout our twenty year history, attempted to shake off identities foisted on us by the community, the anti-racist movement, and the state. Reactionary elements within our communities seek to impose identities on us through the confining of women to their traditional roles as wives and mothers, with the aim of ensuring that cultural and religious values remain intact and transmitted from one generation to the next. We have also had to resist attempts by the more progressive anti-racist movements to pin a singular black identity on us. Such constructions, sometimes overtly, but more

often tacitly, demand subjugation of all other identities for the greater good of racial justice. This has led to a denial of other experiences and identities such as those arising from gender, caste, class, and other divisions within our communities. In addition to this, we have found ourselves having to resist racist stereotypes and categories fostered by the British state, the effect of which has been to subordinate difference, denigrate minority cultures and religions, and confine us to the status of second class (or, as in the case of refugees, third class) citizens.

More recently, we have been engaged in resisting very specific fundamentalist and nationalist identities that have been fostered by the rise of Sikh, Muslim, and Hindu religious fundamentalist/nationalist movements in this country and abroad. The reformulations of identity being imposed in these processes have direct political consequences for progressive, democratic, anti-racist struggles and for women's demands for self-determination. These movements demand absolute conformity to religious laws as interpreted by male religious leaders, in denial of countless variations in interpretation of religious/cultural practices that have evolved within different black and minority communities.

Our experience as black and minority women in Britain shows that constructions of identity are constantly in a state of flux. They are forever being negotiated and re-negotiated in social and political processes, here and abroad. For example, on the one hand, the construction of fundamentalist religious identities within minority communities in the UK has been a response to both British state racism and events in countries of origin of minorities. On the other hand, such constructions have been underpinned by conservative imperatives

to maintain 'authentic' cultural and religious values perceived to be under threat in the west. Religious fundamentalist leaders have been able to utilize the newfound religious identities to gain power and control over local territories, communities, and resources.

But above all, the history of SBS has been about the juggling of different identities. We have understood that we all carry with us a multiplicity of identities, reflecting the numerous struggles that we are simultaneously engaged in - struggles against racial and class inequality, against patriarchal oppression, and against religious fundamentalism. We have not been able to give primacy to any one identity, because to do so would have amounted to hiding other realities and signalling the view that our struggles can be hierarchically ordered. On the other hand, we have found it important to recognize that at certain moments some struggles do become more urgent than others, with the effect that some aspects of our identities momentarily take on more significance.

The beginning of SBS, as an organization comprising African-Caribbean and Asian women, is instructive. It was in a sense, a first break with the labels imposed on us by others. It was also an important moment in the history of collaboration between African-Caribbean and Asian feminists. The forming of SBS involved the forging of a new feminist secular identity, one based on a shared history of racism, and of religious and patriarchal control. The absence of the recognition of gender power relations within anti-racist movements and the absence of an acknowledgement of racism within white feminist movements had resulted in the invisibility of black and minority women. This invisibility is what gave rise to the need for an organization like SBS, and it remains a major hurdle to be overcome.

A conscious decision was taken for us to set ourselves up as an autonomous black women's group. We did not wish to separate ourselves off from anti-racist and other progressive movements, but there was a need to create space in which women's experiences could be shared and articulated. From the start there was an emphasis on the commonality of our experiences and the need to work out a common agenda for change. This stress on shared experiences and the need for an inclusive approach in our thinking and practice was what guided us out of the paralysis that was gripping many other women's groups. As an early member of SBS put it, "We made a conscious decision to move beyond slogans and develop solidarity on the basis of mutual understanding of both the similarities and differences in our experiences as Asian and Afro-Caribbean women and then to translate this understanding into practice. None of this was easy." It was not easy then, but the task of sustaining alliances across difference has become even more difficult since.

The hard fact is that we have failed to sustain Asian and African-Caribbean unity within SBS. Practically, politically, and theoretically we have maintained a commitment to such unity. But the local population in which we are situated is largely Asian, with the effect that the activities and campaigns of the organisation are mainly geared to meeting the needs of Asian women. Also, our alliance has floundered because (although we have now learned this lesson) in the past we simply translated unity into practice by operating a 'quota system'. For example, we made the decision to ensure that, funding permitting, the number of Asian and African-Caribbean workers in the project would be equal, regardless of the needs of the women coming to the centre. The need to be visible as an alliance took precedence over the need to

realistically ensure a more effective and long-term alliance.

Sustaining an African-Caribbean and Asian alliance in SBS has also been difficult because the priorities of the communities differ, partly because of the different ways racism is experienced. For example, we have witnessed the break up of Caribbean families, whereas extended families within Asian communities have been bolstered. But both sets of experiences have come about as a result of the centrality given to 'multiculturalism' in British politics – something I return to below. This state strategy has had profound consequences for the roles that Asian and Caribbean women occupy within the family, leading to differing priorities in terms of immediate action. For example, Asian women have been active concerning domestic violence and other forms of restriction within the family, whereas many African-Caribbean women have been active concerning educational under-achievement and the problem of expulsions of their children from schools.

Relations with community and state

Over the years in SBS, we have learned to develop an understanding of how constructions of 'race', gender, and class intersect to lock black and minority women in subordinate positions of powerlessness in the home and outside. Demands for freedom and for more choices for women have meant challenging and negotiating with powerful conservative forces within our communities and, at the same time, challenging and negotiating with the racist state. When we deal with domestic violence, for example, we are not simply dealing with a gender issue but simultaneously with the question of how the state responds to such violence and to demands from women for protection.

One of SBS's current campaigns has addressed the so called 'one year rule' within immigration law, which stipulates that people coming to the UK to join their spouse must remain in the marriage for at least one year before they can apply to stay permanently. The operation of this rule means that women whose immigration status is dependent on that of their husband cannot afford to appeal to the state for protection in the case of domestic violence. The effect is that the meagre, but nevertheless real, choices available to women in the majority community are not available to women with an unsettled immigration status. The rule effectively operates to perpetuate patriarchal oppression for women experiencing violence. So SBS campaigns for the abolition of the 'one year rule' and its attendant provisions, arguing that women should be able to avail themselves of the legal and welfare resources they need in order to live both free from violence and without the fear of deportation.

Immigration law also has an alternative effect. A series of immigration laws have been enacted by successive Tory and Labour governments designed quite clearly to keep out black (that is third world) men, in particular from the Indian Subcontinent. Sometimes therefore a woman will come to SBS having experienced violence from a man whose right to reside in the UK is dependent on his marriage to her. If the marriage breaks down in such a case, it is the man who is liable to deportation. Sometimes such a woman understandably asks us, for her protection, to support her in having her violent husband deported.

However, to accede to this request would be to legitimate both racist immigration rules and practices and the state brutality that often accompanies their implementation. Many of

us remember the recent case of Joy Gardner who was killed by the police and immigration officials when she tried to resist her deportation to Jamaica. Instead SBS has tried to develop a practice that is simultaneously anti-racist and anti-sexist. For example, in the scenario just outlined, our first priority would be to help the woman seek protection from the criminal and civil justice systems and, if necessary, to refer her to a safe house or refuge. But using deportation as a means of protection is something we feel we cannot entertain.

Racism and racial violence can be experienced in different (gendered) ways by women. One classic example, although it has not, to our knowledge, been repeated since, is the virginity tests carried out on Asian women at Heathrow airport in the late 1970s. Immigration officers devised this physical test as a means of sifting out 'bona fide' from 'bogus' women who, they asserted, were fraudulently posing as fiancées to evade immigration restrictions and gain entry to this country.

The state's adoption of a policy known as 'multiculturalism', especially within the legal and social welfare system, has been particularly damaging for women. Multiculturalism replaces a former, less articulated, policy of 'integration' and is currently the state's chosen means for mediating relations between itself and minority communities. It presents a progressive face, in recognizing the desire of people of minority cultures in the UK to retain a distinct identity rather than having it submerged in the dominant culture. At best, it seems to promise a tolerance of heterogeneity.

The problem with multiculturalism, however, is that it conceptualizes minority communities as homogeneous entities that have no internal divisions. Gender, class, and caste

differences are obscured. It involves the state, in a subtle but pervasive way, in intervening to construct identities, and this involvement results in racist and anti-democratic effects. Such homogenizing constructions of minority communities are born out of the state's endorsement of community leaders. These leaders are un-elected, usually religious, and often conservative males, with little, if any, interest in social justice and equality. Yet they claim to be the 'authentic' spokespersons for the community and are the main power brokers, regularly consulted (usually informally) by the police and other state institutions. This multiculturalist contract between state and community leaders amounts to the former granting the latter a degree of communal autonomy (usually over the family and women) in return for acquiescence and preservation of the status quo.

We have witnessed devastating effects of multicultural policies in the everyday lives of women. They reinforce authoritarian, undemocratic, patriarchal institutions and relations within the community. Multiculturalism has been utilised to great effect by fundamentalist forces seeking to control women's sexuality and prevent alliances and progressive movements from being built.

Creating secular spaces

Within SBS, maintaining alliances amongst ourselves as South Asian women has not been difficult because of the centrality given to the term 'secularism'. This is not for us an abstract or merely theoretical term. It is actually put into practice in creating a space of mutual respect amongst women. Our starting point is that whether a woman wishes to interpret and practice religion, or to reject religion and culture in part or altogether, her choice is

equally legitimate. Our constitution enshrines anti-communal, anti-racist, feminist, secular, and egalitarian principles. It has not been difficult to put this into practice because women readily understand the commonality of their experiences as women. Many of the users of the centre are only too aware that as women from the Indian Subcontinent they share one cultural patchwork quilt, crisscrossed though it is by different religions. Language, food, films, as well as such heavy-duty concepts as shame and honour, are just some of the shared ingredients that go towards making up the social fabric of their lives. Women, for example, in debates about domestic violence or religious oppression, are readily able to identify with each others' predicaments. They negotiate their differences and arrive at a common stance against domestic violence in solidarity with each other.

By contrast, within the official language of multiculturalism, differences amongst South Asians have been distorted and exaggerated. It is of course important to recognize new variants of racism affecting relations between minority communities, including the disturbing rise of Islamophobia. But many of the differences that are being emphasized are absurd and exaggerated, and they have serious implications. They can affect the ability of projects to obtain funding and politically damage such projects because they limit the possibility of alliances between different Asian women. For example, a recent Home Office research project on the needs of Pakistani Muslim women who were facing domestic violence highlighted the problems of the 'one year rule' (mentioned above) and the concept of *izzat*, or honour, as if these were exclusive to Muslim women. There was nothing in the experiences cited by the research that could in fact be singled out as being exclusively 'Muslim'. Yet the signs are that social policy

is heading towards this kind of spurious recognition of difference, which merely serves to legitimate the creation of new (fragmented) categories of Sikhs, Muslims, and Hindus.

We find that the women who come to the SBS centre themselves defy imposed identities and labels that serve to separate them from each other. In a recent wave of Sikh and Muslim fundamentalist rivalry and violent activity in Southall, the women at SBS recognized immediately the dangers this represented to their autonomy and freedom, and to community peace. They insisted on organizing a women's march through a main street in Southall. They wanted to reclaim the community for themselves, to stop what was being done in their name as Sikhs, Hindus, and Muslims and to assert their right to be recognized as equal citizens of the community. Their actions in effect served to redefine the notion of community.

Because our starting point is to develop a secular and anti-communal organization, we have been able to avoid some of the dilemmas that have beset other Asian women's groups in recent times. In some groups the transformation of identities from an inclusive Asian identity to exclusive religious ones has given rise to very real problems. For example, in one Asian women's group in East London, Muslim women made demands for a separate space within the centre, in which to meet as Muslim women only. They did not make this demand because they faced discrimination and exclusion as a minority within the centre, but because their religious identity, formulated in opposition to 'others', would not allow them to seek out common and shared experiences as Asian women living in a racist society. This kind of dilemma is not easily resolved. But it does point towards the need to create a secular feminist space which can guarantee

religious tolerance and diversity, allowing for constant negotiation as to the use of the space for all women, without fear of being straight jacketed into fixed identities.

Injecting a personal note here, I must admit that the fragility of our alliances within SBS was brought home to me with the rise of Hindu nationalism and fundamentalism in India. I am of Hindu background, but had actually thought I had erased this in my quest to forge a black, progressive, and feminist identity for myself. But as more virulent nationalist reconstructions of Hindu identity took hold, both in India and in Hindu communities in this country, I found myself forced to acknowledge that part of my identity. This was not because of the need to return to religion, but in opposition to the appalling hate crime - killings, rape, looting and burning of homes - being committed against Muslims in India. I had to take responsibility for what was being done in my name. But the Hinduism I now found I had to assert as part of a wider resistance movement was like that espoused by Mahatma Gandhi, more tolerant, humane, and respectful of other religions.

The need to recognize my own Hindu background was forced on me at the conclusion of a meeting organized by SBS to oppose Hindu fundamentalism. A Muslim colleague broke down and wept at the end of the meeting because she felt as if she had been 'stripped of her humanity' by the language of hatred and violence espoused by certain rabid Hindu fundamentalists who had attended our meeting.

For the first time I was forced to recognize that, whilst I was part of a minority in this country, I was, at the same time, by virtue of my membership of the Hindu Diaspora, part of the Hindu majority in India. Words

fail you when you find yourself on opposite sides of a dividing line, separated from those with whom in the past you have fought side by side against all types of injustices. I could find no comforting words to utter. But the silence between us also helped us both to remember that we had, both of us, committed ourselves to maintaining at all cost, a secular anti-fundamentalist space within SBS. For me, hope lay in the fact that we had together resisted all forms of racism, religious fundamentalist and right wing movements, and that this common stance might save us now from turning into enemies.

Co-operation and alliance

There is a further problem in the relationships we need to build within our communities. We are forced to recognize that from time to time we need to seek and obtain the support of those who hold power within the community. And here perhaps we should make a clear distinction between the seeking of co-operation and the building of alliances.

SBS has recently had the experience of working with Muslim organizations, including Muslim fundamentalist organizations, in our campaign to free Zoora Shah. Zoora Shah is a Pakistani Muslim woman who killed her male abuser after years of experiencing sexual abuse and economic exploitation. She was jailed for life in 1993, and SBS has initiated a campaign to free her and to expose the criminal justice system for its failure to understand the contexts in which abused women kill. In this complex case we have felt we have no choice but to seek the support of religious leaders. The reality is that the state is more likely to heed the demands of Muslim community leaders than those of a feminist group such as ourselves. It is one more concrete example of how multicultural politics work to the detriment of women

within minority communities. It highlights the limits of our power, even when organized collectively as women. We have of course had to adopt a different language in order to obtain the support of a wide range of Muslim organizations. We have found ourselves taking on a language of human rights and humanity, in place of our accustomed feminist language of autonomy and choice.

The response of these leaders to our request for support for Zoorah Shah has been interesting. Out of some 600 Muslim organizations, including mosques, that we have contacted, only a bare handful have given total, unqualified support. Most Muslim leaders, ranging from fundamentalists to those who would view themselves as moderate liberals, have been silent or have refused to support the campaign. One reason is that, among fundamentalists and liberals alike, to be seen to support Zoorah Shah is tantamount to acknowledging the patriarchal power relations that exist within our communities. Recognizing such a thing would upset their goal: to get Shari'a law, or variations of it, introduced as an alternative to the present civil law in the UK, as a means of controlling Muslim women.

Yet more interesting has been the response of some Muslim organizations that have supported Zoorah Shah, not on the basis that she is a woman who has the right to defend herself against male violence, but on a different basis: the need to oppose the British state as racist. According to them, Zoorah Shah's exceedingly lengthy prison sentence is a manifestation of the state's 'barbaric' discrimination against her as a Muslim woman. Yet these same Muslim organizations have also unequivocally stated that if Zoorah Shah lived in an Islamic state, subject to Shari'a laws, the proper punishment

for her crime would be death. They argue that strict adherence to the Qur'an would find her to have sinned because she has killed, and, furthermore, to have sinned because she did not take steps to end the abuse. This, regardless of the fact that there are many obstacles, including those placed by religious and community leaders, that prevent women like Zoorah Shah from escaping male violence.

The chilling nature of this response aside, it is curious to note that one reason sometimes given for tempering Shari'a justice is that since "we are British Muslims," we should abide by the laws of this country. This assertion of 'Britishness' is bewildering given the fact that Islamic revivalism in this country has fostered a Muslim identity precisely in opposition to the British state and to the 'west' in general. It is also ironic that this 'Britishness' extends to Muslim women only insofar as they conform to religious law. Any attempts by Muslim women to assert their 'Britishness' by, for example, determining their own sexuality, would be met with severe punishment for being a 'western' practice.

The support we have had from some Muslim organizations should not deflect attention from the underlying patriarchal, and even misogynist, trends within all religious fundamentalist movements. What the case illustrates is the complex ways in which newly formed religious identities have become enmeshed with anti-racist ones, and also how fundamentalists sometimes use the language of anti-racism to wield power and control within our communities.

The trouble is that, if seeking the support and co-operation of community leaders has been problematic for SBS, so too has working, as anti-racists, with anti-racist

organizations within our communities. With a few exceptions, anti-racist commentators and activists, in their attempts to build an alliance against racism, have either remained silent about the reactionary character of community authorities, or at worst, actively courted reactionary constituencies. Needless to say, an alliance formed on such a basis has significant ramifications for our involvement in these wider anti-racist struggles. A 'broad church' approach to racism is needed. But to mobilize rather than challenge these reactionary religious identities is to render expendable the rights of the most vulnerable sections of our community.

I do not think any of us can afford to underestimate the limitations and weaknesses of the struggles we wage as individual organizations on the basis of our distinctive identities. Feminism is currently short on activism and seriously weakened by fragmentation. Most of us would be hard pressed to draw a hundred people to our campaigns and events. There is no doubt that a practice of alliances is a precondition of a social movement for equality, justice, and civil rights. The challenge is to find the terms on which such a movement can be genuinely inclusive.

Endnotes

¹ This article is based on my own perception of the daily work of Southall Black Sisters and the concerns that arise from it. It does not necessarily reflect the views of SBS as an organization.

² The term 'black' was adopted at the inception of SBS as a political label, to reflect the common processes of colonialism and racism experienced by women of Asian and African-Caribbean origins. It has served a useful mobilising or alliance-building function.

Acknowledgements

This paper is printed with permission from the author.

Deniz Kandiyoti**Identity and its Discontents:
Women and the nation****Abstract**

This paper explores some of the contradictory implications of nationalist projects in post-colonial societies. It examines the extent to which elements of national identity and cultural difference are articulated as forms of control over women that infringe upon their rights as enfranchised citizens.

Despite the extensive literature on nationalism, there are relatively few systematic attempts to analyse women's integration into nationalist projects. The few there are convey seemingly contradictory messages. Like Jayawardena, those who link the rise of feminist movements to anti-colonial and nationalist struggles note its coincidence with a move towards secularism and a broader concern with social reform.¹ Nationalist aspirations for popular sovereignty stimulate an extension of citizenship rights, clearly benefiting women. Since the emergence of women as citizens is also predicated upon the transformation of institutions and customs that keep them bound to the particularistic traditions of their ethnic and religious communities, the modern state is assumed to intervene as a homogenising agent that acts as a possible resource for more progressive gender politics.

In contrast, others expose state interventions as a sham by drawing attention to the purely instrumental agenda of nationalist policies that mobilise women when they are needed in the labour force or even at the front, only to return them to domesticity or to subordinate roles in the public sphere when the national emergency is over. The apparent convergence between the interests of men and the definition of national priorities leads some feminists to suggest that the state itself is a direct expression of men's interests.²

Further, Yuval-Davis and Anthias convincingly argue that the control of women and their sexuality is central to national and ethnic processes.³ Women bear the burden of being 'mothers of the nation' (a duty that gets ideologically defined to suit official priorities), as well as being those who reproduce the boundaries of ethnic/national groups, who transmit the culture, and who are the privileged

signifiers of national difference. The demands of the 'nation' may thus appear just as constraining as the tyranny of more primordial loyalties to lineage, tribe, or kin, the difference being that such demands are enforced by the state and its legal administrative apparatus rather than by individual patriarchs.

These superficially divergent points of view share an important commonality: a recognition that the integration of women into modern 'nationhood', epitomised by citizenship in a sovereign nation-state, somehow follows a different trajectory from that of men. Where do the sources of this difference reside?

According to some writers, women are relegated to the margins of the polity even though their centrality to the nation is constantly being reaffirmed. It is reaffirmed consciously in nationalist rhetoric where the nation itself is represented as a woman to be protected or, less consciously, in an intense preoccupation with women's appropriate sexual conduct. The latter often constitutes the crucial distinction between the nation and its 'others'.

For Pateman, modern civil society "is constituted through the 'original' separation and opposition between the modern, public-civil world and the modern, private or conjugal familial sphere."⁴ It emerges as a patriarchal category. Moreover, Pateman interprets the transition from the traditional to the modern world as "a change from a traditional (paternal) form of patriarchy to a new specifically modern (or fraternal) form: patriarchal civil society."⁵ It follows that the concepts of 'citizen' and 'civil society' must be read in the masculine. Mann, on the other hand, suggests that since women have at least achieved legal rights, patriarchy has, in the modern nation-state, evolved into 'neo-patriarchy'.⁶ This is a position echoed by

Water's preference for the term 'virarchy'.⁷ Walby, who proposes a multi-factor account of patriarchy, distinguishes between two main forms, private and public. Private patriarchy is based on the relative exclusion of women from arenas of social life other than the household and the appropriation of their services by individual patriarchs within the confines of the home. Public patriarchy is based on employment and the state; women are no longer excluded from the public arena, but subordinated within it. More collective forms of appropriation of their services supersede the individual mode of private patriarchy. Walby argues that the twentieth century has witnessed a major shift from private to public patriarchy.⁸

From a perspective that links women's rights to historical changes in patriarchy, the national projects of most 'modernising' states may seem to introduce a tug-of-war between private and public patriarchy. Indeed, one finds battles over women's souls (exemplified in debates over educating women) and their bodies (seen in debates over fertility control) and between the bureaucrat or the district commissar versus the male household head, the tribal chief, or the local mullah. The battles are crucial to secular nationalism and signal women's entry into the 'universal' realm of citizenship. However, as Yuval-Davis cautions, we should be wary of ethnocentric definitions of the private and the public and acknowledge the extent to which the boundaries of the so-called 'private' domain are in fact structured by the state.⁹

The definition of household and kin-based controls over women as 'private' presupposes the existence of a central state apparatus that subordinates such entities to its own political ends. Likewise, it is an entirely different matter for a woman to be subject to the customary

strictures of a community which happens to be Hindu or Muslim and quite another for her to live under a regime that has adopted one or another faith as a source of public policy, social legislation, and national identity. A sphere marked out as 'private' at one stage of nation-building may reappear with the full trappings of the 'public' at another, their boundaries being fluid and subject to redefinition.¹⁰

Thus, while acknowledging women's differential and often tentative integration into national projects, I am reluctant to describe the diversity of their experiences with reference either to the public/private distinction or to types of patriarchy. I agree with Connell that the state is centrally implicated in gender relations and that each state embodies a definable 'gender regime'.¹¹ Moreover, I feel that the nationalist histories of states and their politics of national identity can shed considerable light on the nature and transformation of gender regimes. I shall, therefore, focus quite narrowly on the contradictions inherent in the gender agenda of some nationalist projects and examine how women can, at the same time, participate actively in, and become hostages to, such projects.

A feature of nationalist discourse that has generated considerable consensus is its Janus-faced quality. It presents itself both as a modern project that melts and transforms traditional attachments in favour of new identities and as a reaffirmation of authentic cultural values culled from the depths of a presumed communal past.¹² It therefore opens up a highly fluid and ambivalent field of meanings which can be reactivated, reinterpreted, and often reinvented at critical junctures of the histories of nation-states. These meanings are not given, but fought over and contested by political actors whose

definitions of who and what constitutes the nation have a crucial bearing on notions of national unity and alternative claims to sovereignty, as well as on the sorts of gender relations that should inform the nationalist project.¹³ In what follows, I will first examine how the vagaries of nationalist discourse are reflected in changing portrayals of women as victims of social backwardness, icons of modernity, or privileged bearers of cultural authenticity. I shall then consider some of the tensions and contradictions in nationalist projects that ultimately limit women's claims to enfranchised citizenry. I will draw my illustrations primarily from the Middle East and South Asia where women's rights continue to occupy part of a violently contested ideological and political terrain.

Women, nationalism, and the politics of modernity

Debates about the nature of society within turn of the century modernist movements in the Middle East gave the position of women a prominent place. Just like 'western' colonisers who used the 'plight of Oriental women' as a hallmark of the savagery and depravity of the colonised and as a justification of the mission incumbent upon their own civilizational superiority, modernist reformers bemoaned the condition of women as a clear symptom of backwardness.¹⁴ As Zubaida points out, the main enemy of early reformers was 'backwardness' rather than 'foreignness'. Although they were politically opposed to European domination, they were not culturally antagonistic to its civilisation.¹⁵ At this stage, the emancipation of women could be presented as part and parcel of a national regeneration project articulated in the language of moral redemption. A pervasive feature of such 'feminism' was that rather than presenting itself as a radical break with the past, which it did in fact represent,

it often harkened back to more distant and presumably more authentic origins. Islamic reformists could claim that early Islam had been corrupted by foreign accretions and bad government, and that early Islam was, in fact, totally compatible with progressivist ideals. Those who emphasised ethnic rather than Islamic sources of national identity invoked a pre-Islamic past (in Central Asia for the Turks, in the Pharaonic era for Egypt, and in the pre-Islamic dynasties for Iran) as the repository of national values implying a higher status for women than was the rule in their current societies. Similar tendencies were apparent in India with the invocation of a golden age of Hinduism that was not oppressive to women. The 'modern' was thus often justified as the more 'authentic' and discontinuity presented as continuity.

Before concluding, as does Gellner, that this is an instance of the 'pervasive false consciousness' of nationalist ideology, we must pause to consider the particular perils of a 'modernist' position on women and gender relations in many post-colonial societies.¹⁶ Nationalism and secularism principally appealed to a narrow stratum of the bourgeoisie and bureaucracy who, despite their political credentials as anti-imperialists, could nonetheless be accused of succumbing to Western cultural hegemony. Moreover, representatives of more traditional ideologies, such as the *ulema* (Muslim clergy), did not deny the need for technological progress, modern armies, or more efficient administration. However, for the achievement of progress to proceed without undue dilution of national identity (a key dilemma for cultural nationalism), the central symbols of this identity must be preserved and safeguarded from contaminating foreign influences. Tensions between modernist and organicist, anti-modernist strands in nationalism found

a natural focus around the personal status of 'modern' citizenry and, more particularly, around the place and conduct of women. Since they were operating essentially within the same symbolic universe, secular nationalists were at pains to establish the indigenous and patriotic credentials of their modernising projects. Women participating in nationalist movements were likewise prone to justify stepping out of their narrowly prescribed roles in the name of patriotism and self-sacrifice for the nation.¹⁷ Their activities, be they civic, charitable, or political, could be legitimised most easily as natural extensions of their womanly nature and as a duty rather than a right. Modernity was invested with different meanings for men, who were relatively free to adopt new styles of conduct, and women, who, in Najmabadi's terms, had to be 'modern-yet-modest'.¹⁸

Meanwhile, in what constituted an explicit reversal of Orientalist depictions of passive, veiled women, nationalist propaganda began portraying women unveiled, participating in athletic competitions, making public speeches, and handling sophisticated technology. As Graham-Brown points out, these icons of modernity were less a comment on changing gender relations than a symbolic evocation of the dynamism of a 'new' nation.¹⁹ Schick suggests that in such a context:

"A photograph of an unveiled woman was not much different from one of a tractor, an industrial complex, or a new railroad; it still merely symbolised yet another one of men's achievements. Once again reduced to mere objects, women were, in these images, at the service of a political discourse conducted by men and for men."²⁰

Yet women's stake in nationalism is far more complex than the foregoing suggests. On

the one hand, nationalist movements invite women to participate more fully in collective life by interrelating them as 'national' actors: mothers, educators, workers, and even fighters. On the other hand, they reaffirm the boundaries of culturally acceptable feminine conduct and exert pressure on women to articulate their gender interests within the terms of reference set by nationalist discourse. Feminism is not autonomous, but bound to the signifying network of the national context which produces it.

In countries where the most prominent form of cultural nationalism is Islamic, for instance, feminist discourse can legitimately proceed only in one of two directions: either denying that Islamic practices are necessarily oppressive or asserting that oppressive practices are not necessarily Islamic. The first strategy usually involves counter posing the dignity of the protected Muslim women against the commodified and sexually exploited 'western' woman. It is thus dependent on a demonized 'other'. The second depends on a 'golden age' myth of an uncorrupted original Islam against which current discriminatory gender practices may be denounced as actually not Islamic. Although the implications of the first strategy are conservative and those of the second clearly more radical, they share the same discursive space; a space delineated by a nationalist discourse reproduced by men and women alike. Changing the terms of this discourse exacts a heavy price: alienation from the shared meanings which constitute a language of identity, affiliation, and loyalty.

It may well be argued that there is no particular reason to single women out as prisoners of a discourse they share with men. However, their gender interests may, at times, dictate their own demands and produce divided loyalties with men of their class, creed, or

nation. Women may choose to either openly express or to suppress such divergences of interest, which they generally do at their own cost in both cases.

There is a wealth of evidence to suggest that, for women, the 'modern' is always perilously close to the 'alien', particularly when contemplated codes of behaviour can be identified as an outright betrayal of the expectations of their own communities. In this connection, Hatem relates how during Napoleon's Egyptian expedition some middle-class Egyptian women saw it as in their interests to be allied with the French.²¹ Impressed by the apparent courteousness of French husbands, a group of women in Rosetta petitioned Napoleon to enforce similar relations within Egyptian families. The patriarchal backlash against Egyptian women who consorted with the colonists was apparently fierce, with alleged massacres of collaborators serving, in Hatem's view, to discipline women.

The notion that women's gender interests could be used to turn women into political 'fifth columnists' was an explicit article of official policy in at least one well documented social experiment carried out by the Bolsheviks in Soviet Central Asia between 1919 and 1929. Massell's study of the Soviet-sponsored mobilisation of Muslim women is a classic case of a modernising state 'liberating' women as a means of undermining traditional solidarities and identities based on kinship, custom, and religion.²² Molyneux also documents several instances where the emancipation of women was used as a tool for socialist transformation.²³

Ironically, the very structures defined as backward, feudal, or patriarchal by the modernising state are the ones that get

redefined as ethnic markers or as symbols of 'national' identity, especially if they are forcibly obliterated by an authoritarian statist project. Indeed, the *khudzhum* (assault) in Central Asia had a radicalising effect that produced a rally around the symbols of Muslim identity. There was a substantial rise in attendance at prayers and meetings in mosques, widespread withdrawal of Muslim children (especially girls) from Soviet schools and, more tragically, a terrible wave of violence and killing of women who transgressed communal norms. More significantly, even those men who had exhibited pro-Soviet leanings at an earlier stage re-cemented their alliance with traditional elites, and women themselves retreated into traditional practices since they felt vulnerable and exposed.

Lest we imagine that these tensions are peculiar to the encounter between 'foreign' ruling elites and native populations, Vieille extends his analysis to all 'modernising' states of the periphery. The state, in his view, seeks to repudiate the separate existence of civil society. It intervenes increasingly in society and "turns on the routine of day-to-day existence, polices it tightly, and symbolically devalues it."²⁴ This suppression of the private may elicit active resistance. Vieille goes as far as to interpret the Iranian revolution as "a surging back of the 'private' into the public and the colonisation by the private of the State."²⁵ Men's honour is invested in the 'private', which has women at its centre, and the state's interventions in this realm only aim "to deprive the citizen of his honour and divest him of his right to political participation."²⁶ Here, the 'private', defined as backward or 'patriarchal' by modernist reformers, is redefined as a site of radical resistance against a despotic state. With typical oversight, the notion that women themselves may have an independent right to political participation is not even entertained

by Vieille, nor does the fact that the symbol of resistance happens to be a veiled woman elicit any unease.

It is not my intention to vilify the 'private' as the nexus of patriarchal oppression or to glorify it as a site of cultural resistance against the coercive intrusions of the state.²⁷ I think, instead, that the identification of the private with the 'inner sanctum' of group identity has serious implications for how women of different class, religious, or ethnic backgrounds fare through the ups and downs of secular nationalism, since it determines whether they emerge as enfranchised citizens or as wards of their immediate communities.

The very language of nationalism singles women out as the symbolic repository of group identity. As Anderson points out, nationalism describes its object using either the vocabulary of kinship (motherland, *patria*) or home (*heimat*), in order to denote something to which one is 'naturally' tied. Nationness is thus equated with gender, parentage, skin-colour - all those things that are not chosen and which, by virtue of their inevitability, elicit selfless attachment and sacrifice.²⁸ The association of women with the private domain reinforces the merging of the nation/community with the selfless mother/devout wife; the obvious response of coming to her defence and even dying for her is automatically triggered.

I argued earlier that the emancipation of women was equated with modernity by nationalist movements whose reforms were meant to serve as a tool for social 'progress'. Nonetheless, definitions of the 'modern' take place in a political field where certain identities are privileged and become dominant, while others are submerged or subordinated. In this process, certain ethnic, religious,

linguistic, or even spatial (urban versus rural or tribal) categories may be devaluated or marginalised. Likewise, secular notions of modern nationhood subordinate and sometimes seek to destroy alternative bases for solidarity and identity. The fact that these submerged identities can become foci of cultural resistance and even lead to contested definitions of nationhood does not necessarily imply that they are uniformly emancipatory, nor does it guarantee that they will have a progressive gender agenda. Wherever women continue to serve as boundary markers between different national, ethnic, and religious collectivities, their emergence as full-fledged citizens will be jeopardised, and whatever rights they may have achieved during one stage of nation-building may be sacrificed on the altar of identity politics during another.

Women may be controlled in different ways in the interests of demarcating and preserving the identities of national/ethnic collectivities. As Anthias and Yuval-Davis point out, regulations concerning who a woman can marry and the legal status of her offspring aim at reproducing the boundaries of the symbolic identity of their group.²⁹ Until recently, white South African women were not allowed to have sex with men of other groups, nor were women of higher castes in India. Similarly, Muslim societies do not normally condone their women marrying out of the faith, although no such strictures exist for men since Islam is transmitted through the male line.

Women are also considered to be the custodians of cultural particularisms by virtue of being less assimilated, both culturally and linguistically, into the wider society. Immigrant women reproduce their culture through the continued use of their native language, the persistence of culinary and other habits, and

the socialisation of the young. Even in their native land, women of minority communities retain their cultural separateness to a greater extent than men. For instance, a Kurdish woman in Turkey is less likely to learn Turkish than a Kurdish man who comes into more frequent contact with the dominant culture through compulsory military service, greater access to schooling, dealings with the state bureaucracy, or work experiences. Finally, cultural difference is frequently signalled through the dress and deportment of women. Mandel, who analyses the 'headscarf debate' in Germany, suggests that Islamic dress has taken on an additional symbolic dimension among migrant Turks who feel threatened by the Christian, German milieu and its potentially corrupting influence: "They see the headscarf as a symbolic border, delimiting two separate corporate groups, and affirming themselves as part of a moral community."³⁰ Conversely, many Germans interpret the headscarf as a sign of the Turks' essential inability to assimilate into German society and a justification for denying them citizenship rights.

Drawing women out into variously defined 'national' mainstreams through mass education, labour force participation, and formal emancipation has been a standard feature of secular projects. It should not surprise us to discover that the failure of such projects and the politicisation of religious and ethnic identities have direct consequences for women's rights.

Women, secularism and the politics of personal law

Nationalist projects often attempt to redefine, ethnically, religiously, and linguistically, diverse collectivities as a single nation through several means: by virtue of citizenship in the state, formal equality before

the law, and resocialization through mass education and the media into new forms of civic consciousness. In most countries of the Middle East and South Asia, this unifying secular impulse has foundered most clearly in the area of family legislation and personal law. The legal equality granted to women under the constitutions of modern states is more often than not circumscribed by family legislation privileging men in the areas of marriage, divorce, child custody, maintenance, and inheritance rights.

Although the Indian constitution endorses the division between secular and personal law, it also contains the eventual commitment to creating a uniform civil code. In a climate of endemic communal strife, this goal seems further from realisation than ever. In 1985, a divorced Muslim woman, Shah Bano, pressed for her maintenance rights under the Indian Code of Criminal Procedure and won her case after many years of litigation. This judgement created a furore among Indian Muslims, a furore which threatened to have electoral consequences and resulted in the passing of a separate Muslim Women's Act in 1986. Shah Bano was finally forced to assert her Muslim loyalty by rejecting the Supreme Court judgement that was in her favour. Pathak and Rajan note that this episode was capitalised upon by Hindus, the majority community, whose concern for the welfare of Muslim women seemed merely a ploy to repress the religious freedom of the minority and so ensure its own dominance.³¹

These events, not surprisingly, led some Muslim women's organisations to oppose the judgement and accept the perception that their community was being threatened. The authors also interpret this incident as a conflict between the state and the patriarchal family over the 'protection' of women. They argue

that "any rights granted to the woman as an individual citizen by the state can only be imperfectly enforced within that state-within-a-state."³² Note, however, that it was the Indian state itself which, through new legislation, ended up blocking Muslim women's recourse to secular law.

Oommen questions the claims made in the name of secularism in a comparative analysis of multi-religious nation-states in South Asia. He concludes that state policy is substantially moulded by the norms, values, and lifestyles of the dominant religious collectivity, irrespective of the character of the state or the features of the religions involved.³³ Chhachhi further argues that Indian nationalism, despite its secular objectives, exploited communal consciousness and played upon an identification of nationalism with Hinduism.³⁴ She suggests that notions of femininity are intimately bound up in the construction of communal identities so that incidents like the Shah Bano trial and the case of *sati* (widow immolation) in Deorala, in 1987, signal occasions for displays of communal militancy. The communalisation of political and civil life in India clearly encourages the growth of revivalist movements which do not further the rights of women of either majority or minority groups.

The duality between personal and secular law also persists throughout the Arab world, irrespective of the nature of the political regimes of specific countries. Family and personal laws generally derive from the *Shari'a* (Muslim canonical law), even when other legal codes are fully secular. Hijab relates this to the divergent trends in Arab nationalism which have dominated the debate on women's rights since its earliest days.³⁵ Proponents and opponents of equality for women were divided into the liberal and

conservative nationalist camps. The former, following Qasim Amin, argued that the Arab world had to emulate Europe in those respects that made it strong: democracy, freedom, and equality of rights under the law. They also claimed that these goals could be achieved within an Islamic framework. The conservative nationalists, on the other hand, believed that the only way to resist foreign intrusion was to preserve traditions, and that the very concept of 'women's liberation' was a foreign implant aiming to weaken Arab society by attacking its very core, the family. Hijab argues that the more threatened the Arab world feels, the stronger the conservative nationalist trend becomes. As a result, the association between equal rights for women and the betrayal of cultural values shaped by Islamic tradition is reinforced, thereby blocking any further changes in the position of women. Several feminist theorists of the Arab world also place cultural resistance to women's emancipation within the context of relations with an imperialistic West.³⁶

The fact that Islam acts as a communal identity marker against outsiders does not, however, mean that charges of 'foreignness' and alterity are reserved for those outside national boundaries. Communalist sentiments, as Zubaida notes, can be directed against local religious minorities who may become identified, in the popular mind, with European Christian powers.³⁷ Likewise, westernised local elites may be denounced not merely as corrupt, but as morally tainted as was the *gharbzahdegi* (Westoxified) elite in Pahlavi Iran. Philipp, in his analysis of the relationship between nationalism and women's emancipation in Egypt, comments on the clear predominance of members of minority religious communities (Copts, Syrian and Lebanese Christians, Jews) among female journalists publishing feminist women's magazines at the turn of the

century.³⁸ This predominance confirmed the worst suspicions of conservative nationalists such as Mustafa Kamil, who concluded that the liberation of women could only represent an unpatriotic development. Thus, the question of what and who constitutes the 'west' often has less to do with the outside world than with class, religious, or ethnic cleavages within the nation itself. Nader draws our attention to the fact that 'Occidentalism', and its related demonology (materialism, anomie, immorality, etc), is used as a mechanism of social control over Middle Eastern women.³⁹ Conservatives, she suggests:

"Instead of blaming the West for exporting its ills, are searching for the agencies that import them. This adds up to a kind of 'siege mentality' in which stripping Arab women of their rights has become well justified and condoned as a protective act."⁴⁰

Al-Khalil raises an even more fundamental question by taking issue with the notion that Arab nationalism, at least in its Ba'athist version, ever embodied a secular project. He argues that pan-Arabism is doctrinally linked to Islam in that the demarcation of national identity was made possible through arguments about the primacy of the Arabs within Islam. In the words of Aflaq, the father of Arab nationalism, "it was 'the force of Islam' that had the 'new appearance' of pan-Arabism." Al-Khalil also points out that the religious group is still the raw material of politics in the Middle East, and that identification with the nation-state and social class remains at a disadvantage. The communal consciousness fostered under the Ottoman millet system (a combination of national and religious communities) intensified in the nineteenth century as the European powers assumed protectorships over different communities as a means of establishing their influence in the region. Al-Khalil suggests that

the dissolution of many of communalism's traditional roles, through nation-building and modernisation, may rather have intensified its moral hold over the lives of otherwise modern Arabs.⁴¹

Most modern states in the Arab world have nonetheless made attempts at legal reform in the areas of family and personal law. Although they have remained within the framework of Islamic law, they have sought to expand women's rights. This was also the case with the 1978 Personal Status law in Iraq. Joseph argues that the main aim of the partial emancipation of women was to tap their labour potential and to wrest their allegiance from more traditional foci of loyalty, such as the extended family, the tribe, or ethnic group.⁴² Al-Khalil interprets this legislation merely as an exercise in consolidating the power of the party and the leader:

"It rankles to have fathers, brothers, uncles, and cousins all lined up to exert varying degrees of real power and control over half of the Iraqi population. Thus, if a new loyalty to the Leader, the party, and the state is to form, women must be 'freed' from the loyalties that traditionally bound them to their husbands and male kin."⁴³

In this context, such legislation appears as part of a totalitarian project of social control over the 'private' and its subversive centrifugal potential. The same logic applies to the political organisation of children in the Pioneers, Vanguard, and Youth Organisations. Their new value as social actors and the relative gain in status they may experience in their families is predicated upon their total allegiance to the party and state.

The case of Iraq, despite its specificity, does not stand alone. Reformist legislation

affecting women was frequently sponsored by authoritarian and '*dirigiste*' regimes whose ultimate aim was not to increase the autonomy of individual women, but to harness them more effectively to national developmental goals. Typically, women's independent attempts at political organisation were actively discouraged and considered divisive. This was the case in Turkey, where the Turkish Women's Federation was disbanded in 1935, a year after women got the vote, and under Nasser in Egypt, who, in 1956, immediately after granting women suffrage, outlawed all feminist organisations. Regimes as diverse as those of Atatürk, Reza Shah, and Nasser had in common their stress on national consolidation and unity and the development of a modern centralised bureaucracy. This emphasis was congruent with the mobilisation of women to aid the expansion of new cadres and the socialisation of a uniform citizenry. There were significant advances in the education of women and in their recruitment into the qualified labour force at all levels; their public visibility not only increased but was vested with a new legitimacy.

Most post-independence states were faced with contradictory developments that had important bearings on family and gender relations. Processes of capitalist penetration led to the destructuring of local communities, fuelling massive rural to urban migration, aggravating social inequalities, and weakening kin solidarities. The material bases of traditional authority relations within the family between the young and the old and between genders were substantially eroded by such processes.⁴⁴ Integration into capitalist markets probably did more to undermine 'private' patriarchy than any piece of reformist legislation. For instance, the secular Turkish Civil Code, passed in 1926, was inoperative in the rural hinterland until such time that the

countryside was substantially transformed by an expanding capitalist economy. Women who had been previously active in the domestic economy as unpaid family labourers now had to join the waged labour force in increasing numbers. Mernissi argues, using data from Morocco, that the growing gap between cultural ideas (male breadwinner/protected female) and actual reality created a situation of 'sexual anomie', making male-female relations an area of intense tension and conflict. She suggests that the popular appeal of fundamentalist ideologies is enhanced by the profound unease of men who feel both threatened and humiliated by these contemporary developments.⁴⁵

Indeed, some successor regimes seem to have reversed what appeared as the steady expansion of women's rights in the early stages of nationalism by adopting 'Islamisation' programmes. This approach is most clear in Iran and Pakistan, where Islam is incorporated into official state policy. There are similar trends in countries ranging from Bangladesh to Algeria. The distributive and political failures of nationalist projects are often identified not as merely technical but as 'moral' failures which require a complete overhaul of the worldviews underpinning them.

There is important literature on the problems of secular nationalism and the growing role of political Islam. Points of view vary. Badie contends that the idea of the nation is accommodated with difficulty and has limited mobilising potential in Muslim societies where the territorial state (as distinct from the *umma*, the religious collectivity) remains an alien concept.⁴⁶ Zubaida convincingly retorts that Islamist movements are modern developments clearly inscribed in the political field of the nation-state.⁴⁷ The failure of nation-

formation resides, according to Zubaida, not on some essential property of political culture or ethnic composition, but on the lack of economic and political achievements that give citizens a stake in the national entity and promote national stability.⁴⁸ The failure of states to create and distribute resources adequately intensifies conflicts and cleavages expressed in religious, ethnic, and regional terms.

The importance and role of sectional allegiances increase as they assume a crucial role in mediating citizens' access to scarce resources and providing a more workable focus of solidarity. Since the state itself uses local patronage networks and sectional rivalries in its distributive system, citizens also turn to their primary solidarities both to protect themselves from the potentially repressive and arbitrary agencies of the state and to compensate for or take advantage of inefficient administration. With growing popular discontent and endemic legitimacy crises, governments may make the tactical choice of relinquishing the control of women to their immediate communities and families, thereby depriving their female citizens of legal protection.⁴⁹ It is against this background that the Shah Bano incident, referred to above, must be interpreted. Furthermore, in cases where the operation of state-sponsored religious fundamentalism is witnessed, the exercise of patriarchal authority may be extended to unrelated men, like the clergy, the police, or 'concerned' citizens, who are given a free hand in monitoring women's dress and conduct in public places.⁵⁰ Such developments reveal both the fragility of women's citizenship rights and the fact that women are the weakest link in national projects.

Conclusion

The integration of women into nationalist projects has been rich in paradoxes and ambiguities in most post-colonial societies. As Rowbotham points out, nationalist and anti-colonialist movements opened an important theoretical space for questioning women's position and the prevailing religious doctrines which legitimise their subordination.⁵¹ The emancipation of women became a central tenet of liberal nationalist ideology. Reformers often engaged in a selective process of backward-looking nationalism in search of 'indigenous' models to legitimise women's emancipation. Although many were influenced by the ideas of the Enlightenment and were of secular persuasion, they unwittingly endorsed the notion that any changes in the position of women could only be condoned in the national interest. Moreover, the proponents of conservative, anti-modernist cultural nationalism had an even stronger hand to play by insisting on an interpretation of cultural integrity that was coterminous with the patriarchal control of women. This interpretation was facilitated by equating changes in gender relations with capitulation to western cultural imperialism. Throughout these ideological battles, women were variously portrayed as the victims of their societies' backwardness, symbols of the nation's newly found vigour and modernity, or the privileged repository of uncontaminated national values. Women, who were also active participants in nationalist movements, felt compelled to articulate their gender interests within the parameters of cultural nationalism, sometimes censoring or muting the radical potential of their demands.

The political and distributive failures which plagued the post-independence trajectories of many states called into question the secular pretensions of earlier nationalist projects. The

increasing politicisation of ethnic and religious identities fuelled new conflicts, challenging existing definitions of national unity and promoting the rise of new cultural revivalist and religious fundamentalist movements.

I have argued throughout this paper that the regulation of gender is central to the articulation of cultural identity and difference. The identification of women as privileged bearers of corporate identities and boundary markers of their communities has had a deleterious effect on their emergence as full-fledged citizens of modern nation-states. This is nowhere more evident than in the fact that women's hard-won civil rights become the most immediate casualty of the breakdown of secularist projects. Discourses valorising the 'private' as a site of resistance against repressive states, or as the ultimate repository of cultural identity, should not let us overlook the fact that, in most instances, the integrity of the so-called 'private' is predicated upon the unfettered operations of patriarchy. We should search, instead, for a language of identity which allows for difference and diversity without making women its hostages.

Endnotes

- ¹ K. Jayawardena, *Feminism and Nationalism in the Third World* (London: Zed Press, 1988); and M. Molyneux, 'Family reform in socialist states: the hidden agenda', *Feminist Review* 21, Winter 1985, pp 47-64.
- ² C. MacKinnon, 'Feminism, Marxism, method, and the state: an agenda for theory', *Signs* 7 (3) 1989, pp 515-44; V. Burslyn, 'Masculine dominance and the state', *Socialist Register* 1983, pp 45-89; M. Mies, *Patriarchy and Accumulation on a World Scale* (London: Zed Press, 1986). This perspective is found wanting by Connell, who criticises its 'categorialism' (see note 11) and by Yuval-Davis and Anthias (see note 3), who discuss the limitations of reductionist approaches to the state.
- ³ N. Yuval-Davis and F. Anthias (eds), *Woman-Nation-State* (London: Macmillan, 1989).
- ⁴ C. Pateman, 'The Fraternal social contract' in J. Keane (ed), *Civil Society and the State* (London: Verso, 1988), p 102.
- ⁵ C. Pateman, p 104; *emphasis in the original*.
- ⁶ M. Mann, 'A Crisis in stratification theory?: persons,

- households/families/lineages, gender, classes, and nations' in R. Crompton and M. Mann (eds), *Gender and Stratification* (Oxford: Polity Press, 1986), pp 40-56.
- ⁷ M. Waters, 'Patriarchy and viriarchy: an exploration and reconstruction of concepts of masculine domination', *Sociology* 23, 2, 1989, pp 193-211.
- ⁸ B. S. Walby, *Theorising Patriarchy* (Oxford: Blackwell, 1990).
- ⁹ N. Yuval-Davis, 'Woman, the state, and ethnic processes - the citizenship debate', forthcoming in *Feminist Review*.
- ¹⁰ I would consider it a serious misjudgement to interpret state-sponsored attempts at policing women's conduct, even when they are religiously inspired as in Iran, as a return to, or extension of, the 'private'. For such a point of view, see P. Vieille, 'The state of the periphery and its heritage', *Economy and Society*, 17, 1, 1988, p 66.
- ¹¹ R. W. Connell, 'The State, gender, and sexual politics: theory and appraisal', *Theory and Society*, 19, 5, 1990, pp 507-544.
- ¹² A. D. Smith, *Theories of Nationalism* (London: Duckworth, 1971); E. Gellner, *Nations and Nationalism* (Oxford: Blackwell, 1983); B. Anderson, *Imagined Communities* (London: Verso, 1983); and H. K. Bhabha (ed), *Nation and Narration* (London: Routledge, 1990).
- ¹³ The national projects of modern states may involve a denial of the separate existence of ethnically and culturally distinct collectivities (such as the Kurds in Turkey). The collectivities whose identities are thus subordinated may evolve their own national projects with attendant claims to sovereignty. Definitions may also change over time. The current political struggle in India partly centres on a redefinition of 'Indianness' so that it is coterminous with Hinduism. Thus, the Muslims are cast as 'foreigners' in the midst of the Hindu nation.
- ¹⁴ For an excellent account of Orientalist depictions of women, see S. Graham-Brown, *Images of Women* (London: Quartet Books, 1988).
- ¹⁵ S. Zubaida, 'Islam, cultural nationalism, and the left', *Review of Middle East Studies*, 4, 1988, p 7.
- ¹⁶ E. Gellner, *Nations and Nationalism* (Oxford: Blackwell, 1983), p 124.
- ¹⁷ The memoirs of the Turkish and Egyptian feminists Halide Edib and Huda Sharaawi confirm this view. A broader assessment of women's nationalist activities may be found in B. Baron, 'Women's nationalist rhetoric and activities in early twentieth-century Egypt' in L. Anderson, et al. (eds), *The Origins of Arab Nationalism* (New York: Columbia University Press, 1991).
- ¹⁸ A. Najmabadi, 'The Hazards of modernity and morality: women, state, and ideology in contemporary Iran' in D. Kandiyoti (ed), *Women, Islam, and the State* (London: Macmillan, 1991), p 49.
- ¹⁹ S. Graham-Brown, *Images of Women* (London: Quartet Books, 1988), p 220.
- ²⁰ I. C. Schick, 'Representing Middle Eastern women: feminism and colonial discourse', *Feminist Studies*, 16, 2, 1990, p 369.
- ²¹ M. Hatem, 'The Politics of sexuality and gender in segregated patriarchal systems: the case of eighteenth and nineteenth-century Egypt', *Feminist Studies*, 12, 2, 1986, pp 250-273.
- ²² G. J. Massell, *The Surrogate Proletariat* (Princeton, NJ: Princeton University Press, 1974).
- ²³ M. Molyneux, 'Women in socialist societies: problems of theory and practice', in K. Young et al. (eds), *Of Marriage and the Market* (London: CSE Books, 1981), pp 167-202; and M. Molyneux, 'The Law, the state, and socialist policies with regard to women: the case of the People's Democratic Republic of Yemen, 1967-1990' in D. Kandiyoti (ed), *Women, Islam, and the State* (London: Macmillan, 1991), pp 237-71.
- ²⁴ P. Vieille, 'The State of the periphery and its heritage', *Economy and Society*, 17, 1, 1988, p 66.
- ²⁵ P. Vieille, p 67.
- ²⁶ P. Vieille, p 67.
- ²⁷ This is the subject of an ongoing feminist debate. As key divergent texts, see J. Elstain, *Public Man, Private Women* (Princeton, NJ: Princeton University Press, 1981); and M. Barrett and M. McIntosh, *The Anti-Social Family* (London: Verso, 1982).
- ²⁸ B. Anderson, *Imagined Communities* (London: Verso, 1983), p 131.
- ²⁹ N. Yuval-Davis and F. Anthias (eds), *Woman-Nation-State* (London: Macmillan, 1989), pp 1-15.
- ³⁰ R. Mandel, 'Turkish headscarves and the "foreigner problem": constructing difference through emblems of identity', *New German Critique*, 46, Winter 1989, p 42.
- ³¹ Z. Pathak and R. S. Rajan, 'Shahbano', *Signs*, 14, 3, 1989, pp 558-582.
- ³² Z. Pathak and R. S. Rajan, p 569.
- ³³ T. K. Oommen, 'State and religion in multi-religious nation states', *South Asia Journal*, 4, 1, 1990, pp 17-33.
- ³⁴ A. Chhachhi, 'Forced identities: the state, communalism, fundamentalism, and women in India' in D. Kandiyoti (ed), *Women, Islam, and the State* (London: Macmillan, 1991), pp 144-175.
- ³⁵ N. Hijab, *Womanpower* (Cambridge: Cambridge University Press, 1988).
- ³⁶ L. Ahmed, 'Early feminist movements in Turkey and Egypt', in F. Hussain (ed), *Muslim Women* (London: Croom Helm, 1984); F. Mermissi, *Beyond the Veil* (London: Al Saqi Books, 1985); N. El Saadawi, 'The Political challenges facing Arab women at the end of the 20th century' in N. Toubia (ed), *Women of the Arab World* (London: Zed Press, 1988).
- ³⁷ S. Zubaida, *Islam, the People, and the State* (London: Routledge, 1988).
- ³⁸ T. Philipp, 'Feminism and nationalist politics in Egypt' in L. Beck and N. Keddie (eds), *Women in the Muslim World* (Cambridge, MA: Harvard University Press, 1978), pp 277-294.

- ³⁹ L. Nader, 'Orientalism, Occidentalism, and the control of women', *Cultural Dynamics*, 2, 3, 1989, pp 324-55.
- ⁴⁰ L. Nader, p 327.
- ⁴¹ S. Al-Khalil, *The Republic of Fear* (London: Hutchinson, 1989), p 211.
- ⁴² S. Joseph, 'Elite strategies for state-building: women, family, religion, and the state in Iraq and Lebanon' in D. Kandiyoti (ed), *Women, Islam, and the State* (London: Macmillan, 1991), pp 176-200.
- ⁴³ S. Al-Khalil, *The Republic of Fear* (London: Hutchinson, 1989), p 92.
- ⁴⁴ D. Kandiyoti, 'Bargaining with patriarchy', *Gender & Society*, 2, 3, 1988, pp 274-90.
- ⁴⁵ F. Memissi, 'Muslim women and fundamentalism', *MERIP Reports*, 153, July-August 1988, pp 8-11.
- ⁴⁶ B. Badie, *Les Deux Etats: pouvoir et société en occident et en terre d'Islam* (Paris: Fayard, 1986).
- ⁴⁷ S. Zubaida, *Islam, the People, and the State* (London: Routledge, 1988).
- ⁴⁸ S. Zubaida, 'Nations: old and new', *Ethnic and Racial Studies*, 12, 3, 1989, pp 329-339.
- ⁴⁹ R. Jahan, 'Hidden wounds, visible scars: violence against women in Bangladesh' in B. Agarwal (ed), *Structures of Patriarchy* (London: Zed Press, 1988), pp 199-227; D. Kandiyoti, 'Islam and patriarchy: a comparative perspective', in N. Keddie and B. Baron (eds), *Shifting Boundaries: women and gender in Middle Eastern history* (New Haven, CT: Yale University Press, 1992).
- ⁵⁰ A. Chhachhi, 'The State, religious fundamentalism, and women: trends in South Asia', *Economic and Political Weekly*, 18 March 1989, pp 567-578.
- ⁵¹ S. Rowbotham, *Women in Movement: Feminism and Social Action* (London: Routledge, 1993).

Acknowledgements

This paper was first published in Millennium: Journal of International Studies, (London: London School of Economics) 1991, Vol.20, No.3, pp. 429-43 and is reprinted with permission from the author and publishers.

Millennium: Journal of International Studies
London School of Economics
Houghton Street
London WC2A 2AE, UK.

Contributors

Marieme Hélie-Lucas

Founder and former international coordinator of WLUML

Algerian sociologist, mother of four, born in Algiers 1939 to a family of feminists. Active in the liberation struggle of Algeria. Taught epistemology and methodology in the social sciences in Algiers University before founding WLUML.

Deniz Kandiyoti

Reader in the Department of Development Studies, School of Oriental and African Studies and Chair of the Center of Contemporary Central Asia and the Caucasus, University of London, UK

Deniz Kandiyoti taught at the Middle East Technical University (1969-74) and Boğaziçi University (1974-1980) in Turkey. She is the author of *Concubines, Sisters and Citizens: Identities and Social Transformation* (1997 in Turkish) the editor of *Fragments of Culture: The Everyday of Modern Turkey* (2002), *Gendering the Middle East* (1996), *Women, Islam and the State* (1991) and has written numerous articles on gender, Islam, development and state policies.

Dr Ziba Mir-Hosseini

Senior Research Associate, London Middle East Institute, and Centre for Islamic and Middle Eastern Law (both at the School of Oriental and African Studies), University of London, UK

Ziba Mir-Hosseini is a researcher on Islamic law and gender issues; author of *Marriage on Trial* and *Islam and Gender*; and co-director of the films *Divorce Iranian Style* and *Runaway*. She is currently (2004-5) Fellow at Wissenschaftskolleg zu Berlin.

Uma Narayan

Professor of Philosophy, Vassar College, New York State, USA

Uma Narayan teaches Philosophy and Women's Studies at Vassar College. She is the author of *Dislocating Cultures: Identities, Traditions and Third World Feminism*, Routledge 1997, and coeditor of three anthologies of feminist philosophy.

Pragna Patel

Founder of Southall Black Sisters, London, UK

Pragna Patel is a leading member of Southall Black Sisters. Her wide-ranging experience encompasses working with and campaigning on black and minority ethnic women, particularly Asian women and domestic violence.

Farida Shaheed

Coordinator, Shirkat Gah Women's Resource Centre,
Lahore, Pakistan

Farida Shaheed, sociologist by training and activist by choice, has written extensively on the intersections of culture, religion and women's rights; development, governance and women; the state and citizens. She is a founder member of the national women's lobby, Women's Action Forum, and a Core Group Member of Women Living Under Muslim Laws. Publications include *Imagined Citizenship - Women State and Politics in Pakistan* (2002); *The Other Side of the Discourse: Women's Experiences of Identity, Religion and Activism in Pakistan* (1999), *Controlled or Autonomous: Identity and the Experience of the Network, Women Living Under Muslim Laws*, (1994); *Purdah and Poverty in Pakistan*, (1989). Edited books include *Shaping Women's Lives: Law Customs and Practices in Pakistan* (1998) and *Women of Pakistan - An Annotated Bibliography*.

About WLUML

WLUML is an international network that provides information, solidarity and support for all women whose lives are shaped, conditioned or governed by laws and customs said to derive from Islam.

The network aims to increase the autonomy of women by supporting the local struggles of women from within Muslim countries and communities and linking them with feminist and progressive groups at large; facilitating interaction, exchanges and contacts and providing information as well as a channel of communication.

حوائطہ ذیہ اش مسام قوانینہ
Women living under muslim laws
النساء فی ظل قوانین المسلمین
Femmes sous lois musulmanes

WLUML

PO Box 28445, London, N19 5NZ, UK

Email: wluml@wluml.org Website: www.wluml.org

ISSN: 1018-1342