

Women living under muslim laws  
النساء في ظل قوانين المسلمين  
Femmes sous lois musulmanes

## DOSSIER 5-6

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### **Bound and Gagged by the Family Code Sophie Laws (An interview with Marie Aimée Helie Lucas)**

Marie Aimée talks about an alarming recent change in the situation of women in Algeria. A 'Family Code' law has been introduced which removes many of women's basic human rights. She also speaks about contraception, the problem of abandoned children and the consequences for women of the insistence on virginity at marriage.

**Marie Aimée:** I would like to start with this new law, which is known in Algeria under the name "Family Code", (not the name of it, that is "Law on Personal Status") a title which is also used in Tunisia and Morocco. After Independence, in 1962, we were still under extended French law on personal status, because we could not change all the laws at the same time. Under Ben Bella, who was the first president (1963-5), we already had a proposal of a family code, introducing some amendments to the Constitution about equal rights of all citizens, which we felt even at that time to be quite backward as far as women were concerned. Women were already discriminated against, under the pretext of the Qur'anic influence in the country. We had two other proposals, under Boumedienne, who was the second president of Algeria: the three proposals were stopped by left individuals (both women and men) who were close to the President. What happened in 1982 was that a fourth proposal was issued, under Chadli, and we couldn't find out what it contained. This was also the case with the three previous ones, but they were circulated among a few people so that at least privileged people could have a look at them; this was also why leftists could use their personal influence to stop them.

But this fourth proposal was entirely kept secret - I'll give you two examples to show you to what extent it was kept secret. We had friends who were ministers - they had only two sessions to discuss this proposal. They told us that a copy of it was given to them when they entered the room, and taken back when they went out of the room. And they accepted this! This gives you an idea of the climate of fear in Algeria. We also have six women Deputies (MPs), so we went to them as well and asked them if we could look at what the proposal was, before it was passed without our knowledge. They also refused - the same things were happening to them. All the Deputies were given copies when they entered the room, and the copy was taken back. And they also accepted it. This is really anti-constitutional, because they are supposed to refer to us, they are supposed to represent us. Anyway we couldn't get hold of this proposal so two weeks before we knew that it was going to be passed, we had to steal this proposal. Then we duplicated 25 copies on an old alcohol machine, because that's the only way for it not to be traced by the police. They can find a modern machine. We tried to put these 25 copies in various strategic places where people would react. Only one of those copies reached the target - it was veteran women, women who fought in the Liberation struggle and who are legally organised. We have no free association at all, so it's very difficult to organise, it's always illegal, but those women are allowed to have their own meetings. So it was very important to reach this group.

They understood the situation, and they called a demonstration, the first women's demonstration for 20 years, since independence. Exactly 20 years. Usually any kind of demonstration is just crushed, but this time we had in the front line six women who had been condemned to death under the French, so the

police didn't beat them. It was a good tactic. The women veterans also wrote to their Minister, the Minister of Veterans, saying that they hadn't fought for such a result. They also wrote to the Minister of Justice and to the President. The State was frightened – the President stopped this proposal. We thought it was a big victory, and anyway the first one since independence. Then what happened was that everything was very quiet, after 1982, and then we heard that this proposal (or another like it) was still there, and could be passed at any time.

Three feminists had been arrested in October, last October, along with many other political prisoners. But these three had been arrested because they were feminists, and their only action had been to distribute copies of this proposal, and call for people to read it carefully and not let it be passed. They had been arrested then, and we heard about it in March, which means that it was kept secret - there were no trials, no nothing.

So we started an international campaign. The President of Algeria received thousands of letters and telegrams from all over the world, because we could reach feminist groups in all continents. They were released after one and a half months' campaign. It was a big success.

And then immediately after their release, when everybody was relaxed and happy, the Family Code was passed. So now we are under this law, and I want to tell you what it is. These details are from the fourth proposal – the actual law that was passed may be slightly different, but the spirit won't have changed. It is said that it is inspired by Qur'anic law, but as we all know, religion is always used by the ruling class.

### **Family Code against women's rights.**

We have no right to marry, for instance: we have to *be given* in marriage, according to the tradition, by a man of our family to the other family. It was stated that the aim of marriage is *reproduction*, which also means that somebody can be divorced or repudiated (I will explain what that is) on the grounds of infertility. Repudiation is when the husband just sends his wife away - she is no longer married to him, but she is not divorced, and stays like this. If her family takes her back, then at least she is fed, but if not, she is on the street. And with the cultural change in Algeria, it's more and more likely that more and more women will be on the street, and not back in their families. So it's certainly a big problem.

*Sophie: Before this family code was passed, could men repudiate their wives in the same way?*

**M:** Yes, of course, they could, but it was not *legal*. It was done for years, but the Constitution of Algeria guarantees equal rights, so it was anti-constitutional. But now this law is in contradiction with the Constitution. And we are going to fight it on legal grounds too.

We have no right to divorce at all. Only the husband can divorce. We have no right to work, we have got to have permission from our father or our husbands to work. And this is a very good example of the fact that it is not Qur'anic law, because in the time of the Prophet, I doubt very much that anything was said about wage earning, since it didn't exist at that time! So this is not only anti-socialist (and we claim to be socialists), but it is also very much against women. Now when a couple divorce, or rather when a husband divorces his wife, the children are given to the woman, to the mother. But you cannot really say that she has responsibility for the children. A boy is given to her up to the age of nine or ten, and girl until marriage. But she is only working as a maid in keeping the children - the husband can take them back whenever he feels that she is not raising the children properly. She has got to stay close to him geographically, so that he could check on her every day. Which means that she cannot go to another city, she cannot build a new life, she has to be under his eye all the time. This is not having responsibility for the children. I could go on with this type of example, but it is useless.

There are laws of inheritance, too, which are Qur'anic laws; two women equal one man in many respects. This is also true in giving legal evidence.

The situation of women from 1962 to now has been increasingly bad, getting worse every year, and now it is even legal. So a lot of action will probably be taken in Algeria. It started in 1981, with the first feminist gathering that we have ever had. It was just plain information on the situation of women, on health, education - on three items. And this was already threatened by the rightist forces that are now

called fundamentalist, that we call the Muslim Brothers. They threatened us that they would come and throw acid in our faces during this meeting, which fortunately they didn't do, but they were in the room, interrupting all the time. We couldn't rent a public place to hold this meeting, we had to be very tricky. Some of us had to register with a union, and then rent a room through the union. It was very complicated, and we have never been able to do it again. The second gathering of feminists was held within the university, which means it wasn't really public. We have all these difficulties.

What we are planning to do now - it actually started off from sharing some information with Indian women. There are huge minorities of Muslims in India, and they are living under Muslim law, not the Constitution of India. A young woman of 24 years old is presently taking the Indian government to court, saying that the law which is applied to her in her area is in contradiction with the constitution, which is the case in most of the Arab countries. I don't know if she will win or not, but the action is very important. So we are planning to meet with other women living under Muslim law wherever they are, and to have common action, or at least information, about what's going on in our countries.

### **Thirty thousand abandoned children**

Another thing which is very important and which is not talked about up till now is that we have lots and lots of abandoned children. Twenty years ago this didn't exist at all - it's a new phenomenon, which is appearing in all African capitals. I don't know about elsewhere, but I know about Africa - it began about ten or fifteen years ago. Usually, at least in my country, there were very few illegitimate pregnancies. What would happen was that either the mother was killed when she was pregnant, or she was killed after the delivery, and the child too. But on the other hand there was a traditional way of dealing with this: she would be hidden in her family, the males of the family would pretend that they don't notice anything, she would more or less hide, but it was with their tacit consent, somehow. Then she would deliver, and anybody in the family or the vicinity, or a friend, would take the child and that was it.

Well, this could work for, let us say, 100 cases a year, throughout Algeria. It doesn't work now: we have 30.000 abandoned children in Algeria today. And this does not include the babies who die in the first three months. And I have to tell you that in the big city of Algiers, (which has the best health services of the whole country), there is official data from the Minister of Health that 35% to 85% of abandoned children die in the first three months. And this is in Algiers, in the capital. It is a huge percentage. They die of what is called in French 'hospitalisme du nouveau-né', hospitalisation of the new-born, which is lack of maternal care. Not that they are not fed, not that they don't have blankets or clothes, but they just let themselves die because nobody wants them. So you have to add this number, I don't know what the total for Algeria would be, to the 30.000 abandoned children. And if we want to have an idea of the number of unwed mothers, then we have to add again: those who commit suicide, and it's a huge number of women between 14 and 25 who commit suicide; those who commit infanticide, and they are also numerous; those who have illegal abortions; those who manage to find a family, deliver in secret and give the child away - and all sorts of other cases. So we have to face the fact that we have a lot of unwed mothers.

The position of our government is that it doesn't exist. Which means that these children are now put in a crèche until the age of three or four, then in an orphanage. And if you look at these children, I have been into all these places, they are mentally disabled. It is not that they were born like this - it's an acquired mental disability. So it means that they cannot be adopted by anyone later - at the age of four or five, they don't sit, they don't walk, they don't speak.

**S:** *Because they get so little care?*

**M:** Yes. And before 1972, they didn't even have these crèches, they were in hospitals, in huge rooms, Nobody was appointed to feed them, so anybody who passed by, either the woman who sweeps the floor, the doctor, the midwife, some patients would try and give some bottles, just at random. And they were put in beds with walls made out of material, so that they couldn't even see anything. They were put in their beds, facing the ceiling. And how could they survive? That is how they got mental disabilities. You could see huge rooms with 200 babies. This is a bit better now in the crèches, but still...

### **No right to adopt**

So one of the struggles of Algerian women is to get something like adoption. This Family Code forbids adoption - it is said that it is anti-Qur'anic. It *isn't*. What is said in the Koran is that if you adopt a child, don't give it your name, for fear of incest, later incest. And don't let the child inherit, because you will hurt your natural children. But apart from these two recommendations nowhere is it said that adoption shouldn't be done. And in actual fact the Prophet himself had adopted children. And in the tradition it was very easy - you would just state in front of two witnesses that "This is my child" and he or she was your child. Not having your name, but who cares? There is a huge difference between this situation and what the State is doing now, a system of fostering under the name of Kafala, which is to give some of these children to families to look after them. But now we have to go through the State to have the charge of those children and this means that the State, the Minister of Justice, is the legal tutor of these children. And this would never be transferred to the so-called adoptive parents.

**S:** *They would never have any rights over the children?*

**M:** No. Which means that at any point, the state can take the children back. So if you don't 'behave properly', if you are not a 'good citizen', if you have any kind of political activity, this is a continual threat. This is not adoption, not at all, and women are fighting for the rights of these children.

It has been known for some years, since around 1980, that we had all these children, really thrown into the garbage, somehow. Sweden proposed to take all of them, regardless of their disabilities, and just take care of them. Of course Sweden got a very nationalist answer - these children are our property. Well fair enough, I am not so much for adoption of Third World children in the First World - but on the condition that *we* take responsibility for our children. If we don't, then we have no rights over them.

It was mentioned in the first feminist gathering, of 1981 that Sweden had offered to take these children, and our women reacted the same way: "These children belong to us, and even if they die here, that's where they should die, instead of living elsewhere". And I heard from an official of the Ministry of Health: "Better be a dead Algerian than a living Swedish citizen". This nationalist reaction has to be denounced now, for it is really too much, what is happening to those children. Especially that now with this new law, we have no more hope for legal adoption. Of course, some families will take some children, but there is no security, not for them or for the children.

This is also something which is in the new Family Code, that it is only this type of Kafala which is allowed, and no adoption. And this is linked, this number of unwed mothers and abandoned children is linked to the policy of the Algerian State about contraception.

### **Contraception rights and population control in Algeria.**

We can examine the two decades since independence separately. In the first decade, because of our so-called socialist and anti-imperialist stand, we were strongly against population control, and it was clearly stated by the second President of Algeria, Boumedienne, when he first opened the national Steel Company, in 1968, that the way to development is not population control, it is industrialisation. Fine, so we had to agree with this, as militants, but at the same time, we were signing our death warrant, as we were not allowed not only practice but even *knowledge* on contraception. We were under the extended French law of the end of the First World War in France, which was a pro-natalist law, from 1920 or something like that. And it was really strongly forbidden to have any access to contraception.

So in those ten years, what happened was that women had an enormous amount of children. It was the end of the war, so couples were coming back together, or new couples were formed. It was obviously in the interest of the state to replace all those men who had been killed. After ten years the population growth rate of Algeria was the highest in the world - 3.5%. Because we don't have a high infant mortality rate. It was the highest, with Pakistan and a few other countries. The average number of living children per woman was 7.9. I went through the files of hospitals and clinics, and the number of pregnancies was *normally* about 13, 14. And I quite frequently came across cases of a number of pregnancies close to natural fecundity: nineteen pregnancies.

So this is the situation, with a high instability in marriage, a lot of divorces and repudiations.

**S:** *So women being left with many children?*

**M:** Yes, or not necessarily left, but the children scattered, and it creates a lot of social problems, and psychological problems. These unwed mothers and abandoned children are a consequence of this policy.

Meanwhile in this first decade, the new class was building itself, under the cover of socialist bureaucracy. And now in the second decade they appear as a class, wanting to reproduce themselves as a class, and taking the means to do it. Which implies in the population policy, that they changed completely from this anti-imperialist stand of encouraging population growth to a class approach to the problem. They are threatened as a class, which means they don't want all this lumpen-proletariat to grow around the cities. Half of the population of Algeria is now under 14 – a huge number of young people who cannot be provided with education. And they will be on the labour market, and have no jobs, of course. And all this is a threat to this new class which I think now could be described as becoming a 'normal bourgeoisie', ie. owning some means of production, which they didn't do previously, because everything was state owned. But there are more and more private investments in Algeria, and the self-managed sector is narrowing. Even the land, I think, will be given back to private property at some point.

**S:** *Do they let in foreign capital?*

**M:** Not yet. That will be a further step. But the change is very evident, and in population policy, which is where women are very much concerned now, the first step was January 1981, the new law of finance. Up to '81, we were under a type of French law, which meant that as far as taxes are concerned, if you are single you pay more tax than if you are married, and the more children you have, the less tax you pay. From one day to another, this was reversed. Which means that large families are penalised. So now, if you are single you pay less tax, and the more children you have, the more tax you pay.

Before 1972 we had only one clinic providing contraception, and it was an experimental university clinic, so it was not under the law because it was meant for research, at least we said so. We put a lot of energy into having this clinic as a first step, because we felt it was our right to have contraception.

But now we are going to be *given* contraception, and in a way which is not at all satisfactory and does not respect women more than they were respected in the previous stage. From '72, the beginning of the second decade, some more clinics were opened, inside the maternal and childcare clinics. Now we have about 500, which is nothing for Algeria, with a population of getting on for 20 million people, with a lot of young people, so it will create a lot of problems. But there are more and more signs that contraception and even abortion is going to be enforced on women, because of this fear of the growing lumpen proletariat. Contraception is already legal, passed in 1978. And we agreed with this, we had to fight to get it, but at the same time we can see that this is done against us. We now have a law allowing 'therapeutic' abortion, which is good too, but again this is the first step, because they are going to have free abortion, which in itself is perfect, except that it is going to be enforced upon poor women. That is extremely clear. I have heard officials speaking openly of their fear of the people, and openly stating that abortion is the best thing - and sterilisation.

**S:** *Does Islam say anything against contraception?*

**M:** Not at all. We even have statements of high authorities, of colleges of doctors of the faith to state that abortion is forbidden, but that contraception is not forbidden. We had this, from the very beginning, during this decade when we couldn't obtain contraception. So you see Islam is used whenever it is suitable, but.... when it suits *us*, it is not used.

### **Where would they get pregnant?**

About unwed mothers. They are the product of all this. When I first started to study this I thought that they would probably be young women coming on the labour market, entering the so-called modern sector, but it was not the case. These women are from poor, but very traditional families: they are kept inside the families, and they hardly go out, maybe ten minutes to get bread somewhere, or go to visit the

family, and they are closely watched. Of course, they are from the outskirts of the city, because we have a strong immigration from the countryside to the city, everywhere, and no work, so the whole patriarchal family collapses. Fair enough, we are very happy about it. But what happens is that some of the traditions are still maintained, but some of the rigid moral behaviour collapses. And this is not necessarily to the advantage of women. We have to face the fact that it must be to a great extent rape and incest, within the family. They can't go out, so where would they get pregnant?

They are mainly two groups: a group between 30 and 40, of divorced women, or widows - I won't talk about them now. But the younger group, from the age of sixteen to 24 - when I talked to the medical doctors in the hospitals of Algiers, something very interesting was said to me. Of course it's not statistical data, but it's interesting anyway - they would say "half of them are virgins, in this group", the young group. And another would say "oh, at least half of them were virgins", and then another still, which means that there is some truth in this. They probably get pregnant after one very incomplete intercourse. This is also confirmed in the fact that some cases were known in the bourgeoisie, of young girls being pregnant and the parents knowing it, and begging the doctors to perform a caesarian on the girl, so that the hymen would still be intact. Which means that they *were* virgins. It's important, because doctors agreed to do it, and this was only 'for the sake of the girl', so that she can be married afterwards, hiding that she had ever been pregnant. Then she would undertake her so-called first pregnancy, without telling anybody, not even the doctor, that this was happening in a uterus that had been cut. Facing death - instead of social death, physical death. Because being pregnant is social death.

I have heard of many cases in hospitals, of lower class girls who beg until the last minute for a caesarian for this reason. So all this is very complex, but there is a lot to think about, especially about the destruction of the extended family, and what is happening in such cases. The destruction of the authoritarian patriarchal family is *not* necessarily something which benefits women. In that case, it doesn't.

**S:** *If there is nothing better? And the women have no power to create anything better?*

**M:** Not for the time being. A young girl like this could not work. We don't exist outside the family. Even renting a room, for somebody like me, would be quite impossible. Nobody would rent me a room, unless somebody from my family, a male, came and said, "oh yes, we all agree that she should have a flat". And women who are living alone, there are some, are usually from a wealthy family that can afford to back them, in all respects. Especially on the moral side, and the social side.

So these girls usually hide their pregnancies until the last minute, in the family, bandaging themselves. And we usually have long, wide dresses, which are quite comfortable to hide pregnancies under. They would then get help from a woman friend or relative, who would say, "oh, I'll take her to help me at home for three weeks if you don't mind". And then in those three weeks she would be put in hospital, deliver, abandon the child and then come back, and it will be unknown. And that's the only way.

One last point I want to tell you about, about this virginity. It is really social death - you can't get married, you can't tell anyone, if you are no more a virgin. This business of caesarians shows what it means, and I quite understand, as their whole life is affected. We always had special women of the villages, who would sew back a hymen, but the number is increasing, so now we have huge numbers of Algerian women going to France, and maybe to other countries, and they have managed over years to convince left groups to help them. And I am sure it's very complicated for a left Western doctor to accept the idea of sewing back the hymen, because it's outside of what they can understand. And it's something nobody would like to do, but anyway they are doing it, and thanks to them those women can go back and pretend nothing ever happened. It also means the destruction of the personality of Algerian women, as we really have split personalities, having to do such things. But at least some people in the left in Europe manage to understand that there is no other way, at present.

**S:** *How do you feel about working with women outside Algeria?*

**M:** I personally believe in internationalism, also among women's groups, but I am not representative of the opinion of Algerian women and Third World women in general, because you will usually find a lot of racism amongst us, towards you people. You see, accusing the West, and imperialism, is fine, but I don't

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see how we can get any solution except by identifying the left forces, however limited their awareness is of our situation, of the evils of international capitalism.

I think we should work with left people and with women, wherever they are. And if we are not satisfied with what they think, we can explain, instead of attacking them, because we don't identify the principal enemy by doing so. We destroy our own possibilities and forces, in the long run. That's why I wanted to talk to you - it took me ten years to decide that I would do it, because I also was nationalist enough to think that I should not speak outside. But I cannot speak *inside*, so what is the effect of my good will on what happens to Algerian women? When we started that campaign outside Algeria to free those three feminists, we did succeed, because I know where the weaknesses of the Algerian regime are: they don't want this to be exposed outside. And when they feel that their nice socialist image is tarnished, they would just find a way. I think on very limited points we can have common actions, for sure. We need a lot of information that you get very easily, and we can't, so we need a lot of cooperation from the West. And I'm sure we can also give a lot of information, not only for our own sake, which is what I'm doing now, so that the regime would be frightened, and wouldn't dare apply this law that they've just passed. And I hope that this type of attempt can help the forces inside Algeria, women's forces, to fight this law.

But on the other hand I'm sure that we can also give information that would be useful to you - I don't think it's a one-way process at all. But believing in this kind of internationalism, acknowledging all the differences of interest and in wealth and class and whatever...this I don't deny, and I think we have to work on it.... this is absolutely not typical. I haven't always been like this, either - I have been very blindly nationalist in the past.

### Notes:

This interview first appeared in *Trouble and Strife* (n°5. Spring 1985) and was later reproduced by **Women's International Resource Exchange**, N.Y.

Ms Amel Yaker has written a thesis at the University of Algiers on abandoned children, in the hope that the authorities will react - it has not been published. There is also a book on the subject by Boucebi Mahjoud. *Psychiatrie et Société* (SNED, Algiers).

An Algerian writer, Rachid Boudjedra, published a book where he described the situation of the child of a repudiated mother. It came out in French a few years ago, called *Repudiation*, (Paris).

### Postscript: November 1986

Two-and-a-half years after giving this interview, there is both little to add and a good deal to comment upon: little to add about the situation within Algeria, but a lot to say about the development of women's organizations and about my own position on 'blind nationalism', internationalism and exchange between so-called North-South.

The situation of women in Algeria is no different insofar as the Family Code is now enforced with few modifications from the outline I was commenting on in 1984. The right to work no longer has to be submitted to the authorisation of fathers, husbands, elder sons or any other male tutor; otherwise the text remains unchanged.

Nevertheless, talking with women from other countries, I have come to realise that the Code itself is open to misinterpretation by foreigners: for instance, it recommends that a bride consent to her marriage. This shouldn't be read too quickly, the next paragraph informing us that her consent may be expressed by 'any sign'. So many young brides weep at their wedding, this could easily be interpreted as an indication of joy or emotion rather than the poignant anguish or terror which it so often is. In addition, she doesn't even have to sign the marriage contract, so the 'signs' of her consent can be interpreted by the male tutor at home.

The Family Code is written in a style similar to that of sacred texts (from the Koran to the Bible) in that one can find many contradictions from one paragraph to another. This means that each and every so-called protection or right given to women can be challenged using another paragraph of the law. Similarly, each and every limitation restricting male supremacy is later given back to men: polygamy and

repudiation are finally left to a man's 'true' application of the moral prescriptions of religion; he just has to be a good Muslim and, as such, won't misuse sacred or legal texts in order to unfairly treat the women under his control.

Obviously, social behaviour in any country is not only determined by laws, but when new laws come to restrict the rights of citizens, calling on traditions and culture to justify the inequality they promote, we can certainly say that it is a sign of times; more so, when one becomes aware of the fact that in several Muslim countries, new "family codes" have recently been passed, which ALL restrict, at different levels and degrees, the rights of women; when one learns that Ministers of Justice of the Arab countries meet regularly to unify such Codes on Personal Status, led by the most reactionary factions, and that Ministers of Justice of Muslim countries in South Asia also meet to unify Codes on Personal Status, one has to face the fact that justice for women is threatened all over the Muslim world.

This comes at a time when fundamentalists are taking over in all the major religions, including Islam, and in an international situation where Islamic countries are generally accused of many evils, from promoting terrorism to preparing the Third World War. This interpretation leaves no room for differentiating between the suffering people and the governments which oppress and mystify them. In fact, racism and anti-Islamism give ground to the rightists, and sometimes fascist governments which unfortunately lead Muslim countries to mobilize the people against external enemies, and get rid of their internal popular opposition. (It evidently also helps the governments of the non-islamic countries to build their own internal rightist forces mobilised around racist slogans, but this is not what we are supposed to discuss here.)

By the same logic, women are caught between two legitimacies: their belonging to their people and their loyalty to their female oppressed group.

We are made to feel that protesting in the name of women's interests and rights is not to be done now (it is never, has never been the right moment: not during the liberation struggle against colonialism, because all forces should be mobilised against the principal enemy: French colonialism; not after independence, because all forces should be mobilised to build up the devastated country; not now that racist imperialist Western governments are attacking Islam and the Third World, etc...). Defending women's rights "now" (this "now" being ANY historical moment), is always a betrayal - of the people, of the nation, of the revolution, of Islam, of national identity, of cultural roots, of the Third World... according to the terminologies in use, hic and hunc.

This narrow approach towards nationalism is very effective: the women's movement in our countries is not strong enough, numerically speaking, and therefore ideologically and theoretically too, to challenge an interpretation which so suits the dominant males, including those of the left, who are the first ones to accuse us of betrayal, of "imported ideologies", of "Westernism" - using the very same terminology which our governments use against the left at large.

It is thus very hard to persist in total isolation in denouncing the stepping back of most our regimes on the women's question and to go on organizing the struggle.

My deepest admiration and regard goes to those of us who stubbornly trace their way into this ideological jungle, to promote the cause of women.

Not only are we prevented to speak for women, but also to think, and even to dream about a different fate. Yes we are deprived of our dreams, because we are made to believe that leading the life we lead is the only way to be a good Muslim, a good Algerian, a good Pakistani, or a good Sudanese; we are not even aware of the differences which exist from one Muslim country to another, of situations which may be more favourable to women than others, of the intricacies of culture, traditions and religion. Let women from Muslim countries out of their national ghettos, let them see that infibulation practiced in Africa is unthinkable in Asia, that the veil worn in Arab countries is not there in Africa, that none of these practices rely on religious principles, but that religion everywhere backs such practices whenever they allow more control over women.

Although in most cases we cannot organise inside our own countries, nor even speak without facing heavy repression, we are also made to feel that we should not speak outside, that we should hide, in the



name of national loyalty, what crimes are committed against women and against other oppressed factions of the people. We are thus made to identify with "the nation", "the people", conceptualised as an atomised and undifferentiated mass, without conflicting interests, without classes, and without history - in fact legitimate representatives of "the people".

Unfortunately there are all too many examples of such attitudes in women's groups in our countries.

I recently heard in Pakistan, comments on exiled Iranian women who, their detractors said, should not denounce in the West the fate of women in Iran, because this is used by rightist forces in the West against Islam, and against the image of the Iranian people. This leaves the question open: is the Iranian people in power? Or oppressed? Were the Germans denouncing Hitler during the Second World War anti-Germans or anti-Nazis? In India, at present, using the riots and massacres led by Hindu fundamentalists against the Muslim community, Muslim fundamentalists have succeeded in persuading Muslim women activists to stop their campaign against the Muslim Personal Law, for fear of such protest being used against their own community, therefore adding to the discrimination already suffered under the dominant Hindus. Remember how long it took for communists from Eastern Europe to become "dissidents" and speak out about the crimes of Stalin, and the evils of supposedly communist countries.

What have they betrayed, apart from their exploiters?

In Algeria, many of us, including myself, kept silent for ten years after independence, not to give fuel to the enemies of the glorious Algerian revolution; by so doing we have merely given those in power time to organize and strengthen, allowing them, amongst other things, to prepare and enforce discriminatory laws on women.

The last sentence of my interview of '84 ends with this confession: "I have been blindly nationalist in the past". I will certainly admit that Western right forces may and will use our protests, especially if they remain isolated. But it is as true to say that our own rightist forces exploit our silence. Therefore I believe the question is irrelevant.

We have everything to gain in being truly internationalist; in exchanging all useful information, and solidarity and support. In this way, it will become more and more difficult to exploit our protests in a way which does not suit our purposes. This is the dream which lies behind the network 'Women Living under Muslim Laws'.

Women and women's groups from 17 countries now write to each other, ask for documentation, compare so-called Muslim laws in different countries, send appeals for solidarity, inform others on their strategies in very practical terms such as writing marriage contracts which give the maximum space to women, build documentation for local groups, etc...

This is only a beginning. Through the network we have been able to find out about plans to unify Codes of Personal Status, both in the Arab Countries, and in the South of Asia. We start knowing about how young fundamentalists are trained, and where, and who is funding them; and we learn about progressive interpretations of Islam, from the times of the Prophet till recently, and about the fate suffered by some of the courageous men and women who have spoken in favour of an equalitarian interpretation of the religion. We realise that in most of our countries there is no room for agnosticism or atheism; that religion is forced down our throats, because there is a constant ideological confusion between religion, culture and nationality; and that we should work towards a clear-cut identification of these concepts and a separation between religion and the State.

We are in debt to the early Western internationalist feminists who, 20 years ago, started inviting women from the so-called Third World to international feminist gatherings, granting some of us the privilege to not only be in contact with feminists from all over the Western world, but also to meet other Third World women. It is through international meetings that we came to know each other and later found associations at regional or continental level.

Much later, it is also through international feminist gatherings, like the 4<sup>th</sup> International Tribunal on Reproductive Rights where the first Action Committee, Women Living Under Muslim Laws was founded,

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that women from Muslim countries came to know each other.

In spite of all the difficulties which have emerged during international feminist gatherings, between women from the West and women from the Third World, we have largely benefited from these opportunities. Western feminists often have supported us in the past, and we have been accused in our own countries, of being brain washed by "foreign ideologies", as if our reality was not enough of a reason to protest.

Now that we start supporting each other from within the Third World, within the Muslim world, etc... it becomes more and more difficult to limit our action to an imitation of the West. The support of women from the West has less and less heavy consequences. Speaking out against discriminatory situations in Algeria or crimes against women in Iran can less and less be used by reactionary forces outside our countries, because support comes from both within and outside.

Inside our countries and even within the women's groups, we leave less and less ground to nationalist justifications for silence.

Moreover, I mentioned in this interview of '84, that this may not be a one way process (Western feminists supporting us), that exchange may not necessarily be "North-South", as "they" would say. We have a very good example of this. In the network, we are presently supporting a group which calls itself "the five mothers from Algiers", 5 French women whose children were taken away by their Algerian fathers after divorce.

We have a long experience of such situations, since they are most common in all Muslim countries: fathers used their unchallenged customary rights of ownership upon the children, reinforced by modern laws, to deprive the children of all contacts with their mother or maternal family, regardless of the damage caused. The situation of these 5 mothers, is not any different from the one of millions of women under Muslim laws.

For the first time, European women will be supported in their struggle against unjust laws by women from Muslim countries who suffer under the same laws and traditions.

Their fight is ours; in many of our countries women try and organize against the consequences of discrimination in questions of marriage, divorce, custody, maintenance...

It goes without saying that there are still nationalist reactions amongst some women's groups who fear that, once more, the protest would be used against Algeria and Islamic countries at large. For fear that the case will be presented as French women fighting Arab barbarism. What is barbaric is (without taking any position on whom, from the father or the mother should have custody) to deprive so totally any child from its mother or any mother from her child, whatever her and its nationality, race, colour, or religion.

The more support such a case receives both from Western women and from women from Muslim contexts, the clearer it will be. We will not support injustice and discrimination in the name of national identity.

It is in our very interest that internationalism should prevail over nationalism, and that we should link such struggles from one country to the other. For reasons of ethics, as well as from the point of view of efficiency, in the hope that more of such struggles will start and be backed nationally, regionally and internationally.